Print Form

CITY OF CLERMONT
TREE REMOVAL PERMIT
APPLICATION

DATE:_____

APPLICANT / OWNER: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Subdivision: _____

Reason for tree removal: _____

Number of trees to be removed (and type if known):_____

Tree Inventory attached: Yes_____ No_____ Size(s):_____

Include tree(s) located on survey (if available) or property sketch

_____ X_____

Applicant Name (print) Applicant Name (*signature*)

DO NOT REMOVE ANY TREES UNTIL THIS PERMIT IS APPROVED

FEES **Regular: $25.00** **After-the-fact: $100.00**

OFFICE USE ONLY

Approved by: _____ Date: _____

Conditions: _____

_____

This Permit Expires on: _____

Inspected by: _____ Date: _____

Comments: _____

_____

Permit #:_____

City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-0219
(352) 394-4083 Fax: (352) 394-3542

JH2/28/08

DIVISION 3. TREE REMOVAL PERMIT

Sec. 118-111. Required.

It shall be unlawful and a violation of this division and the land development code to clear or remove a tree by any method without first securing a permit from the city unless removal of such tree is exempted by other provisions of this division or the land development code. For exemptions, see section 118-9.

(Code 1998, § 118-111; Ord. No. 281-C, § 1(ch. 13, § 8), 11-8-1994)

Sec. 118-112. Application.

(a) An application for tree removal shall be filed on official forms provided by the city. Completed applications shall be returned to the city along with the following:

(1) A tree inventory consisting of a scaled aerial photograph (at a scale of one inch equals 100 feet or greater) or drawing (at a scale of one inch equals 40 feet or greater) indicating:

a. Property boundaries.
b. Location of all individual trees, including the circumference of the tree measured at 4 1/2 feet above the existing grade and its common name.
c. An indication of all trees proposed for removal, including replacement.

(2) Reasons for removal of trees.

(3) The appropriate permit fee as set by resolution of the city council and on file in the city clerk's office.

(b) Application for a tree removal permit may be made at any time, except that in the following cases the application shall be required to be filed where indicated:

(1) All new subdivisions shall be required to submit a tree inventory and proposed tree removal and replacement plan at the time of initial submittal of the subdivision plan to the site review committee so that due consideration may be given to preservation and protection of trees during the subdivision design process.

(2) Any commercial, industrial, residential or other use requiring site plan approval under the zoning regulations, chapter 122, or the subdivision regulations, chapter 110, shall be required to submit a tree inventory and proposed tree removal and replacement plan at the time of site plan submittal so that due consideration may be given for preservation and protection of trees during the site plan design process.

(3) All new single-family and duplex dwelling units other than new subdivisions shall be required to submit a tree inventory and proposed tree removal and replacement plan at the time of application for a zoning clearance so that due consideration may be given for preservation and protection of trees during the site plan design process. The tree inventory may be shown on the zoning clearance plot plan.

(c) Upon formal written request and approval of the site review committee, the city may permit an applicant to omit certain portions of the tree inventory where omitted portions are not found necessary for compliance with the requirements set forth in this division and are not needed to critically evaluate the application.

(Code 1998, § 118-112; Ord. No. 281-C, § 1(ch. 13, § 8(A), (B)), 11-8-1994)

Sec. 118-113. Issuance; criteria for tree removal; tree replacement standards.

(a) *Intent.* It is the intent of this section to minimize the removal of protected trees and that no authorization shall be granted to remove a tree if the developer has failed to take reasonable measures to design and locate the proposed improvements so that the number of protected trees to be removed is minimized.

(b) *General criteria for authorization of tree removal.* No authorization for the removal of a protected tree shall be granted unless the applicant demonstrates one or more of the following circumstances exist:

(1) A permissible use of the site cannot reasonably be undertaken unless specific trees are removed or relocated.
(2) 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.
(3) The tree materially interferes with the location, servicing or function of utility lines or services.
(4) The tree creates a substantial hazard to motor, bicycle or pedestrian traffic by virtue of physical proximity to traffic or impairment of vision.
(5) The tree is diseased or weakened by age, abuse, storm or fire and is likely to cause injury or damage to people, buildings or other improvements.
(6) Established law or regulation requires the removal.

(c) *Specific criteria for authorization of tree removal.* Pursuant to criteria established in subsection (b) of this section, a tree removal permit may be issued where one or more of the following circumstances exist if alternative design or other solutions do not afford indispensable relief for a proposed use:

(1) *Street opening.* A permit may be issued if the location of a tree restricts the opening of a street or road right-of-way.
(2) *Utilities and drainage.* A permit may be issued if the location of the tree restricts the function and service of utility lines or drainage facilities.
(3) *Property access.* A permit may be issued if the location of the tree restricts access to the property.
(4) *Property use.* A permit may be issued if the location of the tree restricts use of the property consistent with all other city, county and state codes, statutes, ordinances and resolutions, and design modifications are not feasible or reasonable.
(5) *Hazards.* A permit may be issued if the tree constitutes a hazard to life or property which cannot be mitigated without removing the tree.
(6) *Poor tree health.* A permit may be issued if the tree is dying or dead so that its restoration to sound condition is not practical, or it has a disease which can be expected to be transmitted to other trees and to endanger their health.
(7) *Thinning of trees.* In order to increase light and air circulation on heavily wooded parcels, the selective removal of up to 25 percent of existing trees may be permitted as long as the minimum tree requirement for the particular land use is maintained.

(d) *Replacement requirements.* Preferred trees which have been approved for removal shall be replaced in accordance with the following:

(1) Trees removed pursuant to criteria specified in section (c) of this section shall be replaced at the expense of the permittee.
(2) For commercial, industrial, residential or other use requiring site plan approval under the zoning regulations, chapter 122, or the subdivision regulations, chapter 110, for each inch of tree measured at 4 1/2 feet above the existing grade removed, an inch of tree at 4 1/2 above the existing grade shall be replaced. Replacement trees shall be at least six

inches in caliper for any trees removed that are 18 inches in caliper or greater. Replacement trees for trees removed smaller than 18 inches in caliper shall at a minimum meet the requirements of subsection 118-36(b)(2).

(3) No replacement shall be required if the removal of the tree is necessary to construct a single-family residence, provided the parcel has the minimum number and size of preferred trees required by this Code.

(4) For each tree removed from a single-family residential lot that is dead, diseased, dying or in such proximity to an existing structure that the safety, utility or structural integrity of the structure is materially impaired, a replacement tree shall be planted in conformance with section 118-36.

(5) A replacement tree may be moved from one location to another on the site, or moved off the site pursuant to criteria specified in subsection (d)(6) of this section.

(6) Replacement trees shall, if practicable, be planted on the development site. If not practicable, replacement trees may be donated, or a fee in lieu of replacement may be paid to the city for purposes of planting trees on public property. The fee in lieu of replacement shall be based on the average retail cost of purchasing the requisite size and number of replacement trees.

(7) This section shall not pertain to permits for thinning of trees as specified in subsection (c)(7) of this section.

(Code 1998, § 118-113; Ord. No. 281-C, § 1(ch. 13, § 9), 11-8-1994; Ord. No. 294-C, § 2, 9-28-1999; Ord. No. 311-C, § 1, 11-13-2001)