

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE CITY CODE, CHAPTER 82, ENTITLED “VEGETATION”; TO INCLUDE ADDITIONAL MEASURES TO REVIEW AND PROTECT TREES; TO SET PROCEDURES TO EVALUATE TREE PROTECTION AND REMOVAL; TO SET AN APPEALS PROCESS FOR A TREE PERMIT DENIAL; TO ESTABLISH A TREE TRUST FUND FOR THE PURPOSES OF MAINTAINING AND INCREASING THE CITY TREE CANOPY FROM TREE MITIGATION FUND FEES; AND OTHER MEASURES AS DEEMED AS NECESSARY FOR THE PRESERVATION AND ENHANCEMENT OF THE CITY’S TREE COVERAGE; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to maintain its extensive tree coverage and beautiful specimen trees as they enhance quality of life and serve as an important heritage of the City; and,

WHEREAS, in 1976 both the City Commission of Coral Gables and the State of Florida designated Coral Way as an historic canopied roadway in an effort to preserve its appearance as an iconic tree-lined roadway of huge specimen live oak trees and an number of historic structures; and,

WHEREAS, the City is a designated Tree City USA since 1985, reflecting the City’s commitment to maintain and further enhance its existing tree coverage; and,

WHEREAS, the City Commission the City has initiated a two-year comprehensive citywide Tree Succession Program that will eventually plant 3,000 trees and palms in residential areas throughout the City, reconfirming its commitment to further increase its tree coverage; and,

WHEREAS, when specimen trees exist on a site, it is the City’s desire to have a greater emphasis on tree protection and preservation, and not on tree removal, during site development, while respecting property rights; and,

WHEREAS, high temperatures in the City, especially during the summer months emphasize the importance of tree canopy, and the shad provided by trees in the City serve the health, welfare, and safety of the public; and,

WHEREAS, the regulations added and amended herein seek to protect the City’s tree canopy for the public health, safety, and welfare, and the regulations regarding mitigation determinations shall be interpreted so as to preserve the tree canopy and the shade it provides; and,

WHEREAS, on September 23, 2014, the City Commission adopted Resolution 2014-200 that required tree surveys and tree protection measures as part of certain development applications and directed staff to amend the City Code that will offer greater protection for existing specimen trees on private and public property.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 82 “Vegetation” Article II. “Standards for Removal and Relocation of Trees” of the Official Code of the City of Coral Gables is hereby amended in Attachment A, with deletions are indicated by ~~striketrough~~ and insertions indicated by underline.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2017.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY