



CITY OF LABELLE, FLORIDA
Staff Report
For SR80 Commercial PUD
Commission Review Tree Removal

TYPE OF CASE: Tree Removal Permit Requiring City Commission Approval

STAFF REVIEWER: Patty Kulak

DATE: March 12, 2026

APPLICANT: Shree Nivash Land, LLC

AGENT: Cory Chandler, P.E.

REQUEST: Removal of 64 significant oak trees totaling 984 inches DBH from the subject property located at West Hickpochee Ave and Captain Hendry Drive to support approved commercial development, with partial on-site mitigation in accordance with LDC Section 4-80.

LOCATION: West Hickpochee Ave and Captain Hendry Drive

PROPERTY SIZE: 8.91+/-acres

STAFF NARRATIVE:

The applicant has submitted a request for approval to remove 64 significant oak trees, totaling 984 inches DBH associated with the approved State Road 80 Commercial Planned Unit Development (PUD), which was approved on October 9, 2025. The subject property consists of approximately 8.91 acres located at West Hickpochee Ave and Captain Hendry Drive and is currently undeveloped. The approved development program includes a hotel with various commercial uses. The identified trees are dispersed throughout the parcel and conflict with the future development plans.

The Land Development Code provisions regarding the protection of significant oak trees allow for removal, subject to replanting requirements as specified in LDC Section 4-80.16.5:

“The replacement Live Oak tree must be at minimum: ten (10) feet in height, contain a four (4) foot spread, and have four (4) inch caliper, DBH, at time of planting. All significant oak tree(s) approved for removal shall be replaced on a DBH inch for DBH inch basis.”

To offset the loss of these significant trees, the applicant proposes partial on-site mitigation through the planting of 165 Live Oak trees, totaling 660 inches towards the required mitigation. This results in a deficit of 324 caliper inches. While a payment-in-lieu was not proposed by the applicant, the resulting payment would be \$48,600 (\$150 per inch).

In the submitted narrative, the applicant asserts that the hardship is created by the dispersion and location of the Significant Oak Trees throughout the site, particularly within areas required for stormwater retention due to low elevations and natural drainage patterns. The applicant states that preservation would conflict with required access, utility routing, grading, and infrastructure placement and that alternative site layouts were evaluated but would not allow meaningful preservation while maintaining compliance with approved development standards. Additionally, the applicant notes that enhanced perimeter buffer requirements imposed during the rezoning process further limit available planting areas for mitigation and contribute to the overall replanting deficit

The request has been submitted as a public hearing tree removal application in accordance with City procedures. The application materials include a completed tree removal application, narrative and mitigation statement, certified boundary and tree survey, and Existing and Proposed Conditions exhibits. These materials have been provided for City Commission review and consideration in determining whether the proposed tree removal and mitigation are consistent with applicable City standards and policies.

While these constraints are acknowledged, staff notes that development-related conflicts alone do not eliminate the requirement for full mitigation under Section 4-80.16.5, and preservation of Significant Oak Trees remains a priority under the City's Land Development Code. Staff finds the request is inconsistent with the LDC due to the 324 caliper inch deficit without mitigation or payment-in-lieu outlined LDC Section 4-80.16.5.6.

SUGGESTED MOTION(S)

APPROVAL:

I make a motion to approve the proposed tree removal permit, subject to the on-site replanting or payment-in-lieu for the total of 984 inches of live oaks trees, meeting the minimum size specifications of the Land Development Code.

DENIAL:

I make a motion to deny the proposed tree removal permit.

The request does not meet the intent of the Comprehensive Plan and Land Development Code.

- 1) Why?

EXHIBIT A SIGNIFICANT OAK TREE SURVEY

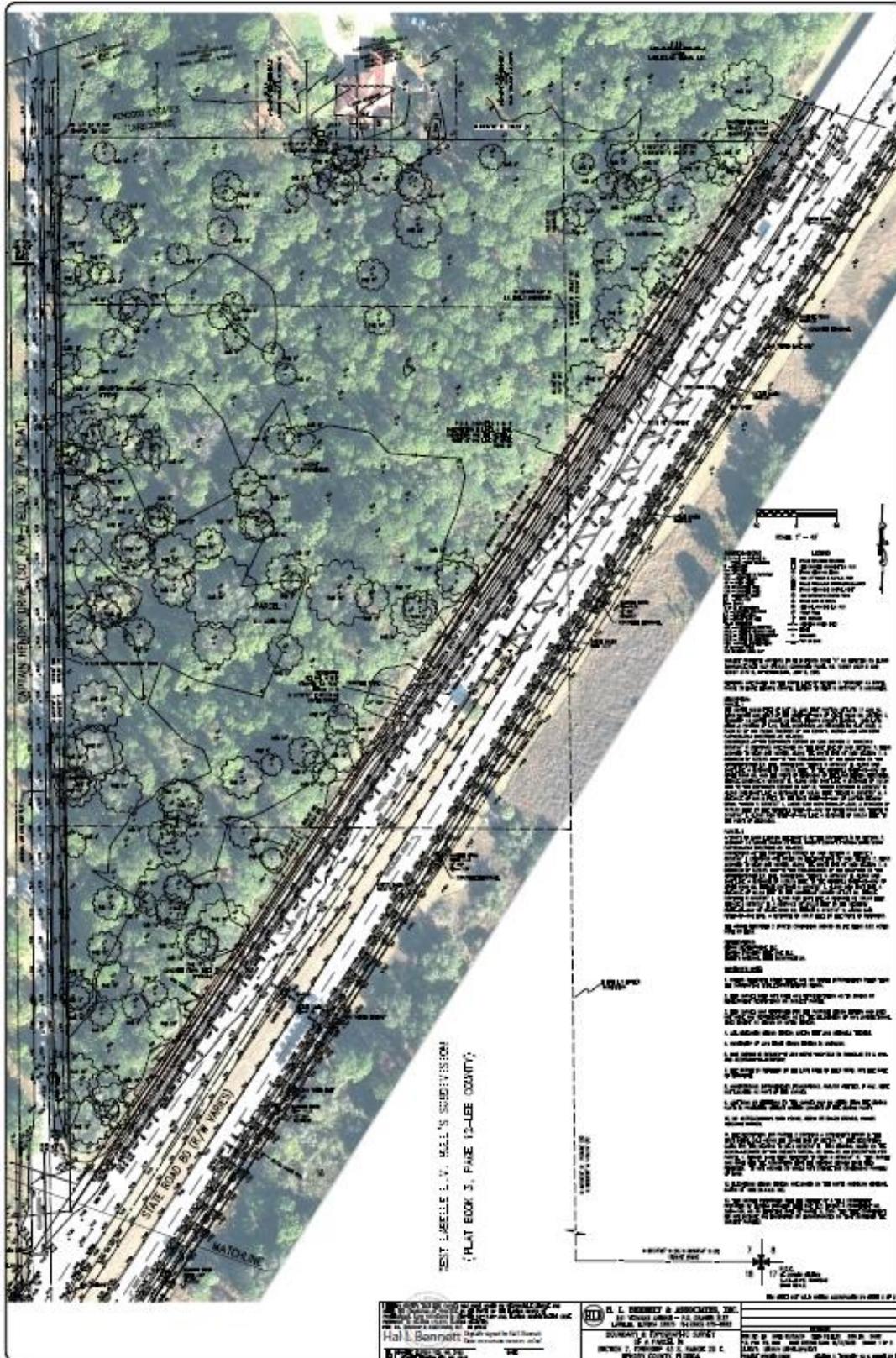


EXHIBIT B TREE REMOVAL IDENTIFICATION

