

## Frequently Asked Questions

### **Q. How do I obtain a tree removal permit application?**

A. Please visit our [Trees](#) site. The requirements and application process vary depending on whether the proposed development is commercial or residential.

### **Q. How do I obtain a wetland alteration permit application?**

A. Please visit our [Wetlands](#) site. The requirements and application process vary depending on whether the proposed development is commercial or residential.

### **Q. What is the definition of a tree?**

A. Any woody self-supporting plant characterized by having a single trunk of at least six (6) inches [DBH](#) or multistem trunk system with well-developed crown at least fifteen (15) feet high as measured from its base shall be considered a tree.

### **Q. Do I need a permit to remove a tree?**

A. A permit is required to remove any tree. Section 72-835 of the [Tree Preservation Ordinance](#) explains general exemptions.

### **Q. How do I know if my parcel is exempt from requiring a tree removal permit?**

A. If the property is zoned A-1, A-2, A-3 (over 2.5 acres), A-4, RC, RA, MH3, MH4 (over 2.5 acres), or FR, the property is exempt from tree permitting requirements. However, please be aware that other permit requirements may be applicable, such as protection of threatened or endangered species and wetland protection.

If the property is zoned for residential purposes, a single-family or two-family home is currently located on the property, and the home is owner-occupied, the property is exempt from tree permitting requirements. However, if the home is being demolished and replaced, this exemption does not apply.

### **Q. Does Volusia County have a minimum tree coverage requirement?**

A. A minimum of one tree for each 2500 square feet of lot area must be provided on the lot. These trees may either be existing trees retained and protected or new trees planted on the site. Lots without trees must plant sufficient trees to meet this minimum requirement.

### **Q. What trees are acceptable to meet minimum standards and/or replacement?**

A. Trees planted must meet the requirements for Florida Number 1 or better grade as defined by the Grades and Standards for Nursery Plants, State of Florida, Florida Department of Agriculture and Consumer Services. Trees must be a minimum of 2" caliper in diameter and a minimum of 6 feet in height. For a list of acceptable tree species click [here](#).

### **Q. What is a protected tree?**

A. For residential construction, all trees 6" DBH and larger which lie in the setback areas around the perimeter of the lot as defined by the Volusia County Zoning Ordinance are protected. Historic trees in the buildable area of the lot (the center portion of the lot not

included in the required zoning setback areas) are also protected. To determine your building setbacks please contact the [Zoning](#) office at 386-943-7059. All trees 6" DBH and larger are protected on parcels zoned for commercial use.

**Q. Are pine trees protected?**

A. Any native species of pine 6" [DBH](#) or larger is protected.

**Q. Can I clear a vacant commercial lot?**

A. Removal of trees on undeveloped commercial lots is not permitted.

**Q. What are the tree permit requirements for specimen trees?**

A. [Specimen tree](#) requirements apply only to commercial development. They do not apply to residential construction. For specimen tree requirements, please read Section 72-843(b) of the [Tree Preservation Ordinance](#).

**Q. How do I install tree protection?**

A. Please click [here](#) to view a diagram of properly installed tree protection.

**Q. What is DBH and how do I measure the DBH of a tree?**

A. Diameter at breast height: The trunk diameter of a tree measured four and one-half (4 1/2) feet above the average ground level at the base of the tree. Provided, however, if the tree forks above four and one-half (4 1/2) feet above ground level, it is measured below the swell resulting from the double stem. Stems that fork below four and one-half (4 1/2) feet above ground level shall be considered separate trees. (Ord. No. 89-26, § XV, 6-1-89)

To determine DBH, use a special diameter measuring tape and wrap it around the tree at 4.5 feet above the ground. If a diameter tape is not available, use a regular measuring tape to get the circumference and divide by 3.14 to get the diameter.

**Q. How do I figure out the replacement value for protected trees that were removed?**

A. Replacement is calculated at 15% of the cross sectional square inches of the trees removed (7% for Sand Pines). To determine cross sectional area click [here](#). To determine how many trees you may need to plant to meet your replacement requirements, use this [table](#).

Existing trees not protected by the ordinance may be used as replacement credit. This would include trees less than 6" DBH but larger than 2" caliper if located in the setback areas of the lot and any tree larger than 2" caliper located in the buildable area of the lot. Trees to be used for replacement must be in good condition, must be viable and healthy, and must have received adequate protection during construction. Determination of acceptability of the trees as replacement trees will be at the discretion of Environmental Permitting.

