



# City of Lake Helen Tree Removal Permit Guidelines

## Tree Removal Guidelines & Application

Please complete attached application and provide the following:

- Site Plan
- Application
- Applicable Fees

### Tree Fees (Per Resolution 2017-20)

Tree Inspection	\$20.00 minimum *
Tree Recompense Value	\$30.00 per DBH
Maintenance Fee to Recompense	\$10.00 per DBH
Tree Permit	\$20 up to 3 trees. \$4 for each additional tree
Arborist Review Fee	\$40.00 per tree

*\*plus any additional costs incurred by the City for staff and/or consultant(s) review*

City Arborist: Ray Jarrett, Environmental, Biological and Urban Tree Consulting  
Land Management Services. Phone: 386-295-0481

### Questions:

PO Box 39, Lake Helen, Florida 32744  
Phone: 386-228-2121, Fax: 386-228-9714  
[www.lakehelen.com](http://www.lakehelen.com)

# Tree Removal Permit Application

<b>Application Date:</b> _____					
<b>Location of Property:</b>			<b>Parcel Number:</b>		
<b>Applicant Name:</b>					
<b>Applicant Type:</b>		<input type="checkbox"/> Owner		<input type="checkbox"/> Contractor	
<input type="checkbox"/> Tree Professional					
<b>Address:</b>					
<b>City, State and Zip Code:</b>					
<b>Phone:</b>		<b>Fax:</b>		<b>Email:</b>	
<b>Owner Name:</b>			<b>Phone:</b>		
<b>Address:</b>					
<b>City, State and Zip Code:</b>					
<b><u>Trees Requested for Removal:</u></b>					
<b>Tree: #1</b>	<b>Tree type:</b> _____		<b>Condition:</b> _____		
<b>Location:</b>	_____		<b>DBH:</b> _____	<b>Height:</b> _____	
<b>Tree: #2</b>	<b>Tree type:</b> _____		<b>Condition:</b> _____		
<b>Location:</b>	_____		<b>DBH:</b> _____	<b>Height:</b> _____	
<b>Tree: #3</b>	<b>Tree type:</b> _____		<b>Condition:</b> _____		
<b>Location:</b>	_____		<b>DBH:</b> _____	<b>Height:</b> _____	
<b>Tree: #4</b>	<b>Tree type:</b> _____		<b>Condition:</b> _____		
<b>Location:</b>	_____		<b>DBH:</b> _____	<b>Height:</b> _____	
<b>Additional trees and tree information may be written on a separate sheet.</b>					
<ol style="list-style-type: none"> <li>1. Attach plot plan, survey or use diagram indicating location of proposed trees to be removed.</li> <li>2. Trees on the property, proposed to be removed, must be marked for review by city staff.</li> </ol>					
<b>I have read and I understand the provisions of Article 8:</b>					
<b>Signature of Applicant:</b>			_____		
<b>Date:</b>			_____		
<b><u>Office Use Only:</u></b>					
<b>Arborist Approval Signature:</b>					
<b>Findings:</b>					
<b>Date:</b>					

## **Excerpts from Article 8 – City of Lake Helen Land Development Code**

### **8.02.00 Tree Removal**

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No person may cut, move, remove, damage or destroy any protected tree without obtaining a tree removal permit.

Tree removal permits are required for the removal of any tree, except as set forth below.

#### **A. Exemption from permit, permit fee and replacement requirements:**

1. Trees and landscaping specifically grown as landscape material for resale by duly approved and licensed plant nurseries and botanical gardens.
2. Damaged or hazardous trees during and for a one (1) month period, unless such period is extended by action of the city, following a declared disaster.
3. Minor maintenance activities including, but not limited to, removal of sucker growth, water sprouts, and overhanging branches on mature trees which do not affect the health or life of the tree and are where the removal of overhanging branches is not within a canopy road zone. All work shall be performed in compliance with the current ISA Arborist standards and best practices.
4. Removal of trees by the City on city owned land and within the city rights of way.
5. Trees having a diameter at breast height (DBH) of less than six inches (6”).
6. The removal of protected trees which fall or the removal of branches from said trees which have fallen due to acts of nature, including, but not limited to storms, fire, and natural decay.

