



Chapter 13—~~LANDSCAPING, TREE REMOVAL AND SITE CLEARING~~⁽⁴⁾—RESERVED

****RESERVE CHAPTER 13. TREE AND LANDSCAPE REGULATIONS TO RESIDE IN CHAPTER 27 'ZONING AND LAND DEVELOPMENT' CODE.****

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CHAPTER 19 - PROPERTY MAINTENANCE AND STRUCTURAL STANDARDS

ARTICLE I. - IN GENERAL

DIVISION 3. - PROPERTY MAINTENANCE REGULATIONS

Sec. 19-3. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous tree means ~~any tree determined by the City of Tampa's Urban Forestry Coordinator, or designee, that meets the highest rating contained in the Tree Hazard Evaluation Form found in Chapter 13, City of Tampa Code of Ordinances~~ shall have the same meaning as defined in Chapter 27.

Sec. 19-58. - Unlawful to allow a dangerous tree to remain on property.

- (a) It is unlawful for a property owner to allow any tree, or any part thereof, to remain on the property, that has been evaluated and deemed 'dangerous,' as defined in section 19-3, by the natural resources coordinator, urban forestry coordinator, or respective designee(s)~~to remain on the property any tree, or parts thereof that has been determined dangerous, as defined in section 19-3.~~
- (b) When a property owner has been issued a Notice of Violation for a dangerous tree under this section, and the cause of the condition rendering the tree 'dangerous' is not a result of a violation of ~~Chapter 1327, article VI, division IV, City of Tampa Code of Ordinances,~~ the tree removal permit requirements set forth therein, of section 13-45, City of Tampa Code of Ordinances, will be waived, and the Notice of Violation will act as the permit.

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CHAPTER 27 – ZONING AND LAND DEVELOPMENT

ARTICLE I. - GENERAL PROVISIONS

DIVISION 3. - PLANNING DISTRICTS, CONSISTENCY MATRIX, AND ZONING ATLAS

Sec. 27-20. – ~~Reserved~~ Planning Districts.

Pursuant to the Tampa Comprehensive Plan, the city is comprised of five (5) distinct Planning Districts:

- (a) *Central Tampa:* (general boundary) Beginning at the point of intersection of the centerlines of Hillsborough Avenue and Himes Avenue; thence running east along Hillsborough Avenue centerline to the centerline of Hillsborough River; thence running northerly and easterly along the centerline of Hillsborough River to its intersection with the western edge of the CSX right-of-way (immediately west of Rowlett Park Drive); thence running southerly along the western edge of the CSX right-of-way to its intersection with the centerline of Hillsborough Avenue; thence running easterly to the city limits; thence running southerly, easterly, and westerly along the city boundary, continuing along the southern boundary of the Port of Tampa peninsula and southern and western boundaries of Davis Islands; thence running westerly along the southern edge of Davis Islands Bridge to its intersection with the seawall (Bayshore Boulevard), proximate to the intersection of Swann Avenue and Bayshore Boulevard; thence running southwestery along the waterside edge of the seawall (Bayshore Boulevard) to its intersection with the extended centerline of Howard Avenue; thence running north along the centerline of Howard Avenue to its intersection with the centerline of Swann Avenue; thence running westerly along the centerline of Swann Avenue to its intersection with the centerline of Himes Avenue; thence running northerly along the centerline of Himes Avenue to the point of beginning.
- (b) *Westshore:* (general boundary) Beginning at the point of intersection of the centerlines of Kennedy Boulevard and Himes Avenue; thence running westerly along the centerline of Kennedy Boulevard to its point of intersection with Interstate 275 at the water's edge; thence running northerly along the water's edge to its intersection with the southern edge of Courtney Campbell Causeway right-of-way; thence running westerly, easterly, and northerly along the city boundary line to its intersection with the centerline of Hillsborough Avenue; thence running easterly along the centerline of Hillsborough Avenue to its intersection with the centerline of Himes Avenue; thence running southerly along the centerline of Himes Avenue to the point of beginning.
- (c) *University:* (general boundary) All lands within the city limits, north of Central Tampa and Westshore Planning Districts, and encompasses lands east of the centerline of 46th Street and all natural lands south of Tampa Palms and west of the centerline of the Hillsborough River.
- (d) *New Tampa:* (general boundary) All lands within the city limits, north of University Planning District. The District is generally bounded by unincorporated Hillsborough County on the west and east and Pasco County on the north.
- (e) *South Tampa:* (general boundary) All lands within the city limits, south of Westshore Planning District and south and west of Central Tampa Planning District.

