

STAFF REPORT REGULAR MEETING

AGENDA DATE: February 3, 2026

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2025-17 – Second Reading – amending Chapter 23, Article 6, Section 23.6-1(p) “Penalties for tree abuse and removal without a permit”

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.

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.

At the December 2, 2025 City Commission Meeting, the Commission directed staff to schedule the item for the next Tree and Landscape Board meeting for formal review and recommendation. The revised ordinance was not required to return to the advisory boards for further review. The PZB and HRPB advisory boards did not formally review nor provide a recommendation on the proposed changes.

At its meeting of January 6, 2026, the City Commission approved the ordinance on first reading with a few changes, which are shown highlighted in yellow in the proposed ordinance.

MOTION:

Move to approve/disapprove Ordinance 2025-17 amending Chapter 23, Article 6, Section 23.6-1(p) “Penalties for tree abuse and removal without a permit”.

ATTACHMENT(S):

Ordinance 2025-17
PZB/HRPB Staff Report