Town of Micanopy Florida

November 10, 2026

TOWN OF MICANOPY
TOWN COMMISSION AGENDA CORRESPONDENCE

TO: Mayor Jiana Williams and Town Commissioners
FROM: Sara Samario, Town Administrator
DATE: [Meeting Date]
SUBJECT: Ordinance No. 2026-03 – Tree Protection and Canopy Management Ordinance

Background

The Town's existing tree protection ordinance was adopted in 2019 and established regulations primarily focused on protecting trees within designated canopy areas. Recognizing the importance of Micanopy's historic tree canopy and the need for clearer, more comprehensive regulations, the Town has undertaken a substantial review and rewrite of the existing ordinance.

The proposed Tree Protection and Canopy Management Ordinance represents a shift from the regulation of tree removal toward a more comprehensive approach to canopy preservation, responsible tree maintenance, and long-term urban forest management.

The proposed ordinance incorporates input from the Town's Tree Advisory Committee and professional arboricultural review, with particular attention to balancing tree preservation, private property rights, public safety, and reasonable development.

Summary of Proposed Changes

The proposed ordinance includes several significant changes:

- **Town-Wide Applicability:** Expands tree protection beyond the existing 25-foot Canopy Protection Zone to establish consistent standards throughout the Town, subject to applicable exemptions.
- **Tree Classifications:** Establishes objective classifications for Protected, Heritage, and Landmark Trees based on species, size, and significance.
- **Property Rights and Exemptions:** Recognizes applicable Florida law and provides exemptions for routine tree maintenance, emergency removal, certain activities near existing residences, and other qualifying circumstances.
- **Tree Permitting:** Establishes administrative procedures, review criteria, and timelines for tree removal permits, with decisions based on objective standards and qualified professional assessments when necessary.
- **Tree Replacement and Mitigation:** Establishes replacement requirements and mitigation alternatives to offset the loss of significant trees while recognizing property limitations and allowing flexibility where on-site replacement is impractical.

- **Professional Tree Care:** Incorporates nationally recognized arboricultural standards to encourage proper pruning, maintenance, and protection of tree root systems.
- **Municipal Urban Forest Management:** Establishes a framework for maintaining Town-owned trees, preserving historic streetscapes, and encouraging succession planting.
- **Administrative Responsibilities:** Clarifies the respective responsibilities of the Town Administrator, qualified arborists, Town Commission, and Tree Advisory Committee.

Fiscal Impact

Implementation may result in additional administrative responsibilities associated with tree permit review, inspections, and professional consultation.

The proposed ordinance also establishes tree replacement and mitigation requirements, including payments in lieu of replacement planting where applicable. Such revenues would support the Town's tree mitigation program.

The overall fiscal impact will depend upon permitting activity, the need for professional assistance, and the administration of mitigation funds.

Staff Comments

Micanopy's mature tree canopy is among the Town's most recognizable and valuable historic and environmental assets. Protecting this resource requires an approach that considers not only the preservation of existing trees but also their continued health, proper maintenance, and eventual replacement.

The proposed ordinance is intended to provide a more balanced and administratively practical framework than the existing regulations. It recognizes that significant trees contribute to the character of the entire community while acknowledging that property owners must retain reasonable use of their property and the ability to address legitimate safety and maintenance concerns.

The ordinance also establishes clearer expectations for development, provides opportunities for alternative mitigation, and encourages proactive management of the Town's urban forest.

Staff Recommendation

Staff recommends that the Town Commission consider **Ordinance No. 2026-03, Tree Protection and Canopy Management Ordinance, on second reading**, receive public comment, and provide any additional direction before the ordinance proceeds to final consideration.

Suggested Motion:

Move to approve Ordinance No. 2026-03, Tree Protection and Canopy Management Ordinance, on second reading.

Attachment: Proposed Ordinance No. 2026-03 – Tree Protection and Canopy Management Ordinance.

Town of Micanopy Florida

ORDINANCR NUMBER 2026-03

AN ORDINANCE OF THE TOWN OF MICANOPY, FLORIDA, RELATING TO TREE PROTECTION AND CANOPY MANAGEMENT; ESTABLISHING REGULATIONS FOR THE PROTECTION, PRESERVATION, MAINTENANCE, REMOVAL, REPLACEMENT, AND MITIGATION OF PROTECTED AND HERITAGE TREES; ESTABLISHING TREE CLASSIFICATIONS, TREE PROTECTION STANDARDS, PERMITTING AND ADMINISTRATIVE PROCEDURES, MITIGATION AND REPLACEMENT REQUIREMENTS, AND STANDARDS FOR THE MANAGEMENT OF THE MUNICIPAL URBAN FOREST; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ARTICLE I

TREE PROTECTION AND CANOPY MANAGEMENT

Sec. 15-1. Title.

