



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 01-21

City Council

2/25/2021

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Sherri F. Myers  
City Council Member Jennifer Brahier  
Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 01-21 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-6 TREE/LANDSCAPE REGULATIONS AND CHAPTER 12-13 DEFINITIONS ENUMERATED

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 01-21 on second reading.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, TITLE 12, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, STREAMLINING REVIEW AND ENFORCEMENT OF TREE/LANDSCAPE REGULATIONS IN CHAPTER 12-6 INTO ONE DEPARTMENT AND PROCESS, UPDATING AFFECTED DEFINITION IN CHAPTER 12-13, ENSURING COMPLIANCE WITH FLORIDA STATUTES, FUNDING OVERSIGHT AND ENFORCEMENT, AND PROTECTING HERITAGE TREES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** Public

**SUMMARY:**

The City of Pensacola has a long history of prioritizing the protection of trees and recognizes their value as both an environmental and aesthetic amenity. To demonstrate the City's commitment to being a steward of the environment, the City of Pensacola created and codified tree/landscape regulations that provide protection of trees throughout the City of Pensacola. These regulations provide guidance to both community members and developers, the permitting process for which they can have the trees removed, and provide enforcement authority to the City for failure to comply. Since the creation of the regulations, City staff has drafted various modifications to the codified language. Attached is the most recent City-staff proposed amendments to the regulations. These amendments were drafted in an effort to provide process efficiencies, designate sources as responsible for the oversight of this regulation, provide clarity on tree fund usage, provide notice to the public and Council when tree removals are requested within their district, and provide further protections for heritage trees. This item was presented to the City Planning Board on October 13,

2020, and was approved. However, subsequent comments were provided by Council members, and additional changes were made by staff based upon the comments.

**PRIOR ACTION:**

January 12, 2021 - Planning Board approved these proposed amendments with the recommendation to evaluate the qualifications of the City's designated arborist and other professionals and to include the memorandum expressing additional changes to further protect trees.

February 11, 2021 - The City Council conducted a public hearing and voted to approve Proposed Ordinance No. 01-21 on first reading.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

1/27/2021

**STAFF CONTACT:**

Keith Wilkins, City Administrator

Kerrith Fiddler, Deputy City Administrator

L. Derrik Owens, Director of Public Works and Facilities/City Engineer

Mark Jackson, City Sustainability Coordinator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 01-21
- 2) Planning Board Minutes, Draft from January 12, 2021

**PRESENTATION:** No