

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**AUGUST 23, 2017 MEETING**

**AMENDMENTS TO THE AGENDA**  
**(Updated 08/22/17)**

|   |           |  |
|---|-----------|--|
| 1 | <b>#1</b> | <b>Exhibit D, Art. 7, Landscaping - Amend Article 7.B.1.D, Overlay Exceptions, Part 2, Page 23 of 105, (line 41)</b> |
|   |           | Minor correction to scrivener's error.   |

**D. Overlay Exceptions**

|   |   |           |  |
|---|---|-----------|--|
| 2 | 3 | <b>#2</b> | <b>Exhibit D, Art. 7, Landscaping - Amend Article 7.B.2.F.1, Special Certification Procedures by the Applicant, Part 2, Page 25 of 105, (line 31 and 39)</b> |
| 4 |   |           | Minor correction to scrivener's error.   |

**1. Special Certification Procedures by the Applicant:**

....

- 3) Certify that landscaping was properly installed and meets all requirements of the Code or Conditions of Approval. The Certificate shall be signed and sealed by the Landscape Architect or qualified professional.

|   |   |           |  |
|---|---|-----------|--|
| 5 | 6 | <b>#3</b> | <b>Exhibit D, Art. 7, Landscaping - Table 7.B.4.A – Type 1 Waivers for Landscaping, Part 2, Page 28 of 105 (Title in table)</b>  |
| 7 | 8 |           | Expand Type 1 Waiver criteria for the reduction of trees on R-O-W buffers and Incompatibility Buffers by requiring trees to be located on both sides of walls or fences. |

**Table 7.B.42.A –Type 1 Waivers for Landscaping**

| Article/Table Reference and Title   | Maximum Waiver   | Criteria  |
|---|--|---|
| ....  |  |   |
| <b><u>R-O-W Buffer</u></b>  |  |   |
| <u>Art.7.F.3.B. Table 7.D.4.D, Location of Planting Wall or Fence in Landscape Buffer, Canopy Tree Planting for R-O-W Buffer.</u> | <u>Allow a reduction of 25 No minimum of percentage of required Canopy trees to be located on the exterior side of the wall or fence for ROW or Incompatibility R-O-W Buffers.</u> | <ul style="list-style-type: none"> <li>• <u>The minimum perimeter buffer planting requirements is provided; and one or all of the below criteria:</u></li> <li>• <u>There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or,</u></li> <li>• <u>There are existing overhead, or underground utilities, or buildings that are located in close proximity to the common property line that prohibits planting on the exterior.</u></li> <li>• <u>Since a wall or fence is not a requirement for a R-O-W Buffer, the Applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose.</u></li> <li>• <u>The required trees shall be located on both sides of the wall or fence.</u></li> </ul> |
| ....  |  |   |
| <b><u>Incompatibility Buffer</u></b>  |  |   |
| <u>Table 7.D.4.D, Location of Wall or Fence in Landscape Buffer, Canopy Tree Planting for Incompatibility Buffer</u>              | <u>Allow a reduction of 25 percent of required Canopy trees to be located on the exterior side of the wall or fence for Incompatibility Buffers.</u>                               | <ul style="list-style-type: none"> <li>• <u>The Applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose.</u></li> <li>• <u>The required trees shall be located on both sides of the wall or fence.</u></li> </ul>  |
| ....  |  |   |
| <b><u>Landscape Islands and Parking Structures</u></b>  |  |   |
| ....  |  |   |

|    |           |   |
|----|-----------|---|
| 12 | <b>#4</b> | <b>Exhibit D, Art. 7, Landscaping – Art. 7.C.1, General, Part 3, Page 31 of 105 (line 1)</b>  |
|    |           | Replace Safe Sight Triangle with Corner Clip and keep Safe Sight Distance to be consistent with terminology used by the Engineering Department. |

....This Chapter also addresses other requirements that may impact the establishment of a buffer or interior planting, which includes easement encroachment; retention areas, corner clips and safe sight ~~triangles~~ distances. In addition, specific requirements are established for Large Scale Commercial Development.

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

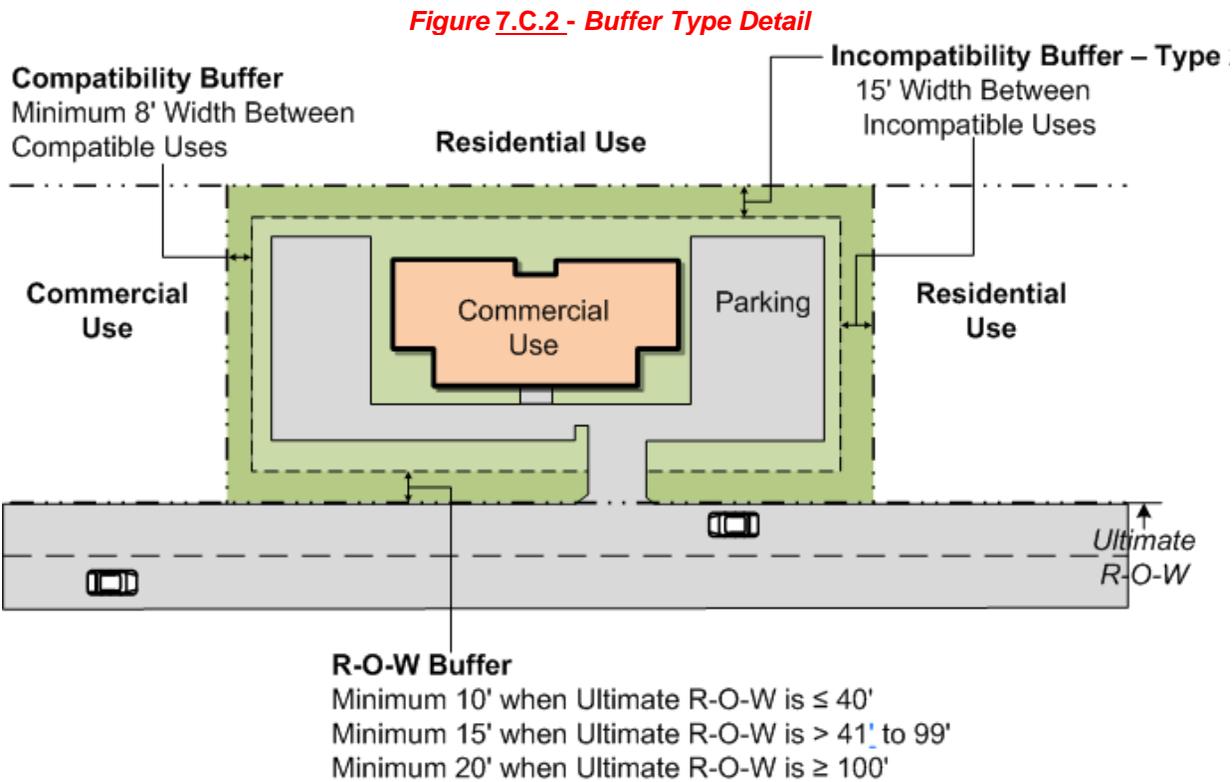
.... A series of four bolded ellipses indicates language omitted to save space.

AMENDMENTS TO THE AGENDA  
 (Updated 08/22/17)

1

|    |   |
|----|---|
| #5 | Exhibit D, Art. 7, Landscaping - Figure 7.C.2 – Buffer Type Detail, Part 3, Page 31 of 105 (line 8) |
|    | Minor correction to indicate feet related to R-O-W Buffer.  |

2



3

|    |  |
|----|--|
| #6 | Exhibit D, Art. 7, Landscaping - Table 7.C.2.A – Width of R-O-W Buffer, Part 3, Page 32 of 105 (line 19) |
|    | Add unit “feet” to the table.  |

4

**Table 7.C.2.A – Width of R-O-W Buffer**

| Width of Ultimate R-O-W | Minimum Width of Buffer |
|-------------------------|-------------------------|
| ....                    |                         |
| >41 feet to 99 feet     | 15 feet                 |
| ....                    |                         |

5

|    |  |
|----|--|
| #7 | Exhibit D, Art. 7, Landscaping - Table 7.C.2.A –R-O-W Buffer Landscaping Requirements, Part 3, Page 33 of 105 (line 1) |
|    | Minor correction to title to reflect appropriate terminology.  |

6

**Table 7.C.2.A - R-O-W Buffer Landscaping Landscape Requirements (4)**

|          |  |  |  |  |
|----------|--|--|--|--|
| ....     |  |  |  |  |
| ....     |  |  |  |  |
| (7) .... |  |  |  |  |

7

8

**Notes:**

- Double underlined indicates new text or previously stricken text to remain.
- ~~Double Stricken~~ indicates text to be ~~deleted~~.
- Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

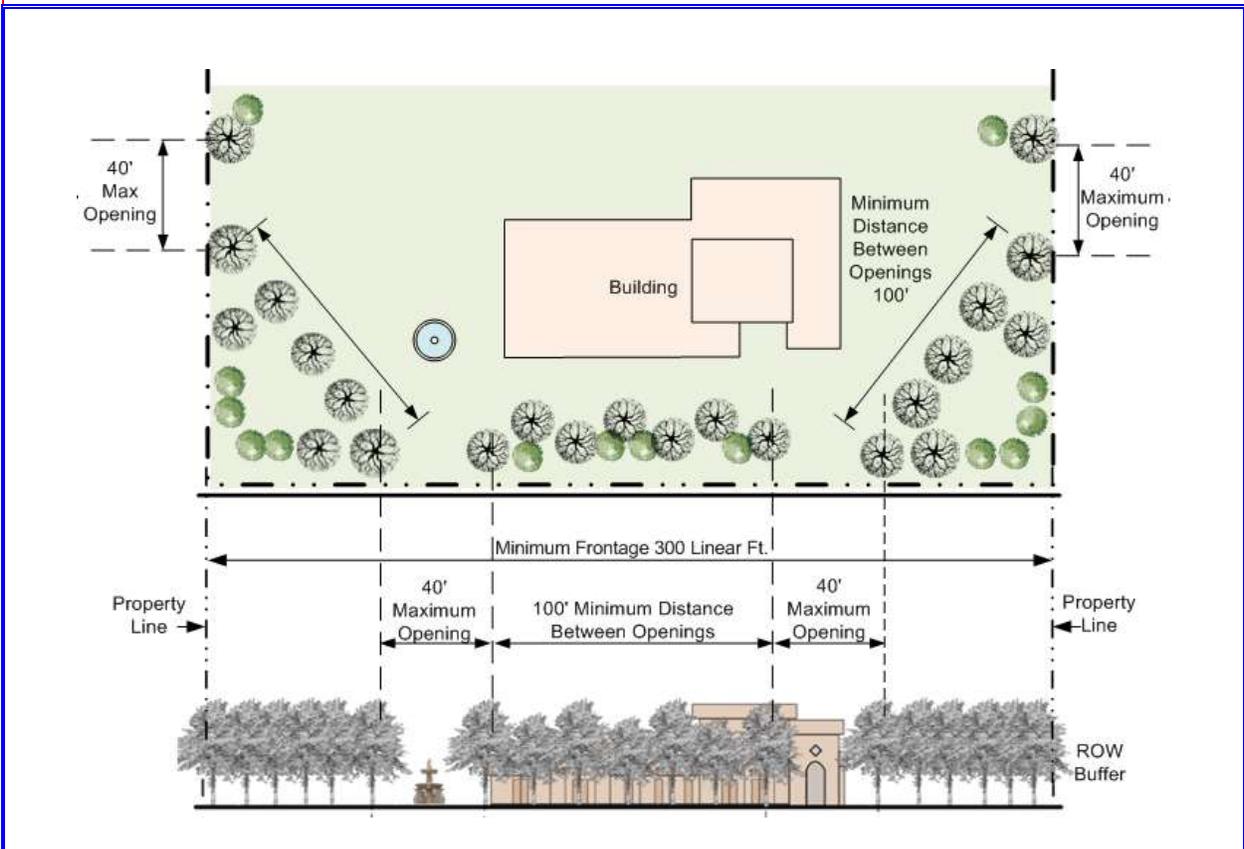
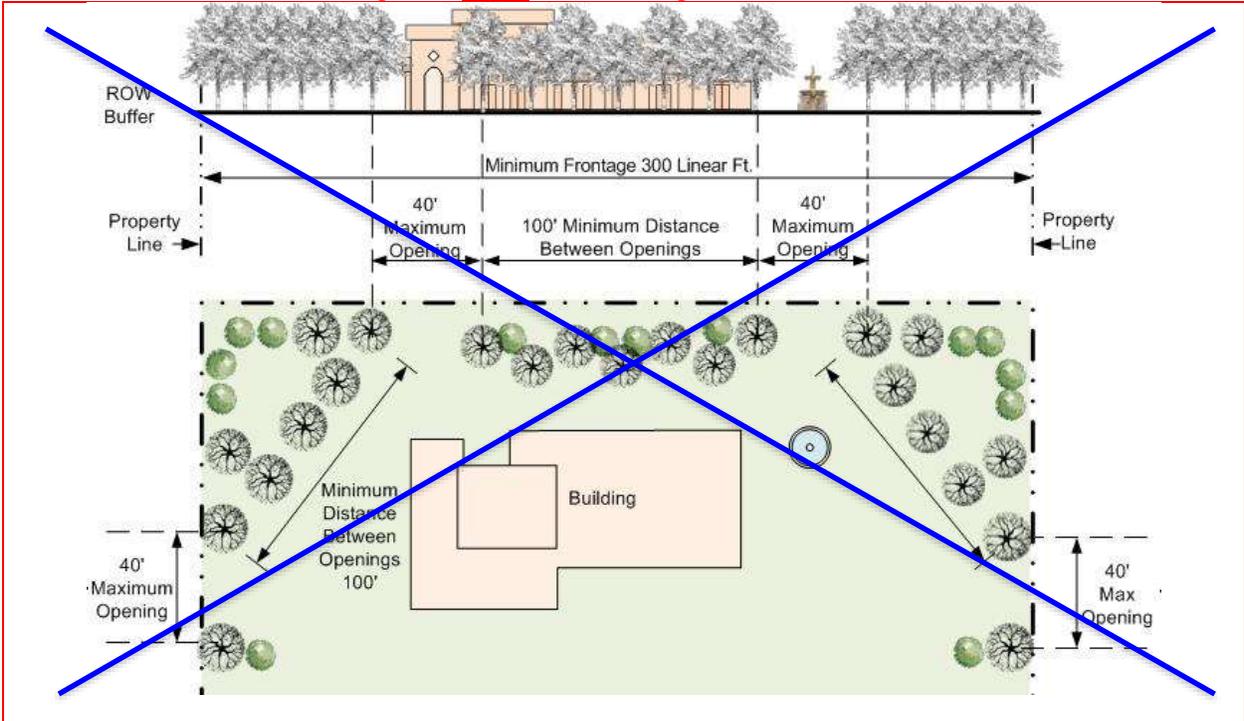
AMENDMENTS TO THE AGENDA  
 (Updated 08/22/17)

1

|    |  |
|----|--|
| #8 | Exhibit D, Art. 7, Landscaping - Figure 7.C.2.A – Clustering in R-O-W Buffer, Part 3, Page 34 of 105 (line 1)<br>Change drawing to identify elevation consistent with building floor layout. |
|----|--|

2

**Figure 7.C.2.A – Clustering in R-O-W Buffer**



3

|    |  |
|----|--|
| #9 | Exhibit D, Art. 7, Landscaping - Table 7.C.2.B – Compatibility, Part 3, Page 34 of 105 (line 4)<br>Expand title by including the term “Buffer” for clarification of the subject regulated. |
|----|--|

4

5

6

**B. Compatibility Buffer**

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
AUGUST 23, 2017 MEETING

AMENDMENTS TO THE AGENDA  
(Updated 08/22/17)

1

|   |   |
|---|---|
| #10   | Exhibit D, Art. 7, Landscaping - Table 7.C.2.B – Compatibility Buffer Landscape Requirements, Part 3, Page 35 of 105 (line 1) |
| Use “feet” instead of the symbol for consistency with similar tables. |   |

2 **Table 7.C.2.B, Compatibility Buffer Landscape Requirements (4)**

| Minimum Width     | Quantity of Canopy Trees (1) (2) (3)  | Quantity of Shrubs (1) (2)                                   | Landscape Barrier and Min. Height (5) |
|-------------------|---|--|---------------------------------------|
| <del>8 feet</del> | <i>One Canopy Tree per 25 lineal feet</i> [Relocated from Art. 7.F.2.A.1.b, Compatibility Buffer] | <i>One row of Medium shrubs at one per four lineal feet.</i> | No                                    |
| <b>Notes:</b>     |   |  |                                       |
| ....              |   |  |                                       |

3

4

|   |   |
|---|---|
| #11   | Exhibit D, Art. 7, Landscaping - Art. 7.C.2.C, Incompatibility, Part 3, Page 35 of 105 (line 4) |
| Expand title by including the term “Buffer” for clarification of the subject regulated. |   |

5 **C. Incompatibility Buffer**

6

7

|   |  |
|---|--|
| #12   | Exhibit D, Art. 7, Landscaping - Art. 7.C.4, Landscaping Requirements for Off-Street Parking, Part 3, Page 41 of 105 (line 11) |
| Minor correction to title to reflect appropriate terminology. |  |

8 **Section 4. Landscaping Landscape Requirements for Off-Street Parking**

9

10

|   |   |
|---|---|
| #13   | Exhibit D, Art. 7, Landscaping - Figure. 7.C.5, Maximum Allowed Encroachment, Part 3, Page 48 of 105 (line 7) |
| Easements are allowed encroaching into landscape buffer and not the other way around, therefore the title in figure 7.C.5, Maximum Allowed Encroachment is corrected to reflect that. |   |

11 **Figure 7.C.5 - Maximum Allowed Encroachment ~~into Easements of Landscape Buffers~~**

12 ....

13

|   |   |
|---|---|
| #14   | Exhibit D, Art. 7, Landscaping - Art. 7.C.6, Corner Clips and Safe Sight Triangles, Part 3, Page 49 of 105 (lines 2, 3, 10, 13) |
| Correct reason to reflect changes related to deletion of Safe Sight Corner. |   |
| See reason #4.  |   |

**Reason for amendments:** [Zoning]

33. Relocate Corner Clips from Chapter D to the new Chapter C.
34. ~~Combine Corner Clip and Safe Sight Corner under one Section.~~ Corner Clip is a triangular piece of right-of-way that connects two intersecting streets. The area is typically used for traffic control equipment. Depending on the type of intersecting streets, the triangle dimensions may be 25 feet by 25 feet or 40 feet by 40 feet. ~~A Safe Sight Triangle (aka “corner clip within property abutting driveway at connection to street”) is required at a driveway’s connection to a right of way.~~ This area is typically to protect line of sight for vehicles exiting private property and entering into a right-of-way. The typically triangle dimensions are 10’x10’.

14 **Section 6 Corner Clips and Safe Sight Triangles Distances**

15 *Landscaping within corner clips and safe sight triangles distances required by Article 11, Subdivision, Platting, and Required Improvements, shall be subject to the following:* [Relocated from Art. 7.D.13, Corner Clips]

- 16 ....
- 17
- 18 *B. Vegetation located adjacent to and within corner clip or safe sight triangles distance areas shall be trimmed so that limbs or foliage do not extend into the required visibility area.* [Relocated from
- 19 **Art. 7.D.13.B, related to Corner Clips**
- 20
- 21 *C. All landscaping in a corner clip or safe sight triangles distance shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a*
- 22 *Homeowner’s Association (HOA).* [Relocated from Art. 7.D.13.C, related to Corner Clips]
- 23
- 24

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

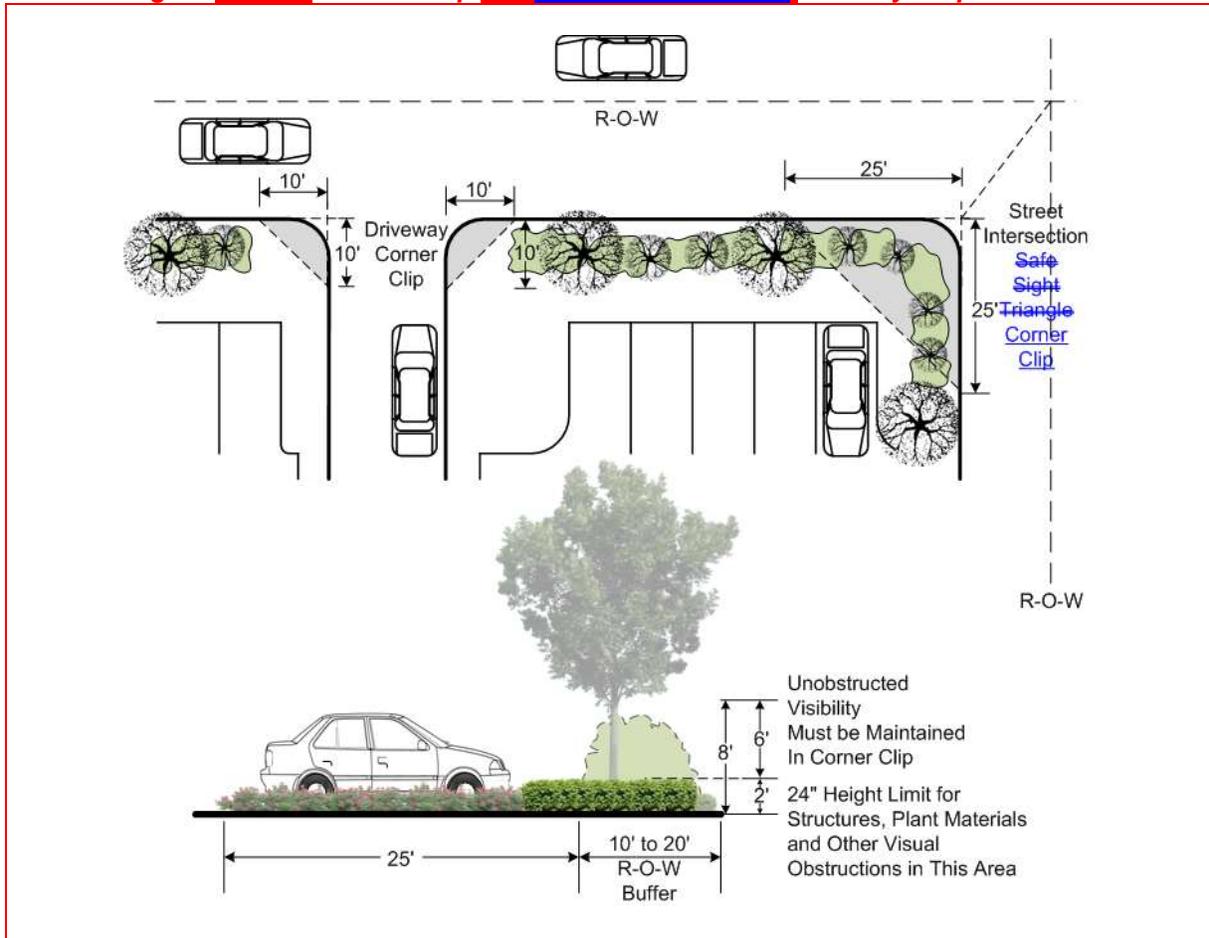
*Italicized* indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

.... A series of four bolded ellipses indicates language omitted to save space.

AMENDMENTS TO THE AGENDA  
 (Updated 08/22/17)

1

Figure 7.C.6.C - Corner Clip and Safe Sight Triangles Visibility Requirements



2

**#15 Exhibit D, Art. 7, Landscaping - Art. 7.D.1.A, Plan Species, Part 4, Page 51 of 105 (line 30)**  
 Place back language unintentionally deleted from current Code.

3  
 4  
 5  
 6  
 7

....list of native and drought-tolerant species in the most recent edition of the [SFWMD's "Xeriscape Plant Guide"](#) [SFWMD's Waterwise Florida Landscapes](#). A minimum of 60 percent of required plant materials shall be native species.

**#16 Exhibit D, Art. 7, Landscaping - Art. 7.D.4.A.1.b, PDD and Non-residential Perimeter Buffer Hedge Height, Part 4, Page 55 of 105 (line 25)**  
 Clarify buffer hedge height of 20 feet is the maximum allowed in Planned Development Districts (PDDs).

8  
 9  
 10  
 11  
 12  
 13  
 14

**b. PDD and Non-residential Perimeter Buffer Hedge Height**  
*Hedges shall not exceed 12 feet in height. Height may be increased to a maximum of 20 feet for an Industrial PDD for the purpose of screening outdoor industrial activities. [Ord. 2005-002] [Ord. 2014-025] [Relocated from Art. 7.D.3.B.3, PDD and Non-residential Perimeter Buffer Hedge Height, below]*

**#17 Exhibit D, Art. 7, Landscaping – Table 7.D.4.D – Location of Wall or Fence in a Landscape Buffer, Part 4, Page 59 of 105 (line 13)**  
 Minor correction to title to reflect appropriate terminology.

15  
 16

Table 7.D.4.D, Location of Requirements for a Wall or Fence in a Landscape Buffer

|      |  |  |  |
|------|--|--|--|
| .... |  |  |  |
| .... |  |  |  |
| .... |  |  |  |

17  
 18  
 19

**#18 Exhibit D, Art. 7, Landscaping - Art. 7.E.2.A, Pre-application Appointment, Part 5, Page 68 of 105 (line 23)**

**Notes:**  
 Double underlined indicates new text or previously stricken text to remain.  
 Double Stricken indicates text to be deleted.  
 Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].  
 .... A series of four bolded ellipses indicates language omitted to save space.

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
AUGUST 23, 2017 MEETING

AMENDMENTS TO THE AGENDA  
(Updated 08/22/17)

Add acronym for pre-application appointment.

**A. Pre-application Appointment (PAA)**

**#19 Exhibit D, Art. 7, Landscaping - Art. 1.I.2, Definitions, Part 8, Page 95 of 105 (line 20 and 25-28)**

Delete proposed definition to Safe Sight Triangle as Art. 7 continues using Corner Clips as an area at each side of a street intersection, or driveway connection to a street, which is subject to restrictions on the construction, installation, placement, or maintenance of visual obstructions.

P. Terms defined herein or referenced Article shall have the following meanings:

....

**36. Pervious Surface –**

....

~~b. For the purposes of Art. 7, Landscaping, pervious surface is the area that can be utilized for planting only, which includes any open space that is not occupied by a structure, or paved with a pervious or impervious surface.~~

S. Terms defined herein or referenced Article shall have the following meanings:

~~1. Safe Sight Triangle – an area within a property that abuts driveway at connection to a street. This area is typically to protect lines of sight for vehicles exiting private property and entering into a right-of-way.~~  
**[Renumber accordingly]**

**#20 Exhibit D, Art. 7, Landscaping - Art. 3.B.14.F.2.a, Build to Line, Part 10, Page 96 of 105 (line 39)**

See reason #4.

.... to accommodate requirements such as, increased R-O-W buffers due to location of existing utility easements, or required ~~safe sight triangle distance~~ or corner clips. ....

**#21 Exhibit D, Art. 7, Landscaping – Table 3.B.15.F – Block Building Configuration PDRs; Table 3.B.15, F, Linear Building Configuration PDRs; and Table 3.B.15.F, Courtyard Building Configuration PDRs, Part 10, Page 97 of 105 (line 31-33)**

See reason #4.

**Reason for amendments: [Zoning]**

1. Replace terminal and interior islands with Landscape islands for all the Overlays.
2. Add Safe sight ~~triangle distance~~ to the WCRAO.
3. Relocate landscaping modifications from Art. 7, Landscaping to Art.3.B.14, WCRAO.

**Table 3.B.15.F - Block Building Configuration PDRs**

|  |
|--|
| ....   |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles distance</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....   |

**Table 3.B.15.F - Liner Building Configuration PDRs**

|  |
|--|
| ....   |
| <b>Notes</b>   |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles distance</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....   |

**Table 3.B.15.F - Courtyard Building Configuration PDRs**

|  |
|--|
| ....   |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles distance</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....   |

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets **[Relocated from: ]**.

.... A series of four bolded ellipses indicates language omitted to save space.

AMENDMENTS TO THE AGENDA  
(Updated 08/22/17)

|                |   |
|----------------|---|
| #22            | Exhibit D, Art. 7, Landscaping - Table 3.B.16.F. - PRA Block Building PDRs; Table 3.B.16.F. - PRA Liner Building Configuration PDRs ; and, Table 3.B.16.F - PRA Townhouse Lot and Building Configuration PDRs, Part 10, Page 98 of 105 (line 35-37) |
| See reason #4. |   |

1   ....

Table 3.B.16.F. - PRA Block Building PDRs

|  |
|--|
| ....   |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines</del> <u>triangles distance</u> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] |
| ....   |

2   ....

Table 3.B.16.F. - PRA Liner Building Configuration PDRs

|  |
|--|
| ....   |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines</del> <u>triangles distance</u> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] |
| ....   |

3   ....

Table 3.B.16.F - PRA Townhouse Lot and Building Configuration PDRs

|  |
|--|
| ....   |
| [Ord. 2010-022] [Ord. 2011-016] [Ord. 2017-007]  |
| <b>Notes:</b>  |
| 2. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines</del> <u>triangles distance</u> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] [Ord. 2011-016] |
| ....   |

4

|                |   |
|----------------|---|
| #23            | Exhibit D, Art. 7, Landscaping - Art. 3.D.1.D.3, Corner Clip Setback, Part 11, Page 99 of 105 (line 3 and 11) |
| See reason #4. |   |

5

|  |
|--|
| Reason for amendments: [Zoning]                                  |
| <del>1- Replace safe sight lines with safe sight triangles</del> |

6

3. Corner Clip ~~and Safe Sight Triangle~~ Setback

7   ....

8

9

10

11

12

13

14

15

16

17

18

19

20

(This space intentionally left blank)

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

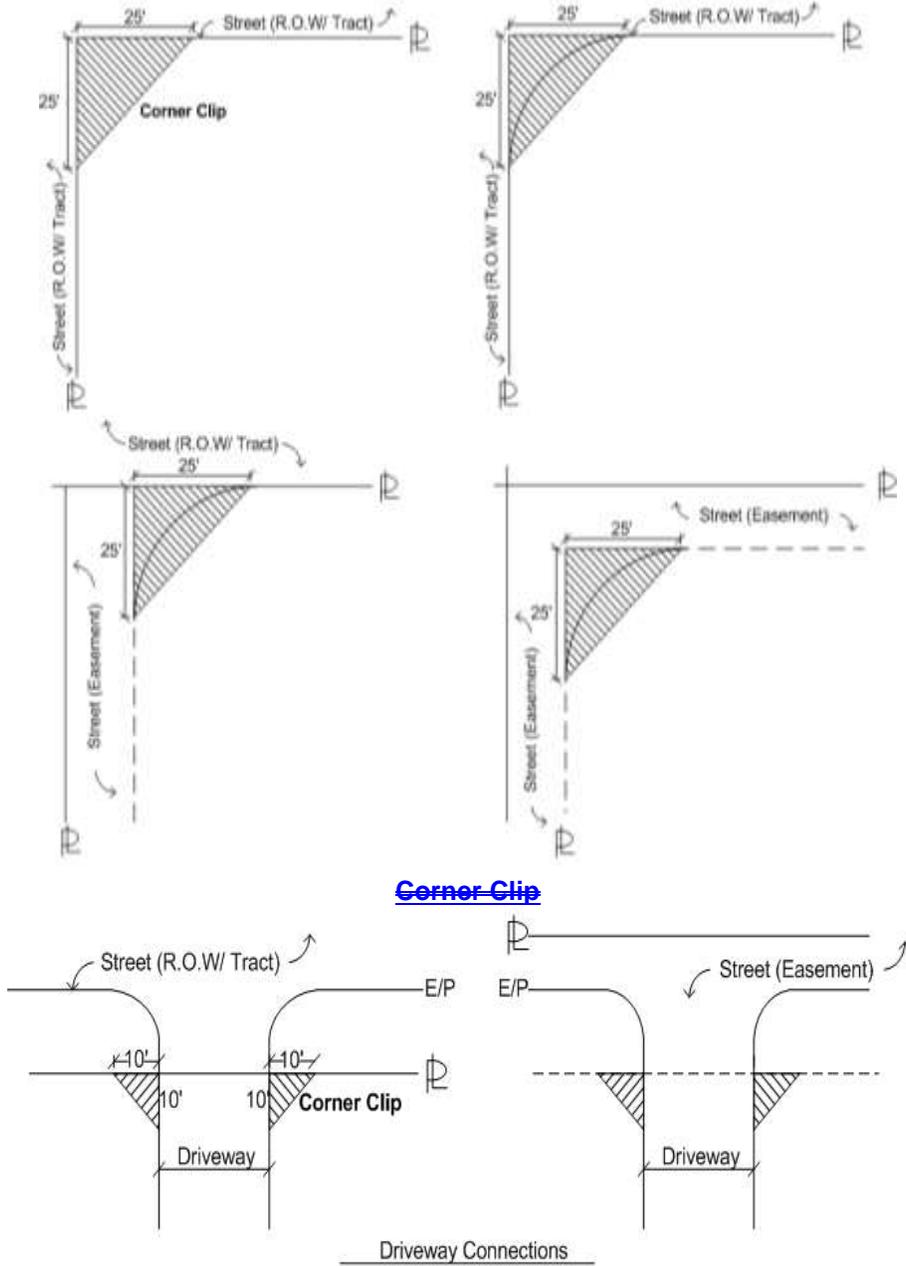
*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.

AMENDMENTS TO THE AGENDA  
(Updated 08/22/17)

1

Figure 3.D.1.D-6 - Corner Clip and Safe Sight Triangle Setback



2  
3  
4  
5

(This space intentionally left blank)

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.

AMENDMENTS TO THE AGENDA  
(Updated 08/22/17)

1

|                |   |
|----------------|---|
| #24            | Exhibit D, Art. 7, Landscaping – Art. 8.C.*, Obstructions to Driver Visibility, Part 16, Page 104 of 105 (line 13 and 16) |
| See reason #4. |   |

2

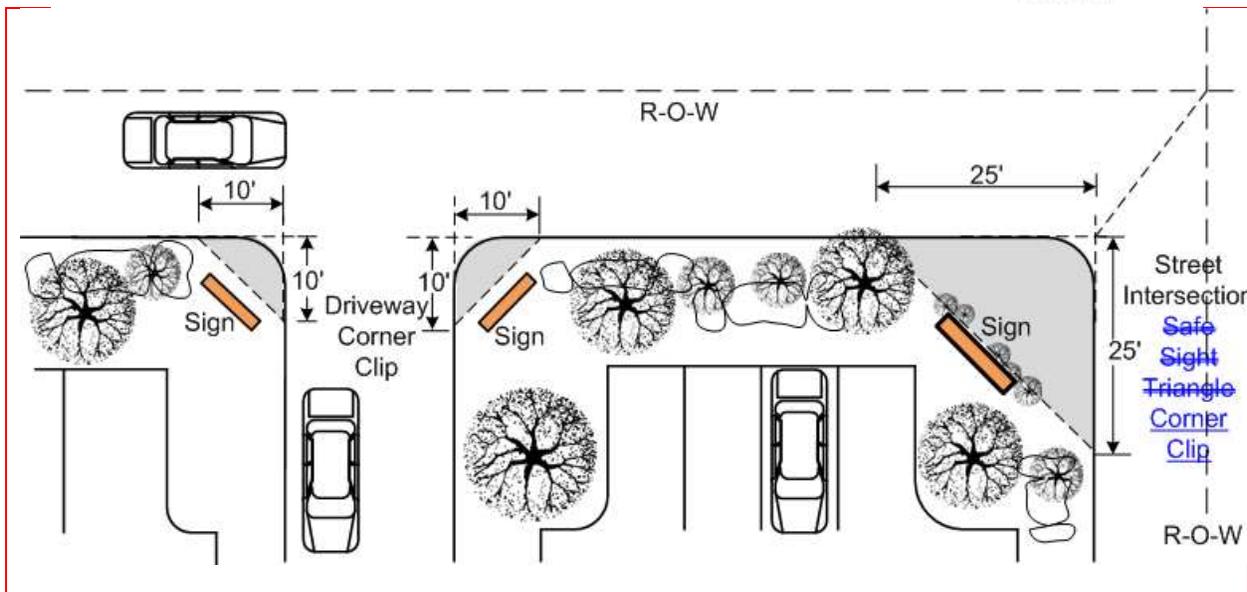
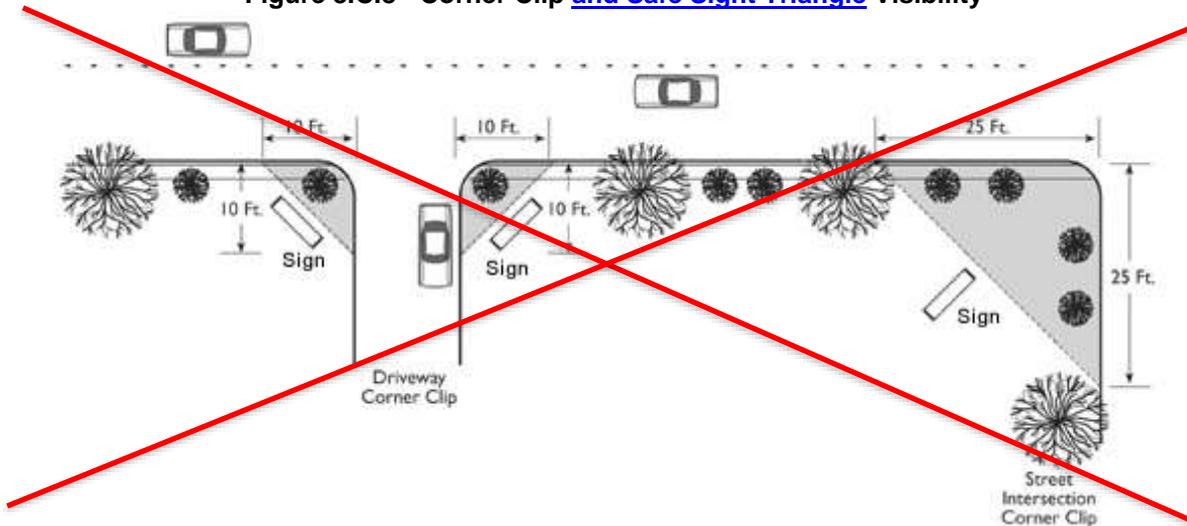
3

4

5

Signs in corner clips and ~~line of sight~~ safe sight triangle distance in accordance with PBC standards that do not meet the visibility requirements in accordance with PBC standards.

Figure 8.C.8 - Corner Clip ~~and Safe Sight Triangle~~ Visibility



6

U:\Zoning\CODEREV\2017\LDRAB\Meetings\4-26-17\4 - Final Packet\0 - Amendments to the Agenda.docx

**Notes:**

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.



August 17, 2017

**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

Paulette Burdick, Mayor  
Melissa McKinlay, Vice Mayor  
  
Hal R. Valeche  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger  
Mack Bernard

**County Administrator**

Verdenia C. Baker

Mr. Wesley Blackman, AICP, Chairman, and  
Members of the Land Development Regulation Advisory Board (LDRAB)  
241 Columbia Drive  
Lake Worth, FL 33460

**RE: August 23, 2017 LDRAB Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC Meeting on Wednesday, August 23, 2017.

The meeting will commence at **2:00 p.m.** in the Vista Center 1<sup>st</sup> Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at [MCantor@pbcgov.org](mailto:MCantor@pbcgov.org).

Sincerely,

Jon MacGillis, ASLA  
Zoning Director

JM/zc

Attachments: August 23, 2017 LDRAB Agenda

- c: Faye W. Johnson, Assistant County Administrator
- Patrick Rutter, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Maryann Kwok, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

U:\Zoning\CODEREV\2017\LDRAB\Meetings\8-23-17\4 - Final Packet\1 - Transmittal Letter.docx

*"An Equal Opportunity  
Affirmative Action Employer"*

# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

**AUGUST 23, 2017**

### BOARD MEMBERS

**Wesley Blackman, AICP, Chair** (PBC Planning Congress)

**David Carpenter, RLA, Vice Chair** (District 2)

**Michael J. Peragine**(District 1)

**Philip L. Barlage** (District 3)

**James Knight** (District 4)

**Dr. Lori Vinikoor** (District 5)

**Dr. Rena Borkhataria** (District 6)

**Robert J. Harvey** (District 7)

**Daniel J. Walesky** (Gold Coast Builders Assoc.)

**Anna Yeskey** (Palm Beach League of Cities)

**Terrence N. Bailey** (Florida Engineering Society)

**James M. McKay** (American Institute of Architects)

**Tommy B. Strowd** (Environmental Organization)

**Frank Gulisano** (Realtor's Assoc. of the Palm Beaches)

**Derek Zeman** (Fl. Surveying and Mapping Society)

**Vacant** (Association Gen. Cont. of America)

**Abraham Wein** (Member at Large/Alternate)

**Vacant** (Member at Large/Alternate)

#### Board of County Commissioners

**Paulette Burdick**  
Mayor, District 2

**Melissa McKinlay**  
Vice Mayor, District 6

**Hal R. Valeche**  
Commissioner, District 1

**David Kerner**  
Commissioner, District 3

**Steven L. Abrams,**  
Commissioner, District 4

**Mary Lou Berger**  
Commissioner, District 5

**Mack Bernard**  
Commissioner, District 7

**Verdenia C. Baker**  
County Administrator



"An Equal Opportunity – Affirmative Action Employer"  
2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



## **LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**WEDNESDAY, AUGUST 23, 2017 AGENDA**  
**2300 NORTH JOG ROAD**  
**KEN ROGERS HEARING ROOM - 1<sup>ST</sup> FLOOR (VC-1W-47)**  
**2:00 P.M.**

### **A. CALL TO ORDER/CONVENE AS LDRAB**

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of July 26, 2017 Minutes (Exhibit A)

### **B. INITIATION OF AMENDMENT ROUND 2017-02 (Attachment 1)**

### **C. ULDC AMENDMENTS**

1. Exhibit B - Art. 3, Overlays & Zoning Districts [Related to Requested Uses Reference]
2. Exhibit C - Art. 3.E.1.E.1.c, Housing Classification and Type
3. Exhibit D - Art. 7, Landscaping

### **E. PUBLIC COMMENTS**

### **F. STAFF COMMENTS**

### **G. ADJOURN**

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION

(Updated 8/15/17)

#### Minutes of July 26, 2017 LDRAB Meeting

On Wednesday, July 26, 2017 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

#### A. Call to Order/Convene as LDRAB

##### 1. Roll Call

Chair, Wes Blackman called the meeting to order at 2:05 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

##### Members Present: 11

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Michael Peragine (District 1)  
Philip Barlage (District 3)  
Dr. Lori Vinikoor (District 5)  
Dr. Rena Borkhataria (District 6)  
Robert J. Harvey (District 7)  
Terrence Bailey (Florida Eng. Society) \*  
Frank Gulisano (PBC Board of Realtors)  
Tommy Strowd (Environmental Organization)  
James McKay (AIA)

##### Vacancies: 3

PBC League of Cities  
Assoc. General Contractors of America  
Member at Large, Alt #1

##### County Staff Present:

Jon MacGillis, Director, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
Doug Wise, Building Director  
Monica Cantor, Senior Site Planner  
Leonard Berger, Assistant County Attorney  
Scott Rodriguez, Senior Planner, Planning Division  
Zona Case, Zoning Technician, Zoning

##### Members Absent: 4

Jim Knight (District 4)  
Daniel Walesky (Gold Coast Bld. Assoc.)  
Derek Zeman (FL Surveying & Mapping)  
Abraham Wien (Member at Large, Alt. #2)

##### 2. Additions, Substitutions, and Deletions

Mr. Blackman noted that there were no additions substitutions or deletions to the agenda.

##### 3. Motion to Adopt Agenda

Motion to adopt the agenda by Mr. Gulisano, seconded by Dr. Vinikoor. Motion passed (11-0).

##### 4. Adoption of May 24, 2017 Minutes (Exhibit A)

Motion to adopt the agenda by Mr. Peragine, seconded by Dr. Vinikoor. Motion passed (11-0).

#### B. ULDC AMENDMENTS

##### 1. Art. 18, Flood Damage Prevention

- Exhibit B-1 - Art. 1, General Provisions
- Exhibit B-2 - Art. 18, Flood Damage Prevention

Mr. Cross recommended that the Board review the amendments in Exhibit B1 and B2 simultaneously as both relate to the re-write of Article 18, Flood Damage Prevention. He introduced Mr. Doug Wise, Building Director, who did a Power Point presentation and highlighted the main areas of change, as follows:

- The Flood Emergency Management Agency (FEMA) has implemented new maps.
- Both FEMA and Florida Division of Emergency Management (FDEM) require the adoption of a new Flood Damage Prevention Ordinance that complies with the National Flood Insurance Program (NFIP) regulations and the Florida Building Code.
- Notice of NFIP Rate Maps was sent on April 5, 2017 and the effective date for mandatory enforcement of the new maps is October 5, 2017
- The amended Article 18 will not adopt the updated maps; the maps are mandated by FEMA.
- The revised Article 18 will acknowledge the new study and subsequent updates and ensure compliance with the Code of Federal Regulation National Flood Insurance Program Regulations (44CFR-59&60).
- The new mapping has increased the number of maps for unincorporated Palm Beach County (PBC).
- The newly mapped Special Flood Hazard Area includes the addition of partially located parcels, some parcels are removed, while some remain.
- The FEMA website has a breakdown of the parcels affected in each Commission district.

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION

(Updated 8/15/17)

#### Minutes of July 26, 2017 LDRAB Meeting

Mr. Wise clarified that FEMA divided the County into panels, each map representing a panel. A number is assigned to each panel, and paper maps are available.

At the request of Dr. Vinikoor, Mr. Wise said he would provide copies of the Power Point presentation to members and he confirmed to Mr. Blackman that the proposed changes would fit into a parallel process within the Zoning Division.

Motion to approve by Mr. Bailey, seconded by Mr. Carpenter. Motion passed (11 – 0).

#### 2. Exhibit C – Medical Marijuana Dispensing Facility

Mr. Cross reminded the Board that Mr. Scott Rodriguez of the Planning Division had done extensive work on Medical Marijuana when he worked in the Zoning Division. He now acts as a liaison between both divisions.

Mr. Rodriguez referred to the Exhibit that outlined the background of the legislative processes from 2014 to the present and the research findings. From the information gathered, the proposed amendments are:

- To revise the existing Retail Sales use to allow for Medical Marijuana Dispensaries in unincorporated PBC which would be regarded as similar to pharmacies and therefore entitled to the same treatment.
- To keep the approval process.
- To define Medical Marijuana Dispensing Facility.
- To delete the definition of Medical Marijuana Dispensing Organization, which was written specifically for the Moratorium. The language for Medical Marijuana Moratorium is also being deleted as stipulated by the sun-setting provisions which are one year, or upon adoption of Code amendments.
- To allow Type 2 Waivers to address 250' separation distances from Schools required by FS 381.986.

Responding to Mr. Barlage's inquiry on limitations regarding separation distances, Mr. Rodriguez said that Medical Marijuana Dispensing Facilities are to be treated as pharmacies per State Statutes. He noted that pharmacies are categorized under Retail Sales and the ULDC does not subject them to separation requirements. Mr. MacGillis added that Zoning will not be regulating the number of establishments but will be concerned only with the suitability of the Zoning. Mr. Bailey expressed the view that the market will regulate the numbers.

Motion to approve by Mr. Bailey, seconded by Mr. Peragine, Motion passed (11 – 0).

#### 3. Exhibit D – Equestrian Waste Moratorium]

Mr. Cross called attention to the many years spent in trying to find solutions for the waste management issue in Wellington and other equestrian communities. He explained that the Zoning in Progress (ZIP) and Moratorium adopted by the BCC for the Equestrian Waste Pilot Project were in response to concerns voiced by the agricultural industry. The industry indicated that the Food and Drug Administration Food Safety Modernization Act (FSMA) Produce Safety Rule has increased food safety requirements regarding growing, harvesting and processing of vegetables. Contamination is possible when vegetable production is in close proximity to the processing of equestrian waste, adversely affecting the fresh vegetable industry and threatening a major component of the Palm Beach County economy.

Mr. Cross went on to explain that the Planning Division will be presenting the repeal of the Equestrian Waste Pilot Project to the BCC on July 27, 2017 and for Adoption hearing on October 30, 2017.

Mr. Cross also informed the Board that the current classification for Equestrian Waste Management facility is Industrial Use, and the amendments are to add text for the Equestrian Waste Moratorium. Composting Facility is classified as a Utility Use and the text for the Equestrian Waste Moratorium is also being added to this use.

Motion to approve by Mr. Carpenter, seconded by Mr. Bailey. Motion passed (11 - 0).

#### 4. Exhibit E - Art. 4.B.2.C.6, Cocktail Lounge

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION

(Updated 8/15/17)

#### Minutes of July 26, 2017 LDRAB Meeting

Ms. Cantor explained the amendments are to correct and clarify inadvertent glitches made in the Use Regulations Project. The amendments clarify separation requirements:

- Cocktail lounges within specified distances of certain zoning districts will require a Class A Conditional Use.
- How to measure the separation distance of a cocktail lounge from residential use.

Motion to approve by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0).

#### 5. Exhibit F - Phase 2 PIA for PIPD Regional Recreation Pod and Outdoor Entertainment (AKA Surf Ranch Florida)

Mr. Cross noted the Board's familiarity with the background of the (Privately Initiated Amendment (PIA) and gave a brief Power Point presentation for the benefit of new Board Members. He noted that Planned Industrial Park Development (PIPD) Zoning Districts are intended to encourage mainly industrial expansion and indicated that although there are a number of industrial areas within the County there are only three existing PIPDs. He indicated the intent of the proposed amendments in the PIA is to allow Outdoor Entertainment subject to Class A Conditional use in the new Regional Recreation pod of PIPD.

The Power Point presentation showed examples of PIPDs and Mr. Cross provided background information and summaries of PIPD's in unincorporated PBC. He indicated that key findings in the case of the Vista Center PIPD, are that the golf course has not adversely impacted industrial uses or development. He went on to say preliminary evaluation by Planning staff indicates that the proposed amendment would be consistent with the Plan and the proposed use may provide jobs or other benefits that merit the reduction in developable industrial lands.

Mr. Cross provided additional details on the project as follows:

- The BCC approved Phase 1 of the PIA, which is to initiate amendments to the ULDC to allow for Outdoor Entertainment uses within a Planned Industrial Park Development (PIPD).
- There have been two Public Informational Meetings to provide an opportunity for public discussion.
- Concurrently the Class A Conditional Use is under review by the Community Development Section, and will be presented to the Zoning Commission, followed by presentation to the BCC.
- Staff does not recommend the addition of uses or amendments to the ULDC, but does recommend that the project be addressed as site-specific.

Dr. Vinikoor requested the provision of a cross reference in Table 4.B.3.C, Outdoor Entertainment Setbacks to the 1,000 feet separation requirement from residential use or vacant Future Land Use (FLU) designation.

The Chair indicated that two members of the public had submitted comment cards and he recommended hearing their comments immediately after the review of the Surf Ranch Florida Exhibit, as they were related to the project.

Ms. Susan Kennedy, President of the Jupiter Farm Environment, thanked Mr. MacGillis and Mr. Cross for the extra time and effort they had extended to allow for community participation. She explained that the community is located next to the Park of Commerce and expressed the view that the net loss of industrial land, which had been a concern for the community, had been addressed by a change of language and other site-specific issues were also being addressed.

Mr. Matt Gitkin, resident of Jupiter Farm, also expressed thanks for the opportunity to bring issues to the table and participate in this project. He indicated that he is looking forward to seeing what happens with this and moving it along, but he was of the view that this is not a fulfilling use of what was originally intended for that space.

Motion to approve with changes by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed (11-0).

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATION COMMISSION**

(Updated 8/15/17)

**Minutes of July 26, 2017 LDRAB Meeting**

**C. CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**1. Proof of Publication**

Motion to accept proof of publication by Mr. Gulisano, seconded by Dr. Vinikoor. Motion passed (11 - 0).

**2. Consistency Determination**

The Chair acknowledged receipt of Consistency Determination from the Planning Division. Mr. Scott Rodriguez stated that the proposed amendments in Agenda items, B through F are consistent with the Comprehensive Plan.

Motion to approve consistency determination by Dr. Vinikoor, seconded by Mr. Carpenter. The motion passed (11- 0).

**D. ADJOURN AS LDRC AND RECONVENE AS LDRAB**

**E. PUBLIC COMMENTS**

Public Comments were related to Exhibit F, (Surf Ranch Florida) and presented directly after review of the Exhibit.

**F. STAFF COMMENTS**

Mr. Cross informed the Board that Round 2017-02 amendments will be presented at the August, September and October LDRAB Meetings. There will be a final Subcommittee meeting on Article 2 in August, and the Landscape Service Subcommittee will meet shortly, hoping to work with Planning staff to map some of the information on sites.

**G. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:20 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by:

\_\_\_\_\_   
Zona Case, Zoning Technician

\_\_\_\_\_   
Date

U:\Zoning\CODEREV\2017\LDRAB\Meetings\7-26-17\4 - Final Packet\Exh. A - May 24, 2017 FINAL Minutes.docx

# ATTACHMENT 1

## MEMORANDUM



**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

Paulette Burdick, Mayor

Melissa McKinlay, Vice Mayor

Hal R. Valeche

Dave Kerner

Steven L. Abrams

Mary Lou Berger

Mack Bernard

**County Administrator**

Verdenia C. Baker

**TO:** Paulette Burdick, Mayor, and  
Members of the Board of County Commissioners

**FROM:** Jon MacGillis, ASLA, Zoning Director 

**DATE:** August 11, 2017

**RE:** **Initiation of Unified Land Development Code (ULDC) Amendment  
Round 2017-02**

---

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2017-02.

This memo will be presented at the August 24, 2017 BCC Zoning Hearing for discussion under "ULDC Amendments" portion of the agenda. In addition, staff has scheduled briefings with each Commissioner in advance of the Hearing to discuss the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JM/BC/MC/mc

Attachment 1 - Initiation of ULDC Amendment Round 2017-02

**C:** Faye W. Johnson, Assistant County Administrator  
Wes Blackman, Chair and Members of the LDRAB  
Patrick Rutter, Executive Director PZ&B  
Robert P. Banks, Chief Land Use County Attorney  
Leonard W. Berger, Chief Assistant County Attorney  
Ramsay Bulkeley, Deputy Director, PZ&B  
Lorenzo Aghemo, Planning Director  
Maryann Kwok, AICP, Deputy Director, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Zoning Division Staff

U:\Zoning\CODEREV\2017\BCC Hearings\Round 2017-02\Initiation Memo\8-2-17 Completed Memo.docx

"An Equal Opportunity  
Affirmative Action Employer"

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-02**  
 (Updated 08/11/17)

| <b>SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS</b>  |   |
|---|---|
| <b>BCC ZONING HEARINGS:</b>   | <b>LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:</b>   |
| <ul style="list-style-type: none"> <li>▪ November 30, 2017 - Request for Permission to Advertise</li> <li>▪ January 4, 2018 - 1st Reading</li> <li>▪ January 25, 2018 - 2nd Reading/Adoption</li> </ul> | <ul style="list-style-type: none"> <li>▪ August 23, 2017</li> <li>▪ September 27, 2017</li> <li>▪ October 25, 2017 [Land Development Regulation Commission (LDRC)]</li> </ul> |

| <b>Amendment/Task</b>   | <b>Lead Agency</b> | <b>Summary of Task Requirements</b>   |
|---|--------------------|---|
| <b>Art. 1, General Provisions</b>   |                    |   |
| <b>Art. 1.C.4, Measurement</b>  | <b>Zoning</b>      | Clarify how distance separation is measured between zoning districts when there is a Right of Way (R-O-W) between parcels as zoning district boundaries are typically at the Center Line (CL) of R-O-Ws and regulations are established to mitigate adverse impact over adjacent parcels. It may affect regulations contained in Art. 5 related to Noise and Hours of Operation.  |
| <b>Art. 2, Development Review Procedures</b>  |                    |   |
| Comprehensive review, update and reorganization of Art. 2, Development Review Procedures to codify current processes practice, reflect changes that have resulted from implementing new technologies into the Zoning processes, and provide predictability to all aspects of Zoning procedures. |                    |   |
| <b>Art. 2.A, General</b>  | <b>Zoning</b>      | Reorganize the introductory chapter with general information about processes and procedures for different types of applications administered and enforced by the Zoning Division.   |
| <b>Art. 2.B, Public Hearing Procedures</b>  | <b>Zoning</b>      | <ul style="list-style-type: none"> <li>• Reorganize and clarify Public Hearing Processes.</li> <li>• Review Courtesy Notice mailing boundary for applications subject to Public Hearing when the same owner of the application owns an adjacent property. The goal is to ensure adequate notice to the public while avoid sending out notices to properties outside the area of impact.</li> <li>• Establish standards and a monitoring process to clarify the length of time an interim use may be permitted in place of a Conditional or Requested Use, before the latter expires or is revoked to ensure public is notified and conditions updated accordingly.</li> </ul> |
| <b>Art. 2.C, Administrative Process</b>   | <b>Zoning</b>      | Miscellaneous modifications that include: <ul style="list-style-type: none"> <li>• Clarify functions of the Development Review Officer (DRO) after Zoning Commission or Board of County Commissioners (BCC) approval of a Development Order.</li> <li>• Consolidate administrative review processes that involve up to five agencies into the DRO Zoning Agency Review (ZAR) process.</li> <li>• Reduce procedures and redundancies.</li> <li>• Current Special Permit process will be folded into the existing DRO ZAR process to streamline the process for both the public and staff.</li> <li>• Codify Zoning Confirmation Letter practice.</li> </ul>                    |

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-02**  
(Updated 08/11/17)

| <b>Amendment/Task</b>   | <b>Lead Agency</b>                                    | <b>Summary of Task Requirements</b>  |
|---|---|--|
| <b>Chapter 2.D, PIA</b>   | <b>Zoning</b>   | <ul style="list-style-type: none"> <li>Establish new Chapter D for Privately Initiated Unified Land Development Code (ULDC) Amendment (PIA) Process. This chapter will establish applicability and procedures for the PIA process.</li> </ul>  |
| <b>Art. 2.F, Concurrency</b>  | <b>Planning</b>                                       | <ul style="list-style-type: none"> <li>Related to Public Schools concurrency and schools sitting pursuant to adopted amendments per Ordinance 2017-015.</li> </ul>   |
| <b>Art. 2.G, Decision Making Bodies</b>                                   | <b>Zoning/<br/>Planning<br/>/ County<br/>Attorney</b> | <ul style="list-style-type: none"> <li>Clarify when Land Development Regulation Advisory Board (LDRAB) alternate members may vote in the absence of a regular member.</li> <li>Recognize the ability for the Planning Commission and Planning Director to make a recommendation of Approval with Modifications.</li> <li>Update powers and duties of Zoning Commission (ZC) and DRO reflecting current practice.</li> <li>General updates of references that pertain to changes done to other chapters in Art. 2.</li> </ul>   |
| <b>Art. 2.H, Future Land Use Plan Amendments</b>                          | <b>Planning</b>                                       | <ul style="list-style-type: none"> <li>Relocate Future Land Use (FLU) Plan Amendments to a new chapter and incorporate revisions from the Planning Division to procedures for processing (FLU) Atlas amendments in accordance with recent amendments to the Plan [Ordinance 2015-018].</li> </ul>  |
| <b>Art. 3, Overlays and Zoning Districts</b>                              |   |  |
| <b>Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO)</b> | <b>Zoning/<br/>WCRA</b>                               | <ul style="list-style-type: none"> <li>Request from WCRA staff to allow for expanded Code option for side setback reductions to address issues related to small lots.</li> <li>Introduce residential on ground level of multistory structures, particularly in the Neighborhood Commercial (NC) Subarea.</li> </ul>  |
| <b>Art. 3.E.1.E.1.c, Housing Classification by Type</b>                   | <b>Zoning</b>   | <ul style="list-style-type: none"> <li>Minor clarification of housing type conversion to remove restriction that allows such change from attached to detached units only. This pertains to DRO authority to modify Planned Development Districts (PDDs) Master Plans, Site Plans, Subdivision Plans or Regulating Platting approved by the BCC or ZC.</li> </ul>   |
| <b>Art. 4, Use Regulations</b>  |   |  |
| <b>Multiple Sections</b>  | <b>Zoning</b>   | <p>Correct minor scrivener’s errors and glitches inadvertently adopted in early 2016 with the ULDC Use Regulation Project in Ord. 2017-007, including but not limited to:</p> <ul style="list-style-type: none"> <li>Consolidate Requested Uses reference in Art. 3, Overlay and Zoning Districts to be Conditional Use as the term Requested Use was deleted from the Code.</li> <li>Art. 4.B.2.C.36, Self Service Storage to exempt bay doors facing residential from architectural requirements when buildings within the development block bay doors view.</li> <li>Art. 4.B.5.C.5, Wholesale Gas and Fuel, to reintroduce the term “flammable” while adding “or explosive” which would exclude wholesalers of medical gases such as oxygen; and, exceptions for de minimis volumes of gases or fuel, and expand to include additional clarification for low volume gas cylinders or canisters.</li> </ul> |
| <b>Art. 5, Supplementary Standards</b>                                    |   |  |
| <b>Art. 5.B.2, Fences and Walls</b>                                       | <b>Zoning/<br/>Building</b>                           | <ul style="list-style-type: none"> <li>Establish or clarify scope of exemptions from fence requirements for temporary construction fencing.</li> <li>Clarify that Variances will not be required for any increase in sound-barrier wall height from current six feet up to ten feet or more along the Florida Turnpike Right of Way (R-O-W) when required by FDOT.</li> </ul>  |

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-02**  
(Updated 08/11/17)

| Amendment/Task   | Lead Agency                    | Summary of Task Requirements   |
|--|--------------------------------|--|
| <b>Art. 5.B.1.A.8, Dumpster</b>  | <b>Zoning</b>                  | <ul style="list-style-type: none"> <li>Clarify provisions applicable to dumpster location by indicating that encroachment on easements or buffers is not allowed and shall not interfere onsite circulation.</li> </ul>  |
| <b>Art. 5.B.1.A.13, Accessory Radio Towers</b>                                       | <b>Zoning</b>                  | <ul style="list-style-type: none"> <li>Establish a new approval process and requirements for telemetry towers typically used by water management or drainage utilities to remotely control drainage infrastructure; and,</li> <li>Address procedures for approval of emergency towers owned by government such as Palm Beach County or South Florida Water Management District.</li> </ul>   |
| <b>Art. 7, Landscaping</b>   |                                |  |
| <b>All Chapters</b>  | <b>Zoning</b>                  | <ul style="list-style-type: none"> <li>Comprehensive review with Industry and Interested Parties on the entire Article dedicated to Landscape. Identify and recommend amendment that will reflect best practice and design standards.</li> <li>Relocate provisions for vacant residential lot maintenance after demolition of dwelling to Article 5; and, ensure references to Property Maintenance provisions in the County Code of Ordinances addresses all other regulations for property maintenance by Code Enforcement.</li> <li>Expand the current criteria for existing Type 1 Waiver for the reductions for R-O-W buffers width, incompatibility buffers width and shrub planting to facilitate review of requests by staff.</li> <li>Update planting requirements for buffer types consistent with "Planting the Right Tree in the Right Place" by FPL.</li> <li>Allow landscape parking lot islands to be spaced at a larger interval apart when island width is increased to better accommodate the single-tree root system. This amendment will provide flexibility without the applicant having to obtain a waiver.</li> <li>Establish specific regulations for the addressing bullpen parking and screening of vehicular use (storage) areas not open to the public to maximize planting requirements.</li> </ul> |
| <b>Art. 8, Signage</b>   |                                |  |
| <b>Art. 8.D, Temporary Signs Requiring Special Permit</b>                            | <b>Zoning/ County Attorney</b> | <ul style="list-style-type: none"> <li>Consolidate existing standards and approval process for Temporary Signs applicable to Temporary Uses.</li> </ul>  |
| <b>Privately Initiated Amendments (PIA) (may be processed out of Round)</b>          |                                |  |
| <b>PIA-2017-00314 PIPD Commercial Recreation Facilities [AKA Surf Ranch Florida]</b> | <b>Zoning</b>                  | <p>A Privately Initiated Amendment (PIA) application request, to establish regulations for a new regional recreation pod and to allow outdoor entertainment as a Class A Conditional Use within the Planned Industrial Park Development (PIPD) District (AKA Surf Ranch Florida).</p> <p>This application is was presented to LDRAB on July 26, 2017 and scheduled to the BCC for Request for Permission to Advertise on August 24, 2017, 1st Reading on September 28, 2017, and <b>ADOPTION ON OCTOBER 26, 2017.</b></p>  |

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2017-02**  
(Updated 08/11/17)

| Amendment/Task                                      | Lead Agency              | Summary of Task Requirements   |
|---|--------------------------|--|
| PIA-2016-02131<br>[AGR Tier CLF Intensity]          | Zoning Planning          | <p><b>PENDING:</b> Subject to Comprehensive Plan Amendment to allow Congregate Living Facilities in the Agricultural Reserve Tier utilizing the intensity for Institutional Land Uses – The application is scheduled to be presented to the Planning Commission on October 13, 2017 and for Transmittal on October 30, 2017 by the BCC.</p> <p>A PIA application by Urban Design Kilday Studio agent, requesting to amend article 4.B.1.C.1, Congregate Living Facility (CLF) to allow a CLF in Zoning districts consistent with the Institutional (INST) Future Land Use (FLU) designation within the Agricultural Reserve (AGR) Tier, to be calculated by maximum allowed Floor Area Ratio (FAR), versus current density based requirements.</p>   |
| Mixed Use Amendments to AGR Tier MUPD (Morningstar) | Zoning Planning          | <p><b>PENDING:</b> Subject to Comprehensive Plan Amendment to allow Multiple Land Use (MLU) projects to be developed within the AGR Tier with mixed uses including Congregate Living Facility (CLF), considering CLF a housing type, increase density to more than 1 unit per acre and preserve area requirements.</p> <p>A PIA application by J. Morton Planning and Landscaping Architecture agent, requesting to allow for mixed use within the Multiple Use Planned Development (MUPD) district.</p>   |
| <b>Other –CLF and Reasonable Accommodation</b>      |                          |  |
|   | County Attorney / Zoning | <ul style="list-style-type: none"> <li>• The Zoning Division and the County Attorney’s office are monitoring the implementation of both, city of Delray Beach and city of Boynton Beach regulations on group homes. Staff will keep the BCC apprised of amendments that County might want to recommend adoption.</li> <li>• Minor Code amendments to revisit Congregate Living Facilities (CLF) Type 1 and Type 2 (up to 14 people), to expand its definition by including uses not only licensed by State agencies contained in State Status 409.001.</li> <li>• Establish Reasonable Accommodation exception criteria for Type 2 CLF (7 to 14 residents) when the application will not be required to comply with the zoning district approval process for this use. (i.e. When a Permitted by Right CLF Type 1 (up to 6 residents) is expanded to include more residents (up to 14), it becomes CLF Type 2. That new CLF type requires BCC or Zoning Commission (ZC) approval, depending on the Zoning District where the use is located).</li> </ul> |
| <b>Other – Landscape Service Use</b>                |                          |  |
|   | Zoning                   | <p>Discussion of this topic has been subject to multiple LDRAB Subcommittee meetings starting in Spring 2017 with industry and interested participants. The meetings look to ascertain how best to accommodate Landscape Service operation that are integrated with farming operations for the nursery industry, located in the Agricultural Reserve (AGR) Tier and Agricultural Residential (AR) Zoning District mainly. Tentative amendments are subject to information to be provided by industry that assist staff in the formulation of regulations that help resolve current Code Enforcement issues.</p>  |

# EXHIBIT B

## ARTICLE 3 – OVERLAY AND ZONING DISTRICTS [RELATED TO REQUESTED USES REFERENCE] SUMMARY OF AMENDMENTS

(Updated 08/07/17)

1 Part 1. ULDC Art. 3.B.4, GAO, Glade Area Overlay (pages 25 -27, 44, 62, 111-112, 132-133, 180,  
2 202 of 216), is hereby amended as follows:  
3

**Reason for amendments: [ZONING]**

1. Amend to include multiple updates through Art. 3, Overlays and Zoning Districts to delete reference to Requested Use and consolidate with Conditional Use for consistency with changes done to the Code through the Use Regulations Project contained in Ordinance 2017-007.

4 **CHAPTER B OVERLAYS**

5 **Section 4 GAO, Glades Area Overlay**

6 ....  
7 **D. Approval Process**

8 ....  
9 **2. Administrative Approvals**

10 ....  
11 **b. Conditional ~~and Requested~~ Uses**

12 Uses allowed as Conditional ~~or Requested~~ Uses in a non-residential Zoning district may  
13 be approved by the DRO after compliance with Art. 2.B.2.B, Standards for Conditional  
14 Uses, ~~Requested Uses~~ and Development Order Amendments. **[Ord. 2016-016]**

15 ....  
16 **3. Public Hearing Approvals**

17 **a. Prohibited Uses in Non-residential Districts**

18 Uses not otherwise permitted in a non-residential Zoning district may be approved as a  
19 Class A Conditional ~~or Requested~~ Use provided the BCC makes a finding that the  
20 proposed use meets the following: **[Ord. 2014-025] [Ord. 2016-016]**

21 ....  
22 **E. Property Development Regulations (PDRs) Exceptions**

23 ....  
24 **2. Maximum Density and Intensity - Conditional/~~Requested~~ Use Approval**

25 The BCC may consider an increase in the maximum density and intensity allowed by the Plan  
26 within the GAO subject to approval of a Conditional ~~or Requested~~ Use. **[Ord. 2014-025]**

27 ....  
28 **F. Planned Industrial Park Development (PIPD)**

29 **1. Development Standard Exceptions**

30 ....  
31 **c. Maximum Commercial Acreage - ~~Requested~~ Conditional Use Approval**

32 The BCC may consider an increase in the maximum Commercial acreage allowed  
33 pursuant to Table 3.E.5.D, PIPD Land Use Mix, subject to approval of a ~~Requested~~  
34 Conditional Use; and, upon finding that the increase will serve the projected workforce and  
35 residential population of the PIPD, and encourage internal automobile trip capture. **[Ord.**  
36 **2014-025]**

37 ....  
38 **Section 14 WCRAO, Westgate Community Redevelopment Area Overlay**

39 ....  
40 **D. Development Review Procedures**

41 **1. WCRA Recommendation**

42 Applicants must obtain a recommendation from the WCRA, prior to submittal of any application  
43 for the development of single-family or duplex residential structures on a non-conforming lot,  
44 or application outlined under Art. 2, Development Review Procedures, for the following: Official  
45 Zoning Map Amendments, Conditional Uses, ~~Requested Uses~~, Development Order  
46 Amendments, Plan Amendments, Density Bonuses, Variances and projects requiring DRO  
47 approval. An application for a WCRA recommendation must be made in accordance with the  
48 following: **[Ord. 2006-004] [Ord. 2007-013]**

49 ....  
50 **H. Density Bonus Programs**

51 ....  
52  
53  
54 (This space intentionally left blank)

**Notes:**

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to: ]**.

*Italicized* indicates text to be relocated. Source is noted in bolded brackets **[Relocated from: ]**.

.... A series of four bolded ellipses indicates language omitted to save space.

## EXHIBIT B

# ARTICLE 3 – OVERLAY AND ZONING DISTRICTS [RELATED TO REQUESTED USES REFERENCE] SUMMARY OF AMENDMENTS (Updated 08/07/17)

Table 3.B.14.H - WCRAO Density Bonus Pool Approval

| Approval Process Required (1)   | Range of Bonus Units per Acre | Min. % of Density Bonus Units Required to be Affordable (3) |
|---|-------------------------------|---|
| ....  |                               |   |
| [Ord. 2006-004] [Ord. 2007-013]   |                               |   |
| Notes:  |                               |   |
| 1. The transfer of density to a PDD or TDD requires approval as a <del>requested use</del> <u>Class A Conditional Use</u> . [Ord. 2006-004] |                               |   |
| ....  |                               |   |

2  
3  
4  
5  
6  
7  
8  
9  
....  
2. **Other Density Bonus Programs**

Requests for approval of other residential density through Art. 5.G., Density Bonus Programs may request to waive the compatibility and additional landscaping required, if consistent with the Plan, subject to a WCRA recommendation for approval and BCC approval of a Class A Conditional Use ~~or Requested Use~~. [Ord. 2006-004]

10 **Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)**

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
....  
D. **Application Requirements**

2. **Plan Requirements**

a. **Preliminary Master Plan**

2) **Additional Requirements**

e) Location of any ~~requested Conditional~~ Uses; [Ord. 2010-005]

22 **Section 17 Agricultural Enclave Overlay (AGEO)**

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
....  
D. **Development Review Procedures**

Any application for a Development Order for a rezoning, ~~eConditional or requested u~~ Use approval, or Development Order Amendment, within an AGEO shall be consistent with an AGE FLUA amendment Conceptual Plan: [Ord. 2014-031]

2. **Final Site or Subdivision Plan**

A FSP or FSBP for a TND, PUD, TMD, MUPD or ~~Requested Conditional~~ Use, shall include graphic and tabular details as required above for Master Plans and Regulating Plans. [Ord. 2014-031]

E. **Use Regulations and Standards**

2. **Economic Development Center (EDC)**

An MUPD Pod developed as a TTD Economic Development Center may include a College or University subject to approval as a ~~Requested Conditional~~ Use. Additional commercial uses that support employees and students may be permitted in accordance with a FLUA Conceptual Plan. [Ord. 2014-031]

41 **CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)**

42 **Section 1 General**

43  
44  
45  
46  
47  
48  
49  
....  
A. **General**

2. **Applicability**

a. **Previous Approvals**

2) **Additional Requested Uses**

**Notes:**

Underlined indicates new text.

~~Stricken~~ indicates text to be ~~deleted~~. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [Relocated to: ].

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [Relocated from: ].

.... A series of four bolded ellipses indicates language omitted to save space.

## EXHIBIT B

### ARTICLE 3 – OVERLAY AND ZONING DISTRICTS [RELATED TO REQUESTED USES REFERENCE] SUMMARY OF AMENDMENTS

(Updated 08/07/17)

1 Previously approved “Additional ~~Requested Conditional~~ Uses” shall remain conforming  
2 uses, and may be modified or expanded, subject to a DOA Approval. [Ord. 2005 –  
3 002] [Ord. 2009-040]  
4

5 **B. FAR, Density, and Use Standards**

6  
7 **3. Uses Allowed**

8 Uses allowed in a PDD shall be pursuant to Article 4, Use Regulations. Previously approved  
9 planned developments shall be governed by the FLU designation in the Plan or pod designation  
10 on the most recent approved master plan for purpose of determining the uses allowed and  
11 applicability of this Code. Previously approved additional ~~requested Conditional~~ ~~u~~Uses shall  
12 be considered conforming uses, and any expansion, relocation or increase in intensity shall be  
13 subject to BCC approval. [Ord. 2005-041] [Ord. 2017-007]  
14

15 **Section 2 Planned Unit Development (PUD)**

16  
17 **E. Pods**

18  
19 **2. Commercial Pod**

20  
21 **b. Design**

22 1) Any single use exceeding 10,000 square feet of GFA shall obtain approval as a  
23 ~~Requested Conditional~~ Use.  
24

25 **CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)**

26 **Section 1 General Provisions for TDDs**

27  
28 **C. Review and Approval Process**

29 **1. Traditional Town Development (TTD) Required Plan Options**

30 The BCC may approve a Preliminary Master Plan for a TTD, including TMD, MUPD, TND and  
31 PUD Pods, and ~~Requested Conditional~~ Uses, without concurrent submittal of Preliminary Site  
32 Plans or Subdivision Plans. The BCC shall approve a Preliminary Site Plan for a TMD, MUPD  
33 and any Requested Uses prior to Final Site Plan approval. Preliminary Site Plan or Subdivision  
34 Plan approval shall not be required for a TND or PUD Pod, unless the applicant is requested  
35 Waivers or other standard requiring BCC approval. [Ord. 2014-031]  
36

37 **Section 4 Traditional Marketplace Development (TMD)**

38  
39 **C. Development Standards for all TMDs**

40 **1. General Standards**

41  
42 **c. Maximum Floor Area per Single Tenant [Ord. 2005-041]**

43 **1) U/S Tier**

44 No single tenant may occupy more than 50,000 sq. ft. unless approved as a ~~requested~~  
45 ~~Conditional~~ ~~u~~Use. Single tenants occupying more than 100,000 square feet are  
46 prohibited. [Ord. 2005 – 002]

47 **2) Exurban/Rural and AGR Tiers**

48 No single tenant may occupy more than 25,000 sq. ft. unless approved as a ~~requested~~  
49 ~~Conditional~~ ~~u~~Use. Single tenants occupying 65,000 sq. ft. or more are prohibited. [Ord.  
50 2005 – 002]  
51

U:\Zoning\CODEREV\2017\LDRAB\Meetings\8-23-17\4 - Final Packet\Exh. B - Art. 3 Overlays and Zoning Districts related to Requested Uses.docx

---

**Notes:**

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [**Relocated to:** ].

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT C

## ARTICLE 3.E.1.E.1.C – HOUSING CLASSIFICATION AND TYPE SUMMARY OF AMENDMENTS

(Updated 08/16/17)

1  
2 Part 1. ULDC Art. 3.E.1.E.1.c, Housing Classification and Type (pages 137-138 of 216), is hereby  
3 amended as follows:

4

| Reason for amendments: [ZONING]   |
|---|
| 1. To clarify the changes related to housing type for Planned Development District (PDD) Master Plan, Site Plan, Subdivision Plan or Regulating Plan that can be approved by the DRO. The proposed amendment removes the restriction that allows conversion from attached housing units only to avoid conflict with regulations in the corresponding table 3.E.1.E Housing Classification and Type. |
| 2. To capitalize the names of the housing use types in the corresponding table. Use Classifications are capitalized as per the ULDC.  |

5 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

6 Section 1 General

7 E. Modifications

8 1. Modifications by the DRO to a Master Plan, Site Plan, Subdivision Plan or Regulating  
9 Plan

10 c. Housing Classification and Type

11 ~~Housing classification may only be changed from attached to detached.~~ Housing type may  
12 ~~only~~ be changed as follows:  
13

Table 3.E.1.E - Housing ~~Classification and Type~~ (1)

| From   | To   |
|--|--|
| MF   | Townhouse, <del>Z</del> zero <del>L</del> lot <del>L</del> line, or <del>S</del> single <del>F</del> family  |
| Townhouse  | <del>MF with maximum height of 35-feet in height,</del> Zero <del>L</del> lot <del>L</del> line, or<br><del>S</del> single <del>F</del> family <del>or MF maximum of 35' in height</del> |
| ZLL  | Single <del>F</del> family   |
| <b>Notes:</b><br><del>Provided there is no height increase from the originally approved housing type</del> |  |

14  
U:\Zoning\CODEREV\2017\LDRABMeetings\8-23-17\4 - Final Packet\Exh. C - Art. 3.E.1.E.1.c, Housing Classification by Type.docx

**Notes:**

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [**Relocated to:** ].

*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].

.... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Part 1. ULDC Art. 7.A.1, General – Landscaping and Buffering (page 6-11 of 49), is hereby amended as follows:

| Reason for amendments: [Zoning]   |
|---|
| 1. Clarify that planting requirements are based on the Managed Growth Tier System (MGTS) of the County's Comprehensive Plan.  |
| 2. Relocate existing MGTS Compliance language from Chapter C to Chapter A.  |
| 3. Relocate specific objectives under Art. 7.A.1.A. 1-8 (e.g. Appearance, Environment Removal of Prohibited Plant Species, etc.) and combine them under Design Principles in Art. 7.A.1.B. This proposed consolidation will reduce redundancy between these 2 Sections of Art. 7, and provide more realistic types of design principles that can be applied to the site design. It will also allow staff to review and evaluate the merits of the landscape design and the proposed use of plant materials. |

### CHAPTER A GENERAL

#### Section 1 Landscaping and Buffering Purpose and Intent

##### ~~A. Purpose and Intent~~

~~The purpose and intent of this Article is to establish minimum standards for the design, layout, installation and continued maintenance of landscaping. The specific objectives of this Article are as follows: This Article provides general direction and establishes minimum standards related to the following:~~

~~A. Design principles to ensure compliance with the Managed Growth Tier System (MGTS);~~

~~B. Review process and decision making standards for the evaluation of Landscape Plans;~~

~~C. Requirements for buffers, interior, and other service areas of a property;~~

~~D. Standards for plant materials and other landscape barriers or structures;~~

~~E. Preservation of existing native vegetation, elimination of prohibited and reduction of controlled plant species;~~

~~F. Installation and continued maintenance; and,~~

~~G. Enforcement of the Code requirements.~~

##### ~~1. Appearance~~

~~To improve the aesthetic appearance of development through creative landscaping that helps to enhance the natural and built environment. [Relocated to Art. 7.A.3.A, Appearance and Composition]~~

##### ~~2. Environment~~

~~To improve the environment by maintaining permeable land area essential to surface water management and aquifer recharge; reducing and reversing air, noise, heat, and chemical pollution through the biological filtering capacities of trees and other vegetation; promoting energy conservation through the creation of shade; reducing heat gain in or on buildings or paved areas; reducing the temperature of the microclimate through the process of evapotranspiration; and encouraging the limited use of fresh water resources through the use of native and drought tolerant plants. [Partially relocated to Art. 7.A.3.B, Environmental Quality]~~

##### ~~3. Water Conservation~~

~~To promote water conservation by encouraging xeriscaping in appropriate areas, such as medians; requiring the use of native and drought tolerant landscape material; encouraging the use of water conserving irrigation practices; requiring adherence to landscape installation standards and maintenance procedures that promote water conservation; and encouraging the ecologically sound placement of landscape material and incorporation of natural areas and vegetation into landscape plans. [Partially relocated to Art. 7.A.3.C, Water Conservation]~~

##### ~~4. Preservation~~

~~To encourage the preservation and planting of native trees and vegetation as part of landscape design. [Partially relocated to Art. 7.A.3.D, Preservation and Removal of Prohibited Plant Species]~~

##### ~~5. Compatibility~~

~~To promote efficiency in the development of limited land resources by improving the compatibility of otherwise incompatible land uses in close proximity, particularly residential development that is adjacent to commercial and industrial development, through the use of landscaped buffers. [Partially relocated from Art. 7.A.3.E, Compatibility]~~

##### ~~6. Land Values~~

~~To maintain and increase the value of land by requiring minimum landscaping which, when installed and maintained properly, becomes a capital asset.~~

##### ~~7. Human Values~~

~~To provide physical and psychological benefits to persons and to reduce noise and glare by softening the harsher visual aspects of urban development.~~

##### ~~8. Removal of Prohibited Plant Species~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~To require the initial eradication of and control the ongoing removal of prohibited plant species that have become nuisances because of their tendency to disrupt or destroy native ecosystems.~~ [Partially relocated to Art. 7.A.3.D.1, Incorporation of Existing Vegetation]

### **Section 2** MGTS Compliance

Landscape design shall comply with the relevant MGTS characteristics in both plant material selection and overall landscape composition. [Relocated from Art. 7.C, MGTS Tier Compliance]

#### **A.** U/S Tier

~~Landscape design in the U/S Tier should have a higher level of detail and more structure, such as pedestrian accents, formal or meandering arrangements in perimeter landscape buffers, street tree plantings, and inter-connections between pedestrian and vehicular areas. The WCRAO, IRO and URAO, among others, serve to promote urbanized forms of development that accommodate walkability and other attributes of the urban environment. Greater flexibility and alternative landscape solutions are available to promote development within the boundaries of these areas. [Ord. 2010-005] [2010-022] [Ord. 2014-025] [Partially relocated from Art. 7.C.1, U/S Tier]~~

#### **B.** AGR and Glades Tiers

~~Landscape design in the AGR and Glades Tiers should consist of large open spaces, with equestrian and agricultural elements, and an increased percentage of native plant species. [Partially relocated from Art. 7.C.2, AGR and Glades Tiers]~~

#### **C.** Exurban and Rural Tiers

~~Landscape design in the Exurban and Rural Tiers should incorporate more informal design patterns that include: reduced impervious areas; preservation of native vegetation; and, more naturalistic landscaped areas. Non-residential uses shall accommodate increased amounts of landscape materials in the parking areas and building foundation plantings. [Ord. 2009-040] [Partially relocated from Art. 7.C.3, Exurban and Rural Tiers]~~

|   |
|---|
| <b>Reason for amendments:</b> [Zoning]  |
| 4. Combine Purpose and Intent and its subheadings (Appearance, Environment to Removal of Prohibited Plant Species) with Landscape Design Principles to reduce redundancy, e.g. Sensitivity to Tiers is proposed to be relocated under Purpose and Intent. |
| 5. Eliminate any subjective goals that cannot be enforced by the Zoning Division or Code Enforcement, e.g. Land Values and Human Values.  |

### **Section 3B.** Landscape Design Principles

This Section establishes standards for landscape design. It is the intent of this Article to encourage creativity in landscape design while providing general direction and criteria for the evaluation of a specific type of plan: ~~p~~Planting, ~~L~~andscape or ALP in order to issue a landscape permit. The following design principles are general standards to be applied by the Applicant, and used by the DRO and other County staff Agencies and DRO in evaluating whether the proposed Landscape Plans are in compliance ~~to with~~ landscape plans conform to the requirements of this Article: [Ord. 2009-040]

#### ~~1. Natural Landscapes~~

~~Landscape designs should incorporate and enhance existing natural landscapes and existing specimen trees and native vegetation (including canopy, understory, and ground cover). Particular care should be given to preserve intact natural landscapes. Where previous landscaping has dramatically altered natural landscapes, new designs should seek to re-establish natural landscape patterns and plantings.~~ [Partially relocated to Art. 7.A.3.D.1, Incorporation of Existing Vegetation]

#### **2A.** Appearance and Composition

~~To improve the aesthetic appearance of development through creative landscaping that helps to enhance the natural and built environment.~~ [Relocated from Art. 7.A.1.A.1, Appearance]

The quality of a landscape design is dependent upon not only on the quantity, and selection and arrangement of plant materials ~~but also on how that material is arranged~~. Landscape materials should be arranged designed in a manner as to provide the following qualities and characteristics:

##### **a1.** Texture

~~Landscape designs should provide a textured appearance through the use of a variety of plant materials with varying leaf sizes, textures and height. rather than a single species, by contrasting large leaf textures with medium and small leaf textures, and with a variety of plant heights. Spacing of key landscaping components, such as trees and shrubs, should be consistent with the overall design approach of the landscape plan.~~ Formal landscape designs benefit from a uniform spacing of plants, whereas varied spacing and clustering of trees is more compatible with a naturalistic design.

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 **b2. Color**

2 Landscape designs ~~shall~~ should include a variety of plants ~~that to~~ provide contrasting colors. ~~to other plants in the design.~~ Designs ~~are encouraged to should~~ include ~~flowering plants and~~ especially a mix of plants that ~~display colorful~~ flowers throughout the year.

5 **c3. Form**

6 Landscape designs should consider the complete three-dimensional form of the landscaping,   
7 not simply the form of individual elements. The interrelationship of all landscape elements,   
8 whether they are plant materials, shade structures, pavement and amenities should be   
9 considered so that the final design presents a coherent whole. Trees, shrubs, and hedges,   
10 especially those used for screening and buffering, should display a fullness at maturity that is   
11 typical of the species.   
12

**Photo 7.A.1.B – Composed Buffer Material**



~~Well Composed Landscape Buffer: planting is tiered and consists of plant materials that display the elements of texture, color, and form.~~

**Photo 7.A.1.B – Rural Tier Landscape**



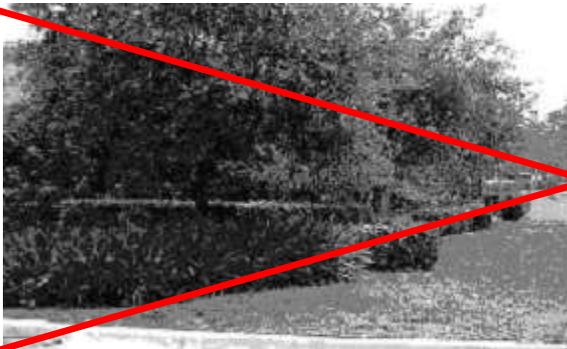
~~Well Composed Rural Tier Landscaping: good use of tree spacing, hierarchy of plant materials and use of plants of texture, color and form.~~

13 **3. Buffering and Screening**

14 ~~The placement of natural landscape materials (trees, shrubs, and hedges) is the preferred~~   
15 ~~method for buffering differing land uses, for providing a transition between adjacent properties,~~   
16 ~~and for screening the view of any parking or storage area, refuse collection, utility enclosures,~~   
17 ~~or other service area visible from a public street, alley, or pedestrian area. Plants may be used~~   
18 ~~with fences or berms to achieve the desired screening or buffering effect. Plant material should~~   
19 ~~be mature enough at the time of planting to provide an effective buffer or screen, and should~~   
20 ~~be planted in an appropriate location to allow for desired growth within a reasonable period of~~   
21 ~~time.~~ **[Partially relocated to Art. 7.A.3.E.1, Buffering and Screening]**

22 ~~When used to screen an activity area such as a parking lot, landscaping shall not obstruct the~~   
23 ~~visibility of motorists or pedestrians or interfere with public safety.~~

24 **Photo 7.A.1.B – Opaque Landscape Buffer**



25 ~~Effective Use of Landscaping as a Buffer: Opaque vertical screen lessens visual impact of commercial and industrial uses.~~

26 **Photo 7.A.1.B – Landscape Buffer Visual Screening**



~~Effective Use of Landscaping as a Buffer: Use of trees and shrubs lessens visual impact of parking lots while maintaining visibility for safety.~~

27 **4. Responsive to Local Context and Character**

28 ~~Landscape designs should build on the site's and area's unique physical characteristics,~~   
29 ~~conserving and complementing existing natural features. Naturalistic design elements such~~   
30 ~~as irregular plant spacing, undulating berm contours, and mixed proportions of plant species~~   
31 ~~should be used to ensure that new landscaping blends in and contributes to the quality of the~~   
32 ~~surrounding area. Selection and spacing of plant material should be reflective of the~~   
33 ~~surrounding area's character.~~

34 **Notes:**

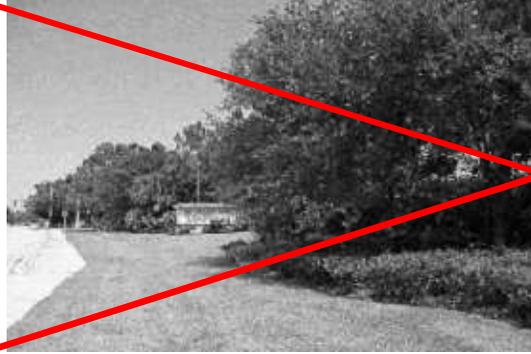
- 35 **Underlined** indicates new text.
- Stricken** indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- ....** A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Photo 7.A.1.B – Naturalistic Design in U/S Setting~~



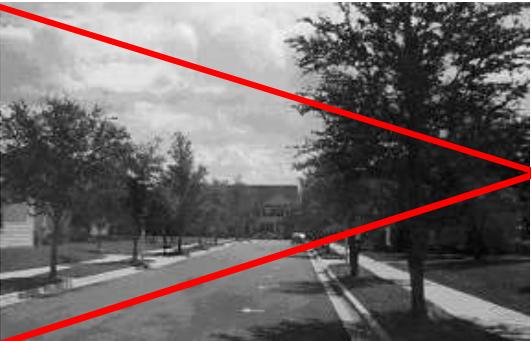
~~Naturalistic Design in U/S Setting: Meandering buffer and clustering of trees creates a naturalistic effect appropriate to the area.~~

~~Photo 7.A.1.B – Naturalistic Design in a Rural Setting~~



~~Naturalistic Design in a Rural Setting: Landscaping is less formal, using shrubs and trees appropriate to the area.~~

~~Photo 7.A.1.B – Formal Buffer~~



~~Uniform spacing and well-maintained grass create a formal aesthetic appropriate for the U/S Tier.~~

~~Photo 7.A.1.B – Naturalistic Buffer~~



~~Non-uniform spacing, a variety of plant materials, and a less formal grass area appropriate for the Exurban, Rural, AGR, and Glades Tiers.~~

### **5. Sensitivity to Tiers**

~~Landscape designs should consider the intent of the MGTS and designs should be compatible with the relevant tier. While all landscaping should incorporate naturalistic design features, landscaping in the U/S Tier is expected to display a more structured aesthetic with clear design intent, with landscape elements used to accent buildings, shade pedestrian areas, and define the edges of properties and land uses. Informal landscaping with increased buffer widths and a higher percentage of native vegetation is required in the Exurban, Rural, AGR, and Glades Tiers, as well as a greater protection of existing vegetation, especially the mature tree canopy on undeveloped portions of the site. Hedges are not appropriate for the Exurban, Rural, AGR, and Glades Tiers, unless they consist of native plants incorporated into a naturalistic landscape design.~~

### **6. Use of Native and Drought Resistant Plants**

~~Landscape designs should feature native and/or related plant species, especially in areas adjacent to existing native vegetation, to take advantage of the unique natural character and diversity of the region and the adaptability of native plants to local environmental conditions. Where feasible, the re-establishment of native habitats should be incorporated into the landscape design.~~ **[Partially relocated to Art. 7.A.3.C.1, Use of Native and Drought Resistant Plants]**

~~In the same manner, landscape designs should utilize drought tolerant plant materials to the maximum extent feasible. The use of drought tolerant plants should enrich the existing landscape character, conserve water and energy, and provide as pleasant and varied a visual appearance as plants that require more water.~~ **[Partially relocated to New Art. 7.A.3.C.1, Use of Native and Drought Resistant Plants]**

### **7. Continuity and Connection**

~~Landscaping should be designed within the context of the surrounding area, provided that the landscaping is also consistent with these design principles. Where the design intent and the surrounding landscape is naturalistic, plant materials should blend well with adjacent properties, particularly where property edges meet, to create a seamless and natural landscape. Where the design intent and the surrounding landscape is formal, consistent or similar plant material and spacing should be utilized. Exceptions should be made when seeking to create a transition between uses, districts, and tiers.~~

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

~~Photo 7.A.1.B – Landscaping Continuity and Connection~~



~~Similar landscaping elements used on each lot give a sense of continuity and connection to this suburban residential street~~

2

3

### ~~8. Enhancing Architecture~~

4

5

6

7

8

9

10

11

12

13

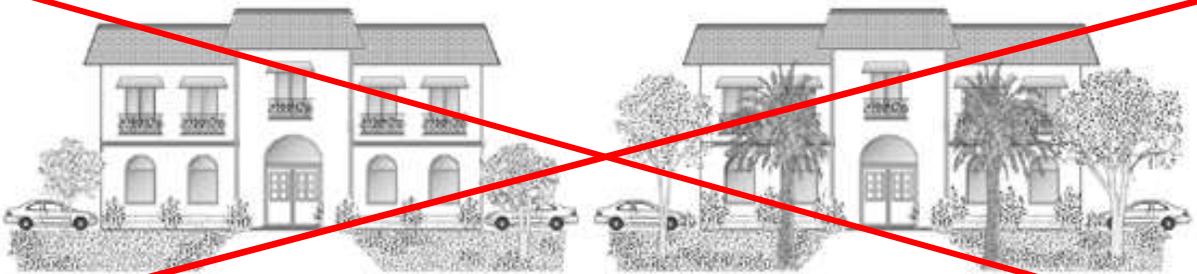
14

15

~~Landscape designs should be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape. Major landscape elements should be designed to complement architectural elevations and rooflines through color, texture, density, and form on both vertical and horizontal planes. Landscaping should be in scale with on-site and adjacent buildings. Plant material shall be installed at an appropriate size and allowed to accomplish these intended goals. [Partially relocated to Art. 7.A.3.F, Quality Pedestrian Environment and Enhancing Architecture]~~

~~When foundation planting is required, plantings and window boxes should incorporate artistic elements and be compatible with a building's architectural character. [Relocated to Art. 7.A.3.F, Quality Pedestrian Environment and Enhancing Architecture]~~

~~Figure 7.A.1.B – Enhancing Architecture~~



~~Landscaping is small at maturity and out of scale with the building not enhancing the architectural design.~~

~~Mature landscaping is in scale with the building enhancing the architectural design.~~

16

17

### B. Environmental Quality

18

19

20

21

22

23

#### 91. Energy Conservation and Sustainable Design

24

25

26

27

28

### C. Water Conservation

29

30

31

32

33

34

35

~~To improve the environment by maintaining permeable land area essential to surface water management; reducing and reversing air, noise, heat, and chemical pollution through the biological filtering capacities of vegetation; promoting energy conservation through the creation of shade; and reducing heat gain in or on buildings or paved areas. [Partially relocated from Art. 7.A.1.A.2, Environment]~~

~~To promote water conservation by encouraging: the installation of native and drought tolerant plant materials in appropriate areas; the use of water conserving irrigation practices; requiring and the adherence to landscape installation standards and maintenance procedures that promote water conservation. [Relocated from Art. 7.A.1.3, Water Conservation]~~

#### 1. Use of Native and Drought Resistant Plants

~~Landscape designs should feature native plant species, especially in areas adjacent to existing native vegetation. Where feasible, the re-establishment of native habitats should be~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 *incorporated into the landscape design. The use of drought tolerant plants should enrich the*  
2 *existing landscape character, conserve water and energy, and provide as pleasant and varied*  
3 *a visual appearance as plants that require more water. [Partially relocated from Art.*  
4 *7.A.1.B.6, Use of Native and Drought Resistant Plants]*

5 **D. Preservation of Existing Native Vegetation and Removal of Prohibited Plant Species**

6 *To encourage the preservation and planting of native vegetation as part of landscape design and*  
7 *eradicate prohibited species. [Relocated from Art. 7.A.1.A.4, Preservation]*

8 **1. Incorporation of Existing Vegetation**

9 *Landscape designs should incorporate and enhance existing specimen trees and native*  
10 *vegetation. Particular care should be given to preserve intact natural landscapes. Where*  
11 *previous landscaping has dramatically altered natural landscapes, new designs should seek to*  
12 *re-establish natural landscape patterns and plantings. [Relocated from Art. 7.A.1.B.1,*  
13 *Natural Landscapes] Landscape designs should also include the eradication of prohibited*  
14 *plant species that have become nuisances because of their tendency to disrupt or destroy*  
15 *native ecosystems. [Partially relocated from Art. 7.A.1.A.8, Removal of Prohibited Plant*  
16 *Species]*

17 **E. Compatibility**

18 *To promote efficiency in the development of limited land resources by improving the compatibility*  
19 *of adjacent incompatible land uses, particularly residential development that is adjacent to non-*  
20 *residential development, through the use of landscape buffers. [Partially relocated from Art.*  
21 *7.A.1.A.5, Compatibility]*

22 **1. Buffering and Screening**

23 *Whenever possible landscape materials should be utilized to provide a spatial transition*  
24 *between different land uses; buffering between adjacent properties; and screening for parking,*  
25 *or storage areas, or other service areas. Plants may be used with fences, walls or berms to*  
26 *achieve the desired screening or buffering effect. Plant material should be mature enough at*  
27 *the time of planting to provide an effective buffer or screen, and should be planted in an*  
28 *appropriate location to allow for desired growth within a reasonable period of time. [Partially*  
29 *relocated from Art. 7. A.1.B.3, Buffering and Screening]*

30 **F. Quality Pedestrian Environment**

31 *In the U/S Tier, as well as pedestrian-oriented development types such as TDD's, landscape*  
32 *designs should give special attention to ensuring a safe and attractive visually pleasant pedestrian*  
33 *environment. In high activity areas, such as commercial and workplace areas, benches, kiosks,*  
34 *artwork, and other streetscape elements should be incorporated into landscape designs.*  
35 *Pedestrian access to sidewalks or buildings should be considered in all landscape designs.*  
36 *Landscaping shall not obstruct pedestrian sightlines, especially at crosswalks.*

37 **G. Enhancing Architecture**

38 *Landscape designs should be compatible with and enhance the architectural character and*  
39 *features of the buildings on site, and help relate the building to the surrounding landscape. Plant*  
40 *material shall be installed at an appropriate size and allowed to accomplish these intended goals.*  
41 *When foundation planting is required, plantings and planters should incorporate artistic elements*  
42 *and be compatible with a building's architectural character. [Partially relocated from Art.*  
43 *7.A.1.B.8, Enhancing Architecture]*

44 **Photo 7.A.1.B - Visual Interest for  
Pedestrian and ~~Automobile~~  
Vehicular Traffic**



Meandering sidewalks flanked by well composed curvilinear landscaping can add visual interest for pedestrian and ~~automobile~~ vehicular traffic.

**Photo 7.A.1.B - Streetscape Elements**



Effective use of landscaping to frame the sidewalk and buffer the pedestrians from the street. Streetscape elements such as benches and potted plants enhance the pedestrian experience.

45 **Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Part 2. ULDC Art. 7.A.1.C, Applicability (page 10 - 11 of 49), is hereby amended as follows:

| Reason for amendments: [Zoning]   |
|---|
| 1. Chapter B addresses the review and approval processes, including exemptions and deviations.  |
| 2. Landscaping requirements may be exempt for certain bona fide agriculture uses, agricultural activities and accessory agricultural uses, the exemptions are specific for each type of agricultural uses, and can be found in Art. 4.B.6.  |
| 3. Delete the requirement for landscaping to be planted 500 feet from any preserve area since ERM may allow some species to be integrated into the preserve.  |
| 4. Delete " <i>development that does not entail a substantial change in land use</i> " under Exemptions since Art.1.E, Prior Approvals allowed vesting of previously approved development orders provided the approvals were clearly shown on a Zoning Plan or a similar documents such as permits. |

### CHAPTER B APPLICABILITY AND APPROVAL PROCESS

#### C. Section 1 Applicability

The provisions of this Article shall be considered minimum standards and shall apply to all new development ~~except development exempted in Art. 7.A.1.E, Exemptions, and deviations allowed by Art. 7.A.1.F, Deviations unless stated otherwise herein. For previously approved development orders, refer to Art. 1.F, NONCONFORMITIES.~~

#### DA. Relation to Article 14, Vegetation Preservation and Protection

Landscape ~~plans required by this Article requirements~~ shall ~~conform to also be consistent with~~ the standards of Article 14, Environmental Standards. Nothing in this Article shall be applied to contradict the requirements of ~~Article 14, ENVIRONMENTAL STANDARDS. Within 500 feet of a preserve area required by Article 14, ENVIRONMENTAL STANDARDS, new landscaping shall not include invasive non-native species as outlined in Article~~ Art. 14.C, Vegetation Preservation and Protection, ~~Appendix F.~~

#### EB. Exemptions

The following developments are exempt from the standards and requirements of this Article:

1. Enlargement or repair of a single-family dwelling unit, two-unit townhouse, or two-unit multi-family structure on a single lot.
2. Parking areas located within an enclosed parking structure.
3. Bona fide agriculture uses, unless stated otherwise in Art.4.B.6, Agricultural Uses. Except as specified in Article 4.B, SUPPLEMENTARY USE STANDARDS, Where the property has a use that is classified as Agriculture, bona fide, with agricultural activities and or accessory agricultural uses, the property owner shall provide require a six-foot high ~~perimeter buffer hedge~~ along the frontage of the property where it is abuts a public ~~road street~~ R-O-W.
- ~~4. Development that does not entail a substantial change in land use as defined in ART. 1.I, DEFINITIONS AND ACRONYMS.~~
54. Uses such as airports, major utilities, and stockades which have planting requirements regulated by Federal or State law. Off-site planting of required landscaping may be approved in areas where there is a direct public benefit, such as in schools, parks, libraries, streets, and medians.
65. Projects in the Glades Area Economic Development Overlay (GA-O) that have provided in-lieu funds to the Glades Thoroughfare Beautification Fund.

#### FC. Deviations

Deviations ~~to from~~ the minimum standards of this Article may be permitted for:

1. PBC parks, as specified in Art. 5.D.2.G., County Public Park Landscape Standards; and, **[Ord. 2006-004] [Ord. 2007-013]**
2. Development supporting government facilities within the PO Zoning District, subject to approval by the BCC. **[Ord. 2006-004] [Ord. 2007-013]**

#### D. Overlay Exceptions)

Modifications of the requirements of this Article may be permitted pursuant to Art. 3.B.14.J, WCRAO Landscape Deviations, Art. 3.B.15.F.11, Landscape Standards in IRO; and Art. 3.B.16.F.10, Landscape Standards in the URAO. .

(This space intentionally left blank)

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 5. Relocate this Section to the revised Chapter B.   |
| 6. Relocate and consolidate Landscape Plan Review from Chapter H and Landscape Permit from Chapter E.2 to the revised Chapter B.   |
| 7. Replace Zoning Division, Landscape Section, Zoning Director to DRO consistent with the requirements of Art. 2.G, Decision Making Bodies. Art. 2.G specifies the power and duties of the DRO, which in this case, is the decision-making person for Landscape Plans and Landscape related permits.   |
| 8. Expand the Type 1 Waiver Table to include those existing waivers, which are located in other Sections of Art. 7. Also update the references in accordance with the proposed Article 7.  |
| 9. Add Optional Special Certificate of Compliance to allow applicants to hire their own Landscape Architect or a qualified professional to inspect and verify that the required landscaping was installed properly and in compliance with Code or Conditions of Approval. This option will address situations when PZB may have shortage of staff to perform landscape Inspections in a timely manner, or at the request of an applicant that the inspection must be done to meet critical deadline for occupancy. |

2 **Section 2 Definitions**

3 See Art. 1.I, Definitions and Acronyms

4 ~~**CHAPTER B—APPROVAL PROCESS AND APPLICABILITY**~~

5 **Section 13 Approval Process for Landscape Plans**

6 Approval process for Landscape Plans shall be subject to the requirements pursuant to Art. 2, Development  
7 Review Procedures. [Ord. 2207-001] [Ord. 2016-042]

8

9 An Applicant may request review for compliance with this Article concurrent with an application that requires  
10 approval by the BCC, ZC or DRO by submitting Preliminary or Final Landscape Plans. Final Landscape  
11 Plans shall be part of the Building Permit application unless a Condition of Approval requires Landscape  
12 Plans to be submitted at Final Approval by the DRO. An application for a Landscape Plan Review shall be  
13 submitted directly to the Zoning Division, and shall comply with the following requirements:

14 **A. Submittal Requirements**

15 If the application is submitted at BCC, ZC or DRO, the application shall consist of the appropriate  
16 forms as established by the Zoning Division, otherwise the application shall be included as part of  
17 the Building Permit application. The Plans shall be prepared in accordance with Art. 2, Application  
18 Processes and Procedures, the Zoning Technical Manual, and shall comply with applicable Code  
19 requirements and Conditions of Approval.