This Article shall be known and may be cited as the **Town of Micanopy Tree Protection and Canopy Management Ordinance.**

Sec. 15-2. Authority.

This Article is adopted pursuant to the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, the Constitution of the State of Florida, and other applicable provisions of state law.

Nothing in this Article shall be interpreted or enforced in a manner that conflicts with applicable state or federal law, including statutory exemptions or preemptions governing tree regulation, utility vegetation management plan adopted by the Town of Micanopy, or private property rights.

Sec. 15-3. Purpose.

The purpose of this Article is to preserve and enhance the Town's historic tree canopy through reasonable standards for tree protection, maintenance, and replacement while respecting private property rights, promoting public safety, and encouraging sound arboricultural practices.

The Town intends to:

1. Preserve significant trees that contribute to the historic character of Micanopy.
2. Promote proper tree care consistent with nationally recognized arboricultural standards.
3. Protect trees during development and construction.
4. Encourage long-term canopy preservation through succession planting.
5. Establish clear and objective administrative procedures.
6. Promote cooperation among property owners, qualified professionals, utilities, developers, and the Town.

Sec. 15-4. Legislative Findings.

The Town Commission finds that:

1. Micanopy's mature tree canopy is a defining feature of its historic character and community identity.
2. Healthy trees provide significant environmental, economic, and aesthetic benefits, including stormwater management, energy conservation, wildlife habitat, tourism, and improved quality of life.
3. Proper maintenance and periodic inspection are essential to preserving healthy trees and reducing hazards to persons and property.
4. Long-term preservation of the Town's urban forest depends upon accepted arboricultural practices and qualified professional judgment.
5. Private property rights are fundamental and shall be respected in the administration of this Article.
6. The regulations established herein are intended to balance private property rights with the Town's legitimate interest in preserving significant tree resources.

Sec. 15-5. Applicability.

This Article applies to all property located within the municipal boundaries of the Town of Micanopy unless specifically exempted herein.

This Article governs:

1. Removal of Protected Trees and Heritage Trees.
2. Development activities affecting protected trees.
3. Tree protection during construction.
4. Tree permits.
5. Maintenance of Town-owned trees.
6. Required tree replacement or mitigation.
7. Historic Streetscapes designated by the Town Commission.

Routine landscape maintenance shall not be regulated except as expressly provided in this Article.

Sec. 15-6. Administration.

Except where authority is expressly reserved to the Town Commission, the Town Administrator shall administer and enforce this Article.

The Town Administrator may:

1. Review permit applications.
2. Issue or deny permits.
3. Request additional information.
4. Consult with qualified professionals.
5. Approve mitigation measures authorized by this Article.
6. Interpret administrative provisions consistent with this Article.

The Town Administrator may designate qualified employees or consultants to perform administrative duties.

Sec. 15-7. State Law.

Nothing contained in this Article shall be construed to limit any exemption, protection, or right established by Florida law.

Where state law preempts municipal regulation, the applicable provisions of state law shall control.

Town of Micanopy Florida

ARTICLE II

DEFINITIONS

Sec. 15-8. Definitions.

For purposes of this Article, the following words and phrases shall have the meanings set forth below.

ANSI A300 Standards means the current American National Standards Institute standards governing tree care operations, as amended.

Arborist means an individual certified by the International Society of Arboriculture (ISA), or another nationally recognized credential approved by the Town Administrator.

Caliper means the diameter of nursery stock tree at 6”above the ground level or root ball.

Critical Root Zone (CRZ) means the minimum area surrounding a tree necessary to protect structural and absorbing roots. Unless otherwise approved by a Qualified Arborist, the Critical Root Zone extends one (1) foot radially for each one (1) inch of trunk diameter measured at Diameter at Breast Height.

Diameter at Breast Height (DBH) means the diameter of an existing tree measured four and one-half (4.5) feet above natural grade.

Development Activity means construction, grading, excavation, filling, paving, utility installation, demolition, or other land disturbance requiring Town approval.

Hazard Tree means a tree determined by a Qualified Arborist to present a moderate risk of failure, without options to reduce such risk, and likely to cause personal injury or significant property damage.

Heritage Tree means a tree meeting the criteria established in this Article because of its size, age, species, or historic significance.

