

DEPARTMENT: Public Works

DATE ADOPTED: April 10, 2002

DATE OF LAST REVISION: May 28, 2008

**2001.01 Authority:** The City Commission.

**2001.02 Scope and Applicability:** This policy shall be used in the administration of all fees collected in-lieu-of on-site urban forest requirements and landscaping, under Sections 5-85(b)(4) and 5-85(f) of the Land Development Code.

**2001.03 Policy Statement:** Fees collected by the Growth Management Department, in-lieu-of on-site urban forest requirements and landscaping under Sections 5-85(b)(4) and 5-85(f) of the Land Development Code, shall be deposited in the accounts noted below for landscaping and preservation projects in the downtown area and for areas outside of the downtown area as provided in Section 2001.06 below.

**2001.04 Definitions:**

**Maintenance and Preservation Techniques:** Includes inventory of trees, the establishment and maintenance of newly planted trees (corrective and training pruning, irrigation, fertilization, etc.), the maintenance of older and mature trees (hazardous and dead wood pruning, fertilizing, cabling and bracing, mulching, etc.), relocation and the diagnosis and treatment of disease, insects, construction impacts, and environmental stresses. Also includes appropriate technical support and training necessary to ensure preservation of City owned trees due to infrastructure improvements or other activities detrimental to the survivability of landscaping and trees. Maintenance and preservation techniques shall be in accordance with standards established by the International Society of Arboriculture (ISA).

**2001.05 Responsibilities:**

The Director of Public Works or his designee has the responsibility for the administration of this policy and the administration of the disbursement of funds collected in-lieu-of on-site urban forest requirements and landscaping, under Sections 5-85(b)(4) and 5-85(f) of the Land Development Code. All activities performed under the provisions of this policy shall be performed and permitted according to the applicable City, State and Federal requirements. The Director of Public Works or his designee shall maintain the appropriate records to document compliance with the procedures of this policy.

**2001.06 Procedures:**

A. The Growth Management Department shall collect landscape fees in-lieu-of on-site plantings, Under Section 5-85(b)(4) of the Land Development Code at the time an environmental permit is issued, and deposit these funds in the "C-3 fees-in-lieu" account designated by the City's Department of Management Administration. "C-3 fees-in-lieu" funds shall be used for landscaping, beautification and signage projects on public property (local, State, Regional or Federal) in the downtown zoning districts and for tree care and maintenance and preservation techniques for City approved projects.

1. The "C-3" trust funds shall not be used for landscaping, beautification and signage projects on private property.
2. Expenditures of funds for projects on non-City owned property shall be subject to the provisions of Section 2001.07.

3. The following prioritization for the allocation of funding from the "C-3" Trust Fund shall be utilized:
  - i. Planting of new trees and landscaping on City owned property
  - ii. Beautification projects on City owned property
  - iii. Signage on City owned property
  - iv. Planting of new trees and landscaping on non-City owned public property
  - v. Beautification projects on non-City owned public property
  - vi. Signage on non-City owned public property
4. Expenditures for projects shall be in accordance with the City procurement policies and procedures. The Director of Public Works or his designee shall be authorized to approve expenditures on City properties for up to \$10,000. The City Manager or designee shall be authorized to approve expenditures on City properties for up to \$50,000.
- B. The Growth Management Department shall collect fees in-lieu-of required tree plantings, as provided in Section 5-85(f) of the Land Development Code and deposit these funds in the "Off-site replanting" account designated by the City's Department of Management Administration. "Off-site replanting" funds shall be used for street tree, landscaping projects, and for tree care, maintenance and preservation techniques throughout the city.
  1. The predominant intent of the "Off-site replanting" accounts is to be used for public projects (i.e., City, County, State and Federal). These funds may be utilized for private planting (tree and landscape). Expenditures of funds for projects on non-City owned property shall be subject to the provisions of Section 2001.07. These funds shall not be used to satisfy landscaping permit requirements for developments.
  2. The following prioritization for the allocation of funding from the "Off-site" Trust Fund shall be utilized:
    - i. Maintenance and preservation of any City owned tree within the Downtown Future Land Use Category
    - ii. Planting of new trees and landscaping projects on City owned property
    - iii. Preservation and maintenance of patriarch trees within City property
    - iv. Preservation maintenance of (non-patriarch) trees within City property
    - v. Planting trees and landscaping on property owned by a not-for-profit organization when a substantial public benefit is provided
    - vi. Planting trees and landscaping on property owned by a private organization when a substantial public benefit is provided
    - vii. Planting trees and landscaping on private residential property when a substantial public benefit is provided.
  3. Expenditures for projects shall be in accordance with the City procurement policies and procedures. The Director of Public Works or his designee shall be authorized to approve expenditures on City properties for up to \$10,000. The City Manager or designee shall be authorized to approve expenditures on City properties for up to \$50,000.

**2001.07 Expenditures on Non-City Owned Properties:**

- A. Expenditures for planting and landscaping projects on non-City owned properties may be approved so long as the expenditure can be demonstrated to promote a substantial public benefit.
- B. All expenditures for planting and landscaping projects on non-City owned properties shall be approved by the City Commission.
- C. Projects that may be eligible for funding include, but are not limited to: Plantings within a canopy road protection zone, plantings visible from a public street and the property fronts a public street, plantings are located within 30 feet of the public right-of-way and, the planting plan includes only native plant species.
- D. The Director of Public Works or his designee and the City Electric Forester if applicable shall approve the planting plan.
- E. The applicant must enter into a two-year maintenance agreement with the City. If the recipient of the funds does not maintain the plantings, then the recipient and the recipient site will no longer be eligible for further funding pursuant to this policy.

**2001.08 Exceptions:** N/A.

**2001.09 Sunset Provision:** This Policy is subject to sunset review by the City Commission at least once every five (5) years from the date adopted or last revised. Revisions to this policy will become effective immediately upon City Commission approval.

**2001.10 Effective Date:** This Policy shall become effective on April 10, 2002.

**Revised:** December 15, 2004

**Revised:** May 28, 2008