

Regular Workshop – October 21, 2010
Agenda Item 15

Agenda Item: Proposed Ordinance 2010-23, Amendments to Chapter 98,
Tree Code

Presenter: Steve Schield, ASLA, AICP, Planner

Summary: At the January 19, 2010, meeting, the Planning and Zoning Board requested that the Town Commission appoint a Tree Code subcommittee to explore the outstanding issues with the draft revised code. The Town Commission appointed a subcommittee, which included Vice-Mayor Jim Brown, Commissioner Lynn Larson, and Planning and Zoning Board members Patricia Zunz, Allen Hixon, and Phineas Alpers. The subcommittee, chaired by Patricia Zunz, met on April 12, 2010, and reviewed all of the remaining policy changes. Chair Zunz presented the subcommittee recommendation to the Town Commission at their May 3, 2010 Regular Meeting. The Town Commission reached consensus to forward the revised tree code, incorporating the subcommittee's recommended changes, to the Planning and Zoning Board for their consideration and recommendation.

At their September 21, 2010 Regular Meeting, the Planning and Zoning Board recommended approval of proposed Ordinance 2010-23.

Attachments: Proposed Ordinance 2010-23;
10-11-10 Memo, P&Z Board Chairman to Commission;
6-1-10 Staff Report, Planner to Planning & Zoning Board;
9-21-10 Draft minutes of the Planning & Zoning Board meeting.

Recommended

Action: Pending discussion, forward Ordinance 2010-23 to November 1, 2010, Regular Meeting for first reading.

ORDINANCE 2010-23

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 98, *TREES*, TO DELETE SECTIONS 98.01 THROUGH 98.12 AND ADDING SECTION 98.01, *INTENT*; SECTION 98.02, *DEFINITIONS*; SECTION 98.03, *MANGROVE TRIMMING OR REMOVAL*; SECTION 98.04, *TRIMMING OF TREES OTHER THAN MANGROVES*; SECTION 98.05, *EXEMPTION FOR IMPROVED SINGLE-FAMILY LOTS*; SECTION 98.06, *PERMITS FOR TREE REMOVAL*; SECTION 98.07, *PROTECTION OF TREES DURING SITE DEVELOPMENT*; SECTION 98.08, *PROHIBITED PLANTINGS, REMOVAL OF NUISANCE EXOTIC SPECIES, PROTECTION OF UTILITY FACILITIES*; SECTION 98.09, *PUBLIC EDUCATION*; SECTION 98.10 PETITION FOR REVIEW; SECTION 98.11 PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key is a place of exceptional natural beauty, which is an important reason people enjoy living, visiting, and working on the island; and

WHEREAS, the residents of Longboat Key have historically enjoyed a rich natural environment including clean air and water, abundant bird life, and lush landscaping; and

WHEREAS, trees and other plantings make a significant contribution to our perception of the beauty of Longboat Key and to the ecological health of our environment; and

WHEREAS, it is a matter of public policy that the health, safety, welfare, and economic well-being of the residents and property owners of Longboat Key is served by the protection of trees and this ordinance increases that protection; and

WHEREAS, the Town commission formed a subcommittee with the Planning and Zoning Board to hold public hearings on the topic; and

WHEREAS, the Tree Code subcommittee made a recommendation for changes to the Trees Code to the Planning and Zoning Board; and

WHEREAS, pursuant to Town Code Section 158.030(B), the Planning and Zoning Board, as the local land planning agency, considered the subject code amendment at its regular meeting of September 21, 2010; and

WHEREAS, the Planning and Zoning Board determined that the public would benefit from minor changes and simplification of the Trees Code; and

WHEREAS, the Planning and Zoning Board finds that these amendments to the Tree code are consistent with the Town of Longboat Key Comprehensive Plan; and

WHEREAS, at a duly noticed public hearing, the Planning and Zoning Board voted to recommend that the Town Commission approve this Code amendment; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed code amendments are in the best interest of the Town and consistent with the Town's comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA THAT:

SECTION 1. The WHEREAS clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 98, *Trees*, is hereby amended by deleting Sections 98.01 through 98.12 and inserting in its place the following:

98.01 Intent.

The protection of trees within the Town of Longboat Key is desirable and essential to the present and future health, safety and welfare of the citizens of Longboat Key. It is the intent of this code to protect existing trees, encourage the planting of trees other than trees that are nuisances, and to maintain and enhance tree canopy within the Town. All properties within the Town are subject to the regulations contained within this chapter.

98.02 Definitions.

"TREE." Any living, self-supporting woody plant having a diameter of four inches or more when measured four and one-half feet above ground level, and which will typically reach ten feet or more in height. For the purpose of this chapter, all species of mangroves, and all palms with four and one-half feet of clear trunk when measured from ground level are declared to be trees and are protected by the provisions of this chapter.

"TREE REMOVAL." To relocate or, cut down, damage, or poison or in any other manner destroy, or cause to be destroyed, a tree as defined in this chapter.

"DRIP LINE." The peripheral limits of horizontal crown spread projected vertically to the ground.

"IMPROVED SINGLE-FAMILY LOT." A lot zoned for single-family use containing an existing single dwelling unit.

"MATURE REPLACEMENT TREE." A tree with a diameter of two inches or more measured four and one-half feet above ground level, at least 10 feet in height from ground level when planted, and with a height of at least 25 feet with a canopy spread of at least 20 feet at maturity. Three 10-foot tall palms ~~trees~~ grouped to create a canopy of not less than 15 feet may be substituted for one mature replacement tree.

98.03 Mangrove trimming or removal.

(A) Mangrove trimming requires a state permit and shall be in accordance with the laws of the State of Florida; no additional local permit is required for Mangrove trimming.

(B) Mangroves cannot be removed unless a permit is obtained from the appropriate state agencies and the Town as set forth below.

98.04 Trimming of trees other than mangroves.

All trimming of trees shall conform to American National Standards Institute (ANSI) A300 Standards-1995 or the most recent edition. In the Town of Longboat Key Arborists, Landscape Architects, or other licensed professionals are not required to write standards, inspect or administer tree trimming unless required by state or federal agencies.

98.05 Exemption for improved single-family lots.

Improved single-family lots are exempt from the tree removal permit provisions as set forth in Section 98.06, but not from the regulations for protected tree species under state or federal law.

98.06 Permits for tree removal or relocation.

Tree removal or relocation is prohibited unless the Town Manager or his designee has issued a tree permit based upon the requirements of this chapter.

(A) Review and approval procedure. A tree permit may be issued if the Town Manager finds that any one of the following conditions applies.

- (1) The condition of the tree has significantly degraded or deteriorated because of disease or insect attack and is in danger of falling within the proximity of existing or proposed structures;
- (2) The applicant cannot practically alter or revise the proposed development or improvement under all applicable laws and regulations to accommodate existing trees, including the tree or trees proposed to be impacted;
- (3) Removal of the tree will enhance the ultimate tree canopy and removal will not result in erosion, or adversely affect the flow of surface waters; or
- (4) The tree poses a significant safety hazard to life or property.

(B) Applications for tree removal or relocation shall provide a site plan including the shape and dimensions of the lot, together with existing and proposed driveways, structures, and improvements. The plan shall indicate the location, type, species, and size of existing trees and shall include:

- (1) Those trees requested to be removed or relocated.
- (2) A statement explaining why the trees are requested to be removed or relocated.
- (3) A statement explaining how any remaining trees or trees proposed to be relocated are to be protected during construction.
- (4) Any other material or information deemed necessary in reviewing the criteria as set out in subsection (A).

(C) Fees. The application fee for tree removal is \$50.00. This fee may be modified by Resolution of the Town Commission. Additional costs, including staff time, may be incurred as necessary depending on the scope and complexity of the project.

(D) Permit conditions for tree removal, replacement or relocation.

(1) Generally two mature replacement trees will be required for the removal of each tree; the site, size, and species of the trees being removed will be considered when determining the actual tree replacement ratio.

(2) Where feasible the applicant shall be required to relocate, rather than remove, the tree. Relocation shall depend upon the size, condition, and species of the

tree to be relocated, as well as whether survival of the relocated tree may be reasonably anticipated. Replacement trees are not required for relocated trees.

(3) The applicant will be required to relocate or replace a tree being removed, at the applicant's expense, on the site, or with the concurrence of the Town, on public land.

(4) When mature replacement trees cannot be planted on the applicant's land, or on public land, or relocation is not feasible, a tree replacement fee of \$300 per mature replacement tree, shall be paid to the Town. These funds shall be kept in an account and used only for the designated replacement or planting of trees on public property.

98.07 Protection of trees during site development.

(A) Prior to land development, all trees shall be clearly marked to indicate which trees are permitted for removal and barriers shall be erected for the protection of the trees to be preserved using best management practices approved by Town staff.

(B) Silt screens shall be required where mangroves or wetlands could be affected by construction or runoff from construction.

(C) A performance bond may be required for the restoration or replacement of any preserved trees on the site, which have been adversely affected by construction activities, as determined by the Town.

98.08 Prohibited plantings; removal of nuisance exotic species; protection of utility facilities.

(A) It is unlawful to plant, transplant, or grow from seed any nuisance exotic plant species listed below, and these species are exempt from permits for tree removal.

- (1) *Schinus terebinthifolius* (Brazilian Pepper Tree)
- (2) *Melaleuca quinquenervia* (Punk Tree)
- (3) *Enterolobium cyclocarpum* (Ear Tree)
- (4) *Melia azedarach* (Chinaberry Tree)
- (5) *Ficus retusa* (Cuban Laurel)
- (6) *Grevillea robusta* (Silk Oak)
- (7) All *Eucalyptus*, except *E. cinera* (Silver Dollar Tree)
- (8) *Ficus aurea* (Strangler Fig)
- (9) *Dalbergia sissoo* (India Rosewood)
- (10) *Casuarina* (Australian Pine)
- (11) *Cupaniopsis anacardioides* (Carrotwood)

(B) Protection of electric facilities. No tree shall be planted where at mature height it may conflict with overhead electric facilities.

(1) Large trees (trees with a mature height of 30 feet or more) shall be planted no closer than a horizontal distance of 30 feet from any overhead electric facility.

(2) Medium trees (trees with a mature height of 20 to 30 feet) shall be planted no closer than a horizontal distance of 20 feet from any overhead electric facility.

(3) Palms ~~trees~~ shall be planted no closer than three feet from the mature maximum frond length from any overhead electric facility.

(C) The Florida Department of Transportation, municipal utilities, and public utilities may remove trees without a permit when they endanger public safety and

welfare and are located within utility easements and public rights-of-way or are interfering with utility service.

(D) Removal of nuisance exotic species. The Town shall require the removal of all trees in the genus *Casuarina* (Australian Pine), *Schinus terebinthifolius* (Brazilian Pepper Tree) and *Cupaniopsis anacardioides* (Carrotwood) from all real property being prepared for development or redevelopment, including single-family lots.

98.09 Public education.

(A) The following native trees are specifically recommended as replacement trees. However, other native and non-native trees may be appropriate as replacements for the island environment; therefore, this list is not all inclusive.

Name	<u>Mature</u> Height	Growth Rate	Salt Tolerant	Cold Hardy
Mahogany (<i>Swietenia mahogani</i>)	35'	Fast	High	Low
Sea Grape (<i>Coccoloba uvifera</i>)	30'	Moderate	High	Low
Live Oak (<i>Quercus virginiana</i>)	70'	Moderate	High	High
Gumbo Limbo (<i>Bursera simaruba</i>)	60'	Fast	High	Low
Southern Magnolia (<i>Magnolia grandiflora</i>)	50'	Slow	Moderate	High
Red Bay (<i>Persea borbonia</i>)	35'	Moderate	High	High
Silver/Green Buttonwood (<i>Conocarpus erectus</i>)	35'	Slow	High	Low
Wax Myrtle (<i>Myrica cerifera</i>)	25'	Moderate	High	High
Southern Red Cedar (<i>Juniperus silicicola</i>)	30'	Slow	High	High
Black Olive (<i>Bucida buceras</i>)	40'	Moderate	High	Low
Cabbage Palm (<i>Sabal palmetto</i>)	40'	Slow	High	High
Everglades Palm (<i>Acoelorrhaphe wrightii</i>)	25'	Slow	High	Moderate
Royal Palm (<i>Roystonea regia</i>)	50'	Moderate	Moderate	Moderate
Canary Island Date Palm (<i>Phoenix canariensis</i>)	60'	Slow	Moderate	High

(B) Information on native trees, and trees appropriate for our coastal environment, can be obtained from the following agencies, and other sources. This list should not be considered all inclusive.

- (1) Sarasota Forestry Division
- (2) Institute of Food & Agricultural Sciences IFAS Sarasota County Extension Service
- (3) Institute of Food & Agricultural Sciences IFAS Manatee County Extension Service
- (4) Florida Native Plant Society
- (5) Association of Native Plant Nurseries

98.10 Petition for review.

Any person who is aggrieved by the enforcement of this chapter by any administrative official shall, within thirty days, file a petition with the Zoning Board of Adjustment. The form of the appeal shall comply with Section 158.027 of the Town's Zoning Code.

98.11 Penalty.

Any person found guilty of violating any provisions of this chapter or, any order issued pursuant thereto, shall upon conviction be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 60 days. In a prosecution under this chapter, each tree removed, damaged, or destroyed will constitute a separate offense.

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with Law and the Charter of the Town of Longboat Key.

Passed on the first reading the ____ day of _____, 2010.

Adopted on the second reading and public hearing the ____ day of _____, 2010.

George Spoll, Mayor

ATTEST:

Trish Granger, Town Clerk

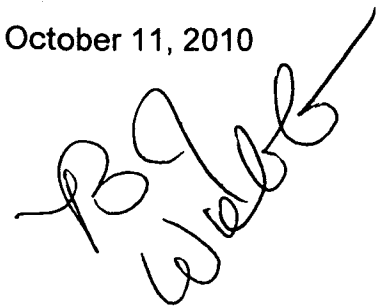
MEMORANDUM

DATE: October 11, 2010

TO: Honorable Mayor and Town Commission

THROUGH: Bruce St. Denis, Town Manager

FROM: BJ Webb, Chairman
Planning and Zoning Board

A handwritten signature in black ink, appearing to read "BJ Webb", with a long, sweeping line extending from the end of the signature.

