

City of Coral Gables City Commission
September 23, 2014
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Vice Mayor William H. Kerdyk, Jr.
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Frank Quesada

City Staff

Acting Interim City Manager, Cynthia Birdsill
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant Development Services Director, Charles Wu

Public Speakers:

[Start: 02:07:20 PM]

F-2.

RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, DIRECTING STAFF TO REQUIRE TREE SURVEYS AND TREE PROTECTION MEASURES UPON APPLICATIONS FOR DEVELOPMENT REVIEW COMMITTEE AND BOARD OF ARCHITECTS, WHERE APPLICABLE; DIRECTING STAFF TO PROPOSE AMENDMENT TO THE CITY CODE ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Cason: OK, we are picking up now with Agenda Item F-2, which is Commissioner Keon's item. This is a resolution of the City Commission of Coral Gables, directing staff to require tree surveys and tree protection measures upon application for Development and Review Committee and Board of Architects, where applicable; directing staff to propose amendment to the City Code

accordingly, and providing for an effective date. Who from the City staff is going to present this?

Acting Interim City Manager Birdsill: Charles Wu.

Charles Wu: Thank you, Madame Manager, Mayor. This is a request by Commissioner Keon, and it's to reflect and fill in the gap of a current process. We have a separate tree removal permit according to our City Code, and we have a separate building permit process; goes through our length architectural review process, which is the Board of Architects. You see time and time again that people design structures, design the site not having any wherewithal about it, existing trees on the property, and we come in and we see designs before the Board of Architects that doesn't have any information on existing trees and that seems to be a gap in how we accept applications. Commissioner Keon suggests, and we agree, that when they apply for a DRC, Development Review Committee, or a Board of Architects application, that should have some information where the trees are. So, hence, we are requiring a tree survey by practice now, even though it's not a requirement. Most of the folks understand the reason why this is coming about. But it also require tree protection measures so when they apply for a building permit to the design review, we can ask them how they're going to protect these trees they show in the plans. It does add additional burden on the applicant, but we want to have all the information in front of us when we review the architecture.

Vice Mayor Kerdyk: Very good idea.

Mayor Cason: And this refers principally to specimen trees which are defined in the Code, right?

Mr. Wu: Specimen trees are 18 inches or wider, but an applicant will require tree removal permit for any trees. We just have a special attention to specimen trees.

Mayor Cason: How are we going to educate homeowners that may just have a skinny palm and not go into all the expense of doing this. Is there a way to? How are we going to avoid unnecessary...?

Mr. Wu: We'll work with our Public Services Director to see what trees they should be looking out for, but the key is to understand from a tree service standpoint to identify all the trees on the property. We also see surveys that have trees on the property, but they're not trees on the swales, and that is a burden sometimes because they think that the trees on the swales are City trees, and we see driveways come in where they want to take down a mature tree. The building's already built, designs already approved, oops, we have a driveway where the tree has to go, and that becomes way after the fact when they bring that process way in front. First of all, the tree survey will show all the trees, palms, smaller trees, large trees, and we will talk to the applicant what is your idea do you want to preserve the trees, remove the trees, and subsequently, we're going to bring forth as part of this resolution to direct staff to change the Code to close these gaps.

Mayor Cason: Well, I think we know the particular cases brought this to our attention, which is very clear. I just hope there's a way that we don't add a burden to people that have some trees that clearly are not specimen trees. I don't know how that will be done.

Mr. Wu: I don't think that's a problem today, because once we identify the specimen trees, we can work with the applicants. These are the trees; what is he plan on doing? And we have no problem removing them; other than, if you removing them, they have to replace the tree coverage down the line.

Mayor Cason: So you'll help them out so they don't...

Mr. Wu: Yes.

Mayor Cason: ...have to go spend thousands of dollars on a tree survey and turned out, he didn't need to do it?

Mr. Wu: Yes.

Mayor Cason: OK.

Commissioner Keon: Excuse me, Mayor. I think that we already, at some point, required that any trees that are removed on the lots are supposed to have to have a permit to remove trees or to relocate trees or you have the obligation if you do, to replant trees, but I think often in the construction process particularly when people are demolishing existing buildings, or whatever, to build, the trees get taken out before we ever get a chance to ever even look at them, so I mean, what type of a tree? Do you have to go to some certified arborist or something to get a tree surveyed? What is required now of somebody when they, the site plan when they provide a survey?

Mr. Wu: Sure. There are two things that can be done. Sometimes we rely on a surveyor that we believe some are more accurate, because they go out and they locate the tree specimen on the survey, and they also give indication to the degree they can, what kind of tree, the size of the tree, and they go get out all information on a tabular form. And when there's a hardship, the County Code also allows the property owner to come in and tell us what trees they can mark up on the survey, and we use that as evidence that they can tell us what trees exist or not, so they use both methods. One thing I will clarify in one of the statements earlier is when they want to replace an existing tree, they can. When they want to remove a tree, they can replace the tree. Our Code's lax on the method of how to replace that trees being removed. And when we come back with a codification fix, we will include the methodology and the measurement of how to replace that tree in terms of coverage.

Commissioner Keon: OK. So we need to do that?

Mr. Wu: Sorry?

Commissioner Keon: We need to do that?

Mr. Wu: Yes, we need to do that.

Commissioner Keon: OK.

Mr. Wu: And also, we'd like to share with you, we thinking about, in the worst, worst-case scenario, where they have to remove the tree, there's no place to replant the tree on the property, a payment in lieu of, and we'd like to establish a tree fund so the City can use that money in the tree fund to replant trees on the swales, on the parks, and the right-of-way. So that's a preview.

Mayor Cason: OK. It sounds like a good resolution. I just try to make it as easy in doing the surveying and not as expensive. Anything you can do.

Mr. Wu: It is not. And when people go for a new survey we as to please include the tree information on the survey. That's not extra work, they are doing it anyway.

Mayor Cason: OK. All right, do we have a motion on F-2?

Commissioner Lago: We need a motion?

Mayor Cason: It's a resolution, yeah. So who made the motion?

Commissioner Keon: It's a resolution.

Commissioner Lago: I'll make the motion.

Commissioner Quesada: Second.

Mayor Cason: Commissioner Lago made the motion; Commissioner Quesada seconds it. City Clerk.

Commissioner Quesada: Yes.

Commissioner Keon: Yes.

Vice Mayor Kerdyk: Yes.

Commissioner Lago: Yes.

Mayor Cason: Yes.