



City of Atlantic Beach
Agenda
Environmental Stewardship Committee (ESC) Meeting
Wednesday, June 24, 2026 - 6:00 p.m.
City Hall, Commission Chamber
800 Seminole Road, Atlantic Beach, FL 32233

Page(s)

1. CALL TO ORDER AND ROLL CALL

2. COURTESY OF THE FLOOR (5 MINS.)

3. CHAIR REMARKS

4. STAFF REPORTS

- 4.A. Tree Report 3
[Tree data summary 2026](#)

5. OLD BUSINESS

- 5.A. Semi-annual tree permit report to the commission to include in the commission agendas as follows: 4 - 12
- due to Amanda by Monday, June 29, for the July 13 Commission Meeting
 - due to Amanda by Monday, November 30, for the December 14 Commission Meeting
- [Semi-Annual Report of ESC on Tree Statistics DRAFT Template Jun 12 2026](#)
- 5.B. Current status of possible Chapter 23 changes
- 5.C. Tree Data 13
[Tree Permit Data for 2025](#)

6. NEW BUSINESS

- 6.A. Tree fund budget approval status
- 6.B. Free arborist day motion 14 - 15
[20250813 Master Arborist Day Motion to CC UPDATED](#)
- 6.C. Tree plantings in required drainage swales
- 6.D. Tree losses from arborist letters 16 - 25
[20241213 Arborist Letter Presentation](#)
[Arborist Letters Email](#)
- 6.E. Landmark tree protection draft for first reading at June 22, 2026 Commission Meeting 26 - 31
[Ordinance No. 95-26-128](#)

7. MEMBERS CLOSING REMARKS

8. ADJOURNMENT

Any person wishing to speak to the Environmental Stewardship Committee on any matter at this meeting should submit a Comment Card located at the entrance to Commission Chamber prior to the start of the meeting.

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, visit www.coab.us/live.

In accordance with the American with Disabilities Act and Section 286.26 of the Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact Deputy City Ladayija Nichols at 247-5821 or at City Hall, 800 Seminole Road, Atlantic Beach, Florida not less than three (3) days prior to the date of this meeting.



Permittin g & Tree Removal

2025 Statistics

Tree Canopy: Progress and Permitting Statistics 2025

The Atlantic Beach tree canopy is of vital to residents as a primary aspect of our quality of life and as a valuable component of the resilience and economic value of the community. The Environmental Stewardship Committee (an expert group of citizens, established by regulation, serving as independent volunteers) are tasked to monitor and help the City ensure its overall health.

The canopy is affected by the results of the City's policy, regulations, and permitting. This report provides a clear perspective of the Atlantic Beach tree canopy using the data available from City records and permits, as well as expert reports and observations when available.

Tree Subcommittee

This report fulfills the legal obligation for the ESC to submit its review of the CoAB permit process as it relates to trees - essentially What is and is not working - in order to fulfill its mandate to maintain the community's defining and increasingly fragile tree canopy.

1. Our City Arborist has made excellent strides systematizing the process and actively following up or advising on some permits where feasible. His expertise is notable and is already influencing both citizen perception and some of the tree cutting companies operating here.

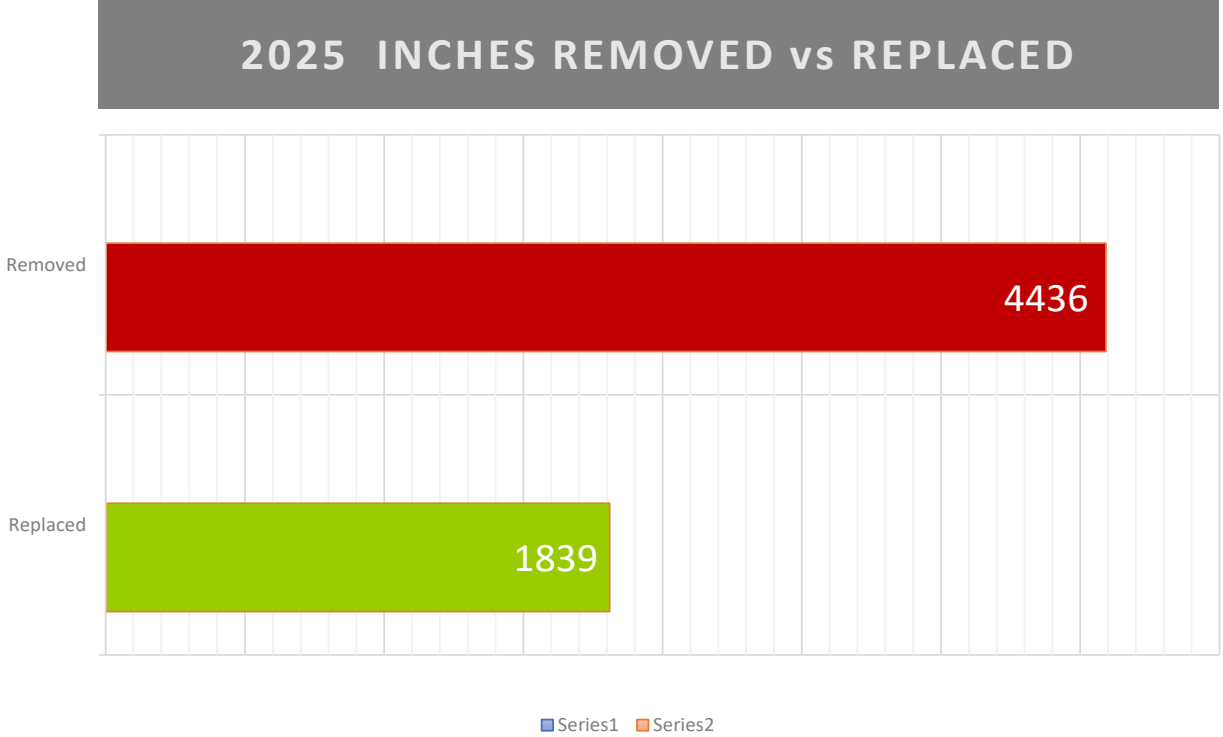
- a. Notably, Chris reported applying his expertise guiding a local arborist to not falsely assess a healthy large oak tree as potentially hazardous.
- b. ESC reviews have revealed some grievous problems with the permit work of staff and that person has since been replaced. We continue to interact offering suggestions and these are being welcomed by our City Arborist

2. Digitization of permits and data have completed in March. While there is modest improvement in data available, we still have a way to go.

3. Tree Data & Trends that it would be useful to add in near future

- a. Tree size categories (8"-14", 30"+), type of removal permit (new construction, etc.), and which species are being cut
- b. Public removals in right of way, parks, and City properties.
- c. Types of variances sought or challenges expressed – are we listening?
- d. Flow Charts for Tree Permit and for optimal requirements of an Arborist Letter to facilitate compliance
- e. Trends perceived and Recommendations for improvement

Permits are **removing double** what we replace...



