



APPLICATION FOR SITE CLEARING or TREE REMOVAL

File #
Date

RESIDENTIAL

COMMERCIAL

This application must be completed and submitted with an application fee (\$100.00) and ALL required attachments.
(Checks payable to the City of Palatka)

Property Address or Parcel Number: _____

Reason for Land Clearing: Invasive tree To facilitate construction Other _____

Property Owner: _____ Owner's Phone: _____

Owner's e-mail address: _____ Agent/Contact Person _____

Requirements (attach as necessary):

Sketch/Site Plan (silt screen location highlighted) Understory description: _____

Tree Survey Mitigation worksheet (for site clearing only)

Justification Statement Silt screen in place (date): _____

Closest Intersecting Streets: _____

Location of Tree(s) on Property: _____

Permit

I assume Legal responsibility for any and all violations on this property pertaining to the City of Palatka Tree Protection regulations for the duration of the permit or until the permit is closed.

Print Name of Owner/Contractor/Agent

Signature

For Official Use Only

1. Site Plan Review Date:	2. Preliminary review by:	4. Planning Board Review date: (for 36" DBH or greater)	5. Planning Board Case #
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Approved.

Authorized Signature

Date

Denied

Authorized Signature

Date

Conditions: The authorization card shall be posed on the job site prior to any work being performed. Best management practices shall be used to prevent the erosion of unstable soil with silt fencing or screens. All land clearing activities must be completed within one (1) year of the issuance of the Land Clearing Permit. All exposed soil must be stabilized (sod, ground cover, mulch) by the time of final inspection.

NOTE: An application for removal or relocation of a protected tree with a Diameter Breast Height (DBH) of 36 inches or less shall be reviewed by the Building and Zoning Department staff, and a decision shall be made within five working days after receipt of such application or concurrent with building permit application review.

Bonafede agriculture, trees grown in botanical gardens and nurseries for sale or public purpose, imminent danger to health and safety, location within a park, within 10 feet of existing or proposed building foundation, determined by electric company to be poisonwoods, camphor's and Australian pines are not protected.

*See attached example for Sketch/Site Plan

** Letter of Authorization for Agent is required if any person other than the property owner makes the application and acts of behalf of the owner.

*** Justification Statement should describe how the request meets the tree removal criteria presented in Section 94-294(c)(4) (attached)



Municipal Code Information

Sec. 94-294. Tree protection. *Applicability.* The provisions of this section shall apply to all protected and preserved trees within the city, unless specifically exempted in this subsection.

(a) *Removal of protected trees prohibited exceptions.*

(1) No person, or any agent or representative thereof, directly or indirectly, shall cut down, remove, damage or destroy or shall authorize the cutting down, removal, damage or destruction of any protected tree as defined in section 94-292 of this section, or shall commit any act or authorize the commission of any act which physically removes a protected tree or causes a tree to die, such as damage inflicted upon the root system by heavy machinery, chemicals or paving, changing the natural grade above the root system, and tree damage permitting infection or pest infestation, without first having obtained a permit as provided in subsection (c) of this section and providing tree protection as provided in subsection (d) of this section.

(2) The following protected trees are exempted from the provisions of this section:

(1) Any tree located on any property which is in use for bona fide agricultural purposes.

(2) Any tree located in botanical gardens or in state-approved government nurseries and groves which are grown for sale or public purpose.

(3) Any tree that poses imminent danger to the public health, welfare or safety, and requires immediate removal without delay. In such instance, verbal authorization to remove a protected tree may be given by the city manager or his designee.

(4) Any tree located on an existing or planned public recreation facility.

(5) Any tree located on all real property in areas inside and up to ten feet from an existing or proposed building foundation line.

(6) Any tree that a local electric company determines is an immediate or potential threat or hazard to existing or planned power lines.

(7) Any dead tree, scrub oak, *Melaleuca* spp., poison wood, camphor tree or Australian pine.

(3) During the period of an emergency such as a hurricane, flood or other natural disaster, the requirements of this subsection may be temporarily waived by the city manager so that private or public work to restore order in the city will in no way be hampered.

(b) *Permit for removal, relocation or replacement of protected trees.*

(1) [Permits for site clearing and the removal or relocation of a protected tree shall be obtained by filing an application with the building department.](#) Approval of the application and issuance of a permit by the building department shall be required prior to any land clearing or grubbing, prior to any disturbance of the root system or site development, or prior to the

occurrence of any changes to an existing developed site. The site shall be inspected to ensure compliance with the approved site plan prior to any additional permits being issued. Applications for site clearing and tree removal or relocation shall include the following: A site plan, at a scale which clearly illustrates the requirements of this section, showing the lot configuration; the location and identification of existing and proposed improvements, if any, including structures, water retention areas, paving grade changes, utilities, easements and street rights-of-way or approved private streets; and the location and identity, by botanical or common name and caliper, of protected trees to be removed, relocated or retained.

(2) An application for a permit for site clearing or for removal or relocation of a protected tree with a DBH of 36 inches or less shall be reviewed by the building department, and a decision shall be made thereon within five working days after receipt of such application or concurrent with building permit application review.

(3) An application for a permit for removal or relocation of a protected tree with a DBH greater than 36 inches or a specimen tree shall be reviewed by the planning board at the first available meeting of the planning board.

(4) The approval, conditional approval or denial by the building department or planning board of an application for a tree removal permit, as required by this section, shall be based on the following criteria:

(1) The extent to which tree removal decreases aesthetic and environmental quality, land values and physical benefits to human beings.

(2) The necessity to remove trees which pose a safety hazard to pedestrian or vehicular traffic or threaten to cause disruption to public services.

(3) The necessity to remove trees which pose a safety hazard to buildings or other trees.

(4) The necessity to remove diseased trees or trees weakened by age, weather, storm, fire or acts of God or which are likely to cause injury or damage to people, buildings or other improvements on a lot or parcel of land.

(5) The extent to which tree removal is likely to result in damage to the property of other owners, public or private, including damage to lakes, ponds, streams or rivers through runoff or erosion.

(6) The proposed landscaping, including plans whereby the applicant has planted or will plant perennial vegetative cover to replace those trees which are proposed to be cleared.

(7) The topography of the land and the effect of tree removal on erosion, soil retention, and the diversion or increased flow of surface water.

(8) Construction of proposed improvements to allow access around the proposed structure for construction equipment, access to the building site for construction equipment, or essential grade changes.

(9) The land use and natural vegetative ground coverage of surrounding property.

(10) The extent of any damage or hardship to the applicant resulting from a denial of the requested permit.

(11) The species and size of the tree proposed for removal.

(5) Any relocation of trees in compliance with this section shall be performed in accordance with accepted industry practices, including watering to ensure survival of transplanted stock.

(6) Protected trees identified for removal on the site clearing or tree removal application shall be replaced with new planted trees, unprotected trees or transplanted trees. Protected live oaks (*Quercus virginiana*) and all trees with a DBH greater than 36 inches removed shall be replaced only with live oaks. The total DBH inches of replacement live oaks shall equal two-thirds of the total DBH inches of protected live oaks and trees with a DBH greater than 36 inches removed (i.e., one 12-inch live oak removed could be replaced with two four-inch live oaks (8/12 equals two-thirds)). For other removed protected trees, the total DBH inches of replacement trees shall equal one-third of the total DBH inches removed (i.e., one 12-inch tree removed could be replaced with one four-inch tree (4/12 equals one-third)). When there is significant loss of mature tree canopy or specimen trees on a particular site, the size of replacement trees may be increased by up to twice the minimum DBH by the building department in order to compensate for that loss. If multi-trunked trees are used as

replacement trees, then the total caliper of the four largest trunks shall equal the replacement DBH. New palms may be used only to replace protected palms removed. Replacement species used shall be approved by the building department. No replacement will be required for protected trees which are determined by the building department to be dead or deteriorated because of age, insects, disease, storm, fire, lightning or other acts of nature.

- a. New replacement trees shall meet the minimum standards for landscape materials established by section 94-295(b).
- b. Existing trees which are not protected trees, but which are either transplanted or not removed, may be utilized to satisfy tree replacement requirements, consistent with city landscaping requirements contained in sections 94-295 and 94-296.
- c. Existing protected trees which would otherwise be removed from the site because of development may be utilized to satisfy tree replacement requirements if transplanted to a location on the site which meets the landscaping requirements contained in sections 94-295 and 94-296.
- d. If protected tree removal is associated with new development, the name, size and location of all replacement trees shall be shown on the required landscape plan and such trees shall be installed prior to the final building inspection. Otherwise, the name, size and location of the required replacement trees shall be shown on the site plan required for site clearing or tree removal and such trees shall be installed within the time limit stated on the site clearing or tree removal permit.
- e. Existing nonprotected trees, transplanted trees and new trees used for replacement become protected trees.
- f. Replacement trees shall be maintained pursuant to the requirements of section 94-295(b), pertaining to installation and maintenance.
- g. Replacement trees may be used to satisfy the tree requirements of sections 94-295 and 94-296.
- h. A tree used for replacement shall be at least ten feet from any other tree planted, transplanted, or preserved.

(c) *Tree protection during development.* All protected trees, and trees retained for tree credit under this section, shall be protected from injury during any land clearing or construction in the following manner:

(1) Prior to any land clearing operations, tree limbs which interfere with construction shall be removed and temporary barriers shall be installed around all trees to remain within the limits of land clearing or construction and shall remain until the completion of the work. The temporary barrier shall be at least three feet high, shall be placed at least six feet away from the base of any tree, and shall include at least 50 percent of the area under the drip line of any protected tree retained for tree credit. The barrier shall consist of either a wood fence with two-by-four posts placed a maximum of eight feet apart with a two-by-four minimum top rail, or a temporary wire mesh fence, or other similar barrier which will limit access to the protected area.

(2) No materials, trailers, equipment, or chemicals shall be stored, operated, dumped, buried, or burned within the protected areas. No attachment, wires (other than protective guy wires), signs or permits shall be attached to a protected tree.

(3) Correction of violations. A violation of this section shall be corrected as follows: By replacing the protected trees removed without a permit with new planted trees, unprotected trees or transplanted trees. The total DBH inches of replacement trees shall equal the total DBH inches removed (i.e., one 12-inch tree removed could be replaced with three four-inch trees). A tree replanting plan showing how the damage caused to the site by the violation will be mitigated shall be subject to the review and approval of the building department. No work shall be allowed on the property where the violation occurred without payment of required fees and approval of the tree replanting plan.

(4) Appeals. A person aggrieved by an administrative order, determination or decision of the building department may appeal the order, determination, or decision to the board of zoning appeals for a variance from the requirements of this subsection.

(5) Permit fee. The fee for a site clearing and/or tree removal/relocation permit shall be as set out in appendix A to this Code, as amended from time to time.