SUBJECT: ORDINANCE 2010-23, AMENDMENTS TO CHAPTER 98, TREE
CODE

During the public hearing held on September 21, 2010, the Planning and Zoning Board recommended APPROVAL of Ordinance 2010-23 as written. The specific motion of the P&Z Board is as follows:

MR. ALPERS MOVED THE P&Z BOARD RECOMMEND APPROVAL OF ORDINANCE 2010-23 AS WRITTEN. MS. GOLDNER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, NO; SAIVETZ, NO; SYMANSKI, AYE; WEBB, AYE; ZUNZ, AYE.

Enclosed, for your review and consideration, please find the following support documentation:

1. Ordinance 2010-23;
2. Staff Report, dated 6-1-10, Planner to Planning & Zoning Board;
3. Draft minutes from the 9-21-10 regular P&Z Board meeting on this issue.


If you should have any questions, or desire any additional information, please do not hesitate to contact me.

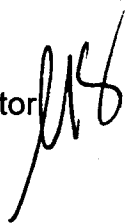
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MEMORANDUM

DATE: June 1, 2010

TO: Planning and Zoning Board

FROM: Steve Schield, ASLA, AICP, Planner 

THROUGH: Monica Simpson, Planning, Zoning and Building Director 

RE: Ordinance 2010-23, Chapter 98: Trees

At the January 19, 2010, meeting, the Planning and Zoning Board requested that the Town Commission appoint a joint Tree Code Subcommittee to explore the outstanding issues with the draft revised code. The Town Commission appointed a subcommittee, which included Vice-Mayor Jim Brown, Commissioner Lynn Larson, and Planning and Zoning Board members Patricia Zunz, Allen Hixon, and Phineas Alpers. The subcommittee, chaired by Patricia Zunz met on April 12, 2010, and reviewed all of the remaining policy changes. Chair Zunz presented the subcommittee recommendation to the Town Commission at their regular meeting on May 3, 2010. The Town Commission reached consensus to forward the revised trees code, incorporating the subcommittee's recommended changes, to the Planning and Zoning Board for their consideration and recommendation.

The Tree Code Subcommittee discussed the national trimming standard referenced within the proposed tree code, and if a state standard should be used. Staff researched the issue, and according to the State of Florida Extension Office, an independent state trimming standard does not exist. They produce trimming guideline materials based on the national standard. The national trimming standard includes recommended trimming practices for palm trees. At the recommendation of the Subcommittee, staff also researched the inclusion of Grand Tree protection in the proposed trees code. The Grand Tree standards used in other jurisdictions would be difficult to apply to the island trees, which tend to be shorter, and have a smaller canopy. Grand Trees would already be protected in the proposed code on all property except improved single-family lots, and the decision was made by the Subcommittee to not include improved single-family lots in tree protection.

At this time, the Planning and Zoning Board may **recommend approval, recommend approval with changes, or direct staff to revise the proposed ordinance.**

attachments: Draft Ordinance 2010-23, Trees Code - May 20, 2010
Zunz memo to St. Denis – April 25, 2010
Tree Code Subcommittee Minutes – April 12, 2010
Webb memo to Rothenberg – February 10, 2010
Planning and Zoning Board Minutes – January 19, 2010

M E M O R A N D U M

DATE: April 25, 2010

TO: Bruce St. Denis, Town Manager

FROM: Patricia Zunz, Chair of Tree Code Subcommittee

RE: Chapter 98: Tree Code
Recommendations from Joint Commission/Board Subcommittee

The goal of the Tree Code Subcommittee was to follow the direction of the Town Commission to preserve the existing Tree Code, but update and revise the existing ordinance to both simplify and make it more understandable. The language used in the code must be in proper legal form, and be enforceable by the Town staff.

Town Staff, with the assistance of the Town Attorney's office, worked to reorganize and streamline the existing code, while incorporating some limited improvements recommended by the Planning and Zoning Board. These improvements included: clearly stating that improved single-family lots are exempt from the tree code; requiring protection of utility systems; requiring removal of Australian pines and Brazilian peppers for new construction; a fee increase; and, provide public education.

At their April 12, 2010, meeting, the Tree Code Subcommittee comprised of Planning and Zoning Board members Patricia Zunz, Allen Hixon, Phineas Alpers, and Town Commissioner Lynn Larson and Vice-Mayor Jim Brown reviewed all policy changes to the draft tree code that Town Staff and Town Attorney's office had prepared. The subcommittee, chaired by Patricia Zunz, made the following recommendations for the proposed new tree code:

1. Continue to exempt improved single-family lots from tree removal permitting;
2. Include additional protection for utility systems;
3. Require the removal of Australian Pines and Brazilian Peppers, as well as Carrotwood trees (a newly included nuisance exotic) on all new site development; including new or redeveloped single family homes;
4. Increase the tree removal permit fee from \$26.25 to \$50.00;
5. Enhance and include public education about trees during permitting;
6. Investigate Grand or Majestic tree protection in the code;
7. Improve Site Plan Review requirements to insure tree preservation and planting; and,
8. Recommended against joining the Tree City USA program because of additional requirements to the Town.

Please find attached the subcommittee minutes from the April 12, 2010 meeting. At this time, the Tree Code Subcommittee requests consensus from the Town Commission to move forward with a revised tree code incorporating the subcommittee's recommended changes to the Planning and Zoning Board.

Attachments: Tree Code Subcommittee Minutes – April 12, 2010

M E M O R A N D U M

DATE: February 10, 2010

TO: Honorable Mayor Lee Rothenberg
and Town Commissioners

FROM: B.J. Webb, Chair
Planning and Zoning Board

RE : Chapter 98: Tree Code Rewrite
Request For A Joint Commission/Board Subcommittee

In 2008, at the request of the Town Commission, the Planning and Zoning Board appointed a subcommittee to work with the citizens and residents of the Town, as well as professionals who were considered experts in the field, to rewrite the existing tree code (Chapter 98 of the Town Code of Ordinances) to be more user friendly and reflect the desired policy of the Town.

The Board subcommittee held numerous meetings with a number of citizens and stakeholders and presented the proposed changes drafted from those meetings to the Commission in April 2008. At that time, there was "...majority consensus to not support the recommendations outlined in the subcommittee's report." Additionally, the Planning and Zoning Board was directed by the Commission to continue to review the code.

Approximately one year later, the Planning and Zoning Board revisited the tree code. Staff provided a memorandum dated April 7, 2009, which provided a summary of the Commissioner comments from the April 17, 2008, workshop meeting. From that it was derived that there was "...general consensus of the Town Commission to preserve the existing Tree Code with minor modifications." In April and May 2009, the Board continued working on the redrafting of the tree code that resulted in direction to the staff.

During the summer of 2009, Town Staff drafted new code language, which reorganized the current regulations and made minor modifications to the policy of the code. This was presented to the Board in January 2010. The Planning and Zoning Board had extensive discussion about the staff draft and recognized that without input and collaboration with the Town Commission we may be "spinning our wheels" to draft an effective tree code.

It was the unanimous consensus of the Board to request that the Town Commission form a joint subcommittee comprised of three members of the Planning and Zoning Board and members of the Town Commission, with staff working as technical support. Patricia Zunz has agreed to serve in this consensus building opportunity for our Board. She was a key participant, as a citizen, of the subcommittee efforts in 2008. Phineas Alpers and Al Hixon have also agreed to serve, if the Commission agrees to form the subcommittee.

As the Chair of the Planning and Zoning Board, I respectfully request the Town Commission consider the formation of a tree code review subcommittee with the assistance of staff to rewrite the existing tree code. Regular reports would be provided to the Commission and the Board in workshop session.

Thank you for your consideration, of what the Planning and Zoning Board believes would be a worthwhile endeavor. Please let me know if you have any questions.

attachments:

- **January 19, 2010, Draft Planning and Zoning Board Minutes**
- **October 2, 2009, Staff Memorandum to the Planning and Zoning Board**
- **September 2, 2009, Draft Staff Tree Protection Code**
- **May 19, 2009, Planning and Zoning Board Minutes**
- **April 21, 2009, Planning and Zoning Board Minutes**
- **April 7, 2009, Staff Memorandum to the Planning and Zoning Board**
- **April 17, 2008, Town Commission Workshop Materials – Subcommittee Chair Hixon's report to the Town Commission**
- **April 17, 2008, Town Commission Workshop Minutes – Subcommittee Chair Hixon's report to the Town Commission**
- **Existing Tree Code – Chapter 98 of the Town Code of Ordinances**

TOWN OF LONGBOAT KEY
TOWN COMMISSION AND
PLANNING AND ZONING BOARD
MINUTES OF JOINT TREE SUBCOMMITTEE MEETING

April 12, 2010

The Joint Tree Subcommittee meeting was called to order at 9:07 a.m.

Members Present: Chairman Patricia Zunz, Allen Hixon, Phineas Alpers, Jim Brown, and Lynn Larson

Also Present: Steve Schield, Planner, Town of Longboat Key; Ric Hartman, Planner, Town of Longboat Key; Monica Simpson, PZB Director; Virginia Sanders, Garden Club; and Kurt Schultheis, Longboat Observer

Chair Patricia Zunz opened the meeting and stated the goal of the meeting. It was suggested that all present introduce themselves.

Ms. Zunz noted that the subcommittee was here to resolve issues as to which direction should be taken with the tree code. She distributed an outline of issues for discussion. She pointed out the first issue was how to treat single-family and multifamily developments.

Mr. Brown explained that he served on the previous tree subcommittee as a Planning and Zoning Board member, and the previous subcommittee tried to simplify the Tree Code. He stated that the current code treated single-family and multifamily developments differently. The first subcommittee tried to merge these treatments and make everything site plan oriented, but that was rejected by the Town Commission. Ms. Zunz said it was unwise for the Planning and Zoning Board to work with staff to come up with a new draft that the commission would ultimately reject again.

Mr. Brown stated that parts of the code needed to be updated and hoped that the subcommittee would draft a simplified code. He noted a single-family property owner told him last week that he wanted to be able to cut down a tree in his yard without a permit.

Ms. Sanders pointed out education was a very important part of the tree code. Mr. Brown explained that education was made part of the previous code. The code needed to be simple, but it was not simple to get there. Ms. Sanders commented that it could be simple, but they had to keep in mind the value of trees.

Ms. Sanders stated that she was attending as an individual and to represent the Longboat Key Garden Club. Mr. Brown responded that a lot of people disagreed with the position that the Town or the Garden Club should tell individuals what trees they need to protect. Ms. Sanders said a similar situation happened when the state mandated that mangroves were to be protected, but the public ultimately accepted the value of that decision.

Mr. Schield pointed out that a proposed code that required single-family properties to get a tree permit for tree removal or relocation, as well as a proposed code that only required tree protection at site plan approval stage for all properties, had both been rejected by the commission over the last five years.

Ms. Simpson noted that the Town Commission also asked the subcommittee to consider whether the Town should become a Tree City USA. She explained that Ingrid McClellan of Keep Manatee Beautiful spoke to the commission and asked that the Town become a member of the Tree City USA. Ms. Simpson said that BJ Webb, Chairman of the Planning and Zoning Board, voiced concerns to the commission about becoming a member, and Ms. Simpson also had concerns about becoming a member based on her experiences in a previous community she had worked.

Mr. Brown stated he had concerns with the type of trees that people were planting and that was why education was so important.

Ms. Zunz explained that the future size of trees needed to be shown on the Town's recommended list of trees; the code also needs to also list those trees (palms) that were cold hardy - a lot of cold sensitive palms were lost this last winter. Education on trimming of palm trees also needed to be provided. A lot of palms are trimmed very badly, and it led to their death.

Ms. Zunz mentioned one of the concerns was whether single-family homes properties should be exempt from obtaining a tree permit. Ms. Simpson replied that the current draft would exempt single-family from obtaining a permit. Mr. Brown noted that is how the public wants it.

Kurt Schultheis arrived at 9:40 a.m.

Ms. Zunz questioned the committee as to whether there was consensus to exempt single-family properties from tree permitting. The committee agreed.

There was a question as to whether any trees were protected on single-family lots. Mr. Schield explained that mangroves were protected by the state on the entire island, and all landscaping within the Coastal Construction Control Line required state permitting on the beach side. The state protected native species in this area, and encouraged the removal of nuisance exotics trees. Mr. Brown asked if other trees were protected by the state that were not on the beach. Mr. Schield responded that only mangroves were protected by the state.

Ms. Zunz noted it would be valuable to provide education on the growth rate of palms and address any concerns about types of palms (debris, storm, etc.). She asked if there was site plan approval for landscape plans. Ms. Simpson stated that the Town does not review landscaping for single-family homes, so education cannot necessarily be provided about appropriate plantings. Mr. Schield stated that only trees that were to be removed, relocated, or protected on the site were required to obtain a permit, but it was the choice of the property owner to decide which species to plant and where they wanted to plant it.

Ms. Simpson stated that the current ordinance and the draft ordinance do not protect "Grand or Majestic trees" and asked if the subcommittee wished to address it? Mr. Brown mentioned that it was a good idea to protect these trees, but voiced concern that it be written so that trees could still be removed if they prevented a lot from being developed. Ms. Zunz noted it would be a good idea to protect "Grand trees" island-wide, but she had concerns with allowing trimming of "Grand trees" for insurance and storm protection, and wished to ensure that they had some flexibilities.

Ms. Zunz asked for and received consensus that improved single-family lots continue to be exempt from permitting. The subcommittee was looking for language in the proposed code in regards to Grand or Majestic trees. The subcommittee did not have a concern with the language protecting utilities systems. Mr. Brown commented that a brochure should be developed to educate the public about planting the wrong tree under power lines.