DIVISION 4. - DEFINITIONS

Sec. 27-43. - Definitions.

For the purpose of the Land Development Code, certain abbreviations, terms, phrases, words and their derivatives shall have the meanings as described below. Furthermore, unless otherwise specifically defined, the words and terms used in this Code related to alcoholic beverages shall have the same meaning as defined by the Beverage Laws of the State of Florida, F.S. Ch. 561 et seq. Words not defined herein shall be interpreted in accordance with section 1-3.

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Arborist: An arborist is an arboriculture professional who has earned and maintains a current, valid arborist certification certified by from the International Society of Arboriculture (ISA).

Arborist Report: A professional report, performed by and/or under the direct supervision of, and signed by, an arborist, which, at a minimum, includes a condition/risk assessment rating for each tree identified on the tree survey. Acceptable assessment methods include CTLA, TRAQ, BOND, Matheny & Clark, or other industry standard assessments. Such reports may also include readings and findings from sonic tomography, electric resistance tomography, and/or other industry standard imaging methods used to supplement tree evaluation.

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Buildable area: The portion of a lot remaining after required yards and required tree protection radii have been provided. Buildings may be placed within the buildable area, but limitations on percentage of the lot which may be covered by buildings may require open space within the buildable area.

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Caliper: Trunk caliper is the diameter of the trunk measured six (6) inches above the ground, on trees up to and including four (4) inches caliper; trunk caliper is measured twelve (12) inches above the ground for trees larger than four (4) inches caliper. Caliper is the standard measurement used for nursery trees (refer to Florida Department of Agriculture and Consumer Services standards: *Florida Grades and Standards for Nursery Plants*, most current version).

Canopy: Synonymous with "crown."

Canopy footprint: Synonymous with "crown footprint."

Canopy spread: Synonymous with "crown spread."

Champion or Challenger tree: Those trees described as Florida Champion Trees, National Champion Trees, and Florida Challenger Trees, by the Florida Forest Service Division, Florida Department of Agriculture and Consumer Service.

Circumference: The distance around the periphery of a tree at four and one half (4½) feet above existing grade.

Clearing: The removal of trees, shrubs, and other vegetation landscape from the existing ground surface. Clearing is usually undertaken where subsequent land alteration, construction, or agricultural activities are to occur. Lawn mowing and ANSI standard pruning are excluded from this definition.

Crown: The live, foliated portion of a tree, from the lowest branch to the treetop. Synonymous with "canopy."

Crown footprint ("CF"): The crown footprint is that area, which is derived from the vertical extension of the outermost edges of the crown to the ground. Synonymous with "canopy footprint." For purposes of this code,

crown footprints will be expressed as circular areas by using the formula for the area of a circle: πr^2 . The “CF” is equivalent to the square of one-half (1/2) of the crown spread (“CS”), multiplied by pi, expressed as: “ $\pi(CS \div 2)^2 = CF$.”

Crown spread (“CS”): The crown spread is the average diameter of the footprint of the crown, by measuring the longest length (“LL”) of the crown and the shortest length (“SL”) of the crown, expressed as: “ $(LL + SL) \div 2 = CS$.”

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Damage or abuse: Any action or inaction, which does not follow ~~good-accepted~~ arboricultural practices, as established by the ~~National-International Society of Arborists-Association~~. Abuse also includes damage inflicted upon roots by machinery, changing the natural grade above the root system or around the trunk, destruction of the natural shape or any action ~~which-that~~ causes infection, infestation, or decay.

Dangerous tree: Any tree that rates ‘severe’ for failure potential with a ‘constant-use’ for target rating on the Tree Hazard Evaluation Form, set forth in the Tree and Landscape Technical Manual.

DPW (Department): The Department of Public Works (DPW).

Diameter breast height (~~d.b.h.~~ “DBH”): The diameter, in inches, of a tree trunk measured at four and one-half (4½) feet above existing grade. ~~D.b.h.~~ DBH is also referred to as the diameter of a tree not in a nursery setting. Refer to “caliper” for the nursery tree measurement standard; refer to the Tree and Landscape Technical Manual for measurement methods specific to tree forms: “low branching tree,” “multi-stemmed tree or tight clump of trees,” “single-stem leaning tree,” “single-stem upright or straight tree,” and “tree on a slope.”

