



Business Impact Estimate

This form should be included in the "set for public hearing" agenda item for ordinances, and must be posted on the County's website by the time notice of the proposed ordinance is published.

Ordinance title/reference: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO TREE REMOVAL LICENSES AND THE TREE PRESERVATION TRUST FUND ("TREE TRUST"); AMENDING SECTION 27-408 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") PROVIDING FOR TREE REMOVAL LICENSE WAIVERS FOR AFFORDABLE HOUSING PROJECTS; AMENDING SECTION 27-413 OF THE CODE AUTHORIZING THE EXPENDITURE OF MONIES IN TREE TRUST FOR SPECIFIED PURPOSES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box and leave the remainder of the form blank.

- ☐ The ordinance is required for compliance with federal or state law or regulation;
- ☐ The ordinance relates to the issuance or refinancing of debt;
- ☐ The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the County;
- ☐ The ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - b. Sections 190.005 and 190.046, regarding community development districts;
 - c. Section 553.73, relating to the Florida Building Code; or
 - d. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Chapter 27, Article XIV, of the Broward County Code of Ordinances ("Code") provides for the establishment and administration of Broward County's Tree Preservation Program and the Tree Preservation Trust Fund ("Tree Trust Fund"). Section 27-408 of the Code provides for tree removal license requirements, including exemptions, and Section 27-413 of the Code stipulates requirements for Tree Trust Fund expenditures. Currently, there are no exceptions to tree removal license requirements for the construction of affordable housing, and Tree Trust Fund expenditures are limited to the planting of trees on public lands in Broward County or at a childcare facility meeting the criteria of Section 27.187 of the Broward County Administrative Code. The proposed ordinance expands the types of projects exempt from tree removal licensing and those eligible to receive Tree Trust Fund monies. Specifically, the proposed Ordinance provides for the following:

- Exempts affordable housing projects from certain tree preservation licensing requirements;
- Authorizes the expenditure of Tree Trust Fund monies to pay for mitigation of specified trees removed from certain affordable housing projects located outside of the municipal boundaries of a municipality that has valid municipal certification/recertification program;
- Authorizes the expenditure of Tree Trust Fund monies to pay for mitigation of trees removed from projects within the Broward Municipal Services District receiving grant funding from the Office of Economic and Small Business Development;
- Authorizes the expenditure of Tree Trust Fund monies for tree planting projects, which may include a sculptural or artistic element, supported by the Resilient Environment Department on private and public lands as approved by the Tree Preservation Trust Fund Committee; and
- Authorizes the expenditure of Tree Trust Fund monies to pay for maintenance expenses, including maintenance equipment and vehicles, used to encourage the growth of the tree canopy for existing trees located on sites operated by Broward County Parks and Recreation Division planted pursuant to a distribution made by Tree Trust Fund.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in Broward County:

The ordinance will make tree mitigation funding available to private entities such as (1) small businesses located within the Broward Municipal Services District that are receiving grants through the Office of Economic and Small Business Development, and (2) entities creating tree-planting projects that include a sculptural or artistic element on either public or private lands. Further, the proposed ordinance authorizes the Resilient Environment Department to utilize Tree Preservation Trust monies to mitigate tree canopy loss associated with affordable housing projects that otherwise would have been the responsibility of the affordable housing developer.

Further, affordable housing projects will no longer be subject to Tree Preservation licensing saving them money in licensing costs; tree license costs are widely variable, are dependent upon the number of trees proposed for removal or relocation and can range from \$100 to potentially over \$10,000.

3. Estimate of direct compliance costs that businesses may reasonably incur:
There are no changes to the direct compliance costs that businesses may incur because of the proposed ordinance.

4. Any new charge or fee imposed by the proposed ordinance:
None. Affordable housing projects will now be exempt from the licensing fee.

5. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:
It is estimated that the revenue to the county will decrease by \$2,000 per year due to the exemption of the licensing fee for affordable housing projects.

6. Estimate of the number of businesses likely to be impacted by the proposed ordinance:
It is estimated that five businesses would likely be impacted.

7. Additional information (if any):