#### **B. Exemption from fee and replacement requirements:**

A permit shall be required for removal of the following trees, however, removal of these shall be exempt from the permit fee and replacement plan requirements of this article as follows unless the removal of such tree results in the property not achieving the City’s minimum landscape standards as specified in Article 8.07.05 for Residential and Article 8.07.06 for Non-Residential and Mixed Use:

1. Removal of trees (thinning) within a forested area in order to reduce overcrowding and competition and to promote the health, growth, and resistance to stress may be permitted only when accompanied by written certification of the need to remove such tree(s) at the property owner’s expense, from an ISA certified Arborist prior to authorizing such removal.
2. Major and minor maintenance of trees located adjacent to utility lines, except within a canopy road zone; and
3. The tree prevents access to a lot and no feasible alternative access points exist.

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### **8.02.01 Tree Removal Permit**

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The property owner or his/her designee shall apply for a tree removal permit prior to removal of any tree except as outlined in Article 8.02.00A. The applicant shall take reasonable measures to design and locate the proposed improvements so the number of protected trees to be removed is minimized. Authorization for removal of tree(s) shall be granted when one (1) or more of the following conditions exist:

- a. A permitted use of the site cannot reasonably be undertaken unless specific trees are removed or relocated.
- b. The tree is located in such proximity to an existing or proposed structure that the safety, utility, or structural integrity of the structure is materially impaired.
- c. The tree will interfere with the location or servicing of utility lines or services.
- d. The tree creates a physical or visual impairment to motor, bicycle, or pedestrian traffic.
- e. The tree is dead, diseased, or weakened and is likely to cause injury or damage to people, buildings, or other improvements.
- f. The tree would not be able to survive in its current location following construction despite all appropriate tree protections, as certified by an arborist.

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### **8.02.02 Tree Removal Permit Application**

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The tree removal permit application shall include written statement indicating the reasons requiring removal or relocation of trees; a tabulation of the species, DBH, and height of the trees to be removed or relocated; an area map indicating the location of the trees to be removed or relocated; and any proposed or pre-existing structures or vehicle use areas. In addition, part of the application shall contain a signed acknowledgement by the applicant

verifying that no protected trees will be removed as a part of the development project except as noted on the approved application. At the city's request, the applicant shall be required to provide information from an arborist to verify the trees' impact on a developable area or regarding the survivability of a tree proposed for removal near construction.

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#### **8.02.03 Tree Removal Permit Review Required Submittal Items**

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##### Tree Removal and Replacement Plan

- a. Drawing depicts the location, size and species of existing trees and notes the existing tree requesting to be removed; indicates location, size and species of replacement trees on the lot; and a table detailing, by species and DBH, the existing trees to be saved.
- b. If the construction of buildings or structures is involved, depicted the location of all building/structures, as well as existing and proposed grading of the site.
- c. If grading is to be done without the construction of building/structures, provide existing and proposed grades.
- d. A detail of how trees to be saved are to be preserved from removal or the impacts of tree clearing or land grading work.

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#### **8.02.04 Timing of Tree Removal Permit**

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1. A Tree Removal Permit shall be submitted for review prior to the commencement of tree clearing or removal.
2. The city shall have 14 days to review a Tree Removal Permit and approve it, approve it with conditions, deny it, or request additional information.
3. Tree recompense fees shall be paid at the time of permit issuance.
4. A Tree Removal Permit may be transferred from one property owner to another. The new property owner must confirm that nothing has changed from the original approval, and must abide by any existing conditions.
5. A Tree Removal Permit is valid for one (1) year, unless the permit is extended beyond this following approval of the City Commission.

