



ITEM SUMMARY

MEETING DATE: April 18, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Tree Removal and Replacement

BACKGROUND

Since 1991, the City of Greenacres has been recognized by the Arbor Day Foundation as a Tree City USA. As part of the Tree City USA standards, the City is required to have documentation providing clear guidance for planting, maintaining and removal of trees. Chapter 16 of the City's Zoning Code Outlines requirements for tree removal and relocation and justification and permit exemptions.

ANALYSIS

A permit is required to remove or relocate a tree on commercial or residential property. A tree can only be removed or relocated based on the following conditions in part:

- The tree constitutes an unreasonable impediment to continuance or development of a permitted use of the property by virtue of its location in a buildable area or yard
- The tree is diseased, injured, in danger of falling, is too close to an existing or proposed structure, interferes with utility services, creates unclear vision clearances
- The tree is in excess of the tree requirements for a property containing a single-family residence or duplex and is not listed as a preferred native tree
- The tree has been destroyed or died
- The tree is growing too close in proximity to another tree to permit normal growth
- The tree is not considered a designated historic or specimen tree i.e.: its older than 15 years, it is a very large size for its species and/or it is of a rare variety.

The City enforces the code, as written, consistently throughout the city and does not make any exceptions not listed in the code.

FINANCIAL INFORMATION

Not applicable

LEGAL

In 2019, the Council adopted revisions to section 16-1249 of the City's Code of Ordinances, entitled "Building Permit for Vegetation Removal Required." The revisions were in response to the Legislature's adoption of section 163.045, Florida Statutes, which allows for residential property owners to remove trees if a certified arborist or licensed landscape architect details in writing that the removal of a tree is necessary because it presents a danger to persons or property. Section 16-1249 provides clarity to the statute, which has several undefined terms and vague concepts. This clarity helps to ensure residents have clear notice of when the statute may apply and allows for fair enforcement of the same. Section 16-1249 also helps to maintain the City's status a Tree City USA. The process provided for in the Florida Statutes is only for removals on single-family lots, not applicable to residential common areas or commercial lots.

STAFF RECOMMENDATION

Staff is recommending that the City continue to enforce the Zoning Code and Tree City USA standards.