... and most replacement trees are tiny*

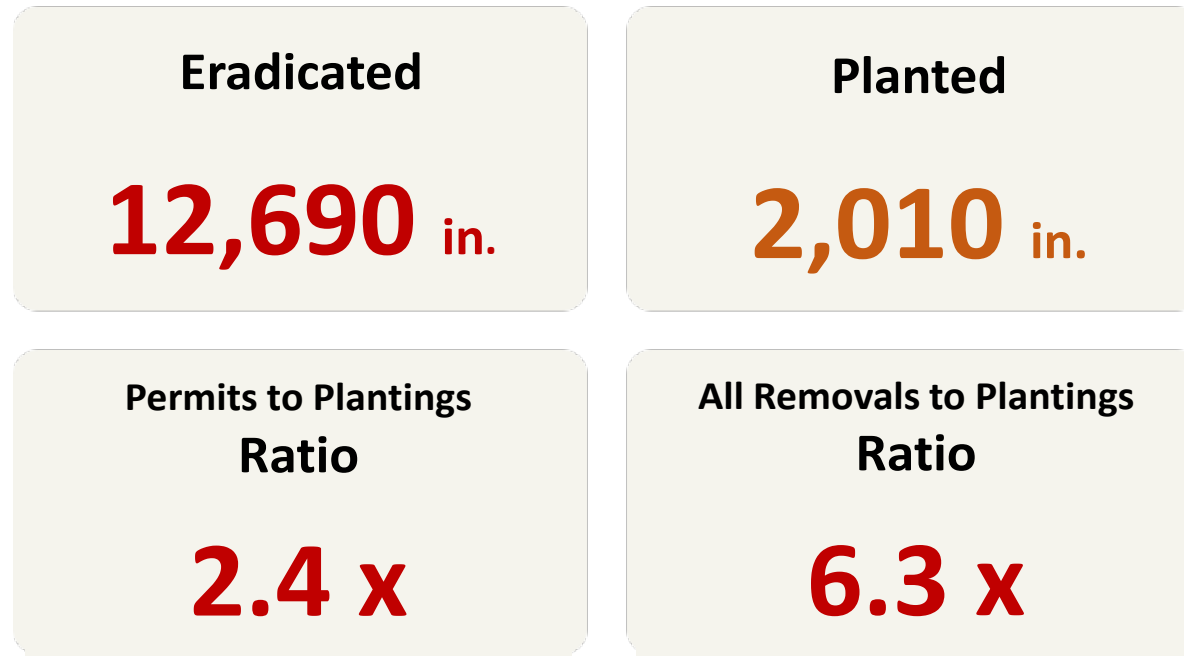
Non-Permitted Removals add a lot more

MANY MATURE TREES REMOVED WITH NO PERMIT

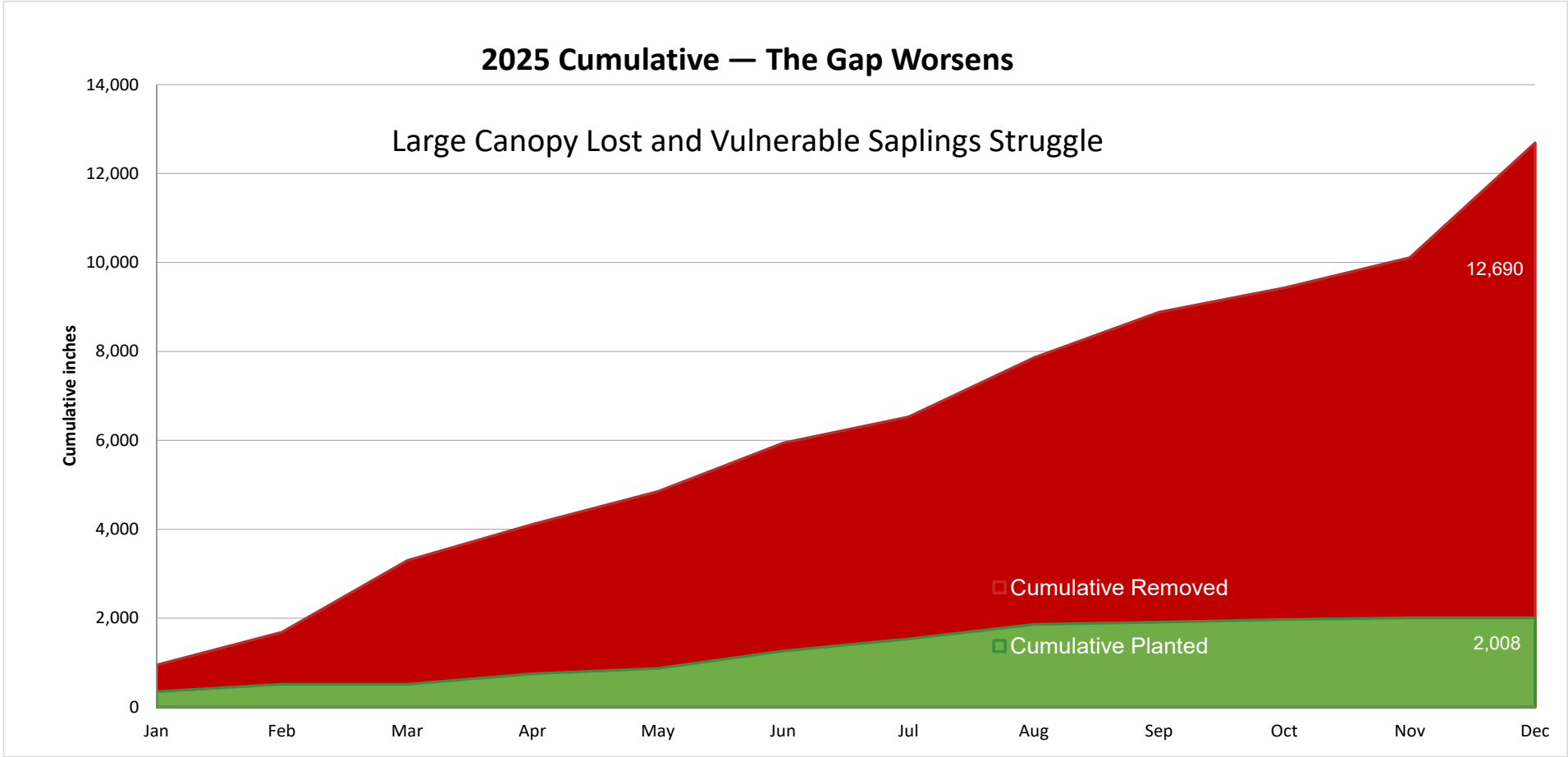
- **156** larger or **mature** trees known to be removed with 0 replacement and 0 fees
average size estimate 30" each (Arborist letters)
- **> 100 mature** trees lost in public spaces last year, many are older & larger
- **> 660** more inches eradicated in the dark (est. 15% of permitted, may be much higher)

Removals overall are dangerously high...