Ms. Simpson explained that once a new code was approved, Mr. Schield would be given the direction to develop an educational brochure. She commented another policy change in the new ordinance was to require the removal of Australian Pines and Brazilian Peppers for new single-family homes. It has been a long standing policy to require their removal for other developments. Discussion continued about including Carrotwood trees in the list of trees to be removed. There was consensus to require the removal of Australian Pines, Brazilian Peppers and Carrotwood trees from all new development, including single-family homes.

Ms. Zunz noted another change in the proposed ordinance was the increase of the permit fee from \$26.25 to \$50.00.

Mr. Hixon arrived at 10.05 am.

Ms. Larson questioned why the fee needed to be increased. Mr. Schield explained that the fee had not been increased for over 20 years; it included processing the paperwork and two inspections, but it was up to the Town to decide how much to charge for the permits. Mr. Brown brought up the fact that the Building Division was suppose to be self-sufficient and should be charging for their costs.

Mr. Hixon voiced concern over the concept that a tree on one side of the street required a permit, but a tree that was owned by someone else across the street, in a different

zone was not important and did not require a permit. Ms. Zunz stated the subcommittee had already decided that issue before Mr. Hixon arrived at the meeting. Mr. Hixon asked how that was resolved. Mr. Brown explained that single-family was exempt and multi-family was not exempt from permitting.

Mr. Hixon believed it was unrealistic and "an uneven playing field." Mr. Brown pointed out it was a unanimous decision by the subcommittee before Mr. Hixon arrived.

Ms. Larson asked that education be addressed on a yearly basis, including at the Garden Club. Mr. Hixon asked that education of the code on a yearly basis also be provided to professional landscape firms. Ms. Simpson replied that education could be provided, but could not be required.

Mr. Brown asked if a Town license was required by landscape maintenance companies and how information could be given to them. Ms. Simpson responded that a license was not required, but they did pay a yearly business tax and information may be able to be given to them at that time.

Ms. Zunz asked for and received consensus that the application fee for a tree permit should be increased to \$50.

Ms. Zunz addressed the idea of public education. She discussed adding heights and spread of recommended trees, and provided that she would be glad to work with Mr. Schield to develop a revised list. She also asked that education about palms be included.

Mr. Hixon asked if a tree permit would be required for a dead tree. Mr. Schield replied that no permit would be required for dead trees and diseased tree could be removed with a permit; single-family did require a permit to remove a tree.

Ms. Zunz pointed out that site plan requirements need to be addressed in the code, and would recommend that landscaping requirements be grouped in one section of the code, but they were not addressing other sections of the code at this time. Ms. Simpson noted that could be looked at and the code could be rewritten, much like the mechanical ordinance to bring all cross-references together in one section.

Ms. Larson voiced concern about how quickly permits for diseased trees could be obtained. Mr. Schield explained that it took about two days to obtain a permit, and permitting was important to determine if the description of the disease was accurate. He pointed out that applicants have requested removal of dormant deciduous trees in the past.

Mr. Hixon voiced concern about the trimming standards being a National Standard instead of using a standard by the University of Florida. Ms. Simpson commented this had not changed from the recommendation made by Mr. Hixon during the first subcommittee meeting to adopt the national standard. Mr. Hixon asked that state

standards be explored before adopting a national standard. Ms. Simpson asked if the University of Florida had an adopted standard. Mr. Schield responded he was unsure, but he would research it. Ms. Simpson noted it was important to use an adopted standard.

Ms. Zunz asked if there were any other issues.

Mr. Alpers voiced concern about item 3 (nuisance exotic removal), and requiring the removal of nuisance exotics on vacant sites. Ms. Zunz mentioned it was a good point, but she did not know how the Town could force people to take down the trees. Mr. Brown said that certain properties were very protective of their Australian Pines. Mr. Schield pointed out that it could be very costly for certain property owners, but in general it was a very good idea. Ms. Simpson pointed out that the Town Commission in the past had budgeted grant money for the removal of Australian Pines on private property. Ms. Larson stated that this was a good time (budget time) to let people know to ask the commission for funds to remove Australian pines. She was interested in knowing how many people would be interested in obtaining funds.

Mr. Hixon asked if any other state agencies have regulations over the beach vegetation and requested a copy of the old beach maintenance brochure. Mr. Schield commented that FDEP had jurisdiction over the beach, but the state encouraged the removal of nuisance exotic vegetation.

Ms. Zunz felt that consensus had been reached and that the next step was to submit their recommendation to the Town Commission. Mr. Brown recommended that the subcommittee submit their report to a Town Commission meeting and offered to arrange it.

Mr. Brown asked if the subcommittee wished the town to be a Tree City USA. Discussion ensued regarding the Tree City USA program and after discussion, there was consensus that the Town not participate in the Tree City USA program.

The meeting adjourned at 10:57 a.m.

AGENDA ITEM #5
TREE CODE DISCUSSION

Steve Schield, Planner, reviewed the staff report noting that at the May 19, 2009, meeting, the P&Z Board directed staff to bring back a revised tree code that could be forwarded to the Town Commission for their review and consideration. The Board wished to follow the direction of the Town Commission, but revised the existing ordinance to both simplify and make it more understandable. He commented that Town staff, with the assistance of the Town Attorney's office, worked to reorganize and streamline the existing code, while incorporating some of the limited improvements of the Board. These improvements included: clearly stating that improved single-family lots were exempt from the tree code; requiring protection of utility systems; requiring removal of Australian pines and Brazilian peppers for new construction; a limited fee increase; and, provide public education.

Mr. Symanski asked if someone did a substantial renovation, then they would not need to remove the Australian pines and Brazilian peppers. Mr. Schield replied no; it would only apply to new construction. Mr. Symanski asked why the Town would not take the opportunity to remove those trees. Ms. Simpson commented that if it was the direction of the Board, then staff would rewrite the draft accordingly with guidelines provided by the Board. Mr. Wild believed the Town was missing an opportunity if they did not include requiring single-family homes to remove non-native plants, and suggested that it could be tied into the issue of public safety. He believed if someone did an improvement of any kind, that required a permit, then they should be required to remove any non-native plants within that lot. He suggested the Board ask staff to draft some regulations and provide a better enforcement mechanism.

Mr. Symanski asked if someone obtained a permit to replace a window, then the Town was requiring removal of the trees. Chairman Webb responded that was the question the Board should decide; whether the Board wished to include language to remove Brazilian peppers and Australian pines, and at what point of renovation would that be triggered. Mr. Symanski believed it was discussed previously that it was not reasonable to have regulations for condominiums that did not apply to single-family. He would suggest it be required for a substantial renovation. Mrs. Zunz commented that either the Town has an ordinance that indicated the Town did not want Australian pines or Brazilian peppers on any lot, or require it during clearing of a lot. She did not agree with requiring it if someone pulled a permit. Mr. Alpers agreed with Mrs. Zunz.

Mr. Hixon asked if that was a site plan approval process; that was the point where it should apply. Mr. Alpers noted that if they were not going through a site plan approval, then the Brazilian peppers remained on the property. Mrs. Zunz asked what would happen if someone owned property where it remained in its

natural state for a number of years and the Brazilian peppers proliferated on the lot. She did not believe it would accomplish anything, and reiterated that the Town should require they be removed regardless if improvements were being made.

Mr. Symanski pointed out that the Board had previously forwarded materials to the Town Commission, who returned it back to the Board because they did not wish to address single-family homes. Mr. Hackett noted that if the Board was discussing eradicating Australian pines and Brazilian peppers, then they need to have a good reason for it to be done, as they were placing the financial burden on the property owner to remove the trees. He suggested that if there was a new footprint that encroached on the tree, then it should be removed, but questioned whether the Board could dictate they remove from the entire site.

Mr. Hixon commented that the tree ordinance was to ensure a reasonable canopy on the Key. He noted that trees were important, regardless who owns them, and it was the trees the Town was trying to protect. He voiced concern that a single-family homeowner was allowed to do what he wished with a tree without fear of a fine; however, if someone lived in a condominium, there would be consequences. He voiced concern with the way it was being approached, and he still believed some regulations and controls should be enacted and in place; the first place that it should apply was when requesting a change in the land. He believed the Board might need to look at any "stripping activity" of land, in terms of vegetation, so they could develop a method of ensuring that when that happens, it still resulted in the best result.

Mr. Symanski believed the intent needed to be expanded to include the removal of Australian pines and the Brazilian peppers (exotic nuisances). Mr. Hackett commented that the Board had been given direction from the Town Commission, and if they reviewed their comments, the majority of the Town Commission requested "light" modifications to the existing tree code. He asked if there was a review of tree codes from other jurisdictions. Chairman Webb responded that the Tree Subcommittee had reviewed a number of other codes and had also heard from a number of landscape professionals and others.

Mr. Symanski referred to the issue of the Australian pines and the hardship to the individual owner for removal, but noted that he thought Australian pines were a danger to the community, because on a barrier island. He commented that the hardship might be an opportunity to protect the neighborhood. Mr. Redgrave asked if the Town had removed all those Australian pines in danger of falling on public property and rights-of-way, and that there was a setback from Gulf of Mexico Drive that would require removal. Mr. Schield responded the former Town fund that provided monetary assistance with removal of the trees was based on the setback from Gulf of Mexico Drive. Mrs. Zunz commented that one of the problems she had was that most people did not plant the pines on their

property, but they already existed on the lot. She found it unfair if someone came in to do a minor change to their home that required a permit, and were told, because they had Australian pines and Brazilian peppers on the lot, they would be required to remove those trees.

Mr. Wild asked those who served on the subcommittee how they felt about the proposed ordinance as written. Chairman Webb did not believe the Board was there yet, and believed there was a need to have an independent group take the ordinance, re-evaluate it, and determine answers. Mr. Wild believed the proposed ordinance was in a condensed form from what the subcommittee had previously proposed, and suggested that the condensed form be expanded to incorporate language that site plan approvals would be the optimal opportunity to address the issue and further eradicate the trees. Mr. Hixon believed the Board should work with the Town Commission at a joint workshop to work out the various issues, which might result in something more positive and provide a better direction. Ms. Simpson discussed that staff had taken the specific direction of the Board, which was to take the Town Commission's direction and draft an ordinance. She mentioned that the Town had previously worked several times with a mixed group of Town Commissioners and board members on other issues. She suggested that establishing a subcommittee with a couple of Town Commissioners and a couple of board members, with staff providing factual information, might be helpful.

MR. HIXON MOVED THE P&Z BOARD REQUEST THAT THE TOWN COMMISSION ESTABLISH A JOINT WORKSTUDY GROUP CONSISTING OF TOWN COMMISSION REPRESENTATIVES AND PLANNING & ZONING BOARD REPRESENTATIVES, TO EXPLORE THE ISSUES WITH THE DRAFT TREE CODE. MR. SIEGLER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; HACKETT; AYE; HIXON, AYE; REDGRAVE, AYE; SIEGLER, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE; ZUNZ, AYE.

Chairman Webb requested that Mrs. Zunz be the P&Z Board's liaison for the group, and that she choose two other members to be a part of the group.

Mr. Redgrave commented that he did not believe the ordinance would move forward unless the issue of whether the Town was going to ban or not ban the Australian pines and Brazilian peppers was addressed.

Discussed ensued on appointment of additional members for the subcommittee. In addition to Mrs. Zunz, there was consensus to appoint Mr. Hixon and Mr. Alpers.

AGENDA ITEM #6
ORDINANCE 2010-23, AMENDMENTS TO CHAPTER 98, TREE CODE

Pursuant to published notice, the public hearing was opened.

Steve Schield, planner, reviewed the materials included in the agenda packet and explained the recommendations of the Tree Code Subcommittee. He commented that the subcommittee had discussed the national trimming standard referenced in the proposed tree code. Staff had investigated whether there was a state standard and found there was not a state standard, but that they comply with arborist standards. He referred to the draft Ordinance 2010-23, Section 98.04, which required that the trimming of trees shall conform to the American National Standards Institute (ANSI), but in the Town of Longboat Key, arborists, landscape architects, or other licensed professionals were not required to write standards, inspect, or administer tree trimming unless required by state or federal agencies. Mr. Hixon commented that if someone wanted to follow the standard they would have to buy it. Mr. Schield noted that the Town was making an exception, and both Manatee and Sarasota counties have adopted the ANSI standards, but did not require an arborist to do the trimming. He commented the Town would provide the standards. Mr. Hixon suggested providing the University Of Florida's "*Pruning Trees in the Landscape*," which was handed out by both counties. Ms. Simpson noted that was all part of the educational program that had not been developed at this time. Mr. Schield continued reviewing the staff report.

Mr. Saivetz requested the following changes: the word 'tree' be removed if connected to palms as there were no palm "trees;" and on page 5 of 6, Public Education, referencing the correct version of Black Olive (Shady Lady).

Mr. Hixon suggested the addition of the "*Guide to Florida Friendly Landscape*" to the list for educational materials. He mentioned that the board had previously voted to delete Seagrape from the recommended list of plants, and suggested that it be removed from the list. He discussed that "trees were important to the island, and the board was here to save, conserve, foster, and encourage tree cover." He commented that if that was their intent, then it must apply to all trees, and the way the ordinance was presently written did not do that. He believed it should apply to both multi- and single-family lots. Ms. Zunz explained that the reason for not including single-family was: 1) the previous tree code was rejected by the Town Commission because it included single-family lots; and 2) there was an enforcement issue. Mr. Symanski agreed with Mr. Hixon on the merits and the law, but the board had submitted the code to the Town Commission and it was rejected. Chair Webb pointed out that when the board suggested a joint

subcommittee, part of the reason was to have consensus and to bring an ordinance to conclusion and move forward.

MR. ALPERS MOVED THE P&Z BOARD RECOMMEND APPROVAL OF ORDINANCE 2010-23 AS WRITTEN. MS. GOLDNER SECONDED THE MOTION.


Mr. Schield questioned the board's direction on suggested amendments, particularly the issue of inclusion of Seagrape. **There was consensus that Seagrape remain on the list.**

Mr. Saivetz asked if the board understood his comments. Chair Webb pointed out that his points were heard, but there was not a consensus to amend the ordinance. Ms. Simpson commented that staff would verify the correct species of Black Olive.

MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, NO; SAIVETZ, NO; SYMANSKI, AYE; WEBB, AYE; ZUNZ, AYE.

MEMORANDUM

Date: October 20, 2010

TO: Town Commission
FROM: Bruce St. Denis, Town Manager 
SUBJECT: Supplemental Information – October 21, 2010 Regular Workshop Meeting – Agenda Item 15

At their October 19, 2010 Regular Meeting the Planning & Zoning (P&Z) Board proposed an amendment to Proposed Ordinance 2010-23, Amendments to Chapter 98 - Tree Code. This material is supplemental to the October 21, 2010 Regular Workshop Agenda documentation.

Attached you will find the following documents related to the actions taken at the October 19, 2010 P&Z Board Meeting:

- 10-19-10 Memo, P&Z Board Chairman to Commission;
- 10-19-19 Memo, Planner to Town Manager;
- 10-19-10 Draft minutes of the Planning & Zoning Board Meeting;
- Proposed Ordinance 2010-23, as amended on 10-19-10.

This material is being forwarded to the Town Commission for their consideration at the October 21, 2010 Regular Workshop Meeting.

Please don't hesitate to contact me if you have any questions.

MEMORANDUM

DATE: October 19, 2010

TO: Honorable Mayor and Town Commission

THROUGH: Bruce St. Denis, Town Manager

FROM: BJ Webb, Chairman
Planning and Zoning Board

SUBJECT: ORDINANCE 2010-23, AMENDMENTS TO CHAPTER 98, TREE
CODE

During the public hearing held on October 19, 2010, the Planning and Zoning Board recommended APPROVAL of an amendment to their previous recommendation of Ordinance 2010-23 as written. The specific motion of the P&Z Board is as follows:

MR. SAIVETZ MOVED TO AMEND THE MOTION TO INCLUDE THE DIAGRAMS AS DESCRIBED IN THE UNIVERSITY OF FLORIDA PAMPHLET RELATED TO A RECOMMENDATION FOR PRUNING OF PALMS IN THE ORDINANCE AS EXHIBIT 'A'. MR. SYMANSKI SECONDED THE MOTION.

MS. ZUNZ MOVED TO AMEND THE MOTION TO STATE, "EXHIBIT 'A' TO INCLUDE DIAGRAMS OF PROPER PRUNING OF PALMS AS PER THE UNIVERSITY OF FLORIDA PAMPHLET." MR. ALPERS SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SAIVETZ, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE; ZUNZ, AYE.

Enclosed, for your review and consideration, please find the following support documentation:


1. Ordinance 2010-23 as amended;
2. Memo, Planner to Town Manager; and
2. Draft minutes from the 10-19-10 regular P&Z Board meeting on this issue.

If you should have any questions, or desire any additional information, please do not hesitate to contact me.

MEMORANDUM

DATE: October 19, 2010

TO: Bruce St. Denis, Town Manager

FROM: Steve Schield, ASLA, AICP, Planner 

THROUGH: Monica Simpson, Planning, Zoning and Building Director

RE: Amendment to Ordinance 2010-23, Chapter 98: Trees

At the October 19, 2010, meeting, Planning and Zoning Board Vice Chairman Allen Hixon requested that the Planning and Zoning Board add discussion of tree trimming standards in relation to Ordinance 2010-23 to the agenda. Mr. Hackett made a motion to amend the agenda to include clarification of tree trimming standards in the tree code regulations. A discussion was held as to whether the code should include Fact Sheet ENH 853, *Pruning Palms (attached)* by the University of Florida to the recommended tree trimming standards in Section 98.04, *Trimming of trees other than mangroves*. Section 98.04, *Trimming*, of the Tree Code, currently references the Approved American National Standard (ANSI A300) (attached) for tree trimming that does include standards and diagrams for palm trimming. A motion was made by Bradford Saivetz, seconded by George Symanski, to include only the diagram in ENH 853 as a reference, as part of Chapter 98. The full board passed the recommended amendment to Ordinance 2010-23.

At this time, the Town Commission may **recommend approval, recommend approval with changes, or direct staff to revise the proposed ordinance.**

Attachments: Draft Ordinance 2010-23, as amended, October 19, 2010;
Fact sheet ENH 853, *Pruning palms*, University of Florida;
American National Standards Institute (ANSI) A300 Standards;
10-19-10 Draft minutes of the Planning & Zoning Board meeting.

Pruning shade trees in the landscape

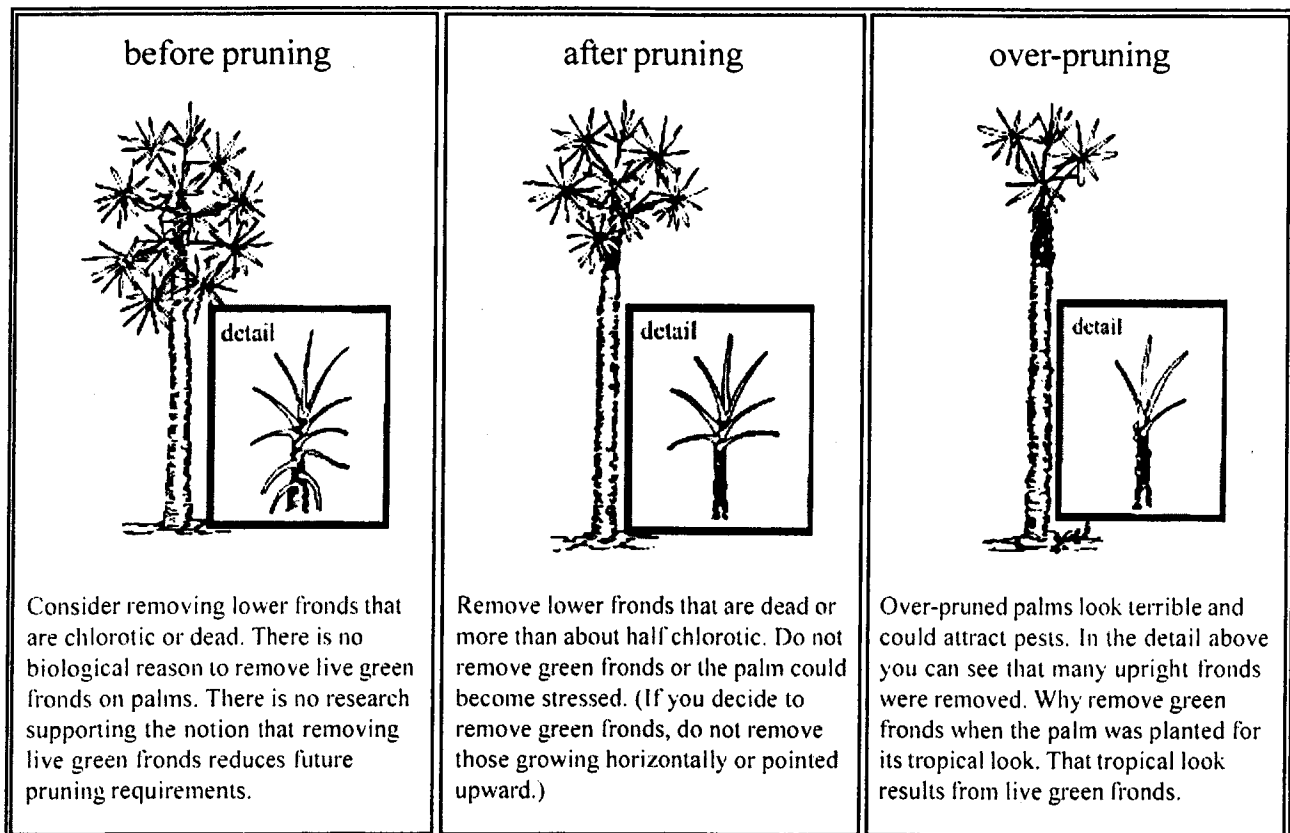
Pruning palms

Edward F. Gilman¹ and Nathan J. Eisner²

Introduction: Palms and cycads are often thought of as low maintenance plants; however, most palms require regular pruning to keep them attractive and safe. Many palms maintain a set number of live fronds. A regular turnover of foliage occurs as dying lower fronds are replaced by new ones at the apex. These dead fronds are not detrimental to the health of the tree. If there is an excessive number of older yellow fronds determine the cause before pruning. There could be a severe nutrient problem, caused by a potassium or magnesium deficiency, that could worsen if the palm is pruned or fertilized with high nitrogen or the wrong type of fertilizer.

There are several reasons for pruning palms 1) Removing dead and dying lower fronds improves the appearance of a palm. 2) Dead and dying fronds and loose petioles are weakly attached to some palms and can place people and property at risk should they fall from tall palms. People have been severely injured by falling fronds. Dead and dying palm fronds should be removed regularly to reduce this risk. 3) Pruning can remove fruit clusters, especially in public landscapes where falling fruit and flower debris can be messy as well as hazardous. Some palms generate copious amounts of seedlings near the plant. Removing flowers or fruit reduces the number of potential seedlings. 4) Remove sprouts from the base of the trunk.

Objectives: 1) Remove dead and dying fronds and developing flowers and fruits to reduce risk and enhance aesthetics; 2) remove sprouts or stems to maintain one trunk.



Execution: It is preferable not to remove live, healthy fronds. If they must be removed, however, avoid removing fronds that are growing horizontally or those growing upward. Fronds removed should be severed close to the petiole base without damaging living trunk tissue. There is little reason to shave or sand the trunk smooth. The pineapple shape crafted at the base of date palms is not necessary for good health of the palm.

Further information:

- 1) Gilman, E.F. 2002. Illustrated guide to pruning, second edition. Delmar Publishers, Albany, NY. 330pp.
- 2) Gilman, E.F. 2001. Illustrated pruning and planting CDROM. Horticopia, Inc., Purcellville, VA.
- 3) American National Standards Institute (ANSI A300). 1995. *American National Standard for Tree Care Operations – Tree, Shrub and Other Woody Plant Maintenance – Standard Practices*. New York: American National Standards Institute.

Professor¹ and Research Assistant², Environmental Horticulture Department, 1245 Fifield Hall, Gainesville, FL 32611

ANSI A300 (Part 1)-2008 Pruning
Revision of ANSI A300 (Part 1)-2001

American National Standard

*for Tree Care Operations —
Tree, Shrub, and Other Woody Plant
Management —
Standard Practices (Pruning)*

ANSI A300 (Part 1)-2008 Pruning
Revision of ANSI A300 (Part 1)-2001



for Tree Care Operations —
Tree, Shrub, and Other Woody Plant Management —
Standard Practices (*Pruning*)

Secretariat
Tree Care Industry Association, Inc.

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American National Standard

Approval of an American National Standard requires review by ANSI that the requirements for due process, consensus, and other criteria for approval have been met by the standards developer.

Consensus is established when, in the judgement of the ANSI Board of Standards Review, substantial agreement has been reached by directly and materially affected interests. Substantial agreement means much more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that a concerted effort be made toward their resolution.

The use of American National Standards is completely voluntary; their existence does not in any respect preclude anyone, whether he has approved the standards or not, from manufacturing, marketing, purchasing or using products, processes or procedures not conforming to the standards.

The American National Standards Institute does not develop standards and will in no circumstances give an interpretation of any American National Standard. Moreover, no person shall have the right or authority to issue an interpretation of an American National Standard in the name of the American National Standards Institute. Requests for interpretations should be addressed to the secretariat or sponsor whose name appears on the title page of this standard.

CAUTION NOTICE: This American National Standard may be revised or withdrawn at any time. The procedures of the American National Standards Institute require that action be taken periodically to reaffirm, revise, or withdraw this standard. Purchasers of American National Standards may receive current information on all standards by calling or writing the American National Standards Institute.

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* The term pruning type is replaced with the term pruning method. The purpose of this is to label the processes detailed in section 6 with greater accuracy.

Foreword This foreword is not part of American National Standard A300 (Part 1)-2008
Pruning

ANSI A300 Standards are divided into multiple parts, each focusing on a specific aspect of woody plant management (e.g. Pruning, Fertilization, etc).

These standards are used to develop written specifications for work assignments. They are not intended to be used as specifications in and of themselves. Management objectives may differ considerably and therefore must be specifically defined by the user. Specifications are then written to meet the established objectives and must include measurable criteria.

ANSI A300 standards apply to professionals who provide for or supervise the management of trees, shrubs, and other woody landscape plants. Intended users include businesses, government agencies, property owners, property managers, and utilities. The standard does not apply to agriculture, horticultural production, or silviculture, except where explicitly noted otherwise.

This standard has been developed by the Tree Care Industry Association (TCIA), an ANSI-accredited Standards Developing Organization (SDO). TCIA is secretariat of the ANSI A300 standards, and develops standards using procedures accredited by the American National Standards Institute (ANSI).

Consensus for standards writing was developed by the Accredited Standards Committee on Tree, Shrub, and Other Woody Plant Management Operations – Standard Practices, A300 (ASC A300).

Prior to 1991, various industry associations and practitioners developed their own standards and recommendations for tree care practices. Recognizing the need for a standardized, scientific approach, green industry associations, government agencies and tree care companies agreed to develop consensus for an official American National Standard.

The result – ANSI A300 standards – unify and take authoritative precedence over all previously existing tree care industry standards. ANSI requires that approved standards be developed according to accepted principles, and that they be reviewed and, if necessary, revised every five years.

TCIA was accredited as a standards developing organization with ASC A300 as the consensus body on June 28, 1991. ASC A300 meets regularly to write new, and review and revise existing ANSI A300 standards. The committee includes industry representatives with broad knowledge and technical expertise from residential and commercial tree care, utility, municipal and federal sectors, landscape and nursery industries, and other interested organizations.

Suggestions for improvement of this standard should be forwarded to: A300 Secretary, c/o Tree Care Industry Association, Inc., 136 Harvey Road - Suite B101-B110, Londonderry, NH, 03053.

