

**City of Cedar Key
Tree Permit Application**

DATE: _____ Permit #: _____ Cash/ Check #: _____

Property Owner: _____ Phone Number: _____

Contractor: _____ Phone Number: _____

Physical Address: _____

Parcel Number: _____

Is this permit associated with a development proposal? _____

Tree Species	DBH*	Reason for Removal	Base Fee	Inch Fee	Total	
	Tree Species	Reason for Removal	DBH*	Base Fee	Per Inch Fee	Total
1						
2						
3						
4						
5						

DBH (Diameter at Breast Height)

"Breast Height" is defined to be fifty-four (54) inches above the surface of the ground at the base of the plan or tree. In the case of a plant with multiple main stems, the diameter shall be the sum of the diameters of the stems.

5.03.03. Approval Required for Removal of Trees and Vegetation

It is the intent of this section to minimize the removal of protected trees and to preserve not-less-than twenty-five (25) percent of existing native vegetation on a site. A permit shall be required for removal of trees and vegetation. No permit may be issued unless the conditions of this section are met. The permit fee shall include an amount to be dedicated for future costs of maintenance of Protected and Heritage Trees situated on City Property and annual costs of purchasing and planting new trees. The fee shall be calculated on a per inch sliding scale, based on the size of the tree removed. The fee shall be promulgated by resolution of the City Commission and shall be adjusted periodically to reflect current maintenance and replanting costs. In the event that a tree or vegetation is removed without a permit, a penalty in the amount of four times (4x) the promulgated fee will be charged. In the event that a tree is removed without a permit, the diameter shall be measured at the top of the remaining stump. A tree which is removed due to death caused by a naturally occurring disease shall be subject to the permit requirement, but shall be exempt from the permit fee. All owners, tenants and/or tree removal contractors shall be jointly and severally liable for the permit fees and penalties imposed by this section.

Fees Adopted April 5, 2016

Naturally Diseased Tree Removal: \$25, Initial Tree Permit (8in DBH): \$125, Each Additional Inch \$11

Reasons for Removal:

- A. Tree is a hazard to the existing structure.
- B. Tree Removal is for permissible use of site.
- C. Tree is interfering with function of utility services.
- D. Tree creates a hazard to traffic and/or pedestrians.
- E. Tree is diseased or weakened.
- F. Tree is required to be removed by law and/or regulation.
- G. Other/ Administrative Exemption (FS 163.045): _____

Owner Signature: _____

Date: _____

Inspected By: _____

Date: _____

____ Approved ____ Denied

Payment Received Date: _____

5.03.00. TREES AND NATIVE VEGETATION

5.03.01. Definitions

Crown

The main mass of branching of a plant above the ground.

DBH (Diameter at Breast Height)

"Breast Height" is defined to be fifty-four (54) inches above the surface of the ground at the base of the plan or tree. In the case of a plant with multiple main stems, the diameter shall be the sum of the diameters of the stems.

Drip Line

The outermost perimeter of the crown of a plant as projected vertically to the ground.

Mangrove

Rooted trees and seedlings of the following species: Buttonwood Mangrove-.*Conocarpus erecta*, Red Mangrove - *Rhizophora mangle*, White Mangrove-*Laguncularia racemosa* Gaertn., and Black Mangrove - *Avicennia germinans*.

Protected Trees

Any tree that has a DBH of more than eight (8) inches, and which is not otherwise exempted from this Code. For the purposes of this Code, all Mangroves, Cedars - *Juniperus silicola*, Red Bay -*Persea borbonia*, and all palm trees with at least four and one-half (4 ½) feet of clear trunk between the ground level and lowest branch are declared to be "Protected Trees."

Protected Vegetation

For the purposes of this code, all Salt Marsh vegetation, including Smooth Cordgrass - *Spartina alterniflora*, Black Needlerush - *Juncus roemerianus*, Saltgrass - *Distichlis spicata*, Glasswort - *Salicornia perennia*, and Saltwort - *Batis maritima*, are declared to be "Protected Vegetation."

Remove

To clear, cut down, damage, poison, or in any other manner destroy or cause to be destroyed, a tree or vegetation.

Tree Protection Zone

A circular zone around each protected tree with a minimum radius of six (6) feet and a maximum radius of twenty (20) feet to be determined by the drip line of the tree.

5.03.02. Exemptions for Nuisance Trees and Certain Activities

Nuisance trees, including Brazilian Pepper, Malaleuca and Australian Pine shall be exempt from the tree protection requirements of the Code. Certain activities, including utility operations, surveying, and activities required by emergencies such as hurricanes, shall be exempt to the minimum extent required to achieve the purpose of the activity. Except for emergencies, a permit shall be required for utility and surveying removal of trees and vegetation.