20 **B. Review of Landscape Plans**

21 Landscape Plan applications shall be submitted to the DRO, and if applicable, the DRO will review  
22 in coordination with ERM and other County Agencies. [Partially relocated from Art. 7.H.2.A,  
23 Landscape Permit]

24 **C. Issuance of Landscape Permits**

25 When all requirements are satisfied, the DRO shall issue a Landscape Permit referencing the  
26 approved Landscape Plan(s) associated with the permit in addition to any necessary inspections,  
27 Conditions of Approval and maintenance obligations. The permit shall be maintained on site until  
28 the Final Landscape Inspection is signed off by the DRO. A copy of the Landscape Permit shall  
29 be maintained in the associated official Building Permit record, as well as the Zoning Division file.  
30 [Ord. 2009-040] [Partially relocated from Art. 7.H.2.A, Landscape Permit]

31 **D. Landscape Inspections**

32 Unless otherwise stated in this Article, all developments subject to this Article may be inspected by  
33 PZB prior to and after installation of required landscaping. Required landscaping shall be approved  
34 by PZB prior to the issuance of a CO, or Certificate of Completion, whichever occurs first. Various  
35 types of Landscape Inspection shall be conducted at different stages of the development, as  
36 follows: [Partially relocated from Art. 7.H.2.B, Field Inspections]

37 **1. Types of Landscape Inspection**

38 *a. Preliminary Inspection – required to verify existing grades, vegetation and necessary site*  
39 *preparation has been completed prior to any plant material being installed on the site to*  
40 *comply with the Landscape Permit; [Ord. 2009-040] [Relocated from Art. 7.H.2.B.1.a,*  
41 *related to Types of Landscape Inspection]*

42 *b. Final Inspection – required as part of the typical building permit process to ensure*  
43 *landscape material, irrigation and conditions of approval on a development order are in*  
44 *compliance prior to final sign off that the landscape is completed and installed in*  
45 *accordance to the Landscape Permit. [Ord. 2009-040] [Relocated from Art. 7.H.2.B.1.b,*  
46 *related to Types of Landscape Inspection]*

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 c. *Annual Inspection – scheduled on the one-year anniversary date from the date of the Final*  
2 *Inspection noted on the Landscape Permit. Inspection shall be performed to ensure all*  
3 *landscape and irrigation continually complies with the Landscape Permit. If material or*  
4 *irrigation is missing, dead or damaged the property owner shall be provided with a Notice*  
5 *to Correct, pursuant to Article 10, Enforcement. [Ord. 2009-040] [Relocated from Art.*  
6 **7.H.2.B.1.c, related to Types of Landscape Inspection]**

7 d. *Monitoring Inspection – performed to respond to complaint of missing or damaged plant*  
8 *material or changes to the landscape not approved in accordance with the Landscape*  
9 *Permit. [Ord. 2009-040] [Relocated from Art. 7.H.2.B.1.d, related to Types of*  
10 *Landscape Inspection]*

### **E. Certification of Compliance**

11 *In addition to Final Inspection and certification by PZB, the Applicant shall submit a Certificate of*  
12 *Compliance to the PZB as a condition of issuance of a CO or Certificate of Completion. This*  
13 *certificate shall be prepared and signed by a Landscape Architect licensed by the State of Florida*  
14 *and demonstrate that all of the provisions of this Article have been met. The certification statement,*  
15 *included in Art. 7, Landscaping, as Appendix B, Certification of Compliance, shall be made part of*  
16 *the documentation in the official Building Permit file. [Ord. 2009-040] [Partially relocated from*  
17 *Art. 7.H.2.C, Certification of Compliance]*

#### **1. Field Verification of Certification**

18 *PZB may elect to conduct a field inspection to verify the Certificate of Compliance. [Relocated*  
19 *from Art. 7.H.2.C.1, Field Verification of Certification]*

#### **2. Acceptance of Certification**

20 *If no field verification is conducted by PZB within 30 days, the Certificate of Compliance shall*  
21 *be deemed to have been accepted provided it is complete with all the required information.*  
22 *Upon acceptance, the Certificate of Compliance shall be filed and maintained with the official*  
23 *records of the development. [Relocated from Art. 7.H.2.C.2, Acceptance of Certification]*

### **F. Optional Special Certification**

24 *In lieu of the Landscape Inspections and certification by PZB, the Applicant may submit a request*  
25 *for a Special Certificate of Compliance to the Zoning Director, and on a form established by the*  
26 *Zoning Division.*

#### **1. Special Certification Procedures by the Applicant:**

27 a. *The Applicant shall employ a Landscape Architect licensed in the State of Florida, or a*  
28 *qualified professional as authorized by F.S. 481, Part II, as amended. The Landscape*  
29 *Architect or qualified professional shall perform the following:*

30 1) *Be familiar with the Final Landscape Plans approved by the DRO;*

31 2) *Conduct inspections of the site;*

32 3) *Certify that landscaping was properly installed and meets all requirements of the Code*  
33 *or Conditions of Approval. The Certificate shall be signed and sealed by the*  
34 *Landscape Architect or qualified professional.*

35 4) *Understands that any misrepresentations or misstatements in the Special Certificate*  
36 *of Compliance shall constitute a violation of this Article and of State law; and*

37 5) *Understands that any misrepresentations or misstatements in the Special Certificate*  
38 *of Compliance may also become the grounds for professional disciplinary action*  
39 *pursuant to State law.*

40 b. *The Applicant shall submit the completed Special Certification Form with the approved*  
41 *Landscape Plans to the PZB prior to issuance of a Building Permit, Paving Permit, a CO*  
42 *or a Certificate of Completion, whichever is applicable.*

#### **2. Verification of Special Certification by PZB**

43 *PZB may, at its option, conduct a Landscape Inspection to verify representation made in the*  
44 *Special Certificate of Compliance.*

#### **3. Acceptance of Special Certification**

45 *If no verification is conducted by PZB, the Special Certificate of Compliance shall be deemed*  
46 *to have been accepted. Upon acceptance by PZB, the Certificate of Compliance shall be filed*  
47 *and maintained with the official records of the development.*

### **Section 2 — Application Requirements**

48 ~~All Plans shall be prepared and submitted in accordance with Art. 2.A.1.G, Application Procedures, Art.~~  
49 ~~2.A.1.G.3, Plan Requirements, and the Technical Manual. [Ord. 2007-001] [Ord. 2016-042]~~

50 (This space intentionally left blank)

#### **Notes:**

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- **Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

|  |   |
|--|---|
| <b>Reason for amendments:</b> [Zoning] |   |
| 10.                                    | Truthing the Type 1 Waiver for Landscaping, which was established in 2016 as a replacement to the Alternative Landscape Plan (the prior ALP was both a process and a type of plan). The proposed amendment provides additional criteria to assist staff in the review of a Waiver request.  |
| 11.                                    | Establish more flexible regulations in lieu of waiver requests. Also clarify that Waiver for a specific code requirement cannot be combined with a Variance for the same requirement.   |
| 12.                                    | Eliminate planting pattern for R-O-W buffer as the quantity of plant materials will dictate how plants can be accommodated within a required width of each type of buffer. In addition, the Code also allows clustering of trees/palms/pines to provide openings for view of wall signs, amenities or walkways.   |
| 13.                                    | Amend Location of Planting – The current Code requires 75 percent of trees to be located on the exterior side of a wall or fence for a R-O-W and an Incompatibility buffer. Allow a reduction to 50 percent so that equal number of trees, palms or pines could be located on both sides of the wall or fence to provide design flexibility.  |
| 14.                                    | Art. 7.D.2.A,1, Canopy Trees Minimum Height – Proposed to delete this Waiver, which was adopted in 2016. This request was to allow smaller trees be planted so that the industry could use a variety of native species that do not come in the 12-foot height (min. code requirement for tree height is 12 feet). After truthing this Landscape Waiver ordinance, Staff is proposing a more flexible method which will able to achieve an overall average height of 12 feet for the total number of required trees as well as allowing the applicants to choose a variety of tree species that come in different heights. |
| 15.                                    | Art.7.F.8, Compatibility Buffer – Proposed to delete this Waiver since the new Chapter C already addresses the planting quantity for a Compatibility buffer.  |
| 16.                                    | Eliminate the Waiver that allows walls or fences to be exempt from an Incompatibility buffer and defer the process to a Type 2 Variance since there are many different site situations that staff cannot list out all the criteria to evaluate this type of Waiver. In addition, the wall location is always accompanied with other variances requesting elimination or relocation of plant materials.  |
| 17.                                    | Art.7.G.2.B.1, Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements, Interior Island Maximum Spacing - Staff recommends combining Interior Island Maximum Spacing and Alternative Parking Lot Landscaping since most of the requests under review were for the accommodation/preservation of existing trees.  |
| 18.                                    | Art.7.G.2.G, Alternative Parking Lot Landscaping – Proposed to delete this Waiver because it is already addressed by the two Waivers under Landscape Islands and Medians. Those 2 Waivers allow relocation of islands or deviation from the island spacing requirements if it is to accommodate existing trees that are subject to preservation.  |
| 19.                                    | Clarify that the Landscape Plan(s) is a requirement for the Type 1 Waiver for Landscaping process.  |

2 **A. Section 4 Type 1 Waiver for Landscaping**

3 An Applicant may seek minor modifications to the requirements of this Article that are identified in Table  
4 7.B.42.A, Type 1 Waivers for Landscaping. Any requirements that are not listed herein may be eligible to  
5 be modified through other applicable processes pursuant to Art. 2, ~~Development Review Procedures~~  
6 Application Processes and Procedures. The Applicant shall demonstrate in the Justification Statement and  
7 provide supporting documents that ~~the Art. 2.D.6.C, Standards for Type 1 Waiver, and the~~ applicable  
8 ~~e~~Criteria in the following Table have been met. [Ord. 2007-001] [Ord. 2016-042]

9 **A. Applicability**  
10 Type 1 Waiver for Landscaping shall not be combined with other Variance requests for the same  
11 requirements.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING (Updated 08/10/17)

1

**Table 7.B.42.A –Type 11 Waivers for Landscaping**

| Article/Table Reference and Title  | Maximum Waiver   | Criteria  |
|--|--|---|
| <del>Art. 7.D.2.A.1, Canopy Tree Minimum Height</del>  | <del>Allow 75 percent of the total required trees to be reduced in height by 25 percent</del>  | <del>• All proposed trees must be native species.</del>   |
| <del>Art. 7.D.3.B.3 PDD and Non-residential Perimeter Buffer Hedge Height [Relocated to Hedge Height below]</del>                      | <del>Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial developments. [Relocated to Hedge Height below]</del>  | <del>• The proposed hedge is planted for the purpose of screening the outdoor industrial activities. Relocated to Hedge Height below]</del>   |
| <del>Art. 7.D.9.A, Berm, Tier Restrictions [Relocated to Berm below]</del>   | <del>Allow landscape berms within the Exurban, Rural, Agricultural Preserve, or Glades Tiers. [Relocated to Berm below]</del>  | <del>• Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues. [Relocated to Berm below]</del>   |
| <del>Art. 7.D.11, Foundation Planting</del>  | <del>Required plant material may be located within 30 feet of the foundation along the front and side facades of the drive-through establishments, including Freestanding ATMs and Unmanned Structure.</del> | <del>• Provide a minimum width of 55 feet for each area of foundation planting;<br/>• The overall total required square footage of the planting area meets or exceeds the requirement; and,<br/>• Location of relocated planting will be within proximity to the building it serves to still meet the intent of enhancing the building.</del>   |
| <b><u>R-O-W Buffer</u></b>   |  |   |
| <del>Art. 7.F.3.B. Table 7.D.4.D, Location of Planting Wall or Fence in Landscape Buffer, Canopy Tree Planting for R-O-W Buffer.</del> | <del>Allow a reduction of 25 No minimum of percentage of required Canopy trees to be located on the exterior side of the wall or fence for ROW or Incompatibility R-O-W Buffers.</del>                       | <del>• The minimum perimeter buffer planting requirements is provided; and one of all of the below criteria:<br/>• There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or;<br/>• There are existing overhead; or underground utilities, or buildings that are located in close proximity to the common property line that prohibits planting on the exterior.<br/>• Since a wall or fence is not a requirement for a R-O-W Buffer, the Applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose.</del> |
| <del>Art. 7.F.7.B, Shrub Hierarchy</del>   | <del>A maximum of 50% of large shrubs may be substituted with medium shrubs.</del>   | <del>• The proposed quantity of medium and small shrubs exceeds the minimum Code requirement by a minimum of 10 percent.</del>  |
| <del>Art. 7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer</del>   | <del>A maximum of 25% reduction of the continuous opaque vertical landscape screen.</del>  | <del>• The reduced quantity of groundcover and shrub planting could be relocated elsewhere on the site; and,<br/>• Necessary to accommodate an entrance feature, an amenity and/or a walkway.</del>   |
| <del>Art. 7.F.8, Compatibility Buffer</del>  | <del>Allow to waive the requirement to provide a solid opaque visual screen.</del>   | <del>• There is an existing mature vegetative buffer screen on adjacent property; or<br/>• If it is determined by the DRO that screening is not necessary, such as if adjacent to open space, a lake or compatible use; or<br/>• If an alternative design approach results in adequate screening being provided.</del>  |
| <del>Art. 7.F.9.C.1, Existing Walls and Fences</del>   | <del>Where there is an existing wall or fence on an adjacent property, the applicant may apply for a Type I Waiver to waive the wall or fence requirement.</del>   | <del>• Condition of existing wall, fence or other barrier;<br/>• Effectiveness of visual screen; and<br/>• Type of construction.</del>  |
| <b><u>Incompatibility Buffer</u></b>   |  |   |
| <del>Art. 7.F.9.E, Recreational Pod Art. 7.C.2.C.1, Elimination of Incompatibility Buffer</del>  | <del>Allow to waive eliminate the requirement of an incompatibility Buffer for residential pods, areas in a PDD or tracts within a residential subdivision, or PUD</del>                                     | <del>• The pod or tract is located adjacent to open space that is 100 feet or greater in width; or<br/>• The site layout of the pod or tract will integrate recreational amenities with multi-family units and CLFs.</del>  |
| <del>Table 7.D.4.D, Location of Wall or Fence in Landscape Buffer, Canopy Tree Planting for Incompatibility Buffer</del>               | <del>Allow a reduction of 25 percent of required Canopy trees to be located on the exterior side of the wall or fence for Incompatibility Buffers.</del>   | <del>• The applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose.</del>  |

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING (Updated 08/10/17)

**Table 7.B.42.A –Type 1 Waivers for Landscaping**

| Article/Table Reference and Title   | Maximum Waiver   | Criteria   |
|---|--|--|
| <b>Berm</b>   |  |  |
| <del>Art.7.D.6.A, Berm, Tier Restrictions</del> [Relocated from this table above]   | <del>Allow landscape berms within the Exurban, Rural, Agricultural Reserve, or Glades Tiers.</del> [Relocated from this table above]             | <del>Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues.</del> [Relocated from this table above]  |
| <b>Foundation Planting</b>  |  |  |
| <del>Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Facades to be Planted</del>  | <del>Allow a 50 percent relocation of required foundation planting.</del>  | <del>The foundation planting shall be relocated to another façade of the same building or structure;<br/>The relocated foundation planting shall have the minimum planting width; and<br/>The overall total square feet for the foundation planting meets or exceeds the required foundation planting.</del> |
| <b>Landscape Islands</b>  |  |  |
| <del>Art. 7.G.2.A, Terminal Island Width Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements, Landscape Island Width</del> | <del>Allow the reduction of terminal island green space width of landscape island to 5 feet excluding curbs.</del>                               | <del>For infill sites with less than 25 parking spaces.</del>  |
| <del>Art.7.G.2.A, Terminal Island Planting</del>  | <del>Allow for relocation of shrubs from terminal islands in industrial developments to other areas of the site.</del>                           | <del>For industrial developments where the parking areas are not open to the public, and the nature of the use does not benefit for interior plantings in the parking areas.</del>   |
| <del>Art. 7.G.2.C, Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements, Divider Median Shrub Planting</del>                | <del>Allow for relocation of shrubs from divider medians to other areas of the site.</del>   | <del>For industrial developments that do not have significant public visitation and the nature of the use does not benefit for interior plantings in parking areas.</del>  |
| <del>Art.7.G.2.B.1, Art. 7.C.4.A.1, Interior Landscape Island Maximum Spacing</del>   | <del>Allow to waive increase the maximum number of spaces or distance to provide larger interior islands.</del>                                  | <del>To allow for existing trees vegetation to be preserved or existing trees vegetation to be relocated within parking areas.</del>   |
| <del>Art.7.G.2.G, Alternative Parking Lot Landscaping</del>   | <del>Alternative parking lot landscape designs may be approved.</del>  | <del>Provided that the total landscaped area and plant material quantities equal or exceed the code requirements.</del>  |
| <del>Art. 7.C.4.F, Parking Structures</del>   | <del>Allow perimeter planter requirement be altered if the planters are in conflict with the architectural design of the parking structure</del> | <del>The Applicant is required to submit architectural elevations of the parking structure for Staff review and evaluation.<br/>The required planting for the planters shall be relocated to other areas of the same property where the parking structure is located.</del>                                  |
| <del>[Ord. 2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [2016-016] [Ord. 2016-042] [Ord. 2017-007]</del>   |  |  |

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**B. ~~Mandatory~~ Pre-Application Meeting Appointment (PAA) for a Type-1 Waiver**

~~The Applicants shall be required to schedule and attend a preliminary Pre-application meeting PAA with the Zoning Division staff to review and discuss preservation of existing vegetation, possible design alternatives, and any Waivers that may be requested as part of the application. [Ord. 2007-001] [Ord. 2016-042]~~

**C. Landscape Plan**

~~The Applicant shall submit Landscape Plan(s) to the DRO to demonstrate graphically the proposed Type 1 Waiver requests. The DRO may allow the alternative designs or waiver requests be incorporated on a Site or Subdivision Plan or any other types of Zoning Plan in lieu of the Landscape Plan. Upon the approval of the Type 1 Waiver(s), the Applicant shall finalize the Landscape Plans as Final Landscape Plans for Building Permit Review, if applicable.~~

(This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Part 3. ULDC Art. 7.C, MGTS TIER COMPLIANCE (page 13-15, 32-46 of 49), is hereby amended as follows:

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 1. The landscape buffer and interior landscape requirements are located in different sections of Art.7, the proposed amendment will reorganize the order of the requirements starting with the types of buffers; interior planting and other miscellaneous standards related to the overall landscape layout and design for both the perimeter and interior of a property. |
| 2. Relocate current Chapter F, Perimeter Landscape Buffer Requirements to the new Chapter C, Landscaping Requirements.   |
| 3. Relocate Westgate Community Redevelopment Overlay flexible regulations for landscaping to Art. 3.B.14, WCRAO.   |

**CHAPTER C — MGTS TIER COMPLIANCE**

~~Landscape design shall comply with the relevant MGTS characteristics in both plant material selection and overall landscape composition.~~ **[Relocated to Art. 7.A.2, MGTS Compliance]**

**Section 1 — U/S Tier**

~~Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian accents, formal or meandering arrangements in perimeter landscape buffers, street tree plantings, and inter-connections between pedestrian and vehicular areas. The Revitalization and Redevelopment Overlay, Priority Redevelopment Areas, and Westgate/Belvedere Homes Community Redevelopment Area, among others, serve to promote infill redevelopment or more urbanized forms of development and allow for commensurate forms of urban landscaping that accommodate CPTED principles, walk-ability and other attributes of the urban environment. Greater flexibility and alternative landscape solutions are available to promote development within the boundaries of these areas. However, it also recognizes the unique opportunities and restrictions that may be encountered for parcels developing consistent with Article 3.B.15, INFILL REDEVELOPMENT OVERLAY (IRO), and recommends allowing greater flexibility and alternative landscape solutions to be made available to these types of projects. ~~[Ord. 2010-005] [2010-022] [Ord. 2014-025]~~ **[Partially relocated to Art. 7.A.2.A, U/S Tier]**~~

**Section 2 AGR and Glades Tiers**

~~The AGR Tiers should promote reduced impervious areas, maintain large green/open spaces, incorporate equestrian and agricultural elements into the design, include an increased percentage of native plant species, and the use of natural stone and/or wood materials in the landscape design. **[Partially relocated to Art. 7.A.2.B, AGR and Glades Tiers]**~~

**Section 3 Exurban and Rural Tiers**

~~The Exurban and Rural Tiers primarily consist of larger residential lots and require the use of more informal design patterns that incorporate reduced impervious areas; preservation of native vegetation, lakes and other similar open space areas; and, more naturalistic landscaped areas. Non-residential uses shall also provide for the increased use of landscape materials in perimeter buffers, parking areas and building foundation plantings; dispersed parking with additional screening from adjacent roadways and residential uses; and, compliance with rural architectural design guidelines where applicable. **[Ord. 2009-040]** **[Partially relocated to Art. 7.A.2.C, Exurban and Rural Tiers]**~~

**Table 7.C.3 – Minimum Tier Requirements**

| Code Requirements  | U/S Tier  | AGR and Glades Tiers   | Exurban and Rural Tiers  |
|--|---|--|--|
| <b>Landscape Buffers<sup>7</sup></b>   |   |  |  |
| Preferred Design   | Formal or meandering arrangement of elements, traversing sidewalks  | Meandering, more naturalistic with shrub cluster and varying heights   | Increased depth, buffers often adjacent to interior open space, unimproved pathway surfaces                              |
| Berms  | Optional  | Optional   | No <sup>4</sup>  |
| Fences/Walls   | Optional <sup>2</sup>   | Optional <sup>2</sup>  | Optional <sup>2,3</sup>  |
| Layers of Shrubs and Ground Cover <sup>4</sup>   | 3   | 4  | 3  |
| <b>Interior Landscaping<sup>7,8</sup></b>  |   |  |  |
| Minimum Tree Quantities - Zero Lot Line, Single Family Residential, and Townhouse Lots | <del>1 per 1,250 sq. ft. (max. 15)</del> <b>[Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree Quantities U/S Tier]</b> | <del>1 per 1,000 sq. ft. (max. 30)</del> <b>[Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree</b> | <del>1 per 800 sq. ft. (max. 30)</del> <b>[Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree</b> |

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

## EXHIBIT D

### ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

|   |  | Quantities AGR and Glades Tiers]   | Quantities Exurban and Rural Tiers]   |
|---|--|--|---|
| Minimum Shrub Quantities – Multi-Family Residential Lots <sup>5</sup>   | 1 per 1,250 sq. ft.  | 1 per 1,000 sq. ft.  | 1 per 800 sq. ft.   |
| Minimum Tree Quantities – Non-Residential Lot   | 1 per 2,000 sq. ft.  | 1 per 1,500 sq. ft.  | 1 per 1,200 sq. ft.   |
| Minimum Shrub Quantities – Zero Lot Line, Single Family Residential, and Townhouse Lots <sup>5</sup>  | <del>3 per 1,250 sq. ft. (max. 45)</del> [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities U/S Tier]  | <del>3 per 1,000 sq. ft. (max. 90)</del> [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities AGR and Glades Tier]         | <del>3 per 800 sq. ft. (max. 90)</del> [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities Exurban and rural Tier]           |
| Minimum Shrub Quantities – Multi-Family Residential Lots  | 3 per 1,250 sq. ft.  | 3 per 1,000 sq. ft.  | 3 per 800 sq. ft.   |
| Minimum Shrub Quantities – Non-Residential Lot <sup>6</sup>   | 3 per 2,000 sq. ft.  | 3 per 1,500 sq. ft.  | 3 per 1,200 sq. ft.   |
| <b>Plant Standards<sup>7</sup></b>  |  |  |   |
| Minimum Tree Height (Perimeter)   | 12 ft.   | 12 ft.   | 12 ft.  |
| Minimum Tree Height (Interior)  | 12 ft.   | 12 ft. (average)   | 12 ft. (average)  |
| Palms Substitute (3 palms for 1 tree)   | Yes  | Yes – Native clusters only   | Yes – Native clusters only  |
| <b>Foundation Planting<sup>6,7</sup></b>  |  |  |   |
| Planting Width  | 5 ft. along front façades<br>8 ft. along side façades<br>[Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier] | 10 ft. all sides<br>[Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers]    | 12 ft. all sides  |
| Facades to be Planted   | Front & Sides<br>[Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier]   | Front, Sides & Rear<br>[Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers] | Front, Sides & Rear<br>[Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities Exurban and Rural Tiers] |
| Percentage of Façade  | 40 percent<br>[Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier]  | 50 percent<br>[Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers]                    | 60 percent<br>[Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities Exurban and Rural Tiers]                    |
| <del>[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031]</del>  |  |  |   |
| <b>Notes:</b>   |  |  |   |
| <ol style="list-style-type: none"> <li>1. <del>May be allowed with an approved ALP.</del></li> <li>2. <del>Landscape requirements (including walls and fences) for Incompatibility Buffers, refer to Table 7.F.9.A, Incompatibility Buffer Standards. [Ord. 2009-040]</del></li> <li>3. <del>Walls and fences shall be built from natural materials, including but not limited to: wood, stone, etc. [Ord. 2009-040]</del></li> <li>4. <del>This requirement is only for Perimeter R-O-W Buffers. Applicants shall also reference Table 7.F.7.B, Shrub Planting Requirements for installation size, quantity, spacing and maturity height for perimeter and interior shrub planting. [Ord. 2009-040]</del></li> <li>5. <del>Interior quantities for trees and shrubs planting shall be calculated based on gross lot area, excluding preservation areas and lakes. [Ord. 2009-040] [Ord. 2014-025] [Ord. 2016-042] [Partially relocated to Art. 7.C.3.A, Calculation of Interior Landscaping]</del></li> <li>6. <del>TDDs, LCC, IRO and PRA Development Orders are exempt from foundation planting requirements for primary and secondary, or other similar types of building frontages, buildings along an alleyway or accessway to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022] [Relocated to Art. 7.C.3.B.2.c, related to Foundation Planting Exemptions]</del></li> <li>7. <del>Deviations shall be permitted for publicly owned and operated public parks in accordance with Art. 5.D.2.G, Public Park Landscape Standards [Ord. 2006-004] [Ord. 2011-001]</del></li> <li>8. <del>Tree and shrub planting requirement calculations for Zero Lot Line and Single Family Residential Lots shall be based upon gross lot area minus the building coverage for the principal residential structure. The building coverage percentage shall be based upon the zoning district and the applicable property development regulations. [Ord. 2014-025] [Partially relocated to Table 7.C.3.A-Interior Landscaping Requirements, note #1]</del></li> </ol> |  |  |   |

1 **CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPING REQUIREMENTS** [Partially  
2 relocated from Art. 7.F, Perimeter Buffer Landscape Requirements]

3 **Section 1 General**

4 Landscaping requirements shall include the perimeter and interior buffers; interior landscaping along the  
5 building façades; in parking lots; vehicular use areas; and any other pervious surface areas. This Chapter  
6 also addresses other requirements that may impact the establishment of a buffer or interior planting, which

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

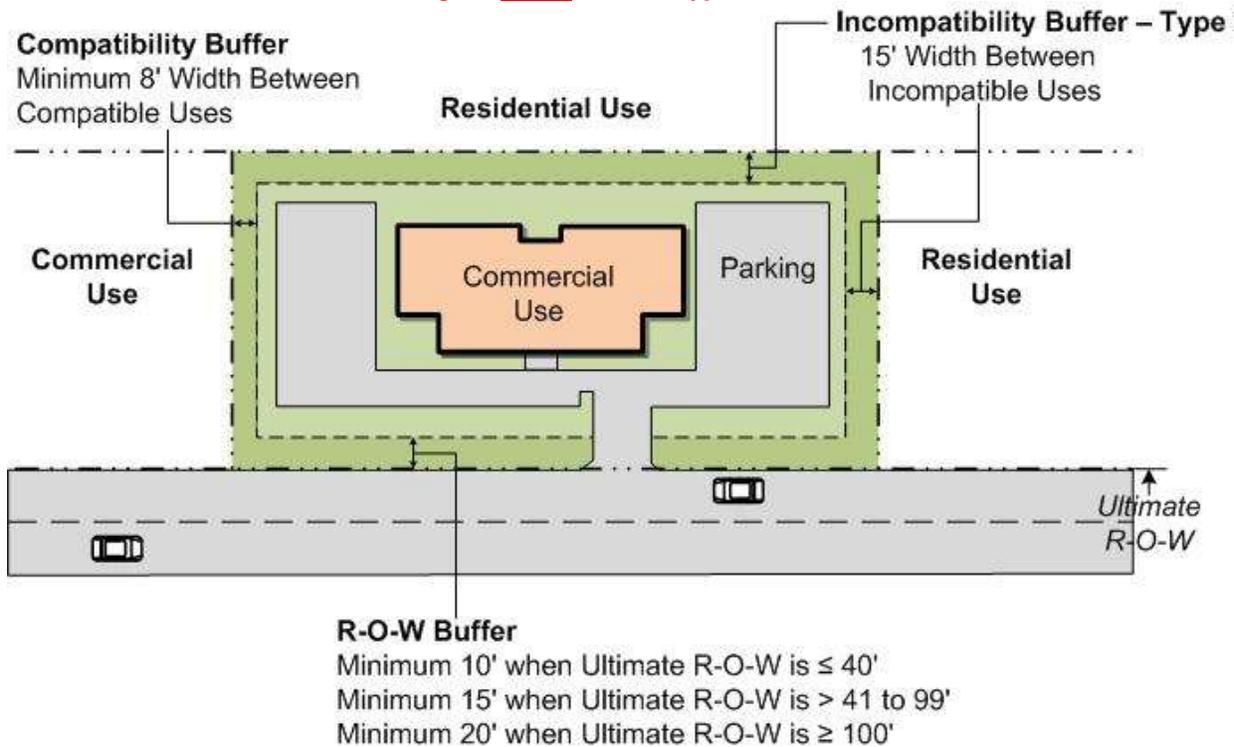
1 includes easement encroachment; retention areas, corner clips and safe sight triangles. In addition, specific  
 2 requirements are established for Large Scale Commercial Development.  
 3

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 4. Clarify that there are 3 categories of buffers: Right-of-Way; Compatibility and Incompatibility. Organize each buffer category with subheadings such as Applicability/Exemption, Width and Planting Requirements.     |
| 5. Clarify buffer width reduction under certain circumstances are allowed only for R-O-W Buffer and Incompatibility Buffer. Relocate the quantitative and dimensional requirements under Chapter B, Type 1 Waiver Table. |

4 **Section 2** Types of Landscape Buffer

5 There are three types of landscape buffers: Right-of-Way (R-O-W), Compatibility and Incompatibility  
 6 Buffers. Landscape requirements for each type of buffer shall be provided in accordance with the following  
 7 standards, unless stated otherwise herein.  
 8

**Figure 7.C.2 - Buffer Type Detail**



9

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 6. Part 1 is related to Right-of-Way buffer requirements.  |
| 7. If a wall or fence is proposed within a R-O-W Buffer, the proposed amendment is to increase the planting area from 5 feet to 8 feet to be provided on both sides of the wall or fence, this will allow more room for tree growth. This means if a wall is provided for a 15-foot wide R-O-W Buffer, then the buffer width should increase to a minimum 16 feet. For a wall to be located in a 20-foot wide R-O-W Buffer, there should be no increase for the width. |
| 8. Codify BCC conditions of approval related to addition of palms and pines as part of the Code requirement for R-O-W Buffers. This also correlates with the current code, which allows clustering of trees, palms or pines for openings in the buffer. The openings are for visibility of wall signs, an architectural feature of the building, etc.  |
| 9. Clarify that shrubs are required to be planted in a continuous pattern to form a visual screen for the parking areas that abut a street R-O-W.  |
| 10. Delete Landscaping in the Street right-of-way since any planting in a street is currently under the jurisdiction of Engineering Department.  |

10  
 11 **A. R-O-W Buffer**  
 12 A R-O-W Buffer shall consist of Canopy trees; palms or pines; rows of shrubs, and groundcover.  
 13 Palms or pines may be used as a substitute for Canopy trees. Clustering of plant materials and  
 14 opening of tree planting are allowed to provide visibility for a wall sign or an architectural feature of  
 15 the building; or to accommodate a walkway or an amenity.

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 **1. Applicability**

2 *R-O-W Buffers shall be provided along all public street R-O-W. This shall apply to those lots*  
3 *that are separated by a canal, lake, open space or a combination thereof. [Ord. 2016-042]*  
4 **[Relocated from Art. 7.F.1.A,R-O-W]**

5 **2. Exemptions**

6 *R-O-W Buffers are not required for the following: [Partially relocated from Art. 7.F.1.A.1,*  
7 **Exemptions]**

8 a. *Where the R-O-W is an alley;*

9 b. *A lot with a Single Family, ZLL or townhouse unit; and*

10 c. *Private streets internal to a PDD, TDD, a subdivision or a lot. If trees are installed within*  
11 *the street R-O-W, installation of the trees shall be subject to the approval by the*  
12 *Engineering Department.*

13 **3. Width**

14 *The width of the R-O-W Buffer shall be determined by the width of the ultimate R-O-W pursuant*  
15 *to the Thoroughfare R-O-W Identification Map in the Plan, or as determined by the County*  
16 *Engineer. R-O-W widths for non-thoroughfare plan streets shall be determined by reference to*  
17 *Article 11.C.1.C.1, Access and Circulation Systems. [Partially relocated from Art. 7.F.7.A,*  
18 **Width]**

19 **Table 7.C.2.A – Width of R-O-W Buffer**

| Width of Ultimate R-O-W | Minimum Width of Buffer |
|-------------------------|-------------------------|
| ≤ 40 feet               | 10 feet                 |
| >41 to 99 feet          | 15 feet                 |
| ≥ 100 feet              | 20 feet                 |

20 **a. Width Reduction**

21 *The required buffer width may be reduced by 50 percent where a project is separated from*  
22 *a R-O-W by a canal, lake, retention, open space area, or combination thereof, with a*  
23 *minimum width of 80 feet, and subject to the following requirements: [Partially relocated*  
24 **from Art. 7.F.6, Buffer Width Reduction]**

25 1) *The quantity of required Canopy trees, palms or pines shall not be reduced; and*

26 2) *No easement overlap in the buffer.*

27 **b. Shrub Reduction**

28 *Required shrubs may be reduced by 50 percent if the reduction is sought concurrently with*  
29 *the width reduction of the same buffer, and subject to the following requirements:*

30 1) *The percentage of shrub reduction shall be in proportion to the percentage of the width*  
31 *reduction of the buffer; and*

32 2) *If the buffer is located adjacent to parking areas, the reduced shrubs shall still maintain*  
33 *an effective screening of the vehicle headlights from the street R-O-W.*

34 **4. Location**

35 *R-O-W Buffers shall be located at the Base Building Line, if applicable.*

36 **5. Landscape Requirements**

37 *Planting for R-O-W Buffer shall be pursuant to Table 7.C.2.A.4, R-O-W Buffer, as follows:*  
38  
39  
40  
41  
42  
43  
44  
45  
46

(This space intentionally left blank)

---

**Notes:**

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- **Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

Table 7.C.2.A - R-O-W Buffer Landscaping Requirements (4)

| Minimum Buffer Width Based on Width of Ultimate R-O-W | Quantity of Canopy Trees (1) (2) (3) | Quantity of Palms or Pines (1) (2)   | Quantity of Shrubs (1) (2) (5) (6)  | Landscape Barrier and Min. Height (7) |
|---|--------------------------------------|--------------------------------------|---|---------------------------------------|
| 20 feet   | One Canopy tree per 25 linear feet.  | One palm or pine per 30 linear feet. | One row of each:<br>Groundcover – one per one linear foot;<br>Small shrubs – One per two linear feet;<br>and<br>Medium and large shrubs – One per four linear feet. | No                                    |
| 15 feet   | One Canopy tree per 25 linear feet.  | One palm or pine per 30 linear feet. | One row of each:<br>Groundcover and small shrubs – One per two linear feet; and,<br>Large shrubs – one per four linear feet.  | No                                    |
| 10 feet   | One Canopy tree per 25 linear feet.  | -                                    | One row of each:<br>Small shrubs – One per two linear feet;<br>and,<br>Medium shrubs – one per five linear feet.  | No                                    |

Notes:

- (1) Linear feet is based on the property line where the landscape buffer is located
- (2) Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of the plant materials.
- (3) Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute.
- (4) Any areas of the buffer not planted with trees and shrubs shall be landscaped with ground treatment pursuant to Art. 7.D.7, Ground Treatment. [Ord. 2009-040] [Relocated from Art. 7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer]
- (5) Groundcover shall not be allowed to substitute for shrubs.
- (6) 100 percent of the buffer length shall be composed of a continuous opaque vertical landscape screen at least two feet in height if the R-O-W Buffer is located adjacent to parking areas of the same lot. [Ord. 2009-040] [Partially relocated from Art.7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer]
- (7) If walls or fences are provided in the R-O-W Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Buffers.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

6. Clustering

Canopy trees, palms of same species or pines may be clustered in R-O-W Buffers for non-residential development; and subject to the following standards: [Partially relocated from Art. 7.F.7.D, clustering]

- a. Shall comply with or exceed the total amount of required plant material;
- b. For the remainder of the required trees, palms or pines that are not used for clustering, they shall be spaced evenly within the R-O-W Buffer to comply with the maximum openings, as follow:
- c. A maximum of four openings shall be allowed based on the lot frontage:
  - 1) 300 linear feet to 600 linear feet – two openings;
  - 2) 601 to 1,000 linear feet – three openings;
  - 3) ≥ 1,001 linear feet – four openings.
- d. Openings shall not be wider than 40 linear feet measuring from: the center of each cluster or the center of the trunk of the outermost trees where the opening will be created; and,
- e. The minimum distance between two openings shall be 100 linear feet.

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

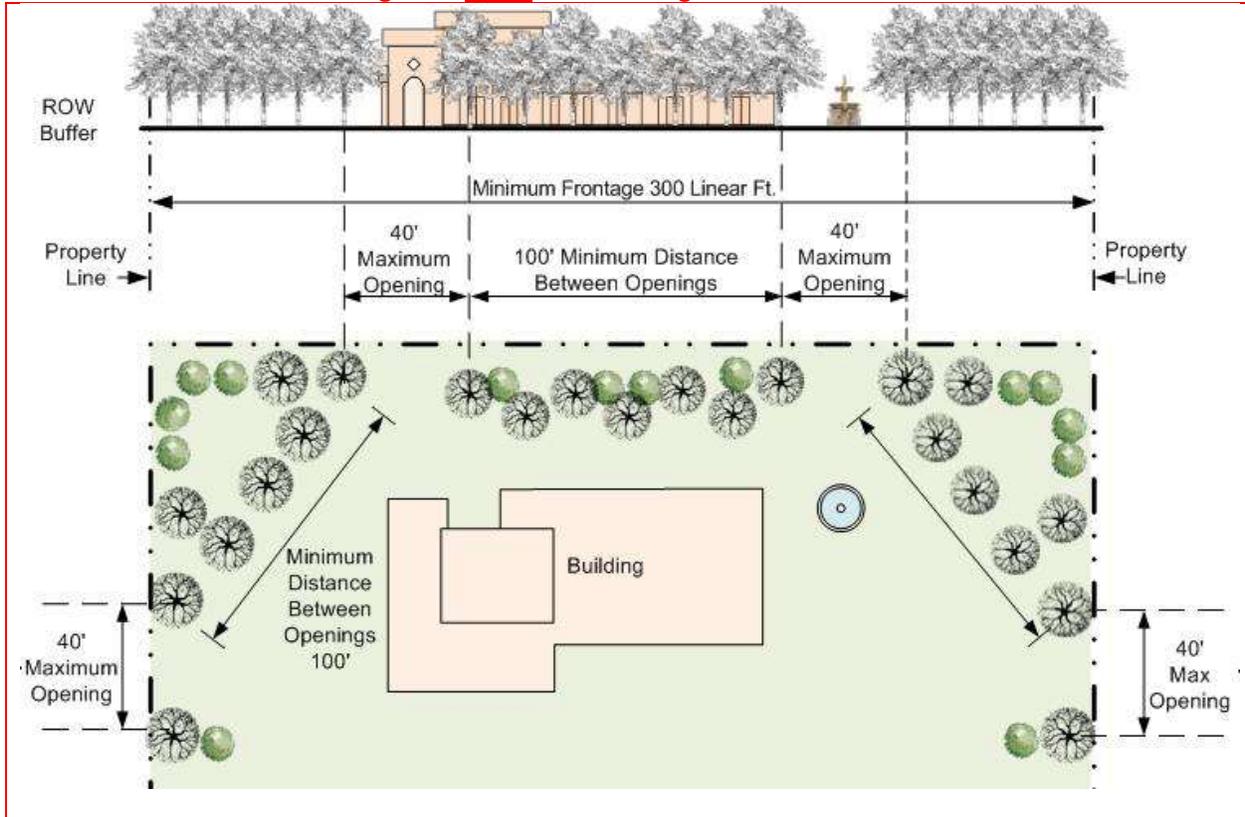
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

Figure 7.C.2.A – Clustering in R-O-W Buffer



2

| Reason for amendments: [Zoning]   |
|---|
| 11. Part 2 is related to Compatibility Buffer requirements.   |
| 12. Eliminate Planting pattern for Compatibility Buffer, since the quantity of trees and shrubs for this type of buffer already determined how the plant materials could be installed within a limited width of the buffer, there should be not sufficient area to allow a meandering planting pattern. This will also provide some flexibility for the designer to lay out the proposed plant materials. |
| 13. Expand width of Compatibility from 5 feet to 8 feet to address concerns related to whether 5 feet has sufficient room for healthy tree growth.  |

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

### B. Compatibility

A Compatibility Buffer shall consist of Canopy trees and rows of shrubs. Palms or pines may be used as a substitute for Canopy trees.

#### 1. Applicability

Compatibility Buffers shall be provided between all compatible uses or where a development or a lot is adjacent to lots with a compatible FLU designation, unless stated otherwise herein. [Partially relocated from Art. 7.F.1.B, Compatibility]

#### 2. Exemption

Compatibility Buffers shall not be required for the following:

a. Single Family residential subdivisions or pods adjacent to Single Family residential subdivisions or pods; [Relocated from Art. 7.F.1.B, Compatibility]

b. Internal buffers within TDDs, unless specifically stated otherwise; or [Relocated from Art. 7.F.1.B, Compatibility]

c. Where residential uses are not adjacent to other incompatible design elements such as roadways, useable open space areas; or where residential setbacks are less than adjacent residential development. [Relocated from Art. 7.F.1.B, Compatibility]

#### 3. Width

The minimum width of a Compatibility Buffer is eight feet. All Compatibility Buffers that were approved with a five foot width shall be considered as legal and conforming, and shall be vested if they are clearly shown on an approved Zoning Plan or a Development Permit. [Partially relocated from Art. 7.F.8, Compatibility Buffer]

#### 4. Landscape Requirements

Planting for a Compatibility Buffer shall be pursuant to Table 7.C.2.B, Compatibility Buffer, as follows:

### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

**Table 7.C.2.B, Compatibility Buffer Landscape Requirements (4)**

| <u>Minimum Width</u>  | <u>Quantity of Canopy Trees (1) (2) (3)</u>  | <u>Quantity of Shrubs (1) (2)</u>                            | <u>Landscape Barrier and Min. Height (5)</u> |
|---|--|--|--|
| 8'  | <i>One Canopy Tree per 25 lineal feet</i> <b>[Relocated from Art. 7.F.2.A.1.b, Compatibility Buffer]</b> | <i>One row of Medium shrubs at one per four lineal feet.</i> | No   |
| <b>Notes:</b>   |  |  |  |
| (1) <i>Linear feet is based on the property line where the landscape buffer is located.</i>   |  |  |  |
| (2) <i>Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of plant materials.</i> |  |  |  |
| (3) <i>Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute.</i>                                      |  |  |  |
| (4) <i>Any areas of the buffer not planted with trees and shrubs shall be landscaped with ground treatment pursuant to Art. 7.D.7, Landscape Barriers.</i>        |  |  |  |
| (5) <i>If walls or fences are provided in the R-O-W Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Buffers.</i>                              |  |  |  |

| <b>Reason for amendments: [Zoning]</b>  |
|---|
| 14. Part 3 is related to Incompatibility Buffer requirements.   |
| 15. Clarify Incompatibility Buffer is required for those residential uses that have different housing types such as single family and zero lot line units which are considered as detached housing type; and multi-family and townhouse units are considered as attached. |
| 16. Codify BCC conditions of approval related to addition of palms and pines as part of the Code requirement for Incompatibility Buffers.   |
| 17. Relocate Agricultural Reserve (AGR) PUD Landscape Buffer to this Section – the intent is to consolidate Incompatibility Buffers that are located in other Articles to Article 7.  |

**C. Incompatibility**

*An Incompatibility Buffer shall consist of Canopy trees, palms or pines, and rows of shrubs. Palms or pines may be used as a substitute for trees. In addition, an Incompatibility Buffer shall consist of a continuous, opaque Landscape Barrier. **[Ord. 2009-040] [Ord. 2016-016] [Partially relocated from Art. 7. F.9.B.1, Landscape Requirements related to Incompatibility Buffer Standards]***

**1. Applicability**

*Incompatibility Buffers shall be provided between all incompatible uses or incompatible pods in a PDD.*

**a. Type 1 Waiver for Landscaping**

*An Incompatibility Buffer may not be required for residential pods of a PDD; or tracts within a residential subdivision subject to a Type 1 Waiver for Landscaping.*

**2. Types and Width of Incompatibility Buffers**

*There are three types of Incompatibility Buffers, Types 1, 2 and 3, and shall be applied in accordance with Table 7.C.2.C, Incompatibility Buffer Types. The type of Incompatibility Buffer required shall be the most restrictive buffer type based on the use difference between adjacent uses. Where required between pods in a PDD, only one Incompatibility Buffer shall be required. **[Ord. 2016-016] [Partially relocated from Art. 7.F.9.A, Determining Incompatibility Buffer Type]***

**Table 7.C.2.C - Incompatibility Buffer Types**

| <i>Difference Between Adjacent Uses (1)</i>  |                 |  |                             |
|--|-----------------|--|-----------------------------|
| <i>Use Classification</i>  | <i>Abutting</i> | <i>Use Classification</i>              | <i>Required Buffer Type</i> |
| <i>Residential, Detached</i>   | ←→              | <i>Residential, Attached (3)</i>       | <i>Type 1</i>               |
| <i>Residential, Detached</i>   | ↔               | <i>Type 3 CLF</i>                      | <i>Type 2</i>               |
| <i>Residential</i>   | ↔               | <i>Commercial</i>                      | <i>Type 2</i>               |
| <i>Residential</i>   | ↔               | <i>Recreational</i>                    | <i>Type 2</i>               |
| <i>Residential</i>   | ↔               | <i>Institutional, Public and Civic</i> | <i>Type 2</i>               |
| <i>Residential</i>   | ↔               | <i>Agricultural</i>                    | <i>Type 3</i>               |
| <i>Residential</i>   | ↔               | <i>Industrial</i>                      | <i>Type 3</i>               |
| <i>Residential</i>   | ↔               | <i>Utility (2)</i>                     | <i>Type 3</i>               |
| <b>[Ord. 2008-003] [Ord. 2016-016]</b>   |                 |  |                             |
| <b>Notes:</b>  |                 |  |                             |
| 1. <i>Determination of use classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, use classification shall be based upon Future Land Use (FLU) designation.</i> |                 |  |                             |
| 2. <i>Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. <b>[Ord. 2017-007]</b></i>  |                 |  |                             |
| 3. <i>Shall also apply to a Type 2 CLF.</i>  |                 |  |                             |

**[Relocated from Art. 7.F.9.A, Required Incompatibility Buffer Types]**

**a. Width Reduction**

*The required buffer width may be reduced by 50 percent when a lot or a development is separated from another parcel of land that has an incompatible use or FLU designation by a canal, lake, retention, open space area with a minimum width of 100 feet or combination*

**Notes:**

- **Underlined** indicates *new* text.
- **Stricken** indicates text to be *deleted*. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- **Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

**EXHIBIT D**

**ARTICLE 7, LANDSCAPING**

**(Updated 08/10/17)**

thereof, or if the same type of buffer exists on the adjacent property, and subject to the following requirements:

- 1) The quantity of required Canopy trees, palms or pines shall not be reduced; and
- 2) No easement overlap in the buffer.

**b. Shrub Reduction**

Required shrubs may be reduced by 50 percent if the reduction is sought concurrently with the width reduction of the same buffer, and subject to the following requirements:

- 1) The percentage of shrub reduction shall be in proportion to the percentage of the width reduction of the buffer; and
- 2) The required six foot high Landscape Barrier shall be provided.

**3. Landscape Requirements**

Landscaping for an Incompatibility Buffer shall be pursuant to Table 7.C.2.C.3, Incompatibility Buffer Landscape Requirements, as follows:

**Table 7.C.2.C.3 - Incompatibility Buffer Landscape Requirements (6)**

| <u>Buffer Type</u>            | <u>Minimum Width</u> | <u>Quantity of Canopy Trees (1) (2) (3)</u> | <u>Quantity of Palms or Pines (1) (2)</u>  | <u>Quantity of Shrubs (1) (2)</u>  | <u>Landscape Barrier and Min. Height</u>       |
|-------------------------------|----------------------|---|--|--|--|
| <u>Type 1 Incompatibility</u> | <u>10 feet</u>       | <u>One Canopy tree per 20 linear feet</u>   | <u>-</u>                                   | <u>One row of each: Small Shrubs – One per two linear feet.</u>  | <u>Six feet high opaque fence or hedge (7)</u> |
| <u>Type 2 Incompatibility</u> | <u>15 feet</u>       | <u>One Canopy Tree per 20 linear feet</u>   | <u>One Palm or Pine per 30 linear feet</u> | <u>One row of each: Small shrubs – One per two linear feet; and, Medium shrubs – One per four linear feet.</u> | <u>Six feet high fence or hedge (7)</u>        |
| <u>Type 3 Incompatibility</u> | <u>20 feet</u>       | <u>One Canopy Tree per 20 linear feet</u>   | <u>One Palm or Pine per 30 linear feet</u> | <u>One row of each: Small shrubs – One per two linear feet; and Medium shrubs – One per four linear feet.</u>  | <u>Six feet high opaque wall (4) (5)</u>       |

**Notes:**

- (1) Linear feet is based on the property line where the landscape buffer is located.
- (2) Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of the plant materials (trees, shrubs and groundcover).
- (3) Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute.
- (4) Substitute of the required wall may be requested through a Type 2 Waiver.
- (5) The wall requirement shall not be required for a Type 3 Incompatibility Buffer in an AGR PUD in accordance with Art. 7.C.2.4, AGR PUD, Landscape Buffer [Ord 2008-003] [Partially relocated from Table 7.F.9.B - Incompatibility Buffer Standards note #2]
- (6) Any areas of the buffer not planted with trees and shrubs shall be landscaped with ground treatment pursuant to Art. 7.D.7, Landscape Barriers.
- (7) If walls or fences are provided in a Type 1 or Type 2 Incompatibility Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Barriers.

**4. AGR PUD Landscape Buffer**

A Type 3 Incompatibility Buffer shall be required between the Development Area and all adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer shall be a minimum of 50 feet in width and a wall shall not be required. [Ord. 2006-004] [Ord. 2008-003] [Partially relocated from Art. 3.E.2.F.4.d, AGR PUD – Landscape Buffer]

**a. Buffer Width Reduction**

The minimum 50 foot buffer width required along the perimeter of an AGR-PUD Development Area may be reduced for the following: [Ord. 2013-001] [Relocated from Art. 3.E.2.F.4.d.1), Buffer Width Reduction]

**1) Abutting R-O-W, Open Space or Another Buffer**

A 50 percent reduction (minimum of 25 feet in width) shall be permitted if: [Ord. 2013-001] [Relocated from Art. 3.E.2.F.4.d.1).a), Abutting R-O-W, Open Space or Another Buffer]

a) the buffer is within a nonresidential pod and adjacent to a R-O-W greater than 50 feet in width; [Relocated from Art. 3.E.2.F.4.d.1).a).(1), related to Abutting R-O-W, Open Space or Another Buffer]

b) the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in width; or [Relocated from Art. 3.E.2.F.4.d.1).a).(2), related to Abutting R-O-W, Open Space or Another Buffer]

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

c) *the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than 50 feet in width.* [Relocated from Art. 3.E.2.F.4.d.1).a).(c), related to **Abutting R-O-W, Open Space or Another Buffer**]

**2) Abutting a Rural Parkway**

*A reduction to a minimum of 15 feet in width shall be permitted if the buffer is abutting a Rural Parkway a minimum of 100 feet in width.* [Ord. 2013-001] [Relocated from Art. 3.E.2.F.4.d.1).b), **Abutting a Rural Parkway**]

|   |
|---|
| <b>Reason for amendments:</b> [Zoning]  |
| 18. Relocate requirements under Chapter D.11, Foundation Plantings to the new Chapter C. Consolidate Interior landscaping, which includes foundation planting and any open spaces interior to a lot or a PDD/TDD, under this Chapter.   |
| 19. Also clarify that calculation for interior planting for non-residential lots is based on pervious surface area only. The prior calculation was based on the entire lot area and is excessive in terms of planting requirements, and does not consider the deduction of buildings, parking lot, walkways, etc. Since the Code already requires perimeter buffers, planting for parking areas and foundation planting; therefore, the proposed code will only require planting in the pervious surface areas, and may allow adjacent to the retention areas subject to the approval of the Land Development Division. |
| 20. Add planting requirement for Vehicular Use Area, which are those areas used for loading, circulation, access, storage. Designated parking areas shall not be considered as vehicular use areas.   |

**Section 3 Interior Landscaping**

Interior landscaping shall include, but not limited to: foundation planting, landscape islands and medians, screening for loading areas, vehicular use areas and any pervious areas that could be utilized for additional planting. Interior landscaping shall consist of mainly Canopy trees and shrubs. Palms or Pines and groundcover may also be utilized to enhance the interior landscaping. If palms or pines are used in lieu of Canopy trees, they shall be planted in accordance with Art. 7.D.2.B.1 and C.1, Canopy Tree Substitute for Palms and Pines.

**A. Calculation of Interior Landscaping**

Planting in the perimeter buffers shall not be counted to satisfy the interior landscaping requirements. Interior quantities for trees and shrubs shall be calculated based on pervious areas, excluding preservation areas, lakes, retention areas, and perimeter landscape buffers. [Ord. 2009-040] [Ord. 2014-025] [Ord. 2016-042] [Partially relocated from Table 7.C.3 – Minimum Tier Requirements, Note 5.]

**Table 7.C.3.A – Interior Landscaping Requirements**

|   | <i>U/S Tier</i>   | <i>AGR and Glades Tiers</i>  | <i>Exurban and Rural Tiers</i>   |
|---|---|--|--|
| <b>Min. Tree Quantities</b>   |   |  |  |
| <u>Residential lot – SF, ZLL, TH and MF</u>   | <i>1 per 1,250 sq. ft. (max. 15 trees)(1) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers U/S Tier] | <i>1 per 1,000 sq. ft. (max. 30 trees)(1) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers AGR and Glades Tiers]  | <i>1 per 800 sq. ft. (max. 30 trees)(1) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers Exurban and Rural Tiers] |
| <u>Non-residential Vehicular Use Area (3)</u>   | <u>1 per 2,000 sq. ft.</u>  | <u>1 per 1,500 sq. ft.</u>   | <u>1 per 1,200 sq. ft.</u>   |
| <b>Min. Shrub Quantities</b>  |   |  |  |
| <u>Residential lot – SF, ZLL, TH and MF</u>   | <i>3 per 1,250 sq. ft. (max. 45 trees)(1) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers U/S Tier] | <i>3 per 1,000 sq. ft. (max. 90 trees) (1) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers AGR and Glades Tiers] | <i>3 per 800 sq. ft. (max. 90 trees) (2)</i> [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers Exurban and Rural Tiers]    |
| <u>Non-residential Vehicular Use Area (3)</u>   | <u>3 per 2,000 sq. ft.</u>  | <u>3 per 1,500 sq. ft.</u>   | <u>3 per 1,200 sq. ft.</u>   |
| <b>[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031]</b>  |   |  |  |
| <b>Notes:</b>   |   |  |  |
| (1) <u>Tree and shrub planting requirement calculations for Residential Lots shall be based on the pervious surface areas of the lot.</u> [Ord. 2014-025] [Partially relocated from Table 7.C.3 – Minimum Tier Requirements, note #8] |   |  |  |
| (2) <u>No maximum for lots with Multi-family units.</u>   |   |  |  |
| (3) <u>Interior quantity of trees and shrubs shall be based on ten percent of the gross paved areas of the vehicular use area, excluding preservation, lakes, and retention areas.</u>  |   |  |  |

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 21. Relocate and consolidate requirements under the current Chapters C and D to the new Chapter C, and create a new Table which summarizes the current requirements of Table 7.C.2, Minimum Tier Requirements, and those under Art.7.D.11, Foundation Planting.                |
| 22. Reduce percentage of foundation planting for the rear facades for the AGR, Glades, Exurban and Rural Tiers since most of the loading and service activities are located in the back of the building. This proposed modification is consistent with the Urban/Suburban Tier |

**B. Foundation Planting**

**1. Applicability**

a. Foundation planting shall be provided along facades as required by Table 7.C.3.B, Foundation Planting and Dimensional Requirements for non-residential structures unless specifically exempted by this Article. Planting shall also be required at the base of freestanding ground-mounted signs. [Partially relocated from Art. 7.D.11, Foundation Plantings]

**Table 7.C.3.B, Foundation Planting and Dimensional Requirements**

| <u>Minimum Requirements</u>   | <u>U/S Tier (2)</u>   | <u>AGR and Glades Tiers</u>  | <u>Exurban and Rural Tiers</u>  |
|---|---|--|---|
| <u>Planting Width for all sides</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement]  | <u>8 feet</u><br>[Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]              | <u>10 feet</u><br>[Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, SAGR and Glades Tiers]   | <u>12 feet</u>  |
| <u>Facades to be Planted (3)</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement]   | <u>Front and Sides</u><br>[Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]     | <u>Front, Sides and Rear</u><br>[Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, AGR and Glades Tiers]                              | <u>Front, Sides and Rear</u><br>[Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, Exurban and Rural Tiers]                              |
| <u>Length - Percentage of Façade (1)</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement]   | <u>40 percent</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]                    | <u>50 percent for Front and Sides</u><br><u>30 percent for Rear</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, AGR and Glades Tiers] | <u>60 percent for Front and Sides</u><br><u>40 percent for Rear</u><br>[Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, Exurban and Rural Tiers] |
| <u>Tree, palm or pine (5)</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]   | <u>1 per 20 linear ft. of the length of the foundation planting area.</u><br>[Relocated from Art. 7.D.11, Foundation Plantings] | <u>1 per 20 linear ft. of the length of the foundation planting area</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]   | <u>1 per 20 linear ft. of the length of the foundation planting area</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]  |
| <u>Shrub or groundcover</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]   | <u>1 per 10 sq. ft. of foundation planting area</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]                       | <u>1 per 10 sq. ft. of foundation planting area</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]  | <u>1 per 10 sq. ft. of foundation planting area</u><br>[Relocated from Art. 7.D.11, Foundation Plantings]   |
| <b>Freestanding ATM and Unmanned Retail Structure</b>   |   |  |   |
| <u>Minimum Planting Width</u>   | <u>3 feet</u>   | <u>3 feet</u>  | <u>3 feet</u>   |
| <u>Façades to be planted (4)</u>  | <u>Non point of Service Facades</u>   | <u>Non point of Service Facades</u>  | <u>Non point of Service Facades</u>   |
| <u>Length – Percentage of total Length of Non point of Service Facades</u>  | <u>70 percent</u>   | <u>85 percent</u>  | <u>100 percent</u>  |
| <u>Small shrub or Groundcover</u>   | <u>1 per 2 linear feet of the foundation planting area</u>  | <u>1 per 2 linear feet of the foundation planting area</u>   | <u>1 per 2 linear feet of the foundation planting area</u>  |
| [Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2013-021] [Ord. 2014-025] [Ord. 2014-031] [Ord. 2016-042]   |   |  |   |
| <b>Notes:</b>   |   |  |   |
| (1) <u>The minimum length shall be calculated by the total length of the applicable side of the structure, excluding garage doors and loading bays.</u> [Relocated from Art.7.D.11.C, Minimum Length] |   |  |   |
| (2) <u>U/S Tier Standards may be applied to a PUD or a TDD with a village center, civic site, or suburban center, general or edge subarea.</u> [Ord. 2010-022]  |   |  |   |
| (3) <u>Foundation Planting may be relocated to any façade of the same building or structure subject to Table 7.B.4, Type 1 Waiver for Landscaping.</u>  |   |  |   |
| (4) <u>For Freestanding ATMs or Unmanned Retail Structure, the façade where the point of service is located shall be exempt from the Foundation Planting requirement.</u>                             |   |  |   |
| (5) <u>For Large Scale Commercial Development, 50 percent of the height of the trees shall be a minimum of two-thirds of the height of the façade of which the foundation planting is located.</u>    |   |  |   |

b. The Applicant shall identify on the Zoning Plan(s) the primary pedestrian entrance of each building.

1) For building(s) with a single tenant and multiple entrances, the façade where the primary pedestrian entrance is located will be considered as the front facade.

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

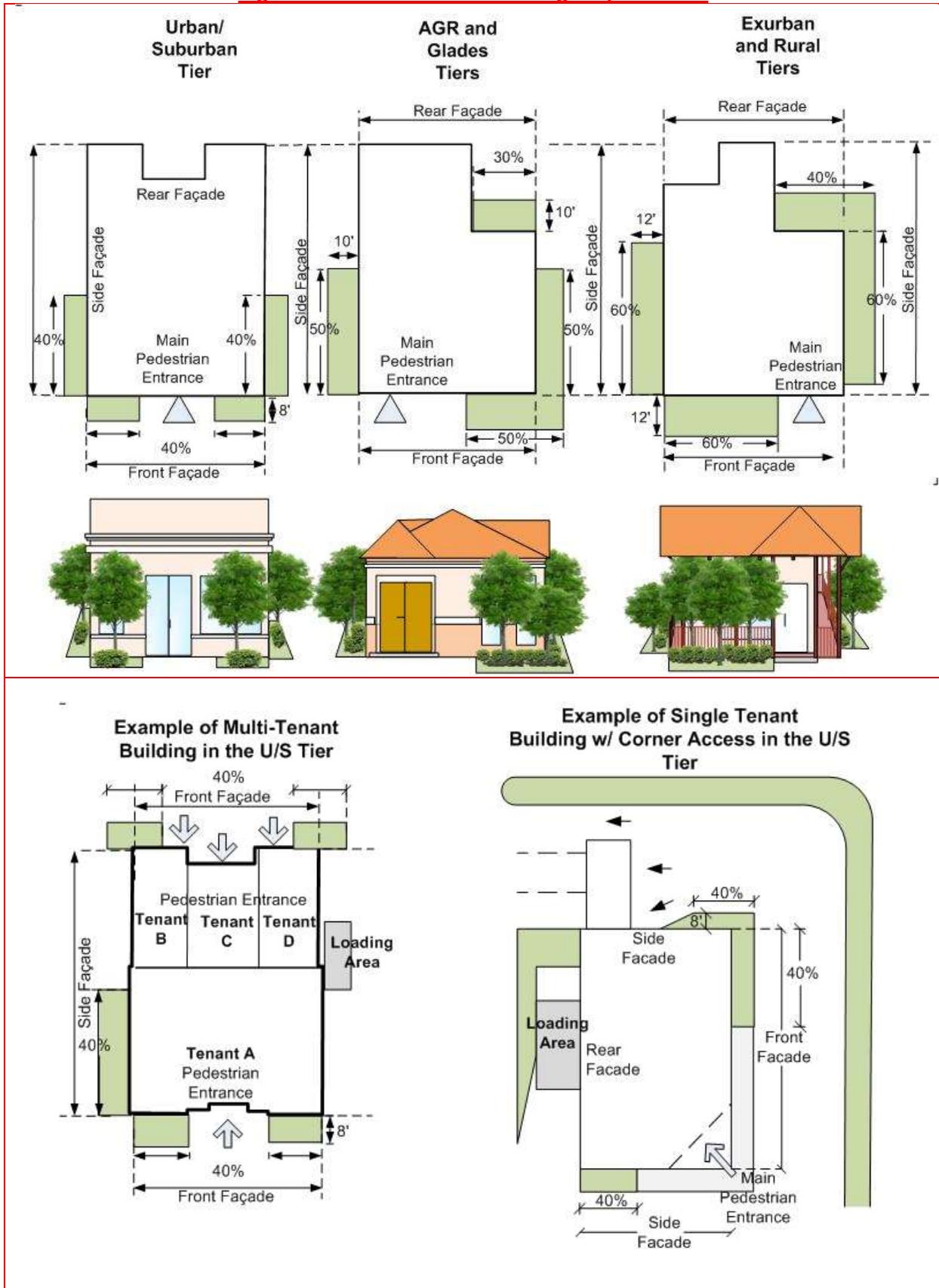
## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1  
2  
3  
4  
5

- 2) For a building with multiple tenants that has individual primary pedestrian entrance that serve each tenant, the front facade will be the façades where the primary pedestrian entrances are located. The rear facade shall be considered that side of the building where the loading area is located.

Figure 7.C.3 – Foundation Planting Requirements



6  
7  
8  
9

### 2. Exemptions

- a. *Agricultural or industrial buildings that are not visible from a public street or residential zoning district.* [Relocated from Art. 7.D.11.A.a, Related to Foundation Planting Exemptions]

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

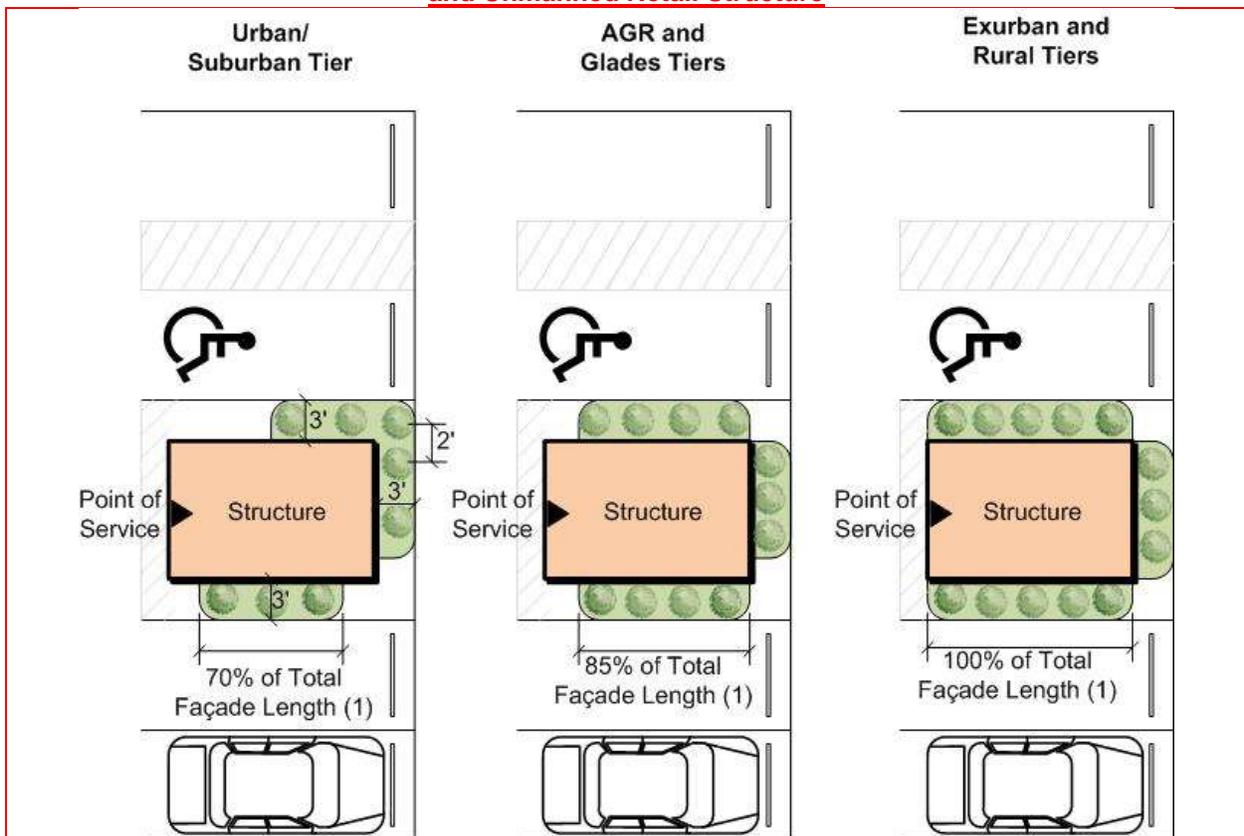
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

- 1 **b.** Buildings which are exempt from local building permits or government review pursuant to State
- 2 **or Federal Statutes.** [Relocated from Art. 7.D.11.A.b, Related to Foundation Planting
- 3 **Exemptions]**
- 4 **c.** Structures within a TDD, where a build-to-line is established along the sidewalk, except where
- 5 **required in TDD, LCC, IRO and PRA DOs** are exempt from foundation planting requirements
- 6 **for primary and secondary, or other similar types of building frontages, buildings along an**
- 7 **alleyway or access way to a parking area, or where buildings front on a plaza or square.** [Ord.
- 8 **2005-002] [Ord. 2006-004] [Ord. 2010-022] [Relocated from Art. 7.D.11.A.3, Related to**
- 9 **Foundation Planting Exemptions and Table 7.C.3 – Minimum Tier Requirements, note**
- 10 **#6]**
- 11 **d.** Properties where the required planting area would overlap a required buffer. [Relocated from
- 12 **Art. 7.D.11.A.4, Related to Foundation Planting Exemptions]**
- 13 **e.** Accessory buildings and structures subject to Zoning approval. [Relocated from Art.
- 14 **7.D.11.A.5, Related to Foundation Planting Exemptions]**
- 15 **3. Establishments with drive-throughs, Freestanding ATMs and Unmanned Retail Structures**
- 16 **Location of required foundation plantings may be modified if the planting and dimensional**
- 17 **requirements are met in the relocated area.** [Ord. 2013-021] [Relocated from Art. 7.D.11.F,
- 18 **Freestanding ATM's and Unmanned Retail Structures]**
- 19

**Figure 7.C.3.B – Establishments with Drive-Throughs, Freestanding ATMs and Unmanned Retail Structure**



- 20
- 21 **a. Walk Up**
- 22 *Foundation planting areas may be relocated up to a maximum of ten feet away from the*
- 23 *applicable façade to accommodate pedestrian walkways, access to the ATM or Unmanned*
- 24 *Retail Structure, or as needed to comply with F.S. 655, 960, security lighting, or Crime*
- 25 *Prevention Through Environmental Design (CPTED) guidelines.* [Ord. 2013-21] [Ord. 2017-
- 26 *007] [Relocated from Art. 7.D.11.F.1, Walk Up]*
- 27 **b. Drive Through**
- 28 *Foundation planting areas may be relocated within 30 feet from the original required facades*
- 29 *of the drive-through.* [Ord. 2013-21] [Ord. 2017-007] [Relocated from Art. 7.D.11.F.2, Drive
- 30 *Through]*
- 31
- 32
- 33

(This space intentionally left blank)

### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Reason for amendments: [Zoning]

23. Address planting around the base or peripheral area of a sign, ATMs or Unmanned Retail Structure/Kiosk.

### **C. Planting Around Signs**

*A three foot wide planting area shall be required around the base of all ground-mounted signs. One shrub for each ten square feet of planting area shall be installed within the planting area and maintained at a minimum height of 18 inches. Monument signs six feet in height or less may be surrounded by ground cover on all sides instead of shrubs. Landscaping and trees that interfere with the visibility of signage may be relocated to the rear of the sign planting area, subject to approval by the Zoning Division. [Relocated from Art. 7.D.11.D, Planting around Signs]*

Reason for amendments: [Zoning]

24. Relocate landscaping for parking areas under the new Chapter C.3 from Chapter G.

25. Consolidate Terminal and Interior islands and rename under Landscape Islands. Clarify that a Landscape island must be provided where parking spaces is adjacent and parallel to a loading space, driveway or drive aisle.

26. Reduce redundancy and consolidate planting and dimensional requirements under a new Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements.

27. Modify to allow landscape diamonds only for those sites that are located in the Urban Redevelopment area or the Westgate Community Redevelopment area since those areas usually have lots that are smaller in size.

28. Change island width to 10 feet for all Tiers to provide sufficient room for tree growth. Add flexible regulations for landscape islands for compact car and electric vehicle parking spaces.

29. Allow islands to be spaced at a larger interval if the island width is increased. This proposed amendment will allow flexible regulations without having the applicant to go through a Waiver process. However, by increasing the spacing, this will eliminate an island/tree. Staff recommends the required tree to be relocated within a landscape buffer or within the site.

### **Section 4. Landscaping Requirements for Off-Street Parking**

*Off-street parking and interior vehicular use areas shall be provided with landscape islands, divider medians or where applicable landscape diamonds, and subject to the following landscaping requirements. Planting within perimeter landscape buffers required by Article 7.C.2, Types of Landscape Buffer, shall not be used to satisfy these requirements. [Relocated from Art. 7.G, Off-Street Parking Requirements]*

#### **A. Landscape Islands**

*Landscape islands shall be provided along the terminal of parking spaces, interior of the parking area; and along major internal driveways. Parking spaces shall not be terminated or abutting a drive aisle; driveway, loading space without a landscape island. In addition, Landscape islands shall be provided in accordance to the maximum spacing requirements for each Tier, and Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements.*

##### **1. Maximum Spacing**

###### **a. U/S Tier**

*One Landscape island per ten spaces (maximum 100 feet apart). [Relocated from Art. 7.G.2.B.1.a, U/S Tier]*

###### **b. AGR and Glades Tier**

*One Landscape island per eight spaces (maximum 80 feet apart). [Relocated from Art. 7.G.2.B.1.b, AGR and Glades tiers]*

###### **c. Rural and Exurban Tiers**

*One Landscape island per six spaces (maximum 60 feet apart). [Relocated from Art. 7.G.2.B.1.a, Exurban and Rural Tiers]*

##### **2. Increased Interval of Landscape Islands**

*The distance between landscape islands may be increased to a maximum of 12 standard parking spaces for U/S Tiers, 10 spaces for the AGR and Glades Tiers, and 8 spaces for the Exurban and Rural Tiers. The width of abutting landscape islands, where the increased interval occurs, shall be increased by one foot for each additional space.*

###### **a. Required Canopy Tree**

*The required Canopy tree for each expanded island shall have a minimum height of 12 feet. No palm or pine substitute for Canopy tree is allowed.*

(This space intentionally left blank)

#### **Notes:**

- **Underlined** indicates **new** text.
- **~~Stricken~~** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- ***Italicized*** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

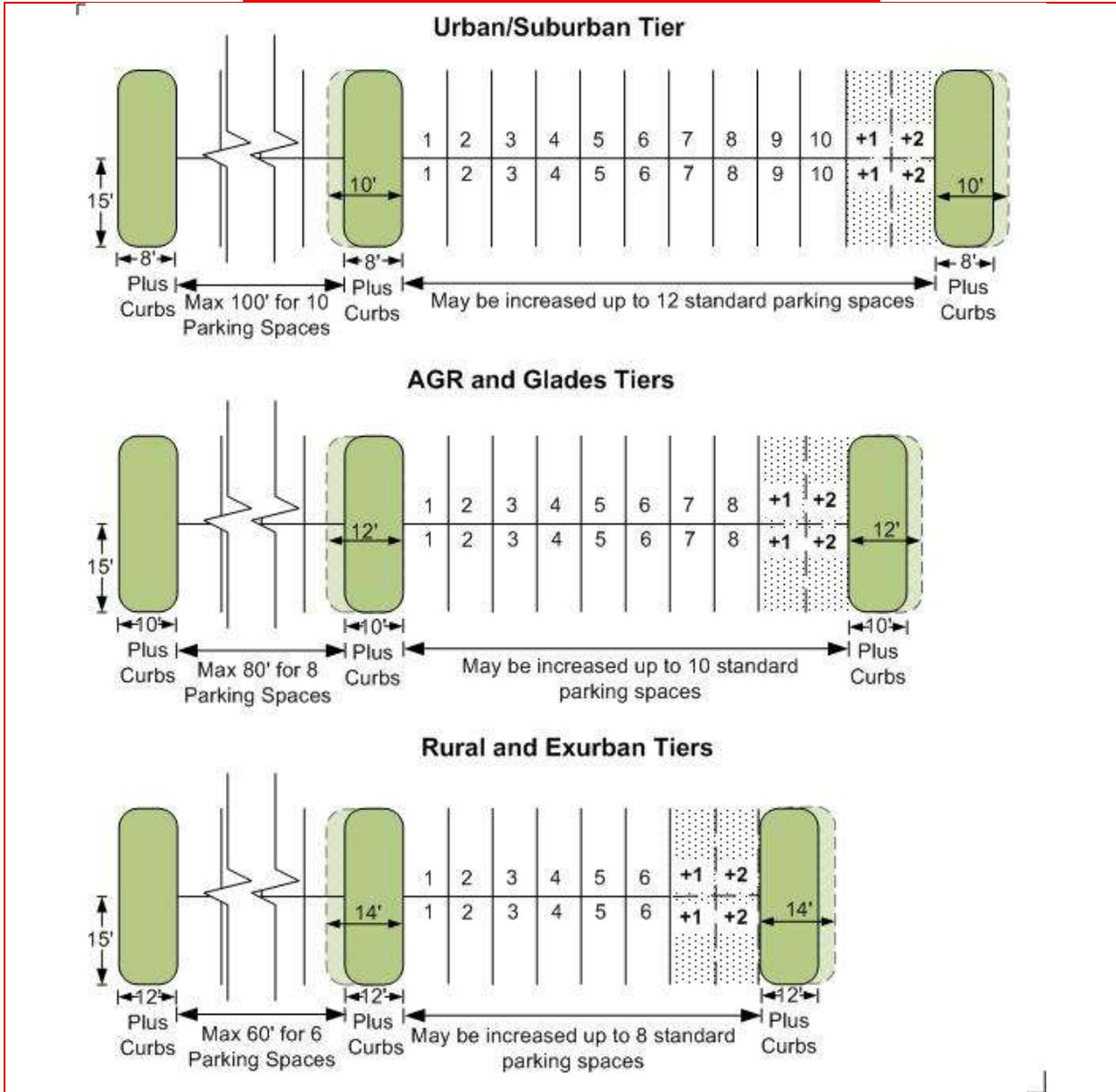
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

Figure 7.C.4.A – Increase Intervals of Landscape Islands



2  
3  
4  
5  
6  
7  
8  
9

### 3. Type 1 Waiver for Maximum Spacing

Landscape islands may be increased in spacing to accommodate preservation of existing vegetation subject to a Type 1 Waiver for Landscaping.

(This space intentionally left blank)

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

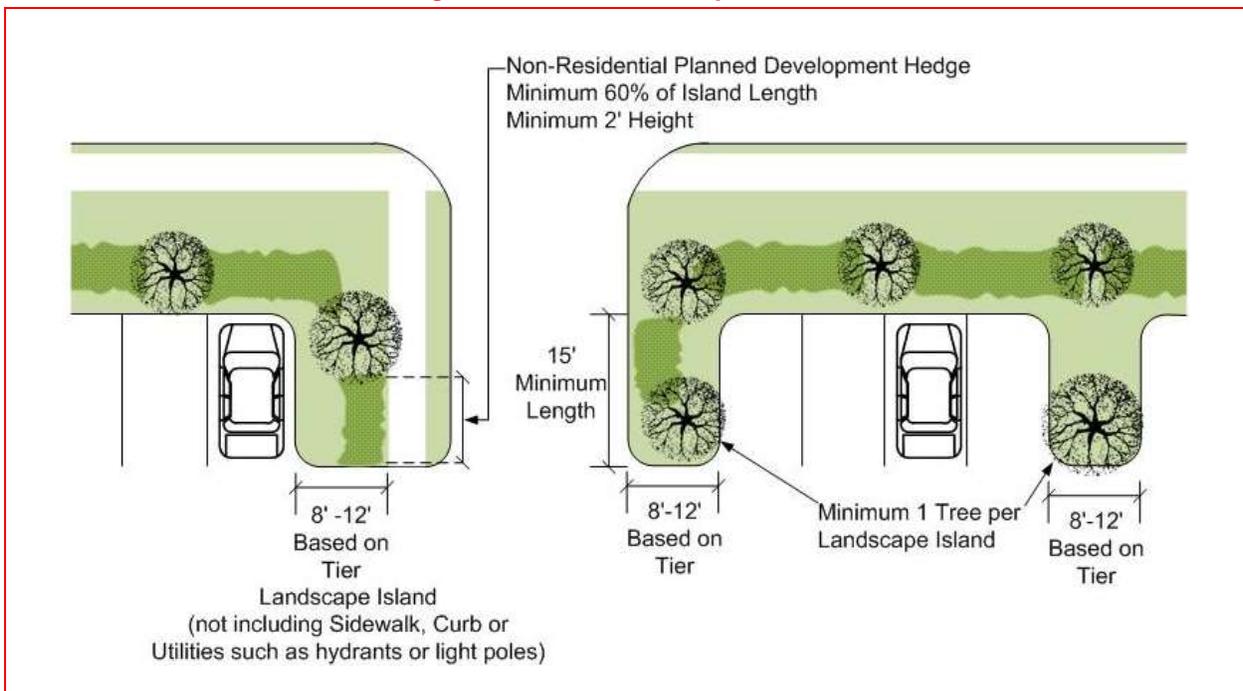
1  
2

**Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements (4)**

|   | <u>U/S Tier</u>  | <u>AGR and Glades Tiers</u> | <u>Exurban and Rural Tiers</u> |
|---|--|-----------------------------|--------------------------------|
| <b>Landscape Island (4) and Divider Median Minimum Dimensions</b>   |  |                             |                                |
| <u>Landscape Island Min. Width (1) (3)</u>  | <u>8 feet.</u>   | <u>10 feet</u>              | <u>12 feet</u>                 |
| <u>Landscape Island Min. Length (3)</u>   | <u>15 ft.</u>  |                             |                                |
| <u>Divider Median Min. Width (1)</u>  | <u>10 ft.</u>  |                             |                                |
| <u>Landscape Diamond (Width x Length)</u>   | <u>5 ft x 5 ft</u>   |                             |                                |
| <b>Minimum Tree Planting Requirements (2)</b>   |  |                             |                                |
| <u>Tree Planting - Landscape Island</u>   | <u>1 tree per island</u>   |                             |                                |
| <u>Tree Planting - Divider Median</u>   | <u>1 tree per 30 linear ft.</u>  |                             |                                |
| <u>Landscape Diamond</u>  | <u>1 palm per diamond</u>  |                             |                                |
| <b>Minimum Shrub and Groundcover Planting Requirements</b>  |  |                             |                                |
| <u>Groundcover Planting - Landscape Island (3)</u>  | <u>Grass or appropriate Groundcover to be planted in island</u>                  |                             |                                |
| <u>Shrub Planting - Divider Median (5)</u>  | <u>Medium Shrubs planted at 30 inches on center, and appropriate Groundcover</u> |                             |                                |
| <u>Landscape Diamond</u>  | <u>Appropriate Groundcover or Tree Grate</u>                                     |                             |                                |
| <b>Notes:</b>   |  |                             |                                |
| (1) <u>Min. width of islands shall exclude curbs, sidewalks and utilities. The width must be increased by the minimum amount necessary to meet the needs of the utility providers or to accommodate a sidewalk.</u>   |  |                             |                                |
| (2) <u>A minimum of 75 percent of all trees required in the interior of vehicular use areas shall be canopy trees. Palms may count as one required tree, not to exceed 25 percent of the total required trees. [Relocated from Art. 7.G.1, Trees]</u>                           |  |                             |                                |
| (3) <u>Apply to Non-residential Planned Development only – Landscape islands facing major internal driveways shall provide a two-foot high continuous hedge for a minimum of 60 percent of the island length. Hedge shall be maintained with a maximum height of 30 inches.</u> |  |                             |                                |
| (4) <u>Landscape islands shall not overlap Landscape Buffers.</u>   |  |                             |                                |
| (5) <u>Required shrubs may be relocated subject to a Type 1 Waiver for Landscaping.</u>   |  |                             |                                |

3

**Figure 7.C.4.A - Landscape Islands**



4  
5  
6  
7

[Relocated from Figure 7.G.2.A - Terminal and Interior Landscape Islands]

(This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Reason for amendments: [Zoning]

30. Clarify when a divider median shall be required, the current code states every 3<sup>rd</sup> row, it should really state every sixth row or every third parking aisle. Also clarify that divider median may be required in those situations to enhance and channel vehicular traffic flow.

### **B. Divider Medians**

*Divider medians shall be provided in parking lots with at least two or more vehicular parking aisles in the U/S, AGR, and Glades Tiers; or in vehicular use areas to channel traffic circulation; as follows:*

1. Locate between every third aisle or sixth row of parking spaces; and between all parking and vehicular use areas. Divider medians shall be provided in accordance to Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements.
2. Adjacent to driveways where external access points are located for PDDs or TDDs.

**Figure 7.C.4.B – Divider Medians Location**



(This space intentionally left blank)

### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to: ]** or [**Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

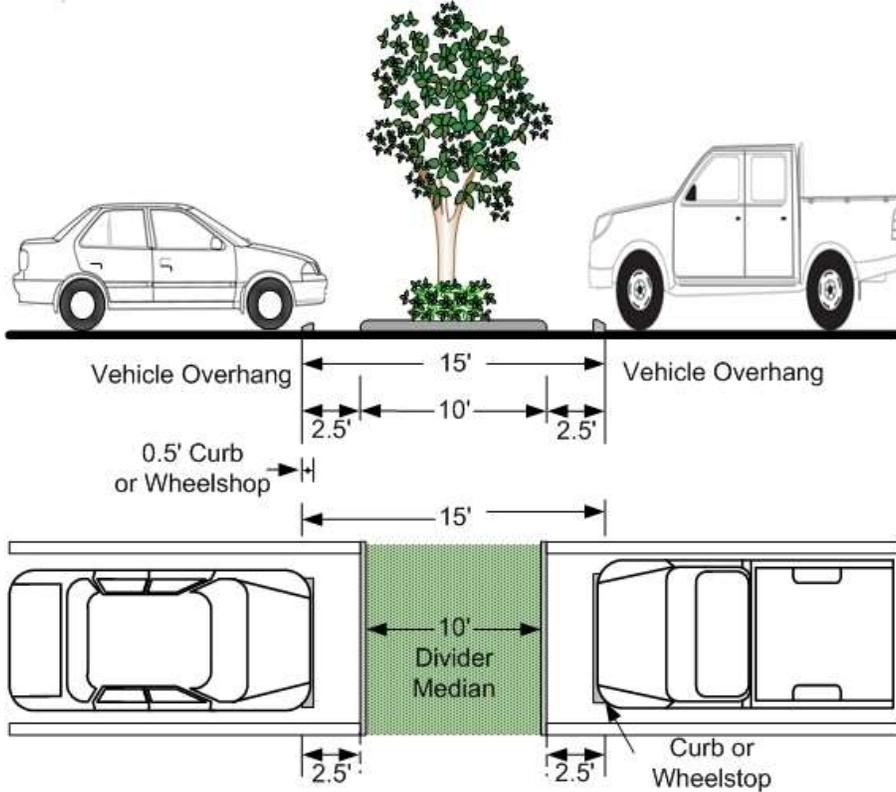
EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

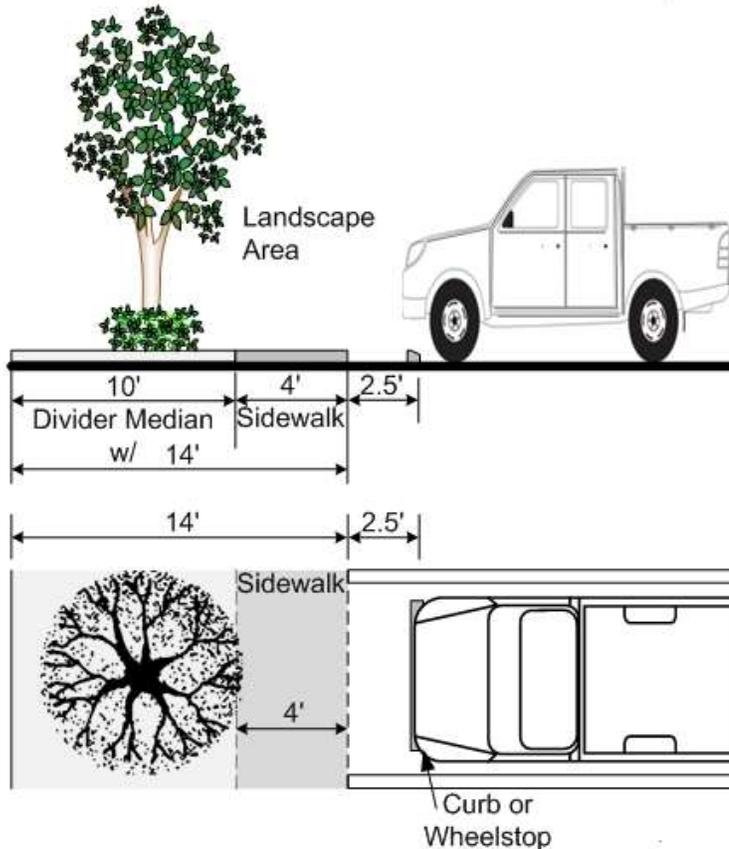
Figure 7.C.4.B- Divider Median Requirements



2 [Relocated from Figure 7.G.2.C - Divider Median Requirements]

3

Figure 7.C.4.B - Divider Median Requirements (with Sidewalk)



4 [Relocated from Figure 7.G.2.C – Divider Medina Requirement (with Sidewalk)]

5

**C. Landscape Diamonds**

6

*Landscape diamonds may be distributed throughout the interior of an off-street parking area as an alternative to divider medians for lots that are located in the WCRAO, IRO, or URAO. Landscape diamonds shall be located only at the common intersection of four parking spaces and spaced a maximum of four parking spaces apart.* [Partially relocated from Art. 7.G.2.D, Landscape

7

8

9

Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

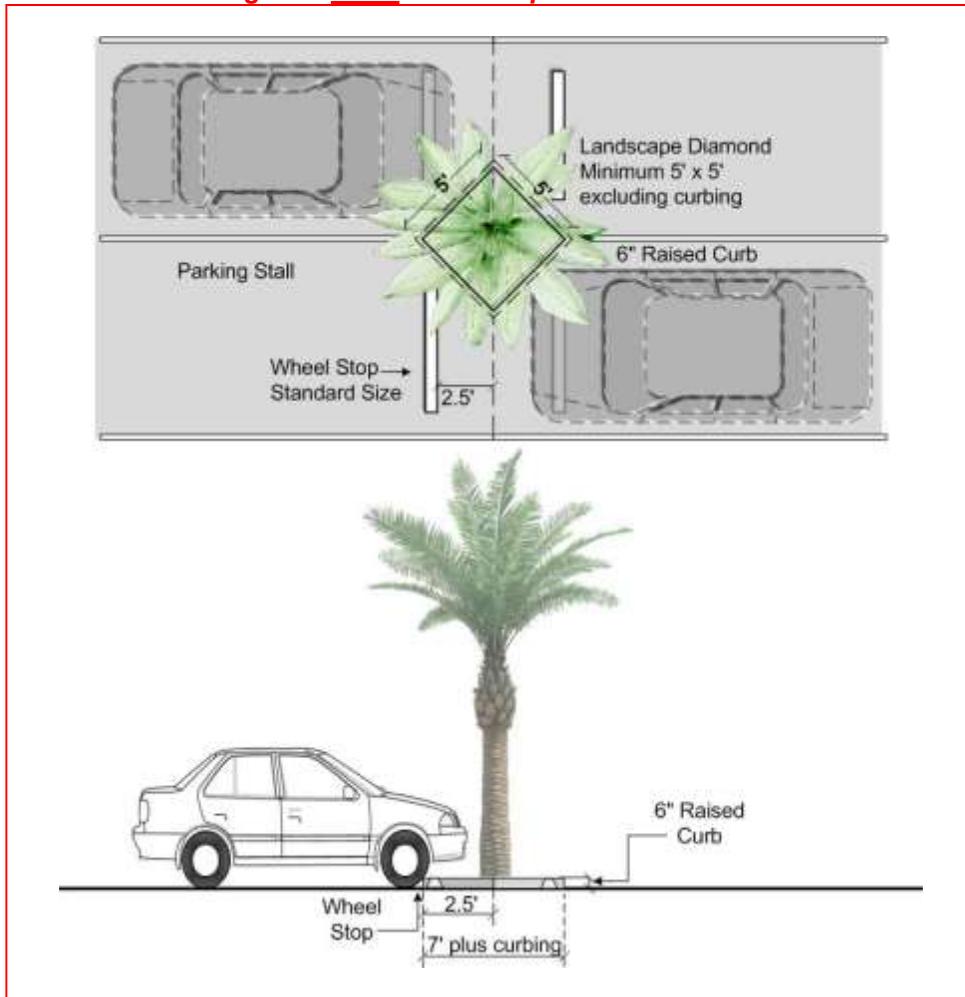
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 **Diamonds]** *A raised curb is required around the entire landscape diamond when wheel stops are*  
2 *not used.* [Relocated from Figure 7.G.2.D, Landscape Diamond Detail, note]  
3

**Figure 7.C.4.C - Landscape Diamond Detail**



[Partially relocated from Figure 7.G.2.D – Landscape Diamond Detail]

~~*A raised curb is required around the entire landscape diamond when wheel stops are not used.*~~ [Relocated to Art. 7.C.4.C, Landscape Diamonds, above]

### 4 **D. Vehicular Use Area**

5 Interior landscaping for the vehicular use area shall be landscaped to provide adequate screening  
6 of vehicular uses. A minimum of ten percent of the gross paved areas of the vehicular use area  
7 shall be designated for interior landscaping.

8 1. If the vehicular use area is adjacent to a perimeter landscape buffer, the required plant  
9 materials may be designed as an integral part of the buffer, provided the minimum quantity for  
10 the interior landscaping and the perimeter buffer is not reduced.

11 2. Interior landscaping may be in form of a divider median and implemented pursuant to Table  
12 7.C.3.A, Interior Planting Requirements.

#### 13 **a. Specialized Vehicular Areas Not Open to the Public**

14 The required interior landscaping shall be allowed to be transferred to other interior  
15 landscaping areas or within the Landscape buffers.

### 16 **E. Landscape Protection Measures**

17 *The landscape area adjacent to any off-street parking space or vehicular use area shall be*  
18 *protected from vehicular encroachment by the use of wheel stops or continuous concrete curbing.*

19 [Partially relocated from Art. 7.G.2.E, Landscape Protection Measures]

#### 20 **1. Curbing**

21 *All landscape areas subject to vehicular encroachment shall be separated from vehicular use*  
22 *areas by six inch, non-mountable, FDOT-type “D” or FDOT-type “F”, concrete curbing. Curbing*  
23 *shall be machine-laid, formed-in-place or integrally installed with the pavement. Landscaped*  
24 *areas adjacent to vehicular use areas shall be surrounded with a continuous raised curb. [Ord.*  
25 *2010-022]* [Relocated from Art. 7.G.2.E.1, Curbing]

#### 26 **a. Exemptions**

27 1) *Divider medians that abut parking spaces with wheel stops; or, [Ord. 2010-022]*  
28 *[Relocated from Art. 7.G.2.E.1.a.1), related to curbing exemptions]*

### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

2) *Properties located in the AGR, AP or AR Zoning Districts that support bona fide agricultural uses. [Ord. 2010-022] [Relocated from Art. 7.G.2.E.1a.2), related to curbing exemptions]*

### **2. Alternative to Curbing**

*Alternative to curbing may be allowed for properties that are located in the following Zoning Districts and Use subject to the requirements listed in Art. 7.C.4.E.1:*

*a. AGR, AP, and PO; [Partially relocated from Art. 7.G.2.E.1.a.2), related to curbing exemptions]*

*b. AR Zoning District in the AGR, Glades, Exurban and Rural Tiers; and [Partially relocated from Art. 7.G.2.E.1.a.2), related to curbing exemptions]*

*c. Cemeteries in all Tiers.*

### **3. Alternative Landscape Protection**

*Alternative landscape protection may include, but not limited to: bollards, fences, hedges or planters. Details of these landscape protection measures shall be shown on the Regulating Plan approved by the DRO.*

*a. For properties located in the PO Zoning District, alternative landscape protection may be allowed when it can be demonstrated to the Zoning Director that the curbing will interfere measures may with the traffic circulation of the proposed use. [Ord. 2010-022] [Relocated from Art. 7.G.2.E.1.b.1), related to Alternative]*

### **4. Wheel Stops**

*Wheel stops shall have a minimum height of six inches above the finished grade of the parking area, properly anchored, and continuously maintained in good condition. The space between the wheel stop and the front end of the parking space may be paved for anchoring and maintenance purposes. Wheel stop anchor rods shall be set through the wheel stop and the pavement. The bottom of the wheel stop must rest fully on the pavement to prevent rocking. Public parks in the PO Zoning District that are exempt from curbing requirements shall also be exempt from wheel stop requirements. [Ord. 2006-004] [Relocated from Art. 7.G.2.E.2, Wheel Stops]*

### **F. Parking Structures**

*Perimeter planters shall be provided along the exterior of parking structures located within 500 feet of a public R-O-W or residential zoning district. Planters shall provide a total of one-half square foot of planting area for each linear foot of facade per parking level. Planting areas may be arranged in linear fashion or clustered at intervals or on levels, and shall be provided with permanent irrigation to permit watering of plant materials. The perimeter planter requirement may be altered if in conflict with the architectural character of the structure, subject to a Type 1 Waiver for Landscaping. [Relocated from Art. 7.G.2.F, Parking Structures]*

|  |
|--|
| <b>Reason for amendments:</b> [Zoning] |
|--|

|   |
|---|
| 31. Relocate Easement related requirements from Chapter D to the new Chapter C. |
|---|

|  |
|--|
| 32. Proposed to change title of this Section to accurately reflect that easements may allow to overlap in a required easement. |
|--|

### **Section 5. Easements in Landscape Buffers**

*Easements may overlap a required landscape buffer by a maximum of five feet, provided there remains a minimum of five clear feet for planting. If a wall with a continuous footer is used, a minimum of ten clear feet for planting is required. The landscape buffer may be traversed by easements or access ways as necessary to comply with the standards of this Article, and Article 11, Subdivision, Platting, and Required Improvements, and other PBC codes. Easements shall be identified prior to the preparation of site or subdivision plans and any proposed overlap shall be approved by the DRO or Zoning Division. [Relocated from Art. 7.D.12, Landscape in Easements]*

#### **A. Infill Development**

*Required landscape buffers for infill development may overlap easements by more than five feet, provided that there remains a minimum of five clear feet for planting or ten clear feet if a wall with a continuous footer is used. [Relocated from Art. 7.D.12.A, Infill Development]*

#### **B. Overhead Utilities**

*Trees planted within any easement with overhead utilities shall comply with the placement and maintenance requirements in the latest edition of FP&L's publication "Plant the Right Tree in the Right Place," available from the Zoning Division, and take into consideration the mature height and spread of the species beneath or adjacent to overhead utilities. Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines. Plants required in the easement area may be planted elsewhere on site, in the vicinity of the required location. In order to maintain tree and plant spacing when a landscape buffer is traversed by a utility easement, a larger overlap may be allowed with the written approval of the relevant utility service company. Where a utility easement crosses a R-O-W Buffer, plant material spacing may*

#### **Notes:**

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- **Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

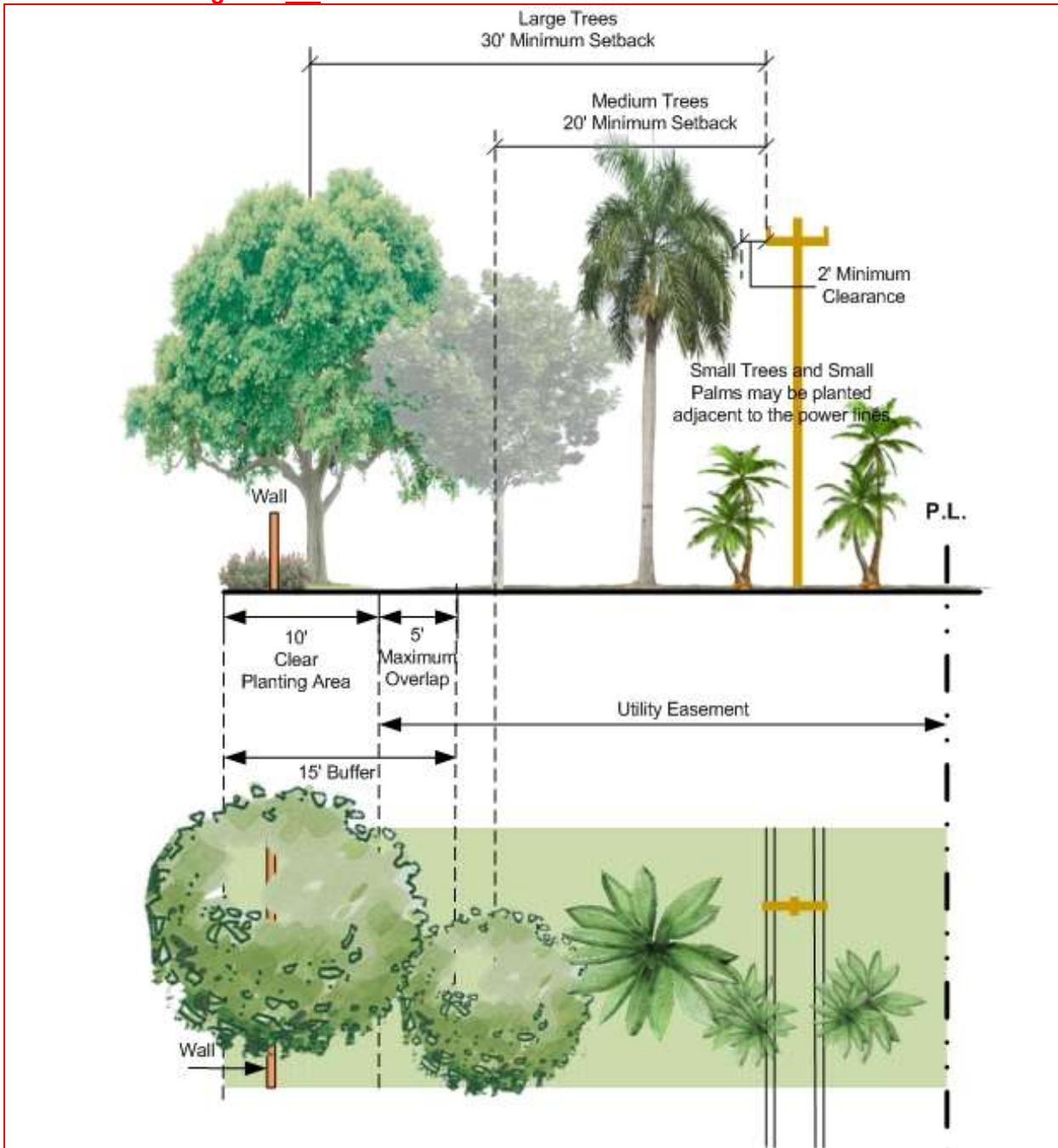
(Updated 08/10/17)

1 *be adjusted, provided there is no reduction in the amount of required plant material.* [Relocated  
2 from Art. 7.D.12.B, Overhead Utilities]

3 **C. Detention or Retention Areas, Swales, and Drainage Easements**

4 *Detention or retention areas, drainage easements, and sloped, directional swales greater than one*  
5 *foot below finished grade, may overlap required landscape buffers provided a minimum of five feet*  
6 *remains for planting.* [Ord. 2006-004] [Ord. 2016-042] [Relocated from Art. 7.D.12.C,  
7 Detention/Retention Areas, Swales, and Drainage Easements]

**Figure 7.C.5 - Maximum Allowed Encroachment into Easements**



8 [Relocated from Figure 7.D.12.C – Maximum Allowed Encroachment into Easements]

9  
10 1. *Planting may be allowed in the dry detention area if approved by the Land Development Division.*  
11 *[Ord. 2016-042]* [Relocated from Art. 7.D.12.C.1, Detention/Retention Areas, Swales, and  
12 Drainage Easements]

13 **D. Lake Maintenance Easements (LME)**

14 *Planting of new trees or relocation of native, non-prohibitive or specimen vegetation may occur in*  
15 *the LME subject to the approval by the ERM Department and Land Development Division.* [Ord.  
16 2016-042] [Relocated from Art. 7.D.12.D, Lake Maintenance Easement (LME)]

17  
18  
19 (This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

|   |
|---|
| <b>Reason for amendments:</b> [Zoning]  |
| 33. Relocate Corner Clips from Chapter D to the new Chapter C.  |
| 34. Combine Corner Clip and Safe Sight Corner under one Section. Corner Clip is a triangular piece of right-of-way that connects two intersecting streets. The area is typically used for traffic control equipment. Depending on the type of intersecting streets, the triangle dimensions may be 25 feet by 25 feet or 40 feet by 40 feet. A Safe Sight Triangle (aka "corner clip within property abutting driveway at connection to street") is required at a driveway's connection to a right-of-way. This area is typically to protect line of sight for vehicles exiting private property and entering into a right-of-way. The typically triangle dimensions are 10'x10'. |

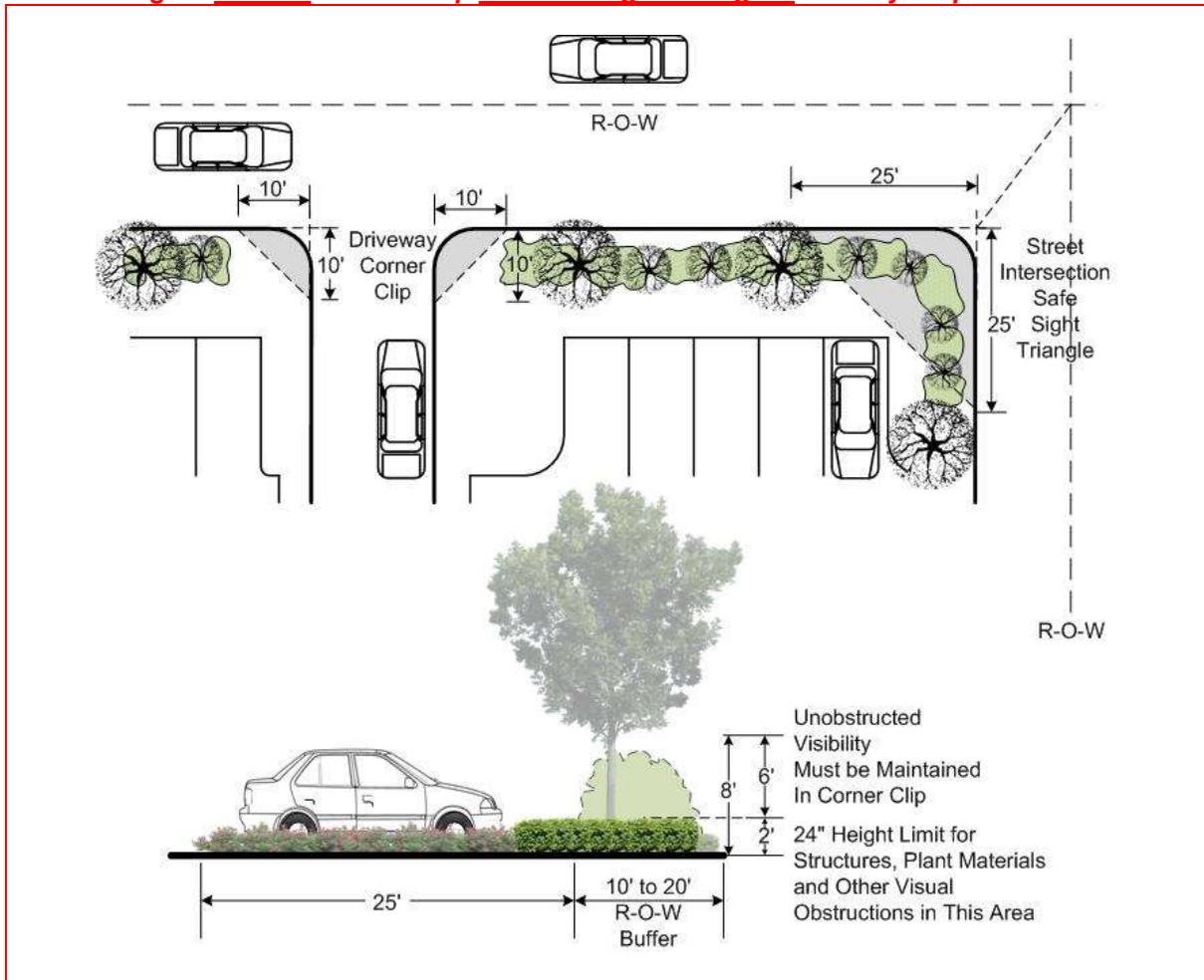
2 **Section 6 Corner Clips and Safe Sight Triangles**

3 *Landscaping within corner clips and safe sight triangles required by Article 11, Subdivision, Platting, and*  
 4 *Required Improvements, shall be subject to the following:* [Relocated from Art. 7.D.13, Corner Clips]

- 5 *A. An area of unobstructed visibility shall be maintained between 30 inches and eight feet above the*  
 6 *crown of the adjacent roadway.* [Relocated from Art. 7.D.13.A, related to Corner Clips]
- 7 *B. Vegetation located adjacent to and within corner clip or safe sight triangle areas shall be trimmed*  
 8 *so that limbs or foliage do not extend into the required visibility area.* [Relocated from Art.
- 9 **7.D.13.B, related to Corner Clips]**
- 10 *C. All landscaping in a corner clip or safe sight triangle shall be planted and perpetually maintained*  
 11 *by the property owner, except where maintained by another entity such as a Homeowner's*  
 12 *Association (HOA).* [Relocated from Art. 7.D.13.C, related to Corner Clips]

13

**Figure 7.C.6.C - Corner Clip and Safe Sight Triangles Visibility Requirements**



14  
 15  
 16  
 17  
 18

(This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Reason for amendments: [Zoning]

35. Relocate requirements under Chapter F.12, Large Scale Commercial Development to the new Chapter C.

### **Section 7 Large Scale Commercial Development**

#### **A. Perimeter Buffer**

*In addition to the requirements of this Code, developments with single tenants 65,000 gross square feet or more shall be subject to the following standards: [Ord. 2005 – 002] [Relocated from Art. 7.F.12.A, Perimeter Buffer]*

##### **1. R-O-W Buffers**

*The width, berm and planting requirements along streets, thoroughfares and/or other means of vehicular access shall be upgraded as follows: [Ord. 2005 – 002] [Relocated from Art. 7.F.12.A.1, R-O-W Buffers]*

##### **a. U/S Tier**

1) *A minimum 25 foot wide buffer. [Ord. 2005 – 002] [Relocated from Art. 7.F.12.A.1.a.1), related to U/S Tier]*

2) *A three foot high berm. [Ord. 2005 – 002] [Relocated from Art. 7.F.12.A.1.a.2), related to U/S Tier]*

##### **b. Glades and Rural/Ex Tiers**

1) *A minimum 50 foot wide buffer. If a lake/retention area is located along a R-O-W, the buffer may be split to border the perimeter of the lake, 25 feet along the street and 25 feet along the interior side of the lake. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.1.b.1), related to Glades and Rural/Ex Tiers]*

2) *Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.1.b.2), related to Glades and Rural/Ex Tiers]*

##### **2. Compatibility Buffers**

*The width, berm and planting requirements along property lines adjacent to compatible uses shall be upgraded as follows: [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2, Compatibility Buffers]*

##### **a. U/S Tier**

1) *A minimum 25 foot wide buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a, related to U/S Tier]*

2) *A three foot high berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a, related to U/S Tier]*

##### **b. Glades and Rural/Exurban Tiers**

1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.b.1), related to Glades and Rural/Exurban Tiers]*

2) *Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.b.1), related to Glades and Rural/Exurban Tiers]*

##### **3. Incompatibility Buffers**

*The width, berm and planting requirements along property lines adjacent to residential and other incompatible uses, and vacant properties with a residential FLU designation, shall be upgraded as follows: [Ord. 2005-002] [Relocated from Art. 7.F.12.A.3, , Incompatibility Buffers]*

##### **a. U/S Tier**

1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.3.a.1), related to U/S Tier]*

2) *A four foot high berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a.2), related to U/S Tier]*

3) *Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a.3), related to U/S Tier]*

##### **b. Glades and Rural/Ex Tiers**

1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.3.b.1), related to Glades and Rural/Exurban Tiers]*

2) *Required trees, palms and shrubs shall be double the quantities required under Art. 7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.3.b.2), related to Glades and Rural/Exurban Tiers]*

#### **B. Foundation Planting**

*Foundation planting shall meander along building facade, and shall not be entirely located at the base of the building. [Ord. 2005 – 002] [Relocated from Art. 7.D.11.E.1.b, Dimensional Requirements related to Large Scale Commercial Development] Dimensions and planting for*

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

the required Foundation planting shall be based on the Tier of which the proposed development is located within, and subject to Table 7.C.3.B, Foundation Planting and Dimensional Requirements.

C. Encroachment

No easement encroachment shall be permitted in required perimeter buffers, except for bisecting utility easements and required safe sight distance easements not to exceed a maximum of fifty percent of the required buffer width. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.4, Enrichment]

D. Perimeter Sidewalk

A perimeter sidewalk a minimum of five feet shall be required in all R-O-W Buffers 50 feet in width, and shall meander through the buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.5, Perimeter Sidewalk]

E. Berm

Berms shall be staggered, rolling or offset, as indicated in Figure 7.C.6, Typical Example of Staggered, Rolling or Offset Berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.6, Berm]

Part 4. ULDC Art. 7.D, GENERAL STANDARDS (page 16-25 of 49), is hereby amended as follows:

Table with 6 rows detailing reasons for amendments: 1. Chapter D is being renamed from General standards to Landscape Standards. 2. Clarify that the preferred tree species are those that have a sufficient canopy to provide shade. 3. Revise minimum requirement for tree height and caliper and eliminate the Type 1 Waiver process for height reduction. 4. Add Palms and Pines as part of the landscape standards since they are frequently used as substitute for Canopy trees or as accent planting. 5. Under Ordinance 2016-042, the Code was revised to specify that the size of a tree, palm and pine is measure in a manner so that it is consistent with the Florida Grades and Standards. 6. Add reference to the Grades and Standards for Nursery Plants that was published by the Florida Department of Agriculture.

CHAPTER D GENERAL LANDSCAPE STANDARDS

Section 1 General

This Chapter provides the minimum The following standards are required for plant materials, which includes all trees, palms, pines, shrubs, hedges, groundcover and ground treatment. It also addresses requirements for landscape barriers, which consist of hedges, walls and fences. other landscape material.

Section 1 A. Plant Species

All plants shall comply with Grades and Standards for Nursery Plants, latest edition, prepared by the Florida Department of Agriculture and Consumer Services. A minimum of 60 percent of required plant material shall be selected from Appendix A, PBC's Preferred Species List, published by the Zoning Division, or the list of native and drought-tolerant species in the most recent edition of the SFWMD's "Xeriscape Plant Guide SFWMD's Waterwise Florida Landscapes".

Section 2 Trees, Palms and Pines

A. Canopy Trees

The size of a Canopy tree shall include the height and caliper pursuant to the Shade Trees, Types One through Five Matrices of the Grades and Standards for Nursery Plant. The minimum size of a Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation. [Ord. 2014-025] [Ord. 2016-042]

1.—Height Reduction-Average Height

A maximum of 25 percent of the total number of required trees may be reduced in height by 25 percent. One additional tree, a minimum of eight feet in height, shall be planted for each tree with reduced height. [Ord. 2014-025] [Ord. 2016-042]

Required Canopy tree size may be achieved by utilizing the average height calculation.

a. Average height of total quantity of trees shall have a minimum of 12 feet. A maximum of 25 percent of the required trees shall be at a minimum height of eight feet.

B. Palms

The size of a palm shall be measured by the height of the clear trunk or the grey wood pursuant to Figure 7.D.2.B - Palm Measurement Standards. The minimum overall height of a palm shall be 12 feet, and the minimum height for different species of palms shall be in accordance with Table 7.D.2.B – Palm Height Standards.

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
.... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

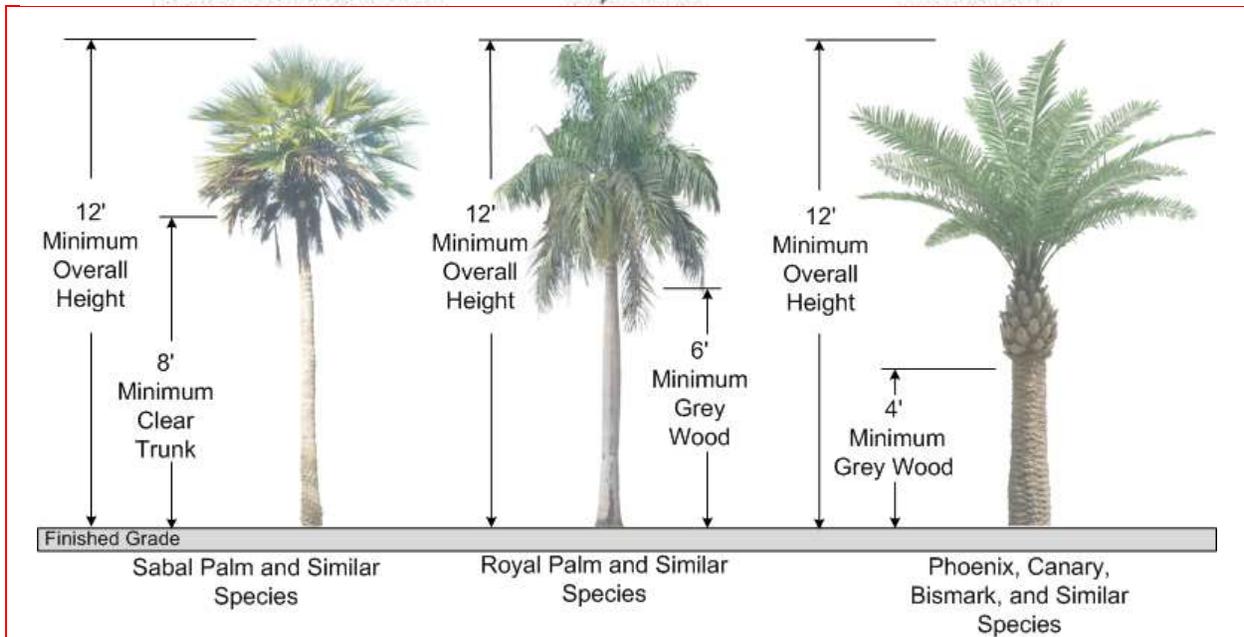
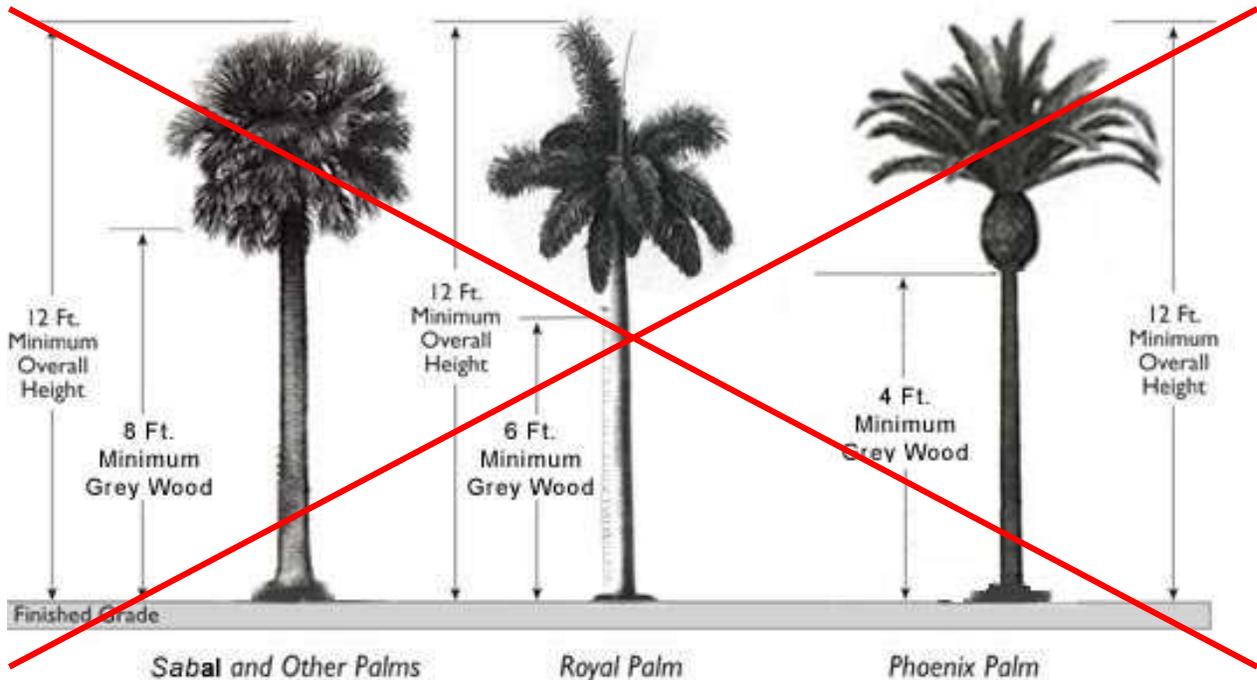
## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Table 7.D.2.B - Palm Height Standards

|                 |   |
|-----------------|---|
| Minimum Height  | 8 foot clear trunk for Sabals and similar species                                   |
|                 | 6 foot grey wood for Royals and similar species                                     |
|                 | 4 foot grey wood for Phoenixes, <u>Canary</u> , <u>Bismarck</u> and similar species |
| [Ord. 2016-042] |   |

Figure 7.D.2.B - Palm Measurement Standards



### 1. Canopy Tree Substitute

~~Palms, in clusters of same species, may be used in place of required canopy trees, subject to the standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. Palms may not be used in excess of 25 percent of the total number of required trees. When using palms in a perimeter buffer, refer to Article 7.F.2.A, Palms. [Ord. 2016-042] Palms planted in groups of three or more may be counted as one required canopy tree, up to a maximum of 25 percent of all trees required in each buffer, subject to the Standards in Table 7.D.2.B, Palm Height Standards, and Figure 7.D.2.B, Palm Measurement Standards. In the case of palm species, Paurotis or similar palm species, that characteristically grow in clumps, each clump may be counted as one canopy tree. [Relocated from Art. 7.F.2.A.2, Palms]~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 **a. Exception**

2 *Royal, Bismarck, Phoenix, Canary, Date or similar palm species determined to be*  
3 *acceptable by the Zoning Director may be counted as one required canopy tree. These*  
4 *palms shall be spaced a maximum of 20 feet on center, and the clear trunk or grey wood*  
5 *shall be increased by 40 percent of the minimum requirements as listed in Figure 7.D.2.B*  
6 *– Palm Measurement Standards . [Partially relocated from Art. 7.F.2.A.2.a, Exception,*  
7 *related to Palms]*

8 **C. Pines**

9 The size of a pine shall include the height and the caliper of the pine. The minimum size of a pine  
10 shall be 12 foot in height with a two and one half inch caliper at installation. [Ord. 2014-025] [Ord.  
11 2016-042]

12 **1. Canopy Tree Substitute**

- 13 a. Three pines may substitute for one required canopy tree, provided the overall accumulated  
14 height of the three pines is 24 feet or more; or [Ord. 2016-042]  
15 b. One pine with a minimum height of 14 feet. [Ord. 2016-042]  
16 Pines may not be used in excess of 25 percent of the total number of required canopy  
17 trees. When using pines in a perimeter buffer, refer to Article 7.F.2.A,3 Pines. [Ord. 204-  
18 025]

19 **D. Tree Species Mix**

20 When more than 15 trees are required to be planted to meet the standards of this Article, a mix of  
21 species is required. The number of species to be planted shall vary according to the overall number  
22 of trees that are required to be planted pursuant to Table 7.D.2.CD, Tree Species Mix. Vegetation  
23 preserved in accordance with Article 14.C, Vegetation Preservation and Protection, is exempt from  
24 the tree species mix requirement.  
25

26 **Table 7.D.2.CD - Tree Species Mix**

| Required Number of Trees | Minimum Number of Species |
|--------------------------|---------------------------|
| 16-30                    | 2                         |
| 31-45                    | 3                         |
| 46-60                    | 4                         |
| 61-75                    | 5                         |
| 76-90                    | 6                         |
| 91 +                     | 7                         |

Reason for amendments: [Zoning]

7. Relocate Art. 7.D.2.E, Preservation of Trees and 2.F Tree Credit from Chapter D to the new Chapter E, Preservation, Prohibited and Controlled Plant Species.

27 ~~**E. Preservation of Trees**~~

28 ~~1. The Zoning Director shall have the authority to require the preservation of vegetation on-site~~  
29 ~~that is not covered under Article 14.C, Vegetation Protection, subject to the following provisions:~~  
30 ~~[Ord. 2016-016] [Relocated to Art. 7.E.2, Authority and Review Procedures]~~

- 31 ~~a. Applications submitted for new or modified development proposals shall use the most~~  
32 ~~applicable plan to identify existing vegetation proposed to be: [Ord. 2016-016]~~  
33 ~~1) Preserved and incorporated into the site design; [Ord. 2016-016]~~  
34 ~~2) Relocated on-site; and, [Ord. 2016-016]~~  
35 ~~3) Relocated off-site. [Ord. 2016-016]~~  
36 ~~b. A Tree Survey may be required as part of the approval of the application for sites that~~  
37 ~~support significant vegetation, in order to ensure the final site design incorporates the~~  
38 ~~maximum number of trees. [Ord. 2016-016]~~

39 ~~2. The Zoning Director shall have the authority to condition the approval of the development order~~  
40 ~~to incorporate existing vegetation into the site design. [Ord. 2016-016] [Relocated to Art.~~  
41 ~~7.E.2.B.3.c, related to Agreement on Preservation]~~

42 ~~**F. Tree Credit**~~

43 ~~A preserved upland or drought-tolerant tree or palm meeting the standards in this Article may be~~  
44 ~~substituted for required trees, subject to the following: [Relocated to Art. 7.E.3, Tree Credit and~~  
45 ~~Replacement]~~

46 ~~**1. Tree Survey**~~

47 ~~Credit shall be granted for on-site preservation of existing trees or palms when accompanied~~  
48 ~~by a tree inventory or tree survey. [Partially relocated to Art. 7.E.3.A, Tree Survey]~~

49 ~~**2. Trees Excluded from Credit**~~

50 ~~Credits shall not be permitted for trees that are: [Relocated to Art. 7.E.3.B, Trees Excluded~~  
51 ~~from Credit]~~

- 52 ~~a. Required for preservation by Article 14.C, VEGETATION PRESERVATION AND~~  
53 ~~PROTECTION (i.e. located in required preservation areas, heritage or champion trees).~~  
54 ~~[Relocated to Art. 7.E.3.B.1, related to Trees Excluded from Credit]~~  
55

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

**EXHIBIT D**

**ARTICLE 7, LANDSCAPING**

**(Updated 08/10/17)**

- ~~b. Not properly protected from damage during the construction process, as required in Article 14.C, VEGETATION PRESERVATION AND PROTECTION. [Relocated to Art. 7.E.3.B.2, related to Trees Excluded from Credit]~~
- ~~c. Classified as prohibited or invasive non-native species as defined in Article 14.C, VEGETATION PRESERVATION AND PROTECTION. [Relocated to Art. 7.E.3.B.3, related to Trees Excluded from Credit]~~
- ~~d. Dead, dying, diseased, or infested with harmful insects. [Relocated to Art. 7.E.3.B.4, related to Trees Excluded from Credit]~~
- ~~e. Located on a subarea of a planned development that is not intended to be developed for residential, commercial, or industrial use, such as a golf course on an adjacent open space parcel. [Relocated to Art. 7.E.3.B.5, related to Trees Excluded from Credit]~~

**3. Tree Credit Formula**

~~All existing trees to be preserved, mitigated on or off site, replaced on or off site shall be credited pursuant to the formula in Table 7.D.2.E, Tree Credit and Replacement. Only pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement. [Ord. 2016-042]~~ [Relocated to Art. 7.E.3.C, Tree Credit Formula]

**Table 7.D.2.E - Tree Credit and Replacement**

| Crown Spread of Tree | Or | Caliper measuring at 6 inches Above Grade | = | Credits or Replacements |
|----------------------|----|---|---|-------------------------|
| Less than 5 Ft.      | or | Less than 2 in.                           | = | 0                       |
| 5-9 Ft.              | or | 2-6 in.                                   | = | 1                       |
| 10-19 Ft.            | or | 7-11 in.                                  | = | 2                       |
| 20-29 Ft.            | or | 12-16 in.                                 | = | 3                       |
| 30-39 Ft.            | or | 17-21 in.                                 | = | 4                       |
| 40-49 Ft.            | or | 22-26 in.                                 | = | 5                       |
| 50-59 Ft.            | or | 27-31 in.                                 | = | 6                       |
| 60-89 Ft.            | or | 32-36 in.                                 | = | 7                       |
| 90 Ft. or Greater    | or | 37 in. or more                            | = | 8                       |

~~[Ord. 2014-025] [Ord. 2016-042]~~

**Notes:**

~~1. Fractional measurements shall be rounded down. [Ord. 2016-042]~~

[Partially relocated to Table 7.E.3.C, Tree Credit and Replacement]

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 8. Consolidate all Shrub requirements, which are currently located in different Sections of Article 7, Chapters D and F, and combine them under the new Chapter D. Reduce redundancy of similar requirements that are repeated in different Sections of the current Art.7. |
| 9. Separate Hedges from Shrubs since hedges are composed of shrubs; however, a hedge is utilized as a landscape barrier for screening purpose. Hedge requirements are relocated to the new Chapter D.4, Landscape Barriers.  |
| 10. Clarify Table – Shrub Planting Requirements in Section 3 are provided as guidelines for all types of buffers, and not just for the R-O-W buffers.  |
| 11. Eliminate minimum number of shrubs per linear foot of buffer length in Table 7.D.3.A, Shrub Planting Requirements as this requirement is listed under Chapter C, and specified under each types of Landscape Buffer (Right-of-Way; Compatibility and Incompatibility). |

**Section 3 Shrubs and Hedges**

**A. Shrubs**

~~Required shrubs are subject to the standards in Table 7.C.3, Minimum Tier Requirements, and the dimension standards in Table 7.F.7.B, Shrub Planting Requirements. Shrubs are classified based on their size: small, medium, and large, and shall be subject to the following requirements:~~

**A. Shrubs Planting Requirements**

~~Shrubs shall be installed according to Table 7.D.3.A, Shrub Planting Requirements and the quantity of shrubs for each type of buffer shall be established in accordance with the following:~~

- ~~1. Table 7.C.2.A.4, R-O-W Buffer; Table 7.C.2.B, Compatibility Buffer; and Table 7.C.2.C, Incompatibility Buffer for quantity requirements; and [Ord. 2009-040] [Relocated from Art. 7.F.2.B, Shrubs]~~
- ~~2. Height and spacing requirements pursuant to Table 7.D.3.A, Shrub Planting Requirements.~~

(This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING  
(Updated 08/10/17)

Table 7.D.3.A - Shrub Planting Requirements

| Shrub Type  | Minimum Height at Installation (Size) | Maximum Spacing at Installation | Maximum <sup>1</sup> Maintained Height |
|---|---------------------------------------|---------------------------------|--|
| Ground Cover  | 6 inches                              | 6 inches                        | N/A                                    |
| Small Shrubs  | 18 inches                             | 24 inches                       | 36 inches                              |
| Medium Shrubs   | 24 inches                             | 48 inches                       | 48 inches                              |
| Large Shrubs  | 36 inches                             | 48 inches                       | 72 inches                              |
| <b>[Ord. 2009-040]</b>  |                                       |                                 |  |
| <b>Notes</b>  |                                       |                                 |  |
| 1. <i>Maximum height is established to maintain the hierarchical visual effect for <u>landscape buffer</u>. Height may be increased unless stated otherwise herein. [Ord. 2009-040]</i> |                                       |                                 |  |

[Relocated from Art. 7.F.7.B, Shrub Planting Requirements]

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 12. Clarify that hedges, fences and walls are considered landscape barriers to provide screening.                                      |
| 13. Clarify that Hedge materials are shrubs that are closely planted together to form a visual barrier.                                |
| 14. Consolidate two Sections of Art. 7 (Art.7.D and Art.7.F) that are related to Hedge requirements and relocate to the new Chapter D. |

**Section 4 Landscape Barriers**

Landscape barriers consist of hedges, walls, or fences. They are utilized to provide continuous opaque screening, and are required for an Incompatibility buffer. Landscape barriers may be installed in other types of landscape buffers; the requirement may be modified based on the site situations.

**A. Hedges**

**1. Height and Spacing at Installation**

*Hedge shall be planted at six feet in height with a maximum spacing of 24 inches on center at installation to achieve a continuous screening effect. Adjustment shall be based upon the type of plants utilized, with spacing not exceeding 36 inches on center. [Ord. 2005-002] [Ord. 2014-025] [Partially relocated from Art. 7.D.3.B.5.b, Spacing at Installation, below]*

**a. Single Family Residential Lot**

*Hedges may be planted and maintained along or adjacent to a residential lot line, as follows: [Ord. 2005-002] [Ord. 2014-025] [Ord. 2015-006] [Relocated from Art. 7.D.3.B.2, Residential Hedge Height, below]*

*1) Hedges shall not exceed four feet in height when located within the required front setback. [Ord. 2005-002] [Ord. 2014-025] [Relocated from Art. 7.D.3.B.2.a, Residential Hedge Height, below]*

*2) Hedges shall not exceed eight feet in height when located on or adjacent to the side, side street, or rear property lines. [Ord. 2005-002] [Ord. 2014-025] [Relocated from Art. 7.D.3.B.2.b, Residential Hedge Height, below]*

**b. PDD and Non-residential Perimeter Buffer Hedge Height**

*Hedges shall not exceed 12 feet in height. Height may be increased to 20 feet for an Industrial PDD for the purpose of screening outdoor industrial activities. [Ord. 2005-002] [Ord. 2014-025] [Relocated from Art. 7.D.3.B.3, PDD and Non-residential Perimeter Buffer Hedge Height, below]*

**2. Hedge and Berm Combination**

*Hedges may be used in place of required shrubs in compatibility and incompatibility buffers. Hedges, in combination with a berm, may be located on top of a berm in the landscape buffer if it is installed in a manner that provides the minimum height required for continuous solid opaque screen at time of planting. [Partially relocated from Art. 7.F.2.C, Hedges]*

**B. Hedges**

**13. Height Measurement**

The height shall be measured adjacent to the hedge from the lowest grade on either side of the hedge, unless stated otherwise below. [Ord. 2016-016]

**a. Located on Berm**

Height shall be measured from the elevation of the berm pursuant to Art. 7.D.6, Berms where the hedge is installed, unless in conflict with standards for Grade Change below. [Ord. 2016-016]

**b. Grade Change**

Height may be increased when the hedge abuts a retaining wall, subject to the following: [Ord. 2016-016]

**1) Residential**

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

The height of the hedge located within the front, side or rear setback of a lot supporting a single family dwelling unit, may be increased when located adjacent to a lot having a different grade when a retaining wall is installed along the property line, in accordance with the following: [Ord. 2016-016]

**a) Grade Measurement**

The difference in grade shall be determined by measuring the elevation of the retaining wall and the elevation of the abutting lot at the property line. [Ord. 2016-016]

**b) Maximum Height Increase**

The height of the hedge may be increased by the difference in grade up to a maximum of two feet, whichever is less, as follows: [Ord. 2016-016]

(1) Within the required front setback: Up to a maximum of six feet. [Ord. 2016-016]

(2) Within a side or rear setback: Up to a maximum of ten feet. [Ord. 2016-016]

(3) A guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to the height limitations for fences and walls. [Ord. 2016-042]

**2) PDD or Non-residential**

Height may be increased when the hedge abuts a retaining wall subject to the requirements of Art. 7.F.D.10, Perimeter Buffers with Grade Changes. [Ord. 2016-016]

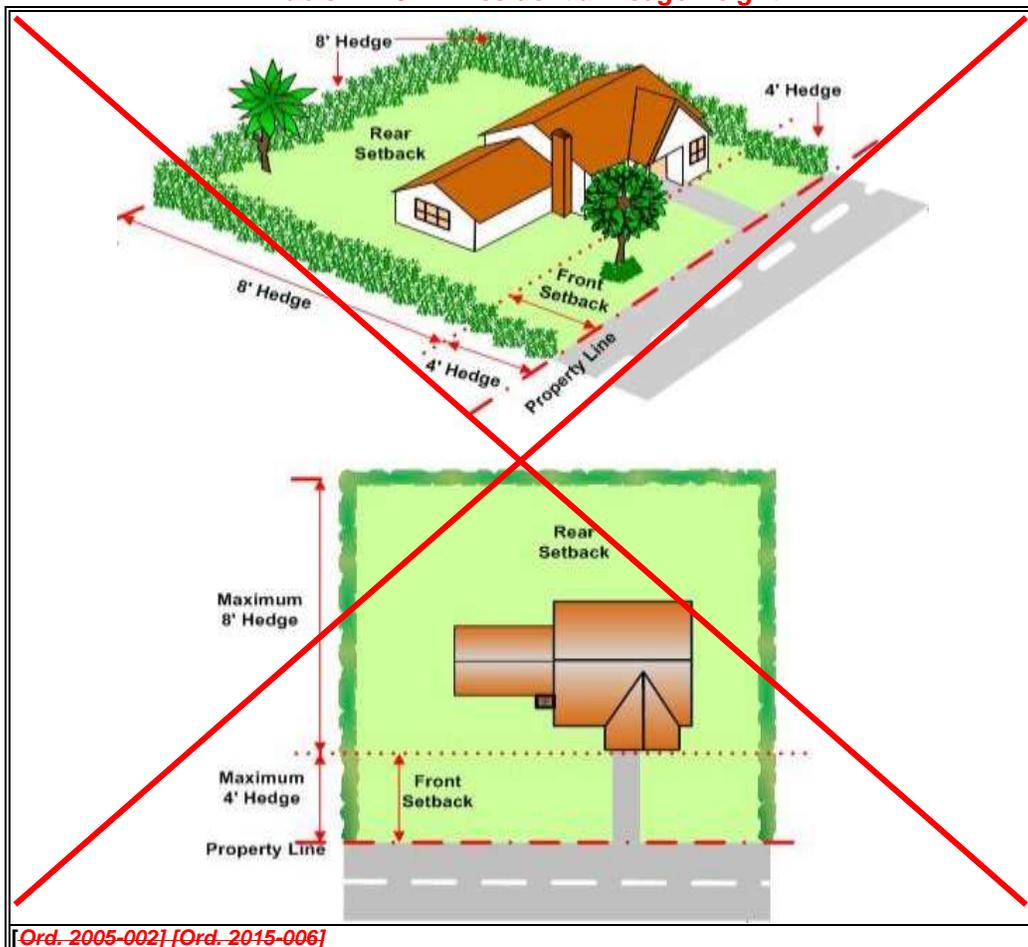
**~~2. Residential Hedge Height~~**

~~Hedges may be planted and maintained along or adjacent to a residential lot line, as follows: [Ord. 2005-002] [Ord. 2014-025] [Ord. 2015-006] [Relocated to Art. 7.D.4.A.1.a, Single Family Residential Lot]~~

~~a. Hedges shall not exceed four feet in height when located within the required front setback. [Ord. 2005-002] [Ord. 2014-025] [Relocated to Art. 7.D.4.A.1.a.1), related to Single Family Residential Lot]~~

~~b. Hedges shall not exceed eight feet in height when located on or adjacent to the side, side street, or rear property lines. [Ord. 2005-002] [Ord. 2014-025] [Relocated to Art. 7.D.4.A.1.a.2), related to Single Family Residential Lot]~~

**Table 7.D.3.B – Residential Hedge Height**



~~[Ord. 2005-002] [Ord. 2015-006]~~

32 [Relocated to Figure 7.D.4.A – Maximum Hedge Height, below]

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 **4. PDD and Non-residential Perimeter Buffer Hedge Height**

2 *Hedges shall not exceed 12 feet in height. [Ord. 2005-002] [Ord. 2014-025] [Relocated to*

3 *Art. 7.D.4.A.1,b, PDD and Non-residential Perimeter Buffer Hedge Height, above]*

4 **5. Setback**

5 *Hedges shall be setback a minimum of two feet from the property line to allow for maintenance,*

6 *or additional landscape material if required, unless stated otherwise herein. [Ord. 2016-016]*

7 *[Partially relocated from Art. 7.F.2.C, Hedges]*

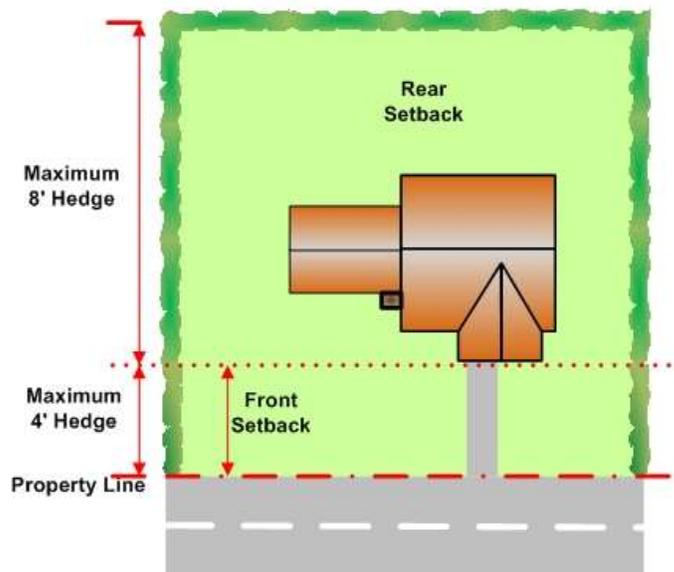
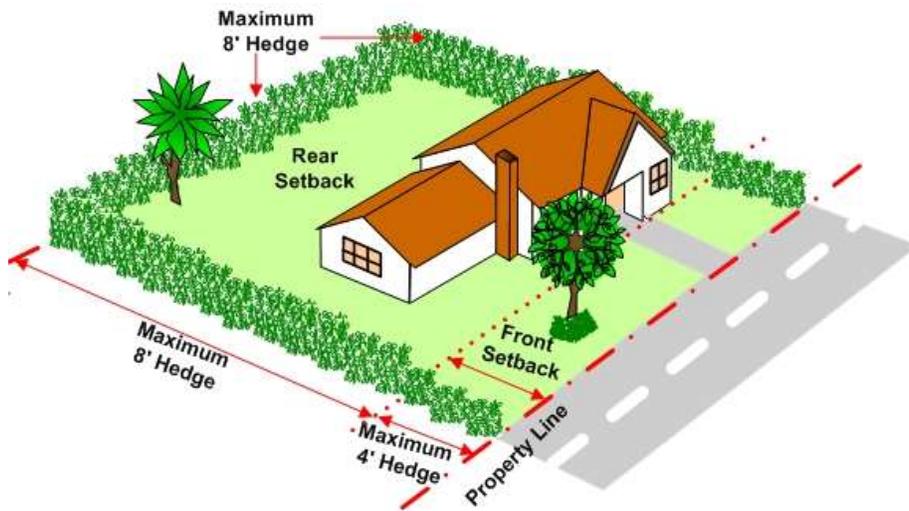
8 **46. Sight Distance**

9 Hedges shall comply with Article 11.E.9.C, Minimum Safe Sight Distance and Corner Clips at

10 Intersection. [Ord. 2015-006]

11

**Table 7.D.4.A - Maximum Hedge Height**



12 *[Ord. 2005-002] [Ord. 2015-006]*

13 *[Relocated from Table 7.D.3.B, Residential Hedge Height, above]*

14 **5.—Shrub**

15 *Required shrubs may be planted in the form of a hedge provided the minimum quantities are*

16 *installed pursuant to Table 7.C.3, Minimum Tier Requirements, and shall be subject to the*

17 *following: [Ord. 2005-002] [Ord. 2014-025]*

18 **a.—Height at Installation**

19 *Hedge material shall be a minimum of 24 inches at the time of installation. [Ord. 2014-*

20 *025]*

21 **b. Spacing at Installation**

22 *Hedge material shall be planted a maximum of 24 inches on center, or as may be adjusted*

23 *in the field based upon the type of plants utilized with a maximum spacing of 36 inches on*

24 *center. [Ord. 2005-002] [Ord. 2014-025] [Partially relocated to Art. 7.D.4.A.1, Height*

25 *and Spacing Installation, above]*

**Notes:**

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- **Italicized** indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- **....** A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

### Section 4 — Ground Treatment

~~The ground within required landscaped areas shall receive appropriate ground treatment at installation. Ground treatment shall not be required in preservation areas. Sand, gravel, shellrock, or pavement is not considered appropriate ground treatment. The following standards shall apply to the installation of ground treatment: [Ord. 2016-042] [Relocated to Art. 7.D.7, Ground Treatment, below]~~

#### ~~A. Ground Cover~~

~~Containerized Ground cover shall provide a minimum of 50 percent coverage immediately upon planting and 100 percent coverage within six months. Seeded ground cover such as native wildflowers, shall provide a minimum of 50 percent coverage after six month of planting and 50 percent coverage within one year. 100 percent coverage shall be achieved at the second year of planting. [Ord. 2016-042] [Relocated to Art. 7.D.7.A, Ground Cover, below]~~

#### ~~B. Mulch~~

~~Mulch shall be installed and maintained at all times in all planted areas not containing ground cover. All mulch material shall be free of seeds and weeds to prevent tree sprouting and re-growth. [Ord. 2016-042] [Relocated to Art. 7.D.7.B, Mulch, below]~~

#### ~~C. Alternative Materials~~

~~Alternative materials such as pebbles, egg rocks, or decorative sand may be used up to a maximum of ten percent of ground coverage and only in areas needed to accommodate limited roof water runoff. [Relocated to Art. 7.D.7.C, Alternative Materials, below]~~

#### ~~D. Lawn and Turf~~

~~Grassed areas shall be planted with species suitable as permanent lawns and shall reach 100 percent coverage within six months of planting. Grassed areas may be sodded, plugged, sprigged, or seeded. However, grass shall be required between landscape buffers and swales and in other areas subject to erosion. In areas where grass seed is used, millet or rye shall also be sown. These areas shall be properly maintained to ensure complete coverage. Because of their drought resistant characteristics, it is recommended that Bahia grass species be used. Use of drought-tolerant ground cover instead of lawn and turf grass is encouraged. Undeveloped parcels shall be planted as required in Art. 7.E.5.B, Vacant Lots. [Ord. 2016-042] [Relocated to Art. 7.D.7.D, Lawn and Turf, below]~~

#### ~~E. Artificial Turf~~

~~Artificial turf may be installed in the interior, terminal or divider medians of a bull pen vehicle storage area. The Applicant shall receive product approval from the Zoning Director, prior to indicating in on the Landscape Plan or installation. [Ord. 2016-042] [Relocated to Art. 7.D.7.E, Artificial Turf, below]~~

| Reason for amendments: [Zoning]  |
|--|
| 15. Clarify that walls and fences are considered landscape barriers to provide visual screening.   |
| 16. Consolidate two Sections (Art.7.D and Art.7.F) of the Code that are related to wall and fence requirements to the new Chapter D.   |
| 17. Clarify the placement of walls and fences based on the type of landscape buffer.   |
| 18. Allow vinyl coated chain link fence if installed behind a hedge in R-O-W buffer without a Type 2 Waiver process since most site plans and landscape plans are reviewed by the DRO. |

### B. Walls

Walls shall be composed of, but not be limited to: concrete panels, or concrete blocks with continuous footer. In the Exurban and Rural Tiers, walls shall be constructed from natural stone, concrete with a stone veneer, or embossed concrete with a natural stone or wood grain. Product samples shall be submitted to the Zoning Division for approval prior to submittal of the Building Permit for the wall.

#### 1. Architectural Treatment

Both sides of a wall shall be given a finished architectural treatment that is compatible and harmonious with adjacent developments. [Ord. 2007-013] [Relocated from Art. 7.F.3.D, Architectural Treatment]

### C. Fences

Fence material shall include, but not be limited to: wood, vinyl panel, or vinyl coated chain link. In the Exurban and Rural Tiers, The applicant may submit a product alternatives to the Zoning Division for approval prior to the issuance of the Building Permit for the fence.

#### 1. Chain Link Fences

Chain link fences are prohibited in Incompatibility or R-O-W buffers unless they are vinyl coated. Vinyl coated chain link fences are only permitted in a R-O-W or Incompatibility buffer, and when installed behind an opaque six-foot high hedge. [Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016] [Partially relocated from Art. 7.F.3.E, Chain Link Fences]

##### a. Exception

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

*An electrified fence in accordance with Art. 5.B.1.A.2.e.2), Electrified Fence – Exceptions and Regulations, shall not be required to be vinyl coated. [Ord. 2013-018] [Relocated from Art. 7.F.3.E.1, related to Chain Link Fences]*

**D. Location of Wall or Fence in a Landscape Buffer**

Walls or fences utilized in a Landscape Buffer should be located in the center of the buffer, and run parallel to the length of the buffer. Sufficient area with minimum easement encumbrances shall be provided to allow planting on both sides of the wall or fence.

**1. Exception**

*Electrified fencing in accordance with Art. 5.B.1.A.2.e.2), Electrified Fence – Exceptions and Regulations, shall not be required to provide shrubs or hedges on the inside of the electrified fencing or on the inside of the non-electrified fencing or wall which the electrified fencing is adjacent to. [2013-018] [Relocated from Art. 7.F.3.B.1, Exception]*

**Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer**

| <u>Minimum Requirements</u>  | <u>R-O-W</u>   | <u>Incompatibility</u>  | <u>Compatibility</u>   |
|--|--|---|--|
| <u>Setback for the Wall or Fence</u>   | <i>10 feet from the edge of the ultimate R-O-W or Base Building Line, whichever is applicable. (1)<br/>[Partially relocated from Art. 7.F.7.E, Walls and Fence]</i>      | <i>10 feet from the edge of the property line.<br/>[Partially relocated from Art. 7.F.3.A, Location of Wall or Fence]</i>   | <i>No setback required. Allow to be located along the property line.</i>                                       |
| <u>Planting Width</u>  | <i>7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)</i>   | <i>7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)</i>  | <i>7.5 feet on one side of the fence.<br/>If a wall is installed, 10 feet on one side of the wall. (2) (3)</i> |
| <u>Berm</u>  | <i>If a continuous berm is proposed, the wall may be located on top of the berm.</i>   | <i>If a continuous berm is proposed, the wall may be located on top of the berm.</i>  | <i>No requirement.</i>   |
| <u>Canopy Tree Planting</u>  | <i>75 percent of required trees shall be located along the exterior side of the wall or fence. (4)<br/>[Partially relocated from Art. 7.F.3.B, Location of Planting]</i> | <i>75 percent of required trees shall be located along the exterior side of the wall or fence. (4)<br/>[Partially relocated from Art. 7.F.3.B, Location of Planting,]</i> | <i>No percentage requirement.</i>  |
| <u>Shrub Planting</u>  | <i>Shrubs shall be planted on both sides of the wall or fence.<br/>[Partially relocated from Art.7.F.3.B, Location of Planting]</i>                                      | <i>Shrubs shall be planted on both sides of the wall or fence.<br/>[Partially relocated from Art.7.F.3.B, Location of Planting]</i>                                       | <i>No percentage requirement.</i>  |
| <b>Notes:</b>  |  |   |  |
| <i>(1) Unless waived or reduced by the County Engineer, provided there remains a minimum of seven and one half clear feet for planting. [Partially relocated from Art.7.F.7.E, Walls and Fences]</i> |  |   |  |
| <i>(2) No easement encumbrances.</i>   |  |   |  |
| <i>(3) If a wall is installed, the minimum width of the landscape buffer shall be increased to have sufficient area for the required planting.</i>   |  |   |  |
| <i>(4) Percentage of required trees to be located on the exterior side of the wall or fence may be reduced subject to a Type 1 Waiver for Landscaping.</i>   |  |   |  |

**E. Conflict with Easements**

*If the placement of the wall or fence conflicts with an easement, the wall or fence shall not encroach upon the easement unless consistent with Article 3.D, Property Development Regulations (PDRs). [Ord. 2007-013] [Relocated from Art. 7.F.3.C, Conflict with Easements]*

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 19. Relocate and consolidate different Sections of Article 7 (Article 7.F.7 and 7.F.10) which describe requirements for walls, fences and hedges to the new Chapter D. |

**Section 5 Landscape Buffers with Grade Changes**

*The height of a hedge, wall or fence may be increased when located on a lot abutting a property with grade difference or in a landscape buffer where a retaining wall is used, subject to the following: [Ord. 2016-016] [Relocated from Art. 7.F.10, Perimeter Buffers with Grade Changes]*

**A. Grade Measurement**

*The difference in grade shall be determined by measuring the elevation of the retaining wall and the elevation of the abutting lot at the property line. [Ord. 2016-016] [Relocated from Art. 7.F.10.A, Grade Measurement]*

**B. Compatibility Buffer – Maximum Height Increase**

**1. Fences**

*The height of a fence located on a retaining wall in a Compatibility Buffer may be increased by the difference in grade up to a maximum of four feet, whichever is less, as illustrated in Figure*

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

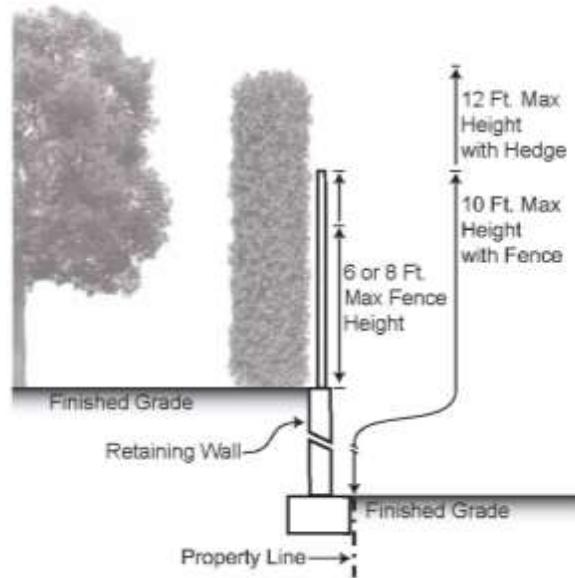
(Updated 08/10/17)

1 7.F.10, Height Requirements for Compatibility Buffers with Grade Changes Using Retaining  
2 Walls. The fence shall be of the minimum height necessary to comply with Florida Building  
3 Code requirements for guardrails. **[Ord. 2016-016]** [Relocated from Art. 7.F.10.B.1, Fences]

### 2. Hedges

4  
5 Maximum permitted hedge height abutting a retaining wall may only be increased subject to  
6 the requirements of Art. 7.F.10.C, Incompatibility or R-O-W Buffer – Maximum Height. A  
7 guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to  
8 the height limitations for fences and walls. **[Ord. 2016-016]** [Relocated from Art. 7.F.10.B.2,  
9 Hedges]  
10

**Figure 7.D.5.B - Height Requirements for Compatibility Buffers  
With Grade Changes Using Retaining Walls**



**[Ord. 20016-016]**

11 [Relocated from Figure 7.F.10.B - Height Requirements for Compatibility Buffers with Grade  
12 Changes Using Retaining Walls]  
13

### C. Incompatibility or R-O-W Buffer – Maximum Height Increase

14  
15 The height of a fence, wall or hedge located in an Incompatibility or R-O-W Buffer with a retaining  
16 wall may be increased by the difference in grade in accordance with Figure 7.F.10 Height  
17 Requirements for Incompatibility or R-O-W Buffers with Grade Changes Using Retaining Walls,  
18 and the following: **[Ord. 2016-016]** [Relocated from Art. 7.F.10.C, Incompatibility or R-O-W  
19 Buffer – Maximum Height Increase]

#### 1. Fences and Walls

20  
21 The height of a fence or wall located on a retaining wall setback a minimum of ten feet from the  
22 outer edge of the perimeter buffer may be increased by the difference in grade, up to a  
23 maximum overall height of 14 feet, whichever is less. The fence or wall shall be of the minimum  
24 height necessary to comply with Florida Building Code requirements for guardrails, or minimum  
25 required landscape barrier height. **[Ord. 2016-016]** [Relocated from Art. 7.F.10.C.1, Fences  
26 and Walls]

#### 2. Hedges

27  
28 The height of a hedge abutting a retaining wall setback a minimum of ten feet from the outer  
29 edge of the perimeter buffer may be increased by the difference in grade, up to a maximum  
30 height of 16 feet, whichever is less. A guardrail shall be installed on the retaining wall if required  
31 by Florida Building Code, subject to the height limitations for fences and walls. **[Ord. 2016-  
32 016]** [Relocated from Art. 7.F.10.C.2, Hedges]  
33  
34  
35  
36  
37

(This space intentionally left blank)

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

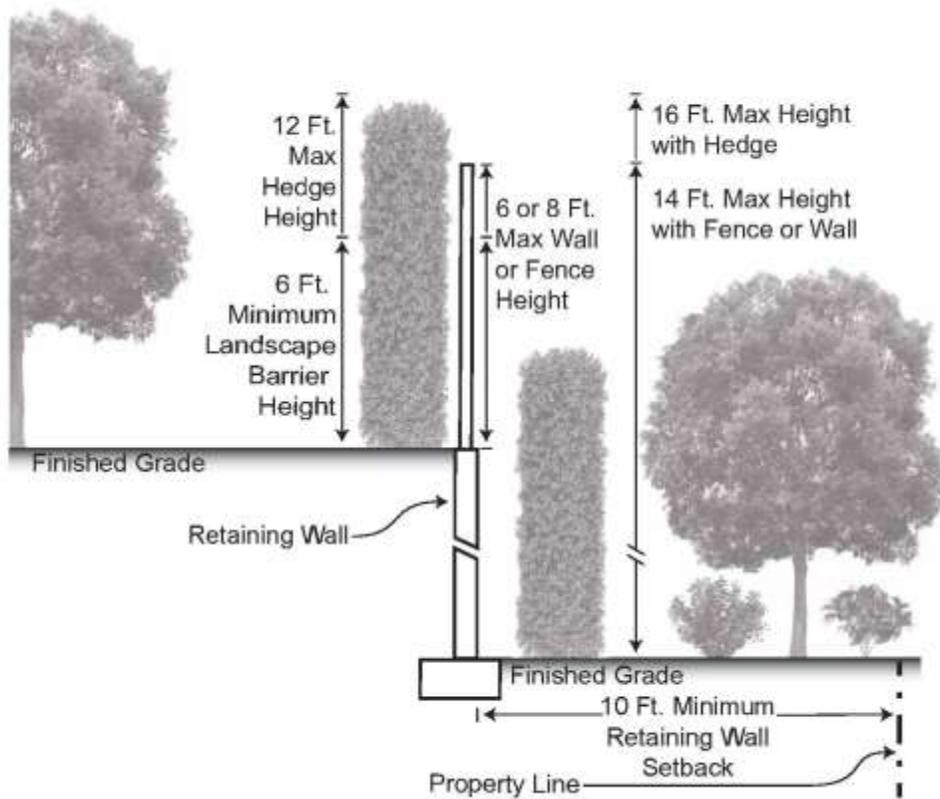
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

**Figure 7.D.5.C - Height Requirement for Incompatibility or R-O-W Buffers With Grade Changes Using Retaining Walls**



[Ord. 2016-016]

2 [Relocated from Figure 7.F.10.C - Height Requirement for Incompatibility or R-O-W Buffers With  
3 Grade Changes Using Retaining Walls]

### 4 **Section 5** Existing Native Trees and Vegetation

5 *Existing native trees and vegetation may satisfy the landscape buffer requirements in this Article, in total or*  
6 *in part. Existing native trees and vegetation may be relocated from areas of the site to be used as or in a*  
7 *landscape buffer. In determining whether native trees and vegetation satisfy the requirements of this Article,*  
8 *the following shall be considered:* [Partially relocated to Art. 7.E.1, Purpose related to Chapter E]

9 *A. The effectiveness of the visual screening. If adequate screening is provided, then no additional*  
10 *trees and vegetation will be required.* [Partially relocated to Art. 7.E.1.A, related to Purpose of  
11 Chapter E]

12 *B. The quality and kind of the trees and vegetation being preserved.* [Partially relocated to Art.  
13 7.E.1.B, related to Purpose of Chapter E]

### 14 **Section 6** Prohibited Plant Species

15 *The planting or installation of the following plant species is prohibited. Each planting plan, landscape plan*  
16 *or ALP shall include a program to eradicate and prevent the reestablishment of these species.* [Relocated  
17 to Art. 7.E.4, Prohibited Plant Species]

18 *A. Prohibited plant species listed in Article 14.C, VEGETATION PRESERVATION AND*  
19 *PROTECTION.* [Relocated to Art. 7.E.4.A, related to Prohibited Plant Species]

20 *B. Any plant species classified in Article 14.C, VEGETATION PRESERVATION AND PROTECTION,*  
21 *as an "invasive non-native species".* [Relocated to Art. 7.E.4.B, related to Prohibited Plant  
22 Species]

23  
24  
25

(This space intentionally left blank)

#### Notes:

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- **Italicized** indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Section 7 — Controlled Plant Species~~

~~The following species may be planted or maintained under controlled conditions:~~ [Relocated to Art. 7.E.5, Controlled Plant Species]

~~A. Black Olives~~

~~Black olives shall not be installed within 15 feet of any vehicular use area, sidewalk, paved pathway, or bike lane.~~ [Relocated to Art. 7.E.5,A, Black Olives and Mahogany]

~~B. Ficus Species~~

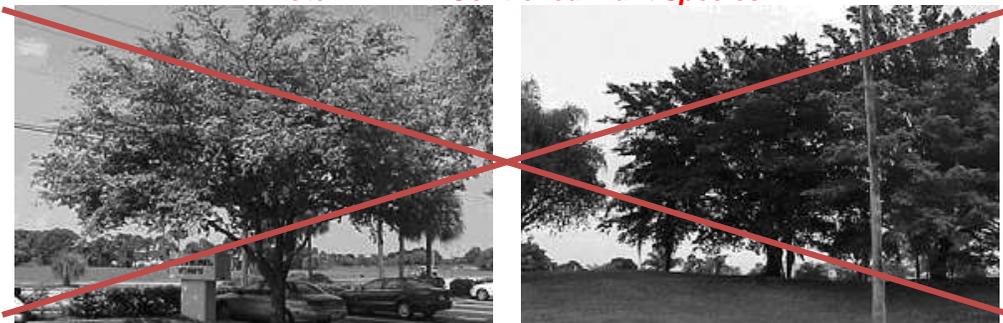
~~Ficus species may be planted under the following conditions but shall not exceed a maximum of ten percent of the total number of required trees.~~ [Relocated to Art. 7.E.5,B, Ficus Species]

~~1. Planted as individual trees provided they are no closer than 30 feet from any structure or utility;~~ [Relocated to Art. 7.E.5,B.1, related to Ficus Species]

~~2. Contained in a planter or root barrier; or~~ [Relocated to Art. 7.E.5,B.2, related to Ficus Species]

~~3. Maintained in accordance with the restrictions for hedges pursuant to Art. 7.D.3.B, Hedges. Ficus hedges in interior landscape areas shall not exceed a maximum of 12 feet in height, measured from the lowest grade adjacent to the hedge. [Ord. 2005-002]~~ [Relocated to Art. 7.E.5,B.3, related to Ficus Species]

~~Photo 7.D.7.B — Controlled Plant Species~~



~~Black Olive Tree: May not be installed within 15 feet of any vehicular use area, sidewalk, pathway, or lane.~~

~~Ficus Tree: May be used in landscaping only under controlled conditions.~~

~~C. Silk Oak, Rosewood~~

~~Silk Oak and Rosewood trees shall not be planted within 500 feet of a preserve area.~~ [Relocated to Art. 7.E.5,C, Silk Oak, Rosewood]

~~D. Citrus Trees~~

~~Citrus trees shall not qualify as a required tree, except for single family lots.~~ [Relocated to Art. 7.E.5,D, Trees]

~~Section 8 — Artificial Plants~~

~~No artificial plants or vegetation shall be used to meet any standard of this Section.~~ [Relocated to Art. 7.E.6, Artificial Plants]

|   |
|---|
| Reason for amendments: [Zoning]   |
| 20. Relocate Art. 7.D.9 to Section 6. Also eliminate redundant language under Art.7.F.9.D, Incompatibility – Berms. |
| 21. Allow berms in all Tiers.   |

~~Section 9.6 Berms~~

Berms may be used as non-living landscape barriers only when used in conjunction with plant materials and where existing natural vegetation is not disturbed. Berms may be used in conjunction with fences, walls or hedges to meet the total height requirements ~~of incompatibility landscape buffers, as illustrated in Figure 7.D.9.C-4, Berm Elevation and Drainage Requirements, provided that hedges are installed at the height necessary to provide the total six foot screen at the time of planting.~~ [Relocated to Art. 7.D.9.D, Incompatibility Buffer, below] ~~Berms may be installed in preservation areas only where they will not affect the viability of preserved trees and vegetation.~~ [Relocated to Art. 7.D.9.E, Preservation Areas, below] ~~Runoff from berms shall be contained within the property, as illustrated in Figure 7.D.9.C-4, Berm Elevation and Drainage Requirements, or in a manner approved by the County Engineer.~~ [Ord. 2016-016]

~~A. Tier Restrictions~~

~~Landscape berms are not allowed within the Exurban, Rural, Agricultural Preserve, or Glades Tiers, unless approved through a Type I Waiver or located along a Rural Parkway. [Ord. 2016-042]~~

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

B. Maximum Slope

The slope of a berm shall not exceed three-to-one. *Runoff from berms shall be contained within the property, as illustrated in Figure 7.D.9.C, Berm Elevation and Drainage Requirements, or in a manner approved by the County Engineer.* [Relocated from Art. 7.D.9, Berms, above]

C. Height Measurement

Berm height shall be measured from the nearest adjacent top of the curb (parking lot) or the nearest adjacent crown of the road or the nearest adjacent finished floor elevation, whichever is higher. [Ord. 2005 – 002]

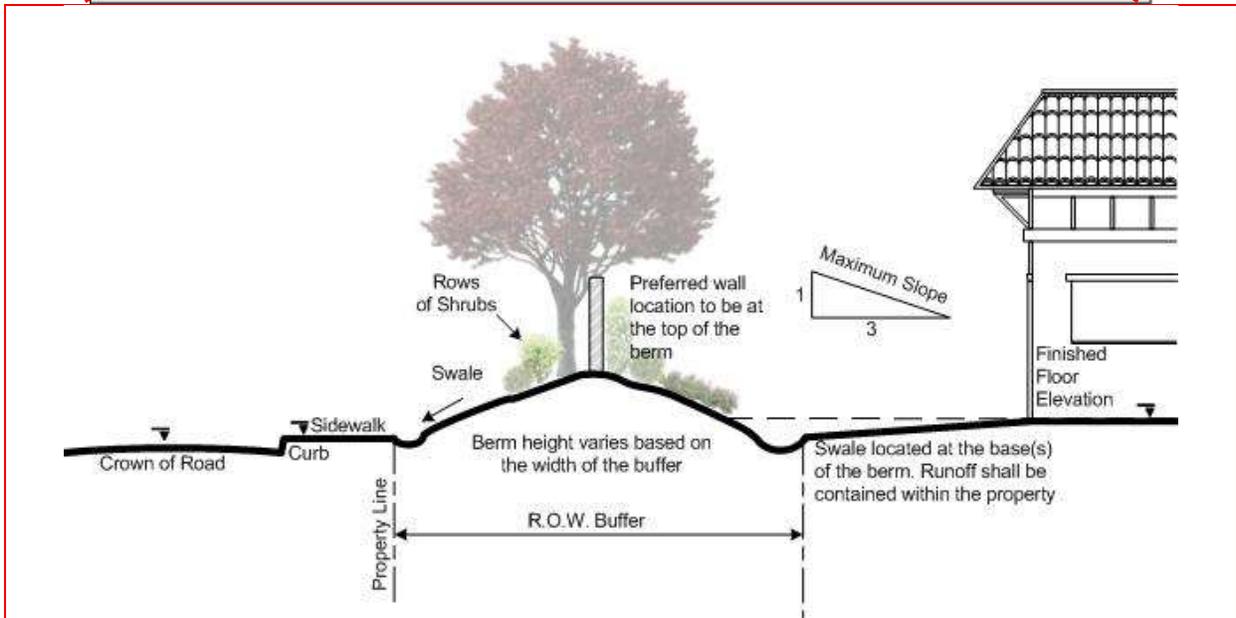
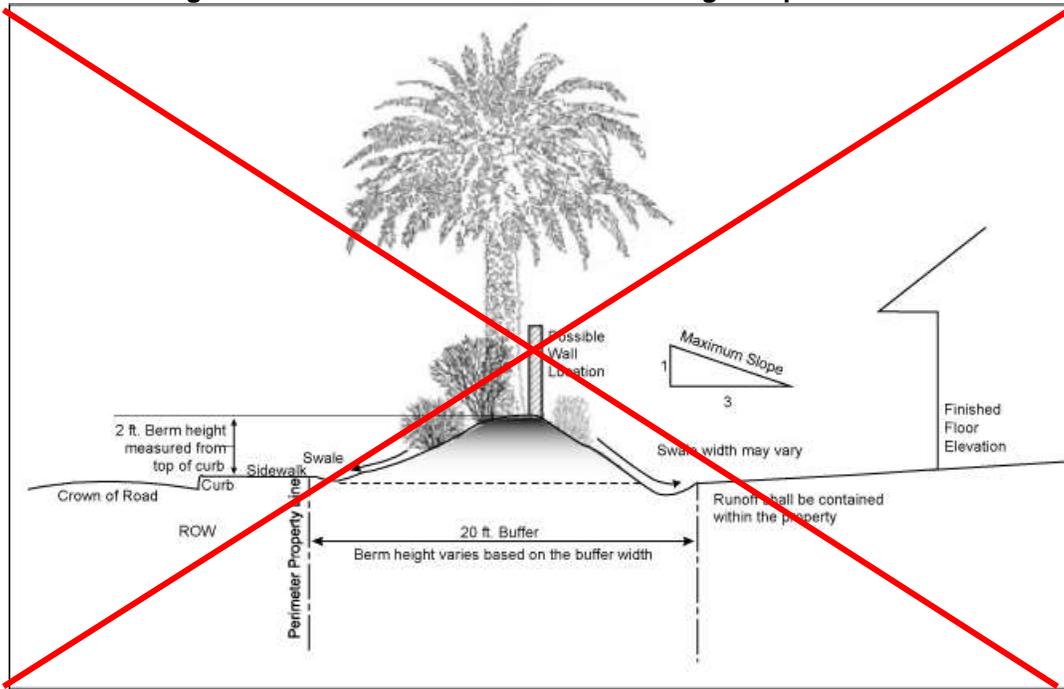
D. Incompatibility Buffer

*Incompatibility buffers, as illustrated in Figure 7.D.9.C, Berm Elevation and Drainage Requirements, provided that hedges and shrubs are installed at the height necessary to provide the total six foot screen at the time of planting.* [Relocated from Art. 7.D.9, Berms, above]

E. Preservation Areas

*Berms may be installed in preservation areas only where they will not affect the viability of preserved trees and vegetation.* [Partially relocated from Art. 7.D.9, Berms, above]

Figure 7.D.9.C - Berm Elevation and Drainage Requirements



[Ord. 2005-002]

(This space intentionally left blank)

Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Reason for amendments: [Zoning]

22. Relocate Art. 7.D.4, Ground Treatment to the new Chapter D. This Section was updated under Ordinance 2016-042.

### Section 7 Ground Treatment

The ground within required landscaped areas shall receive appropriate ground treatment at installation. Ground treatment shall not be required in preservation areas. Mulch that originated from a plant specie that will create an environmental impact shall be discouraged for application. Sand, gravel, shellrock, or pavement is not considered appropriate ground treatment. The following standards shall apply to the installation of ground treatment: **[Ord. 2016-042]** **[Relocated from Art. 7.D.4, Ground Treatment]**

#### A. Ground Cover

Containerized Ground cover shall provide a minimum of 50 percent coverage immediately upon planting and 100 percent coverage within six months. Seeded ground cover such as native wildflowers, shall provide a minimum of 50 percent coverage after six month of planting and 50 percent coverage within one year. 100 percent coverage shall be achieved at the second year of planting. **[Ord. 2016-042]** **[Relocated from Art. 7.D.4.A, Ground Cover]**

#### B. Mulch

Mulch shall be installed and maintained at all times in all planted areas not containing ground cover. All mulch material shall be free of seeds and weeds to prevent tree sprouting and regrowth. **[Ord. 2016-042]** The application of Cypress mulch shall be discouraged. **[Relocated from Art. 7.D.4.B, Mulch]**

#### C. Alternative Materials

Alternative materials such as pebbles, egg rocks, or decorative sand may be used up to a maximum of ten percent of ground coverage and only in areas needed to accommodate limited roof water runoff. **[Relocated from Art. 7.D.4.C, Alternative Materials]**

#### D. Lawn and Turf

Grassed areas shall be planted with species suitable as permanent lawns and shall reach 100 percent coverage within six months of planting. Grassed areas may be sodded, plugged, sprigged, or seeded. However, grass shall be required between landscape buffers and swales and in other areas subject to erosion. In areas where grass seed is used, millet or rye shall also be sown. These areas shall be properly maintained to ensure complete coverage. Because of their drought resistant characteristics, it is recommended that Bahia grass species be used. Use of drought-tolerant ground cover instead of lawn and turf grass is encouraged. Undeveloped parcels shall be planted as required in Art. 5.L, Property and Vegetation Maintenance. **[Ord. 2016-042]** **[Relocated from Art. 7.D.4. D, Lawn and Turf]**

#### E. Artificial Turf

Artificial turf may be installed in the interior, terminal or divider medians of a bull pen vehicle storage area. The Applicant shall receive product approval from the Zoning Director, prior to indicating in on the Landscape Plan or installation. **[Ord. 2016-042]** **[Relocated from Art. 7.D.4.E, Artificial Turf]**

### Section 10 R-O-W Landscaping

Landscaping in the median or swale of streets may be required by the BCC or the County Engineer pursuant to Article 11.C.1.C.1, Access and Circulation Systems.

### Section 11 ~~Foundation Plantings~~

~~Foundation plantings shall be provided along facades as required by Table 7.C.3, Minimum Tier Requirements, for non-residential structures unless specifically exempted by this Section.~~ **[Partially relocated to Art. 7.C.3.B.1, Applicability, related to Foundation Plantings]** All required foundation plantings shall include a minimum of one tree or palm for each 20 linear feet of building facade and one shrub or ground cover for every 10 square feet of planting area. **[Ord. 2013-021]** **[Ord. 2014-025]** **[Ord. 2016-042]** **[Partially relocated to Table 7.C.3.B - Foundation Planting and Dimensional Requirements]**

#### A. ~~Exemptions~~

- ~~1. Agricultural or industrial buildings that are not visible from a public street or residential zoning district.~~ **[Relocated to Art. 7.C.3.B.2.a, related to Exemptions]**
- ~~2. Buildings which are exempt from local building permits or government review pursuant to State or Federal Statutes.~~ **[Relocated to Art. 7.C.3.B.2.b, related to Exemptions]**
- ~~3. Structures within a TDD, where a build-to-line is established along the sidewalk, except where required in Article 3.F, TRADITIONAL DEVELOPMENT DISTRICTS (TDDs).~~ **[Relocated to Art. 7.C.3.B.2.c, related to Exemptions]**
- ~~4. Properties where the required planting area would overlap a required buffer.~~ **[Relocated to Art. 7.C.3.B.2.d, related to Exemptions]**

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~5. Accessory buildings and structures subject to Zoning approval. [Relocated to Art. 7.C.3.B.2.e, related to Exemptions]~~

### ~~B. WCRAO Deviations~~

~~Parcels located in the WCRAO may deviate from foundation planting requirements pursuant to Article 3.B.14.J, WCRAO Landscape Deviations. [Ord. 2010-022] [Partially relocated to Art. 3.B.14, WCRAO]~~

### ~~C. Minimum Length~~

~~The combined length of the required foundation planting shall be as required by Table 7.C.3, Minimum Tier Requirements. The minimum length shall be calculated by the total length of the applicable side of the structure, excluding garage doors and loading bays. [Partially relocated to Table 7.C.3.B – Foundation Planting and Dimensional Requirements, note #1]~~

### ~~D. Planting around signs~~

~~A three foot wide planting area shall be required around the base of all ground-mounted signs. One shrub for each ten square foot of planting area shall be installed within the planting area and maintained at a minimum height of 18 inches. Monument signs six foot in height or less may be surrounded by ground cover on all sides instead of shrubs. Landscaping and trees that interfere with the visibility of signage may be relocated to the rear of the sign planting area, subject to approval by the Zoning Division. [Relocated to Art. 7.C.3.C, Planting Around Signs]~~

### ~~E. Large Scale Commercial Development~~

~~In addition to the requirements of this Code, developments with single tenants occupying 65,000 gross square feet or more shall be subject to the following foundation planting standards: [Ord. 2005-002]~~

#### ~~1. Dimensional Requirements~~

- ~~a. Planting areas shall be in accordance with Table 5.C.1.I, Large Scale Commercial Development, or Table 7.C.3, Minimum Tier Requirements whichever is greater. [Ord. 2005-002]~~
- ~~b. Foundation planting shall meander along building facade, and shall not be entirely located at the base of the building. [Ord. 2005-002] [Relocated to Art. 7.C.7.B, Foundation Planting]~~

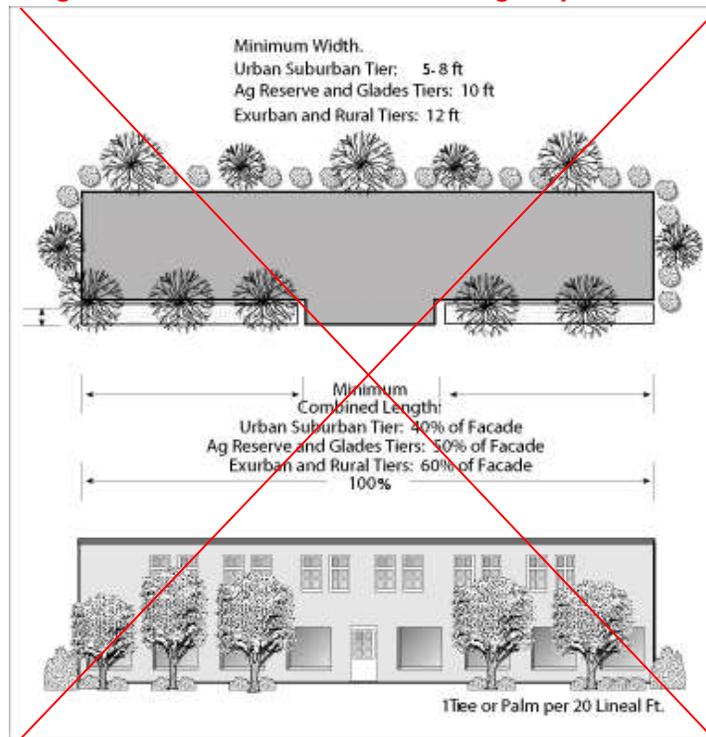
#### ~~2. Easements~~

~~No easement encroachment shall be permitted, except for bisecting utility easements and pedestrian walkways. [Ord. 2005-002]~~

#### ~~3. Planting Requirements~~

- ~~a. One tree or palm for every 15 feet of facade. [Ord. 2005-002]~~
- ~~b. Trees/palms shall be evenly distributed along the facade. [Ord. 2005-002]~~
- ~~c. The height of plant material shall be in relation to the height of the adjacent facade or wall. The height of 50 percent of required trees or palms shall be a minimum of two-thirds of the height of the building. [Ord. 2005-002]~~

**Figure 7.D.11.D – Foundation Planting Requirements**



[Relocated to Figure 7.C.3 – Foundation Planting Requirements]

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

### ~~F. Freestanding ATM's and Unmanned Retail Structures~~

~~Required foundation plantings may be modified as follows: [Ord. 2013-021] [Relocated to Art. 7.C.3.B.3, Establishments with Drive-Through, Freestanding ATMs and unmanned Retail Structure]~~

#### ~~1. Walk Up~~

~~Foundation planting areas may be relocated up to a maximum of ten feet away from the applicable façade to accommodate pedestrian walkways, access to the ATM or Unmanned Retail Structure; or, as needed to comply with F.S. 655.960, security lighting, or Crime Prevention Through Environmental Design (CPTED) guidelines. [Ord. 2013-21] [Ord. 2017-007] [Relocated to Art. 7.C.3.B.3.a, Walk Up]~~

#### ~~2. Drive Through~~

~~Foundation planting areas may be relocated in accordance with similar provisions for other drive through establishments, except that required foundation planting areas shall not be relocated to the façade of any adjacent building or structure other than the Freestanding ATM or the Unmanned Retail Structure. [Ord. 2013-21] [Ord. 2017-007] [Relocated to Art. 7.C.3.B.3.b, Drive Thru]~~

### ~~Section 12 — Landscape in Easements~~

~~Easements may overlap a required landscape buffer by a maximum of five feet, provided there remains a minimum of five clear feet for planting. If a wall with a continuous footer is used, a minimum of ten clear feet for planting is required. The landscape buffer may be traversed by easements or access ways as necessary to comply with the standards of this Article, and Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS, and other PBC codes. Easements shall be identified prior to the preparation of site or subdivision plans and any proposed overlap shall be approved by the DRO or Zoning Division. [Relocated to Art. 7.C.5, Easement in Landscape Buffers]~~

#### ~~A. Infill Development~~

~~Required landscape buffers for infill development may overlap easements by more than five feet, provided that there remains a minimum of five clear feet for planting or ten clear feet if a wall with a continuous footer is used. [Relocated to Art. 7.C.5.A, Infill Development]~~

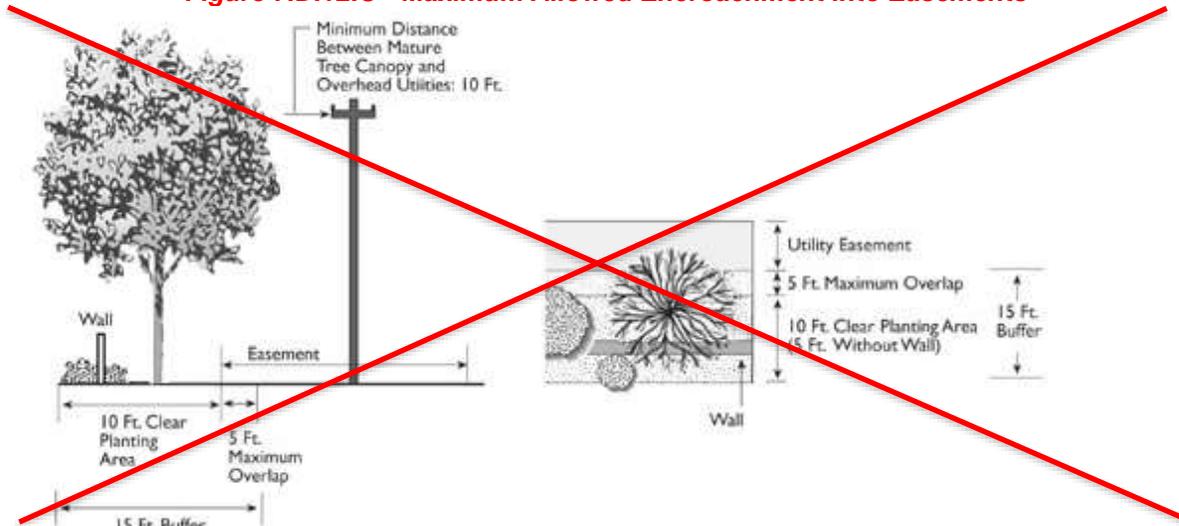
#### ~~B. Overhead Utilities~~

~~Trees planted within any easement with overhead utilities shall comply with the placement and maintenance requirements in the latest edition of FP&L's publication "Plant the Right Tree in the Right Place," available from the Zoning Division, and take into consideration the mature height and spread of the species beneath or adjacent to overhead utilities. Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines. Plants required in the easement area may be planted elsewhere on site, in the vicinity of the required location. In order to maintain tree and plant spacing when a landscape buffer is traversed by a utility easement, a larger overlap may be allowed with the written approval of the relevant utility service company. Where a utility easement crosses a R-O-W buffer, plant material spacing may be adjusted, provided there is no reduction in the amount of required plant material. [Relocated to Art. 7.C.5.B, Overhead Utilitiex]~~

#### ~~C. Detention/Retention Areas, Swales, and Drainage Easements~~

~~Detention/retention areas, drainage easements, and sloped, directional swales greater than one foot below finished grade, may overlap required landscape buffers provided a minimum of five feet remains for planting. [Ord. 2006-004] [Ord. 2016-042] [Relocated to Art. 7.C.5.C, Detention/Retention Areas, Swales, and Drainage Easements]~~

~~Figure 7.D.12.C - Maximum Allowed Encroachment into Easements~~



~~[Relocated to Figure 7.C.5 – Maximum Allowed Encroachment into Easements]~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~1. Planting may be allowed in the dry detention area if approved by the Land Development Division. [Ord. 2016-042] [Relocated to Art. 7.C.5.C 1, Related to Detention/Retention Areas, Swales, and Drainage Easements]~~

~~D. Lake Maintenance Easements (LME)~~

~~Planting of new trees or relocation of native, non-prohibited or specimen vegetation may occur in the LME subject to the approval by the Land Development Division. [Ord. 2016-042] [Relocated to Art. 7.C.5.D, Lake Maintenance Easement (LME)]~~

~~Section 13 — Corner Clips~~

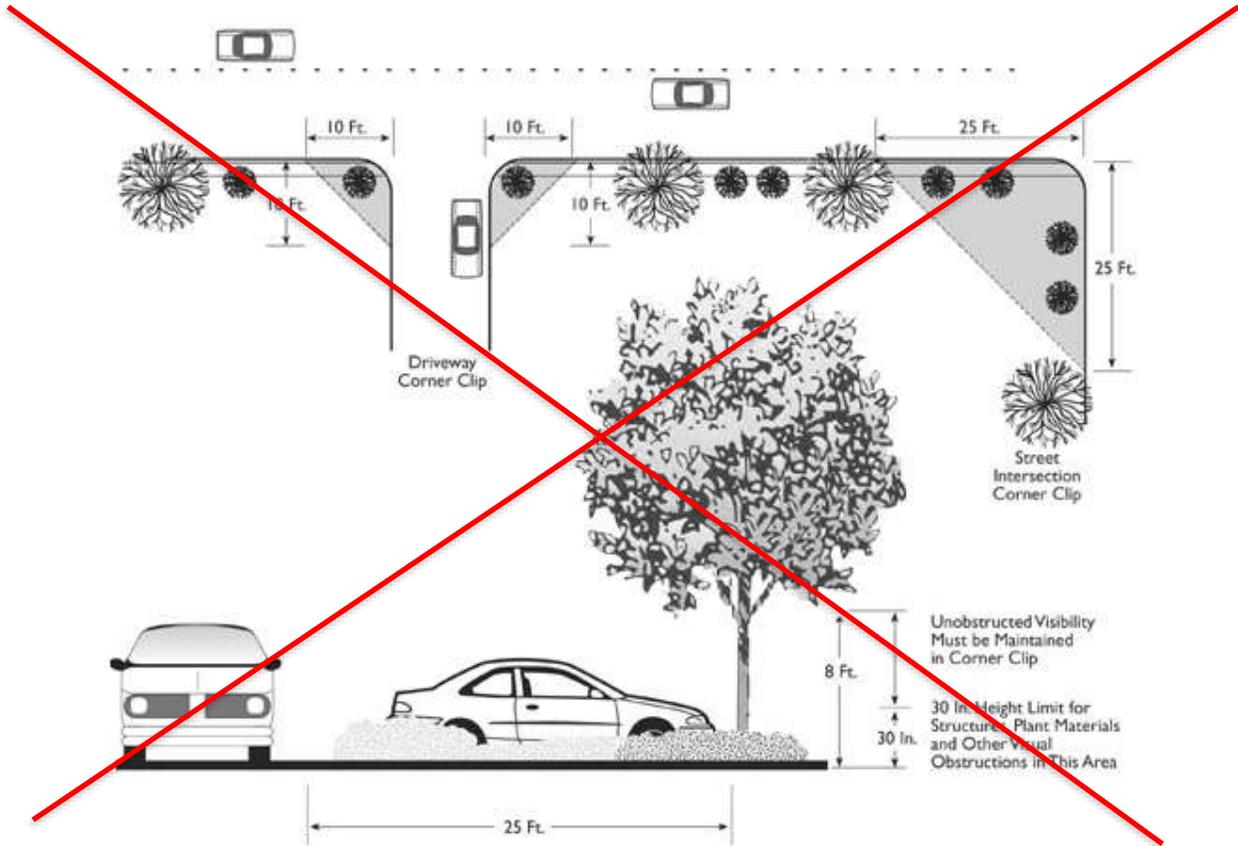
~~Landscaping within corner clip and visibility triangles required by Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS, shall be subject to the following limitations. [Relocated to Art. 7.C.6, Corner Clips and Safe Sight Corners]~~

~~A. An area of unobstructed visibility shall be maintained between 30 inches and eight feet above the crown of the adjacent roadway. [Relocated to Art. 7.C.6.A, related to Corner Clips and Safe Sight Corners]~~

~~B. Vegetation located adjacent to and within corner clip areas shall be trimmed so that limbs or foliage do not extend into the required visibility area. [Relocated to Art. 7.C.6.B, related to Corner Clips and Safe Sight Corners]~~

~~C. All landscaping in a corner clip shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Homeowner's Association (HOA). [Relocated to Art. 7.C.6.C, related to Corner Clips and Safe Sight Corners]~~

~~Figure 7.D.13 – Corner Clip Visibility Requirements~~



~~[Relocated to Figure 7.C.5 – Corner Clip and Safe Sight Corner Visibility Requirements]~~

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 Part 5. ULDC Art. 7.D.5, Existing Native Trees and Vegetation (page 20-32 of 49), are hereby  
2 amended as follows:  
3

| Reason for amendments: [Zoning]   |
|---|
| 1. Clarify that existing native trees and vegetation can be used to satisfy both buffer and interior landscape requirements for a site.   |
| 2. Traditionally, the preservation of existing native vegetation is under the authority of Environment Resources Management. In 2016, Art. 7.D was amended to give the Zoning Director the authority to address native individual trees that are outside of ERM's goals for preservation. This allows the opportunity for staff and applicant to proactively address design layout opportunities prior to the approval or certification of a development order. |
| 3. This amendment incorporates part of the Zoning PPM ZO-060, Preservation of Vegetation and clarifies submittal, review and approval procedures pertinent to the preserving of native vegetation.  |

### 4 **CHAPTER E EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES**

#### 5 **Section 51 Existing Native Trees and Vegetation Purpose**

6 To establish standards and requirements for the preservation of existing native vegetation; removal of  
7 prohibited species, and reduction of controlled species, For the purpose of Article 7, existing native  
8 vegetation includes native trees, palms, and pines and are required to be incorporated in the site for any  
9 application that is subject to a DO. Existing native vegetation may satisfy the landscape requirements in  
10 this Article, in total or in part. In determining whether native vegetation satisfies the requirements of this  
11 Article and the goals of Art. 14.C, Vegetation Preservation and Protection, either one or both of the following  
12 shall be considered: [Partially relocated from Art. 7.D.5.A, related to Existing Native Trees and  
13 Vegetation]

- 14 A. The effectiveness of utilizing the existing vegetation as visual screening and re-establish a natural  
15 habitat for the existing vegetation; or [Partially relocated from Art. 7.D.5.A, related to Existing  
16 Native Trees and Vegetation]  
17 B. The quality and species of the vegetation being preserved. [Partially relocated from Art. 7.D.5.B,  
18 related to Existing Native Trees and Vegetation]

#### 19 **Section 2 Authority and Review Procedures**

20 The Zoning Director shall have the authority to require the preservation of vegetation on-site that is not  
21 covered under Article 14.C, Vegetation Preservation and Protection, subject to the following: [Ord. 2016-  
22 016] [Partially relocated from Art. 7.D.2.E, Preservation of Trees]

##### 23 **A. Pre-application Appointment**

24 The Applicant shall meet with the Zoning Division and the Department of Environmental Resources  
25 Management (ERM) prior to the submittal of the application. Staff shall coordinate with the  
26 Applicant to address the preservation of native vegetation in the early stage of development review,  
27 and to resolve design issues without impacting the timeline for certification or approval of the  
28 application. Staff may request a site visit with the Applicant to determine whether the existing  
29 vegetation is worthy of preservation, and inform the Applicant of the necessary application  
30 requirements, including a Vegetation Survey to be submitted as part of the Zoning application.

##### 31 **B. Review and Permit Procedures**

32 Zoning Division and ERM shall collaborate on the review of all applications that require preservation  
33 of existing vegetation through: PAA, site visits, site design to maximize preservation, and when  
34 appropriate, conditions of approval shall be imposed to ensure the requirements are being  
35 monitored at land development review and building permit stages.

##### 36 **1. Application Submittal**

- 37 a. In addition to all the required forms and related documents pursuant to Art. 2, Application  
38 Processes and Procedures, the applicant shall include a description of the proposed site  
39 development, and indicate any proposal for preservation of existing native vegetation in  
40 the Justification Statement;  
41 b. The Applicant shall submit a Vegetation Survey with estimated preliminary finished grade  
42 of the areas where the proposed preservation of vegetation is located; and  
43 c. Any preservation or relocation of vegetation shall be shown on the applicable Zoning  
44 Plan(s) with a Vegetation Disposition Chart pursuant to Title 4, Landscaping, Chapter C of  
45 the Zoning Technical Manual for the template and notes.

##### 46 **2. Site Visit**

47 If a PAA is not requested by the Applicant prior to the submittal of the Zoning application, Staff  
48 shall conduct a site visit to determine if a Vegetation Survey and a Vegetation Disposition Chart  
49 are required. If necessary, the requirement shall be listed as a certification issue at the issuance  
50 of the first set of DRO comments.

##### 51 **3. Agreement on Preservation**

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

- 1 a. Staff shall set up an appointment with the Applicant to discuss the recommendations  
2 related to the site design and preservation. If the recommendations require a redesign of  
3 the site layout, the Applicant shall address issues related to the preservation and relocation  
4 of vegetation before certification of the application for public hearings or Final Approval by  
5 the DRO.  
6 b. Prior to the certification or approval of an application, the Applicant shall agree to the  
7 specific requirements which includes, preservation, relocation, mitigation, replacement of  
8 the existing native vegetation, and shall be shown on the Plan(s) and Vegetation  
9 Disposition Chart.  
10 c. The Zoning Director shall have the authority to impose conditions of approval on the  
11 development order to require the incorporation of existing vegetation into the site design.  
12 **[Ord. 2016-016] [Relocated from Art. 7.D.2.E.2, Preservation of Trees]**

#### 4. **ERM Vegetation Protection**

13 For applications that are approved by the ZC or BCC, the Applicant shall submit a Protection  
14 of Native Vegetation application to ERM prior to Final Approval by the DRO. For applications  
15 that are approved by the DRO, the Applicant shall submit the Protection of Native Vegetation  
16 Approval application concurrent with the Vegetation Barricade Permit. A Vegetation Permit  
17 shall be issued by ERM if the requirements are consistent with the approved Zoning Plans,  
18 conditions of approval or in compliance with Code.

#### 5. **Vegetation Barricade Permit**

- 19 a. Prior to any land clearing activity; removal of vegetation; or issuance of any other Building  
20 Permits for the site, the Applicant shall:  
21 1) Submit a Vegetation Barricade Permit application to the Building Division;  
22 2) Tag all existing vegetation as identified on the approved plans and Vegetation  
23 Disposition Chart to ensure there are no discrepancies between the approved  
24 documents and the site situations; and,  
25 3) Install all barricades around tagged vegetation that is to be preserved or relocated on  
26 the site.  
27 b. The Vegetation Barricade Permit application shall be reviewed by the Zoning Division and  
28 ERM. Staff shall schedule inspections for the installation of the tags and barricades prior  
29 to the approval of the Permit.  
30 c. PZB shall inspect the site for compliance with the Vegetation Barricade Permit to ensure  
31 all barricades are properly installed around the vegetation to be preserved or relocated.  
32 Once the final inspection for the Vegetation Barricade Permit is signed off by the Zoning  
33 Division, other permits for the property may be issued.  
34  
35  
36

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 4. Relocate Tree Credit which is currently under Art. 7.D to the new Chapter E.  |
| 5. Eliminate Spread of Crown as one of the two methods for tree credit or replacement. The size of the trunk provides a more accurate measurement. |

### 37 **Section 3 Tree Credit and Replacement**

38 *A preserved upland or drought-tolerant tree or palm meeting the standards in this Article may be substituted*  
39 *for required trees, subject to the following:* **[Relocated from Art. 7.D.2.F, Tree Credit]**

#### 40 **A. Vegetation Survey**

41 *Credit shall be granted for on-site preservation of existing vegetation when accompanied by a tree*  
42 *survey.* **[Relocated from Art. 7.D.2.F.1, Tree Survey]**

#### 43 **B. Trees Excluded from Credit**

44 *Credits shall not be permitted for ~~trees-vegetation-that are:~~* **[Relocated from Art. 7.D.2.F.2, Trees**  
45 **Excluded from Credit]**

- 46 1. Required for preservation by Article 14.C, Vegetation Preservation and Protection (i.e. located  
47 in required preservation areas, heritage or champion trees); **[Relocated from Art. 7.D.2.F.2.a,**  
48 **related to Trees Excluded from Credit]**  
49 2. Not properly protected from damage during the construction process, as required in Article  
50 14.C, Vegetation Preservation and Protection; **[Relocated from Art. 7.D.2.F.2.b, related to**  
51 **Trees Excluded from Credit]**  
52 3. Classified as prohibited or invasive non-native species as defined in Article 14.C, Vegetation  
53 Preservation and Protection; **[Relocated from Art. 7.D.2.F.2.c, related to Trees Excluded**  
54 **from Credit]**  
55 4. Dead, dying, diseased, or infested with harmful insects; **or** **[Relocated from Art. 7.D.2.F.2.d,**  
56 **related to Trees Excluded from Credit]**  
57 5. Located on a subarea of a planned development that is not intended to be developed for  
58 residential, commercial, or industrial use, such as a golf course on an adjacent open space  
59 parcel. **[Relocated from Art. 7.D.2.F.2.e, related to Trees Excluded from Credit]**

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

C. Tree Credit Formula

All existing vegetation to be preserved, mitigated on or off site, replaced on or off site shall be credited pursuant to Table 7.E.3, Tree Credit and Replacement. Pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement. [Ord. 2016-042] [Relocated from Art. 7.D.2.F.3, Tree Credit Formula]

Table 7.E.3.C - Tree Credit and Replacement

Table with 3 columns: Diameter at 4.5 Feet Above Grade (1), =, Credits or Replacements. Rows include diameter ranges from 'Less than 2 in.' to '37 in. or more' with corresponding credit values from 0 to 8. Includes notes: [Ord. 2014-025] [Ord. 2016-042] and (1) Fractional measurements shall be rounded down.

[Partially relocated from Art. 7.D.2.F, Tree Credit]

Reason for amendments: [Zoning]
6. Relocate Prohibited Plant Species currently under Art.7.D.6 and Controlled Plant Species currently under Art. 7.D.7 to the new Chapter E.4 and 5.
7. Add Mahogany to the Controlled Species list, as it has a tendency to drop seeds that may create a pedestrian safety issue.

Section 4 Prohibited Plant Species

The planting or installation of the following plant species is prohibited. Each planting plan, landscape plan or ALP shall include a program to eradicate and prevent the reestablishment of these species. [Relocated from Art. 7.D.6, Prohibited Plant Species]

- A. Prohibited plant species listed in Article 14.C, Vegetation Preservation and Protection. [Relocated from Art. 7.D.6.B, related to Prohibited Plant Species]
B. Any plant species classified in Article 14.C, Vegetation Preservation and Protection, as an "invasive non-native species". [Relocated from Art. 7.D.6.B, related to Prohibited Plant Species]

Section 5 Controlled Plant Species

The following species may be planted or maintained under controlled conditions: [Relocated from Art. 7.D.7, Controlled Plant Species]

A. Black Olives and Mahogany

Black Olives and Mahogany shall not be installed within 15 feet of any vehicular use area, sidewalk, paved pathway, or bike lane. [Relocated from Art. 7.D.7.A, Black Olives]

B. Ficus Species

Ficus species may be planted under the following conditions but shall not exceed a maximum of ten percent of the total number of required trees. [Relocated from Art. 7.D.7.B, Ficus Species]

- 1. Planted as individual trees provided they are no closer than 30 feet from any structure or utility; [Relocated from Art. 7.D.7.B.1, related to Ficus Species]
2. Contained in a planter or root barrier; or [Relocated from Art. 7.D.7.B.2, related to Ficus Species]
3. Maintained in accordance with the restrictions for hedges pursuant to Art. 7.D.3.B, Hedges. Ficus hedges in interior landscape areas shall not exceed a maximum of 12 feet in height, measured from the lowest grade adjacent to the hedge. [Ord. 2005 - 002] [Relocated from Art. 7.D.7.B.3, related to Ficus Species]

C. Silk Oak, Rosewood

Silk Oak and Rosewood trees shall not be planted within 500 feet of a preserve area. [Relocated from Art. 7.D.7.C, Silk Oak, Rosewood]

D. Trees

Citrus trees shall not qualify as a required tree, except for single-family lots. [Relocated from Art. 7.D.7.D, Citrus Trees]

Section 6 Artificial Plants

Notes:

- Underlined indicates new text.
Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
.... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 *No artificial plants or vegetation shall be used to meet any standard of this Article.* [Relocated from Art.  
2 7.D.8, Artificial Plants]

3  
4 Part 6. ULDC Art. 7.F, ~~REVIEW~~, INSTALLATION AND MAINTENANCE (pages 26-46 of 49), are  
5 hereby amended as follows:  
6

| Reason for amendments: [Zoning]  |
|--|
| 1. Relocate Chapter E to the new Chapter F. Relocate Art. 7.E.2, Landscape Permit to the new Chapter B, Applicability, and rename the Title of this Chapter to Installation and Maintenance.   |
| 2. Clarify that Florida Grades and Standards no longer require guys and stakes for tree installation. The proposed amendment will change the requirement to an option.   |
| 3. Clarify that landscape installation must follow the approved phasing for the development. For application without phasing (i.e. develop under one phase), all landscape requirements must be completed prior to the issuance of a Certificate of Occupancy of the facilities. |
| 4. Delete requirements for projects with PO Zoning as they are considered a non-phased development, and conditions of approval can be written to allow sub-phasing of the planting requirements.   |
| 5. Delete Suspended Phasing and replace with the heading Time Extension.   |

### 7 CHAPTER ~~E~~ F ~~REVIEW~~, INSTALLATION AND MAINTENANCE

8  
9 This Chapter establishes standards for the ~~landscape review~~, installation and maintenance of ~~trees and~~  
10 ~~landscape plant~~ material. [Ord. 2009-040]

#### 11 ~~Section 1~~ General

12 ~~Plant material shall:~~

- 13  
14 ~~A. Be planted in soil and conditions appropriate for their growth habits.~~  
15 ~~B. Be appropriate for the USDA plant hardiness zone and ecological setting in which they are to~~  
16 ~~planted.~~  
17 ~~C. Be compatible with existing native plants in the area through similar ornamental properties and~~  
18 ~~physical requirements (e.g. water use, soil conditions).~~

#### 19 ~~Section 2~~ Landscape Permit

20 ~~To ensure compliance with the various requirements associated with a new development permit for~~  
21 ~~installation and maintenance of landscape on site, the applicant shall: [Ord. 2009-040]~~

- 22 ~~A. Submit an application for a Landscape Review on forms prepared by the Zoning Division; [Ord.~~  
23 ~~2009-040]~~  
24 ~~B. Comply with Code requirements and any conditions of approval; [Ord. 2009-040]~~  
25 ~~C. Schedule and receive approval of all required landscape inspections; and, [Ord. 2009-040]~~  
26 ~~D. Adhere to long-term landscape maintenance obligations and all material associated with the~~  
27 ~~application. [Ord. 2009-040]~~

#### 28 ~~Section 3~~ 1 Plant Quality

29 Plants installed pursuant to this Article shall conform to or exceed the minimum standards for Florida  
30 Number 1, as provided in the most current edition of "~~Grades and Standards for Nursery Plants, Parts I and~~  
31 ~~II~~", Florida Grades and Standards for Nursery Plants, as amended, prepared by the ~~State of~~ Florida  
32 Department of Agriculture and Consumer Services, ~~see Appendix B for Examples of Florida Number 1~~  
33 ~~Quality Plants, A different minimum standard may be approved for native plants installed in accordance~~  
34 ~~with an approved ALP if an applicant demonstrates that sufficient quantities of commercial stock meeting~~  
35 ~~the Florida Number 1 standard are not available.~~ All plants shall be clean and free of noxious pests and/or  
36 diseases. [Partially relocated to Art. 7.F.1.A, below]

##### 37 A. Exception

38 *A different minimum standard may be approved for native plants installed subject to a Type 1*  
39 *Waiver for Landscaping if an applicant demonstrates that sufficient quantities of commercial stock*  
40 *meeting the Florida Number 1 standard are not available.* [Relocated from Art. 7.E.3, Plant  
41 Quality]

#### 42 ~~Section 4~~ 2 Installation

43 All landscaping shall be installed according to acceptable nursery practices in a manner designed to  
44 encourage vigorous growth. Soil improvement measures may be required to ensure healthy plant growth.  
45 Before planting, a plant or tree's growth characteristics shall be considered to prevent conflicts with views,  
46 lighting, infrastructure, utilities, or signage. ~~Proposed infrastructure, lighting, and signage plans shall be~~  
47 ~~submitted concurrent with landscape plans prior to issuance of a building permit.~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

### A. Planting Specifications

Required trees and palms ~~shall~~ may be securely guyed, braced, and/or staked at the time of planting until establishment. All plants shall be installed so that the top of the root ball remains even with the soil grade. The top one-third of burlap shall be removed from the root ball at planting. If used, nylon strapping and wire cages shall be completely removed at installation. All guys and staking material should be removed when the tree is stable and established but in no case more than one year after initial planting of tree. Construction debris shall be kept clear from the planting area.

### B. Phasing

Required landscaping may be installed in phases, and if designated on the approved site Zoning plan, as follows:

#### 1. ~~Planned Developments~~ with Phasing

The ~~number of trees~~ required ~~plant materials to be planted or preserved shall be installed in a construction phase~~ accordance with the approved phasing of a planned development. The quantity of the required plant materials for each development phase shall be a proportion of the total number of ~~trees~~ plant materials required to be planted in the overall planned development. This proportion shall be determined by comparing the area of the plan to the area of the entire planned development as shown on the approved plan. Areas of vegetation required to be preserved shall be excluded from this calculation. R-O-W buffers along the development frontage shall be installed under Phase One.

#### 2. ~~Other Developments~~ Without Phasing

The ~~entire~~ perimeter landscaping shall be installed prior to the issuance of the first ~~Certificate of Occupancy (CO) or in accordance with a phasing plan approved by the DRO.~~

##### a. Developments with Multiple Buildings

R-O-W Buffers along the development frontage shall be installed prior to the issuance of the first CO for the first building.

##### ~~a. PO Zoning District and Public Civic Pods of a PUD~~

~~Installation of a proportionate share of required materials shall be permitted subject to Signature Only approval of a phasing plan. The phasing plan shall indicate the affected area of each building permit application and general location of plant material that will be installed. [Ord. 2007-013]~~

#### 3. Suspended Phasing

Required installation may be phased into a project for up to one year from the initial occupancy, with subject to the approval of an installation schedule by the DRO. ~~Zoning Division approval of a installation schedule.~~

## Section ~~54~~ Maintenance

### A. General

~~1. PBC is responsible for the care and maintenance of the trees and vegetation on PBC-owned property, unless provided for otherwise by DO condition of approval. For all other properties, the property owner or successors in interest, contractor, or agent, if any, shall be jointly and severally responsible for the following: [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

Maintenance of the properties shall be subject to the requirements of Art. 5.L, Property and Vegetation Maintenance and the PBC's Property Maintenance Code.

~~2. Regular maintenance of all landscaping is required. All landscaping shall be free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable horticultural practices.~~

~~3. Regular maintenance, repair, or replacement of landscape barriers and focal points, including landscape structures (e.g., walls, fences, fountains, and benches) in order to keep them in a structurally sound condition.~~

~~4. Perpetual maintenance to prohibit the reestablishment of prohibited and non-native invasive species within landscape and preservation areas.~~

~~5. Periodic maintenance to remove diseased or damaged limbs, or remove limbs or foliage that present a hazard. All trees and palms shall be allowed to grow to their natural mature height and to full canopy. No canopy tree shall be pruned until it has reached the minimum 20-foot required height and canopy spread, unless required to address damage by natural causes, such as hurricanes.~~

~~6. Landscape areas which are required to be created or preserved by this Article shall not be used for temporary parking or the storage/display of materials or sale of products or services.~~

### ~~B. Vacant Lots~~

#### ~~1. Affected Parties~~

~~Any owner of a vacant lot in a residential neighborhood upon which a home has been demolished to the extent that it no longer qualifies for a certificate of occupancy must follow the maintenance requirements of Art. 7.E.5.B.5, Vacant Lot Maintenance and Planting~~

### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Requirements, if the vacant lot, by itself or in combination with other vacant lots resulting from the demolition of a home or homes, results in significant degradation of the surrounding neighborhood as defined in Art. 1.I, Definitions and Acronyms (Significant Degradation). In the event significant degradation occurs, all contiguous vacant lots that contribute to the significant degradation will be subject to Art. 7.E.5.B.5, Vacant Lot Maintenance and Planting Requirements. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

### ~~2. Applicability~~

~~Art. 7.E.5.B, Vacant Lot, shall apply to the Urban/Suburban Tier in the unincorporated areas of Palm Beach County, as defined in the Plan. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

### ~~3. Vacant Lot Exemptions~~

~~The following vacant lots shall be exempt from the requirements of Art. 7.E.5.B, Vacant Lots. [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~a. Vacant lots resulting from the demolition of a home based on a declaration by the building official that the home is unsafe. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~b. When an owner initiates redevelopment of a vacant lot within 120 days of demolition, as evidenced by submittal of a building permit application for site plan approval, or other applicable development permit application or good faith effort to redevelop the lot, for so long as the permit or good faith effort is active. In order to receive an exemption at the time of a demolition permit application, the applicant must submit an affidavit stating that the applicant expects to meet the above requirements. The affidavit shall be made on a form established by the Zoning Director. If an exemption is granted based on an affidavit, the property owner shall submit evidence as required above within 120 days of completion of the demolition, or shall submit a planting plan within 30 days of the expiration of the 120-day period. [Ord. 2005-002] [Ord. 2008-037] [Partially relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~c. Vacant lots where the home was demolished prior to April 23, 1996. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~d. Vacant lots resulting from eminent domain proceedings. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~e. Vacant lots resulting from demolition of a home using funding from a demolition program of the Department of Housing and Community Development. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

### ~~4. Vacant Lot Variance~~

~~A property owner may apply for a Type 1A Administrative Variance subject to Art. 2.D.3.C.4, Vacant Lots, as may be amended. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2010-022] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

### ~~5. Vacant Lot Maintenance and Planting Requirements~~

#### ~~a. Ground Treatment~~

~~Vacant lots regulated by this Section must be cleared of construction materials and debris, and must be planted with sufficient ground treatment to cover the entire lot in accordance with Art. 7.D.4, Ground Treatment. Existing ground treatment may be used to meet the requirements of this Section. The clearing and planting must be completed within 120 days of the completion of demolition, within 120 days of the effective date of this section, or within thirty days of Department approval of a planting plan, whichever is later. Slab foundations or other structural features remaining from demolished houses, or from other demolished structures, must be removed from vacant lots regulated by this section. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

#### ~~b. Trees~~

~~Trees shall be planted or preserved in accordance with the requirements of Table 7.C.3, Minimum Tier Requirements, and Art. 7.D.2, Trees. Trees shall be native or drought tolerant. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

#### ~~c. Existing Trees~~

~~Preservation of existing native trees is encouraged and credit shall be given towards the above requirements. If existing native trees are removed, they shall be replaced in accordance with the standards in Table 7.D.2.D, Tree Credit and Replacement, or Article 7.E.5.G.5.b, Trees, whichever is greater. The size of replacement trees shall be in accordance with Art. 7.D.2, Trees. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

#### ~~d. Prohibited Plant Species~~

~~Existing prohibited plant species must be removed and trees replaced on a one-to-one basis with a native tree. Replacement trees for removed prohibited plant species shall be~~

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~consistent with the interior landscape requirements of Art. 7.D.2, Trees. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**e. Removal**~~

~~Removal shall be consistent with the provisions of Article 14.C, VEGETATION PRESERVATION AND PROTECTION. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**f. Vacant Lot Planting Plan Application and Approval**~~

~~**1) Planting Plan**~~

~~The owner shall submit a planting plan indicating the proposed method of ground treatment, existing and replacement trees, and irrigation simultaneously with the application for a demolition permit. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**2) Demolition Permit**~~

~~The Building Division shall not issue the demolition permit until a planting plan is approved by the Zoning Division unless the applicant signs an affidavit in accordance with Art. 7.E.5.G.3.b. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**3) Review of Planting Plan**~~

~~The Zoning Division shall determine if the planting plan is sufficient and includes the information necessary to evaluate the plan within five days of receipt. The Zoning Division shall approve, approve with conditions, or deny the plan within ten days of the determination of sufficiency. If necessary, the Zoning Division or Environmental Resources Management Department shall conduct a site visit as part of the plan review. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**4) Standards**~~

~~The Zoning Division shall consider the following criteria in reviewing the planting plan: 1) whether or not the ground treatment and other landscape materials are consistent with the established character of the neighborhood; 2) Whether or not alternative or temporary irrigation methods such as hand watering are acceptable. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

~~**g. Vacant Lot Plant Installation, Maintenance, Pruning and Irrigation**~~

~~Native vegetation, drought tolerant vegetation, or ground treatment shall be installed, maintained, pruned and irrigated in accordance with the requirements of Art. 7.F, Installation, Maintenance, as may be amended from time to time, and conditions of approval for the planting plan in Art. 7.E.5.G.5.f.1), above. Temporary irrigation methods may be approved for native vegetation only, subject to a maintenance/replacement agreement. [Ord. 2005-002] [Ord. 2008-037] [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

### Section ~~65~~ Pruning After Installation

Pruning is permitted after installation to allow for healthy growth, to promote safety considerations, and enhance the aesthetic value of plant material. Trees that conflict with views, signage, or lighting shall not be pruned more than the maximum allowed. Trees shall not be pruned ~~in a manner that reduces to reduce~~ the canopy spread to less than 20 feet ~~or pruned in conflict with the maintenance standards above~~. Pruning practices shall ~~conform to~~ comply with the guidelines in Tree Care Tips – A Guide to Proper Pruning Techniques, published by the Department of Environmental Resources Management (ERM) and the provisions of this Chapter. The Zoning Director may suspend the provisions of this ~~Section~~ Chapter upon recommendation from County Landscape Staff additional pruning is necessary for plant growth, safety, or aesthetics.

