

Frequently Asked Questions

- **When is tree permit required and when is one not necessary?** A tree permit is required to remove a tree 4" in diameter or greater. A permit is not required to trim or prune a tree on your own property. All tree pruning shall be conducted according to American National Standards Institute.
- **I have acquired a vacant lot next to my home OR I am a property owner that is not looking to build right away, and want to clean it up, what are my options?** Hand tools can be used to clean up vegetation without a permit, provided no live trees greater than 4" in diameter are removed. Removing trees greater than 4" or using machinery greater than a standard lawn mower requires a permit.
- **Are there exemptions to permits for invasive vegetation?** Invasive vegetation can be removed by hand without a permit. If machinery greater than a standard lawnmower will be utilized, then a permit is required.
- **What is the difference between speculative clearing and mulching?** Speculative clearing involves grubbing and root removal. Mulching is a maintenance activity that stays above the surface. Mulching allows for stump grinding but not removing the root system.
- **Does Charlotte County require a permit for property owners to remove downed vegetation or exotic/invasive plants?** No, not on unimproved lots as long as machinery is not involved.

Helpful Web-links

Charlotte County
www.charlottecountyfl.gov

Charlotte County GIS
agis.charlottecountyfl.gov/ccgis/

Florida Department of Environmental Protection
www.dep.state.fl.us

Florida Fish & Wildlife Conservation Commission
www.myfwc.com

U.S Fish & Wildlife Service
www.fws.gov

U.S. Army Corps of Engineers
www.saj.usace.army.mil/

Southwest Florida Water Management District
www.swfwmd.state.fl.us

Charlotte County
Community Development Department
18400 Murdock Circle
Port Charlotte, FL 33948
Phone: 941-743-1964
Natural Resources Administration Office
Phone: 941-613-3220



A GUIDE TO ENVIRONMENTAL PERMITTING IN CHARLOTTE COUNTY

Community Development Department



A GUIDE TO ENVIRONMENTAL PERMITTING IN CHARLOTTE COUNTY

Everything from trees and mulching to scrub jays and gopher tortoises

Listed Species in Charlotte County

Listed species are classified as Threatened or Endangered species and are regulated by the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. The most commonly encountered listed species that are more inclined to be impacted by development are the Florida Scrub Jay, Gopher Tortoise, and Bald Eagle.

Scrub Jay

➤ A permit is required to impact any listed species under the federal Endangered Species Act. Charlotte County's Habitat Conservation Plan allows property owners the option to apply under Charlotte County's permit. A property owner must submit a complete application to staff and the fees must be paid in full prior to approval of any development. Scrub-jay nesting season is March 1-June 30. As defined in the HCP application and per Ordinance 2015-003 there shall be no clearing during nesting season. Please contact Parks & Natural Resources for more information.

Gopher Tortoise

➤ Clearing/Construction must not take place within 25' area around each burrow entrance. Area must be clearly marked, staked, and barricaded and no activity can take place within this area. State authorization or permits are not required if all burrows on site are avoided.

Bald Eagle

➤ For any development or construction within 660ft of a bald eagle nest, the applicant must provide a management plan per FWS guidelines.

Environmental Permitting Process

Charlotte County's Environmental Specialist staff members conduct environmental reviews of the property prior to development of any kind to ensure protection and minimize impact on listed species, wetlands, and native habitat.

If there is any uncertainty if a permit is required, call Charlotte County's environmental staff prior to any work being done. Failure to acquire necessary permits before beginning work may cause a property owner to be fined and/or subject to incarceration under federal law.

ATTENTION HOMEOWNERS ASSOCIATIONS

Charlotte County does not enforce deed restrictions. Any issues between a property owner and the HOA are a civil matter. All residents of Charlotte County are bound to all requirements as set forth in the Land Development Regulations.

Mulching and Tree Removal

A Mulching permit allows the applicant to mulch underbrush, exotics, and native trees under 4" caliper. No native trees over 4" caliper can be removed, no soil excavation, clearing, or filling will occur. All native trees over 4" caliper are to remain preserved/protected according to the methods set forth in the Charlotte County Buffers, Landscaping and Tree Requirements, Section 3-9-100. A Mulching permit triggers a requirement for a permit under the federal Endangered Species Act if the property is located in Scrub Jay habitat that will be impacted.

A Tree Removal permit allows the applicant to remove trees with a diameter of 4" or greater, and palms with 6 or more feet of clear trunk, if the trees meet criteria as set forth in the Charlotte County Buffers, Landscaping and Tree Requirements, Section 3-9-100.

Storm damaged trees and vegetation: a permit is not required for any tree which was felled by a storm that is located on a developed property with existing structures. If a tree has already fallen, there is no need to review the health of the tree or any of the other criteria required for tree removal. It may be in the applicant's best interest to document the felled tree prior to removal.

Removal of trees would not exempt a property from meeting the tree point requirement. One tree point is required for every 2,000 square feet, or fraction thereof, of development site. Compliance with the code is based on the number of Tree Points rather than the number of trees.