

More Questions? Contact the Tree Protection Officer at (828) 625-9983, or read the Subdivision Regulations at www.TownOfLakeLure.com

TREE PROTECTION As You Clear or Grade Your Lot (No Development)



**Town of Lake Lure, NC
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Issued by the Lake Lure Community
Development Department

This pamphlet is designed to provide general information only.

Any decisions and processes will be based upon the regulations of the Town of Lake Lure.

What you should know before you clear or grade your lot with no Development planned ...

- **How is “development” defined?**

Construction, reconstruction, conversion, alteration, relocation, or enlargement of a structure; mining, excavation, or landfill, or any use or extension of the use of land.

- **How many trees may I cut without a permit?**

Without a permit you may cut any dead or hazardous tree, or any tree smaller than “significant” size, or clear an area of up to 500 sq. ft. that is 50 ft. or more from the lake; or up to 100 sq. ft. nearer the lake.

- **How is a “hazardous” tree defined?**

(1) A dead or diseased tree likely to fall or drop limbs on a road, structure, or other area where property exists or people reside. (2) Any tree of a species prone to flammability in dry weather that is within 30 feet of a flammable structure where property exists or people reside. See the “[Tree Management Handbook \(TMH\)](#),” available at Town Hall. (3) Any tree that interferes with routine activities of people, such as obstructing visibility for motorists or interfering with utilities.

- **How is a “significant tree” defined?**

Any stable, healthy tree at least as large as the diameter listed as significant for that species. See the zoning regs at www.townoflakelure.com, or TMH.

- **What are the rules for clearing/grading my lot?**

Do not begin any clearing or grading without an approved land disturbance permit (see the Erosion and Sedimentation Control regs) and an approved site plan and Land Clearing Authorization. Tree-topping is prohibited. See Section 92.120 of the Zoning Regs., then call town staff (828-625-9983) for information and advice.

- **How much of my lot may I clear or grade?**

You may clear or grade your lot as you wish, except that you may not clear, grade or remove vegetation within 50 feet of the right-of-way of any public street or traveled way, within 30 feet of any adjoining property boundary, or within any trout buffer. See Section §96.07 (A) of the Erosion and Sedimentation Control Regulations. If you need a temporary work road across a setback, it must be built with the least possible disruption to trees or to the natural contour of the land.

- **Do I have to protect trees in setback areas?**

Yes. A visible boundary such as an orange barrier fence must be set up around setback areas before clearing or grading begins, and kept in good repair until the work is finished. See the zoning regulations for the types of tree damage to be avoided.

- **What about harvesting trees under an approved forestry plan?**

You may cultivate and harvest trees on state-designated forestry land as specified in state law. However, if you cut more trees on forestry land than town regulations allow, state law provides that the town may withhold approval for development on that land for 3 or 5 years.

- **Why is tree-topping prohibited?**

Cutting back the tree top or limbs larger than 3 in. removes the normal canopy, disfigures, and can kill a tree. See the TMH for approved pruning methods.

- **What if I cut or damage trees in setback areas?**

New native trees, in sizes appropriate for successful planting and in numbers sufficient to equal the total diameters of the improperly cut or damaged trees, must be planted on the property and remain in good health for three years. Significant fines may also apply.