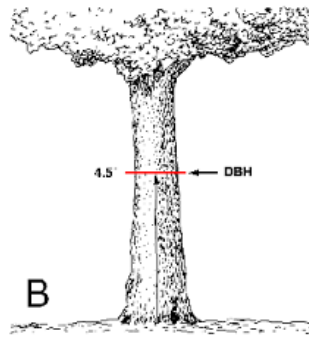# CITY OF FELLSMERE
TREE REMOVAL AND MITIGATION ON LOTS OF RECORD

The City of Fellsmere requires a permit to remove any tree. If the tree to be removed is classified as a hardwood (oak, maple, bay, etc.) and is at least 6" in diameter, mitigation is required. Pine trees and palm trees do not require mitigation but still require a permit for removal. Mitigation is also not required when the tree removed is a danger to a structure or utilities.

The amount of mitigation is based upon the size of the trees to be removed. The figure below shows how the City measures the size of a tree. At a location 4.5 feet off the ground, the diameter of the tree is measured. For every inch of diameter removed, an inch must be provided in mitigation. For example, a 20" diameter hardwood tree requires 20" of mitigation.

Mitigation may be provided in one of four manners:
1. Replace trees on site;
2. Donate and install trees on City-owned property with approval of the City;
3. Pay a fee to the City in lieu of planting trees ($75 for each inch of required mitigation); or
4. Any combination of the above.

If payment of a fee in lieu of planting is desired, the payment is due at time of permit issuance. If planting on site or on City property is desired, the plantings would have to occur prior to final inspection and permit closeout. Failure to plant the required trees would be a code enforcement violation subject to fines and penalties.

Replacement trees must be at least 8' tall and have a 2.5" diameter trunk at time of installation. If palm trees are proposed in lieu of hardwood trees, three feet of palm height (trunk only) is equal to one inch of tree diameter. Exceptions are granted for signature palms such as Canary date palms, Mejol date palms, Bismarck palms, etc. Pine trees and trees that remain small at maturity are not allowed as mitigation.

Mitigation for developed residential lots of record is capped at $1,500 and mitigation will be required only if the remaining trees on lot are less than required by code (4 trees are required for standard lots).

EXAMPLE
An Owner wishes to remove two trees from their lot: 1) 5" diameter oak tree and 2) 30" diameter oak tree. The owner will have only three trees on site after removal. A tree removal application is first submitted; wherein, the City would inspect the lot to confirm the tree sizes and types to be removed. The City would then calculate the tree mitigation. In this case, mitigation is required because the remaining trees are less than required by code (4 trees minimum) resulting in a need to mitigate for the 30" oak. The 5" oak does not require mitigation being less than 6" in size. The City would inform the Owner of the required tree mitigation, and the Owner would inform the City as to what type of mitigation they will provide. In this example, the Owner selects a combination of all two methods. They elect to plant the following on site: 1) 3 palm trees with total trunk height for all three of 30' which provide 10" of mitigation; 2) two oak trees that are 3" in diameter which provide 6" of mitigation; and 3) pay the balance of 14" of required mitigation which equates to $1,050.