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#### **8.02.05 Protection of Trees to be Preserved**

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When developing land, all trees to be preserved shall be surrounded by a barricade of at least 4 ½ feet (54 inches) which shall extend outward to the outer limit of the tree's dripline. The barricade shall be made of wood, plastic, or similar materials, and shall be supported by wooden stakes driven into the ground to a depth which shall sustain the barricade in place during development activities. In the event that grading work is needed within the dripline of a protected tree during construction, grading shall not exceed three (3) inches. Any grading within the dripline shall utilize retaining walls or similar methods to protect the tree to be preserved from grading changes and/or root damage. The disposal of waste materials resulting from construction activity, including, but not limited to paint, oil, solvents, asphalt, concrete, wood, or mortar shall not be disposed of within the dripline of a protected tree.

When large groupings of protected trees located in close proximity are to be preserved, the protective measure may be changed to stakes fifty feet (50') on center, connected by string with bright color ribbons attached to the string.

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#### **8.02.06 Inspection**

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Prior to the issuance of a permit, the city shall conduct an on-site inspection to determine the accuracy of the depiction of trees to be removed and to ensure measures proposed to protect trees to be preserved are in place.

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#### **8.03.00 Tree Replacement**

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All trees removed shall either be replaced or recompensed for as described below ***if the lot does not meet the requirements of 8.07.05 and 8.07.06.*** For each tree removed that is nineteen (19) inches or less DBH, one (1) replacement shade tree with a DBH of at least four (4) inches shall be provided. For each removed tree of more than nineteen (19) DBH, two (2) shade trees with a minimum of four (4) inches DBH shall be provided. Replacement trees shall be Florida Grade 1, and shall be maintained and warranted for survival for one (1) year. Trees which do not survive the one (1) year shall be replaced with similar trees, and must also be maintained/warranted for one (1) year from planting.

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#### **8.05.00 Land Clearing Permit**

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The indiscriminate bulldozing or clearing of land within the City not done in connection with the improvement of said land shall be prohibited. The amount of land cleared shall be the minimum necessary to accomplish a permitted development or agricultural activity. Clear cutting a development site shall not be permitted. For phased development projects, clearing shall only be allowed for the phase approved and ready for development, and only for those areas

outlined above. For subdivisions, land clearing shall be for infrastructure areas only. Individual lots within subdivisions shall be only cleared at the time of approval of a Building Permit. Where infrastructure cannot be constructed without the removal of trees within an individual lot, city permission shall be granted for the necessary tree removal on the lot on a tree by tree basis.

A land clearing permit is required for the removal of any underbrush other than that directly associated with a developed single-family home site or construction activities associated with a building permit already in effect, and land clearing necessary for surveying.

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#### **8.07.05 Minimum Requirement for Residential Development**

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It is the intent of this section to provide minimum landscaping requirements for residential development. Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section. Based on the number/DBH of trees removed at construction, the requirements below may be required to be exceeded. The maximum of the below required minimum or the required number of replacement trees shall prevail.

##### **1. Single-family and Two-family Residential Development**

New Single-family and two-family development shall submit a Landscape Plan (8.07.07) which includes, at a minimum:

- a. One (1) shade tree for every 2,000 square feet of lot area or fraction thereof.
- b. At least two (2) trees shall be located in the front yard, unless this requirement is waived by the City Administrator or his/her designee due to front yard design constraints.
- c. A minimum of three (3) shrubs shall be planted or preserved for every 2,500 square feet of lot area, excluding areas of landscaping required to be preserved by law.
- d. The entire site, outside of the planting areas immediately surrounding the trees and shrubs, shall contain grass, ground cover, or other impervious materials such as stones, mulch, leaves, or other materials commonly accepted in xeriscaping principles.
- e. For single-family homes being built on a lot or combination of lots three (3) acres or greater in size, trees shall be kept back a minimum of 30 feet from any residential structure in order to reduce the chance of the home being harmed from a wildfire.

