

# City of Key West Tree Commission



# Tree Ordinance

(Section 110.251 - 110.435 of the City Code)

The City Commission finds trees on privately or publicly owned property are:

- ❑ Economic and aesthetic assets
- ❑ Contribute to a healthy, beautiful and safer community
- ❑ Contribute to the health and economic welfare of the citizens

with the goal of preserving and replenishing the tree canopy

## **Sec 110-251 Purpose and Intent**

The city commission further finds that this public purpose can best be achieved through a city agency having authority and responsibility to accomplish these goals.



## **Sec. 90-182. - Powers and duties.**

The tree commission shall have the power and responsibility to carry out the duties conferred upon it by this Code of Ordinances and shall perform the duties in order to protect and enhance the health, growth, and planting of trees in the city. Findings of the tree commission regarding destruction or damage to trees are enforced through the special master. The only appealable decisions of the tree commission concern permits. These decisions may be appealed to the city commission.



# Tree Commission was established by State legislature in 1970.

There are seven members of the Tree Commission, all volunteers, that are appointed by each City Commissioner and the Mayor.

- ▣ Misha McRAE-Chair
- ▣ Russell Pope-Vice Chair
- ▣ Denise Bravo
- ▣ Tonya Cabanas
- ▣ Sheila Cullen
- ▣ Ed Cunningham
- ▣ Henry Fuller



# Tree Commission

- ▣ Reviews Landscape plans as per Sec 108 of the City Code
- ▣ Reviews and processes permit applications for dicot/canopy tree removals as per Sec 110 of the City Code. All permit decisions are final with the right to appeal as per Sec 90 of the City Code.
- ▣ Processes Administrative Hearings on tree abuse and unauthorized tree removal allegations as per Sec 110 of the City Code resulting in Settlement Agreements or the files referred to the Special Magistrate for processing.



392 applications reviewed by the  
Urban Forestry Department.

87 applications forwarded for Tree  
Commission review.



## 2023 Tree Commission Year in Review

6 Landscape plans reviewed

3 Enforcement cases reviewed

1 Permit denied (denial overturned by Board of Adjustment)



# 2023 Tree Commission Year in Review

392 applications

100 canopy trees - removal

39 subcanopy trees - removal

4 fruit trees - removal

304 palms – removals

72 trees and palms heavily trimmed

27 tree and palm transplants



338 permits closed

45 canopy trees planted

339 subcanopy trees planted

25 fruit trees planted

179 palms planted

17 trees and 4 palms donated

\$49,702.50 paid in mitigation fees





**TREE CITY USA<sup>®</sup>**

12 Years  
total as of  
2023

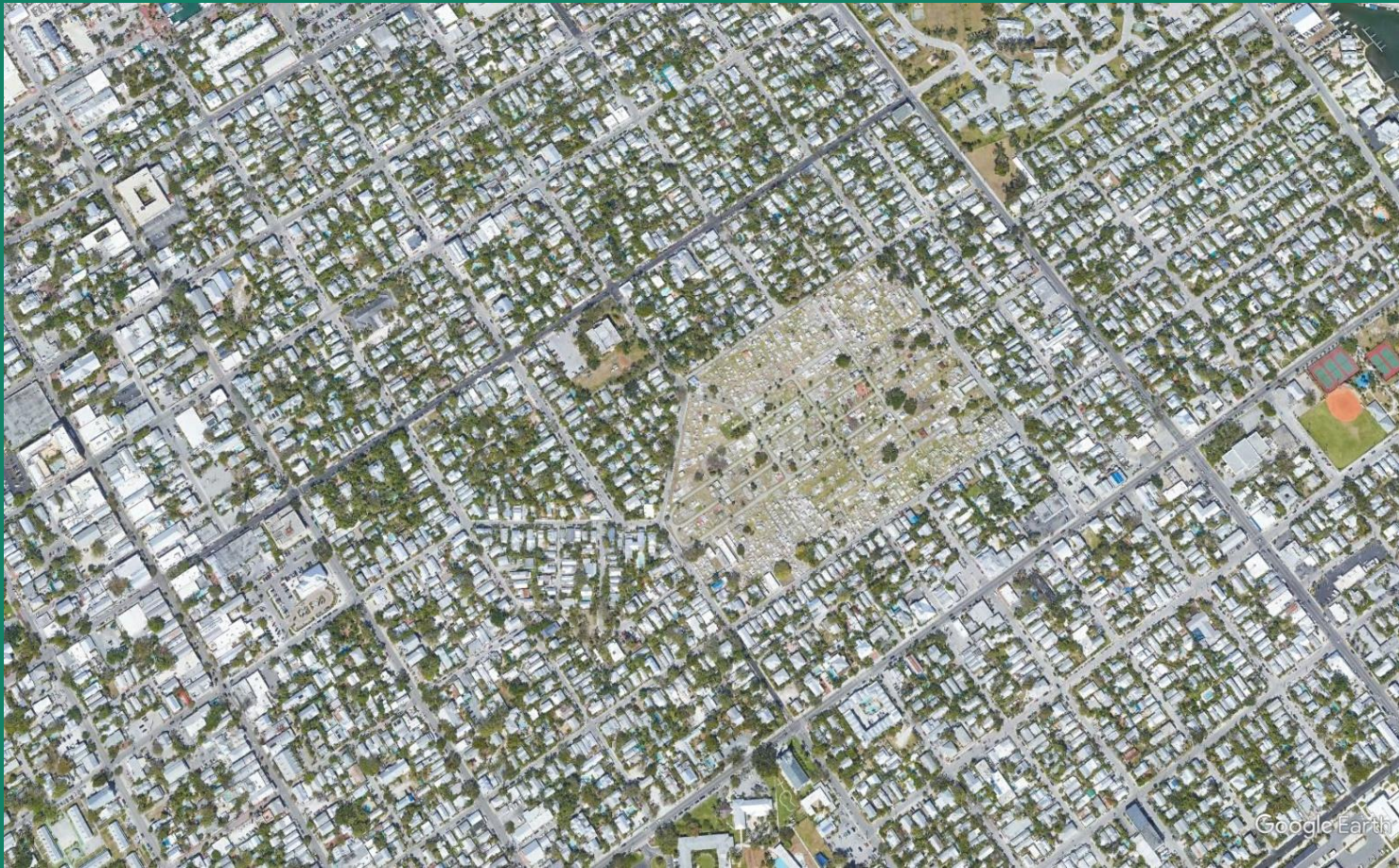




# State Tree Law FL Statute 163.045

Updated July 1, 2021

- (1) For purposes of this section, the term: (a) “Documentation” means an onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices-Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect and signed by the certified arborist or licensed landscape architect. (b) “Residential property” means a single-family, detached building located on a lot that is actively used for single-family residential purposes and that is either a conforming use or a legally recognized nonconforming use in accordance with the local jurisdiction’s applicable and development regulations.
- (2) A local government may not require a notice, application approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices-Tree Risk Assessment, Second Edition (2017).
- (3) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.



“One generation plants the trees; another lives in its shade.”