ANSI A300 (Part 1)-2008 Pruning was approved as an American National Standard by ANSI on May 1, 2008. ANSI approval does not require unanimous approval by ASC A300. The ASC A300 committee contained the following members at the time of ANSI approval:

Tim Johnson, Chair
(Artistic Arborist, Inc.)

Bob Rouse, Secretary
(Tree Care Industry Association, Inc.)

(Continued)

<i>Organizations Represented</i>	<i>Name of Representative</i>
American Nursery and Landscape Association	Warren Quinn
American Society of Consulting Arborists	Craig J. Regelbrugge (Alt.)
American Society of Landscape Architects	Donald Zimar
Asplundh Tree Expert Company	Ron Leighton
Bartlett Tree Expert Company	Geoff Kempter
Davey Tree Expert Company	Peter Fengler (Alt.)
International Society of Arboriculture	Peter Becker
National Park Service	Dr. Thomas Smiley (Alt.)
Professional Grounds Management Society	Joseph Tommasi
Professional Land Care Network	R.J. Laverne (Alt.)
Society of Municipal Arborists	Bruce Hagen
Tree Care Industry Association	Sharon Lilly (Alt.)
USDA Forest Service	Robert DeFeo
Utility Arborist Association	Dr. James Sherald (Alt.)
	Thomas Shaner
	Preston Leyshon
	Gordon Mann
	Andy Hillman (Alt.)
	Dane Buell
	James McGuire (Alt.)
	Ed Macie
	Keith Cline (Alt.)
	Matthew Simons
	Jeffrey Smith (Alt.)

Additional organizations and individuals:

American Forests (Observer)
Mike Galvin (Observer)
Peter Gerstenberger (Observer)
Dick Jones (Observer)
Myron Laible (Observer)
Beth Palys (Observer)
Richard Rathjens (Observer)
Richard Roux (NFPA-780 Liaison)

ASC A300 mission statement:

Mission: To develop consensus performance standards based on current research and sound practice for writing specifications to manage trees, shrubs, and other woody plants.

American National Standard for Tree Care Operations –

Tree, Shrub, and Other Woody Plant Management – Standard Practices (Pruning)

1 ANSI A300 standards

1.1 Scope

ANSI A300 standards present performance standards for the care and management of trees, shrubs, and other woody plants.

1.2 Purpose

ANSI A300 performance standards are intended for use by federal, state, municipal and private entities including arborists, property owners, property managers, and utilities for developing written specifications.

1.3 Application

ANSI A300 performance standards shall apply to any person or entity engaged in the management of trees, shrubs, or other woody plants.

2 Part 1 – Pruning standards

2.1 Purpose

The purpose of Part 1 – *Pruning* is to provide performance standards for developing written specifications for pruning.

2.2 Reasons for pruning

The reasons for tree pruning may include, but are not limited to, reducing risk, managing tree health and structure, improving aesthetics, or achieving other specific objectives. Pruning practices for agricultural, horticultural production, or silvicultural purposes are exempt from this standard unless this standard, or a portion thereof, is expressly referenced in standards for these other related areas.

2.3 Implementation

2.3.1 Specifications for pruning should be written and administered by an arborist.

2.3.1.1 Specifications should include location of tree(s), objectives, methods (types), and extent of pruning (location, percentage, part size, etc).

2.3.2 Pruning specifications shall be adhered to.

2.4 Safety

2.4.1 Pruning shall be implemented by an arborist, familiar with the practices and hazards of pruning and the equipment used in such operations.

2.4.2 This performance standard shall not take precedence over applicable industry safe work practices.

2.4.3 Performance shall comply with applicable Federal and State Occupational Safety and Health standards, ANSI Z133.1, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and other Federal Environmental Protection Agency (EPA) regulations, as well as state and local regulations.

3 Normative references

The following standards contain provisions, which, through reference in the text, constitute provisions of this American National Standard. All standards are subject to revision, and parties to agreements based on this American National Standard shall apply the most recent edition of the standards indicated below.

ANSI Z60.1, Nursery stock

ANSI Z133.1, Arboriculture – Safety requirements
29 CFR 1910, General industry ¹⁾

29 CFR 1910.268, Telecommunications ¹⁾

29 CFR 1910.269, Electric power generation,
transmission, and distribution ¹⁾

29 CFR 1910.331 - 335, Electrical safety-related
work practices ¹⁾

4 Definitions

4.1 **arboriculture:** The art, science, technology, and business of commercial, public, and utility tree care.

¹⁾ Available from U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210

4.2 arborist: An individual engaged in the profession of arboriculture who, through experience, education, and related training, possesses the competence to provide for or supervise the management of trees and other woody plants.

4.3 arborist trainee: An individual undergoing on-the-job training to obtain the experience and the competence required to provide for or supervise the management of trees and other woody plants. Such trainees shall be under the direct supervision of an arborist.

4.4 branch: A shoot or stem growing from a parent branch or stem (See Fig. 4.4).

4.4.1 codominant branches/codominant leaders: Branches or stems arising from a common junction, having nearly the same size diameter (See Fig. 4.4).

4.4.2 lateral branch: A shoot or stem growing from another branch (See Fig. 4.4).

4.4.3 parent branch or stem: A tree trunk or branch from which other branches or shoots grow (See Fig. 4.4).

4.4.4 scaffold branch: A primary branch that forms part of the main structure of the crown (See Fig. 4.4).

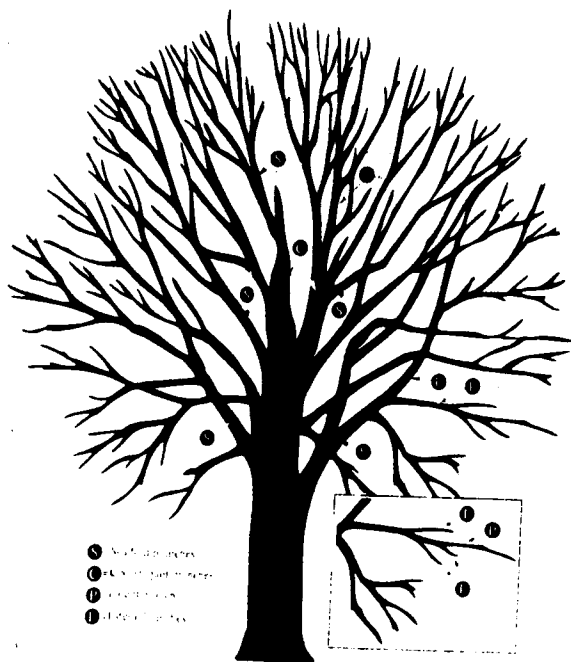


Figure 4.4 Standard branch definitions.

4.5 branch bark ridge: The raised area of bark in the branch crotch that marks where the branch and parent stem meet. (See Figs. 5.3.2 and 5.3.3).

4.6 branch collar: The swollen area at the base of a branch.

4.7 callus: Undifferentiated tissue formed by the cambium around a wound.

4.8 cambium: The dividing layer of cells that forms sapwood (xylem) to the inside and inner bark (phloem) to the outside.

4.9 clean: Selective pruning to remove one or more of the following non-beneficial parts: dead, diseased, and/or broken branches (7.2).

4.10 climbing spurs: Sharp, pointed devices strapped to a climber's lower legs used to assist in climbing trees. (syn.: gaffs, hooks, spurs, spikes, climbers)

4.11 closure: The process in a woody plant by which woundwood grows over a pruning cut or injury.

4.12 crown: Upper part of a tree, measured from the lowest branch, including all the branches and foliage.

4.13 decay: The degradation of woody tissue caused by microorganisms.

4.14 espalier: The combination of pruning, supporting, and training branches to orient a plant in one plane (6.5).

4.15 establishment: The point after planting when a tree's root system has grown sufficiently into the surrounding soil to support growth and anchor the tree.

4.16 facility: A structure or equipment used to deliver or provide protection for the delivery of an essential service, such as electricity or communications.

4.17 frond: A leaf structure of a palm.

4.18 heading: The reduction of a shoot, stem, or branch back to a bud or to a lateral branch not large enough to assume the terminal role.

- 4.19 interfering branches:** Crossing, rubbing, or upright branches that have the potential to damage tree structure and/or health.
- 4.20 internode:** The area between lateral branches or buds.
- 4.21 job briefing:** The communication of at least the following subjects for arboricultural operations: work specifications, hazards associated with the job, work procedures involved, special precautions, electrical hazards, job assignments, and personal protective equipment.
- 4.22 leader:** A dominant, typically upright, stem – usually the main trunk. There can be several leaders in one tree.
- 4.23 lion's tailing:** The removal of an excessive number of inner and/or lower lateral branches from parent branches. Lion's tailing is not an acceptable pruning practice (6.1.7).
- 4.24 live crown ratio:** Crown height relative to overall plant height.
- 4.25 mechanical pruning:** A pruning technique where large-scale power equipment is used to cut back branches (9.3.2).
- 4.26 method:** A procedure or process for achieving an objective.
- 4.27 peeling:** The removal of dead frond bases without damaging living trunk tissue at the point they make contact with the trunk. (syn.: shaving)
- 4.28 petiole:** A stalk of a leaf or frond.
- 4.29 pollarding:** Pruning method in which tree branches are initially headed and then reduced on a regular basis without disturbing the callus knob (6.6).
- 4.30 pruning:** The selective removal of plant parts to meet specific goals and objectives.
- 4.31 qualified line-clearance arborist:** An individual who, through related training and on-the-job experience, is familiar with the equipment and hazards in line clearance and has demonstrated the ability to perform the special techniques involved. This individual may or may not be currently employed by a line-clearance contractor.
- 4.32 qualified line-clearance arborist trainee:** An individual undergoing line-clearance training under the direct supervision of a qualified line-clearance arborist. In the course of such training, the trainee becomes familiar with the equipment and hazards in line clearance and demonstrates ability in the performance of the special techniques involved.
- 4.33 raise:** Pruning to provide vertical clearance (7.3).
- 4.34 reduce:** Pruning to decrease height and/or spread (7.4).
- 4.35 remote area:** As used in the utility pruning section of this standard, an unpopulated area.
- 4.36 restoration:** Pruning to redevelop structure, form, and appearance of topped or damaged trees (6.3).
- 4.37 rural area:** As used in the utility pruning section of this standard, a sparsely populated place away from large cities, suburbs, or towns but distinct from remote areas.
- 4.38 shall:** As used in this standard, denotes a mandatory requirement.
- 4.39 shoot:** Stem or branch and its leaves, especially when young.
- 4.40 should:** As used in this standard, denotes an advisory recommendation.
- 4.41 specifications:** A document stating a detailed, measurable plan or proposal for provision of a product or service.
- 4.42 sprouts:** New shoots originating from epicormic or adventitious buds, not to be confused with suckers. (syn.: watersprouts, epicormic shoots)
- 4.43 standard, ANSI A300:** The performance parameters established by industry consensus as a rule for the measure of extent, quality, quantity, value or weight used to write specifications.
- 4.44 stem:** A woody structure bearing buds, foliage, and giving rise to other stems.
- 4.45 structural pruning:** Pruning to improve branch architecture (6.2).

4.46 stub: Portion of a branch or stem remaining after an internodal cut or branch breakage.

4.47 subordination: Pruning to reduce the size and ensuing growth rate of a branch or leader in relation to other branches or leaders.

4.48 sucker: Shoot arising from the roots.

4.49 thin: pruning to reduce density of live branches (7.5).

4.50 throw line: A small, lightweight line with a weighted end used to position a climber's rope in a tree.

4.51 topping: Reduction of tree size using internodal cuts without regard to tree health or structural integrity. Topping is not an acceptable pruning practice (6.1.7).

4.52 tracing: The removal of loose, damaged tissue from in and around the wound.

4.53 trunk: The main woody part of a tree beginning at and including the trunk flare and extending up into the crown from which scaffold branches grow.

4.54 trunk flare: 1. The area at the base of the plant's trunk where it broadens to form roots. 2. The area of transition between the root system and trunk (syn.: root flare).

4.55 urban/residential areas: Populated areas including public and private property that are normally associated with human activity.

4.56 utility: A public or private entity that delivers a public service, such as electricity or communications.

4.57 utility space: The physical area occupied by a utility's facilities and the additional space required to ensure its operation.

4.58 vista/view prune: Pruning to enhance a specific view without jeopardizing the health of the tree (6.4).

4.59 wound: An opening that is created when the bark of a live branch or stem is cut, penetrated, damaged, or removed.

4.60 woundwood: Partially differentiated tissue responsible for closing wounds. Woundwood develops from callus associated with wounds.

5 Pruning practices

5.1 Tree inspection

5.1.1 An arborist or arborist trainee shall visually inspect each tree before beginning work.

5.1.2 If a condition is observed requiring attention beyond the original scope of the work, the condition should be reported to an immediate supervisor, the owner, or the person responsible for authorizing the work.

5.1.3 Job briefings shall be performed as outlined in ANSI Z133.1, subclause 3.1.4.

5.2 Tools and equipment

5.2.1 Equipment, tools, and work practices that damage living tissue and bark beyond the scope of normal work practices shall be avoided.

5.2.2 Climbing spurs shall not be used when entering and climbing trees for the purpose of pruning.

Exceptions:

- when branches are more than throw-line distance apart and there is no other means of climbing the tree;
- when the outer bark is thick enough to prevent damage to the inner bark and cambium;
- in remote or rural utility rights-of-way.

5.3 Pruning cuts

5.3.1 Pruning tools used in making pruning cuts shall be sharp.

5.3.2 A pruning cut that removes a branch at its point of origin shall be made close to the trunk or parent branch without cutting into the branch bark ridge or branch collar or leaving a stub (see Figure 5.3.2).

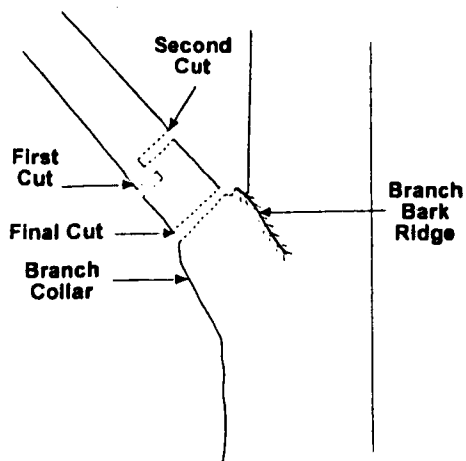


Figure 5.3.2. A cut that removes a branch at its point of origin. (See Annex A – Pruning cut guideline).

