

Sec. 66-236. - Application procedure for vegetation removal permit.

(a) *Removal permits.* Vegetation removal permits, not sought in conjunction with building permits, shall be obtained by making application prior to removal, relocation or replacement to the building official or his designee, at least ten working days prior to the proposed date of removal.

(b) *Circumstances justifying issuance.* Vegetation removal permits shall be issued in the following circumstances:

- (1) Where a tree, due to natural circumstances, is no longer viable, is in danger of falling, is too close to existing structures so as to endanger such structures, interferes with utility services, creates unsafe vision clearance, or constitutes a health hazard;
- (2) Where the affected vegetation will be relocated, replaced with a suitable substitute tree, or otherwise preserved, with the exception of mangroves, which are regulated elsewhere in this chapter; or
- (3) Where tree removal is part of a plan to restore or encourage native shoreline species, either on the coastal strand, as described in section 66-81 et seq., resolution number 37-89, or along Lake Worth, as described in article III of this chapter.
- (4) Where vegetation buffers (hedges and/or trees) that are 30 inches in height or greater, and are within 10 feet of any side, rear, street-side or street-rear property line, are removed and result in the loss of opacity of the existing screening. Approval from the Architectural Commission or Landmarks Preservation Commission (if applicable) for the removal of the vegetation buffer or buffers must be obtained prior to the issuance of a vegetation removal permit. In limited cases, administrative or "staff" level approval may be done when equal or greater replacement landscape material is proposed to replace the vegetation removed, and thereby maintaining the landscape buffer or buffers opacity.

(c) *Permit issuance and time limitations.* Upon approval of an application, the building official or his designee shall issue a permit. Permits shall expire and become null and void if work is not commenced within 90 days from the date of permit issuance.

(Code 1982, § 11.5-21)