

**CITY OF BILOXI  
TREE COMMITTEE MEETING**

Location: Gulf Coast Community Design Studio (769 Howard Avenue, Biloxi)  
Time: 4:00 p.m.

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**MINUTES**

**March 11, 2019**

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Members in attendance: Tracy Wyman (2), Matt Dubaz (3), Geneva Dummer (4),  
Carroll Campbell (5); Bernie Marinovich (6), Brian Lamar (7)

City Council Representation: None  
Public Representation: Mary Boles, Sherry Munter

- I. **Call to Order.** 4:00 p.m.
  
- II. **February 2019 Minutes.** The February 2019 meeting minutes were not available for approval, but will be reviewed and approved by the Committed via email.
  
- III. **Public Comment.** Two at-large citizens were present.
  - A. Mary Boles spoke of the recent Benachi tree trimmings by the City for the drainage work, which have severely disfigured the oak trees on this historic tree-lined street, leaving residents heart broken and angry—and demanding the City stop the work.
  
  - B. Sherri Munter expressed concern over work on Atkinson Road, the Bertucci Property. Discussion included Matt Dubaz advising there will be a preliminary plat hearing before the Planning Commission on March 21, and suggested Sherri attend.
  
- IV. **Ongoing Business**
  - A. Action Tracking
    - Current Action Items.  
Bertucci: Matt Dubaz advised this would be up for hearing on March 21.
    - Added to Action Tracking. None added this period.
    - Closed Cases. None closed this period.
    - Long-Term Tracking. No change.
  
  - B. PR / Communications update
    - Opportunities for public relations / communications include speaking before the Lyons Club, PSA's. Carrol will set up a meeting.
  
- V. **Current Business (30 minutes)**
  - A. Benachi Street Trees Update. Discussion revealed the Tree Committee's recent investigation into this matter. This is truly an unfortunate incident in that neighbors were not notified in advance, and that trees were left with limbs only partly removed, obviously not according to ANSI standards which is required by the LDO. Site investigation by tree committee members did show that many of these trees were apparently unhealthy, and in need of trimming according to ANSI standards in order for trees to remain healthy in an urban environment. The trees were identified (again, by tree committee members—not a licensed arborist) either as Laurel Oaks (*Quercus hemisphaerica*) which has a lifespan of less than 50 years, **OR** Sand Live Oak (*Quercus geminata*) with a lifespan >50 years, but generally not as long-lived as the Live Oak (*Quercus virginiana*).

- B. Special Meeting: In a special meeting, the Director asked that the City review all future Tree Committee reports prior to reporting to Council. The Committee is now plans to provide these reports quarterly, and agrees to present to the City 2 weeks prior to presenting to Council. This will give the City time to address any outstanding issues.
- C. Mitigation / LDO meeting with City Arborist update: A Summary of this meeting was provided by the City Arborist, and is attached. It should be noted that the Director reiterated that it will be the primarily the City Arborists role to complete any revisions to the LDO, while the Tree Committee will remain involved in the process. The Tree Committee will prepare their response to the City Arborist's Summary in a future meeting.
- D. Establishing criteria for a Tree Committee Facebook Page.  
Brian Lamar will draft guidelines for establishing criteria for Tree Committee Facebook Page.
- E. City / Tree Committee approved practices. Tree Committee approved practices were reiterated. When a member of the Committee notices a potential issue that not be in compliance with the LDO, the member should report the issue via email or phone call to the City Arborist, and to Code Enforcement at 435-0841.

VI. Meeting Adjourned: 5:00 p.m.

## **Tree Ordinance and Mitigation Meeting Notes**

### **Species to Protect**

- Live Oak, Bald Cypress, Southern Magnolia, and Sweetbay Magnolia that are at least 8" diameter at DBH (diameter at breast height - 4.5' above the ground).
- All species at 16" DBH
- All tree planted as Mitigation for a Tree Permit.

### **Exclusions from Protection**

- All Pines, Pecans, and Chinese Tallows (Popcorn).

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### **Permit Criteria for Issuance**

#### **A. Criteria for City Arborist Issuance of Tree Removal Permit without Tree Committee Assessment (Tree Committee will receive copies of all issued permits)**

- 1) The tree is damaged, hollow, rotten, injured, diseased; or infested.
- 2) The tree is at risk of failure or is causing damage to a structure.
- 3) The tree is located in an area where a structure or improvement shall be placed according to a tree site plan, and it unreasonably restricts all reasonable use of the property.
- 4) Removal of trees by public utilities as necessary to maintain safe operations of their utility systems.
- 5) The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections.
- 6) Silvicultural activities undertaken in accordance with best management practices for forestry in Mississippi established by the Mississippi Forestry Commission.
- 7) Agricultural activities undertaken in accordance with agricultural best management practices for Mississippi established by the Mississippi Department of Environmental Quality and Mississippi State Extension Service.

B. Criteria for Tree Committee Assessment prior to issuance of Tree Removal Permit

- 1) The tree is healthy and does not meet any of the criteria for City Arborist Issuance.

C. Criteria for Tree Committee Assessment and Planning Commission Tree Hearing prior to issuance of Tree Removal Permit.

- 1) Request to remove 5 or more healthy protected trees on a New Single Family Residential Subdivision Plat or a Multi-Family, Commercial, or Industrial Zoned Property.

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**Mitigation**

Shall be required for all healthy trees removed from Multi-Family Residential, Commercial, or Industrial Zoned Property.

A. Mitigation Size

- 2-3” Caliper and a minimum height at planting of 6 feet tall.

B. Mitigation Species - for Multi-Family, Commercial, and Industrial projects the developer will diversify species to alleviate the risk of diseases or infestations that can affect a monoculture planting.

C. Mitigation Schedule – for each healthy tree permitted to be removed mitigation will be required at the following schedule:

DBH	# of Mitigation Trees
8-12”	2
13-17”	3
18-22”	4
23-27”	5
28”- above	6

If the developer does not have the space to plant the mitigation trees onsite, they may elect to donate to the Mitigation Bank in lieu of planting mitigation trees. The donation amount will be based on the number of mitigation trees required by the cost of the purchase, planting and maintenance (Purchase Price X 2 = Cost of Mitigation Purchase, Planting and Maintenance).

#### D. Mitigation Bank

- 1) Establish a Mitigation Bank account to receive funds from Developer in lieu of off-site mitigation.
- 2) All planting projects will have City Council approval prior to disbursing any funds from the Mitigation Bank account and will be in accordance with the Biloxi Comprehensive Beautification Plan.
- 3) All planting sites will be documented in the Biloxi Comprehensive Beautification Plan.