

REPLACEMENT TREE REQUIREMENTS

House Bill 1159 bans the regulation of dangerous trees on residential property by local government, but that doesn't give property owners free range to trim, prune, or remove trees as they please.

Here are the facts about the Private Property Rights Protection Act, which went into effect July 1, 2019, and what they mean for property owners in unincorporated Manatee County:

1. Under the new legislation, property owners are required to obtain proper documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to the property.
2. Property owners are no longer required to replant a tree that was pruned, trimmed, or removed as a result of it posing a danger to the property.
3. Mangrove tree protections remain unchanged by this new law.

Your Homeowners' Association (HOA) may have specific landscape requirements. Contact your HOA for approval before replacing your tree.

- You must replace the tree within 30 days of removing the existing tree and it must be planted within 25 feet back from the right of way.
- The replacement tree must be graded Florida #1 by Florida Grades and Standards for Nursery Plants.
- Trees cannot be planted within a public or private utilities easement or setback.
- Existing trees located within 25 feet of the ROW may be considered in lieu of a replacement tree.
- You must meet the tree type and lot size requirements below.

LOT SIZE REQUIREMENTS

- **100+ feet** of linear right of way (ROW) frontage: one canopy tree for every 50 feet of frontage
- **60-100 feet** of linear ROW: one canopy per frontage
- **>60 feet** of linear ROW frontage: one smaller maturing, canopy or on3 understory tree per lot, regardless of the number of street trees removed.
 - Corner lots must provide two street trees maximum, one per frontage
- **>25 feet** back from ROW may plant an approved understory tree

TREE TYPE REQUIREMENTS

Canopy Tree (produces one main trunk and normally reaches a height of 30 feet or more upon maturity)

- Min. 10 feet
- 2.5 inch caliper (trunk width)
- 25-50 gallons

Understory Tree (produces single trunk or multiple trunks and normally reaches a height of less than 30 feet upon maturity)

- Min. 6 feet
- 1.5 inch caliper (trunk width)
- 25-30 gallons

Palm Trees

- Two required for each tree removed
- Min. 15 feet

SUGGESTED TREE REPLACEMENT SPECIES

Please note: Tree Species may be subject to Homeowners Association (HOA) Approval. Contact your HOA for final species selection.

CANOPY TREES

Requirements: 2 ½ in. caliper, 25-50 gallon, minimum height 10 feet

- Black Gum Tupelo
- Hickory
- Live Oak, Highrise Oak, Cathedral Live Oak
- Loblolly Bay
- Longleaf Pine
- Red Maple
- Slash Pine
- Southern Magnolia including Little Gem
- Southern Red Cedar
- Sweetbay Magnolia
- Sweetgum (Rotundiloba-seedless)
- Sycamore
- Winged Elm

UNDERSTORY TREES

Requirements: 1 ½ in. caliper, 25-30 gallons, minimum height 6 feet

- Cherry Laurel
- Crepe Myrtle
- Eugenia - natives only
- Golden/Yellow Trumpet
- Holly - Eagleston
- Japanese Blueberry
- Japanese Privet (Ligustrum Japonica)
- Loquat
- Podocarpus - tree form only
- Queen's Crepe Myrtle
- Red Bay
- Shady Lady Black Olive
- Walter's Viburnum - tree form only

PALMS

Requirements: Two palms are required to replace one tree. Palms must have a minimum overall height of 15 feet at the time of planting.

- Bismarck Palm
- Canary Island Date Palm
- Chinese Fan Palm
- Needle Palm
- Ribbon Palm
- Sabal-Cabbage Palm
- Foxtail Palm