

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TREE COMMISSION OF  
THE CITY OF KEY WEST, FLORIDA,  
RECOMMENDING THAT THE CITY COMMISSION  
APPROVE THE ATTACHED PROPOSED ORDINANCE  
TO PROVIDE AN INCENTIVE FOR PLANTING  
CANOPY TREES; PROVIDING FOR AN EFFECTIVE  
DATE

WHEREAS, the Tree Commission recognizes that canopy trees are essential to the beauty, comfort, sustainability and history of Key West; and

WHEREAS, Section 110-331 of the Code of Ordinances provides a caliper requirement for replacement of certain trees, and the Tree Commission believes that adjusting the caliper requirement for canopy trees would encourage the planting of such trees; and

WHEREAS, the Tree Commission recommended City Commission approval of the attached proposed ordinance at its meeting of July 9, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE KEY WEST TREE COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the Tree Commission recommends that the City Commission approve the attached proposed ordinance, amending Section 110-331 of the Code of Ordinances, to adjust the caliper ratio to 4:1 as an incentive for planting canopy trees.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Tree Commission.

Passed and adopted by the Key West Tree Commission at a meeting held this 9th day of July, 2018.

Authenticated by the Presiding Officer and Clerk of the Key West Tree Commission on \_\_\_\_\_day of \_\_\_\_\_, 2018.

Filed with the Clerk on \_\_\_\_\_, 2018.

\_\_\_\_\_  
SUE SULLIVAN, VICE CHAIR

ATTEST:

\_\_\_\_\_  
VICKY WALKER, CLERK

**RESOLUTION NUMBER 2018-\_\_\_\_**

**A RESOLUTION OF THE PLANNING BOARD OF CITY OF  
KEY WEST RECOMMENDING THAT THE CITY COMMISSION  
APPROVE THE ATTACHED PROPOSED ORDINANCE TO  
PROVIDE AN INCENTIVE FOR PLANTING CANOPY  
TREES; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Planning Commission recognizes that canopy trees are essential to the beauty, comfort, sustainability and history of Key West; and

WHEREAS, Section 110-331 of the Code of Ordinances provides a caliper requirement for replacement of certain trees, and the Planning Commission believes that adjusting the caliper requirement for canopy trees would encourage the planting of such trees; and

WHEREAS, the Tree Commission recommended approval of this proposed ordinance at its meeting of July 9, 2018; and

WHEREAS, the Planning Commission recommends City Commission approval of the attached proposed ordinance.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING BOARD OF THE  
CITY OF KEY WEST, FLORIDA:**

**Section 1:** That the Planning Board recommends that the City Commission approve the attached proposed ordinance, amending Section 110-331 of the Code of Ordinances, to adjust the caliper ratio to 4:1 as an incentive for planting canopy trees.

**Section 2.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the city clerk.

Read and passed on first reading at a regular meeting held this 19th day of July, 2018.

Authenticated by the Chairman of the Planning Board and the Planning Director.

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Sam Holland Jr., Planning Board Chairman

Date

**Attest:**

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Patrick Wright, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

\_\_\_\_\_Chairman

\_\_\_\_\_Planning Director

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 110 OF THE CODE OF  
ORDINANCES, ENTITLED "TREE PROTECTION" BY  
AMENDING ARTICLE VI ENTITLED "PERMIT", SECTION  
110-331 TITLED "ISSUANCE", TO INCENTIVIZE THE  
PLANTING OF CANOPY TREES AT A RATE OF 4:1  
REPLACEMENT INCHES FOR DICOT TREES THAT ARE  
REMOVED; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT  
PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission for the City of Key West finds  
that canopy trees, including the Royal Poinciana tree are  
crucial to history and sustainability of the city; and

WHEREAS, the City Commission for the City of Key West finds  
that creating a new incentive for residents to plant canopy  
trees at a rate of four caliper inches for every one inch  
prescribed would promote such plantings and ultimately increase  
the overall tree canopy of the city; and

WHEREAS, The Planning Board for the City of Key West  
approved this ordinance revision at their meeting of July 19,  
2018; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,  
FLORIDA:

Section 1: That Section 110-331 of the Code of Ordinances is hereby amended as follows\*:

**Sec. 110-331. - Issuance.**

(1) Each approval of a tree removal permit shall be signed by the chairperson of the tree commission. Notice of its approval shall be given by the tree commission to the urban forestry manager which shall issue a permit.

(2) Permits will be finalized within five (5) business days of the tree commission approval of the permit. Final, signed permits will be held in office for one week then mailed to the applicant and representative.

(3) Compliance.

(a) Replacement palms shall be native palm trees, 4 feet tall in total height from ground to frond.

(b) Replacement dicot trees shall be measured by caliper and shall be Florida #1 grade native trees or trees listed in section 110-253.

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

(c) A credit of 2:1 shall be given to the homeowner/applicant for using state listed threatened or endangered plant species on replacement values for dicot trees.

(d) A credit of 4:1 shall be given to the homeowner/applicant for using canopy trees on replacement values for dicot trees.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Read and passed on final reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Filed with the Clerk \_\_\_\_\_, 2018.

Mayor Craig Cates	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

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CHERYL SMITH, CITY CLERK