#### A. General Pruning Requirements

1. A maximum of one-fourth of the tree canopy may be removed from a tree within a one-year period, provided that the removal conforms to the standards of crown reduction, crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration pruning techniques. All pruning shall comply with the most recent published version of the American National Standards Institute, ANSI provisions related to tree, shrub and other woody plant maintenance, as amended. The crown of a tree required by this Code or condition of approval shall not be reduced below the minimum spread or height requirements of Article 7.D.2.A, Canopy Trees, or specific conditions of approval. A tree which is pruned in excess of these requirements shall be replaced with a tree that meets the minimum requirements of Article 7.D.2.A, Canopy Trees, and Table 7.D.2.E, Tree Credit and Replacement. **[Ord. 2014-025]**
2. If other than the mature height and spread is desired for any required tree, the size and shape shall be indicated on an approved site plan, planting plan, landscape plan. Shaping of a tree shall be permitted if the tree is to be used as an accent, focal point, or as part of an overall

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

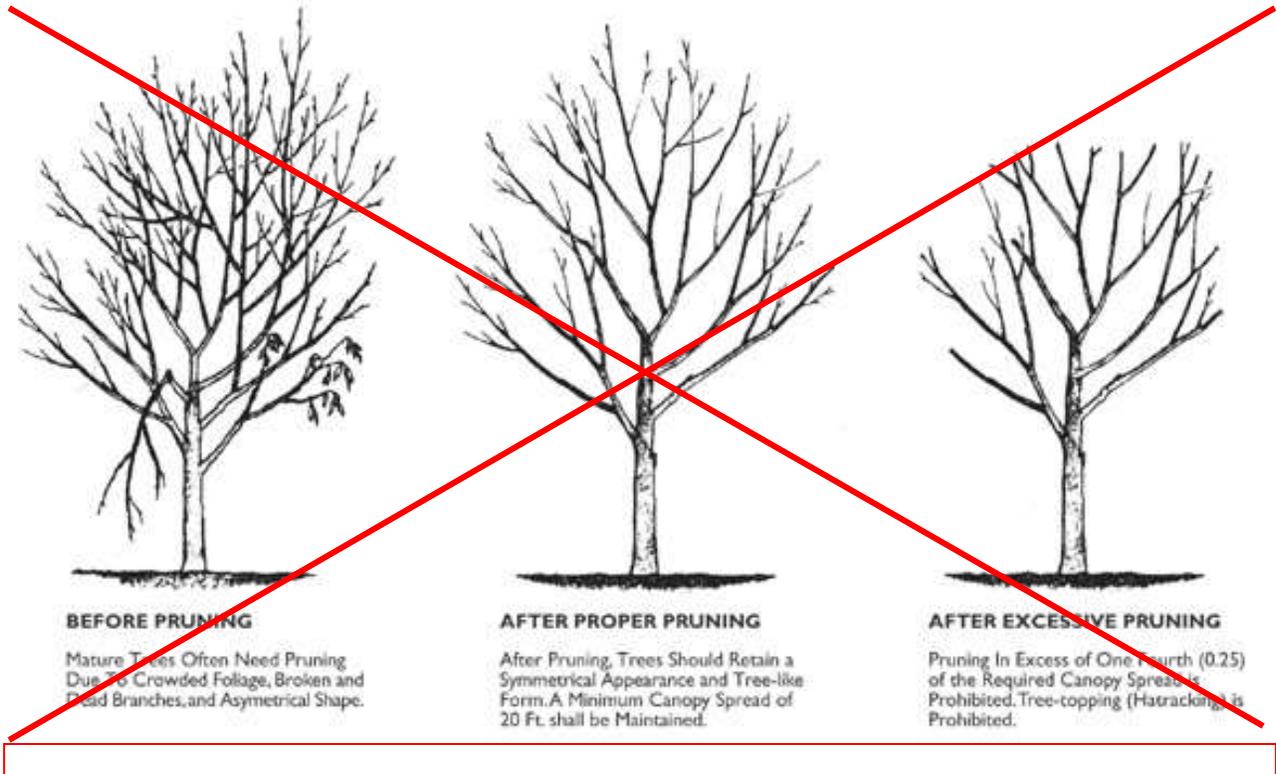
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

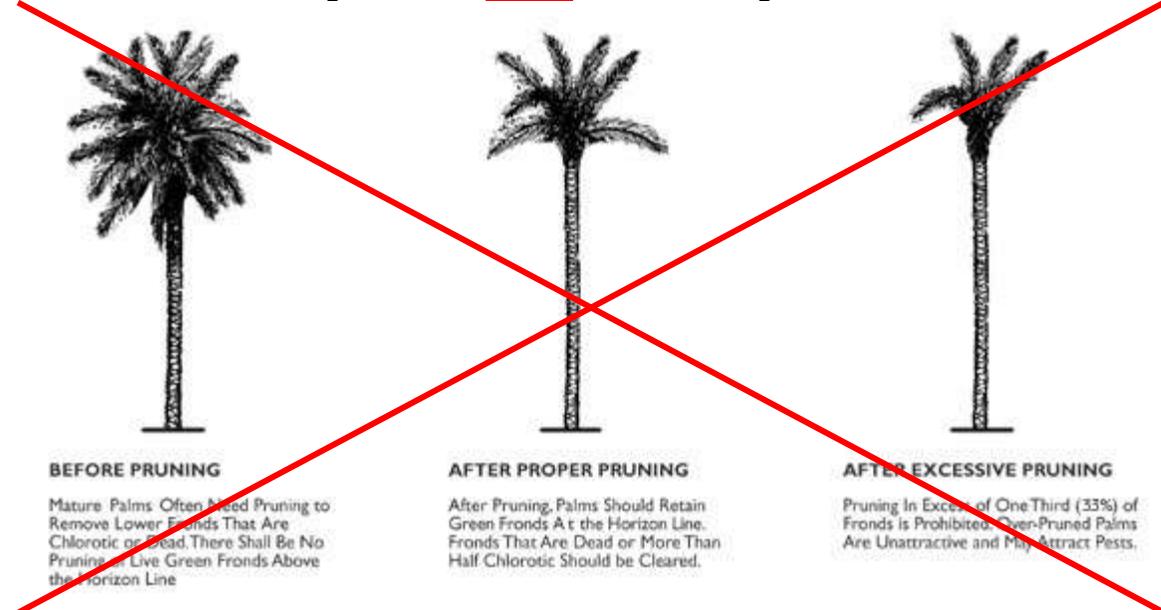
- 1 landscape design. A maintenance program shall be clearly outlined on the approved
- 2 landscape plan to explain the care and upkeep of a shaped tree.
- 3 3. When cutting back trees, care shall be taken to promote the shape and form typical of the tree's
- 4 species in similar settings in PBC.
- 5 4. Tree topping (hatracking) is prohibited.
- 6 5. No large or medium canopy trees shall be pruned before it has reached a minimum 20 foot
- 7 canopy height and spread.
- 8

**Figure 7.E.6.A – Pruning Guidelines**



- 9
- 10 **B. Palm Pruning Requirements**
- 11 1. No more than one-third of fronds shall be removed.
- 12 2. No pruning above the horizon line, except for dead or diseased fronds.
- 13

**Figure 7.E.6.B-7.F.5.B – Palm Pruning Guidelines**



- 14
- 15 **C. Pruning Exemptions**
- 16 The following trees and species are exempt from these pruning standards:
- 17 1. Trees affected by FAA and airport safety regulations, to the extent required to comply with
- 18 these regulations.

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

2. Trees that interfere with corner clips, utility lines, or utility structures, to the extent required to comply with regulations for these areas or structures.
3. Trees that have insect or disease damage, crown dieback, or decay greater than one third of the tree canopy.
4. Trees that have suffered damage due to natural or accidental causes.
5. Trees on single-family lots unless pruned by a commercial tree service business, landscape company, lawn service business, or other related businesses.
6. Trees in botanical gardens, or botanical research centers.
7. Trees under DOT, DEPW, and FPL management.

### Section ~~7C~~ Irrigation

The licensed professional or irrigation contractor responsible for the installation of irrigation shall demonstrate compliance with the following irrigation standards in a form acceptable to the Zoning Division. Landscaped areas shall be irrigated to maintain required plant materials in good and healthy condition. Irrigation systems shall comply with the following standards:

- ~~A. The landscape design and final landscape plan shall incorporate acceptable xeriscape industry standards.~~
- BA.** All landscaped areas requiring irrigation shall be provided with an automated irrigation system that provides 100 percent coverage. Areas requiring minimal irrigation to establish plants shall use drip irrigation.
- CB.** Irrigation systems shall be designed to apply water to shrub and tree areas on a less frequent schedule than lawn areas. A rain-sensor switch shall be installed on systems with automatic controllers.
- DC.** Irrigation systems shall be designed as not to overspray water impervious areas. All irrigation systems shall be continuously maintained in working order.
- ED.** Where feasible, irrigation systems shall not be installed or maintained on areas adjacent to a public street which causes water from the system to spray onto the roadway or strike passing pedestrian or vehicular traffic.
- FE.** The use of irrigation quality or re-used water is encouraged for parks and recreation facilities:
1. Within the Irrigation Quality (IQ) effluent water service area of the PBCWUD; or
  2. Where irrigation quality or re-used water is available and where such reuse is approved by the regulatory agencies.
- GF.** Permanent irrigation systems are not required for areas set aside on approved site development plans for preservation of existing native vegetation.
- HG.** Temporary irrigation systems installed pursuant to acceptable xeriscape practices may be used to meet the standards of this Section, upon approval of the Zoning Division.

### Section ~~8~~ ~~Restoration and Maintenance~~

~~Required or preserved vegetation that becomes damaged, diseased, removed or is dead shall be immediately replaced with plant material to comply with the approved standards and height requirements of this Article or conditions of approval, whichever is greater. Trees that are removed or damaged, shall be replaced in accordance with the tree replacement credit standards of Table 7.D.2.D, Tree Credit and Replacement. Landscape trees planted or preserved to meet the minimum landscape code requirements may be removed provided a Tree Removal Permit is approved. [Ord. 2005-002] [Partially relocated to Art. 7.E.4.B, Maintenance of Vegetation]~~

### ~~CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS~~ [Relocated to Art. 7.C, Landscape Buffer and Interior Landscape Requirements]

~~Landscape buffers shall be installed and maintained in accordance with the following standards.~~

#### Section ~~1~~ ~~Buffer Types~~

##### ~~A. R-O-W~~

~~R-O-W buffers shall be provided along all street R-O-W. [Ord. 2016-042] [Relocated to Art. 7.C.2.A.1, Applicability]~~

##### ~~1. Exemptions~~

~~R-O-W buffers are not required for individual single-family residential, ZLL, townhouse lots, or lots that abut the Intercoastal Waterway, private street right-of-ways internal to a PDD, and alleys. [Ord. 2016-042] [Partially relocated to Art. 7.C.2.A.2, Exemptions]~~

##### ~~B. Compatibility~~

~~Compatibility buffers shall be provided between all compatible use [Relocated to Art. 7.C.2.B.1, Applicability] types, excluding: single family residential subdivisions or pods adjacent to single family residential subdivisions or pods; [Relocated to Art. 7.C.2.B.2.a, related to Exemptions] internal buffers within TDD's unless specifically stated otherwise; [Relocated to Art. 7.C.2.B.2.b, related to Exemptions] or where residential uses are not adjacent to other incompatible design~~

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

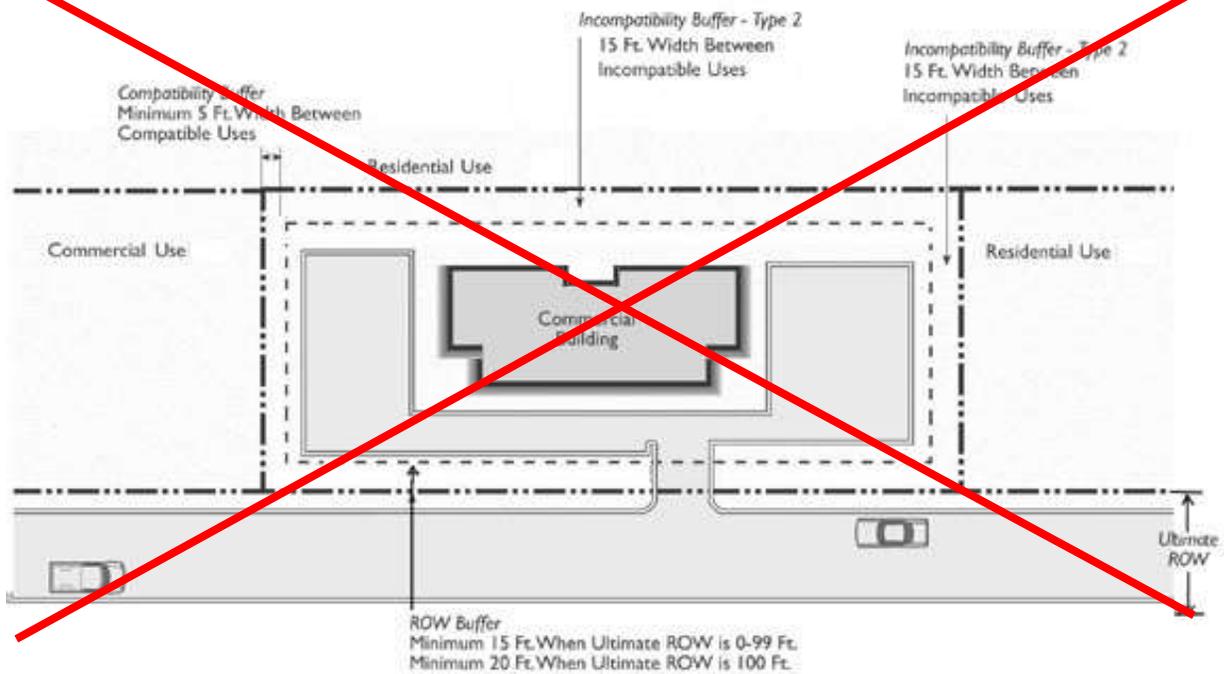
(Updated 08/10/17)

~~elements such as roadways, useable open space areas, or where residential setbacks are less than adjacent residential development. [Ord. 2006-055] [[Relocated to Art. 7.C.2.B.2.c, related to Exemptions]~~

### ~~C. Incompatibility~~

~~Incompatibility buffers shall be provided between all incompatible use types or incompatible pods.~~

**Figure 7.F.1.C - Buffer Type Detail**



[Relocated to Art. 7.C.2, Types of Landscape Buffer]

### ~~Section 2 - Trees, Shrubs, and Hedges~~

~~Trees, shrubs, and hedges shall be provided in all perimeter buffers in accordance with the following standards:~~

#### ~~A. Trees~~

##### ~~1. Minimum Tree Quantities~~

###### ~~a. R-O-W Buffers~~

~~One canopy tree per 25 lineal feet.~~

###### ~~b. Compatibility Buffers~~

~~One canopy tree per 25 lineal feet. [Relocated to Table 7.C.2.B, Compatibility Buffer Landscape Requirements]~~

###### ~~c. Incompatibility Buffers~~

~~One canopy tree per 20 lineal feet.~~

##### ~~2. Palms~~

~~Palms planted in groups of three or more may be counted as one required canopy tree, up to a maximum of 25 percent of all trees required in each buffer. In the case of palm species that characteristically grow in clumps, each clump may be counted as one canopy tree. [Relocated to Art. 7.D.2.B.1, Canopy Tree Substitute]~~

###### ~~a. Exception~~

~~In R-O-W buffers only, Royal, Bismarck, Phoenix, Canary, Date or similar palm species determined to be acceptable by the Zoning Division may be counted as one required canopy tree. These palms shall be spaced a maximum of 20 feet on center and have a minimum of 12 feet of clear trunk, except Royals which shall require a six foot minimum Grey Wood. [Partially relocated to Art. 7.D.2.B.1.a, Exception, related to Canopy Tree Substitute]~~

##### ~~3. Slash Pines~~

~~Slash pines planted in groups of three or more may be counted as one required canopy tree. Each group of slash pines shall be staggered in height and average a minimum of ten feet in height.~~

#### ~~B. Shrubs~~

~~Shrubs shall be installed according to Table 7.F.7.B, Shrub Planting Requirements. [Ord. 2009-040] [Relocated to Art. 7.D.3.B, Shrubs]~~

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

### C. ~~Hedges~~

~~Hedges may be used in place of required shrubs in compatibility and incompatibility buffers. Hedges, in combination with a berm, shall be installed in a manner that provides the minimum height required for continuous solid opaque screen at time of planting. [Partially relocated to Art. 7.D.4.A.4, Hedge and Berm Combination] It is recommended that hedges collocated in a buffer with berm be located at the top of berm. Hedges shall be setback from the property line a sufficient distance to allow for maintenance, or additional landscape material if required. [Ord. 2016-016] [Relocated to Art. 7.D.4.A.4, Setback~~

### Section 3 — ~~Walls and Fences~~

~~If a wall or fence is used, the following shall apply: [Ord. 2007-001] [Ord. 2007-013]~~

#### A. ~~Location of Wall or Fence~~

~~It is recommended that walls and fences collocated in a buffer with a berm be located at the top of berm. Walls and fences with a continuous footer shall be setback a minimum of ten feet from the edge of the property line. [Partially relocated to Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer – Incompatibility – Setback for the wall or fence] Fences may be permitted adjacent to a property line only when used in compatibility buffers. Fences or walls located in Incompatibility or R-O-W Buffers shall be located a minimum of seven and one-half feet from the outside buffer edge, or the minimum necessary to provide for required trees and shrubs. [Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016]~~

#### B. ~~Location of Planting~~

~~A minimum of 75 percent of required trees shall be located between the exterior of the wall or fence along a R-O-W, or facing adjacent property, except when a fence is used in a compatibility buffer and located along the property line. [Partially relocated to Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer – R-O-W / Incompatibility – Canopy Tree Planting] Shrubs or hedges shall be installed on both sides of the wall or fence along a R-O-W, or facing adjacent property, except when a fence is used in a compatibility buffer and located along the property line. [Ord. 2007-013] [Partially relocated to Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer – R-O-W / Incompatibility – Shrub Planting]~~

##### 1. ~~Exception~~

~~Electrified fencing in accordance with Art. 5.B.1.A.2.e.2), Electrified Fence — Exceptions and Regulations, shall not be required to provide shrubs or hedges on the inside of the electrified fencing or on the inside of the non-electrified fencing or wall which the electrified fencing is adjacent to. [2013-018] [Relocated to Art. 7.D.4.D., Exception, related to Location of Wall or Fence in a Landscape Buffer]~~

#### C. ~~Conflict with Easements~~

~~If the placement of the wall or fence conflicts with an easement, the wall or fence shall not encroach upon the easement unless consistent with Article 3.D, PROPERTY DEVELOPMENT REGULATIONS (PDRs). [Ord. 2007-013] [Relocated to Art. 7.D.4.E, Conflict with Easements]~~

#### D. ~~Architectural Treatment~~

~~If a wall is used in a compatibility or incompatibility buffer, both sides of a wall shall be given a finished architectural treatment that is compatible and harmonious with adjacent development. [Ord. 2007-013] [Partially relocated to Art. 7.D.4.B.1, Architectural Treatment]~~

#### E. ~~Chain Link Fences~~

~~Chain link fences are prohibited in Incompatibility or R-O-W buffers unless vinyl coated. Vinyl coated chain link fences are only permitted in a R-O-W or Incompatibility buffer, when installed behind an opaque six foot high hedge, unless approved as a Type II Waiver. [Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016] [Partially relocated to Art. 7.D.4.C.1, Chain Link Fences]~~

##### 1. ~~Exception~~

~~An electrified fence in accordance with Art. 5.B.1.A.2.e.2), Electrified Fence — Exceptions and Regulations, shall not be required to be vinyl coated. [Ord. 2013-018] [Partially relocated to Art. 7.D.4.C.1.a, related to Chain Link Fences]~~

| Reason for amendments: [Zoning]  |
|--|
| 6. Relocate Art. 7.F.6 to the new Chapter C.   |
| 7. Delete Section 4 from this Chapter and relocate to Art.3.E, Planned Development Districts because the requirements are specific to a PUD.   |
| 8. Delete Section 5- Area Measurement because this has been clarified under the new Table 7. C.2.B, R-O-W Buffer, footnote 2: Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of the plant materials. |

### Section 4 — ~~Dedications~~

~~Required landscape buffers within or around residential pods of Planned Developments shall be platted and dedicated as separate tracts of land.~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Section 5 — Area Measurement

The width of access ways that traverse required perimeter landscape buffers shall be excluded in the calculation of linear dimension. [Ord. 2016-042]

Section 6 — Buffer Width Reduction

The required buffer width may be reduced by 50 percent where a project is separated from a R-O-W by a canal, lake, open space, or combination thereof, with a minimum width of 80 feet subject to DRO approval. [Partially relocated to Art. 7.C.2.A.3.a, Width Reduction, related to R-O-W buffer] The DRO may reduce the required incompatibility buffer width by 50 percent for pods adjacent to a canal, lake, or open space area 100 feet in width or if the same type of buffer exists on the adjacent property. The width of compatibility buffers shall not be reduced. The required number of canopy trees or palms shall not be reduced. The required quantity of shrubs may be reduced in proportion to the reduction in the buffer width, a maximum of 50 percent, to ensure the viability of the material. A minimum of five clear feet for planting, or ten feet if a wall with a continuous footer is used, shall be maintained. [Ord. 2014-025]

Section 7 — R-O-W Buffer

A. Width

The total width of the buffer along streets, thoroughfares, or other means of vehicular access shall depend on the width of the street's ultimate R-O-W as indicated in Table 7.F.7.A-5, Width of R-O-W Buffer. The width of the ultimate R-O-W shall be determined by reference to the Thoroughfare R-O-W Identification Map in the Plan, or as determined by the County Engineer. R-O-W widths for non-thoroughfare plan streets shall be determined by reference to Article 11.C.1.C.1, Access and Circulation Systems. [Partially relocated to Art. 7.C.2.A.3, Width]

Table 7.F.7.A-5 - Width of R-O-W Buffer (Feet)

Table with 2 columns: Width of Ultimate R-O-W (Feet) and Minimum Width of Buffer (Feet). Rows: 100+, 0-99.

B. Shrub Hierarchy

R-O-W buffers shall include each of the shrub types listed in Table 7.F.7.B, Shrub Planting Requirements.

Table 7.F.7.B - Shrub Planting Requirements

Table with 5 columns: Shrub Type, Minimum Height at Installation (Size), Minimum Number of Shrubs Per Linear Foot² of Buffer Length, Maximum Spacing at Installation, Maximum Maintained Height. Includes notes section.

(This space intentionally left blank)

Notes:

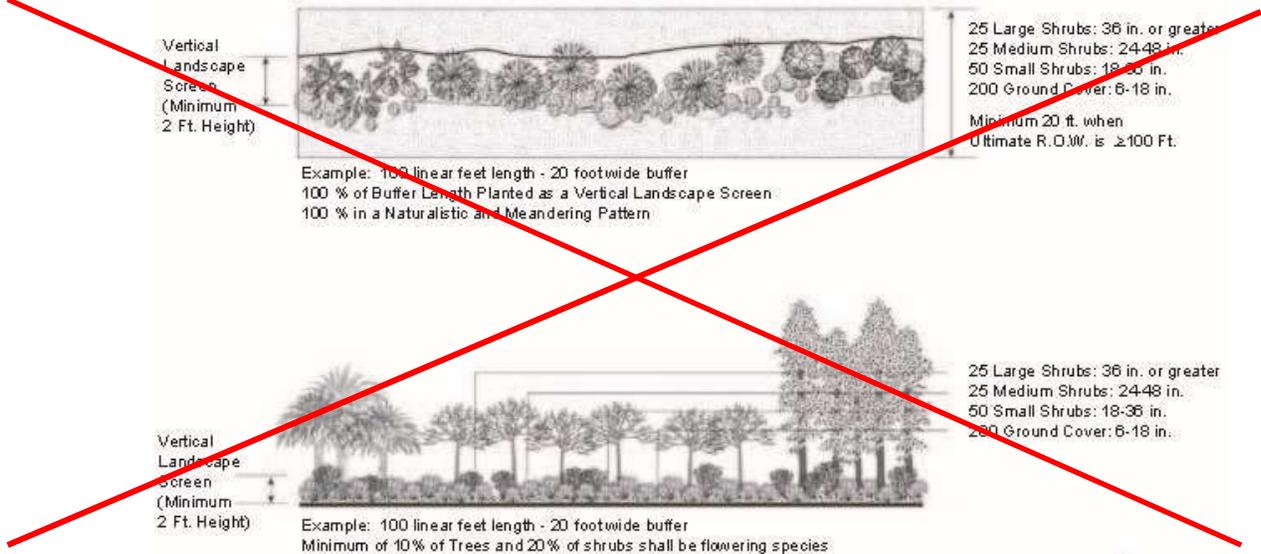
- Underlined indicates new text.
Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
.... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING  
(Updated 08/10/17)

1

**Figure 7.F.7.B – Buffer Width, Trees and Shrub Layers**  
**An Example of Planting Requirements for a Perimeter R-O-W Buffer**



[Ord. 2009-040]

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

**C. Planting Pattern for a Perimeter R-O-W Buffer**

~~One hundred percent of the buffer length shall be composed of a continuous opaque vertical landscape screen at least two feet in height, [Relocated to Table 7.C.2.A- ROW Buffer Landscaping Requirements note #6] planted in a meandering pattern as illustrated in Figure 7.F.7.B, Buffer Width, Trees and Shrub Layers, and composed of the shrub types listed in Table 7.F.7.B, Shrub Planting Requirements. The area of the buffer not planted with trees and shrubs shall be landscaped with ground treatment. [Ord. 2009-040] [Partially relocated to Table 7.C.2.A- ROW Buffer Landscaping Requirements note #5]~~

**D. Clustering**

~~Canopy trees and same species palms may be clustered in R-O-W buffers for non-residential development, subject to the following standards: [Partially relocated to Art. 7.C.2.A.6, Clustering]~~

- ~~1. Clusters shall be spaced no more than 40 feet on center.~~
- ~~2. Clusters shall consist of trees of varied height, which when averaged, equal the minimum tree height requirements of Article 7.D.2.A, Canopy Trees.~~
- ~~3. Created visible openings to the site shall only be permitted on properties with a minimum of 300 feet of lot frontage. [Ord. 2016-042]~~
- ~~4. A maximum of two visible openings to the site are allowed for a frontage that is 300 feet. A maximum of three openings are allowed for a frontage that is 301 feet to 1,000 feet. A maximum of four openings for frontage that is over 1,001 feet. [Ord. 2016-042]~~
- ~~5. The minimum distance between visible openings to the site created by clusters shall be 100 feet. [Ord. 2016-042]~~

(This space intentionally left blank)

**Notes:**

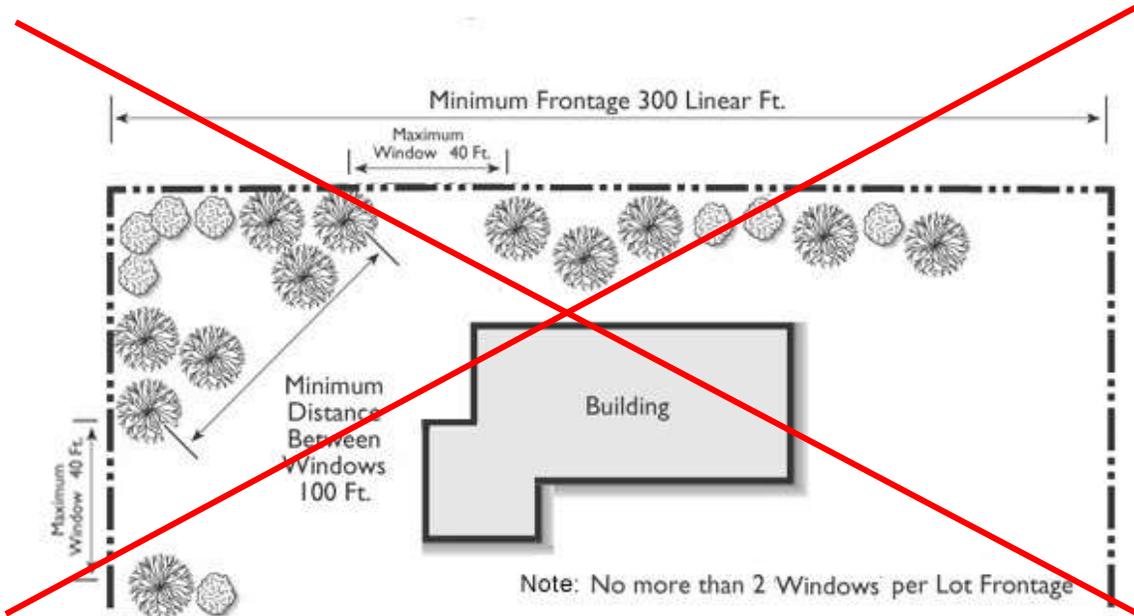
- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING  
(Updated 08/10/17)

1  
2

~~Figure 7.F.7.D – Clustering in R-O-W Buffer~~



3  
4  
5  
6  
7  
8  
9  
10  
11  
12

~~6. In the WCRAO, clustering is not permitted in conjunction with the R-O-W buffer in the NRM, NG, and NC Sub-areas. [Ord. 2006-004] [Relocated to Art. 3.B.14, Westgate Community Redevelopment Area Overlay]~~

~~E. Walls and Fences~~

~~Walls or fences shall be setback a minimum of ten feet from the edge of the ultimate R-O-W, unless waived or reduced by the County Engineer, provided there remains a minimum of five clear feet for planting, or if a wall with a continuous footer is used, a minimum of ten clear feet for planting. [Partially relocated to Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer: R-O-W - Setback for the Wall or Fence; and, Note 1]~~

13 ~~Section 8 – Compatibility Buffer~~

~~The minimum width of a compatibility buffer is five feet. Compatibility buffers shall provide a continuous solid opaque visual screen at least three feet in height composed of hedges or shrubs, either alone or in combination with a wall, fence or berm. Hedges and shrubs shall reach the required height within two years of installation. [Partially relocated to Art. 7.C.2.B.3, Width]~~

18 ~~Section 9 – Incompatibility Buffer~~

~~An incompatibility buffer shall be required between all incompatible use types located on adjacent parcels, or incompatible pods in a Planned Development. [Ord. 2009-040] [Ord. 2016-016]~~

~~A. Determining Incompatibility Buffer Type~~

~~Incompatibility buffers shall be one of the types listed in, Table 7.F.9.A, Required Incompatibility Buffer Types. The type of incompatibility buffer required shall be the most restrictive buffer type based on the use difference between adjacent uses. Where required between pods in a PDD, only one incompatibility Buffer shall be required. [Ord 2016-016] [Partially relocated to Art. 7.C.2.C.2, Types and Width of Incompatibility Buffers]~~

27

~~Table 7.F.9.A – Required Incompatibility Buffer Types~~

| <del>Difference Between Adjacent Uses (1)</del>  |                     |   |                                 |
|--|---------------------|---|---------------------------------|
| <del>Use Classification</del>  | <del>Abutting</del> | <del>Use Classification</del>                   | <del>Required Buffer Type</del> |
| <del>Single-Family Residential</del>   | <del>↔</del>        | <del>Multi-Family, Type II CLF Commercial</del> | <del>Type 1</del>               |
| <del>Residential</del>   | <del>↔</del>        | <del>Recreational</del>                         | <del>Type 2</del>               |
| <del>Residential</del>   | <del>↔</del>        | <del>Institutional, Public and Civic</del>      | <del>Type 2</del>               |
| <del>Residential</del>   | <del>↔</del>        | <del>Agricultural</del>                         | <del>Type 3</del>               |
| <del>Residential</del>   | <del>↔</del>        | <del>Industrial</del>                           | <del>Type 3</del>               |
| <del>Residential</del>   | <del>↔</del>        | <del>Utility (2)</del>                          | <del>Type 3</del>               |
| <del>[Ord. 2008-003] [Ord. 2016-016]</del>   |                     |   |                                 |
| <del>Notes:</del>  |                     |   |                                 |
| <del>1. Determination of use classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, use classification shall be based upon Future Land Use (FLU) designation.</del> |                     |   |                                 |
| <del>2. Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007]</del>   |                     |   |                                 |

28 ~~[Relocated to Table 7.C.2.C – Incompatibility Buffer Types]~~

Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~B. Incompatibility Buffer Standards~~

~~1. Landscape Requirements~~

~~An Incompatibility buffer shall consist of a continuous opaque landscape barrier in accordance with Table 7.F.9.B, Incompatibility Buffer Standards. The landscape barrier shall either be a hedge, fence or a wall. Berms may be used in conjunction with fences, walls or hedges to meet total height requirements where permitted by Art. 7.D.9, Berms. [Ord. 2009-040] [Ord. 2016-016] [Partially relocated to Art. 7.C.2.C, Incompatibility]~~

~~Table 7.F.9.B – Incompatibility Buffer Standards~~

| Buffer Type   | Minimum Width (in feet) | Minimum Landscape Barrier Height (in feet) (1) | Walls Required | Minimum Row of Shrubs | Maximum Tree Spacing (in feet, on center) |
|---|-------------------------|--|----------------|-----------------------|---|
| Type 1  | 10                      | 6  | No             | 2                     | 20  |
| Type 2  | 15                      | 6  | No             | 2                     | 20  |
| Type 3  | 20                      | 6  | Yes (2)        | 3                     | 20  |
| <del>[Ord. 2008-003] [Ord. 2009-040] [Ord. 2016-016]</del>  |                         |  |                |                       |   |
| <del>Note:</del>  |                         |  |                |                       |   |
| <del>1. Minimum required landscape barrier height shall be measured on the subject site from the nearest adjacent top of curb (parking lot), nearest adjacent crown of road, or nearest adjacent finished floor elevation.</del>  |                         |  |                |                       |   |
| <del>2. The wall requirement does not apply where a Type 3 Incompatibility Buffer is required in an AGR PUD in accordance with Art. 3.E.2.F.4.d, Landscape Buffer. [Ord. 2008-003] [Partially relocated to Table 7.C.2.C – Incompatibility buffer Landscape Requirements note #5]</del> |                         |  |                |                       |   |

~~2. Required Shrub Mix~~

- ~~a. Groundcover is not allowed to substitute for shrubs. [Ord. 2009-040]~~
- ~~b. Type 1 shall have a mix of small and medium shrubs to complete the required rows of shrubs. [Ord. 2009-040] [Ord. 2016-016]~~
- ~~c. Types 2 and 3 shall have a mix of small, medium and large shrubs to complete the required minimum rows of shrubs. [Ord. 2009-040] [Ord. 2016-016]~~
- ~~d. Refer to Table 7.F.7.B, Shrub Planting Requirements. [Ord. 2009-040] [Ord. 2016-016]~~

~~C. Berms~~

~~Landscape berms may be used in conjunction with shrubs, hedges, walls or fences to meet minimum visual screen height requirements.~~

~~Section 10 – Perimeter Buffers with Grade Changes~~

~~The height of a fence, wall or hedge may be increased when located in a perimeter buffer where a retaining wall is used, subject to the following: [Ord. 2016-016] [Relocated to Art. 7.D.5, Landscape Buffers with Grade Changes]~~

~~A. Grade Measurement~~

~~The difference in grade shall be determined by measuring the elevation of the retaining wall and the elevation of the abutting lot at the property line. [Ord. 2016-016] [Relocated to Art. 7.D.5.A, Grade Measurements]~~

~~B. Compatibility Buffer – Maximum Height Increase~~

~~1. Fences~~

~~The height of a fence located on a retaining wall in a Compatibility Buffer may be increased by the difference in grade up to a maximum of four feet, whichever is less, as illustrated in Figure 7.F.10, Height Requirements for Compatibility Buffers with Grade Changes Using Retaining Walls. The fence shall be of the minimum height necessary to comply with Florida Building Code requirements for guardrails. [Ord. 2016-016] [Relocated from Art. 7.D.5.B.1, Fences]~~

~~2. Hedges~~

~~Maximum permitted hedge height abutting a retaining wall may only be increased subject to the requirements of Art. 7.F.10.C, Incompatibility or R-O-W Buffer – Maximum Height. A guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to the height limitations for fences and walls. [Ord. 2016-016] [Relocated from Art. 7.D.5.B.2, Hedges]~~

(This space intentionally left blank)

Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

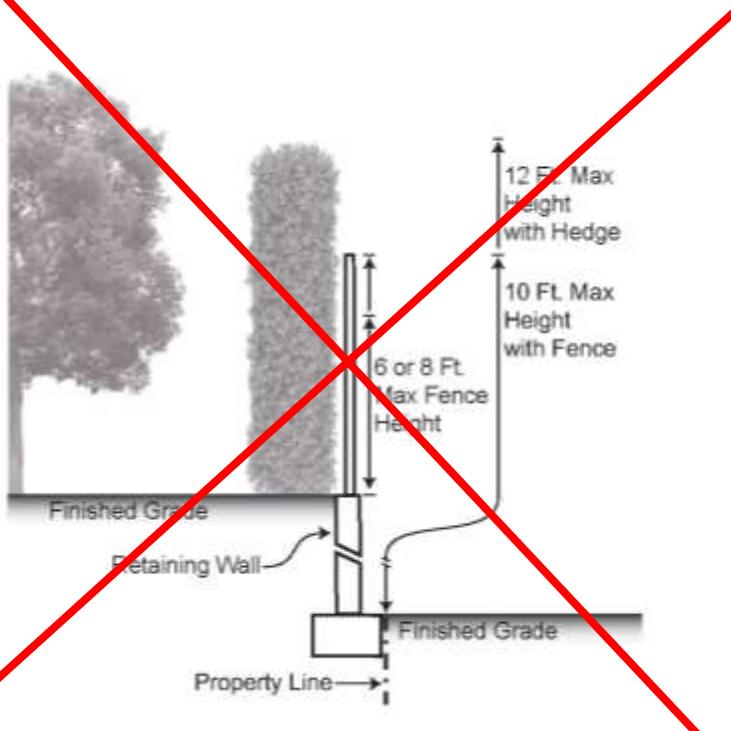
EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

Figure 7.F.10.B – Height Requirements for Compatibility Buffers With Grade Changes Using Retaining Walls



[Ord. 20016-016]

[Relocated to Figure 7.D.5.B - Height Requirement for Compatibility Buffers With Grade Changes Using Retaining Walls]

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

**C. Incompatibility or R-O-W Buffer – Maximum Height Increase**

*The height of a fence, wall or hedge located in an Incompatibility or R-O-W Buffer with a retaining wall may be increased by the difference in grade in accordance with Figure 7.F.10 Height Requirements for Incompatibility or R-O-W Buffers with Grade Changes Using Retaining Walls, and the following: [Ord. 2016-016]* [Relocated to Art. 7.D.5.C, Incompatibility or ROW Buffer – Maximum Height Increase]

**1. Fences and Walls**

*The height of a fence or wall located on a retaining wall setback a minimum of ten feet from the outer edge of the perimeter buffer may be increased by the difference in grade, up to a maximum overall height of 14 feet, whichever is less. The fence or wall shall be of the minimum height necessary to comply with Florida Building Code requirements for guardrails, or minimum required landscape barrier height. [Ord. 2016-016]* [Relocated to Art. 7.D.5.C.1, Fences and Walls]

**2. Hedges**

*The height of a hedge abutting a retaining wall setback a minimum of ten feet from the outer edge of the perimeter buffer may be increased by the difference in grade, up to a maximum height of 16 feet, whichever is less. A guardrail shall be installed on the retaining wall if required by Florida Building Code, subject to the height limitations for fences and walls. [Ord. 2016-016]* [Relocated to Art. 7.D.5.C.2, Hedge]

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

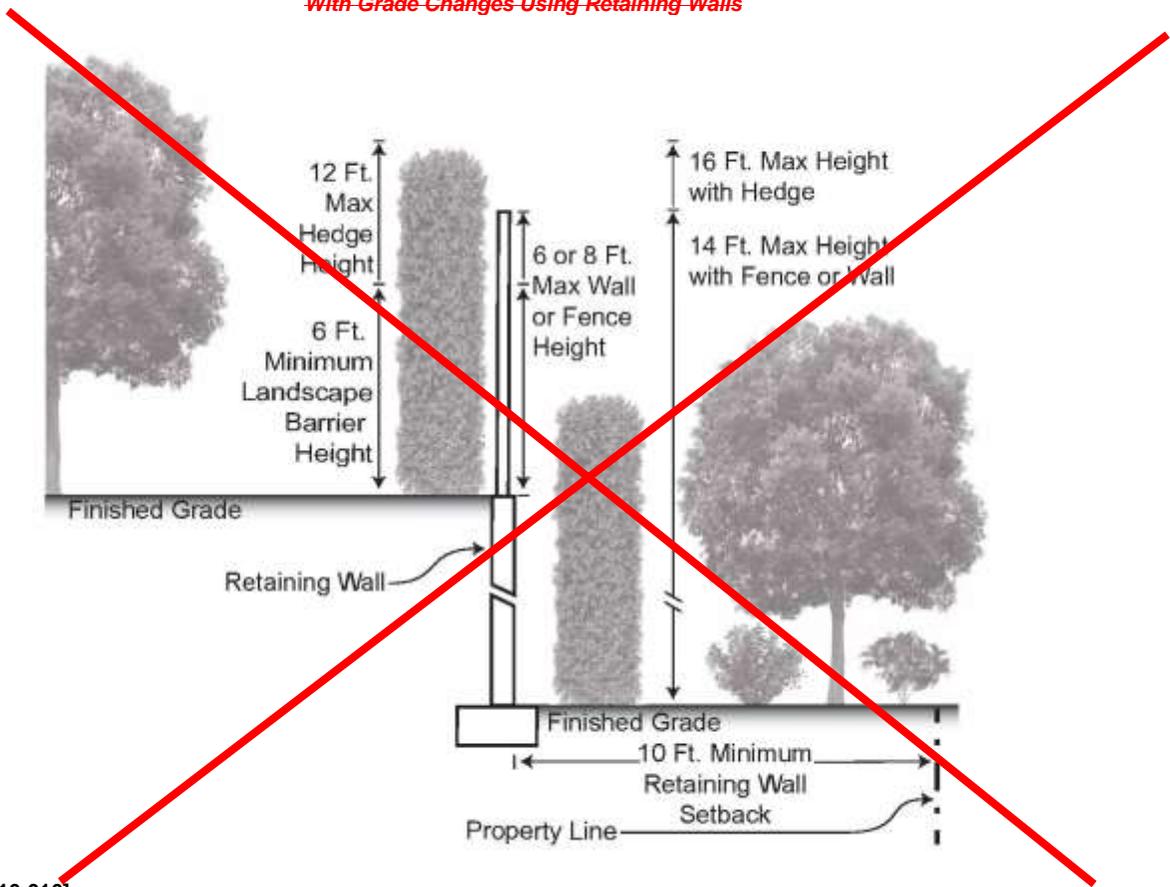
# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

*Figure 7.F.10.C – Height Requirement for Incompatibility or R-O-W Buffers With Grade Changes Using Retaining Walls*



[Ord. 2016-016]

2 [Relocated to Figure 7.D.5.C - Height Requirement for Incompatibility or R-O-W Buffers With Grade  
3 Changes Using Retaining Walls]

4

Reason for amendments: [Zoning]

1. ~~Relocate requirements under Art. 7.F.11 to Delete duplication provision as Art. 3.B.14.J, already establishes Landscape Deviations in~~ the Westgate Community Redevelopment Area Overlay.

5 ~~Section 11 – WCRAO Deviations~~

6 ~~Parcels located in the WCRAO may deviate from perimeter landscape requirements pursuant to Art.~~  
7 ~~3.B.14.J, WCRAO Landscape Deviations. [Ord. 2010-022] [Ord. 2016-016]~~

8 ~~Section 12 – Large Scale Commercial Development~~ [Relocated to Art. 7.C.7, Large Scale  
9 Commercial Development]

10 ~~A. – Perimeter Buffer~~

11 ~~In addition to the requirements of this Code, developments with single tenants 65,000 gross square~~  
12 ~~foot or more shall be subject to the following standards: [Ord. 2005 – 002] [Relocated to Art.~~  
13 ~~7.C.7.A, Perimeter Buffer]~~

14 ~~1. – R-O-W Buffers~~

15 ~~The width, berm and planting requirements along streets, thoroughfares and/or other means~~  
16 ~~of vehicular access shall be upgraded as follows: [Ord. 2005 – 002] [Relocated to Art.~~  
17 ~~7.C.7.A.1, R-O-W Buffers]~~

18 ~~a. – U/S Tier~~

19 ~~1) A minimum 25-foot wide buffer. [Ord. 2005 – 002] [Relocated to Art. 7.C.7.A.1.a.1),~~  
20 ~~related to U/S Tier]~~

21 ~~2) A three-foot high berm. [Ord. 2005 – 002] [Relocated to Art. 7.C.7.A.1.a.2), related~~  
22 ~~to U/S Tier]~~

23 ~~b. – Glades and Rural/Ex Tiers~~

24 ~~1) A minimum 50-foot wide buffer. If a lake/retention area is located along a R-O-W, the~~  
25 ~~buffer may be split to border the perimeter of the lake, 25 feet along the street and 25~~  
26 ~~feet along the interior side of the lake. [Ord. 2005 – 002] [Relocated to Art.~~  
27 ~~7.C.7.A.1.b.1), related to Glades and Rural/Ex Tiers]~~

Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 ~~2) Required trees, palms and shrubs shall be double the quantities required under Art.~~  
2 ~~7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.1.b.2),  
3 related to Glades and Rural/Ex Tiers]

### 2. ~~Compatibility Buffers~~

4 ~~The width, berm and planting requirements along property lines adjacent to compatible uses~~  
5 ~~shall be upgraded as follows: [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2, Compatibility  
6 Buffers]

#### a. ~~U/S Tier~~

7  
8  
9 ~~1) A minimum 25 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a,  
10 related to U/S Tier]

11 ~~2) A three foot high berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a, related to  
12 U/S Tier]

#### b. ~~Glades and Rural/Ex Tiers~~

13  
14 ~~1) A minimum 50 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.b.1),  
15 related to Glades and Rural/Exurban Tiers]

16 ~~2) Required trees, palms and shrubs shall be double the quantities required under Art.~~  
17 ~~7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.b.2),  
18 related to Glades and Rural/Exurban Tiers]

### 3. ~~Incompatibility Buffers~~

19 ~~The width, berm and planting requirements along property lines adjacent to residential and~~  
20 ~~other incompatible uses, and vacant properties with a residential FLU designation, shall be~~  
21 ~~upgraded as follows: [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3, , Incompatibility  
22 Buffers]

#### a. ~~U/S Tier~~

23  
24  
25 ~~1) A minimum 50 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3.a.1),  
26 related to U/S Tier]

27 ~~2) A four foot high berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a.2), related to  
28 U/S Tier]

29 ~~3) Required trees, palms and shrubs shall be double the quantities required under Art.~~  
30 ~~7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a.3),  
31 related to U/S Tier]

#### b. ~~Glades and Rural/Ex Tiers~~

32  
33 ~~1) A minimum 50 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3.b.1),  
34 related to Glades and Rural/Exurban Tiers]

35 ~~2) Required trees, palms and shrubs shall be double the quantities required under Art.~~  
36 ~~7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3.b.2),  
37 related to Glades and Rural/Exurban Tiers]

### 4. ~~Encroachment~~

38  
39 ~~No easement encroachment shall be permitted in required perimeter buffers, except for~~  
40 ~~bisecting utility easements and required safe sight distance easements not to exceed a~~  
41 ~~maximum of fifty percent of the required buffer width. [Ord. 2005-002]~~ [Relocated to Art.  
42 7.C.7.C, Encroachment]

### 5. ~~Perimeter Sidewalk~~

43  
44 ~~A perimeter sidewalk a minimum of shall be required in all R-O-W buffers 50 feet in width, and~~  
45 ~~shall meander through the buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.D, Perimeter  
46 Sidewalk]

### 6. ~~Berm~~

47  
48 ~~Berms shall be staggered, rolling or offset, as indicated in Figure 7.F.11.A, Typical Example of~~  
49 ~~Staggered, Rolling or Offset Berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.E, Berm]

50  
51  
52  
53  
54  
55 (This space intentionally left blank)  
56

#### Notes:

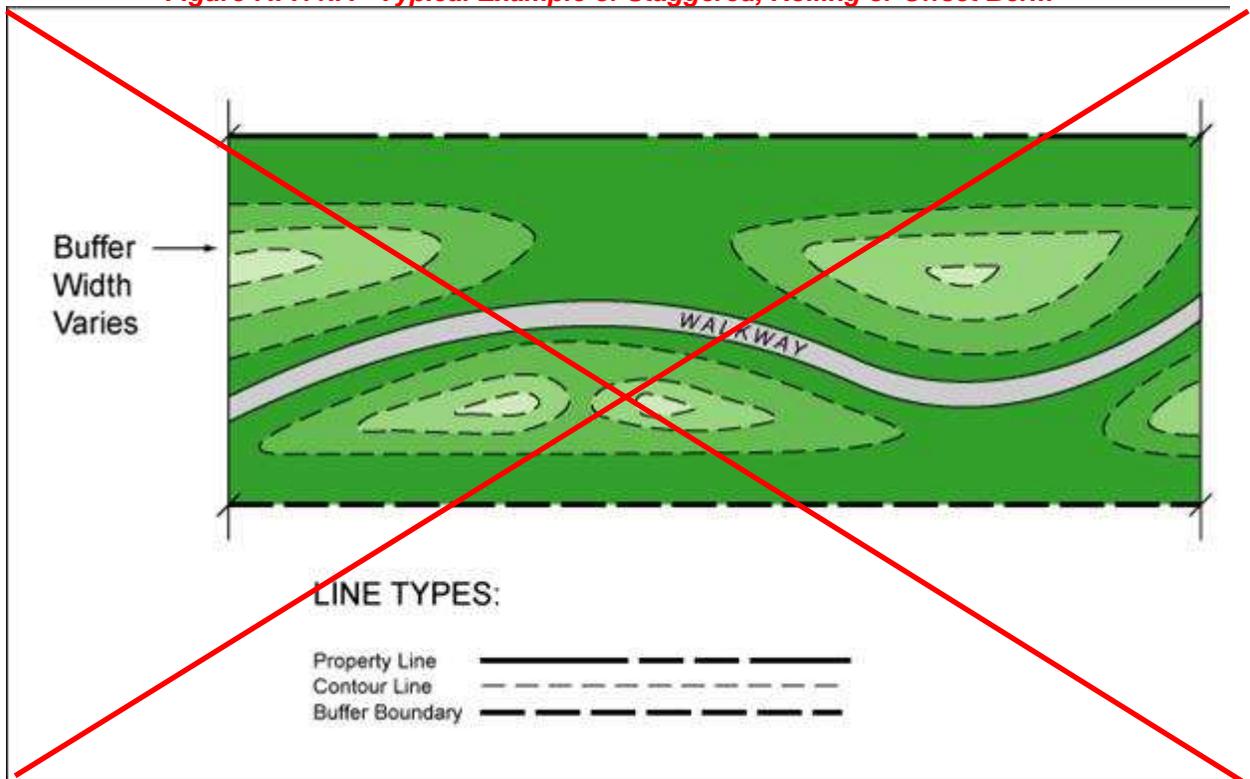
- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Figure 7.F.11.A – Typical Example of Staggered, Rolling or Offset Berm~~



~~[Ord. 2005-002]~~

1 **CHAPTER G — OFF-STREET PARKING REQUIREMENTS**

2 ~~Off-street parking and interior vehicular use areas shall be subject to the following landscaping~~  
3 ~~requirements. Planting within perimeter buffers required by Article 7.F, PERIMETER BUFFER~~  
4 ~~LANDSCAPE REQUIREMENTS, shall not be used to satisfy these requirements. [Partially relocated to~~  
5 ~~Art. 7.C.4, Landscaping Requirements for Off-Street Parking]~~

6 **Section 1 — Trees**

7 ~~A minimum of 75 percent of all trees required in the interior of vehicular use areas shall be canopy trees.~~  
8 ~~Palms may count as one required tree, not to exceed 25 percent of the total required trees. [Relocated to~~  
9 ~~Art. 7.C.4, Landscape Island and Divider Median – Planting and Dimensional Requirements]~~

10 **Section 2 — Landscape Islands**

11 **A. — Terminal Islands**

12 ~~Each row of parking spaces in excess of three spaces, or four spaces in industrial zoning districts,~~  
13 ~~shall be terminated by a landscape island. Terminal islands shall have a minimum length of 15 feet~~  
14 ~~and include a minimum of one tree per island. The minimum width of terminal islands, exclusive of~~  
15 ~~sidewalks or utilities, shall be subject to the standards in Figure 7.G.2.A, Terminal and Interior~~  
16 ~~Landscape Islands. For non-residential planned development, terminal islands facing major~~  
17 ~~internal driveways shall be landscaped on both sides with a minimum two foot high continuous~~  
18 ~~opaque hedge for a minimum of 60 percent of the island length. Terminal islands shall not overlap~~  
19 ~~perimeter or other required buffers.~~

20  
21  
22  
23

(This space intentionally left blank)

**Notes:**

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

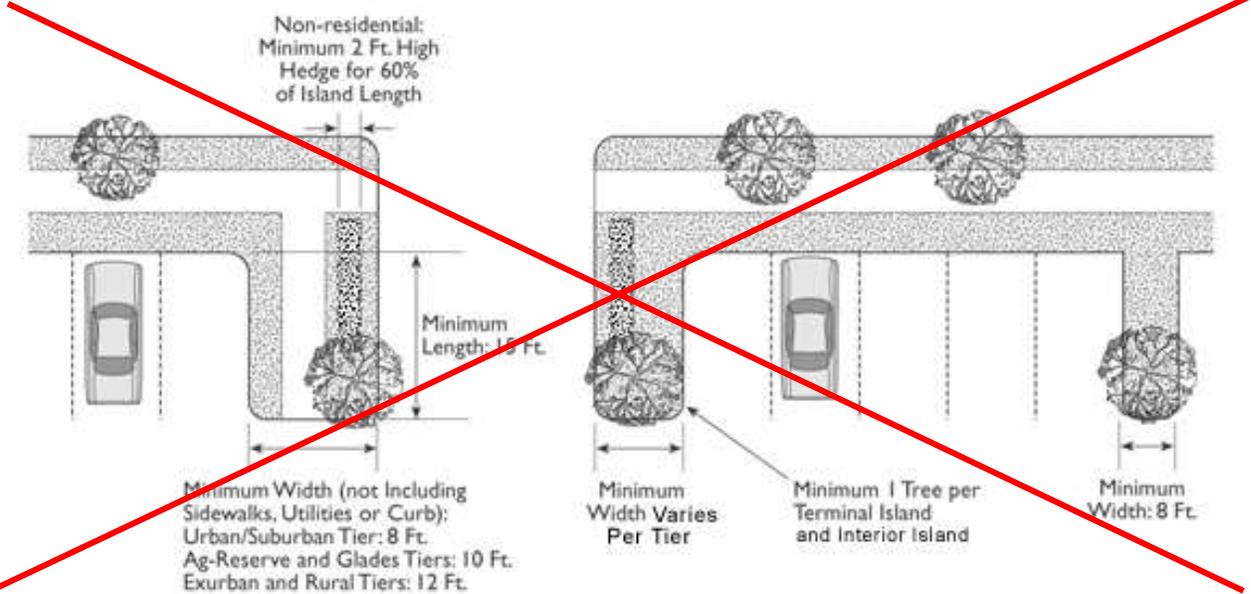
EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

~~Figure 7.C.2.A – Terminal and Interior Landscape Islands~~



2 [Relocated to Figure 7.C.4, Landscape Islands]

3 ~~B. Interior Islands~~

4 Interior landscape islands shall have a minimum length of 15 feet and a minimum width of eight  
5 feet landscape area. If an interior island includes a sidewalk or utilities, the minimum width shall  
6 increase by the minimum amount necessary to meet the needs of the utility providers or sidewalk.  
7 Interior islands shall contain one tree and appropriate ground coverage.

