

RESOLUTION NO. 2024-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ESTABLISHING A NEW TREE CANOPY REPLACEMENT GRANT PROGRAM AND ADOPTING THE TREE CANOPY REPLACEMENT GRANT PROGRAM GUIDELINES, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A;" AUTHORIZING FUNDING FROM THE TREE PRESERVATION TRUST FUND FOR PROGRAM IMPLEMENTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City acknowledges that its residents are confronting unforeseen and escalating financial burdens related to insurance, general landscape and structural maintenance, and various other homeownership expenditures; and

WHEREAS, tree canopy replacement remains a pivotal community endeavor in the fight against heat and the mitigation of greenhouse gas emissions (GHG); and

WHEREAS, the City is desirous of implementing the Tree Canopy Replacement Grant Program designed to provide financial assistance in these challenging times while maximizing the benefits that trees provide to communities and their residents; and

WHEREAS, the program guidelines intend to direct funds solely be used for the planting of trees in Coconut Creek and any other ancillary costs associated with the planting of trees; and

WHEREAS, the Department of Sustainable Development shall be responsible for overseeing the Tree Canopy Replacement Grant Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this

resolution.

Section 2: That the City Commission has reviewed and hereby approves the Tree Canopy Replacement Grant Program Guidelines, attached hereto and made a part hereof as Exhibit "A."

Section 3: That the City Commission hereby authorizes the use of \$250,000 from the Tree Preservation Trust Fund to fund this program.

Section 4: That if any clause, section, or other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its passage and adoption.

Adopted this _____ day of _____, 2024.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell _____
Welch _____
Railey _____
Brodie _____
Wasserman _____

SS:ae
file:///O:\Documents\PLANNING%20&%20ZONING\Project%20Coordinator\Resolutions\2024\RES%202024-035%20Tree%20Canopy%20Replacement%20Program.docx
03/14/24

EXHIBIT "A"



CITY OF COCONUT CREEK TREE CANOPY REPLACEMENT GRANT PROGRAM GUIDELINES

Purpose

The purpose of the Tree Canopy Replacement Grant Program is to assist eligible applicants with tree canopy replacement in neighborhoods that have lost canopy due to hurricane damage, disease, or other natural impacts. The City's mission is to provide exceptional, responsive, and sustainable services for the Coconut Creek community. Quality neighborhoods are crucial to attaining our mission. The state of our neighborhoods reflects the City's overall economic stability, social quality, and security.

When any living tree, as determined by the Department of Sustainable Development, is removed, regardless of the condition, a Tree Removal Permit (TRP) is required unless an exemption is noted in the Land Development Code. Upon tree removal, canopy replacement is mandated by Broward County and City Code. This replacement is not 1:1 but based on canopy square footage as prescribed in the code, so there is no canopy loss on site. This requirement often results in unanticipated costs for such canopy replacement. So as not to increase the financial burden our residents are already experiencing, the City proposes to cover the costs of the canopy replacement above and beyond the 1:1 replacement.

Eligible Applicants

The types of individuals or organizations eligible for funding include the following:

Neighborhood Associations – Voluntary, non-profit organizations formed by residents of a subdivision. The goal of these organizations is to enhance and preserve the quality of the neighborhood. Neighborhood associations have no regulatory powers.

Homeowners Associations (HOA) – Mandatory organizations for all property owners within the boundaries of a development, including condominium and townhome associations. Homeowners Associations have legal authority to enact and enforce maintenance and design standards and levy fees for maintenance of common areas. This type of organization is formed as a part of the development process of new neighborhoods prior to actual construction.

Eligible Projects

The grant program is designed to provide funding assistance for tree canopy replacement projects to promote a more robust, safer, beautiful, and sustainable community. Eligible tree canopy replacement projects include the following activities:

1. **Disease Tree:** Replacement of trees where disease has been proven by a certified arborist's report or the City's Urban Forester as the source of the tree's ultimate demise. In such case, the applicant is responsible for the total cost of each replacement tree and 50% of the cost for the remainder of the required canopy replacement, as determined by the Land Development Code, up to the limit of this grant.

