



# City Council

## City of Venice: Tree Preservation, Protection and Replacement

November 19, 2019



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# Chapter 118 Tree Preservation, Protection & Replacement

## Primary Function of this Ordinance?

- Deletes in its entirety City Code of Ordinances, Chapter 118 Vegetation which establishes Sarasota County Tree Regulations within the City of Venice to be implemented and enforced by Sarasota County (Ref. Ord No. 83-44 *County Tree Protection Ordinance*)
- *Creates a new Chapter 118 Tree Preservation, Protection and Replacement to be implemented and enforced by the City of Venice.*
- Provides clear (and updated) Standards for the planting / replanting, removal, and maintenance of trees in conjunction with Florida Friendly Landscaping Standards
- Address standards adopted as part of F.S. § 163.045 (2019 state law limiting the applicability of local tree permit/replacement requirements)

# What are the Key Changes to the Tree Regulations Since the July 9, 2019 Presentation to City Council:

- Provided new sections for:
  - Section 118 -3 Transition from Sarasota County Jurisdiction
    - Provides additional time for education with the public
    - Provides for clarity on how the transition of permitting from Sarasota County to the City of Venice.
    - Sarasota County retracts authority over permits and enforcement actions initiated prior to the effective date of the City's regulations.
  - Section 118-17 Canopy Road Designation
    - Establishes Canopy Road designation as deemed appropriate by City Council.
    - Provides for additional protections for trees within or contributing to the Road Canopy...very similar to Sarasota County approach.
  - Section 118-18 Education
    - Added educational component to the best management practice section for the City Arborist to be proactive on education
  - Section 118-8 After the Fact Permits
    - Added additional fees and mitigation for after the fact permits

# What are the Key Changes to the Tree Regulations Since the July 9, 2019 Presentation to City Council:

- Significant Changes to Sections:
  - Section 118-5 Appeals
    - Change appeal process to City Council
  - Section 118-7 **Provided Exemption to Single Family zoned lots**
    - Except for: Heritage, Venetian, Canopy trees and conservation and preservation areas/easements.
    - Recent State Law F.S. § 163.045 provides exemption for single family zoned lots.
  - Section 118-8 Clarified When a Tree Permit is Required
    - Increased size of Branch where trimming permit is required (Heritage and Venetian Trees -10 inch limbs).
  - Section 118-10 Reworked the Venetian Tree Section
    - Revised the Definition
    - Revised the incentives:
      - Replaced Ad Valorem tax break with a budget process for \$250 pruning reimbursement (limit of 5 per year).  
Note: approved FY 2020 budget does not have any allocation for this item.
      - Added incentive for City Arborist to inspect Venetian Trees and provide annual consultation.
      - Removed trimming permit fee.
      - Added option for plaque for the property owner.

# What are the Key Changes to the Tree Regulations Since the July 9, 2019 Presentation to City Council:

- Significant Changes to Sections:
  - Section 118-12 Tree Mitigation and Replacement
    - Clarified Use of Tree Mitigation Fund for situations where trees cannot be accommodated on the site.
    - Reformatted the section for ease of reading and understanding.
  - Section 118-14 Incentives
    - Added Incentive for planting of trees 6-8 inches provides 1.5 times tree inch credit. So an 8 inch tree would count as a 12 inch tree toward required tree inches.
  - Article VI - Tree Mitigation Fund
    - Clarified which Sections of tree mitigation can pay into the fund as an option.
    - Retains use of funds for qualified attainable housing projects with a cap of \$10,000.
    - Provides a cap of a maximum of \$25,000 for City manager authorization for use of funds all others must be approved by City Council.

# Next Steps:

- Associated Resolution to establish a fee schedule for the Tree Regulations is included in the agenda for review. Final action on the fee Resolution will be requested subsequent to the final reading of this Ordinance at the December 10, 2019 City Council meeting. .
- The effective date of the Ordinance and transition from Sarasota County implementation and enforcement to City of Venice will be January 1, 2020. At that time all tree permits within the City limits will be issued by the City of Venice. Pending permits with Sarasota County will continue to be handled by Sarasota County.