-



Cumulative loss to CoAB just in 2025



Synopsis

1. When permitted, **we replaced less than half of the inches cut**
2. A permit averages 4 **mature** trees cut ... mitigation is mostly tiny and immature.
3. The average mitigation cost is only \$3,100 per permit or \$810 per tree – far below the value of a mature tree.
4. Calculations show an alarming net loss of AB trees
5. Fees or penalties do not incentivize most developers

LESSON: Our losses are not sustainable

1. Between permitted tree loss and non-permitted losses **we are losing a large portion of the trees on affected parcels**
2. Replaced trees will take decades - at 5 to 15 times smaller (3"dbh) – some won't make it. We badly need to protect our larger trees now
3. Our **economics are badly skewed**. Mature trees have a value of \$5,000 - \$30,000 yet our mitigation cost is only ca. \$800 per tree. **Penalties are not sufficient incentive** for builders to save a tree with new homes now averaging in the millions
4. **Trend is worsening fast**. In 3 months (Dec-Feb) 73 Trees cut by permit, 0 trees replanted, and \$133 K paid.

TREE PERMIT DATA SUMMARY 2025

Month	Permit Applications	Total Trees Removed with Permits	Total Inches Removed with Permits	Illicit Eradication est. in.	Total Mitigation Trees Planted	Total Inches Planted	Total Mitigation Payments	Arborist Letters Received	Total Trees Removed by Arborist Letters	Removed by Arborist Letters est. in.	Trees Lost to Acts of Nature	Inches Lost to Acts of Nature	Adopt-A-Trees Planted	Adopt-A-Trees Inches Planted	Other Private Planting est. in.	Public Planting est. in.
Jan-25	7	47	568	42.9	38	285	\$14,315.00	4	4	112	9	220	21	63	42.9	
Feb-25	8	19	286	147.975	6	68	\$6,187.50	3	3	84	9	220	32	96	147.975	
Mar-25	5	57	986.5	44.4	0	0	\$77,875.00	11	13	364	9	220			44.4	
Apr-25	12	23	296	18.75	19	236.5	\$12,300.00	6	10	280	9	220			18.75	
May-25	10	8	125	27.15	11	119	\$1,987.50	11	13	364	9	220			27.15	
Jun-25	4	16	181	17.55	35	395	\$3,150.00	12	24	672	9	220			17.55	
Jul-25	4	8	117	58.05	40	267.5	\$16,982.50	7	7	196	9	220			58.05	
Aug-25	7	28	387	75.9	35	328.5	\$47,625.00	7	23	644	9	220			75.9	
Sep-25	2	35	506	20.85	14	49	\$19,500.00	6	10	280	9	220			20.85	
Oct-25	6	11	139	19.5	8	61	\$4,887.00	5	6	168	9	220			19.5	
Nov-25	5	6	130	107.175	4	39.6	\$4,394.68	5	8	224	9	220			107.175	
Dec-25	3	40	714.5	665.4	0	0	\$600.00	15	35	980	9	220			665.4	
YTD	73	298	4436	1245.6	210	1849.1	\$209,804.18	92	156	4368	110	2640	53	159	1245.6	

Tree Fund B: \$325,754

ca. 3" each

ESTIMATES & THEIR RATIONALE

Trees removed

inches

Col K	Arborist Letter	4368	Arborist Letter to claim the tree is dead or dangerous. Some are valid, many are not. In 2025 alone, at least 156 larger mature trees were known to be removed with 0 replacement and 0 fees average size estimate is ca. 28" each (mean between min protected size and max cut that year. Estimated at 4368 inches and not all such letters are filed with the City.
Col L	Acts of nature	4800	Acts of nature (storms, disease, etc.) we know of more than 200 mature trees lost in public parks in 2025, many are older & larger. Losses on private properties may be even greater but are not usually recorded. Conservatively estimating mature trees at 24", that adds to another 4,800 inches lost, at least.
Col E	Illicit Eradicatic	665	Illicit eradication on weekends or after hours, occurs but we have no reliable estimates other than anecdotal evidence. This type of eradication avoids regulations and the cost of permits and remediation. We conservatively estimate that it accounts for about 15% of permitted removals or 665 more inches but it may be much higher.

Trees Planted

inches

Col G	Mitigation	1849
Col O	Free Tree	159
Col Q	Public Trees Planted	

REQUESTED DATA from FUTURE PERMITS

1. Tree size categories matching protected classifications (i.e. 8"-14", 15"-30")
2. Species checklist of main maritimes: (Magnolia, Pine Cedar, Oak, Palms)



Updated Recommendation for Consideration: Free Arborist Days
submitted by Sarah Boren (approved 8/13/26; revisit update 6/24/26)

Motion:

The Environmental Stewardship Committee (ESC) recommends the Commission approve up to \$12,000 to schedule free Arborist Days (2-4 times a year) where citizens can sign up for a free time slot to have their mature and/or potential Heritage trees (prioritizing 20+ inches DBH) assessed and evaluated for health and longevity and be provided care and maintenance plan with the goal of having the tree(s) thrive and live a much longer life.

Details/Background of the Motion:

The purpose is to improve tree management education, identify potential problem trees-areas and help citizens to better care for the mature trees they have. This will likely lead to more Heritage Tree designations and neighbor discussions about trees and induce more care to possibly help preserve more and more of our mature diverse tree canopy.

ESC will work with staff to confirm trusted arborists(s) whose certification credentials, educational and communication skills, and practical work will instill trust from Atlantic Beach residents and ensure high quality evaluation and advice. ESC will also take the lead on creating promotional materials and easy electronic sign-up form for residents as well as promotion of this opportunity throughout the community.

This motion is in direct alignment and response to Commission's 2025-2026 ESC priority to incentivize protection of mature trees.

Reason for Recommendation Revisit: This original recommendation was made on August 13, 2025 before a City Arborist was hired. ESC member, S. Boren, and City Arborist thought it prudent to revisit this recommendation to make sure this program still makes sense, adds value above and beyond what the City Arborist is offering, and meets a true need in the community.

Voting Results

6/24/26 Updated Recommendation

- Motion Passed / Amended / Declined
 - Final Vote
 - Moved
 - Second
 - Yeas
 - Nays
 - Absent

8/13/26 Initial Recommendation

□ Motion Passed / Vote: [9 yays – 0 nays]

- Moved 1st By: Daniele Giovannucci
- 2nd By: Bruce Andrews

Attachments

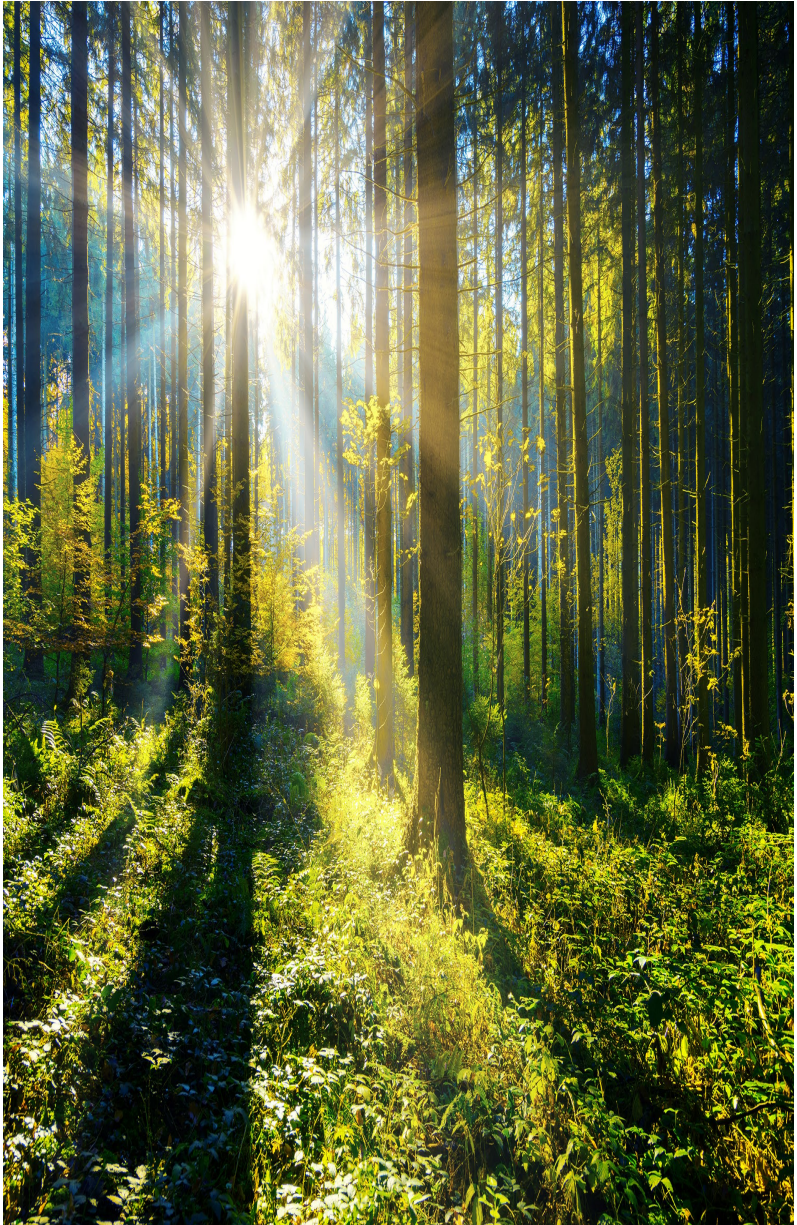
NA

A young girl with her eyes closed, wearing a bright yellow quilted jacket, is hugging a large, textured tree trunk. The background is a lush green forest with sunlight filtering through the leaves, creating a bokeh effect. The text 'ARBORIST LETTERS UPDATE FOR ATLANTIC BEACH' is overlaid in a light green, sans-serif font on the left side of the image.

ARBORIST LETTERS UPDATE FOR ATLANTIC BEACH

Isabella Markaj

6/18/2026



Overview of Process

- Downloaded letters from website.
- Reviewed each individual letter and inputted data in spreadsheet.
- Researched missing data.
- 8 hours (520 minutes) to review or complete 159 letters



159 LETTERS (3YRS)

292 TREES LOST (~100/YR)

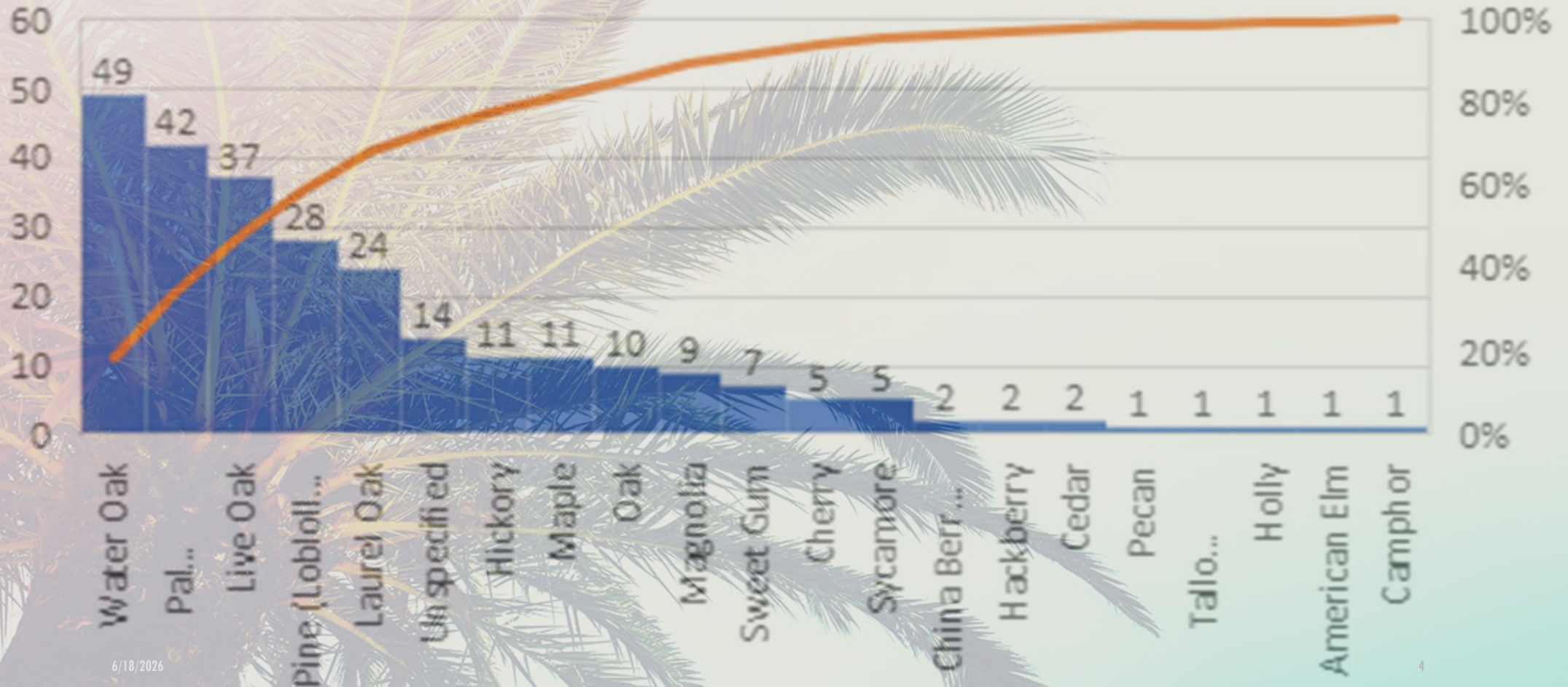
1,926 DOCUMENTED INCHES LOST*

METRICS

* 108 LETTERS HAD NO DATA ON INCHES

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Number of Trees Lost via Arborist Letters by Species Between 9/20 - 10/23

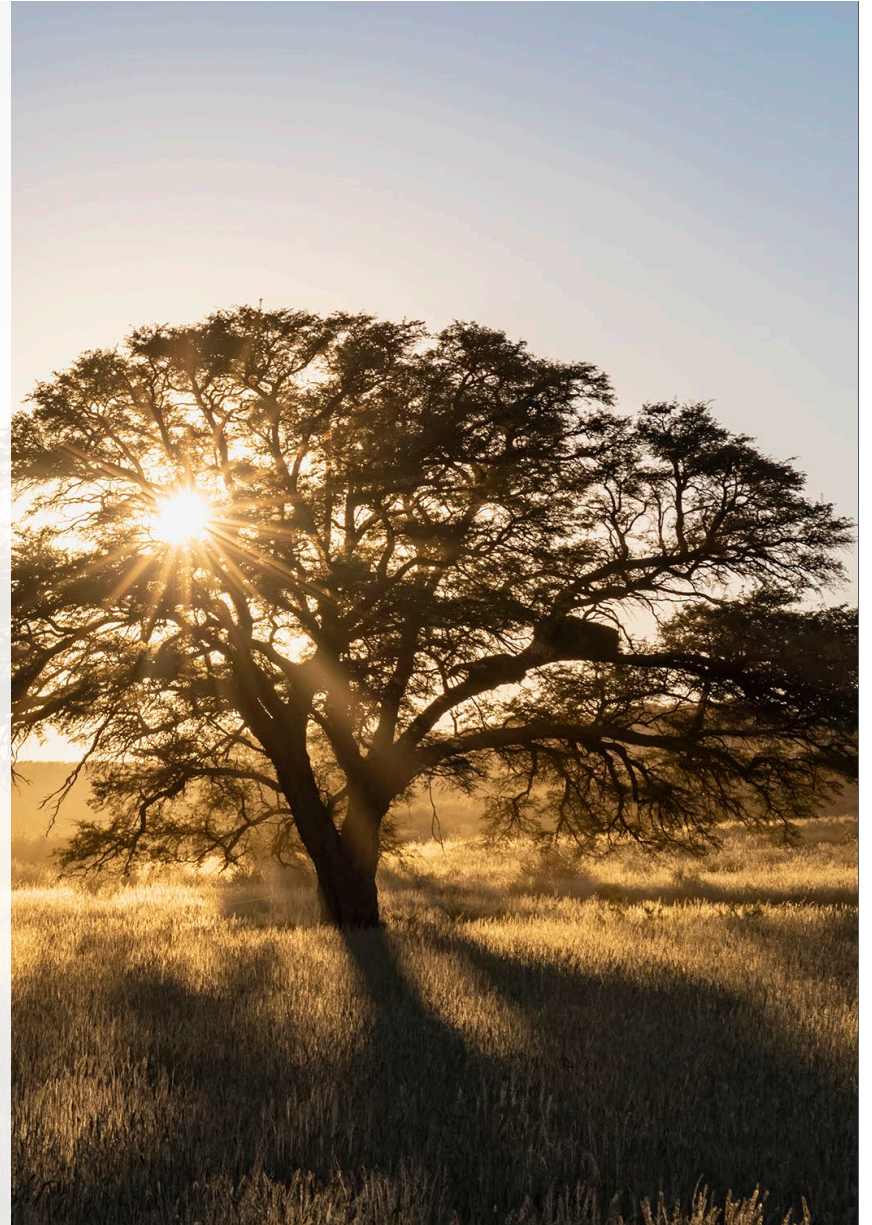


6/18/2026

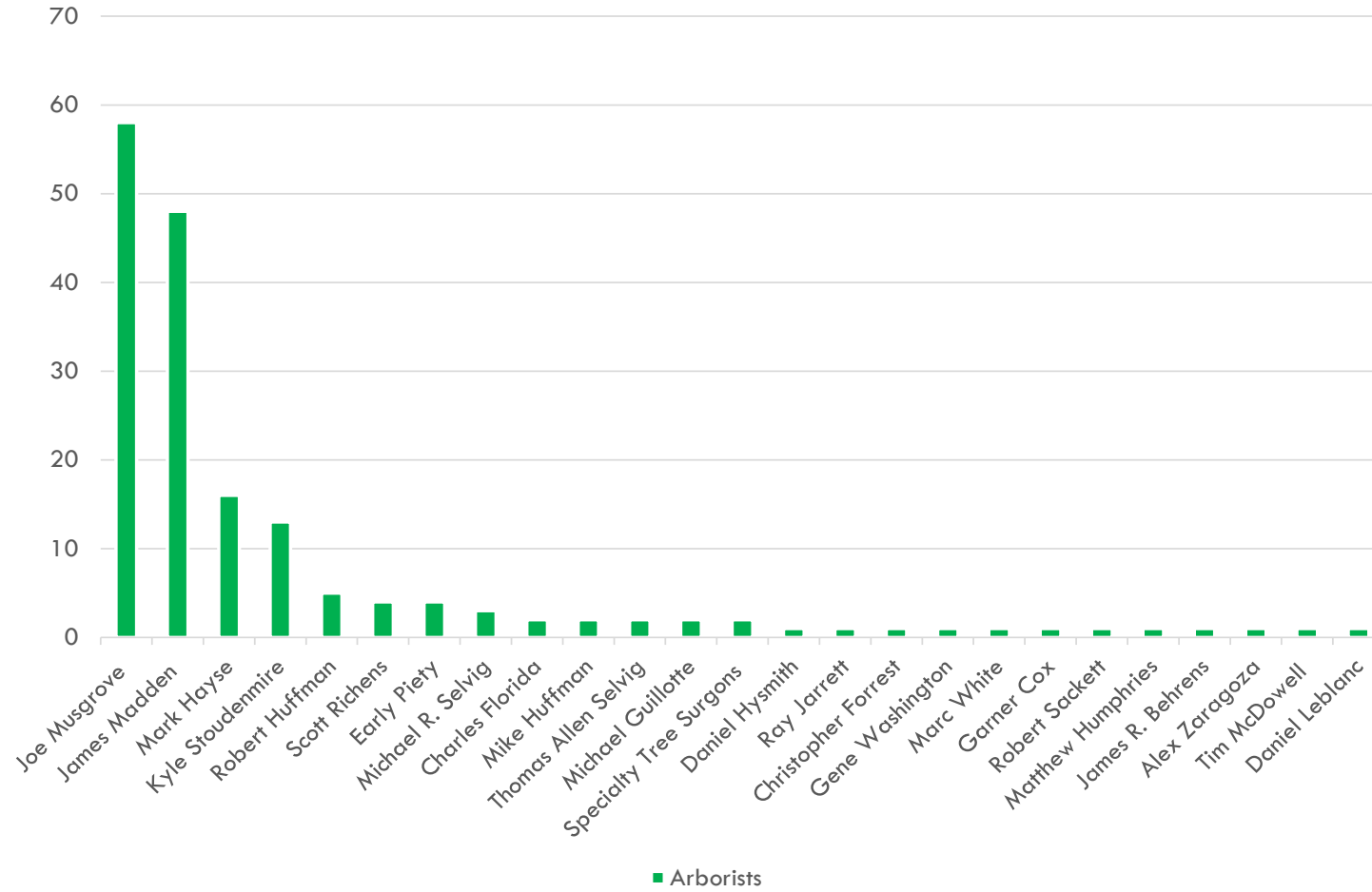
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TOP REASONS NOTED FOR REMOVAL

- ❖ Planted too closely or severe lean over house (hazard to people/property)
- ❖ Hazard to pool.
- ❖ Rot, disease, root damage, hollow, choking, visibly dying or dead.
- ❖ Other animal presence such as woodpeckers and bugs.

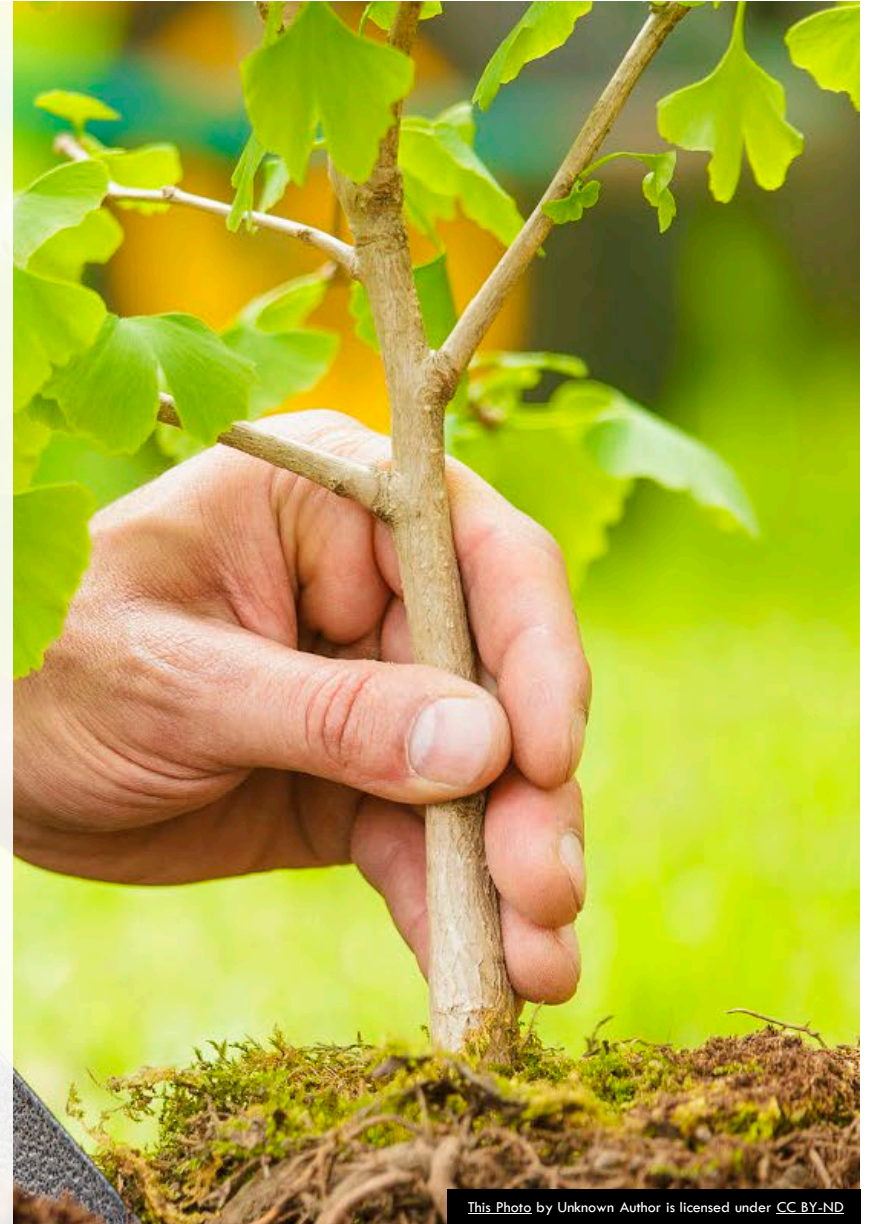


Arborists Used in Descending Order



SUGGESTIONS FOR IMPROVING AND MAKING PROCESS MORE EFFICIENT

- Reconcile letters quarterly and include in quarterly canopy report.
- Require/request the following information in each letter:
 - Number of trees
 - Trees species (Common AND scientific name)
 - Inches at DBH
 - Pictures of tree(s)
 - Approximate age of tree if possible (maturity data)
- Add date of letter to file name
- Set up form on City website for arborists to complete that requires above data plus full contact info, license number, methodology, reason, and ability to upload letter, risk assessment and pictures. Form generates a csv file that makes data collection and analysis much easier and less time consuming.
- Map location of trees lost and see if aligns with redevelopment, permits, etc.



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LESSON LEARNED



THANK YOU!

Begin forwarded message:

From: Sarah Boren <saboren@outlook.com>
Date: June 17, 2026 at 12:45:18 PM EDT
Cc: Amanda Askew <aaskew@coab.us>, "Delk, Christopher" <cdelk@coab.us>, Payton Jamieson <pjamieson@coab.us>
Subject: Past attempt to quantify inches and species lost via arborist letters

Hi ESC on bcc –

Per our discussion around arborist letters, attached is the powerpoint that Bella Markaj put together and shared in Dec 2024 and the spreadsheet where she attempted to catalog what data she could from each letter. The spreadsheet is a bit of a mess but I think you can get a gist.

Until we can get an online system (for both letters and permits) to reduce staff burden and increase efficiency and accuracy, it would be great if AI could help and then a volunteer could verify and fill in the gaps. Same process could be used for permits.

I think Anastasia, Matt, and/or Todd were looking into this? Maybe an agreed upon process and lead could be discussed and decided at the 6/24/26 meeting?

Measuring Tree Loss – **What is missing?**

Regulated Removals & Legal Exceptions – **SOME DATA**

- Permits – Pretty accurate data but delay of closing out a permit is a challenge.
- Hazard Letters – Data VERY spotty and city does not even receive all letters.
- Chainsaw Loss – Have no idea how many trees we are losing to the “weekend chainsaw” and “ignorance” of residents who don’t know they need a permit or letter

Natural Disasters & Environmental Factors – **NO DATA**

- Storm and Hurricane Damage
- Saltwater Intrusion & Storm Surge
- Lightning Strikes
- Pests and Diseases
- Old Age and Natural Decline

Public Property & Municipal Infrastructure Loss – **NO DATA**

- Right-of-Way Clearing
- Park and Public Space Upgrades
- Car Accidents
- Sidewalk and Road Repairs

Unregulated or Illegal Human Actions – **NO DATA**

- Ignorant Resident Removal
- Unpermitted Developer Clearing
- Mechanical Root Damage

All my best,
Sarah

**CITY OF ATLANTIC BEACH
CITY COMMISSION MEETING
STAFF REPORT**

AGENDA ITEM: An ordinance amending Chapter 23 – Protection of trees and the natural environment, to include a new definition of Landmark Live Oak trees and related regulations.

SUBMITTED BY: Amanda L. Askew, AICP, Neighborhoods Department Director

TODAY’S DATE: June 11, 2026

MEETING DATE: June 22, 2026

BACKGROUND: During the May 2 Town Hall meeting, the City Commission expressed a strong interest in strengthening protections for the City's mature live oak tree canopy and directed staff to develop an expedited approach to preserve the community's most significant oak trees.

In response to this direction, staff has prepared proposed amendments to Chapter 23 of the Code of Ordinances. The proposed amendments would establish a new classification known as "Landmark Live Oak Trees" and create enhanced review, relocation, and mitigation requirements intended to discourage their removal while recognizing circumstances where removal may be unavoidable.

The Environmental Stewardship Committee (ESC) has also made a recommendation for the protection of older maritime trees.

Live oak trees are among the most significant natural assets within the City. Mature live oaks provide extensive environmental, economic, and aesthetic benefits that accumulate over many decades and cannot be readily replaced once lost.

According to estimates published by the International Society of Arboriculture, a typical live oak tree with a trunk diameter of:

- 20 inches = approximately 70 to 120 years old
- 25 inches = approximately 85 to 150 years old
- 30 inches = approximately 105 to 180 years old
- 35 inches = approximately 120 to 210 years old

As a result, many of the City's largest live oak trees represent generations of growth and stewardship. These trees provide significant ecological functions, including:

- Stormwater interception and reduction of runoff
- Carbon sequestration and greenhouse gas reduction
- Improved air quality
- Wildlife habitat and biodiversity support
- Urban heat island mitigation and shade production
- Enhanced neighborhood aesthetics and community character
- Increased property values and overall quality of life

Once a mature live oak tree is removed, replacement trees may require many decades before providing comparable canopy coverage and environmental benefits. Consequently, preservation of these trees serves an important public purpose and contributes to the City's long-term environmental resilience.

To address these concerns, staff proposes amendments that would establish a "Landmark Live Oak Tree" designation for live oak trees meeting a minimum diameter-at-breast-height (DBH) threshold to be determined by the City Commission.

The proposed amendments would:

- Define and identify Landmark Live Oak Trees within the City Code;
- Designate Landmark Live Oak Trees as regulated trees citywide;
- Require a tree removal permit for any proposed removal;
- Require review of hazard determinations through an independent third-party arborist retained by the City;
- Authorize the City to require relocation of a Landmark Live Oak Tree when determined feasible, with all relocation costs paid by the applicant;
- Require approval by both the Community Development Board and City Commission before removal may occur;
- Establish enhanced mitigation requirements for approved removals;
- Establish increased mitigation penalties for unauthorized removals; and
- Limit mitigation credit eligibility to approved replacement live oak trees meeting minimum caliper requirements.

The proposed process is intended to strongly discourage removal while still providing a mechanism for consideration of unique site constraints and circumstances where preservation is not feasible.

PROPOSED ORDINANCE STANDARDS

The draft ordinance provides that Landmark Live Oak Trees may only be removed upon demonstration by the applicant that:

1. The proposed development or construction activity cannot reasonably occur elsewhere on the property; or
2. Removal is unavoidable due to site conditions or design constraints beyond the applicant's control.

In addition, prior to approving removal, the City may require relocation of the tree if determined to be feasible by qualified professionals.

BUDGET: Unknown

RECOMMENDATION: Review and vote on Ordinance

ATTACHMENT(S): ESC minutes with the recommendation
Ordinance No. 95-26-128

REVIEWED BY CITY MANAGER:



Todd Miner supported taking advantage of the current political moment, agreeing that focusing on the most important elements made sense given the rare alignment of public and commission support.

Planner Jamieson indicated that staff was looking at 20 inches DBH as the threshold and suggested the committee would be very pleased with staff's proposal, though it hadn't been reviewed by the city manager yet.

Dan Giovannucci presented a comprehensive motion addressing the discussion points. His proposal included designating all maritime trees over 20 inches DBH as protected landmark trees with several requirements: a statement of infeasibility to retain the tree with criteria including alternative building design statements from architects or design engineers; health and risk review from certified arborists; minimum 30-day timeout for examination by city arborist or consulting arborist if there was disagreement; and if no alternatives could be found, presenting the case to commission for approval while still requiring appropriate mitigation unless the tree was dead or clearly dangerous.

Bruce Andrews requested a friendly amendment to clearly state that infeasibility determinations should not be made by arborists, emphasizing the importance of having the right professional assess design alternatives.

MOTION: That the city designate all maritime trees 20 inches DBH or greater as protected landmark trees, unless the tree is dead or a clear danger. This would require proof of infeasibility to retain the tree, with criteria including alternative building design statements from architects or design engineers, ISA risk review from qualified certified arborists, minimum 30-day timeout for examination by city arborist, and if no alternatives are found, presentation to city commission. If approved by commission, appropriate mitigation for actual tree type and size would still apply.

