



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**May 28, 2019**

**ITEM TITLE:**

A resolution of the City Commission of Coral Gables, Florida urging Governor DeSantis to veto House Bill 1159, a bill related to tree trimming and regulation.

**BRIEF HISTORY:**

House Bill (HB) 1159 is a broad piece of legislation that would detrimentally affect the City's emblematic tree canopy and its ability to enforce its tree protection ordinances, zoning code minimum landscaping requirements, and guard against abusive development practices.

In summary, the bill prohibits local governments from requiring a notice, application, approval, permit, or fee, for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from a certified arborist or a Florida licensed landscape architect that the tree presents a danger to persons or property. The bill also prohibits a local government from requiring a property owner to replant or "mitigate" a tree that was pruned, trimmed, or removed in accordance with the bill. The legislation also removes the requirement that a property owner receive approval by the local government before requesting an electric utility to maintain vegetation in the adjacent utility right-of-way.

Although HB 1159 expressly exempts mangroves, it does not contain a carve-out for specimen trees, heritage trees or other protected species, as defined by local ordinance. The bill also fails to define what constitutes a "danger to persons or property", imparting a tremendous amount of subjective discretion on individual landscape professionals in assessing tree risk and making a determination for removal, especially in light of the fact that not all landscape professionals have the ISA Tree Risk Assessment Qualification ("TRAQ"). Finally, the bill's year-round applicability will likely result in mass tree removals immediately preceding hurricanes and other severe storm events, placing a significant strain on municipal resources and a danger to public safety (previous iterations of the bill allowed for removals far in advance of hurricane season).

For the above stated reasons, the City Commission urges Governor DeSantis to veto HB 1159.

**ATTACHMENT(S):**

**1. Draft Resolution**