



RESOLUTION OF THE BOARD OF DIRECTORS OF THE CANOPY NEIGHBORHOOD ASSOCIATION

Policy Resolution 19-2 AMENDED: Planting and Maintenance of Canopy and Street Trees

WHEREAS, the Board of Directors and the Architectural Review Committee have considered that the Collier County Land Development Code has a Lot canopy tree requirement. Each Lot Owner shall be responsible for the planting and maintenance of canopy trees on such Lots as required by Collier County, and

WHEREAS, the Board of Directors and the Architectural Review Committee have considered Canopy's DCC&R Article 9.09, *Mandatory Tree Planting and Maintenance*, must have a street tree. The Lot Owner is responsible for the planting and maintenance of street trees on such Lots, and

WHEREAS, the developer chose to meet the County Canopy tree requirement with the street tree, and

WHEREAS, the Board of Directors and the Architectural Review Committee have considered Canopy's Design Criteria Manual (hereafter CDCM) Page 41, to enhance the character of the Canopy the Declarant installed a pre-designed landscaping package for each home in the community. CDCM limits modifications that can be made to the Lots to ensure a harmonious neighborhood streetscape, and Page 43, street trees are required and installed by the Declarant, and continue to enhance the value of your home and community and Pages 7 and 44, requires additional privacy buffer plantings for corner lots. The plantings are in Landscape Buffer Easements (L.B.E.) or Lake Maintenance Easements (L.M.E.). Any trees in these special easements not considered street trees, and

WHEREAS, CDCM Page 45 & 46, calls out the street tree as a live oak, and

WHEREAS, many live oak street trees pose a growing risk to swale drainage, sidewalks, paved areas (driveway, and entryway), underground utilities and the foundation or roof the homes. The Board of Directors is desirous of allowing and standardizing relocation of county canopy trees and street trees within the community.

NOW THEREFORE BE IT RESOLVED, that the applicable sections of the Design Criteria Manual which restricts the street tree to only a live oak is rescinded and the Board promulgates the following policy:

Canopy Tree Policy



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- All lots must meet Collier county regulations by having the correct number of canopy trees, which is dependent on pervious lot size. The large and medium trees listed on the Collier County Native Plant List Inland Zone shall be incorporated into the Canopy Design Criteria Manual (CDCM) as approved trees. Scrub trees and Shrubs are specifically excluded.
- Each lot must have a street tree and a canopy tree. The County canopy tree and the street tree, at the Owners choice, may be the same tree or two separate trees dependent on the available lot planting location options. If the homeowner is already meeting the Collier County canopy tree requirement with other canopy trees located elsewhere on his/her lot, homeowner has the option to select a Street Tree from the approved trees listed in Canopy's approved plant list in the CDCM
- A Modification Request along with a Tree Checklist must be submitted for all tree removal/replacements which include the location on a plot plan or equal with spatial dimensions to the sidewalk, driveway, house, swales and utilities shown. The location shall be staked and the contractor performing the work shall utilize the "Dial 811" utility marking service. ARC shall approve the location, though it is understood that the contractor may have to slightly adjust the location based on the findings of the Dial 811 markings. Any unique lot configuration which cannot meet the following conditions will be reviewed on a case by case base.
- Removed trees must be removed in their entirety or upon being cut down, have their stumps ground down completely. Holes shall be filled in with dirt and covered with sod. Note single family homes do not require a County Cultivate Tree Removal Permit.

Association Street Trees

Street tree planting requirement/restrictions include:

- Street trees that are not also meeting the County canopy tree requirement may selected from the ARC maintained Planting List of Canopy and Street Trees
- Street trees must be located 10 feet from the sidewalk. They should be located between the edge of the non garage side of the house and the center of the front window(s). This reduces encroachment on a neighbor's lot. They must not be located in any side or rear swale or easement. Swales must allow for the positive flow of water without obstruction.



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The County has advised that the preferred street tree location is aligned with the front window spatially centered away from the swale, driveway, sidewalk, utilities and home.

- Owner should consider the location of underground utilities in final placement.
- The street tree shall be a minimum of 8 to 10 feet in height measured from the ground level up, have a 2 inch caliper (measured at 12 inches above the ground) and a 4-foot canopy spread and rated Florida #1 or better. Root barrier must be provided whenever you are 10' or less to sidewalk, paved area (driveway) or underground utility or 15' or less from a house. A root barrier is highly recommended, but root barriers should not be used to "box-in" tree roots.

County Canopy Trees

Canopy tree planting requirement/restrictions include:

- The County has a list of native tree replacements for the Live Oak, and the Owner may select from any on the ARC maintained Planting List of Canopy and Street Trees. Canopy trees have an average mature spread or crown of greater than 20 feet in the Collier County area and having trunk(s) which can be maintained in a clean condition over five feet of clear wood.
- An existing Canopy tree located in an easement on the Owners property qualifies as a County required canopy tree.
- Canopy trees may be located in the rear of the house. Owner must ensure that tree location will not result in potential lake bank erosion. It must not be located in any side or rear swale or easement or within 15' of a neighbor's lot. Swales must allow for the positive flow of water without obstruction. The County has advised that the preferred canopy tree location is spatially centered away from the swale, driveway, sidewalk, utilities and home.
- Owner should consider the location of underground utilities in final placement.



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This document was amended by the board of directors on August 15, 2019.