



**CITY OF COCOA BEACH**  
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**COMMERCIAL TREE REMOVAL REVIEW APPLICATION**

Case No. \_\_\_\_\_ Date \_\_\_\_\_

**Applicant Information: (Please Print or Type)**

Applicant/Agent and Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ [Recommended]

Owner Name, Address, and Phone: \_\_\_\_\_

\_\_\_\_\_

E-Mail Address: \_\_\_\_\_ [Recommended]

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Zoning: \_\_\_\_\_ Future Land Use: \_\_\_\_\_

Application Fee: \$75.00 \_\_\_\_\_

This application was prepared and approved with the full knowledge and consent of the undersigned (Owner) \_\_\_\_\_, and is a full and complete representation of the proposed actions/development of the subject property. The Owner authorizes the agent (Agent) \_\_\_\_\_ to pursue this request for zoning and/or building/planning review. The Owner further authorizes City Staff, as necessary, reasonable right of entry to the subject premises, for review purposes, based upon this application.

Date \_\_\_\_\_ Signature of Owner \_\_\_\_\_

Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Personally known \_\_\_\_\_, or produced identification \_\_\_\_\_

Signature of Notary: \_\_\_\_\_

## APPLICATION ATTACHMENTS

- \_\_\_\_\_ 3 Sets of Site Plans, prepared, signed and sealed by an architect or professional engineer, licensed by the State of Florida in engineering standard document format (24" x 36") at a scale not less than one (1) inch to twenty (20) feet, unless (for larger projects) a larger scale is requested and authorized by the City
  
- \_\_\_\_\_ 1 Copy of Boundary Survey (Reduced)
  
- \_\_\_\_\_ 3 Sets of Landscape Plan
  
- \_\_\_\_\_ 3 Copies of Existing Tree Survey
  
- \_\_\_\_\_ 1 Copy of Proof of Ownership

**City of Cocoa Beach Land Development Code (LDC) excerpt:**

**Section 3-21. Tree Preservation.**

It is the intent of this Section to provide regulations to protect and preserve specified tree species, minimize removal of protected trees, encourage maintenance of natural vegetation, and offset loss or injury of trees to development. Trees and natural vegetation enhance stabilization of soil, quality of water, production of oxygen, the value of lands and their improvements, promotes energy conservation through the natural cooling and shading effects, helps mitigate noise, glare, heat, air, pollution, and stormwater runoff nuisances, while also enhancing the attractiveness of streets and open spaces in developed areas. Functional conservation provides an aesthetic balance between man-made urban settings and existing native trees and vegetation.

- A. A protected tree is any tree that meets the size requirements of Section 3-23 and is not exempt pursuant to Section 3-22. A tree preservation site plan shall be submitted as part of the site plan transmittal package whenever natural trees and vegetation exist on a site proposed for development, and it shall indicate those trees to be preserved, removed or replaced by location, species and circumference or diameter. The approved tree preservation plan shall specify which protected trees may be removed, preserved, or replaced.
- B. Tree preservation site plan shall also include protective barrier and drip line locations for each tree.
- C. Except as provided in Section 3-22 of these regulations, no protected tree shall be removed except by permits obtained from the Administrator. Applications for permits shall be filed and reviewed under the procedure outlined in Chapter V of these regulations and shall include a statement of justification for the request, possible alternatives to removal, and a description of the trees requested to be removed.
- D. The applicant shall take reasonable measures to design and locate the proposed improvements so the number of protected trees to be removed is minimized. Authorization for removal of a protected tree shall be granted when one (1) or more of the following conditions exist:
  - 1. A permitted 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 will interfere with the location or servicing of utility lines or services.
  - 4. The tree creates a physical or visual impairment to motor, bicycle, or pedestrian traffic.
  - 5. The tree is dead, diseased, or weakened and is likely to cause injury or damage to people, buildings, or other improvements.
  - 6. Any law or regulation requires the removal.

**Section 3-22. Exemptions.**

- A. The following shall be exempt from the requirements of Sections 3-15 and 3-21 of these regulations:
  - 1. Development or redevelopment of single-family or duplex dwellings located in the RS-1 zoning districts, except that the applicant for each residential lot shall plant a minimum of two (2) beneficial trees within ten (10) feet of the street right-of-way.
  - 2. Licensed plant or tree nurseries, botanical gardens or bona fide agricultural or forestry activities.
  - 3. Electrical utility facilities.
  - 4. The City Department of Public Works: dead tree removal, trimming, and emergency work as required, for trees considered safety or health hazards following damage from natural or man-made disasters.
- B. The following species of trees or shrubs are not protected:

Punk tree or melaleuca	Melaleuca quinquenervia
Australian pine	Casuarina sp.