2. **City Infrastructure and Sidewalk Conflicts:** Replacement of tree canopy where a certified arborist or the City's Urban Forester has determined that further growth will affect City infrastructure or a community sidewalk. In such case, the applicant is responsible for the total cost of each replacement tree and 50% of the price for the remainder of the required canopy replacement, as determined by the Land Development Code, up to the limit of this grant.
3. **Catastrophic Tree or Palm Event:** Replacement of palms or tree canopy lost due to a catastrophic event, such as a widespread pathogen or infestation, hurricane, lightning, or other natural disasters. Upon determination by a certified arborist or the City's Urban Forester that a tree has been lost due to one of the reasons listed above, an eligible applicant may apply for this grant. In such case, the applicant is responsible for the total cost of the first replacement tree or palm and 50% of the price for the remainder of the required palm or canopy replacement, as determined by the Land Development Code, up to the limit of this grant.
4. **Street Tree Replacement:** A project providing street tree replacement when applying the "Right Tree, Right Place" concept. Proposed street tree removal must follow City tree removal guidelines and codes, must utilize a new Street Tree Plan approved by the City, or utilize the landscape waiver process to alter the approved street tree for the location or community. Any proposed removal must also have a Tree Removal Permit (TRP) and meet the requirements of the TRP. This category is a matching grant with limits noted below.

Funding Priorities

This program shall be funded through the City's Tree Preservation Trust Fund, as outlined in Section 13-448 of the City's Land Development Code in the amount of \$250,000. The funds shall solely be used for planting trees in Coconut Creek and any other ancillary costs associated with planting trees.

Each project will be evaluated based on how well it addresses the Tree Canopy Replacement Grant Program's primary purpose of increasing tree canopy in neighborhoods and the community. When there are more projects requested than funding can accommodate, projects that accomplish the following goals will take priority:

1. Projects that impact major thoroughfares will receive a higher priority than those that impact interior streets.
2. Projects that serve multiple HOAs or Neighborhood Associations (adjoining or adjacent communities).
3. Projects that serve to revitalize older or declining neighborhoods.
4. Projects that further City and neighborhood goals and/or complement other public improvements.

Funding Restrictions

The cost estimates for the replacement canopy shall represent fair market value. An applicant who has previously received funds will not be eligible to receive additional funds for five (5) years unless:

1. No other applicants meet the criteria and/or funding requirements.
2. It is a multiple Neighborhood Association or HOA project that will require all neighborhood associations or HOAs to apply, including previously funded associations, to implement the proposed project.
3. The City Manager, or their designee, may alter funding restriction requirements after a natural disaster in the community, such as but not limited to, a hurricane or tornado.
4. Funding under \$10,000 may be approved by the City Manager or designee. Funding for \$10,000 or greater must be approved by the City Commission.

Application Requirements

The applicant must submit the required application form with a complete project description. The application must include all of the following listed items:

1. Contact names, email addresses, and telephone numbers of the individuals or members who have the authority to act on behalf of the association/organization, if applicable;

2. Project description;
3. Project justification, including a certified arborist's report if obtained or required by the City;
4. A complete Tree Removal Permit Application (available online);
5. Letters of authorization, where applicable, from the homeowners' association;
6. Board minutes showing approval of the described project and funding commitment, if applicable;
7. Landscape plans, where applicable, which include plant locations, quantities, species, sizes, and nursery grade;
8. Scope of services, and contract
9. Organization's W-9, if applicable.

Application Deadlines

All applications must be submitted on approved application forms, which may be obtained by contacting the Department of Sustainable Development at City Hall or calling 954-973-6756.

Applications may be emailed, mailed, or delivered to:

**City of Coconut Creek
 Department of Sustainable Development
 Attn: Tree Canopy Replacement Grant Program
 4800 West Copans Road
 Coconut Creek, Florida 33063**

Applications will be accepted year-round, beginning March 18, 2024. Funds will be awarded to completed and approved applications on a first-come, first-served basis.

Selection/Notification

Applications will be reviewed by Sustainable Development staff to ensure that the minimum criterion has been met. Any applicant that does not meet the minimum criteria will be notified. The applications deemed complete and eligible will be submitted for final approval and funding, as applicable.

Terms of Agreement

Grant Limits:

	<u>Maximum Grant Amount</u>
1. Tree Canopy Replacement, Disease:	\$5,000
2. Tree Canopy Replacement, Infrastructure Conflict:	\$20,000
3. Catastrophic Palm or Canopy Replacement:	\$20,000
4. Street Tree Replacement: Matching:	\$20,000

Term:

1. Funds must be expended within nine (9) months of the award.
2. Extensions may be granted by the City Manager, or designee, for up to one (1) year.

Project Completion and Reimbursement

Upon project completion, an applicant must complete and submit the following items to be eligible for reimbursement:

1. Final inspection by City staff;
2. Photographs of the project area;
3. Invoices of actual costs;
4. Affidavit of continued maintenance for the newly planted trees. Future funds will not be granted for the replacement of trees due to failure of proper maintenance.