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Exempt plant species: Schinus terebinthifolius (brazilian pepper); Cupaniopsis anacardiodes (carrotwood); Casuarina spp. (australian pine); Melaleuca quinquenervia (punk tree); Sapium sebiferum (chinese tallow); Broussonetia papyrifera (male mulberry); Melia azedarach (chinaberry); Prunus caroliniana (cherry laurel); Auracaria wrightii (monkey puzzle); Grevillea robusta (silk oak tree); Albizia spp. (mimosa, woman's tongue); Syagrus romanzoffiana (queen palm); Prunus serotina (wild cherry); Citrus spp. (citrus); Leucaena leucocephala (lead tree); Dalbergia sissoo (rosewood); Acacia auriculiformis (earleaf acacia); Eugenia uniflora (Surinam cherry); Koelreuteria paniculata (golden rain tree); and Schefflera actinophylla = Brassia actinophylla (shefflera, queensland umbrella tree); any specie included on the State of Florida’s Noxious Weed List (refer to FL Administrative Code, Rule Chapter 5B-57).

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Grand tree: A specie of tree and its root system of the species listed in Schedule A located in section 13-6 whose circumference, height and with crown spread, tree height, trunk circumference (calculated from DBH measurement), and overall tree condition that are of the identity, size, and character, to total the minimum points for the such specie, as outlined in Schedule A set forth in sec. 27-284.3. Any tree designated as a Challenger or Champion tree by the State of Florida is considered a grand tree.

Green space: Synonymous with “landscaped area” or “landscape area”. The entire parcel less the building footprint, driveways, vehicular use areas, hardscapes such as decks, swimming pools, decorative fountains, patios and other non-porous areas. Stormwater management system, wetland conservation areas, lakes, rivers, and creeks are excluded in the calculation of green space area.

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Hazardous tree: Any tree that is rated at 'C-9' or higher, on the City's Tree Evaluation Form (refer to Tree and Landscape Technical Manual), with a 'Failure Potential' rating of at least 'High,' relative to its location, species, condition, risk assessment, and size.

Hedge: A close planting of shrubs which forms a compact, dense, living barrier which protects, shields, separates, and/or demarcates an area from view, and which is eighty (80) percent opaque within twelve (12) months after planting.

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Improvements: Improvements required by the land development code, including but not limited to, street trees, right-of-way pavements, curbs and gutters, streetlights, sidewalks, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street signs and traffic-control signs. Improvements may be found on-site or off-site and may be either public or private.

Infrastructure: Roads, water, sewer, stormwater or drainage facilities, and utilities, and trees within the right-of-way constructed/installed to meet a public need and/or public purpose, and designed in part to accommodate development.

~~Invasive species: An exotic or naturalized plant or tree species whose growth habit and reproductive strategy threaten to displace native species and disrupt ecological processes of natural communities that disrupts naturally occurring native plant communities by altering structure, composition, natural processes and/or habitat quality common to Florida and the city.~~

Irreparable or irreversible damage or abuse: 'Damage or abuse' inflicted upon a tree's root system, trunk, and/or crown, by any means, to such a degree that the tree condition is rendered 'hazardous' or 'dangerous'. Such damage or abuse has or will cause the tree incapable of correction, repair or return to structurally stable condition.

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Land development decisions: Those decisions ~~which that~~ require a public hearing prior to a decision being rendered including an amendment to the Tampa Comprehensive Plan future land use map, a parcel or area rezoning, a special use application, a variance application, a petition to review, a request for vacation of rights-of-way, or a HPC application as defined in article V, division 3 of this chapter.

~~Landscape: The planting of plant material, native and non-native plant material, recommended trees, grand trees or protected trees, including retention of existing, which is retained and/or planted in such a way as to conserve, preserve, and/or enhance land uses, natural land features, and natural and aesthetic values, wildlife habitat, and/or other environmental factors such as air or water quality. Non-living natural material which permits percolation may also be used as accessory material in landscaping.~~

Landscape structure: A structure ~~which that~~ utilizes manmade materials and ~~vegetation~~ landscape to create a landscape feature.

Landscape area trust fund: ~~The fund established in section 16-46 of the Code by this chapter,~~ for the purpose of acquiring new ~~park~~ public land, or improving existing public ~~park~~ land or public right-of-way, by providing new landscape area and/or enhancement of existing landscape area in the public realm.

~~Landscape area: The minimum area on a parcel that is required to be landscaped pursuant to this chapter, as depicted on an approved landscape and tree planting plan. The types of plants and other materials permitted in a landscaped area are outlined in the definition of "landscape" in this section. Landscape area excludes the following: building footprint(s); driveways/accessways; vehicular use areas; hardscapes such as decks, swimming pools, decorative fountains, patios, and/or other impervious surfaces/areas; stormwater management~~

systems/areas (below two (2) feet); wetland conservation areas (wetland setback/buffer area(s) not excluded); and, other water bodies such as lakes, ponds, rivers, and creeks.

Landscaping: ~~The act of installationing or removing of plants and/or trees~~landscape.

Listed animal species: ~~Animal species, which are identified as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Commission in Chapter 39, Florida Administrative Code, and occur in the City of Tampa~~(refer to Florida Administrative Code, Rule Chapter 68A-27).

Listed plant species: ~~Plant species, which are identified as endangered or threatened by the Florida Department of Agriculture and Consumer Services or the United States Fish and Wildlife Service, and occur in the City of Tampa~~(refer to Florida Administrative Code, Rule Chapter 5B-40).

Listed species: ~~All species of plants and animals which are listed as threatened, endangered or species of special concern in Chapter 39, Florida Administrative Code, or by the Florida Department of Agriculture and Consumer Services or the United States Fish and Wildlife Service, and occur in the City of Tampa.~~

Longest length (“LL”) diameter (see also “crown spread”): The longest linear length of the crown footprint, generally perpendicular to the shortest length “SL,” measured through the trunk, horizontally to the tips of the branches.

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~~Contributed Mitigation tree: A recommended tree, selected from the city’s Tree Matrix, in accordance with this chapter and the Tree and Landscape Technical Manual, that which is planted as a replacement tree or contributed to the department tree bank applicable Planning District’s tree trust fund, in the form of a tree mitigation fee. Refer to sec. 27-285.4. for the mitigation method. in accordance with section 13-164 to replace a protected tree that is dug up, irreversibly damaged or destroyed.~~

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Native: ~~An adjective used to describe species of flora and fauna which that naturally occur in Hillsborough County and the City of Tampa; not to mean naturalized or indigenous species, which originate from outside the county and city.~~

Naturalized Plant: A plant that is reproducing spontaneously outside of cultivation and outside its native range.

Natural resources coordinator: The city official responsible for administration, interpretation, and enforcement of natural resources-related provisions set forth in this chapter.

Nonwooded land: A parcel, greater than one (1) acre, less than fifty (50) percent of which is covered by native that has non-‘exempt’ tree canopy and/or forested native plant communities, exclusive of wetlands, covering less than fifty (50) percent of the parcel land area with canopy and/or foliage.

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Planning Districts: As identified in the Tampa Comprehensive Plan and described in sec. 27-20, there are five (5) Planning Districts within the city limits: Central Tampa, Westshore, University, New Tampa, and South Tampa.

Protected tree: A tree and its root system, other than trees exempted in section 13-7, having the characteristics set forth in section 13-6. Any mangrove species; any cypress species; and, any non-‘exempt’ tree species that measures five (5) inches or greater DBH. Refer to sec. 27-284.12.

Protective barricade: A physical, vertical, temporary structure, affixed to the ground, which ~~not less than three (3) feet in height;~~ limitings access to protected trees and grand trees. A suitable protective barrier shall visually define the required protective root zone (PRZ) during construction. Refer to the Tree and Landscape Technical Manual for barricade design and placement details.

Protective barrier: A physical, vertical, temporary structure, affixed to the ground, which ~~not less than four (4) feet in height, composed of wood or other suitable materials,~~ limitings access to a protected area to insure assure compliance with the intent of this Code. Natural areas to be preserved, such as conservation areas, preservation areas, areas where the vegetation of natural plant communities is retained and other areas where land alteration is not authorized, can be protected during land alteration and construction activities by placing stakes, or other acceptable materials, at the perimeter of such areas a maximum of twenty-five (25) feet apart, and tying twine flagged with plastic surveying tape from stake to stake along the perimeter of such areas to be preserved. Refer to the Tree and Landscape Technical Manual for barrier design and placement details.

Protective root zone (PRZ): The entire surface and subsurface soil area encompassed by prescribed radius for protected and grand trees, as set forth in the Tree and Landscape Technical Manual ~~(per the technical manual).~~

Pruning: To selectively remove branches without irreparably or irreversibly damaging the natural shape, form, or structural integrity of a tree; and, without irreparably or irreversibly damaging or abusing the tree. Any pruning of a protected or grand tree shall be performed in accordance with the Tree and Landscape Technical Manual, unless specifically authorized by the natural resources coordinator or designee, in accordance with this chapter.

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Recommended tree: A tree of two (2) inches or greater in diameter, as measured six (6) inches above grade, which is included in the recommended tree list set forth herein as Schedule E in section 13-165.