5.3.3 A pruning cut that reduces the length of a branch or parent stem shall be made at a slight downward angle relative to the remaining stem and not damage the remaining stem. Smaller cuts shall be preferred (see Fig. 5.3.3).

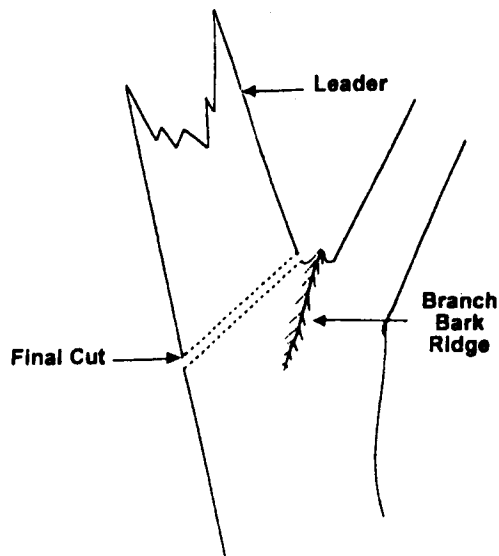


Figure 5.3.3. A cut that reduces the length of a branch or parent stem.

5.3.4 When pruning to a lateral, the remaining lateral branch should be large enough to assume the terminal role.

5.3.5 The final cut should result in a flat surface with adjacent bark firmly attached.

5.3.6 When removing a dead branch, the final cut shall be made just outside the collar of living tissue.

5.3.7 Tree branches shall be removed in such a manner so as to avoid damage to other parts of the tree or to other plants or property. Branches too large to support with one hand shall be precut to avoid splitting of the wood or tearing of the bark (see Figure 5.3.2). Where necessary, ropes or other equipment shall be used to lower large branches or portions of branches to the ground.

5.3.8 A cut that removes a branch with a narrow angle of attachment should be made from the outside of the branch to prevent damage to the parent branch (see Figure 5.3.8).

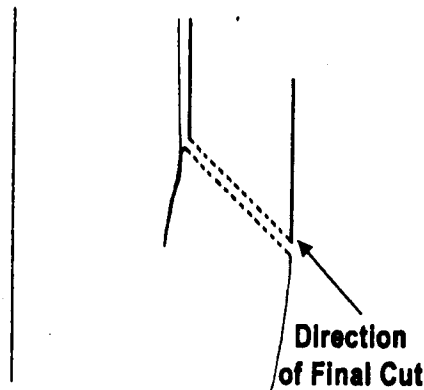


Figure 5.3.8. A cut that removes a branch with a narrow angle of attachment.

5.3.9 Severed branches shall be removed from the crown upon completion of the pruning, at times when the tree would be left unattended, or at the end of the workday.

5.4 Wound treatment

5.4.1 Wound treatments shall not be used to cover wounds or pruning cuts, except when necessary for disease, insect, mistletoe, or sprout control, or for cosmetic reasons.

5.4.2 Wound treatments that are damaging to tree tissues shall not be used.

5.4.3 When tracing wounds, only loose, damaged tissue shall be removed.

6 Pruning objectives

6.1 Pruning objectives shall be established prior to beginning any pruning operation.

6.1.1 Objectives should include, but are not limited to, one or more of the following:

- Risk reduction
- Manage health
- Clearance
- Structural improvement/correction
- View improvement/creation
- Aesthetic improvement
- Restoration

6.1.2 Established objectives should be specified in writing (See Annex B – *Specification writing guideline*).

6.1.3 To obtain the defined objective, the growth cycles, structure, species, and the extent of pruning to be performed shall be considered.

6.1.4 Not more than 25 percent of the foliage should be removed within an annual growing season. The percentage and distribution of foliage to be removed shall be adjusted according to the plant's species, age, health, and site.

6.1.5 When frequent excessive pruning is necessary for a tree to avoid conflicts with elements such as infrastructure, view, traffic, or utilities, removal or relocation of the tree shall be considered.

6.1.6 Pruning cuts should be made in accordance with section 5.3 *Pruning cuts*.

6.1.7 Topping and lion's tailing shall be considered unacceptable pruning practices for trees.

6.2 **Structural:** Structural pruning shall consist of selective pruning to improve tree and branch architecture primarily on young- and medium-aged trees.

6.2.1 Size and location of leaders or branches to be subordinated or removed should be specified.

6.2.2 Dominant leader(s) should be selected for development as appropriate.

6.2.3 Strong, properly spaced scaffold branch structure should be selected and maintained by reducing or removing others.

6.2.4 Temporary branches should be retained or reduced as appropriate.

6.2.5 Interfering, overextended, defective, weak, and poorly attached branches should be removed or reduced.

6.2.6 At planting, pruning should be limited to cleaning (7.2).

6.3 **Restoration:** Restoration shall consist of selective pruning to redevelop structure, form, and appearance of severely pruned, vandalized, or damaged trees.

6.3.1 Location in tree, size range of parts, and percentage of sprouts to be removed should be specified.

6.4 **Vista/view:** Vista/view pruning shall consist of the use of one or more pruning methods (types) to enhance a specific line of sight.

6.4.1 Pruning methods (types) shall be specified.

6.4.2 Size range of parts, location in tree, and percentage of foliage to be removed should be specified.

6.5 Espalier

6.5.1 Branches that extend outside the desired plane of growth shall be pruned or tied back.

6.5.2 Ties should be replaced as needed to prevent girdling the branches at the attachment site.

6.6 Pollarding

6.6.1 Consideration shall be given to the ability of the individual tree to respond to pollarding.

6.6.2 Management plans shall be made prior to the start of the pollarding process for routine removal of sprouts.

6.6.3 Heading cuts shall be made at specific locations to start the pollarding process. After the initial cuts are made, no additional heading cuts shall be made.

6.6.4 Sprouts growing from the cut ends of branches (knuckles) should be removed annually during the dormant season.

7 Pruning methods (types)

7.1 One or more of the following methods (types) shall be specified to achieve the objective.

7.2 Clean: Cleaning shall consist of pruning to remove one or more of the following non-beneficial parts: dead, diseased, and/or broken branches.

7.2.1 Location of parts to be removed shall be specified.

7.2.2 Size range of parts to be removed shall be specified.

7.3 Raise: Raising shall consist of pruning to provide vertical clearance.

7.3.1 Clearance distance shall be specified.

7.3.2 Location and size range of parts to be removed should be specified.

7.3.3 Live crown ratio should not be reduced to less than 50 percent.

7.4 Reduce: Reducing shall consist of pruning to decrease height and/or spread.

7.4.1 Consideration shall be given to the ability of a species to tolerate this type of pruning.

7.4.2 Location of parts to be removed or clearance requirements shall be specified.

7.4.3 Size of parts should be specified.

7.5 Thin: Thinning shall consist of selective pruning to reduce density of live branches.

7.5.1 Thinning should result in an even distribution of branches on individual branches and throughout the crown.

7.5.2 Not more than 25 percent of the crown should be removed within an annual growing season.

7.5.3 Location of parts to be removed shall be specified.

7.5.4 Percentage of foliage and size range of parts to be removed shall be specified.

8 Palm pruning

8.1 Palm pruning should be performed when fronds, fruit, or loose petioles may create a dangerous condition.

8.2 Live healthy fronds should not be removed.

8.3 Live, healthy fronds above horizontal shall not be removed. Exception: Palms encroaching on electric supply lines (see Fig. 8.3a and 8.3b).



Figure 8.3a Frond removal location.

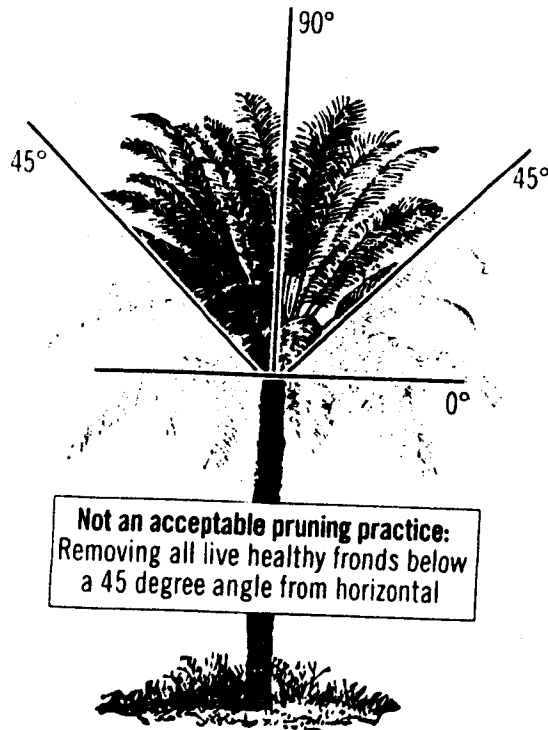


Figure 8.3b An overpruned palm (not an acceptable pruning practice).

8.4 Fronds removed should be severed close to the petiole base without damaging living trunk tissue.

8.5 Palm peeling (shaving) should consist of the removal of only the dead frond bases at the point they make contact with the trunk without damaging living trunk tissue.

9 Utility pruning

9.1 Purpose

The purpose of utility pruning is to prevent the loss of service, comply with mandated clearance laws, prevent damage to equipment, maintain access, and uphold the intended usage of the facility/utility space while adhering to accepted tree care performance standards.

9.2 General

9.2.1 Only a qualified line-clearance arborist or line-clearance arborist trainee shall be assigned to

line clearance work in accordance with ANSI Z133.1, 29 CFR 1910.331 – 335, 29 CFR 1910.268 or 29 CFR 1910.269.

9.2.2 Utility pruning operations are exempt from requirements in subclause 5.1, *Tree Inspection*, for conditions outside the utility pruning scope of work.

9.2.3 Job briefings shall be performed as outlined in ANSI Z133.1, subclause 3.1.4.

9.3 Utility crown reduction pruning

9.3.1 Urban/residential areas

9.3.1.1 Pruning cuts should be made in accordance with subclause 5.3, *Pruning cuts*. The following requirements and recommendations of 9.3.1.1 are repeated from subclause 5.3 *Pruning cuts*.

9.3.1.1.1 A pruning cut that removes a branch at its point of origin shall be made close to the trunk or parent branch, without cutting into the branch bark ridge or collar, or leaving a stub (see Figure 5.3.2).

9.3.1.1.2 A pruning cut that reduces the length of a branch or parent stem shall be made at a slight downward angle relative to the remaining stem and not damage the remaining stem. Smaller cuts shall be preferred (see Fig. 5.3.3).

9.3.1.1.3 The final cut shall result in a flat surface with adjacent bark firmly attached.

9.3.1.1.4 When removing a dead branch, the final cut shall be made just outside the collar of living tissue.

9.3.1.1.5 Tree branches shall be removed in such a manner so as not to cause damage to other parts of the tree or to other plants or property. Branches too large to support with one hand shall be pre-cut to avoid splitting of the wood or tearing of the bark (see Figure 5.3.2). Where necessary, ropes or other equipment shall be used to lower large branches or portions of branches to the ground.

9.3.1.1.6 A cut that removes a branch with a narrow angle of attachment should be made from the outside of the branch to prevent damage to the parent branch (see Figure 5.3.8).

9.3.1.2 A minimum number of pruning cuts should be made to accomplish the purpose of facility/utility pruning. The structure and growth habit of the tree should be considered.

9.3.1.3 Trees directly under and growing into facility/utility spaces should be removed or pruned. Such pruning should be done by removing entire branches or leaders or by removing branches that have laterals growing into (or once pruned, will grow into) the facility/utility space.

9.3.1.4 Trees growing next to, and into or toward, facility/utility spaces should be pruned by reducing branches to laterals (5.3.3) to direct growth away from the utility space or by removing entire branches. Branches that, when cut, will produce sprouts that would grow into facilities and/or utility space should be removed.

9.3.1.5 Branches should be cut to laterals or the parent branch and not at a pre-established clearing limit. If clearance limits are established, pruning cuts should be made at laterals or parent branches outside the specified clearance zone.

9.3.2 Rural/remote locations – mechanical pruning

Cuts should be made close to the main stem, outside of the branch bark ridge and branch collar. Precautions should be taken to avoid stripping or tearing of bark or excessive wounding.

9.4 Emergency service restoration

During a utility-declared emergency, service must be restored as quickly as possible in accordance with ANSI Z133.1, 29 CFR 1910.331 – 335, 29 CFR 1910.268, or 29 CFR 1910.269. At such times, it may be necessary, because of safety and the urgency of service restoration, to deviate from the use of proper pruning techniques as defined in this standard. Following the emergency, corrective pruning should be done as necessary.

Annex A

Pruning cut guideline

A-1 Three-cut method

Multiple cutting techniques exist for application of a three-cut method. A number of them may be used to implement an acceptable three-cut method.

A-1.1 The technique depicted in *Figure 5.3.2* demonstrates one example of a three-cut method that is common to hand-saw usage. It is not intended to depict all acceptable three-cut method techniques.

Annex B

Specification writing guideline

A300 (Part 1)-2008 *Pruning* standards are performance standards, and shall not be used as job specifications. Job specifications should be clearly detailed and contain measurable criteria.

The words "should" and "shall" are both used when writing standards. The word "shall" is used when writing specifications.

Writing specifications can be simple or complex and can be written in a format that suits your company/the job. The specifications consist of two sections.

I. General:

This section contains all aspects of the work to be performed that needs to be documented, yet does not need to be detailed.

Saying under the General section that "all work shall be completed in compliance with A300 Standards" means the clauses covering safety, inspections, cuts, etc. will be adhered to. There is no need to write each and every clause into every job specification.

Other items that may be covered in the General section could be: work hours and dates, traffic issues, disposal criteria, etc.