##### **2. Multi-family Residential Development**

New Multi-family residential development sites shall submit a Landscape Plan (8.07.07) which includes, at a minimum:

- a. One (1) tree for every 2,000 square feet of planting area or fraction thereof;
- b. At least fifty percent (50%) of the trees shall be shade trees; and
- c. A minimum of three (3) shrubs shall be planted for every 2,500 square feet of lot area where the land for units is platted as lots. For multi-family developments not involving platted lots, ten (10) shrubs shall be planted or preserved per acre of the cumulative development site, excluding areas of vegetation required to be preserved by law.
- d. There shall be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. This landscaped area shall meet or exceed the requirements for the landscaping of the perimeter of parking areas in (8.07.17) of this article (8.07.11 and 8.07.12).
- e. All other permeable areas outside of the planting areas immediately surrounding the trees and shrubs shall contain grass or ground cover.

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#### **8.07.06 Minimum Requirements for Non-Residential and Mixed Use Development**

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##### **1. Minimum Landscaped Area**

At least twenty percent (20%) of the total gross land area of a development site shall remain pervious. Ten percent (10%) of the total land area of a development site shall be landscaped with trees, plants, and shrubs. New construction and landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees. Planting areas which fulfill landscape design strategies located within public rights-of-way shall count towards the minimum planting area, if installed and paid for by the developer or property owner.

##### **2. Minimum Tree Planting in addition to the requirements in this Article.**

New Nonresidential development shall submit a Landscape Plan (8.07.07) which includes, at a minimum:

- a. One (1) shade tree for each 1,500 square feet of gross site area, or fraction thereof.
- b. At least fifty percent (50%) of the trees shall be shade trees; and
- c. Shrubs shall be planted at a ratio meeting or exceeding five (5) shrubs per every 2,500 square feet of building site.
- d. There shall be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. This landscaped area shall meet or exceed the requirements for the landscaping of the perimeter of parking areas in (8.07.17) of this article (8.07.11 and 8.07.12).
- e. The required landscaping islands within parking lots required under Article 8.07.08. Where sidewalks providing pedestrian access from roads not included within the development site to the project building(s) are required by the city for project approval or are voluntarily provided by the developer, the area within three (3) feet on either side of the sidewalk shall be landscaped. Where possible, this landscaping shall include shade trees.

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#### **8.08.00 Historic And Specimen Trees**

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A historic tree is any live oak (*Quercus virginiana*) or bald cypress (*Taxodium distichum*) with a thirty-six (36) inch or greater DBH or other tree which is determined by the City, through a public hearing and with due notice to the property owner, to be of such unique and intrinsic value to the general public because of its size, age, historic association or ecological value as to justify this classification. The following species of trees with the minimum specified DBH are determined to be specimen trees:

<b>Common Name</b>	<b>Botanical Name</b>	<b>DBH</b>
Turkey Oak	<i>Quercus leave</i>	12 inches
Live oaks	<i>Quercus virginiana</i>	18 inches
Longleaf Pine	<i>Pinus palustris</i>	12 inches
Maple	<i>Acer spp.</i>	18 inches
Sweet gum	<i>Liquidambar styraciflua</i>	18 inches
Hickory	<i>Carya spp.</i>	18 inches
Elm	<i>Ulmus spp.</i>	18 inches
Cedar Tree	<i>Cedrus</i>	18 inches
Loblolly Bay	<i>Gordonia lasianthus</i>	12 inches
Sweet Bay	<i>Magnolia virginiana</i>	12 inches
Red Bay	<i>Persea borbonia</i>	12 inches
Swamp Bay	<i>Persea palustris</i>	12 inches
Sycamore	<i>Platanus occidentalis</i>	18 inches
Magnolia	<i>Magnolia grandiflora</i>	12 inches

No historic or specimen tree shall be removed without a finding by the appropriate city official that such removal is justified. Justification shall be documented by an arborist, and shall include evidence that the tree is a hazard or that not removing the tree so significantly interferes with the ability of the owner to develop the property, it is unreasonable.