Motion: *Daniele Giovannucci*

Second: *Bruce Andrews*

Motion passed 7 to 0.

B. General Fund Budget Discussion

Chair Palmer reported on her discussion with Director Askew about ESC budget support. She confirmed that staff support for ESC priorities did include budgetary support, with staff putting together their budget keeping ESC priorities in mind.

For their major priorities, Chapter 23 work and most tree fund items were covered under existing budgets. Florida Friendly initiatives were seen as more of a cultural shift than requiring extra dollars initially. The parks plan and stormwater management were staff-led initiatives. The Marsh pilot project had Steve Swan putting together funding with grants and contingencies.

Environmental Stewardship Committee (ESC)
May 13, 2026

ORDINANCE NO. 95-26-128

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, DUVAL COUNTY, FLORIDA, AMENDING CHAPTER 23, PROTECTION OF TREES AND NATIVE VEGETATION, OF THE CODE OF ORDINANCES; AMENDING ARTICLE II, LANGUAGE AND DEFINITIONS, SECTION 23-8, DEFINITIONS, TO ADD A DEFINITION FOR LANDMARK LIVE OAK TREE; AMENDING ARTICLE IV, DIVISION 5, AREAS OF SPECIAL CONCERN, TO CREATE SECTION 23-42, LANDMARK LIVE OAK TREES, ESTABLISHING REGULATIONS, PRESERVATION STANDARDS, REMOVAL CRITERIA, RELOCATION REQUIREMENTS, AND MITIGATION REQUIREMENTS FOR LANDMARK LIVE OAK TREES; PROVIDING FOR FINDINGS OF FACT, CODIFICATION, APPLICABILITY, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission conducted a Town Hall meeting on May 2, 2026, during which the preservation of the City's mature live oak tree canopy was identified as a community priority; and

WHEREAS, the City Commission directed City staff to develop an expedited approach to strengthen protections for the City's most significant and mature live oak trees; and

WHEREAS, mature live oak trees are among the City's most valuable natural resources and contribute substantially to the environmental, aesthetic, historic, and cultural character of the community; and

WHEREAS, mature live oak trees provide significant public benefits, including stormwater interception, carbon sequestration, air quality improvement, urban heat island mitigation, wildlife habitat, and energy conservation; and

WHEREAS, mature live oak trees enhance neighborhood character, increase property values, improve quality of life for residents, and contribute to the City's long-term environmental resilience; and

WHEREAS, according to information published by the International Society of Arboriculture, live oak trees of substantial trunk diameter may be many decades to more than two centuries old, representing natural assets that cannot be readily replaced within a human lifetime; and

WHEREAS, the loss of mature live oak canopy requires many decades to restore and may result in the permanent loss of environmental and community benefits; and

WHEREAS, the City Commission finds that certain exceptionally large and mature live oak trees warrant special recognition and enhanced protection due to their age, size, ecological value, and contribution to the City's urban forest; and

WHEREAS, the City Commission desires to establish a classification for such trees as "Landmark Live Oak Trees" and to designate those trees as regulated trees throughout the City; and

WHEREAS, the City Commission finds that the removal of Landmark Live Oak Trees should be strongly discouraged and permitted only when demonstrated to be unavoidable or necessary under standards established by this ordinance; and

Ordinance No. 5-26-75

WHEREAS, the City Commission further finds that relocation of Landmark Live Oak Trees, when determined to be feasible by qualified professionals, should be considered prior to approving removal in order to preserve these significant community resources; and

WHEREAS, enhanced mitigation requirements are necessary to account for the extraordinary value of Landmark Live Oak Trees and to discourage unauthorized removal; and

WHEREAS, the City Commission finds that requiring review by the Community Development Board and final approval by the City Commission for the removal of Landmark Live Oak Trees promotes transparency, accountability, and protection of the public interest.

NOW, THEREFORE, BE ENACTED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:

SECTION 1. Code of Ordinances Amended to add a new definition to Section 23-8 and a new section 23-42. Amend Section 23-8 to add a new definition of a landmark oak tree and New Section 23-42 – Landmark Oak trees is hereby added to the Code of Ordinances to the City of Atlantic Beach, Florida as follows:

Section 23-8 definitions

Landmark live oak trees are live oaks at least (amount to be determined) inches of diameter at breast height (DBH) or greater.

Section 23-42

Landmark Oak Trees

Landmark live oak trees, as defined in Section 23-8, are considered regulated trees in all areas of the city, and their removal is strongly discouraged. Notwithstanding any state regulations to the contrary, a tree removal permit is required to remove any landmark live oak. If an applicant proposes removal based on a certified arborist's report deeming the tree a hazard to persons or property, the City will retain an independent, third-party arborist to evaluate the tree. Prior to approving any removal, the City reserves the right to require the relocation of the tree(s) at the applicant's sole expense. Final approval for removal must be granted by both the Community Development Board and the City Commission. If mitigation is authorized by the City Commission, the mitigation rate shall be (determined by the City Commission). If a landmark live oak is removed without a permit, the mitigation rate for that tree shall be (to be determined by the City Commission). Planting mitigation credits are only available for planting replacement live oaks with a minimum 4-inch caliper, subject to prior City staff approval of a landscape plan. Landmark live oaks.

Removal may be approved by the City Commission upon demonstration by the applicant that the development or construction activity cannot occur in any other location on the site, or that removal is unavoidable due to site conditions and/or design considerations beyond the control of the applicant.

SECTION 2. Incorporation, Codification, Scrivener's Errors, Conflict and Severability.

(a) It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Atlantic Beach, Florida, and that the sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or other appropriate word.

(b) The publisher of the City of Atlantic Beach's Code of Ordinances, the Municipal Code Corporation (www.municode.com) is hereby directed to incorporate the revised and amended Code provisions provided herein into the City's Code of Ordinances. Sections of Chapter 5 may be renumbered or re-lettered and scrivener's errors, formatting and typographical errors and other minor, inadvertent graphical errors in Chapter 5 which do not affect the intent may be authorized by the City Manager and City Attorney without the need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

(c) All Ordinances, Resolutions, Code of Ordinances or parts of thereof in conflict herewith are hereby repealed to the extent of such conflict.

(d) If any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid by a court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

SECTION 3. Effective Date. This ordinance shall take effect upon final reading and approval.

PASSED by the City Commission on first reading this ____ day of _____, 2026.

PASSED by the City Commission on second and final reading this ____ day of _____, 2026.

CITY OF ATLANTIC BEACH

Curtis Ford, Mayor

Attest:

Donna L. Bartle, City Clerk

Approved as to form and correctness:

Jason Gabriel, City Attorney