The second section under Job Specifications would be:

II. Details:

This section provides the clear and measurable criteria; the deliverables to the client.

This section, to be written in compliance with A300 standards, shall contain the following information:

1. Objective – Clause 6

These objectives originate from/with the tree owner or manager. The arborist shall clearly state what is going to be done to achieve the objective(s).

Objectives can be written for the entire job or individual trees. Rarely can one or two words clearly convey an objective so that all parties involved (client, sales, crew, etc.) can visualize the outcome.

2. Method – Clause 7

Here the method(s) to be used to achieve the objective are stated. Again, depending on the type of job, this can be stated for the individual tree or a group of trees.

3. Location – Clause 7.2.1, 7.3.2, 7.4.2, 7.5.3

This is the location in the tree(s) that the work methods are to take place.

4. Density – Clause 7.3.1, 7.3.3, 7.5.1, 7.5.2, 7.5.4

This is the amount or volume of parts that are to be removed and can be stated exactly or in ranges.

5. Size – Clause 7.2.2, 7.3.2, 7.4.3, 7.5.4

This is the size or range of sizes of cut(s) utilized to remove the volume specified.

NOTE: Items # 4 & 5 are directly related to resource allocation, staffing and dollars.

SAMPLE PRUNING SPECIFICATIONS

#1. Scope: Large live oak on west side of pool

Objectives: Increase light penetration through east side of tree. Reduce risk potential of 1-inch-diameter branches falling.

Specifications: All broken branches and 1-inch-plus diameter dead branches shall be removed from the crown.

The three lowest 8-inch-plus diameter branches on the east side shall be thinned 25 percent with 1-inch- to 3-inch-diameter cuts.

NOTE: All work shall be completed in compliance with ANSI A300 and Z133.1 Standards.

Annex B Specification writing guideline

#2. Scope: 1 Arizona ash

Objective: Enhance structure/structural development.

Specifications: General:

All pruning shall be completed in compliance with A300 Standards.

Detail:

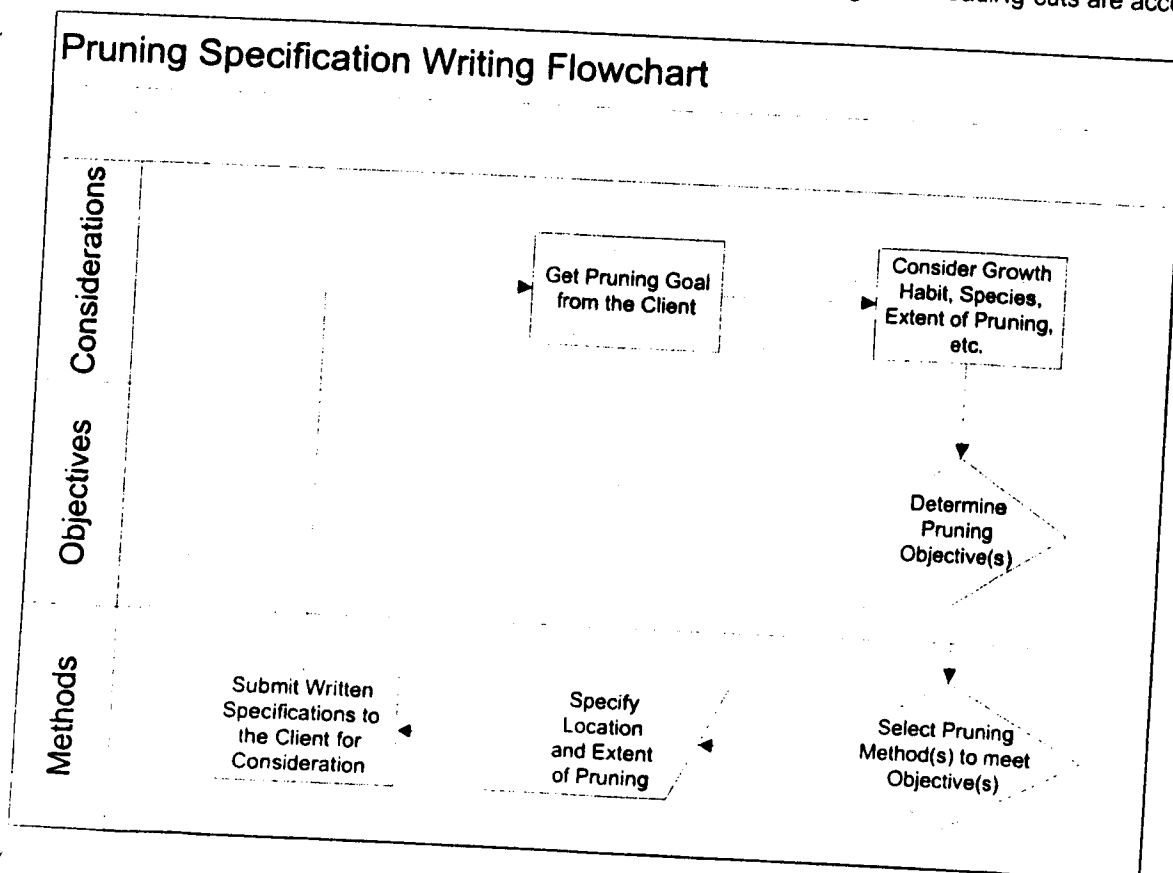
Thin crown 20-25 percent with 1-inch- to 4-inch-diameter cuts. Reduce west codominant leader by approximately 12 feet.

#3. Scope: Twenty-three newly installed evergreen elms

Objective: Maximize establishment – reduce nuisance while enhancing natural growth habit.

All work shall be completed in compliance with A300 Standards and the following specifications.

- Specifications:**
- Retain as much size as possible and 80-90 percent density of foliage.
 - Lowest permanent branch will be 6 feet above grade in four to five years.
 - Retain all sprout growth originating 18 inches above grade on trunk and 4 inches out from branch attachments throughout crown.
 - Remove weakest rubbing branches.
 - Remove dead branches.
 - Reduce broken branches or branches with dead ends back to live laterals or buds. Heading cuts can be used.
 - Maintain 6 inches behind adjacent edge of walks all growth that originates between 1.5 feet (18 inches) and 6 feet (72 inches) above grade. Heading cuts are acceptable.



Annex C

Applicable ANSI A300 interpretations

The following interpretations apply to Part 1 – *Pruning*:

C-1 Interpretation of “should” in ANSI A300 standards

“An advisory recommendation” is the common definition of “should” used in the standards development community and the common definition of “should” used in ANSI standards. An advisory notice is not a mandatory requirement. Advisory recommendations may not be followed when defensible reasons for non-compliance exist.

C-2 Interpretation of “shall” in ANSI A300 standards

“A mandatory requirement” is the common definition of “shall” used in the standards development community and the common definition of “shall” used in ANSI standards. A mandatory requirement is not optional and must be followed for ANSI A300 compliance.

AGENDA ITEM #4
CONSENT AGENDA

MR. WILD MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 21, 2010, REGULAR MEETING. MS. ZUNZ SECONDED THE MOTION.

Mr. Hackett referred to page 12 of the minutes and noted it referenced the timeframe should be changed from 24 to 72 hours and believed it should reference the removal of the banner. Mr. Hartman responded that was the board's intent. Mr. Hackett asked if single banner meant that particular banner was 40 square feet, or limited to a single banner. Mr. Hartman replied that was correct.

Mr. Hixon referred to page 13 of the minutes where he had questioned Steve Schield, Planner, regarding the ANSI standards, and he had suggested that the University of Florida "*Pruning Trees in the Landscape*," was specifically written for Florida and should be the adopted standard. He commented that when he made that suggestion, Ms. Simpson responded that it would be included; however, the minutes indicated it would be included in the educational program, but the board was not discussing the educational program and were discussing the standard that would be adopted. Ms. Simpson replied that her comment was directed toward the educational program and was not intended to amend the code; there was not a code amendment made for that item. Mr. Hixon disagreed.

Mr. Symanski asked the town attorney if there was a problem with having standards in the code, as opposed to education. David Persson, Town Attorney, explained that if the board wished to change their recommendation to the Town Commission, then they could: a) add discussion of the item to the agenda; and, then b) make a motion to amend their recommendation. Ms. Simpson commented the ANSI standards were included in the draft ordinance. She pointed out that Mr. Schield had specifically included the ANSI standards as per the discussion at the subcommittee level, and at the suggestion of Mr. Hixon in previous discussions.

Ms. Zunz commented that she would like to review the Florida standards as compared to the ANSI standards to see if they were more appropriate. She believed what served the Town best should be included in the code.

MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, NO; SAIVETZ, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE; ZUNZ, NO.

MR. HACKETT MOVED TO AMEND THE AGENDA TO INCLUDE CLARIFICATION OF THE STANDARDS INCLUDED IN THE TREE CODE REGULATIONS. MR. WILD SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS,

AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SAIVETZ, NO; SYMANSKI, AYE; WEBB, AYE; WILD, AYE; ZUNZ, AYE.

MR. HIXON MOVED THAT IN ADDITION TO THE ANSI STANDARDS IN THE REGULATIONS, THE CODE INCLUDE THE UNIVERSITY OF FLORIDA "PRUNING SHADE TREES IN THE LANDSCAPE" AS A SUPPLEMENTARY STANDARD IN THE REGULATION. MR. ALPERS SECONDED THE MOTION.

Mr. Wild asked if the University of Florida standards had a fiscal impact, and if there were any conflicts between those standards and the ANSI standards on pruning. Steve Schield, Planner, explained that the University of Florida does not have adopted standards, but they had a recommendation pamphlet that followed the ANSI standards. He talked directly with the University and the extension service, and they did not have adopted standards, but they did provide a number of educational pamphlets and articles discussing the best way to prune and other agricultural issues. He noted the University followed the ANSI standards. Mr. Wild asked if there were other competing standards in Florida. Mr. Schield replied no; most followed the ANSI standards.

Mr. Saivetz commented the problem he saw with Florida standards were they were a piece of paper, but the ANSI standards reflected things that changed over the years. He believed it was easier to reflect ANSI standards than a pamphlet. Mr. Hixon responded that the ANSI standards would be included, and this would just supplement those standards with some detailed Florida information that would not conflict.

Mr. Symanski asked if Mr. Hixon was wishing to adopt the pamphlet into the code. Mr. Hixon explained that he wished to adopt standards that were published by the University of Florida for pruning shade trees in the landscape. Mr. Symanski asked if he intended that item have a date. Mr. Hixon replied it would be the same as the ANSI standards; ANSI standards could change and the University of Florida standard could change. Mr. Symanski questioned whether staff had a problem with including the item. Mr. Schield commented that the materials were helpful for education; ANSI standards were included in the code for adoption, but if the board wished to include the University of Florida material as an additional informational tool, that was fine; however, he reiterated that the University of Florida information was not an adopted standard and just an informational article.

Mr. Hackett noted that the pamphlets would change at some point, and asked if it would be acceptable to include a reference to the pamphlet instead of including the actual pamphlet itself. Mr. Hixon commented a notation could be included referencing Fact Sheet ENH853. Ms. Simpson pointed out that when the fact sheet changed numbers it would require an amendment to the tree code. Mr. Schield noted that the current code referenced the agricultural extension services as a source of information and education.

Chair Webb voiced concern with the motion as stated, because it included the University of Florida standards for pruning shade trees in the landscape as part of the

regulations. She noted there were no University of Florida standards, but the item was a fact sheet that was not date specific or standard specific. She mentioned it was an informational brochure that was important for citizens to have, but she was concerned they were not discussing a specific set of standards that had a regulatory process to be updated and corrected.

Ms. Zunz commented that in the tree code it referenced the ANSI standards, and asked if the standards were actually in the code or were they included by reference. Mr. Schield replied they were included by reference. Ms. Zunz asked if there were illustrations. Mr. Schield commented there were illustrations within the ANSI standards. He commented that when reviewing other tree codes within the state of Florida, this was the uniform standard they adopted. Mr. Saivetz understood Mr. Hixon's comments, but the problem he had, technically, were there were two separate standards. He commented that in the event of a conflict, which standard should be referred to. Mr. Hixon noted that the ANSI standard did not provide the diagrams on how to prune palms; it would be supplementary and added to the information. Mr. Saivetz asked if those drawings were significant, would it be acceptable to only include the sketches. Mr. Hixon replied that was fine with him.

MR. SAIVETZ MOVED TO AMEND THE MOTION TO INCLUDE THE DIAGRAMS AS DESCRIBED IN THE UNIVERSITY OF FLORIDA PAMPHLET RELATED TO A RECOMMENDATION FOR PRUNING OF PALMS IN THE ORDINANCE AS EXHIBIT 'A'. MR. SYMANSKI SECONDED THE MOTION.

Mr. Symanski commented that the ANSI standards had to be followed or there would be a violation, and asked, for clarification, if Mr. Hixon was intending the University of Florida information as a recommendation or standards to be followed. Mr. Hixon replied standards to be followed. Ms. Zunz suggested the motion state, "Exhibit 'A' to include diagrams of proper pruning of palms as per the University of Florida pamphlet.

MS. ZUNZ MOVED TO AMEND THE MOTION TO STATE, "EXHIBIT 'A' TO INCLUDE DIAGRAMS OF PROPER PRUNING OF PALMS AS PER THE UNIVERSITY OF FLORIDA PAMPHLET." MR. ALPERS SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; GOLDNER, AYE; HACKETT, AYE; HIXON, AYE; SAIVETZ, AYE; SYMANSKI, AYE; WEBB, AYE; WILD, AYE; ZUNZ, AYE.

Setting Future Meeting Date

The next meeting was scheduled for November 16, 2010.

ADJOURNMENT

The meeting was adjourned at 9:59 am.