Brazilian pepper (tree/shrub)	Schinus terebinthefolius
Chinese tallow	Sapium sebiferum
Chinaberry	Melia azedarach
Black cherry	Prunus serotina

**Section 3-23. Tree Preservation and Reforestation Standards.**

All development not exempt from the provisions in Section 3-21, shall protect all beneficial, native and non-invasive trees through preservation or replacement in accordance with the City's existing standards and the following criteria:

- A. One protected tree for each three thousand (3,000) square feet of total land area on the lot being developed. This does not require that each three thousand (3,000) square foot area of the lot must contain a tree, since the total number of trees preserved resulting from this calculation may end up being grouped closer together.
- B. Protected trees shall be those beneficial, native and non-invasive species of trees, as defined by a Florida licensed arborist, with a trunk circumference of six (6) inches (two (2) inches in diameter) measured at breast height. Protected trees approved for removal shall be replaced with an equal number of trunk circumference or diameter inches.
- C. Replacement trees shall be the same circumference and diameter as protected trees and at least fifty (50) percent of these trees shall be beneficial trees.
- D. All replacement trees shall be selected for appropriateness to this area, located to conform to accepted horticultural practice, and comply with general landscape requirements of Section 3-16.
- E. Replacement trees shall not be located as to interfere with underground or overhead utilities.
- F. Replacement trees shall have equal shade potential and features comparable to trees removed.
- G. All trees planted shall have a rooting area necessary for the full growth of the tree.
- H. All trees planted shall, in general, not be planted within ten (10) feet of any existing building or property line, within twenty (20) feet of any existing tree, within six (6) feet of any pavement, nor within any utility easement. If space constraints prevent strict adherence to this criteria, an alternative proposal may be presented for consideration by the Administrator.
- I. Endangered species of trees shall be counted as meeting twice the number of other trees.
- J. Trees identified as invasive exotic plants as listed within Chapter 369.251, F.S., shall not be planted or utilized. Where nuisance species are present in numbers, up to thirty (30) percent reduction in required replacement circumference may be obtained by eliminating the problem species from the site. Such a request shall be made in writing at the time of site plan submittal.
- K. As determined by the Administrator and in lieu of site tree replacement, the applicant may be permitted to contribute cash to an arbor fund in an amount equal to the value in dollars of the replacement trees, including planting, as prepared by a licensed arborist.

**Section 3-24. Tree Protection Standards.**

To assure the health and survival of protected trees that are not to be removed during development activities, trees shall be protected in accordance with the following guidelines and standards:

- A. The applicant shall take every precaution possible to prevent the following kinds of tree injuries from occurring during all phases of development: mechanical injury to roots, trunk, and branches; chemical poisoning; and injuries caused by grade changes, excavations or filling, paving, or from equipment or vehicular traffic.
- B. A minimum forty-eight (48) inch high protective barrier, made of wood or other substantial material shall be placed around all protected trees prior to any lot development activities taking place, as follows:
  - 1. No closer than ten (10) feet from a protected tree or encompassing one hundred (100) percent of the area within the tree canopy drip line. The same applies wherever clumps or groups of trees are protected together (See Figure 4-5).

2. The barrier shall be easily seen by equipment operators. Should a barrier make vehicular access to the property impossible, an access route will be allowed which is no wider than fifteen (15) feet, and no closer than ten (10) feet from any protected tree.
- C. No attachment, wires (other than properly installed supportive wires), signs, or permits shall be nailed or otherwise fastened to any protected tree and no equipment, materials or debris shall be placed within the protective barrier.
  - D. Landscaping activities within the protective barrier shall be accomplished with light machinery or manual labor.
  - E. In lieu of constructing the barriers above, the applicant may instead designate areas large enough to contain the protected trees where no development activities will occur. The area shall be designated by placing stakes a maximum of twenty (25) feet apart and connecting them with colorful construction type ribbon or tape along the outside perimeter of the tree canopy drip line of all trees being protected within this area.
  - F. Protective barriers and perimeter lines shall remain until all construction activity has concluded.
  - G. Because changes in soil grade within the canopy drip line of trees can cause extensive root damage and death within the first two years, grade changes shall not be made within the canopy drip line unless, the following protective measures are taken:
    1. Raising the grade:
      - a. Option #1: Existing sod, vegetation, and leaf litter shall be removed and the soil loosened without injuring the roots. The area within the drip line shall be properly fertilized to improve the vigor and growth of the roots.
      - b. Option #2: Porous drain tiles shall be laid over the soil to drain water away from the trunk, with a drop of at least one-eighth (1/8) inch per foot, and be designed to provide adequate drainage of the existing configuration of the trees. The number of drains shall depend upon soil material, where lighter sandy soils and porous gravely material require fewer drains than nonporous soils. Aeration shall be provided by installing vertical tiles along the system. Vertical tiles shall be filled with gravel and capped with heavy-duty mesh to keep out trash and debris (See Figures 4-6 and 4-7).
      - c. Option #3: Dry wells shall accommodate the maximum growth of the tree trunk. To prevent washing material into the well, the dry well casing walls shall be high enough to bring the coping just above the level of the proposed fill and be constructed of materials that permit passage of air and water (See Figures 4-6 and 4-7).
      - d. Concrete blocks backed with galvanized screening may be used for the sides of the well. Gratings or barriers shall be used around openings large enough to present a hazard to pedestrians. Open wells should be cleaned regularly to remove sediment, leaves, and debris that might interfere with free passage of air and water.
      - e. Filling. Large stones shall be placed over the drainage tiles and a layer of smaller stones shall be placed over the remainder of the ground within the drip line. A layer of gravel shall be placed over the stones and fill shall be completed with a layer of porous soil (See Figures 4-6 and 4-7).
    2. Lowering the grade:
      - a. When lowering the grade of soil around a protected tree, the maximum number of tree roots within the drip line shall be preserved by terracing to leave the area within the drip line at original grade, or adding a dry retaining wall, or a combination of both.
      - b. In addition to the above, roots shall be cut cleanly and trimmed after excavation and the canopy shall be pruned to aid in maintaining tree vigor.