**Q. Am I required to maintain the trees that count towards minimum standards and/or replacement?**

**A.** Yes, the parcel owner is responsible for the maintenance and health of all existing/planted trees that are utilized as replacement value and/or to meet minimum standards for a minimum of two years. If any of those trees either die or are removed from the parcel within the two year timeframe then they must be replaced within 60 days with a new two year timeframe starting from the date of the new planting.

**Q. I want to do some underbrushing to clean up my lot. Do I need a tree permit?**

**A.** A tree permit is not required to underbrush. However, any protected tree in the zoning setbacks, as well as any historic tree in the buildable area, must not be harmed. Damage to the root system of the trees must also be avoided. If your parcel contains wetlands, no underbrushing can occur in the wetland and its buffer. Please contact Environmental Permitting at 386-736-5927 if you are unsure whether a permit is required.

**Q. I live in a mobile home community and rent my lot. I want to remove a tree that may pose a hazard to my home. Do I need a permit?**

**A.** Tree removal in mobile home rental parks is considered a commercial activity and does require permitting and replacement. Tree permits will only be issued to the owner of the mobile home park or designee, not individual occupants. The manager of the park may call Environmental Permitting at 386-736-5927 to request a courtesy tree inspection. The tree inspector will determine if a permit is required to remove the tree. If a permit is required, the owner or manager of the park can apply by using the [Land Development Division Application for Development Permit](#) and checking the Tree Removal box in Section 1.

**Q. What is the definition of a historic tree?**

**A.** Any Live Oak (*Quercus virginiana*) or Bald Cypress (*Taxodium distichum*) thirty-six (36) inches DBH or greater or other tree which is determined by the County Council of Volusia County to be of such unique and intrinsic value to the general public because of its size, age, historic association, or ecological value as to justify this classification. Any tree in this county selected and duly designated a Florida State Champion, United States Champion or a World Champion by the American Forestry Association shall likewise be within this definition. (Ord. No. 89-26, § XV, 6-1-89)

**Q. Do I need a permit to remove a historic tree?**

**A.** Historic trees may only be removed if approved by the Volusia County Council. If such a tree exists on your lot it must be protected or taken to County Council for permission to remove. For questions about historic tree removal contact the County Forester at 386-736-5927 ext. 2503 or email [tboujoulian@co.volusia.fl.us](mailto:tboujoulian@co.volusia.fl.us).

**Q. Who's responsible for my neighbor's tree that has fallen into my yard?**

**A.** This is a civil matter between you and your neighbor.

**Q. There is a dead tree in the right-of-way posing a hazard to pedestrians and drivers. Who should I contact?**

A. Please contact one of the [Road and Bridge Division](#) offices.

**Q. What are wetlands?**

A. "Wetlands" are defined as areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas.

**Q. How do I know if my property contains wetlands?**

A. You may call or visit our office in DeLand if you would like a general idea of what types of soils and vegetation may be on your property. The aerial mapping system we use is for general information only and has not been field-verified. For a more accurate assessment, a site visit would be necessary. The Florida Department of Environmental Protection (FDEP) can conduct informal wetland determinations for parcels under 5 acres. The other option is to hire a private environmental consultant. You can contact [FDEP](#) at 407-894-7555, or obtain the [consultant list](#) online.

**Q. My lot contains wetlands. Can I build?**

A. You may be able to build on your lot if it contains wetlands. However, you will need to avoid any impact to the wetlands as well as the buffer. If it is impossible to avoid the wetlands and/or buffer, then you must try to minimize the impacts. Any unavoidable impacts must be permitted and generally require mitigation to offset the impacts. Permits may be required by other agencies as well. Please visit our [wetlands](#) site online or contact Environmental Permitting at 386-736-5927 for more information.

**Q. What is a buffer?**

A. Buffers are upland areas adjacent to wetlands which are necessary to protect the wetlands and wetland species from the detrimental impacts of development or alteration. The buffer shall include canopy, understory, and groundcover and consists of preserved existing vegetation or planted native species.

**Q. Do I need a permit to trim mangroves?**

A. Mangrove trimming may require a permit. Please contact the [Florida Department of Environmental Protection](#) at 407-894-7555 to determine your permitting requirements.

**Q. How do I obtain permitting information for threatened and/or endangered species?**

**A.** Please visit our [Protected Species Permitting](#) site or contact our Protected Species Coordinator at 386-736-5927 ext. 2734.