ORDINANCE 2010-23

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 98, TREES, TO DELETE SECTIONS 98.01 THROUGH 98.12 AND ADDING SECTION 98.01, *INTENT*; SECTION 98.02, *DEFINITIONS*; SECTION 98.03, *MANGROVE TRIMMING OR REMOVAL*; SECTION 98.04, *TRIMMING OF TREES OTHER THAN MANGROVES*; SECTION 98.05, *EXEMPTION FOR IMPROVED SINGLE-FAMILY LOTS*; SECTION 98.06, *PERMITS FOR TREE REMOVAL*; SECTION 98.07, *PROTECTION OF TREES DURING SITE DEVELOPMENT*; SECTION 98.08, *PROHIBITED PLANTINGS, REMOVAL OF NUISANCE EXOTIC SPECIES, PROTECTION OF UTILITY FACILITIES*; SECTION 98.09, *PUBLIC EDUCATION*; SECTION 98.10 *PETITION FOR REVIEW*; SECTION 98.11 *PENALTY*; PROVIDING FOR SEVERABILITY; ADDING AN APPENDIX TREES CODE ILLUSTRATIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key is a place of exceptional natural beauty, which is an important reason people enjoy living, visiting, and working on the island; and

WHEREAS, the residents of Longboat Key have historically enjoyed a rich natural environment including clean air and water, abundant bird life, and lush landscaping; and

WHEREAS, trees and other plantings make a significant contribution to our perception of the beauty of Longboat Key and to the ecological health of our environment; and

WHEREAS, it is a matter of public policy that the health, safety, welfare, and economic well-being of the residents and property owners of Longboat Key is served by the protection of trees and this ordinance increases that protection; and

WHEREAS, the Town commission formed a subcommittee with the Planning and Zoning Board to hold public hearings on the topic; and

WHEREAS, the Tree Code subcommittee made a recommendation for changes to the Trees Code to the Planning and Zoning Board; and

WHEREAS, pursuant to Town Code Section 158.030(B), the Planning and Zoning Board, as the local land planning agency, considered the subject code amendment at its regular meeting of September 21, 2010; and

WHEREAS, the Planning and Zoning Board determined that the public would benefit from minor changes and simplification of the Trees Code; and

WHEREAS, the Planning and Zoning Board finds that these amendments to the Tree code are consistent with the Town of Longboat Key Comprehensive Plan; and

WHEREAS, at a duly noticed public hearing, the Planning and Zoning Board voted to recommend that the Town Commission approve this Code amendment; and

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed code amendments are in the best interest of the Town and consistent with the Town's comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA THAT:

SECTION 1. The WHEREAS clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 98, *Trees*, is hereby amended by deleting Sections 98.01 through 98.12 and inserting in its place the following:

98.01 Intent.

The protection of trees within the Town of Longboat Key is desirable and essential to the present and future health, safety and welfare of the citizens of Longboat Key. It is the intent of this code to protect existing trees, encourage the planting of trees other than trees that are nuisances, and to maintain and enhance tree canopy within the Town. All properties within the Town are subject to the regulations contained within this chapter.

98.02 Definitions.

"TREE." Any living, self-supporting woody plant having a diameter of four inches or more when measured four and one-half feet above ground level, and which will typically reach ten feet or more in height. For the purpose of this chapter, all species of mangroves, and all palms with four and one-half feet of clear trunk when measured from ground level are declared to be trees and are protected by the provisions of this chapter.

"TREE REMOVAL." To relocate or, cut down, damage, or poison or in any other manner destroy, or cause to be destroyed, a tree as defined in this chapter.

"DRIP LINE." The peripheral limits of horizontal crown spread projected vertically to the ground.

"IMPROVED SINGLE-FAMILY LOT." A lot zoned for single-family use containing an existing single dwelling unit.

"MATURE REPLACEMENT TREE." A tree with a diameter of two inches or more measured four and one-half feet above ground level, at least 10 feet in height from ground level when planted, and with a height of at least 25 feet with a canopy spread of at least 20 feet at maturity. Three 10-foot tall palms ~~trees~~ grouped to create a canopy of not less than 15 feet may be substituted for one mature replacement tree.

98.03 Mangrove trimming or removal.

(A) Mangrove trimming requires a state permit and shall be in accordance with the laws of the State of Florida; no additional local permit is required for Mangrove trimming.

(B) Mangroves cannot be removed unless a permit is obtained from the appropriate state agencies and the Town as set forth below.

98.04 Trimming of trees other than mangroves.

All trimming of trees shall conform to American National Standards Institute (ANSI) A300 Standards-1995 or the most recent edition. In the Town of Longboat Key Arborists, Landscape Architects, or other licensed professionals are not required to write standards, inspect or administer tree trimming unless required by state or federal agencies. Reference Appendix: Trees Code Illustration, Exhibit "A": Illustration of Palm Trimming.

98.05 Exemption for improved single-family lots.

Improved single-family lots are exempt from the tree removal permit provisions as set forth in Section 98.06, but not from the regulations for protected tree species under state or federal law.

98.06 Permits for tree removal or relocation.

Tree removal or relocation is prohibited unless the Town Manager or his designee has issued a tree permit based upon the requirements of this chapter.

(A) Review and approval procedure. A tree permit may be issued if the Town Manager finds that any one of the following conditions applies.

- (1) The condition of the tree has significantly degraded or deteriorated because of disease or insect attack and is in danger of falling within the proximity of existing or proposed structures;
- (2) The applicant cannot practically alter or revise the proposed development or improvement under all applicable laws and regulations to accommodate existing trees, including the tree or trees proposed to be impacted;
- (3) Removal of the tree will enhance the ultimate tree canopy and removal will not result in erosion, or adversely affect the flow of surface waters; or
- (4) The tree poses a significant safety hazard to life or property.

(B) Applications for tree removal or relocation shall provide a site plan including the shape and dimensions of the lot, together with existing and proposed driveways, structures, and improvements. The plan shall indicate the location, type, species, and size of existing trees and shall include:

- (1) Those trees requested to be removed or relocated.
- (2) A statement explaining why the trees are requested to be removed or relocated.
- (3) A statement explaining how any remaining trees or trees proposed to be relocated are to be protected during construction.
- (4) Any other material or information deemed necessary in reviewing the criteria as set out in subsection (A).

(C) Fees. The application fee for tree removal is \$50.00. This fee may be modified by Resolution of the Town Commission. Additional costs, including staff time, may be incurred as necessary depending on the scope and complexity of the project.

(D) Permit conditions for tree removal, replacement or relocation.

(1) Generally two mature replacement trees will be required for the removal of each tree; the site, size, and species of the trees being removed will be considered when determining the actual tree replacement ratio.

(2) Where feasible the applicant shall be required to relocate, rather than remove, the tree. Relocation shall depend upon the size, condition, and species of the tree to be relocated, as well as whether survival of the relocated tree may be reasonably anticipated. Replacement trees are not required for relocated trees.

(3) The applicant will be required to relocate or replace a tree being removed, at the applicant's expense, on the site, or with the concurrence of the Town, on public land.

(4) When mature replacement trees cannot be planted on the applicant's land, or on public land, or relocation is not feasible, a tree replacement fee of \$300 per mature replacement tree, shall be paid to the Town. These funds shall be kept in an account and used only for the designated replacement or planting of trees on public property.

98.07 Protection of trees during site development.

(A) Prior to land development, all trees shall be clearly marked to indicate which trees are permitted for removal and barriers shall be erected for the protection of the trees to be preserved using best management practices approved by Town staff.

(B) Silt screens shall be required where mangroves or wetlands could be affected by construction or runoff from construction.

(C) A performance bond may be required for the restoration or replacement of any preserved trees on the site, which have been adversely affected by construction activities, as determined by the Town.

98.08 Prohibited plantings; removal of nuisance exotic species; protection of utility facilities.

(A) It is unlawful to plant, transplant, or grow from seed any nuisance exotic plant species listed below, and these species are exempt from permits for tree removal.

- (1) *Schinus terebinthifolius* (Brazilian Pepper Tree)
- (2) *Melaleuca quinquenervia* (Punk Tree)
- (3) *Enterolobium cyclocarpum* (Ear Tree)
- (4) *Melia azedarach* (Chinaberry Tree)
- (5) *Ficus retusa* (Cuban Laurel)
- (6) *Grevillea robusta* (Silk Oak)
- (7) All *Eucalyptus*, except *E. cinera* (Silver Dollar Tree)
- (8) *Ficus aurea* (Strangler Fig)
- (9) *Dalbergia sissoo* (India Rosewood)
- (10) *Casuarina* (Australian Pine)
- (11) *Cupaniopsis anacardioides* (Carrotwood)

(B) Protection of electric facilities. No tree shall be planted where at mature height it may conflict with overhead electric facilities.

(1) Large trees (trees with a mature height of 30 feet or more) shall be planted no closer than a horizontal distance of 30 feet from any overhead electric facility.

(2) Medium trees (trees with a mature height of 20 to 30 feet) shall be planted no closer than a horizontal distance of 20 feet from any overhead electric facility.

(3) Palms trees shall be planted no closer than three feet from the mature maximum frond length from any overhead electric facility.

(C) The Florida Department of Transportation, municipal utilities, and public utilities may remove trees without a permit when they endanger public safety and welfare and are located within utility easements and public rights-of-way or are interfering with utility service.

(D) Removal of nuisance exotic species. The Town shall require the removal of all trees in the genus *Casuarina* (Australian Pine), *Schinus terebinthifolius* (Brazilian Pepper Tree) and *Cupaniopsis anacardioides* (Carrotwood) from all real property being prepared for development or redevelopment, including single-family lots.

98.09 Public education.

(A) The following native trees are specifically recommended as replacement trees. However, other native and non-native trees may be appropriate as replacements for the island environment; therefore, this list is not all inclusive.

Name	Mature Height	Growth Rate	Salt Tolerant	Cold Hardy
Mahogany (<i>Swietenia mahogani</i>)	35'	Fast	High	Low
Sea Grape (<i>Coccoloba uvifera</i>)	30'	Moderate	High	Low
Live Oak (<i>Quercus virginiana</i>)	70'	Moderate	High	High
Gumbo Limbo (<i>Bursera simaruba</i>)	60'	Fast	High	Low
Southern Magnolia (<i>Magnolia grandiflora</i>)	50'	Slow	Moderate	High
Red Bay (<i>Persea borbonia</i>)	35'	Moderate	High	High
Silver/Green Buttonwood (<i>Conocarpus erectus</i>)	35'	Slow	High	Low
Wax Myrtle (<i>Myrica cerifera</i>)	25'	Moderate	High	High
Southern Red Cedar (<i>Juniperus silicicola</i>)	30'	Slow	High	High
Black Olive (<i>Bucida buceras</i>)	40'	Moderate	High	Low
Cabbage Palm (<i>Sabal palmetto</i>)	40'	Slow	High	High
Everglades Palm (<i>Acoelorrhaphe wrightii</i>)	25'	Slow	High	Moderate
Royal Palm (<i>Roystonea regia</i>)	50'	Moderate	Moderate	Moderate
Canary Island Date Palm (<i>Phoenix canariensis</i>)	60'	Slow	Moderate	High

(B) Information on native trees, and trees appropriate for our coastal environment, can be obtained from the following agencies, and other sources. This list should not be considered all inclusive.

- (1) Sarasota Forestry Division
- (2) Institute of Food & Agricultural Sciences IFAS Sarasota County Extension Service
- (3) Institute of Food & Agricultural Sciences IFAS Manatee County Extension Service
- (4) Florida Native Plant Society
- (5) Association of Native Plant Nurseries

98.10 Petition for review.

Any person who is aggrieved by the enforcement of this chapter by any administrative official shall, within thirty days, file a petition with the Zoning Board of Adjustment. The form of the appeal shall comply with Section 158.027 of the Town's Zoning Code.

98.11 Penalty.

Any person found guilty of violating any provisions of this chapter or, any order issued pursuant thereto, shall upon conviction be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 60 days. In a prosecution under this chapter, each tree removed, damaged, or destroyed will constitute a separate offense.

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with Law and the Charter of the Town of Longboat Key.

Passed on the first reading the ____ day of _____, 2010.

Adopted on the second reading and public hearing the ____ day of _____, 2010.

George Spoll, Mayor

ATTEST:

Trish Granger, Town Clerk

Attachment: Exhibit 'A', Tree Code Illustration

APPENDIX: TREES CODE ILLUSTRATIONS.

(A) Illustration of Palm Trimming Pursuant to Section 98.04

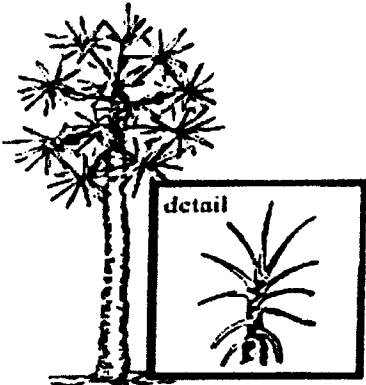
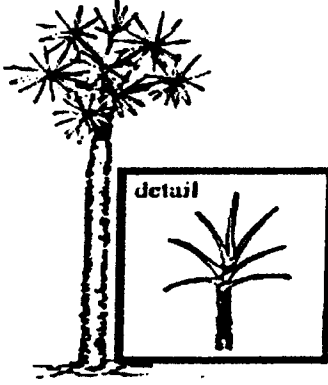
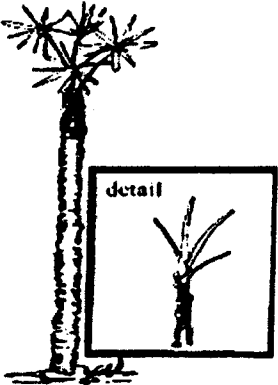
before pruning	after pruning	over-pruning
		
<p>Consider removing lower fronds that are chlorotic or dead. There is no biological reason to remove live green fronds on palms. There is no research supporting the notion that removing live green fronds reduces future pruning</p>	<p>Remove lower fronds that are dead or more than about half chlorotic. Do not remove green fronds or the palm could become stressed. (If you decide to remove green fronds, do not remove those growing horizontally or pointed upward.)</p>	<p>Over-pruned palms look terrible and could attract pests. In the detail above you can see that many upright fronds were removed. Why remove green fronds when the palm was planted for its tropical look. That tropical look results from live green fronds.</p>

Illustration provided by IFAS Publications