

THE CITY OF NEW SMYRNA BEACH – PLANNING AND ZONING

**ORDINANCE NO. 09-19: CONDUCT THE
FIRST READING OF AN ORDINANCE TO
IMPLEMENT AMENDMENTS TO THE
CITY'S LAND DEVELOPMENT
REGULATIONS TO STRENGTHEN AND
CLARIFY THE CRITERIA FOR REMOVAL
OF HISTORIC AND SPECIMEN TREES**

FEBRUARY 26, 2019

I. Background

Applicant: City of New Smyrna Beach, 210 Sams Avenue, New Smyrna Beach

Request: Conduct the First Reading of Ordinance No. 09-19 to implement amendments to the City's *Land Development Regulations* to strengthen and clarify the criteria for removal of historic and specimen trees.

II. Findings

A. The City is proposing text amendments to the City's *Land Development Regulations (LDR)* to expand preservation of historic and specimen trees within the City of New Smyrna Beach.

B. Staff has expanded the definition of Historic Trees in Section 204.00 of the LDR, beyond the limits of live oak and bald cypress trees, to now include *any* tree 36" DBH or greater that is not listed on the Florida Exotic Pest Plant Council's list of invasive species.

C. The definition for Specimen Tree has also been expanded to note that all specimen trees, once reaching historic size (36" DBH), shall be evaluated for removal by City Commission using the new removal criteria. This is to reinforce that specimen trees will continue to be evaluated by staff until they reach historic size.

D. Four removal criteria have been added to section 604.51.F *Tree Preservation*, applying to historic trees 36" or over and specimen trees 24" or over. Applicants must meet one of the four criteria to have the application for tree removal considered by staff for specimen trees and by the City Commission for historic trees.

E. Applications for historic tree removals must be accompanied by a written tree evaluation prepared by an ISA certified arborist.

E. The current exemption for tree removal on single-family properties in Section 604.052 has been removed to avoid potential conflicts with the new criteria.

F. At the Planning and Zoning Board meeting on February 4, 2019, the Board voted 5-0 to forward a recommendation of approval to the City Commission.

Recommendation

Staff recommends the approval of Ordinance 09-19, at first reading.