Historic Streetscape means a roadway or public area designated by the Town Commission for enhanced canopy preservation.

Invasive Species means a non-native species whose introduction does or is likely to cause economic or environmental harm or harm to human health.

Specimen Species means specimen trees identified by the Town to be of notable interest or high value for their species because of their age, size, condition, historic habitat association, and/or

uniqueness. Protection of these species that are less than heritage size through preservation, relocation, or replacement will be determined on a tree-by-tree basis by the Town.

Landmark Tree means a Heritage Tree individually designated by resolution of the Town Commission because of exceptional historic, cultural, or ecological significance.

Protected Tree means a tree meeting the minimum size requirements established in this Article.

Qualified Arborist means an ISA Certified Arborist or other professional approved by the Town Administrator who is qualified to evaluate tree health, structure, risk, preservation, and maintenance.

Routine Maintenance means pruning and other accepted tree care practices performed in accordance with ANSI A300 Standards that do not constitute tree removal.

Town Arborist means a Qualified Arborist retained or designated by the Town to provide professional arboricultural services.

Town Tree means any tree located on Town-owned property or within a Town-maintained public right-of-way.

Tree means a self-supporting perennial woody plant that normally attains a mature height of at least fifteen (15) feet.

Tree Advisory Committee means the advisory committee established by the Town Commission to provide recommendations regarding urban forestry, public education, and long-range canopy planning. The Committee serves solely in an advisory capacity and has no permitting, enforcement, or regulatory authority.

Tree Protection Zone (TPZ) means the area surrounding a tree protected during construction to prevent injury to the trunk, roots, and canopy.

Tree Preservation Plan means a plan identifying trees proposed for preservation, protection measures, and mitigation associated with development.

Urban Forest means the collective population of trees located on public and private property within the Town.

Town of Micanopy Florida

ARTICLE III

TREE CLASSIFICATION AND PROTECTION

Sec. 15-9. Purpose.

The purpose of this Article is to classify trees according to their significance to the Town's urban forest and establish reasonable standards for their protection, preservation, maintenance, and removal.

The protection and preservation of trees on public and private property within the Town is not only desirable for aesthetic value, but essential to present and future health, safety, and welfare of its citizens.

Nothing in this Article shall be construed to prohibit reasonable maintenance or to prevent the removal of hazardous trees or trees exempt under Florida law.

DIVISION 1.

Tree Classification

Sec. 15-10. Classification.

Trees regulated under this Article shall be classified as follows:

(A) Exempt Trees

The following trees are exempt from the permitting requirements of this Article unless otherwise specifically provided:

1. Dead trees.
2. Invasive species identified by FLPPC USDA, FDCA or by Town resolution.
3. Trees below the minimum protected diameter.
4. Agricultural crops.

(B) Protected Trees

Protected Trees are healthy trees meeting the minimum diameter requirements established in Section 15-11.

(C) Heritage Trees

Heritage Trees are trees of exceptional size, age, or historic significance that receive enhanced protection under this Article.

(D) Landmark Trees

Landmark Trees are individually designated by resolution of the Town Commission because of extraordinary historic, cultural, ecological, or community significance.

No privately owned tree shall be designated as a Landmark Tree without the written consent of the property owner.

Sec. 15-11. Protected Tree Size Standards.

The following minimum diameters, measured at Diameter at Breast Height (DBH), shall constitute Protected Trees.

Species	Minimum DBH
Longleaf Pine	8 inches
Live Oak	8 inches
Bald Cypress	8 inches
Southern Magnolia	8 inches
Red Cedar	8 inches
American Elm	8 inches
Native Hickories	8 inches
Specimen Species	TBD inches based on Evaluation Criteria established in sec.15-16

Palm species shall be regulated only when designated as Heritage or Landmark Trees.

Sec. 15-12. Heritage Trees.

A tree shall qualify as a Heritage Tree if it meets one or more of the following criteria:

1. Live Oak measuring 20 inches DBH or greater.
2. Bald Cypress measuring 20 inches DBH or greater.
3. Southern Magnolia measuring 20 inches DBH or greater.
4. Long leaf Pine measuring 20 inches DBH or greater
5. A Champion Tree, those trees that have been identified by the Florida Forest Service being the largest of their species within the State of Florida or by American Forests as the largest of their species in the United States.
6. A tree designated by resolution of the Town Commission because of its historic, cultural, ecological, or community significance.

Sec. 15-13. Historic Streetscapes.