Relocated tree: A protected or grand tree that has been transplanted, in accordance with the technical standards set forth in the Tree and Landscape Technical Manual, to an in the area(s) specified in this chapter. Such tree is factored as "retained" in the mitigation calculation required in this chapter.

Removed tree: A protected, grand, challenger, or champion tree that has been irreparably or irreversibly damaged or destroyed. Such tree is factored as "removed" in the mitigation calculation required in this chapter.

Replaced or replacement tree: A recommended mitigation tree that is planted in the any of those areas specified in this chapter permitted in this chapter in the place of a protected tree or grand tree which was irreversibly damaged or destroyed.

Required tree: A tree required to be planted as part of a development permit, pursuant to this chapter, other than a mitigation or relocated tree.

Root pruning: An arboricultural technique for preserving trees by providing for the sharp severance of tree roots at a prescribed off-set, relating to the size of the tree. Equipment must be approved by the department building official and natural resources coordinator, or respective designees, and have the capability of cutting to a minimum depth of eighteen (18) inches below grade in order to protect residual roots within the protected root zone.

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Shade tree: A hardwood tree that reaches a typical minimum height of twenty-five (2520) feet at maturity, grown primarily to produce shade with a spreading canopy, which provides relief from direct sunlight for at least six-four (64) months each year and is included in the recommended tree list.

Shortest length (“SL”) diameter (see also “crown spread”): The shortest linear length of the crown footprint, generally perpendicular to the longest length “LL,” measured through the trunk, horizontally to the tips of the branches.

Site clearing: Any development or other activity which alters the land upon which it is located, except for normal sodding, lawn maintenance, and placement of signs.

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Tree: Any self-supporting single- and/or multi-stem woody plant of a species ~~that~~ which grows to at least a height of ~~fifteen~~ ten (1510) feet in the environs of the city, ~~and~~, in addition, all mangrove species of ~~Rhizophora mangle (red mangrove), Aguncularia racemosa (white mangrove), Avicennia aerminans (black mangrove) and Conocarpus erecta (buttonwood mangrove),~~ regardless of diameter ~~size~~.

Tree mitigation fee: The fee set by city council resolution equivalent to the cost of procurement, installation, and irrigating (hand watering or irrigation system) of a mitigation tree.

Tree survey: A map that indicates the location, scientific name, and DBH of any tree on the subject parcel and within twenty (20) feet of the perimeter of the subject parcel. The map must also indicate the “crown spread” dimensions and corresponding ‘crown area’ for any non-‘exempt’ tree measuring thirty (30) inch DBH or greater.

Trimming: ~~Refer to “pruning”. To selectively remove branches without irreversibly altering the natural shape or form of a tree and without irreversibly damaging or destroying the tree. Unless specifically allowed by the Natural Resources Coordinator in accordance with the standards set forth herein, all trimming of protected or grand trees shall be performed in accordance with the “American National Standard for Tree Care Operations, ANSI, A300-1995, current addition.~~

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Understory vegetation: Native plants typical of natural plant communities consisting of the ground vegetation and excluding protected and/or grand trees five (5) inches DBH and larger.

Urban forest: The urban forest consists of the remnants of native forest found within private property, parks, medians, and rights-of-way; and planted trees, palms, and shrubs found on any public or private property within the City of Tampa. Refer also to the City’s Urban Forest Management Plan and most current Urban Ecological (Canopy) Analysis.

Utility: Any public or other community service, available to the general public, including, but not limited to, potable or reclaimed water, wastewater, stormwater, electricity, gas, telephone or other wired communications, gas, and cable television.

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Variance: An approved deviation relaxation by the board of adjustment of the applicable dimensional regulations of this chapter, granted by an authorized board as set forth in article II, where such action is found to be in compliance with those criteria established for such board(s) will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship (see section 27-287.24).

Vehicular use area: Any area used for the outdoor parking, ~~or~~ circulation, and/or maneuvering of domestic or commercial any vehicles and/or and cargo handling equipment. ~~Unless expressly excluded in the context of its use, “Vehicular use area” shall include loading docks/spaces/areas, fire lanes, service drives, and any other~~

vehicular accessways located on the parcel, ~~except for accessways on parcels for single and two family dwellings~~

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Wooded land: A parcel ~~greater than one (1) acre, fifty (50) percent of which is covered by~~ that has native non-'exempt' tree canopy and/or forested native plant communities, exclusive of wetlands, covering fifty (50) percent or more of the parcel land area with canopy and/or foliage.

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