5.03.03. Approval Required for Removal of Trees and Vegetation

It is the intent of this section to minimize the removal of protected trees and to preserve not-less-than twenty-five (25) percent of existing native vegetation on a site. A permit shall be required for removal of trees and vegetation. No permit may be issued unless the conditions of this section are met. The permit fee shall include an amount to be dedicated for future costs of maintenance of Protected and Heritage Trees situated on City Property and annual costs of purchasing and planting new trees. The fee shall be based on the size of the tree removed and promulgated by resolution of the City Commission and shall be adjusted periodically to reflect current maintenance and replanting costs. In the event that a tree or vegetation is removed without a permit, a double fee will be charged in accordance with The Laws of Cedar Key, Chapter 5, §1.01. In the event that a tree is removed without a permit, the diameter shall be measured at the top of the remaining stump.

Conditions for Authorization. Developers shall take reasonable measures to design and locate the proposed

improvements so that the amount and number of protected vegetation and trees to be removed is minimized. The design must attempt to preserve specimen, historic or landmark trees. No authorization for the removal of protected vegetation or trees shall be granted unless the developer demonstrates one or more of the following conditions:

A permissible use of the site cannot reasonably be undertaken unless specific trees and vegetation are removed or relocated.

The tree is located in such proximity to an existing or proposed structure that the safety, utility or structural integrity of the structure is impaired.

The tree materially interferes with the location, servicing or functioning of existing utility lines or services.

The tree or vegetation creates a substantial hazard to motor, bicycle, or pedestrian traffic by virtue of physical proximity to traffic or visual impairment.

The tree is diseased or weakened by age, abuse, storm or fire and is likely to cause injury or damage to people, buildings or improvements.

Any law or regulation requires the removal.

~~*Replacement of Removed Trees or Vegetation.* Protected trees, vegetation in excess of seventy five (75) percent of the restricted area and any vegetation in the protected area shall be replaced according to the mitigation provisions of part 5.01.05.B of this code and the following:~~

~~Replacement shall be at the expense of the developer.~~

~~For each one inch of DBH removed, one inch of DBH shall be replaced.~~

~~For each square foot of vegetation removed, one square foot shall be replaced.~~

~~Replacement may be accomplished by moving trees and vegetation from one location to another on the site, providing measures are taken to ensure survival, or by replacement with other native species.~~

~~Where practicable, replacement vegetation or trees shall be planted on the development site. Where impracticable, replacements may be donated, or a fee in lieu may be paid, to the city for the purpose of planting on public property. The fee in lieu shall be based on the cost of replacement vegetation required.~~

Historic, Specimen and Landmark Trees. Historic, specimen and landmark trees are those that have been officially designated by the city commission, upon the advice of the administrator or the Cedar Key Garden Club, to be of high value because of their history, location, size, age, type or other relevant criteria. A public hearing on the designation shall be held by the city with due notice to the owner of the tree.

Removal of Historic, Specimen and Landmark Trees. No historic, specimen or landmark trees shall be removed without a finding by the city commission that the tree is a hazard or that it is not economically or practically feasible to develop the parcel without removing the tree. The developer shall explain in detail why the tree is a hazard or why it is not economically or practically feasible to develop the parcel without removing the tree. The Administrator shall make a recommendation to the commission as to whether the removal should be denied or approved. The decision by the commission shall be made within thirty (30) days of the date the application to remove the tree is filed.

5.03.04. Protection of Trees and Vegetation During Development Activities

In order to assure the health and survival of protected trees and vegetation that are not to be removed, including injuries caused by clearing, grade changes, excavations, chemicals or mechanical injuries, developers shall take appropriate protective measures as specified in the "Tree Protection Manual for Builders and Developers," published by the Florida Division of Forestry, herewith incorporated by reference. Protected trees and vegetation which do not survive the impacts of development shall be replaced as provided in part 5.03.03.02 of this Code.

5.03.05. Special Protection of Mangroves and Saltmarshes

The following shall apply to removal of Mangroves and Saltmarshes in addition to the foregoing protection requirements:

A permit shall be obtained from DEP for alteration or removal of mangroves or saltmarsh vegetation in jurisdictional waters.

A permit shall be obtained from the city for any alteration or removal of mangroves or salt marsh which are exempt from DEP permit requirements.

An approved mitigation plan is an express condition of any permit.

Mitigation shall be in accordance with part 5.01.05.01 of this Code and Rules 17-312 F.A.C.

Standards for alteration of mangroves shall be those contained in Rule 17.27, "Mangrove Protection," F.A.C.

Failure to comply with this chapter shall be a violation of this Code.

The definition of mangroves and wetlands used in interpretation of this Code shall be the most comprehensive definitions used by the Suwannee River Water Management District, the Department of Environmental Protection and the U.S. Army Corp of Engineers.

No development permit shall be issued unless wetlands have been identified and protected from the effects of development. Representatives of those agencies cited in G, above, will be contacted for assistance in identifying the location of wetlands.

(History: Ord. No. 247)