

STAFF REPORT REGULAR MEETING

AGENDA DATE: December 2, 2025

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2025-17 - First Reading – amending Chapter 23, Article 6, Section 23.6-1 regarding penalties for tree abuse and removal without a permit, fee-in-lieu of replacement of trees, and appeals

SUMMARY:

The subject amendment to the City's Land Development Regulations (LDRs) will clarify and update standards for the tree replacement fee-in-lieu, penalties for tree abuse and unpermitted removal, and the appeals process. The ordinance also includes standard provisions for severability, conflicts, codification, and an effective date.

BACKGROUND AND JUSTIFICATION:

The proposed LDR Amendments will modify Article 6, Section 23.6-1(p) to clarify the calculation of the penalty for tree abuse/removal without a permit, timing for payment of the penalty, and requirements for mitigation through a restoration plan or replacement of the tree(s).

The **Planning & Zoning Board (PZB)** unanimously voted to recommend approval of the proposed text amendment at their meeting on October 1, 2025.

The **Historic Resources Preservation Board (HRPB)** voted (4-1) to recommend approval of the proposed text amendment at their meeting on October 8, 2025.

At the October 21, 2025 City Commission meeting, the Commission directed staff to revise the proposed ordinance to clarify and update standards related to the tree replacement fee-in-lieu in addition to the changes regarding penalties for tree abuse and unpermitted removal. In preparing these amendments, staff also added changes to the appeals process. The revised ordinance was not required to return to the advisory boards for further review. However, based on Commission comment regarding review by the Tree and Landscape Board, the revised ordinance was provided to that Board for information but not for a formal review and recommendation.

Based on Commission direction, updated tree penalty amounts are proposed as follows: \$250 for trees under 6 inches DBH, \$500 for trees 6–12 inches DBH, and \$1,000 for trees over 12 inches DBH. Staff recommends retaining the penalty amount of \$2,000 for historic, specimen, or champion trees. This only applies to one tree within the City. These changes will require an amendment to the City's fee schedule, which will be brought forward for consideration at the same meeting as the second reading of this ordinance.

MOTION:

Move to approve/disapprove Ordinance 2025-17 on first reading, and to schedule second reading and public hearing for December 16, 2025.

ATTACHMENT(S):

Ordinance 2025-17
PZB/HRPB Staff Report