The Town Commission may designate Historic Streetscapes by resolution.

Within designated Historic Streetscapes, the Town shall encourage:

- preservation of mature canopy trees;
- succession planting;
- coordinated tree maintenance; and
- replacement planting where practical.

Routine maintenance consistent with this Article shall remain permitted.

DIVISION 2.

Tree Protection Standards

Sec. 15-14. General Standards.

Protected Trees and Heritage Trees shall be preserved whenever reasonably practicable.

When preservation is not feasible, the following order of preference shall apply:

1. Preserve.
2. Relocate.

3. Minimize impacts.
4. Replace.
5. Remove with Mitigation

Public safety shall remain the Town's highest priority.

Sec. 15-15. Protection During Development.

Development activities shall avoid unnecessary injury to Protected Trees and Heritage Trees.

Where development occurs adjacent to a Protected Tree, the Town Administrator may require reasonable measures including:

1. Tree protection fencing.
2. Protection of the Critical Root Zone a radius of 4X DBH/12" around the base of the tree
3. Root pruning performed in accordance with accepted arboricultural practices.
4. Monitoring by a Qualified Arborist when warranted by the proposed activity.
5. Tree Protection zone equals a radius of 1' per 1"
6. Fill regulations including, but not limited to, restricting grade changes. Requirements imposed under this section shall be reasonably related to the anticipated impacts of the development.

Sec. 15-16. Evaluation Criteria.

When reviewing activities affecting Protected Trees or Heritage Trees, the Town shall consider:

1. Species.
2. Size.
3. Age.
4. Health.
5. Structural condition.
6. Historic significance.
7. Ecological value.
8. Public safety.
9. Construction impacts.
10. Recommendations of a Qualified Arborist.
11. Location/proximity to Historic Streetscapes or other historic assets

No single factor shall be controlling.

Permit decisions shall not be based solely upon aesthetic considerations.

DIVISION 3.

Maintenance Standards

Sec. 15-17. Routine Maintenance.

Routine maintenance performed in accordance with ANSI A300 Standards does not require a permit unless otherwise expressly provided in this Article.

Routine maintenance includes:

1. Structural pruning.
2. Crown cleaning.
3. Crown restoration.
4. Removal of dead or diseased limbs.
5. Other accepted arboricultural practices that do not constitute tree removal.

Sec. 15-18. Prohibited Practices.

Unless specifically recommended in writing by a Qualified Arborist or otherwise authorized by this Article, the following practices are prohibited on Protected Trees and Heritage Trees:

1. Tree topping.
2. Lion-tailing.
3. Excessive root cutting.
4. Grade changes within the Critical Root Zone.
5. Storage of construction materials within a Tree Protection Zone.
6. Intentional injury or destruction of a protected tree.

Sec. 15-19. Heritage Tree Maintenance.

Owners of Heritage Trees are encouraged to:

1. Conduct periodic inspections.
2. Perform structural pruning when appropriate.

3. Remove hazardous limbs.
4. Protect root systems from construction damage.
5. Maintain the long-term health and structural integrity of the tree including the root system..

The Town may provide educational materials or technical assistance regarding Heritage Tree maintenance. Heritage tree care could potentially qualify for Tree Mitigation Funding based on Evaluation Criteria described in Sec. 15-16

DIVISION 4.

Removal Standards

Sec. 15-20. Removal of Protected Trees.

A Protected Tree may be removed when:

1. The tree is dead.
2. The tree is hazardous.
3. The tree is irreparably diseased.
4. Removal is necessary to accommodate approved development.
5. Removal is necessary for public infrastructure.
6. Removal is otherwise authorized by this Article or applicable Florida law.

Sec. 15-21. Removal of Heritage Trees.

A Heritage Tree may be removed only when:

1. It has been determined to be hazardous by a Qualified Arborist;
2. It is dead or irreparably diseased;
3. It cannot reasonably coexist with necessary public infrastructure;
4. Removal is otherwise authorized by this Article or required by applicable law.

Because of their exceptional value to the community, Heritage Trees shall receive the highest level of protection provided by this Article.

Sec. 15-22. Property Rights.

This Article shall not be interpreted or applied so as to deny all reasonable use of private property or to create an unconstitutional taking.

Where more than one reasonable interpretation exists, the interpretation that is consistent with Florida law while preserving significant tree resources shall be preferred.

ARTICLE IV

TREE PERMITS AND ADMINISTRATIVE PROCEDURES

DIVISION 1.

Permit Requirements

Sec. 15-23. Tree Permit Required.

