

PROPOSED
ORDINANCE NO. 53-22

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, TITLE 12, CHAPTER 12-6, APPENDIX A, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA TO ADD QUERCUS HEMISPHERICA TO THE LIST OF PROTECTED TREES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Appendix A of Chapter 12-6 of the Code of the City of Pensacola, Florida, in the Land Development Code, is hereby amended to read as follows:

APPENDIX A. PROTECTED TREE LIST

Species Type A (Small, 4" + diameter trunk)	
1.	Dogwood (<i>Cornus florida</i>)
2.	Redbud (<i>Cercis canadensis</i>)
3.	Crape Myrtle (<i>Lagerstroemia indica</i>)
4.	Fringe Tree (<i>Chionanthus virginicus</i>)
5.	Flatwoods Plum (<i>Prunus umbellata</i>)
6.	Crabapple (<i>Malus angustifolia</i>)
7.	Sand Oak (<i>Quercus geminata</i>)
Species Type B (Medium, 6" + diameter trunk)	
1.	American Holly (<i>Ilex opaca</i>)
2.	Dahoon Holly (<i>Ilex cassine</i>)
3.	Southern Magnolia (<i>Magnolia grandiflora</i>) **
4.	Eastern Red Cedar (<i>Juniperus virginiana</i>) **
5.	Southern Red Cedar (<i>Juniperus silicicola</i>) **

6.	White Cedar (<i>Chamaecyparis thyoides</i>)
7.	River Birch (<i>Betula nigra</i>)
8.	Long Leaf Pine (<i>Pinus palustris</i>)
Species Type C (Large, 8" + diameter trunk)	
1.	Live Oak (<i>Quercus virginiana</i>)**
2.	Laurel Oak (<i>Quercus laurifolia</i>)**
3.	<u>Darlington Oak (<i>Quercus hemisphaerica</i>)**</u>
4.	Sweet Gum (<i>Liquidambar styraciflua</i>)**
4-5.	Sycamore (<i>Platanus occidentalis</i>)**
5-6.	Pecan (<i>Carya illinoensis</i>)**
6-7.	Red Maple (<i>Acer rubrum</i>)**
7-8.	Hickory (<i>Carya spp.</i>)**
8-9.	White Oak (<i>Quercus alba</i>)**
9-10.	Southern Red Oak (<i>Quercus falcata</i>)
10-11.	Florida Sugar Maple (<i>Acer barbatum</i>)
11-12.	Black Tupelo (<i>Nyssa sylvatica</i>)
12-13.	Silver Maple (<i>Acer saccharinum</i>)
*When measuring a tree to determine if it meets the trunk diameter criteria, it shall be measured at diameter breast height (DBH), which is the diameter of the tree at 4½ feet (54 inches) above ground. The scientific name controls for compliance purposes. Common names are furnished for reference purposes only.	
**Shade trees.	

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk