

Frequently Asked Questions About the Escambia County Tree Ordinance

Prepared by the Neighborhood and Environmental Services Department

What sizes of trees are protected under the ordinance?

Protected trees are 12" DBH (diameter at breast height) and larger. Diameter can be determined by measuring the circumference of the tree at 4.5' above the ground and dividing the circumference by 3.14. Or, because a tree with a circumference of 38" equates to 12" diameter, simply measure circumference and know that trees of 38" circumference and larger are protected. Pine, popcorn tree, mimosa, cherry laurel and turkey oak are exempt from protection and can be removed without a Land and Tree Management permit. Trees that are dead or are an immediate threat to health or safety are also exempt from protection.

In what areas does this new ordinance apply?

The ordinance applies to residential properties zoned R-4, R-5 and R-6 (typically apartments, townhomes, condominiums) and to all commercial and industrially-zoned properties. Areas exempt from the ordinance include silvicultural and agricultural lands; playing fields and golf course play areas; maintenance and construction of utility lines by public utilities; and single family dwellings. However, heritage trees (60" diameter) are protected in all areas, including residential, and cannot be removed without a permit.

If a tree is permitted for removal, what are the mitigation requirements for replacing that tree?

Trees permitted for removal usually must be replaced by planting new trees. The replanting requirements operate on a sliding scale depending on the size of the tree being removed. 12 - 17" DBH = 2 replacement trees; 18 - 23" = 3 trees; 24 - 29" = 5 trees; 30 - 35" = 7 trees; 36" and above = 10 trees. Replacement trees must be at least 9' in height at the time of planting. Escambia County encourages the use of native trees such as oak, pine, and maple for replanting. A list of native trees suitable for Escambia County is available from the Neighborhood and Environmental Services Department. Applicants have a continuing obligation to maintain mitigation trees.

I want to clear-cut the trees on a property that is zoned or taxed other than agriculture. Do I need a permit?

Yes. The commercial harvest of trees on these lands or on lands proposed for residential subdivision development must be approved through a permit. Clear-cutting of these lands is not allowed; a minimum of ten trees per acre of cleared land (minimum 6" DBH) must be left on site.

I'm cutting down pine trees as part of a silviculture operation? Do I need a permit?

Silviculture south of Well Line Road requires a land disturbing permit only if it is on property that is not zoned agriculture or characterized as agriculture on the future land use map. No land disturbing permit is required for silviculture north of Well Line Rd.

What are the penalties for violations of the ordinance?

The fines for removing a protected tree without a permit are \$100 per tree and twice the required mitigation; fines are \$100 per tree and twice the required mitigation for intentional injury to a protected tree.

Where can I get permit applications for tree removal or land disturbing activities?

Permit applications can be picked-up between 8:30 AM and 4:30 PM Monday thru Friday at the Escambia County Office Building at 1190 W. Leonard St. Or call 595-3623 to have a permit application faxed to you or to ask any questions you have about tree protection. Permits are usually available within two days.