



BOARD OF COUNTY COMMISSIONERS

DATE: May 19, 2015
AGENDA ITEM NO. 15

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

 **County Administrator's Signature:**

Subject:

Approval of Authority to Advertise a Public Hearing on June 23, 2015 for a Proposed Ordinance Amending Section 166-57 of the Pinellas County Land Development Code Providing for an Additional Revenue Source for the Tree Bank Fund from Ecologically Beneficial Tree Thinning.

Department:

Parks and Conservation Resources

Staff Member Responsible:

Paul Cozzie, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE AUTHORITY TO ADVERTISE A PUBLIC HEARING ON JUNE 23, 2015 FOR A PROPOSED ORDINANCE AMENDING SECTION 166-57 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE PROVIDING FOR AN ADDITIONAL REVENUE SOURCE FOR THE TREE BANK FUND FROM ECOLOGICALLY BENEFICIAL TREE THINNING.

Summary Explanation/Background:

The proposed ordinance creates a fourth revenue source: a tree harvest revenue. The County maintains a Tree Bank Fund for the acquisition, placement and protection of trees and vegetation. Currently, revenue for the Tree Bank Fund is drawn from three distinct sources: (1) Habitat Management and Landscaping enforcement; (2) outside grants and donations; and (3) contributions in lieu of tree replacement.

The Parks and Conservation Resources Department (PCR) has targeted a 450-acre area of Brooker Creek Preserve (BCP) for ecologically beneficial tree thinning. Harvested trees will be processed and sold as pulpwood and ply logs. A conservative estimate of the County revenue generated from the harvest is \$125,000. It is probable, however, that other areas of BCP, and perhaps other County-owned lands, will be targeted for thinning in the future.

Revenue derived from tree harvests shall be placed in the Tree Bank Fund. This will allow the revenue to be expended exclusively for natural resource management, particularly, invasive species control. Considering that tree thinning is conducted for native vegetative maintenance, it is logical that funds generated from tree thinning further the same end. The three current revenue streams for the Tree Bank Fund are likewise derived from some form of tree protection.

Fiscal Impact/Cost/Revenue Summary:

Estimated revenue from the planned BCP tree thinning harvest is approximately \$125,000 to the Tree Bank Fund. Future additional revenue for the Tree Bank Fund from tree thinning is anticipated.

Exhibits/Attachments Attached:

Proposed Ordinance (redline showing changes)
Proposed Ordinance

ORDINANCE NO. 15 - _____

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY LAND DEVELOPMENT CODE, BE AMENDED BY REVISING SECTION 166-57 OF SAID CODE; PROVIDING FOR AN ADDITIONAL REVENUE SOURCE FOR THE TREE BANK FUND FROM ECOLOGICALLY BENEFICIAL TREE THINNING; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY LAND DEVELOPMENT CODE.

WHEREAS, the Board of County Commissioners of Pinellas County, Florida maintains a “Tree Bank Fund” for the purpose protecting native vegetation, acquiring land for tree placement, purchasing trees, and other similar purposes; and

WHEREAS, the Tree Bank Fund currently draws moneys from three distinct sources set forth at Section 166-57(c) of the Pinellas County Land Development Code; and

WHEREAS, the Pinellas County Parks and Conservation Resources Department desires to start depositing revenue generated from ecologically beneficial tree thinning activities into the Tree Bank Fund; and

WHEREAS, supplementing the Tree Bank Fund with revenue generated from ecologically beneficial tree thinning activities is consistent with the legislative intent and purpose of the Tree Bank Fund, specifically, protecting native vegetative communities.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, that:

SECTION 1. Section 166-57(c) of the Pinellas County Land Development Code is hereby amended by adding Subsection (4) as follows:

(c) Source of moneys. The tree bank fund shall consist of the following moneys:

- (1) All moneys collected by the county administrator pursuant to the provisions of this article which are obtained through civil action and consent agreements.

- (2) All moneys offered to and accepted by the county for the tree bank fund in the form of federal, state, or other governmental grants, allocations as well as foundation or private grants and donations.
- (3) Contributions in lieu of, or in conjunction with, the replacement planting provisions of section 166-84. The county administrator shall collect funds designated for the tree bank fund when the replacement planting requirements of section 166-84 cannot be met.
- (3)(4) All county revenue generated from tree thinning or other ecologically beneficial tree removal activities.

SECTION 3. SEVERABILITY.

If any section, sentence, clause, phrase, or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.

SECTION 4. EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners. This Ordinance shall become effective when the acknowledgment is received from the Secretary of State that the Ordinance has been duly filed.

SECTION 5. INCLUSION IN THE PINELLAS COUNTY LAND DEVELOPMENT CODE.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Land Development Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Land Development Code.

APPROVED AS TO FORM:

By: _____
Office of County Attorney

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