

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item: R-8

PUBLIC HEARING FOR FIRST READING AND ADOPTION OF ORDINANCE NO. 1061, AMENDING CHAPTER 15. LANDSCAPING AND VEGETATION MANAGEMENT. AT SEC. 15-79 TREE REPLACEMENT, TO SPECIFY THE TIMING OF REPLACEMENT TREE INSTALLATION OR REQUIRED BONDING OR PAYMENT INTO THE VILLAGE'S TREE BANK. BY BRADFORD O'BRIEN, P&Z DIRECTOR.

Issue:

Ordinance No. 1061 seeks to amend Village Code Chapter 15 Landscaping and Vegetation Management. at Sec. 15-79 Tree Replacement. The purpose of this Text Amendment is to add a new subparagraph Sec. 15-79 (g) Timing. in order to specify the timing for the tree mitigation when a specimen tree is removed. Currently there is no Village Code requirement specifying the timing for the mitigation of removing a specimen tree. The proposed Text Amendment would require the mitigation for the removal of a specimen tree to occur prior to issuance of the first Planning and Zoning Department Permit; Engineering Department Permit; or Building Department Permit to include Vegetation Removal Permits, whichever comes sooner. The language for the proposed Text Amendment is as follows:

Sec. 15-79 (g) *Timing*. The donated replacement trees shall be installed or a bond shall be provided for 125% of the material and installation costs; or the contribution to the village's tree bank shall be made prior to the issuance of the first Planning and Zoning Department Permit; Engineering Department Permit; or Building Department Permit to include Vegetation Removal Permits, whichever comes sooner.

A Business Impact Estimate is also attached as required by Section 166.041(4), Florida Statutes.

The Local Planning Agency considered the application on August 26, 2025, and recommended Approval by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of Ordinance No. 1061 on first reading.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	9-18-2025	Action

Business Impact Estimate

As required by Sec. 166.041(4), *Florida Statutes* (2024), this “Business Impact Estimate” is provided for Ordinance No. 1061:

ORDINANCE NO. 1061

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 15. LANDSCAPING AND VEGETATION MANAGEMENT, SECTION 15-79. – TREE REPLACEMENT. IN ORDER TO SPECIFY THE TIMING OF REPLACEMENT TREE INSTALLATION OR REQUIRED BONDING OR PAYMENT INTO THE VILLAGE’S TREE BANK; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 15. LANDSCAPE AND VEGETATION MANAGEMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Part I. Summary of the proposed ordinance and statement of public purpose: Ordinance No. 1061 revises Section 15-79 to specify the timing of replacement tree installation or required bonding or payment into the Village’s tree bank.

Part II. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Village of Royal Palm Beach:

- a. **Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:** None.
- b. **Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:** None.
- c. **An estimate of the Village of Royal Palm Beach’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.** No change from pre-ordinance costs.

Part III. Good faith estimate of the number of businesses likely to be impacted by the ordinance: None.

Part IV. Additional Information (if any): None.

ORDINANCE NO. 1061

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 15. LANDSCAPING AND VEGETATION MANAGEMENT, SECTION 15-79. – TREE REPLACEMENT. IN ORDER TO SPECIFY THE TIMING OF REPLACEMENT TREE INSTALLATION OR REQUIRED BONDING OR PAYMENT INTO THE VILLAGE’S TREE BANK; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 15. LANDSCAPE AND VEGETATION MANAGEMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach adopted a strategic plan for the Village in April of 2025, which outlined a need to update certain provisions within the Village’s Code; and

WHEREAS, the Village Council desires to update the Village Code to accomplish the strategic plan items; and

WHEREAS, Section 15-79 of the Village Code currently provides regulations for tree replacement in the event that mitigation is required, particularly the regulations for contributions to the Village’s tree bank; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to update these regulations in order to specify the timing of replacement tree installation or required bonding or payment into the Village’s tree bank; and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances; and

WHEREAS, the Village Council of the Village of Royal Palm Beach has determined that the proposed revisions to Chapter 15. Landscaping and Vegetation Management. are in the best interests of the health, safety and welfare of Royal Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 15. Landscaping and Vegetation Management. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Sec. 15-79. – Tree

replacement. in order to specify the timing of replacement tree installation or required bonding or payment into the Village's tree bank; providing that Sec. 15-79 shall hereafter read as follows:

Sec. 15-79. - Tree replacement.

[Subparts (a)-(f) shall remain the same as previously adopted.]

(g) *Timing.* The donated replacement trees shall be installed or a bond shall be provided for 125% of the material and installation costs; or the contribution to the village's tree bank shall be made prior to the issuance of the first Planning and Zoning Department Permit; Engineering Department Permit; or Building Department Permit to include Vegetation Removal Permits, whichever comes sooner.

(gh) *Waivers.* No waivers to this section shall be permitted.

Section 2: Each and every other Section and Sub-section of Chapter 15. Landscape and Vegetation Management. shall remain in full force and effect as previously adopted.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This ordinance shall take effect immediately upon adoption.

FIRST READING this ____ day of August, 2025.

SECOND AND FINAL READING this ____ day of September, 2025.

VILLAGE OF ROYAL PALM BEACH

MAYOR JEFF HMARA

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK