



New Tree Protection Regulations



North Port adopted new tree regulations in February 2022, following three years of discussions with the community and stakeholders.

The updated regulations ensure that the City maintains a healthy urban forest while providing flexibility to property owners.

Regulations become effective April 8, 2022





Agenda

- Review major elements
- Explain mitigation form
- Answer questions

Ordinance 2021-46, www.cityofnorthport.com/trees





Definition of Tree

A living, woody, self-supporting plant, which when mature will reach 10 feet or more in height, having main stems, and any one stem measuring **three inches DBH**.

Further, for the purpose of this article, all rooted species of mangrove or **two-inch DBH scrub oak**, including red mangrove (*rhizophora mangle*), white mangrove (*laguncularia racemosa*), black mangrove (*avicennia germinans*), buttonwood (*conocarpus erecta*), sand live oak (*quercus geminata*), myrtle oak (*quercus myrtifolia*), bluejack oak (*quercus incana*), and chapman oak (*quercus chapmanii*) are hereby declared to be trees, and are hereby regulated by the provisions of this Code. In addition, **all palms with more than four and one-half feet of clear trunk** are declared to be trees and are regulated by the provisions of this Code. This definition includes any tree planted, relocated, or replaced pursuant to this Code.





Who needs a Tree Removal Permit?

Anyone wanting to:

- Remove,
- Relocate,
- Cause irreparable injury to a tree, or
- Initiate development when a tree exists on a property





Exceptions



Homeowners after one year since CO and

- The lot is five acres or smaller
- The lot is larger than five acres and the tree(s) are located within 150 feet of the house
- Not in a conservation or preservation area
- Did not receive credit for conservation pursuant to a prior tree removal permit
- Trees were not part of an approved landscape plan
- House is not going to be demolished and reconstructed
- No heritage tree(s)
- Not within the Myakka River Protection Zone





Exceptions



Exotics

- The trees are exotic tree species on the most recent Florida Exotic Pest Plant Council Category I list of invasive species or any one of the following tree species: Brazilian Pepper, Punk or Melaleuca, Australian Pines, Carrotwood, Chinaberry, or Chinese Tallow.



Other

- The tree(s) on residential property present a danger to persons or property
- Certain conditions of a declared emergency, government activities or agricultural activities





Tree Removal Permit

- Permit
- Tree Survey
- Mitigation form



Tree Removal Permit

NOTIFIED: _____ / _____

FEES DUE: \$ _____



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CITY OF NORTH PORT

www.cityofnorthport.com
bldginfo@cityofnorthport.com



Land Clearing/Underbrush/Tree Removal Application

<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	Permit #: _____
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Reason for Land clearing, underbrush or tree removal

- | | | |
|--|---|---|
| <input type="checkbox"/> To facilitate construction | <input type="checkbox"/> Unhealthy tree | <input type="checkbox"/> To remove spoil pile |
| <input type="checkbox"/> Invasive tree understory (pepper trees, palmettos etc.) | <input type="checkbox"/> Other _____ | |

PARCEL ID _____ JOB SITE ADDRESS _____

LOT _____ BLOCK _____ ADDITION _____ LOT SQ FT _____

PROPERTY OWNER _____ OWNER'S PHONE _____

DESCRIPTION OF WORK _____

CONTRACTOR _____ LICENSE # _____

AGENT/CONTACT PERSON _____ PHONE _____

EMAIL _____

Heritage Tree Information (DBH is measured at 54" above the ground)

Diameter at DBH _____ X _____ = \$ _____

Is the silt screen in place across the swale? (Yes / No) If no, provide date the silt screen will be in place: _____

Number & Types of trees to be saved: _____

Number & Types of trees to be removed: _____



Tree Survey

Required for all proposed activities involving trees eligible for mitigation and/or conservation on undeveloped lots. A tree location survey is not required when tree removal is proposed on a developed lot.





Mitigation Form

- Heritage Tree
- Protected Tree
- Native Tree
- DBH





Heritage Tree

Native tree species that has a **24-inch DBH** or greater, or which meets the standards set forth in subsection 45-9.A. of this Code. In the case of multi-stemmed trees where there is union of wood above grade, the DBH shall be measured on each stem and added together to count as one tree.



Schedule A

Species	Minimum Points Needed to be a Heritage Tree
Bald Cypress (<i>Taxodium distichum</i>) Hickory (<i>Carya</i> spp.) Live Oak (<i>Quercus virginiana</i>) Sand Live Oak (<i>Quercus geminata</i>) Southern Magnolia (<i>Magnolia grandiflora</i>) Southern Red Cedar (<i>Juniperus silicicola</i>)	80
Pine (<i>Pinus</i> spp.)	60

Schedule B

Measurements	Points
Trunk diameter (DBH)	one point per inch
Height to the nearest foot	one point per foot
Average canopy spread to the nearest foot (measure the longest and shortest diameters of the limb spread or drip line and divide by 2)	one point for each four feet

Protected Tree

A slash pine, longleaf pine, live oak, or laurel oak that has a DBH of 12 inches to 23 7/8 inches, a sabal palm that has 4 and one-half feet of clear trunk height, and a scrub oak located in a North Port scrub jay designated zone with a DBH of 2 inches or greater. In the case of multi-stemmed trees where there is union of wood above grade, the DBH shall be measured on each stem and added together to count as one tree.





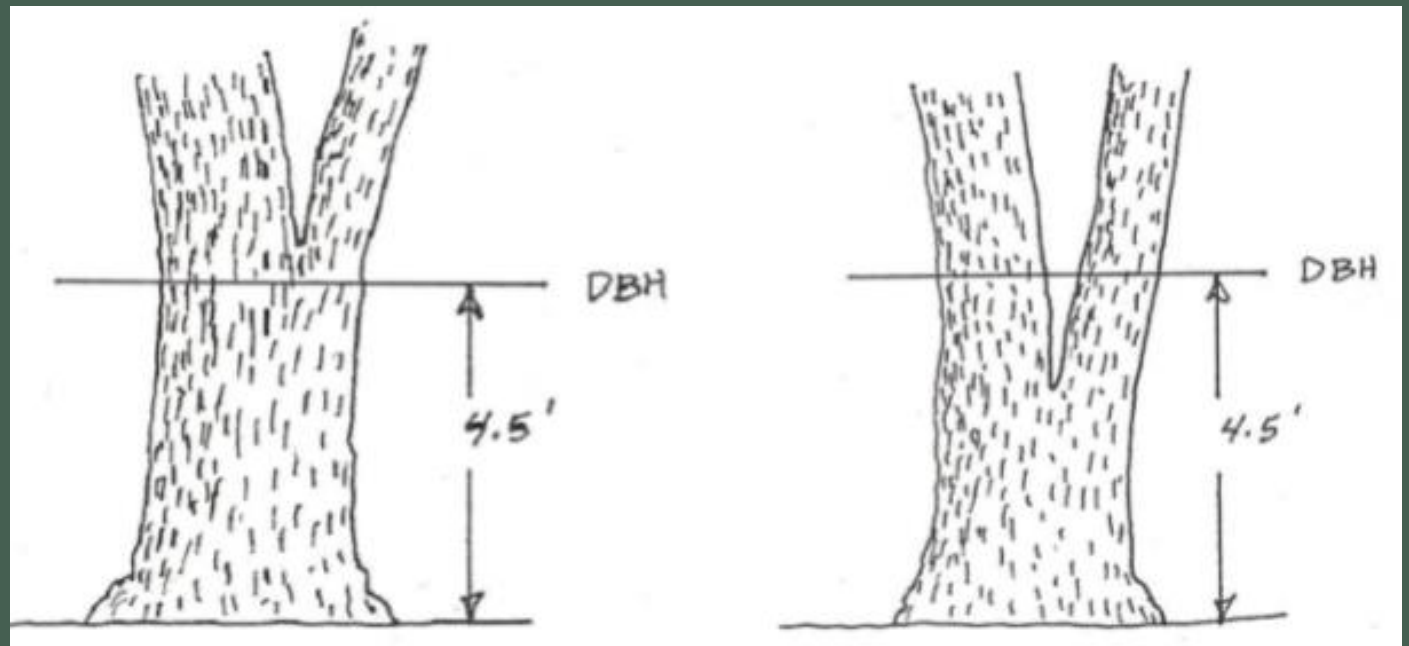
Native Tree

An indigenous tree that has a DBH of 12 inches to 23 7/8 inches. In the case of multi-stemmed trees where there is union of wood above grade, the DBH shall be measured on each stem and added together to count as one tree.



DBH - Diameter inch at breast height

- How to measure
- Multi-stemmed trees





Mitigation Form

- Needed if removing heritage or protected tree(s)
- Note DBH of all heritage and protected trees
- Mitigation FEE of \$100 per DBH for heritage trees
- Mitigation POINTS for protected trees



HERITAGE TREES BEING REMOVED							
	Type of Tree	DBH	Mitigation Fee: DBH x \$100	Is Tree within footprint of Residential Unit?			
1	Heritage	_____	_____	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
2	Heritage	_____	_____	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
3	Heritage	_____	_____	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
TOTAL HERITAGE TREE MITIGATION FEE			_____				

MITIGATION POINTS			
PROTECTED SLASH PINE, LONGLEAF PINE OR SABAL PALM TREES BEING REMOVED			
	Type of Tree (select one)	DBH	Mitigation Points: DBH divided by 3
1	Slash Pine Longleaf Pine Sabal Palm	_____	_____
2	Slash Pine Longleaf Pine Sabal Palm	_____	_____
3	Slash Pine Longleaf Pine Sabal Palm	_____	_____
PROTECTED LIVE OAK, LAUREL OAK OR SCRUB OAK TREES BEING REMOVED			
	Type of Tree (select one)	DBH	Mitigation Points: DBH
1	Live Oak Laurel Oak Scrub Oak	_____	_____
2	Live Oak Laurel Oak Scrub Oak	_____	_____
3	Live Oak Laurel Oak Scrub Oak	_____	_____
TOTAL MITIGATION POINTS			_____

EXAMPLE

HERITAGE TREES BEING REMOVED						
	Type of Tree	DBH	Mitigation Fee: DBH x \$100	Is Tree within footprint of Residential Unit?		
1	Heritage	32	\$3,200	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
2	Heritage	27	\$2,700	<input type="checkbox"/>	YES	<input type="checkbox"/> NO
3	Heritage			<input type="checkbox"/>	YES	<input type="checkbox"/> NO
TOTAL HERITAGE TREE MITIGATION FEE			\$5,900			
MITIGATION POINTS						
PROTECTED SLASH PINE, LONGLEAF PINE OR SABAL PALM TREES BEING REMOVED						
	Type of Tree (select one)	DBH	Mitigation Points: DBH divided by 3			
1	<input type="checkbox"/> Slash Pine <input type="checkbox"/> Longleaf Pine <input checked="" type="checkbox"/> Sabal Palm	13	4			
2	<input type="checkbox"/> Slash Pine <input checked="" type="checkbox"/> Longleaf Pine <input type="checkbox"/> Sabal Palm	21	7			
3	<input type="checkbox"/> Slash Pine <input checked="" type="checkbox"/> Longleaf Pine <input type="checkbox"/> Sabal Palm	15	5			
PROTECTED LIVE OAK, LAUREL OAK OR SCRUB OAK TREES BEING REMOVED						
	Type of Tree (select one)	DBH	Mitigation Points: DBH			
1	<input type="checkbox"/> Live Oak <input checked="" type="checkbox"/> Laurel Oak <input type="checkbox"/> Scrub Oak	20	20			
2	<input checked="" type="checkbox"/> Live Oak <input type="checkbox"/> Laurel Oak <input type="checkbox"/> Scrub Oak	14	14			
3	<input checked="" type="checkbox"/> Live Oak <input type="checkbox"/> Laurel Oak <input type="checkbox"/> Scrub Oak	18	18			
TOTAL MITIGATION POINTS			68			



Mitigation Form

Conservation Credits

- Can deduct credits for conservation from mitigation points
- Significantly reduce fees