Except as otherwise provided in this Article, a Tree Permit shall be required for:

1. Removal of a Protected Tree.
2. Removal of a Heritage Tree.
3. Development activity within the Tree Protection Zone of a Protected or Heritage Tree.
4. Construction resulting in substantial disturbance of the Critical Root Zone of a Protected or Heritage Tree.
5. Relocation of a Protected or Heritage Tree.
6. Any activity specifically identified elsewhere in this Article as requiring a permit.

No permit shall be required for activities expressly exempted by this Article or applicable Florida law.

Sec. 15-24. Permit Exemptions.

A Tree Permit shall not be required for:

1. Routine maintenance performed in accordance with ANSI A300 Standards.
2. Removal of dead or diseased limbs.
3. Crown cleaning, structural pruning, or crown restoration.
4. Removal of invasive species identified by the Town.
5. Emergency removal authorized under Section 15-31.

6. Utility vegetation management plan adopted by the Town of Micanopy or any such plan authorized by state law.
7. Maintenance exempt under Florida law.
8. Removal of trees that do not meet the definition of a Protected Tree.
9. Protected trees within the 20' envelope of an existing, permanent residential unit
10. Heritage trees within a 10' envelope of existing, permanent residential units
11. Silvicultural operations utilizing Best Management Practices as published by the Florida Department of Agriculture and Consumer Services, Florida Forest Service with an approved plan provided to the Town

Absence of a Tree Permit requirement does not exclude mitigation requirements.

DIVISION 2.

Permit Applications

Sec. 15-25. Application.

Applications shall be submitted to the Town Administrator on forms approved by the Town.

Applications shall include, as applicable:

1. Property address.
2. Property owner information.
3. Tree location.
4. Species.
5. Diameter at Breast Height (DBH).
6. Description of the proposed work.
7. Site sketch or survey.
8. Photographs.
9. Proposed mitigation, if required.
10. Arborist report, when required by Section 15-26.

The Town Administrator may waive information unnecessary for review of a particular application.

Sec. 15-26. Arborist Reports.

A report prepared by a Qualified Arborist may be required only when reasonably necessary to evaluate:

1. Heritage Trees.
2. Structural defects.
3. Hazard conditions.
4. Development impacts.
5. Root disturbance.
6. Alternative preservation measures to mitigate risk and impact

An arborist report shall not be required where the condition of the tree is readily apparent or sufficient information is otherwise available.

DIVISION 3.

Administrative Review

Sec. 15-27. Review Authority.

The Town Administrator shall review all applications for completeness and compliance with this Article.

The Town Administrator may:

1. Approve the application.
2. Approve the application with reasonable conditions.
3. Request additional information.
4. Deny the application.

The Town Administrator may consult the Town Arborist or another Qualified Arborist whenever specialized expertise is needed.

Sec. 15-28. Review Standards.

Permit decisions shall be based upon competent substantial evidence and the following factors, as applicable:

1. Tree health.
2. Structural condition.
3. Species.
4. Size.
5. Historic significance.

6. Public safety.
7. Development impacts.
8. Alternatives to removal.
9. Recommendations of a Qualified Arborist.
10. Applicable provisions of Florida law.
11. Location/proximity to Historic Streetscapes or similar historic assets

No permit shall be denied solely because a tree contributes to neighborhood aesthetics.

Sec. 15-29. Conditions of Approval.

The Town Administrator may impose reasonable conditions necessary to minimize impacts on protected trees, including:

1. Tree protection fencing.
2. Root protection measures.
3. Timing of construction.
4. Replacement planting.
5. Mitigation.
6. Arborist monitoring.

Conditions shall be directly related to the proposed activity.

Sec. 15-30. Time for Decision.

Complete applications shall be reviewed within:

- Ten (10) business days for routine applications.
- Twenty (20) business days when consultation with a Qualified Arborist is required.

If additional information is requested, the review period shall be suspended until the requested information is received.

DIVISION 4.

Emergency Actions

Sec. 15-31. Emergency Removal.

A tree presenting an imminent threat to life, public safety, or significant property damage may be removed without prior approval.

When practicable, the property owner shall:

1. Photograph the tree before removal.
2. Retain documentation supporting the emergency.
3. Notify the Town within five (5) business days if the tree would otherwise have required a permit.

The Town Administrator may request documentation from a Qualified Arborist to verify the emergency condition.

Sec. 15-32. Emergency Authorization.

