



Legislation Details (With Text)

File #: 42-22 **Version:** 2 **Name:**

Type: Ordinance **Status:** Passed

File created: 8/2/2022 **In control:** City Council

On agenda: 9/29/2022 **Final action:** 9/29/2022

Enactment date: 10/6/2022 **Enactment #:** 31-22

Title: AMENDED PROPOSED ORDINANCE NO. 42-22 - AMENDING SECTION 12-6-4(4) OF THE CITY CODE - LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE

Sponsors: Sherri Myers

Indexes:

Code sections:

Attachments: 1. Amended Proposed Ordinance No. 42-22, 2. Proposed Ordinance No. 42-22, 3. Planning Board Meeting Minutes 6.14.22, 4. PROOF OF PUBLICATION ORD 2ND READING

Date	Ver.	Action By	Action	Result
9/29/2022	2	City Council	Adopted	Pass
9/26/2022	2	Agenda Conference	Placed on Regular Agenda	Pass
9/15/2022	1	City Council	Passed on first reading	Pass
9/12/2022	1	Agenda Conference	Placed on Regular Agenda	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member Sherri Myers

SUBJECT:

AMENDED PROPOSED ORDINANCE NO. 42-22 - AMENDING SECTION 12-6-4(4) OF THE CITY CODE - LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE

RECOMMENDATION:

That City Council adopt amended Proposed Ordinance No. 42-22 on second reading:

AN ORDINANCE AMENDING SECTION 12-6-4 (4) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, LANDSCAPE AND TREE PROTECTION PLAN; PROVIDING FOR A TWENTY-ONE DAY POSTING REQUIREMENT PRIOR TO ISSUANCE OF PERMIT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: Public

SUMMARY:

Recently a situation occurred wherein landscape plans for a project were approved prior to a permit being issued. Signs were posted, as required by the code, however there was some confusion about the process of approving landscape plans prior to the two-week required posting of signs requesting tree removal. The project was the Caliber Carwash on Creighton Road.

This item was referred to the Planning Board for review and recommendation.

The language proposed stated:

“Prior to the final approval of any landscape or tree protection plan where a protected species and/or heritage tree removal is requested and prior to the requisite building, site work or tree removal permit being issued....”

At their June 14, 2022, meeting of the Planning Board, this issue was discussed with the following recommendations being made by the Board:

1. Including the language: At such time a tree or landscape plan has been deemed compliant by the designated city arborist, staff shall notify the City Council member for that district.
2. Every sign shall be black lettering on a white background
3. The sign shall be posted thirty (30) days prior to permit issuance

These recommendations, which were approved by the Planning Board on a vote of 6 - 0, are included within the proposed ordinance amendment.

At the September 15, 2022 City Council meeting, the City Council amended Proposed Ordinance No. 42-22 to change the number of days that the sign shall be posted from thirty (30) days to twenty-one (21) days.

PRIOR ACTION:

May 12, 2022 - City Council referred this item to the Planning Board

June 14, 2022 - Planning Board met, reviewed and made recommendations regarding this item

September 15, 2022 - the City Council conducted a public hearing and voted to amend Proposed Ordinance No. 42-22 on first reading.

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Amended Proposed Ordinance No. 42-22
- 2) Proposed Ordinance No. 42-22
- 3) Planning Board Meeting Minutes 6.14.22

PRESENTATION: No