CONSERVATION CREDITS

Heritage Trees Remaining On Site		DBH	Conservation Credits: DBH x 3
1	Heritage _____	_____	_____
2	Heritage _____	_____	_____
Protected Pines and Oaks, or Native Trees Remaining On Site		DBH	Conservation Credits: DBH x 2
1	Type: _____	_____	_____
2	Type: _____	_____	_____
Protected Sabal Palms or Master Tree List trees Remaining On Site (select one)		DBH	Conservation Credits: DBH
1	Sabal Palm or Master Tree: _____	_____	_____
2	Sabal Palm or Master Tree: _____	_____	_____
Master Tree List Trees Planted on site		DBH	Conservation Credits: DBH
1	Type: _____	_____	_____
2	Type: _____	_____	_____
<i>SUBTOTAL CONSERVATION CREDITS</i>			_____
Protected Sabal Palms Planted On Site		DBH	Conservation Credits: DBH
1	Sabal Palm _____	_____	_____
2	Sabal Palm _____	_____	_____
TOTAL Sabal Palm conservation credits up to 20% of total mitigation points			_____
TOTAL CONSERVATION CREDITS			_____

EXAMPLE

CONSERVATION CREDITS			
Heritage Trees Remaining On Site		DBH	Conservation Credits: DBH x 3
1	Heritage		
Protected Pines and Oaks, or Native Trees Remaining On Site		DBH	Conservation Credits: DBH x 2
1	Type: <u>Longleaf Pine</u>	12	24
2	Type: <u>East Palatka Holly</u>	13	26
Protected Sabal Palms or Master Tree List trees Remaining On Site (select one)		DBH	Conservation Credits: DBH
1	<input checked="" type="checkbox"/> Sabal Palm or <input type="checkbox"/> Master Tree: _____	10	10
2	<input type="checkbox"/> Sabal Palm or <input checked="" type="checkbox"/> Master Tree: <u>Hawthorn</u>	9	9
Master Tree List Trees Planted on site		DBH	Conservation Credits: DBH
1	Type: <u>Bottle Brush</u>	5	5
2	Type: <u>Crape Myrtle</u>	4	4
SUBTOTAL CONSERVATION CREDITS			78
Protected Sabal Palms Planted On Site		DBH	Conservation Credits: DBH
1	Sabal Palm	8	8
2	Sabal Palm	8	8
Sabal Palm conservation credits up to 20% of total mitigation points			14 (only 14 since 20% of 68 is 13.6)
TOTAL CONSERVATION CREDITS			92

CALCULATIONS

TOTAL MITIGATION POINTS		68
TOTAL CONSERVATION CREDITS		92
Balance Points: (Mitigation Points – Conservation Credits)		$68 - 92 = -24$
Mitigation Fee: Balance Points X \$50 (if Balance Points are negative, enter "0")		0
Heritage Tree Mitigation Fee (from above)		\$5,900
TOTAL MITIGATION FEE (Mitigation Fee + Heritage Tree Mitigation Fee)		$0 + \$5,900 = \$5,900$
<p>If there are Mitigation fees for removal of Heritage trees in the residential unit footprint (marked "Yes" above) AND there are negative Balance Points, use the negative balance to off-set the Heritage trees in residential unit footprint Mitigation Fee.</p>		
A	Mitigation fees for Heritage trees in residential unit footprint	\$2,700
B	Negative Balance Points x \$50 up to the maximum of A	$-24 \times \$50 =$ (\$1,200)
ADJUSTED TOTAL MITIGATION FEE (B – Total Mitigation Fee)		$\$5,900 - \$1,200 =$ \$4,700



Process

- Site Visit, verify intended scope of work, and mitigation if applicable
- After work completed - final inspection





Fees

- Permit
 - Tree Removal Permit - \$18.75
 - Land clearing - \$228.75
- Mitigation





Fines

- \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per DBH for each heritage tree up to a maximum of \$5,000.00 per tree for conducting an activity that requires a tree removal permit without first obtaining a tree removal permit.
- In a case where tree removal has occurred and the number of trees removed is unable to be determined, \$15,000.00 fine shall be assessed per each 10,000 square feet of lot/parcel or fraction thereof. Each 10,000 square feet constitutes a separate violation.





Administrative costs, fees and penalties collected as part of the Tree Protection Regulations are placed in the City's tree fund. This fund is used only for the purposes of: Tree education; acquiring, planting, and protecting trees; and acquiring and preserving land within the City.

Regulations become effective April 8, 2022







NEW TREE ORDINANCE WILL TAKE EFFECT
APRIL 8, 2022

QUESTIONS?

Email: treeremoval@cityofnorthport.com

City Arborist: 941-429-7186

<http://www.cityofnorthport.com/trees>