When immediate action is necessary to protect public safety or critical public infrastructure, the Town Administrator may authorize emergency work without prior permit issuance.

The basis for the emergency determination shall be documented as required by Florida Statue section 163.0454 filed with the city within 2 weeks.

DIVISION 5.

Permit Duration and Appeals

Sec. 15-33. Permit Expiration.

Unless otherwise stated, a Tree Permit shall expire one (1) year after issuance.

The Town Administrator may grant one extension upon a showing of good cause.

Sec. 15-34. Appeals.

Any person aggrieved by a final administrative decision under this Article may appeal the decision to the Town Commission within thirty (30) days.

The Town Commission shall review:

1. The administrative record.
2. Applicable law.
3. Competent substantial evidence presented by the parties.

The Commission may affirm, reverse, modify, or remand the decision.

The Commission's decision shall constitute final administrative action.

Sec. 15-35. Administrative Waivers.

The Town Administrator may approve minor deviations from technical requirements when the deviation:

1. Furthers the purposes of this Article.
2. Does not adversely affect public safety.
3. Protects the health of the affected tree.
4. Is supported by accepted arboricultural practices.

Administrative waivers shall not waive requirements imposed by state law or materially reduce the protections established by this Article.

ARTICLE V

ADMINISTRATION AND ENFORCEMENT

DIVISION 1.

Administration

Sec. 15-36. Administration.

Except where authority is expressly reserved to the Town Commission, the Town Administrator shall administer and enforce this Article.

The Town Administrator may:

1. Review and act upon permit applications.
2. Interpret and administer this Article.
3. Consult with the Town Arborist or other qualified professionals.
4. Conduct or authorize inspections as permitted by law.
5. Approve mitigation measures and permit conditions authorized by this Article.
6. Issue written administrative determinations.
7. Delegate ministerial duties to qualified Town employees.

Sec. 15-37. Town Arborist.

The Town Administrator may retain or designate a Qualified Arborist to assist in administering this Article.

The Town Arborist may:

1. Evaluate tree health and structural condition.
2. Review arborist reports.
3. Conduct tree risk assessments.
4. Recommend preservation or mitigation measures.
5. Provide technical advice to the Town Administrator and Town Commission.

The Town Arborist serves in an advisory capacity and shall not issue permits unless specifically authorized by the Town Administrator.

Sec. 15-38. Professional Consultation.

When specialized expertise is required, the Town Administrator may consult with qualified professionals, including:

1. ISA Certified Arborists.
2. Landscape Architects.
3. Professional Engineers.
4. Foresters
5. Environmental professionals.
6. Historic preservation specialists.

Professional recommendations may be considered in administrative decisions but shall not replace the Town Administrator's authority.

DIVISION 2.

Tree Advisory Committee

Sec. 15-39. Establishment.

The Tree Advisory Committee is established as an advisory body to the Town Commission.

Sec. 15-40. Duties.

The Committee may advise the Town Commission regarding:

1. Urban forestry initiatives.
2. Heritage Tree nominations.
3. Historic Streetscape planning.
4. Public education.
5. Arbor Day and Tree City USA activities.
6. Municipal tree planting programs.
7. Long-range canopy planning.

Sec. 15-41. Limitations.

The Committee shall have no authority to:

1. Regulate private property.
2. Issue or deny permits.
3. Interpret this Article.
4. Conduct enforcement actions.
5. Direct Town employees.
6. Supervise contractors.
7. Enter private property without lawful authority.

All recommendations of the Committee are advisory unless adopted by the Town Commission.

DIVISION 3.

Inspections

Sec. 15-42. Inspections.

The Town may inspect property subject to a permit issued under this Article to determine compliance with permit conditions.

Inspections of private property shall occur only:

1. With the consent of the owner or occupant;
2. Pursuant to lawful administrative authority;
3. Pursuant to a valid warrant; or
4. As otherwise authorized by law.

Nothing in this Article authorizes entry onto private property in violation of constitutional protections.

DIVISION 4.

Violations

Sec. 15-43. Violations.

It shall be unlawful to:

1. Remove a Protected Tree or Heritage Tree without a required permit.
2. Violate a condition of an approved Tree Permit.
3. Intentionally damage or destroy a Protected Tree or Heritage Tree.
4. Remove or alter required tree protection fencing during construction.
5. Submit materially false information in support of an application under this Article.

Sec. 15-44. Stop Work Orders.

When work is being performed in violation of this Article, the Town Administrator may issue a written Stop Work Order applicable only to the portion of the work affecting protected trees.

Work may resume when the violation has been corrected or authorization is granted by the Town Administrator.

Sec. 15-45. Corrective Action.

As a condition of resolving a violation, the Town Administrator may require one or more of the following:

1. Replacement planting.
2. Additional tree protection measures.
3. Corrective pruning.
4. Soil restoration.
5. Arborist monitoring.
6. Other reasonable mitigation directly related to the violation.
7. Fines

Corrective measures shall be proportional to the nature and extent of the violation.

DIVISION 5.

Enforcement

Sec. 15-46. Remedies.

Violations of this Article may be enforced through any lawful means authorized by the Town Code and Florida law, including:

1. Code enforcement proceedings.
2. Civil citations, if authorized by ordinance.
3. Injunctive relief.
4. Other remedies authorized by law.

The remedies provided by this Article are cumulative.

Sec. 15-47. Administrative Interpretation.

Questions regarding the interpretation of this Article shall be decided by the Town Administrator after consultation with the Town Attorney when appropriate.

Interpretations shall be:

1. Consistent with the purpose of this Article;
2. Based upon objective standards;
3. Consistent with applicable law.

Sec. 15-48. Liability.

Nothing contained in this Article shall be construed to:

1. Create a duty upon the Town to inspect or maintain trees located on private property;
2. Relieve a property owner of responsibility for maintaining trees located on private property; or
3. Impose liability upon the Town for failure to identify or correct hazardous tree conditions on private property.

ARTICLE VI

MITIGATION AND REPLACEMENT

DIVISION 1.

Purpose

Sec. 15-49. Purpose.

The purpose of this Article is to establish uniform standards for mitigation when removal of Protected Trees or Heritage Trees is authorized under this Article.

Mitigation shall reasonably offset the loss of tree canopy while recognizing the practical limitations of individual sites and protecting private property rights.

Mitigation requirements shall be proportional to the impacts of the approved activity.

Protected trees shall be replaced on the same lot or adjacent lot/s under common ownership based on the size of the tree proposed to be removed at rates in the chart below

Heritage Trees shall be replaced on the same lot or adjacent lot/s under common ownership at a rate of 1" caliper replacement trees for every 1" of DBH. Replacement trees shall not exceed 3" in caliper each

If it is demonstrated by the applicant that it is not feasible to provide all or some of the required replacement trees on the same lot or adjacent lot/s under common ownership, then a fee in lieu of replacement shall be made to the Town's Tree Mitigation Fund. This payment shall be made prior to issuance of the tree removal permits or certificate of occupancy for any building related to an approved site plan.

Size of Removed Tree (DBH)	Number of Replacement Trees Required	Tree Mitigation Fee In lieu of Replacement
8" - 17.9"	Replacement tree = 3" caliper	$300/tree removed
18"-29.9"	Replacement trees = 16" caliper	$2400/tree removed
>/=30"-	1" for 1"	$100/ inch removed

DIVISION 2.

Replacement Trees

Sec. 15-50. Replacement Required.

Removal of a Protected Tree or Heritage Tree may require replacement planting unless:

1. Replacement is impracticable because of site limitations;
2. The tree was removed due to an emergency;
3. Replacement is prohibited by another governmental agency; or
4. The Town Administrator determines mitigation is unnecessary based on Evaluation Criteria of trees to be removed.

Sec. 15-51. Replacement Standards.

Replacement trees shall:

1. Be a species suitable for the site.

2. Be native or well-adapted to North Central Florida.
3. Meet the current Florida Grades and Standards for Nursery Plants Florida # 1 quality
4. Be installed according to accepted arboricultural practices.

Unless otherwise approved, replacement trees shall be a minimum of

- 1.5” inch caliper for deciduous trees; or
- Six (6) feet in height for conifers.
- Replacement trees shall not exceed 3” in and shall not be less than 1” in caliper.

Sec. 15-52. Species Selection.

Priority shall be given to species that contribute to Micanopy's historic canopy, including:

- Live Oak
- Native White Oak Species
- Southern Magnolia
- Bald Cypress
- Red Cedar
- American Elm
- Native Hickories
- Long Leaf Pine
- American Holly
- Florida Maple
- Red Maple
- Hop Hornbeam
- Other native canopy species approved by the Town.

The Town Administrator may approve alternative species where site conditions warrant.

DIVISION 3.

Mitigation

Sec. 15-53. Mitigation.

When replacement planting alone will not reasonably compensate for the loss of canopy, additional mitigation may be required.

