



**AGENDA**  
**CITY OF LAKE WORTH BEACH**  
**TREE AND LANDSCAPE BOARD MEETING**  
**CITY HALL CONFERENCE ROOM**  
**THURSDAY, NOVEMBER 13, 2025 -- 6:00 PM**

**ROLL CALL AND RECORDING OF ABSENCES:**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA:**

**APPROVAL OF MINUTES:**

- A. [April 10, 2025 Meeting Minutes](#)

**PUBLIC PARTICIPATION ON NON-AGENDA ITEMS:**

**REPORTS: ADVISOR, CHAIR, COMMITTEE(S), AND BOARD MEMBERS:**

**NEW BUSINESS:**

- A. Street Trees- Public Works  
B. [Ordinance 2025-17 - Tree Abuse](#)

**OLD BUSINESS:**

**PUBLIC COMMENTS: (3-minute limit)**

**ADJOURNMENT**

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

**NOTE:** ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (*Sec. 2-12 Lake Worth Code of Ordinances*)

**Note:** One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.



**MINUTES**  
**CITY OF LAKE WORTH BEACH**  
**TREE AND LANDSCAPE BOARD REGULAR MEETING**  
**CITY HALL CONFERENCE ROOM**  
**THURSDAY, APRIL 10, 2025 -- 6:05 PM**

**ROLL CALL AND RECORDING OF ABSENCES** Present: Ginny Powell, Diane Brown; Priscilla Hollowell. **Absent:** Donna Kerner  
Also present: Scott Rodriguez, Asst. Dir. for Planning & Preservation; Annie Greening, Principal Planner; Mina Tawadros, Asst. Dir. for Public Works.

**PLEDGE OF ALLEGIANCE**

**ADDITIONS/DELETIONS/REORDERING AND APPROVAL OF AGENDA** Arbor Day proclamation

**PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (3-MINUTE LIMIT)**

- Ann Von Lossberg comments on protection of trees, such as the banyan at 523 South M Street, any Champion Trees and specimen trees originating from Asia as well as markers for those trees.
- Greg Richter – 1202 South Palmway - Thanks everyone for the recently planted Bryant Park trees. Mentions a tree near 17th Street east of Lakeside that has been pruned to have a beautiful canopy. Continued discussion about the City Right-of-Ways, how they should remain and maintained as abandoned R-O-W's with public access. **Staff Response-** Any Right-of-Way discussions are City Commission decisions and not within the purview or scope of work of this advisory board. This is something that individuals could bring to the attention of the City Commission.
- Giovanna Dominguez Timor – 301 8th Ave N – Suggests the Home Tour include specimen/champion trees and be renamed to the Home Garden Tour. No trees have been protected. Board member response: the trees may be on private property.

**REPORTS: ADVISOR, CHAIR, COMMITTEE(S), AND BOARD MEMBER UPDATES**

- A. Advisor Reports and Updates:  
a. Lake/Lucerne Trees

**Mina Tawadros, Asst. Director for Public Works:** Provides status update for downtown trees (Lake and Lucerne report). Previous discussions included recommendations from consultant arborists (Chen Moore & Associates') about what types of trees would perform well within the constricted growing spaces downtown. This report encompassed a closer look at where the problems occurred with existing trees as far as location and what can be replaced.

Recommendations included several species that do not have a large root system and won't affect the sidewalks and streets. Public Works reviewed the consultant

recommendations/options and recommends the Japanese Blueberry as the best option. A root barrier would be needed and should be included in the cost. Previously there were 5 oaks, the rest were palms. Those palms were removed due to disease and accidents. After considering proximity to buildings, other shade trees, proximity to road signs, and canopy trimming for clearance if located on the sidewalk, the solution would be five (5) Japanese blueberries instead of the five missing oaks and put back six (6) palms. Some areas cannot have any trees due to space limitations, signs or existing commercial canopies.

As discussed in a previous meeting with the Director of Public Works, since all the funds for Bryant Park were not utilized, some of those monies could probably be used towards this planting. Staff previously mentioned the Board's role in recommendations for the use of the Tree Canopy Restoration fund which would include projects like this.

Board members thought FDOT paid for the trees. **Staff response:** No, FDOT removed them and stated if the City wanted trees back in place, the funding would be provided by the City. **Board:** FDOT can remove and do as they want? **Staff response:** Yes, it is their right-of-way. **Board:** So, they dig the hole? **Staff response:** No, they (FDOT) will not dig the hole; The City would have to install and maintain the trees. **Board:** Many of the oaks still exist. The hope was for 17 trees, now there are eleven. This is to replace only those removed due to disease, not planted correctly or involved in an accident. Is this being contracted out? **Staff response:** yes. Discussion ensued regarding the use of excess Bryant Park tree purchases monies. This should be a separate project with separate funds. **Staff:** Previously the account discussed was the Tree Canopy Restoration Fund, with approximately \$42,000.00.

**Staff- M. Tawadros-** Public Works would get quotes from vendors and will go with the lowest price. **Staff noted** that once quotes are received, a request for a specific amount of funding from the Tree Canopy Restoration Fund could be put onto the agenda for a vote.

**Public Question: Giovanna Timor** Will staff be planting the trees? **Response:** Yes. The oaks that were planted, were they planted by staff? **Response:** No. Some locations, not girdled by string lights, have grown well.

- b. McGrew memorial update – Staff and Donna Kerner have begun research on a bronze plaque (@ \$300 -\$400) in remembrance of David McGrew.
- c. Arbor Day Proclamation- scheduled for April 15, 2025 at the City Commission meeting. The Arbor Day observance does not mean to be on the exact day, but it is required to maintain a Tree City USA status.

**Public Comment:** Monica Bilotti -915 N. Palmway- Reviewed the list of trees for the Bryant Park tree planting and was disappointed and upset to discover a tree not on the list was installed without the knowledge of the public. Purchased with city funds, not gifted. Enquires as to who proposed and approved the list and the switch. Too much monoculture.

Staff and Board both concur that there were meetings and proposals prior to the selection. Consulted with Smarty Plants for the best trees with regard to salt and wind tolerance.

### **OLD BUSINESS:**

- A. Bryant Park shade tree plantings:
  - a. Updates about planting from March 17<sup>th</sup>

Nest- most recent tree planting – March 17 four (4) trees south of lift station; 4 more south of that for a total of 27 trees have been planted along the wellness walk from exercise area to water treatment plant (green buttonwood 25 gallon and 65 gallon.) Scott Ropp and others made new rain barrels. In the fall, planting will begin again south of the bridge to increase shade canopy across the city.

B. Sustainable Yard Series:

- a. Updates: Plant giveaway purchases, final preparations

May 7 is the next scheduled presentation in the series. Several tree board members and general public have already signed up. Hoping for 20-25 attendees. Will provide several native plants for giveaways.

C. Let's Plant Trees Brochure:

- a. Review of revised brochure content

**Board** had some suggestions for the brochure with regard to the photos. **Staff** suggests a table format rather than a list for the tree types to include growth rate. Board members agree the table is better than a list. Hat-racking, permits, pruning were all topics suggested to be in the brochure and that code violations should be reported to city staff.

**NEW BUSINESS:**

- A. Discussion of tree designations and potential public outreach/education

**Staff:** Adding tree designations and promote education. Currently there is information for tree protection needed during construction. In terms of process for designation and criteria in code, it is rather weak at this time. The nomination would come to the Board, owner notified then the Board recommendation would proceed to the City Commission. The criteria for what makes a specimen tree or champion tree is vague.

**ADJOURNMENT**

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**ORDINANCE 2025-XX - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS”, ARTICLE 6 “ENVIRONMENTAL REGULATIONS,” SECTION 23.6-1 – LANDSCAPE REGULATIONS, PARAGRAPH (m)(7)(c)7, AND SUBSECTIONS (p), AND (q), RELATED TO FEE-IN-LIEU OF REPLACEMENT OF TREES, PENALTIES FOR TREE ABUSE AND REMOVAL WITHOUT A PERMIT, AND APPEALS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE**

**WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the “City”), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

**WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

**WHEREAS**, the City wishes to amend Chapter 23, Article 6 “Environmental Regulations,” Section 23.6-1 – “Landscape regulations,” paragraph (m)(7)(c)7 to reduce the fee-in-lieu requirements for tree replacement; and

**WHEREAS**, the City wishes to amend Chapter 23, Article 6 “Environmental Regulations,” Section 23.6-1 – “Landscape regulations,” subsection (p) to amend the penalties for tree abuse and removal without a permit; and

**WHEREAS**, the City wishes to amend Chapter 23, Article 6 “Environmental Regulations,” Section 23.6-1 – “Landscape regulations,” subsection (q) to amend the procedures to appeal a violation and penalty for tree abuse and removal without a permit; and

**WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

**WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

**WHEREAS**, the City Commission has considered the proposed amendments at a duly advertised public hearing and has determined that it is in the best interest of the public health, safety, and general welfare of the City to adopt this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:**

**Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this ordinance as if set forth herein.

52 **Section 2:** Chapter 23 “Land Development Regulations, Article 6 “Environmental  
 53 Regulations,” Section 23.6-1 “Landscape Regulations,” paragraph (m)(7)(c)7 is hereby amended  
 54 by adding the words shown in underline type and deleting the words struck through as follows:  
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56 7. Where the property cannot accommodate tree replacement on a DBH/caliper inch-per-  
 57 inch basis, an in-lieu of fee shall be deposited into the Tree Canopy Restoration Fund for those  
 58 trees with a condition rating of fifty (50) percent or greater. The in-lieu fee is calculated per DBH  
 59 inch for each tree that cannot be mitigated by replacement. The in-lieu fee shall be calculated on  
 60 an escalating scale:  
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<i>Residential—Tree DBH</i>	<i>Mitigation fee per inch</i>
3" - < 6"	<del>\$60.00</del> <u>51.00</u>
6" - < 9"	<del>\$80.00</del> <u>68.00</u>
9" - < 12"	<del>\$100.00</del> <u>85.00</u>
12" - < 18"	<del>\$200.00</del> <u>170.00</u>
18" or greater	<del>\$400.00</del> <u>340.00</u>
<i>Non-Residential—Tree DBH</i>	<i>Mitigation fee per inch</i>
3" - < 6"	<del>\$120.00</del> <u>102.00</u>
6" - < 9"	<del>\$160.00</del> <u>136.00</u>
9" - < 12"	<del>\$200.00</del> <u>170.00</u>
12" - < 18"	<del>\$400.00</del> <u>340.00</u>
18" or greater	<del>\$800.00</del> <u>680.00</u>