Mitigation may include:

1. Additional replacement trees;
2. Preservation of existing mature trees;
3. Enhanced tree protection during construction;
4. Soil improvement;
5. Root zone restoration;
6. Other comparable measures approved by the Town Administrator.
7. Fee in lieu payments based on the cost of replacement

Mitigation shall be reasonably related to the impacts of the approved activity.

Sec. 15-54. Preservation Credit.

The Town Administrator may reduce mitigation requirements when an applicant preserves existing mature Protected Trees beyond those otherwise required to remain based on Evaluation criteria established in Sec. 15-16 and Sec 15-28.

Credit may also be granted for:

- preservation of Heritage Trees;
- exceptional tree protection measures;
- preservation of significant canopy coverage.

DIVISION 4.

Alternative Compliance

Sec. 15-55. Alternative Compliance.

Where replacement planting cannot reasonably occur on the subject property, the Town Administrator may approve one or more of the following:

1. Off-site planting on Town property;
2. Planting on other property approved by the Town;
3. Fee in-lieu payment to a Town tree mitigation established by the Town Commission;
4. Mitigation by fee in lieu of replacement payment. (1) If relocation or mitigation by replacement are not feasible, a fee may be paid to the Town of Micanopy in lieu of replacement planting prior to issuance of a Permit. (2) Replacement trees may be

satisfied by a fee-in-lieu payment to the Town of Micanopy for the purchase and relocation of a like tree. The payment amount shall be in the fee schedule and based on the average cost of the purchase, installation, and maintenance for one (1) year of an equivalent number of replacement trees or actual cost of removing and replanting protected trees.

5. Town establishes a Tree Mitigation Fund and adopts a resolution on how to use those funds

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Sec. 15-56. Timing.

Required replacement trees shall be planted:

1. Prior to issuance of a Certificate of Occupancy;
2. Prior to final inspection; or
3. Within a reasonable period established by the Town Administrator.

Where seasonal conditions make planting impractical, the Town Administrator may extend the planting deadline.

Sec. 15-57. Maintenance.

Replacement trees shall be maintained in healthy condition for two (2) years following planting.

Trees that die during the maintenance period shall be replaced or pay a fee in lieu of replacement of tree removed

Replacement shall not be required when loss results solely from hurricanes, floods, lightning, or other natural disasters beyond the control of the property owner.

ARTICLE VII

MUNICIPAL URBAN FOREST

Sec. 15-58. Urban Forest Policy.

The Town recognizes its urban forest as an important public asset contributing to Micanopy's historic character, environmental quality, public safety, and quality of life.

The Town shall promote responsible stewardship of public trees through sound arboricultural practices, long-term planning, and succession planting.

Sec. 15-59. Municipal Tree Management.

Subject to available funding, the Town shall:

1. Inspect and maintain Town-owned trees.
2. Remove hazardous public trees.
3. Replace public trees when practical.
4. Preserve historic canopy corridors.
5. Utilize qualified arborists when specialized expertise is required.

Sec. 15-60. Urban Forest Management Plan.

The Town Administrator may prepare and periodically update an Urban Forest Management Plan addressing:

- public tree inventory;
- maintenance priorities;
- replacement planting;
- canopy preservation;
- grant opportunities; and
- long-term management objectives.

The Management Plan is intended as an administrative planning document and does not create regulatory requirements applicable to private property.

Sec. 15-61. Historic Streetscape Management.

The Town shall encourage coordinated maintenance and succession planting within designated Historic Streetscapes to preserve the continuity of the historic canopy.

Town of Micanopy Florida

Sec. 15-62. Public Education.

The Town may promote educational programs regarding proper tree care, Arbor Day, Tree City USA participation, and voluntary preservation of significant trees.

SECTION 2. REPEAL OF CONFLICTING PROVISIONS.
All ordinances or portions of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY.
If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as rendering invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 4. CODIFICATION.
It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Micanopy, Florida; and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Section," "Article," or such other appropriate word or phrase in order to accomplish such intention.

SECTION 5. EFFECTIVE DATE.
This Ordinance shall become effective immediately upon its passage and adoption, unless otherwise provided by law.

PASSED AND ADOPTED by the Town Commission of the Town of Micanopy, Florida, this ____ day of _____, 2026.

TOWN OF MICANOPY, FLORIDA

Jiana Williams, Mayor

Town of Micanopy Florida

ATTEST:

Sara Samario, Town Administrator

Approved as to form and legal sufficiency:

Town Attorney

First Reading: _____
Second Reading/Public Hearing: _____