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 64 **Section 3:** Chapter 23 “Land Development Regulations, Article 6 “Environmental  
 65 Regulations,” Section 23.6-1 “Landscape Regulations,” subsection (p) is hereby amended by  
 66 adding the words shown in underline type and deleting the words struck through as follows:  
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68 (p) *Penalties for tree abuse and removal without a permit.*

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 70 (1) Any person who violates this section shall pay to the city ~~within days~~ the base rate penalty,  
 71 adopted by resolution of the city commission. Violations may be determined by the  
 72 development review official or the city’s code compliance magistrate. ~~Penalties are levied~~  
 73 ~~in addition to replacement, inch for inch, with trees on site to meet the minimum~~  
 74 ~~requirements if the city horticulturist deems the tree unsalvageable. Penalties shall be paid~~  
 75 ~~into the Tree Canopy Restoration Fund. If the replacement tree cannot be located on site,~~

76 the full cost of replacing the tree (specified in subsection p m(7)(c)) shall also be paid into  
 77 the Tree Canopy Restoration Fund.  
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<i>Residential—Tree DBH</i>	<i>Fine or fee per inch</i>
3" -< 6"	\$60.00
6" -< 9"	\$80.00
9" -< 12"	\$100.00
12" -< 18"	\$200.00
18" or greater	\$400.00
<i>Non-Residential—Tree DBH</i>	<i>Fine or fee per inch</i>
3" -< 6"	\$120.00
6" -< 9"	\$160.00
9" -< 12"	\$200.00
12" -< 18"	\$400.00
18" or greater	\$800.00

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- (2) ~~If a historic, specimen or champion tree is removed the fine shall be two thousand dollars (\$2,000.00) per DBH inch. Payment of penalties shall be made to the city within ten (10) days after receipt of written notice by the city of the violation or as provided by order of the city's code compliance magistrate. Notice shall be provided in accordance with Section 2-70 of the city's code of ordinances.~~
- (3) ~~If the city horticulturist development review official deems the tree salvageable, the city horticulturist development review official shall recommend an arborist be contracted for three (3) to five (5) years by the property owner for corrective pruning for violations under subsection m). A signed contract with an arborist for corrective pruning and restoration over a period of three (3) to five (5) years must be submitted for approval to the city horticulturist development review official within thirty (30) days of written notice from the city of the development review official's determination that the tree is salvageable or a fifty dollars (\$50.00) per day fine will be imposed.~~
- (4) ~~If the development review official deems the tree unsalvageable, penalties are levied in addition to replacement, inch for inch, with trees on site to meet the minimum requirements. If the replacement tree cannot be located on site, the full cost of replacing the tree (specified in subsection m(7)(c)7) shall be paid into the Tree Canopy Restoration Fund, along with the penalties.~~
- (45) ~~To enforce compliance with this chapter, Lake Worth Beach city officials may issue a cease and desist order or require that a building permit or certificate of occupancy be withheld.~~

**Section 4:** Chapter 23 "Land Development Regulations, Article 6 "Environmental Regulations," Section 23.6-1 "Landscape Regulations," subsection (q) is hereby amended by adding the words shown in underline type and deleting the words struck through as follows:

(q) Appeals.

- (1) ~~Anyone aggrieved by a decision of the development review official regarding the landscape regulations may appeal that decision in accordance with section 23-2.17. apply to the planning and zoning board or historic resources preservation board, as applicable, when the application of the regulations will cause undue hardship on an owner or when it is claimed that the true intent and meaning of a landscape regulation may have been misconstrued or wrongly interpreted. The appeal shall be made on a form provided by the department for community sustainability and the aggrieved party shall pay a filing fee as established from time to time by the city commission.~~
- (2) Appeals of the landscape regulations, other than the penalty in subsection (p), may address undue hardship on an owner that is or will be caused by the strict application of the regulations or claims that the true intent and meaning of a landscape regulation may have been misconstrued or wrongly interpreted.

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(3) Appeals of the penalty under subsection (p) shall be limited in scope to the applicable amount of the penalty based on the size of the abused or removed tree. The adopted penalty amounts shall not be reduced.

**Section 5: Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 6: Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7: Codification.** The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

**Section 8: Effective Date.** This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Mimi May
- Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on first reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

The passage of this ordinance on second reading was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Mimi May
- Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

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ATTEST:

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Melissa Ann Coyne, MMC, City Clerk