8 ~~1. Maximum Spacing~~

9 ~~a. U/S Tier~~

10 ~~One per ten spaces (maximum 100 feet apart).~~ [Relocated to Art. 7.C.4.A.1.a, U/S Tier]

11 ~~b. AGR and Glades Tiers~~

12 ~~One per eight spaces (maximum 80 feet apart).~~ [Relocated to Art. 7.C.4.A.1.b, AGR and  
13 Glades Tiers]

14 ~~c. Rural and Exurban Tiers~~

15 ~~One per six spaces (maximum 60 feet apart).~~ [Relocated from Art. 7.C.4.A.1.c, Rural  
16 and Exurban Tiers]

17 C. Divider Median

18 ~~Divider medians with a minimum width of eight feet shall be required for parking lots with at least~~  
19 ~~two or more vehicular parking aisles in the U/S, AGR, and Glades Tiers. Divider medians shall be~~  
20 ~~installed between every third row of parking and between all parking/vehicular use areas. Divider~~  
21 ~~medians shall contain a minimum of one canopy tree for every 30 linear feet with a maximum~~  
22 ~~spacing of 30 feet on center, shrubs with a minimum height of three feet and a maximum spacing~~  
23 ~~of 30 inches, and appropriate ground coverage.~~

24

25

26

27

28

(This space intentionally left blank)

Notes:

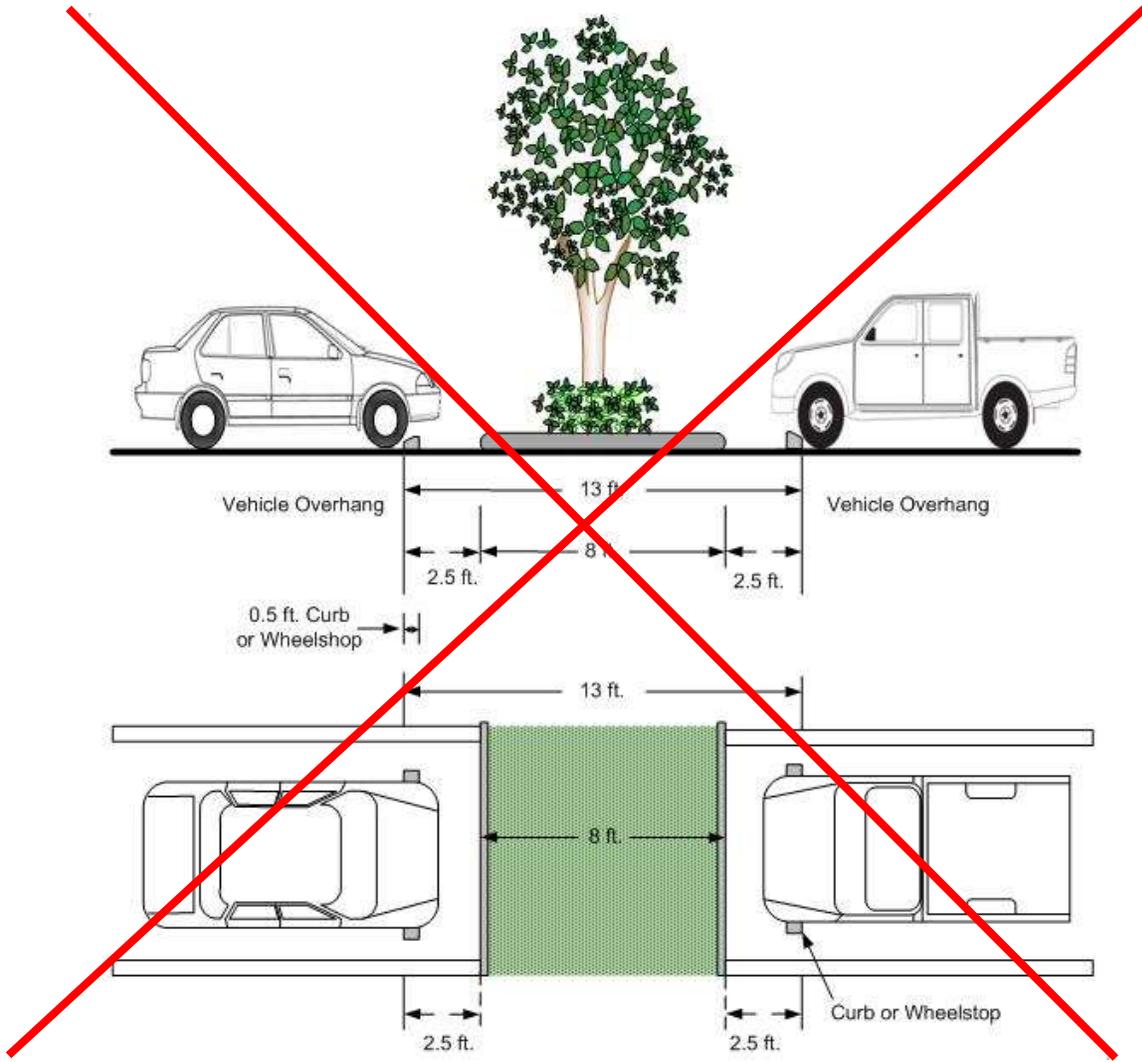
- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Figure 7.G.2.C – Divider Median Requirements~~



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

~~[Ord. 2015-031]~~  
**[Relocated to Figure 7.C.4.B – Divider Median Requirements]**

(This space intentionally left blank)

Notes:

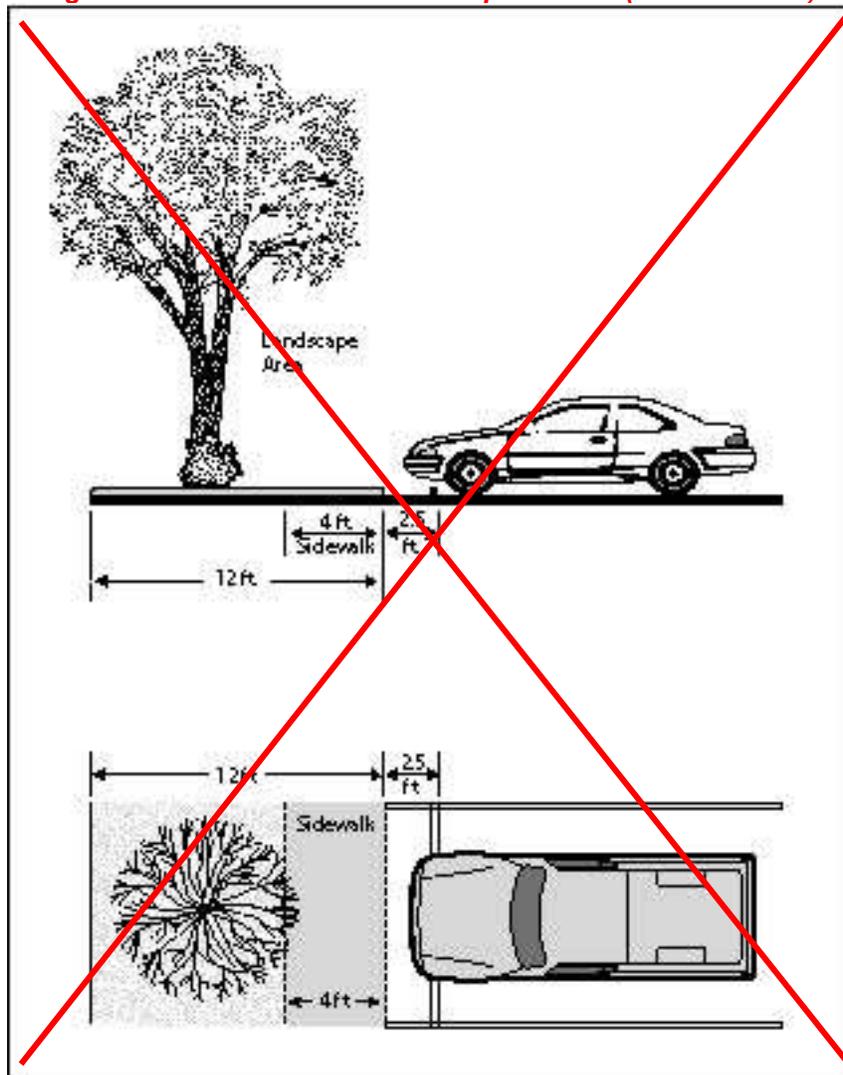
- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~Figure 7.G.2.C – Divider Median Requirements (with Sidewalk)~~



[Partially relocated to Figure 7.C.4.B – Divider Median Requirements (with sidewalk)]

~~D. Landscape Diamonds~~

~~Landscape diamonds containing one tree and appropriate ground cover may be distributed throughout the interior of an off-street parking area as an alternative to median islands. Grade-level tree planting areas shall be located only at the common intersection of four parking spaces and spaced a maximum of four parking spaces apart. The minimum tree planting area shall be 25 square feet with minimum dimension of five feet by five feet. [Relocated to Art. 7.C.4.C, Landscape Diamond Detail]~~

(This space intentionally left blank)

Notes:

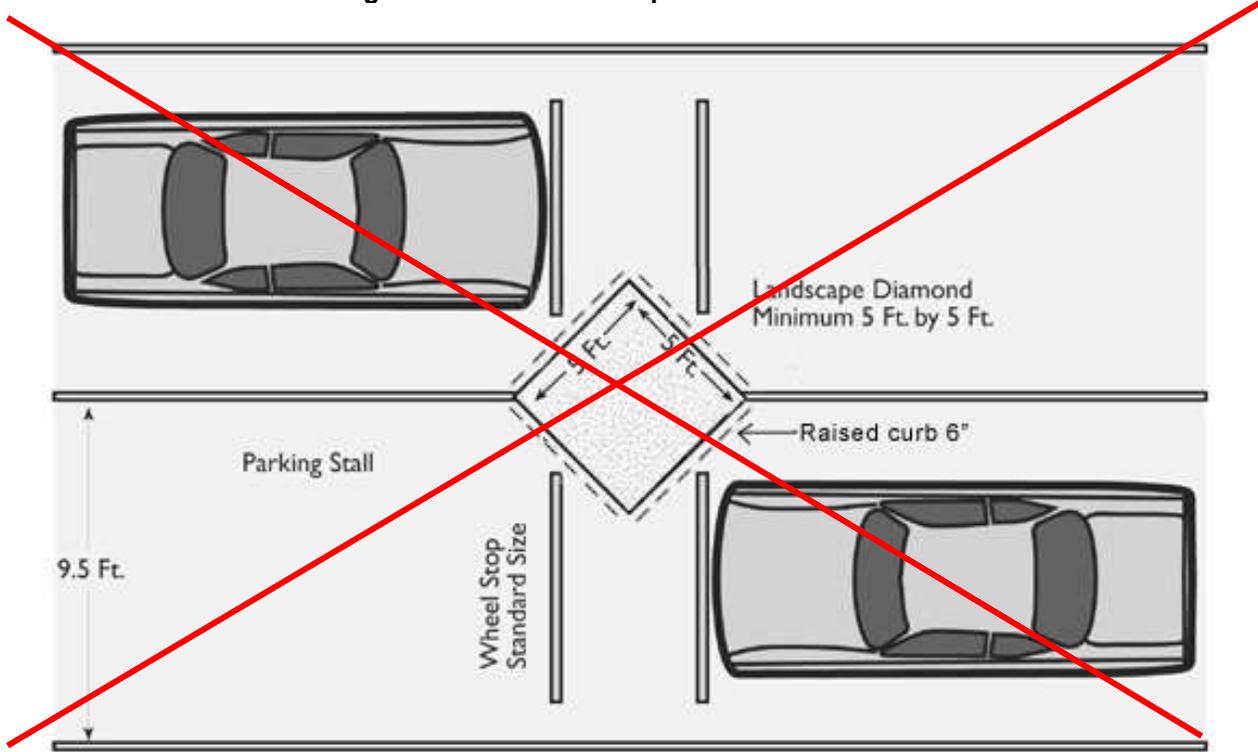
- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Figure 7.G.2.D - Landscape Diamond Detail



A raised curb is required around the entire landscape diamond when wheel stops are not used

1 [Partially relocated to Figure 7.C.4.C – Landscape Diamond Detail]

2 **~~E. Landscape Protection Measures~~**

3 ~~The landscape area adjacent to any off-street parking space or vehicular use area shall be~~  
4 ~~protected from vehicular encroachment by the use of wheel stops or continuous concrete curbing.~~  
5 ~~Alternative protection may be allowed in the AGR, Exurban, Glades and Rural Tiers by the Zoning~~  
6 ~~Division. [Partially relocated to Art. 7.C.4.E, Landscape Protection Measures]~~

7 **~~1. Curbing~~**

8 ~~All landscape areas subject to vehicular encroachment shall be separated from vehicular use~~  
9 ~~areas by six-inch, non-mountable, FDOT-type “D” or FDOT-type “F”, concrete curbing. Curbing~~  
10 ~~shall be machine-laid, formed-in-place or integrally installed with the pavement. Landscaped~~  
11 ~~areas adjacent to vehicular use areas shall be surrounded with a continuous raised curb. [Ord.~~  
12 ~~2010-022] [Relocated to Art. 7.C.4.E.1, Curbing]~~

13 **~~a. Exemptions~~**

- 14 1) ~~Divider medians that abut parking spaces with wheel stops; or, [Ord. 2010-~~  
15 ~~022] [Relocated to Art. 7.C.4.E.1.a.1), related to Curbing Exemptions]~~  
16 2) ~~Properties located in the AGR, AP, or AR zoning districts that support bona fide~~  
17 ~~agricultural uses. [Ord. 2010-022] [Relocated to Art. 7.C.4.E.1.a.2), related to~~  
18 ~~Curbing Exemptions]~~

19 **~~b. Alternative~~**

- 20 1) ~~For properties located in the PO zoning district, alternative landscape protection~~  
21 ~~measures may be allowed when it can be demonstrated to the Zoning Director that the~~  
22 ~~curbing will interfere with the traffic circulation of the proposed use. [Ord. 2010-022]~~  
23 ~~[Relocated to Art. 7.C.4.E.3, Alternative Landscape Protection]~~

24 ~~c. Properties located in the AGR, AP, AR, and PO zoning districts. [Partially relocated to~~  
25 ~~Art. 7.C.4.E.2.a and b, related to Alternative to Curbing]~~

26 ~~d. Alternative landscape protection measures approved by the Zoning Division.~~

27 **~~2. Wheel Stops~~**

28 ~~Wheel stops shall have a minimum height of six inches above the finished grade of the parking~~  
29 ~~area, properly anchored, and continuously maintained in good condition. The space between~~  
30 ~~the wheel stop and the front end of the parking space may be paved for anchoring and~~  
31 ~~maintenance purposes. Wheel stop anchor rods shall be set through the wheelstop and the~~  
32 ~~pavement. The bottom of the wheel stop must rest fully on the pavement to prevent rocking.~~  
33 ~~Public parks in the PO District that are exempt from curbing requirements shall also be exempt~~  
34 ~~from wheel stop requirements. [Ord. 2006-004] [Relocated from Art. 7.C.4.E.4, Wheel~~  
35 ~~Stops]~~

36 **~~F. Parking Structures~~**

37 ~~Perimeter planters shall be provided along the exterior of parking structures located within 500 feet~~  
38 ~~of a public R-O-W or residential zoning district. Planters shall provide a total of one-half square foot~~

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~of planting area for each linear foot of facade per parking level. Planting areas may be arranged in linear fashion or clustered at intervals or on levels, and shall be provided with permanent irrigation to permit watering of plant materials. The perimeter planter requirement may be altered if in conflict with the architectural character of the structure, subject to approval of an ALP. [Relocated to Art. 7.C.4.F, Parking Structures]~~

Part 7. ULDC Art. 7.H, ENFORCEMENT (page 46-47 of 49), are hereby amended as follows:

| Reason for amendments: [Zoning]  |
|--|
| 1. Relocate Chapter H to the new Chapter G. 2) Relocate Art.H.2, Administration to the new Chapter B, which contains all the approval processes. |
| 2. Increase the violation fees from triple to quadruple the amount to be consistent with the Building permit Violation fees.                     |
| 3. Add reference to the Tree Credit and Replacement Table and Landscape Standards that can be found in Chapters D and E.                         |

### CHAPTER ~~H~~ ENFORCEMENT

#### Section 1 Temporary Suspension of Landscape Standards

The Executive Director of PZB may temporarily suspend the standards of this Article and establish timeframes and guidelines to replace destroyed or damaged landscape material through a Departmental PPM in the following situations: a hurricane; a freeze resulting in unavailability of landscape materials; a period of drought resulting in restrictions on water usage imposed by a governmental authority; or a similar event. [Ord. 2005-041]

##### A. Performance Surety

If the landscape standards of this Article are suspended pursuant to this Article, the property owner may enter into an agreement with PBC to allow issuance of the permit or CO or Certificate of Completion provided the property owner includes as part of this agreement adequate guarantee or surety that the terms of this Article will be met after the suspension period has been lifted. The guarantee shall consist of a performance bond or other surety agreement approved by the County Attorney in an amount equal to 110 percent of the direct costs of materials and labor and other costs incidental to the installation of the required landscaping completion agreement. Performance bonds or other guarantees required pursuant to this subsection shall name PBC as a beneficiary and specify the time-frame for the completion of the landscape standards of this Article. [Ord. 2005-041]

##### B. Application Requirements

An application for a temporary suspension of landscape standards shall be accompanied by a landscape plan identifying the plantings that have been postponed, the proposed planting schedule, and the costs of the suspended planting. Planting cost estimates may be independently verified by PBC.

#### ~~Section 2 Administration~~

##### ~~A. Landscape Permit~~

~~Landscape Plan applications for review shall be submitted in compliance with the provisions of this Chapter. When all requirements are satisfied, the appropriate staff shall issue a Landscape Permit that shall reference the approved Landscape Plan associated with the permit in addition to any necessary inspections, conditions and maintenance obligations. The Permit shall be maintained on-site until the final landscape inspection is signed off by the PBC Inspector. A copy of the landscape permit shall be maintained in the associated official Building Permit record, as well as the Zoning Division file. [Ord. 2009-040] [Partially relocated to Art. 7.B.3.B, Review of Landscape Plans and Art. 7.B.3.C, Issuance of Landscape Plans]~~

##### ~~B. Field Inspections~~

~~Unless otherwise provided in this Article, all development subject to this Article may be inspected by PZB prior to and after installation of required landscaping. Required landscaping shall be approved by PZB prior to the issuance of a paving permit, CO, or Certificate of Completion, whichever occurs first. Partially relocated to Art. 7.B.3.D, Landscape Inspections]~~

##### ~~1. Types of Landscape Inspection~~

~~a. Preliminary Inspection — required to verify existing grades, vegetation and necessary site preparation has been completed prior to any plant material being installed on the site to comply with the Landscape Permit; [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,a, related to Types of Landscape Inspection]~~

~~b. Final Inspection — required as part of the typical building permit process to ensure landscape material, irrigation and conditions of approval on a development order are in compliance prior to final sign off that the landscape is completed and installed in~~

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

~~accordance to the Landscape Permit. [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,b, related to Types of Landscape Inspection]~~

~~c. Annual Inspection scheduled on the one-year anniversary date from the date of the Final Inspection noted on the Landscape Permit. Inspection shall be performed to ensure all landscape and irrigation continually complies with the Landscape Permit. If material or irrigation is missing, dead or damaged the property owner shall be provided with a Notice to Correct, pursuant to Article 10, ENFORCEMENT. [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,c, related to Types of Landscape Inspection]~~

~~d. Monitoring Inspection performed to respond to complaint of missing or damaged plant material or changes to the landscape not approved in accordance with the Landscape Permit. [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,d, related to Types of Landscape Inspection]~~

### ~~C. Certification of Compliance~~

~~In addition to Final Inspection and certification by PZB, the land owner shall submit a Certificate of Compliance, in a form approved by the Zoning Director, to the County Landscape Section as a condition of issuance of a CO or Certificate of Completion. This certificate shall be prepared and signed by a landscape architect licensed by the State of Florida and demonstrate that all of the provisions of this Article have been met. The certification statement, included in Art. 7, LANDSCAPING, as Appendix C, Certification of Compliance, shall be made part of the documentation in the official building permit file. [Ord. 2009-040] [Partially relocated to Art. 7.B.3.E, Certification of Compliance]~~

#### ~~1. Field Verification of Certification~~

~~PZB may elect to conduct a field inspection to verify the Certificate of Compliance. [Relocated to Art. 7.B.3.E.1, Field Verification of Certification]~~

#### ~~2. Acceptance of Certification~~

~~If no field verification is conducted by PZB within 30 days, the Certificate of Compliance shall be deemed to have been accepted provided it is complete with all the required information. Upon acceptance, the Certificate of Compliance shall be filed and maintained with the official records of the development. [Relocated to Art. 7.B.3.E.2, Acceptance Certification]~~

### Section 32 Enforcement

Failure to install or maintain landscaping according to the terms of this Article or any approved plan or permit shall constitute a violation of this Article. PZB may issue a Cease and Desist Order or withhold a CO or Certification of Completion until the provisions of this Article have been met. In the alternative, PZB may refer any violation of this Article to Code Enforcement for corrective action or penalties set forth in Article 10, Enforcement.

#### A. Fines

Violations of the provisions of this Section shall be subject to the following fines or requirements:

- Such fines, site improvements and replacement landscaping as may be required by Article 10, Code Enforcement, or the PBC Code Enforcement Citation Ordinance. [Ord. 2005 – 002]
- Such fines and imprisonment as provided for in F.S. §125.69; or
- A ~~triple~~ quadruple permit fee for removal of trees without a valid tree removal and replacement permit.

#### B. Violations

The following deficiencies shall be considered a separate and continuing violation of this Article:

- Each tree or shrub that is not properly installed or properly maintained on site as required by this Section;
- Each day in which landscaping is not properly installed or properly maintained on site as required by this Section or by the order of the Special Magistrate; and
- Each tree removed without a permit.

#### C. Additional Sanctions

PBC may take any appropriate legal action, including, but not limited to requiring replacement of landscape material which has been hatracked, damaged and rendered unable to achieve its natural and intended form, administrative action, requests for temporary and permanent injunctions, and other sanctions to enforce the provisions of this Section. [Ord. 2005-002]

##### 1. Replacement of Landscaping

- Canopy trees shall be replaced pursuant to Art. 7.E.3.C, Tree Credit and Replacement.
- Any other landscape materials shall be replaced pursuant to Art. 7.D, Landscape Standards.

(This space intentionally left blank)

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

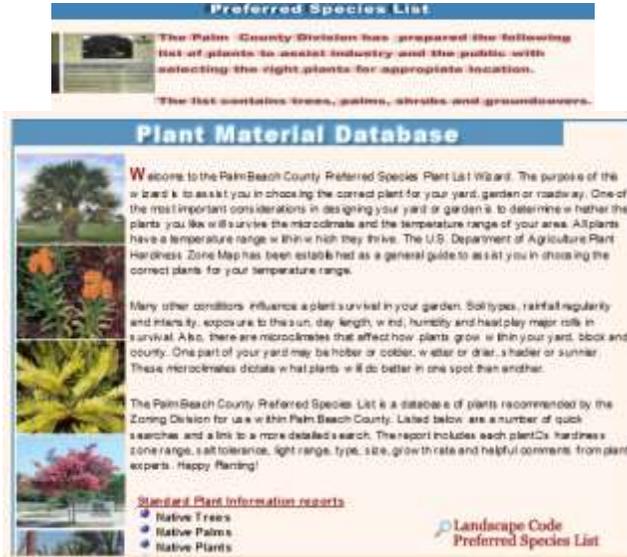
## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1

### APPENDIX A – PBCS Preferred Species List, as amended

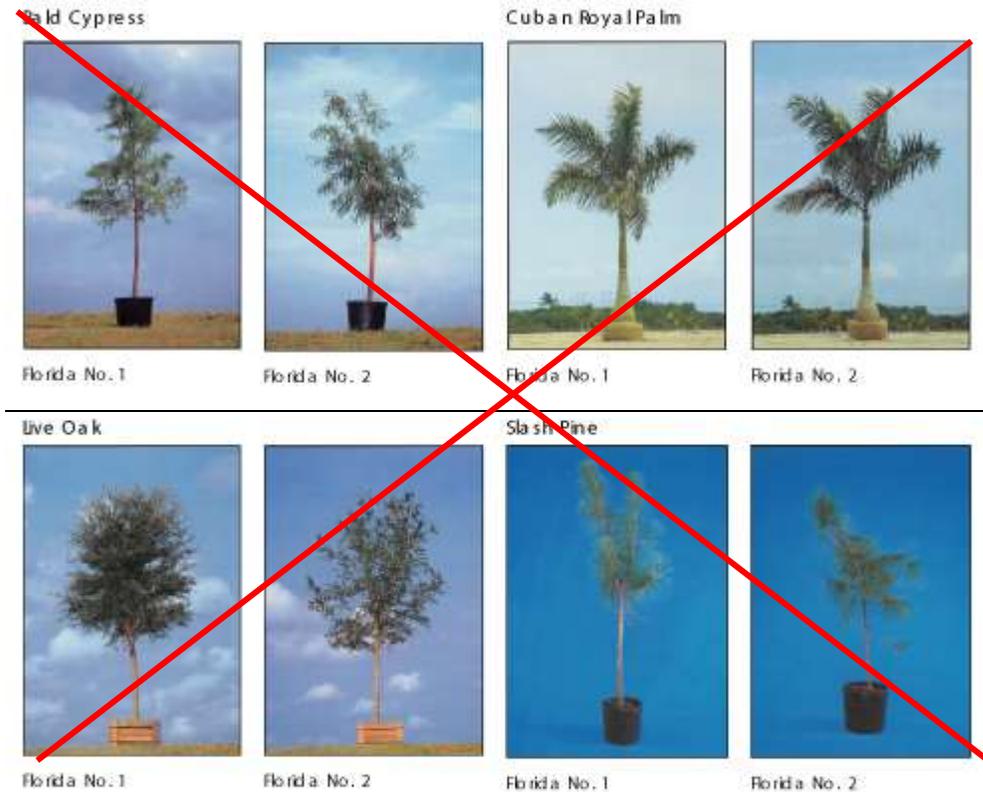
PBCs Preferred Species List available at PZB Zoning Division or on-line at PBC PZB Web Page at: [http://www.pbcgov.com/epzbcommon/asp\\_html/epzbgateway.aspx?ReferrerID=einfo&FROM=EZ&TargetMenuItem=Plant%20Material%20Database](http://www.pbcgov.com/epzbcommon/asp_html/epzbgateway.aspx?ReferrerID=einfo&FROM=EZ&TargetMenuItem=Plant%20Material%20Database)



### APPENDIX B – Examples of Florida Number 1 Quality Plants

The following two pages include photographic examples of Florida Number 1 and Florida Number 2 for selected plant types from the 1998 Edition of the "Grades and Standards for Nursery Plants, Parts I and II", prepared by the State of Florida Department of Agriculture and Consumer Services. Plants installed pursuant to this Section shall conform to or exceed the minimum standards for Florida Number 1.

~~Figure 7.A.1.N – Examples of Florida's Quality Plants~~



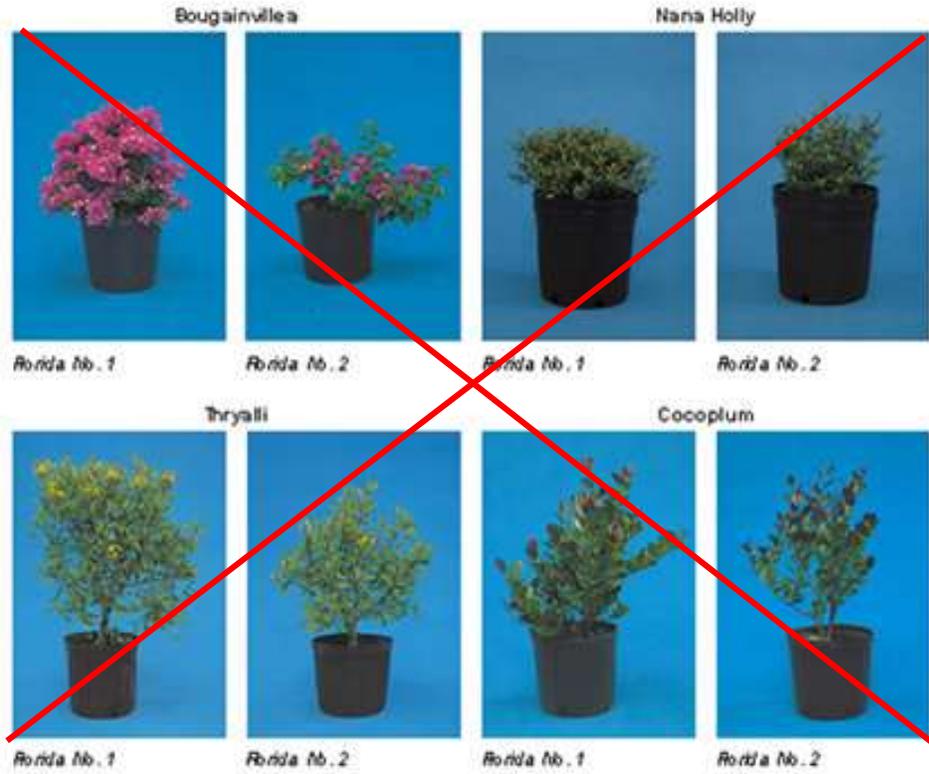
**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)



1

Appendix ~~CB~~ – Certification of Compliance

The following certification statement must appear on the Certification of Compliance required by Art. ~~7.3.H.2.B~~ 7.B.3.E, Certification of Compliance.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

I HEREBY NOTIFY THE PALM BEACH COUNTY DEPARTMENT OF PLANNING, ZONING, AND BUILDING OF THE COMPLETION OF THE INSTALLATION OF LANDSCAPING FOR THE REFERENCED PROJECT AND CERTIFY THAT THE INSTALLATION OF PLANT MATERIAL AND IRRIGATION COVERAGE ARE IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS PERMITTED BY THE COUNTY. (A COPY OF THE APPROVED PROJECT DRAWINGS IS ATTACHED, WITH DEVIATIONS, IF APPLICABLE). SEAL, THIS DAY OF \_\_\_\_\_, 20\_\_.

Signature and seal: \_\_\_\_\_ Date: \_\_\_\_\_

24

25

26

Name: \_\_\_\_\_

Registration Number: \_\_\_\_\_

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1  
2 Part 8. ULDC Art. 1.1.2, (page 56, 77 and 85 of 110), is hereby amended as follows:  
3

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]   |
| 1. Clarify front facades for the purposes of applying architectural features and treatments per Article 5.C Design Guidelines, and Art. 7.C.3.B, Foundation Planting. The main entrance of a building may not be located on the same facade where the building fronts on a street. |
| 2. Art. 7.C, Interior Landscaping has been amended to allow calculation of planting based on pervious surface, this is in addition of the landscape buffers, foundation planting and landscape islands.  |

4  
5 **CHAPTER I DEFINITIONS & ACRONYMS**

6 **Section 2 Definitions**

7  
8 F. Terms defined herein or referenced Article shall have the following meanings:  
9

10 **52. Front Facade –**

- 11 a. For the purposes of Art. 3, the wall of a building parallel with and facing a frontage line.  
12 b. For the purposes of Art. 5.C, Design Guidelines and Art. 7.C.3.B, Foundation Planting, the  
13 main pedestrian entrance of a building or structure shall be designated as the front façade.

14  
15 P. Terms defined herein or referenced Article shall have the following meanings:  
16

17 **36. Pervious Surface –**

- 18 a. ground cover through which water can penetrate at a rate comparable to that of water  
19 through undisturbed soils.  
20 b. For the purposes of Art. 7, Landscaping, pervious surface, the area that can be utilized for  
21 planting only, which includes any open space that is not occupied by a structure, or paved  
22 with a pervious or impervious surface.

23  
24 S. Terms defined herein or referenced Article shall have the following meanings:  
25

- 26 1. **Safe Sight Triangle** - an area within a property that abuts driveway at connection to a street.  
27 This area is typically to protect lines of sight for vehicles exiting private property and entering  
28 into a right-of-way.

29 **[Renumber accordingly]**

30  
31 Part 9. ULDC Art. 2.D.1.G.2.c.3.), Administrative Process (page 41 of 87), is hereby amended as  
32 follows:  
33

|  |
|--|
| <b>Reason for amendments:</b> [Zoning]                           |
| 1. Replace terminal and interior islands with Landscape islands. |

34 **CHAPTER D ADMINISTRATIVE PROCESS**

35 **Section 1 Development Review Officer (DRO)**

36 **G. Modifications to Prior Development Orders**

37 **2. Administrative Modifications**

38 **c. Zoning Review**

- 39  
40 3) Relocation of ~~terminal landscape~~ islands to accommodate trees or utility lines; **[Ord.**  
41 **2008-003]**  
42  
43

44  
45  
46 (This space intentionally left blank)

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Part 10. ULDC Art. 3.B, OVERLAYS (page 85 of 216), is hereby amended as follows:

|   |
|---|
| <b>Reason for amendments:</b> [Zoning]  |
| 1. Replace terminal and interior islands with Landscape islands for all the Overlays. |
| 2. Add Safe sight triangle to the WCRAO.  |
| 3. Relocate landscaping modifications from Art. 7, Landscaping to Art.3.B.14, WCRAO.  |

### CHAPTER B OVERLAYS

....

#### Section 4 GAO, Glades Area Overlay

....

##### F. Planned Industrial Park Development (PIPD)

###### 1. Development Standard Exceptions

###### f. Landscaping in Industrial Pods

###### 1) Foundation Planting

Industrial buildings visible from a public street or residential zoning district may be exempt from the foundation planting requirements of Art. 7. ~~D.11~~ C.3.B, Foundation Plantings if the adjacent perimeter ROW or incompatibility buffer is increased in width by eight feet and the foundation planting requirements are relocated to the buffer. For those parcels that use this exemption, only that portion of the building facade with the main public and employee entrances, and extending along the facade a minimum of 100 feet in each direction from each entrance, including around corners unless interfering with a loading area/space/dock/bay, are subject to the provisions. If the distance between foundation planting treatments is less than 10 percent of the overall length of the building facade, the treatment shall be extended. If the Architectural Review exemption in Art. 3.B.4.F.1.d, Architectural Review is utilized, the additional buffer width and planting is not required to utilize the Foundation Planting exemption.

[Ord. 2014-025]

###### 2) Interior Landscaping Exceptions

b) Interior Vehicular Use Areas not used for parking of passenger vehicles are not required to provide ~~terminal or interior~~ landscape islands. [Ord. 2014-025]

#### Section 14 WCRAO, Westgate Community Redevelopment Area Overlay

....

##### F. Property Development Regulations (PDRs)

###### 2. Build to Line and Frontages

###### a. Build to Line

The build to line may be adjusted by the DRO , or at Building Permit review for projects Permitted by Right, to accommodate requirements such as, increased R-O-W buffers due to location of existing utility easements, or required safe sight triangle or corner clips. The first three floors of all main structures, excluding parking garages, shall be constructed at the build to line, unless specified otherwise. An additional ten or 12 foot setback is permitted where a gallery is used in lieu of an arcade. Up to 25 percent of the building frontage or footprint that is required to be on the build to line may be either setback or projected beyond the build to line to accommodate requirements for balconies, stoops, porches, or other architectural features designed to enhance the pedestrian streetscape environment, provided that ground floor improvements do not conflict with the placement of street trees. Recesses and projections of the building façade up to a maximum of three feet shall be permitted. Maximum encroachments for balconies, and entryways shall comply with Table 3.B.14.G – WCRAO Supplementary Standards by Sub-Area. [Ord. 2006-004] [Ord. 2011-001]

....

(This space intentionally left blank)

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- .... A series of four bolded ellipses indicates language omitted to save space.

**EXHIBIT D**

**ARTICLE 7, LANDSCAPING**

(Updated 08/10/17)

**G. Supplementary Standards**

In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO Supplementary Standards by Sub-Area, the following shall apply: **[Ord. 2006-004]**

**Table 3.B.14.G - WCRAO Supplementary Standards by Sub-Area**

| Sub-areas   | NR | NRM | NG  | NC  | UG | UH | UI |
|---|----|-----|-----|-----|----|----|----|
| ....  |    |     |     |     |    |    |    |
| <b>Landscaping:</b>   |    |     |     |     |    |    |    |
| See <u>Article 7, Art.3.B.14.J, WCRAO Landscaping Modifications</u> <del>Landscaping for provisions</del> allowing for reduction in Perimeter and foundation planting requirements. |    |     |     |     |    |    |    |
| <b>Min. Pervious Surface Area</b>   | -  | 20% | 20% | 20% | -  | -  | -  |
| ....  |    |     |     |     |    |    |    |

**J. WCRAO Landscape ~~Deviations~~ Modifications**

**1. Foundation Planting**

**b. Foundation Planting Deviations**

The following ~~deviations~~ modifications shall be permitted subject to DRO approval of an ALP: **[Ord. 2010-022]**

**2. Perimeter Buffer Width Reductions**

A required R-O-W or ~~incompatibility~~ Incompatibility buffer width may be reduced by up to 50 percent in the NRM, NG, NC, UG and UI Sub-areas for commercial or mixed use projects, provided that a minimum five foot wide planting areas is provided with no encroachments, and that all other code requirements are met, unless indicated otherwise. A side interior perimeter buffer shall not be required when a zero side setback is used. **[Ord. 2010-022]**

**3. R-O-W Planting Reductions**

Shrubs and hedges shall not be required for any R-O-W buffer along the Westgate Avenue corridor from Congress Avenue to the L-10 Canal, provided that required trees are planted 20 feet on center. This provision may also be used along the frontage of any mixed use project in the NRM, NC, NG and UG Sub-areas. **[Ord. 2010-022]**

**a. Clustering**

*In the WCRAO, clustering is not permitted in conjunction with the R-O-W buffer in the NRM, NG, and NC Sub-areas. **[Ord. 2006-004]** [Relocated from Art. 7.F.7.D.6, Clustering]*

**Section 15 INFILL REDEVELOPMENT OVERLAY (IRO)**

**F. Design and Development Standards**

**Table 3.B.15.F - Block Building Configuration PDRs**

|   |
|---|
| ....  |
| <b>Notes:</b>   |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....  |

**Table 3.B.15.F - Liner Building Configuration PDRs**

|   |
|---|
| ....  |
| <b>Notes</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....  |

**Table 3.B.15.F - Courtyard Building Configuration PDRs**

|   |
|---|
| ....  |
| <b>Notes:</b>   |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. <b>[Ord. 2010-005]</b> |
| ....  |

(This space intentionally left blank)

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Table 3.B.15.F. - Townhouse Lot and Building Configuration PDRs

|  |
|--|
| .....  |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-005] |
| .....  |

11. Landscape Standards

c. Alternative Parking Lot Design Options

1) Option 1

Projects that are one-half acre or less in size, with 20 or fewer parking spaces may consolidate all required ~~interior~~ landscape island areas and planting materials into one or more locations anywhere within the project; [Ord. 2010-005] [Ord. 2014-025]

2) Option 2

Projects that are two acres or less in size may reduce required ~~terminal-landscape~~ island ~~landscape~~ width to a minimum of five feet in width of landscape area. This option may not be used in conjunction with any option relocating these landscape areas; [Ord. 2010-005] [Ord. 2014-025]

3) Option 3

Landscape shrub or groundcover requirements for ~~terminal, interior~~ landscape islands and divider median islands may be replaced with bio-swales and appropriate landscaping, provided that required canopy trees can be accommodated. Alterations to required curbing may be permitted subject to demonstration that vegetated areas are protected from vehicles; [Ord. 2010-005] [Ord. 2014-025]

4) Option 4

Up to a maximum of 25 percent of required ~~terminal, interior~~ landscape islands and divider median landscape islands shall not be required provided that covered parking that utilizes appropriate solar reflectance index (SRI) materials are installed where islands are removed. [Ord. 2010-005] [Ord. 2014-025]

6) Option 6

No ~~interior-landscape~~ islands are required if parking spaces are abutting landscape buffers, street walls or tree planting areas. [Ord. 2010-005] [Ord. 2014-025]

Section 16 Urban Redevelopment Area Overlay (URAO)

F. PRA Design and Development Standards

Table 3.B.16.F. - PRA Block Building PDRs

|  |
|--|
| .....  |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] |
| .....  |

Table 3.B.16.F. – PRA Liner Building Configuration PDRs

|  |
|--|
| .....  |
| <b>Notes:</b>  |
| 1. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] |
| .....  |

Table 3.B.16.F - PRA Townhouse Lot and Building Configuration PDRs

|  |
|--|
| .....  |
| [Ord. 2010-022] [Ord. 2011-016] [Ord. 2017-007]  |
| <b>Notes:</b>  |
| 2. Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight <del>lines triangles</del> , corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-022] [Ord. 2011-016] |
| .....  |

Notes:

- Underlined indicates new text.
- Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Part 11. ULDC Art. 3.D.1.D.3, Corner Clip Setback (page 120-122 of 216), is hereby amended as follows:

|   |
|---|
| <b>Reason for amendments:</b> [Zoning]                |
| 1. Replace safe sight lines with safe sight triangles |

### CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

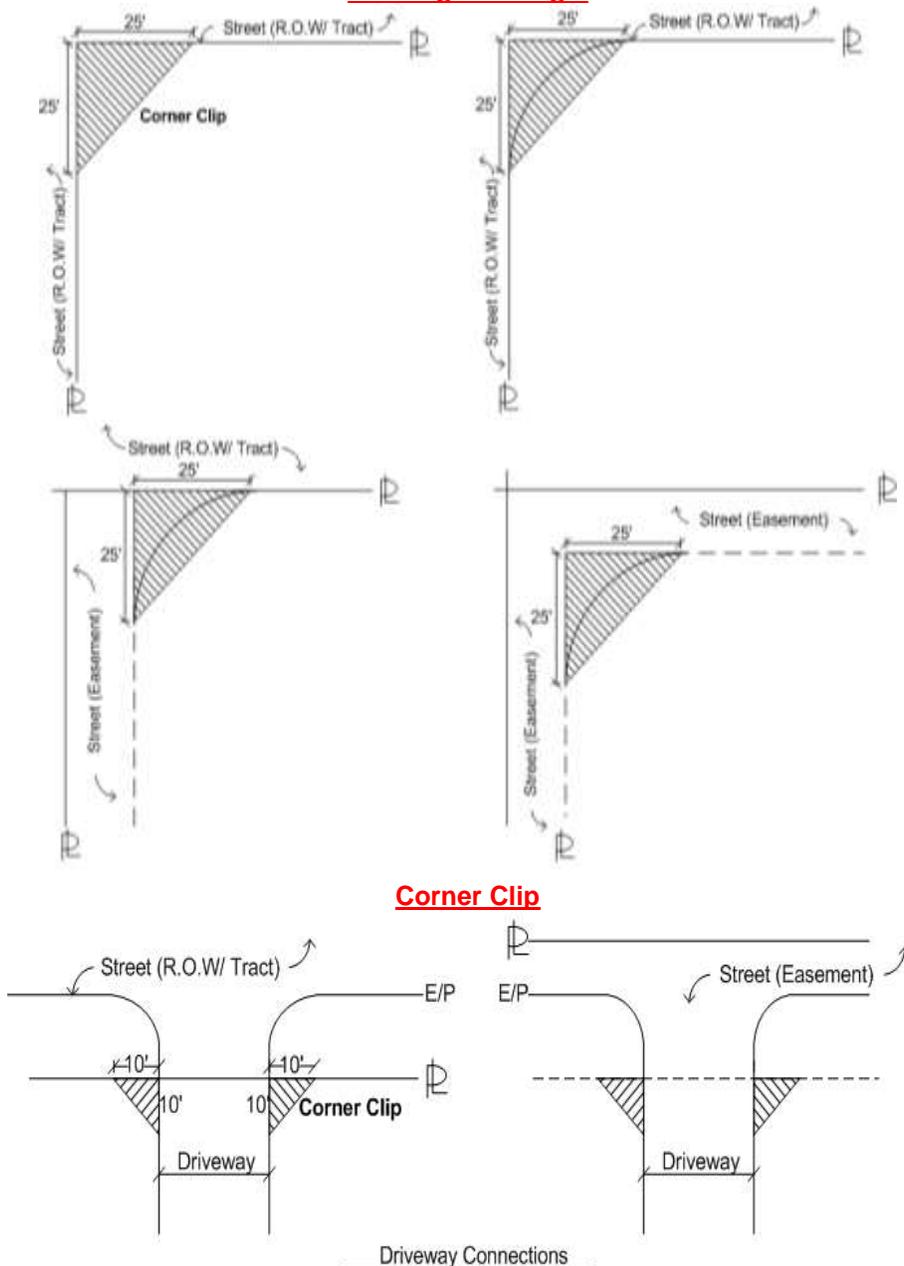
#### Section 1 PDRs for Standard Zoning Districts

##### D. Setbacks

##### 3. Corner Clip and Safe Sight Triangle Setback

The minimum setback from a corner clip shall be ten feet. The setback shall be measured perpendicular from the midpoint of the interior line of the corner clip.

Figure 3.D.1.D-6 - Corner Clip and Safe Sight Triangle Setback  
Safe Sight Triangle



##### 5. Setback Exceptions

The following structures, projections, and improvements shall be allowed within required setbacks:

##### a. Structures Projections and Improvements Permitted in Setbacks

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

19) Off-street parking areas, unless otherwise specifically prohibited; [Ord. 2005-041]  
20) Art. 5.B.1.A.2, Fences and Walls (excluding corner clips for intersections); [Ord. 2005  
– 002] [Ord. 2005-041]  
[Renumber Accordingly]

Part 12. ULDC Art. 3.E, PLANNED DEVELOPMENT DISTRICTS (page 135,152,158,159-160 of 216),  
is hereby amended as follows:

|  |
|--|
| Reason for amendments: [Zoning]  |
| 1. Relocate dedications of landscape buffer from Art.7, Landscaping to Art. 3 Planned Development District under the Platting process. |

### CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

#### Section 1 General

##### J. Phasing and Platting

##### 2. Platting

All land in a PDD shall be platted in accordance with Art. 11, Subdivision, Platting and Required Improvements. [Ord. 2005 – 002] [Ord. 2011-001] [Ord. 2012-003]

##### c. Dedications

*Required landscape buffers within or around residential pods of Planned Developments shall be platted and dedicated as separate tracts of land. [Relocated from Art. 7.F.4, Dedications]*

#### Section 2 Planned Unit Development (PUD)

##### F. AGR PUD

##### 4. Development Area

##### ~~d. Landscape Buffer~~

~~A Type 3 incompatibility buffer shall be required between the Development Area and all adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer shall be a minimum of 50 feet in width and installed in accordance with Article 7, LANDSCAPING, except that a wall shall not be required. [Ord. 2006-004] [Ord. 2008-003] [Partially relocated to Art. 7.C.2.C.4, AGR PUD Landscape Buffer]~~

##### ~~1) Buffer Width Reduction~~

~~The minimum 50 foot buffer width required along the perimeter of an AGR-PUD Development Area may be reduced for the following: [Ord. 2013-001] [Relocated to Art. 7.C.2.C.4.a, Buffer Width Reduction]~~

##### ~~a) Abutting R-O-W, Open Space or Another Buffer~~

~~A 50 percent reduction (minimum of 25 feet in width) shall be permitted if: [Ord. 2013-001] [Relocated to Art. 7.C.2.C.4.a.1), Abutting R-O-W, Open Space or Another Buffer]~~

~~(1) the buffer is within a nonresidential pod and adjacent to a R-O-W greater than 50 feet in width; [Relocated to Art. 7.C.2.C.4.a.1).a), related to Abutting R-O-W, Open Space or Another Buffer]~~

~~(2) the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in width; or [Relocated to Art. 7.C.2.C.4.a.1).b), related to Abutting R-O-W, Open Space or Another Buffer]~~

~~(3) the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than 50 feet in width [Relocated to Art. 7.C.2.C.4.a.1).c), related to Abutting R-O-W, Open Space or Another Buffer]~~

##### ~~b) Abutting a Rural Parkway~~

~~A reduction to a minimum of 15 feet in width shall be permitted if the buffer is abutting a Rural Parkway a minimum of 100 feet in width. [Ord. 2013-001] [Relocated to Art. 7.C.2.C.4.a.2), Abutting a rural Parkway]~~

[Renumber Accordingly]

#### Notes:

- Underlined indicates **new** text.
- ~~Stricken~~ indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

Section 3 Multiple Use Planned Development (MUPD)

....  
B. Objectives and Standards

....  
2. Performance Standards

....  
c. Landscape Buffers

A Type 3 incompatibility buffer shall be provided in any area of an MUPD adjacent to a residential use type or undeveloped land with a residential FLU designation. The applicant may request for an alternative buffer subject to a Type 2 Waiver process BCC may allow an alternative buffer as a condition of approval.

....  
e. Parking

Off street parking areas shall comply with Article 6, PARKING, Article 7, LANDSCAPING, and the following:

1) Parking Areas

- a) Groundcover or small shrubs 18 to 24 inches in height at installation, and maintained to achieve a maximum of 30 inches in height shall be planted in all terminal landscape islands and divider medians.
- b) Where pedestrian access ways cross terminal landscape islands or are provided within divider medians, they shall consist of brick, decorative concrete, or similar

....  
Part 13. ULDC Art. 3.F.2.A.4.c.2), Terminal Islands [Related to Off Street Parking Areas] (page 192 of 216), is hereby amended as follows:

|   |
|---|
| Reason for amendments: [Zoning]                                 |
| 1. Replace terminal and interior islands with Landscape island. |

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDs)

Section 2 General Standards

A. Applicability

4. Landscaping and Buffering

c. Off-Street Parking Areas

....  
2) Terminal Landscape Islands

Terminal landscape islands, subject to the requirements of Art. 7.G, Off-Street Parking Requirements. Terminal and interior landscape islands shall be provided on both sides of all vehicular access points.

....  
Part 14. ULDC Art. 5.D.2.G.3.a., Interior Islands [Related to Off Street Parking Requirements] (page 58 of 107), is hereby amended as follows:

|   |
|---|
| Reason for amendments: [Zoning]                                 |
| 1. Replace terminal and interior islands with Landscape island. |

CHAPTER D PARKS & RECREATION – RULES AND RECREATION STANDARDS

Section 2 Types of Parks

G. Public Park Landscape Standards

3. Off Street Parking Requirements

a. Interior Islands Landscape Islands

One interior landscape island a minimum of ten feet in width shall be required per ten spaces, in all Tiers (maximum 100 feet apart). [Ord. 2006-004]

(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- Stricken indicates text to be deleted. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- Italicized indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1 Part 15. ULDC Art. 5.L, Property and Vegetation Maintenance (page of ), is hereby amended as  
2 follows:  
3

| Reason for amendments: [Zoning]  |
|--|
| 1. Relocate Maintenance of Vacant Property (Single family residential only) from Art. 7, Landscaping to Art. 5.L and rename the title to Property and Vegetation Maintenance.  |
| 2. Replace the words, lots, parcels of land to premises to be consistent with the definition of the County's Property Maintenance Code. Premises means a lot, plot or parcel of land including any structures thereon, regardless of whether vacant or occupied. |
| 3. Expand the Code language to include maintenance of both residential and non-residential premises.   |

### 4 CHAPTER L PROPERTY AND VEGETATION MAINTENANCE

#### 5 Section 1 Purpose

6 To establish procedures for maintenance of vegetation and landscaping requirements that are existing on  
7 vacant premises.

##### 8 A. Applicability

9 *All landscaping shall be maintained. PBC is responsible for the care and maintenance of the*  
10 *vegetation on PBC-owned property, unless provided for otherwise by DO condition(s) of approval.*  
11 *For all other properties, the property owner or successors in interest, contractor, or agent, if any,*  
12 *shall be jointly and severally responsible for the maintenance of the property.. [Partially relocated*  
13 *from Art. 7.E.5.A.1, General]*

##### 14 B. Exemptions for Single Family Residential Vacant Premises

15 Single family residential premises shall be exempt from the requirements of this Section under the  
16 following circumstances:

- 17 1. Demolition of a home based on a declaration by the building official that the home is unsafe.  
18 **[Ord. 2005-002] [Ord. 2008-037] [Relocated from Art. 7.E.5.B.3.a, Vacant Lot Exemptions]**
- 19 2. Initiation of redevelopment within 120 days of demolition, as evidenced by submittal of a  
20 building permit application, or other applicable development permit application or good faith  
21 effort to redevelop the premises, for so long as the permit or good faith effort is active. In order  
22 to receive an exemption at the time of a demolition permit application, the applicant must submit  
23 an affidavit, on a form established by the Zoning Director, stating that the above requirements  
24 will be met. The property owner shall submit evidence as required above within 120 days of  
25 completion of the demolition, or shall submit a planting plan within 30 days of the expiration of  
26 the 120-day period. [Ord. 2005-002] [Ord. 2008-037] [Partially relocated from Art.  
27 7.E.5.B.3.b, related to Vacant Lot Exemptions]
- 28 3. Demolition of the home was prior to April 23, 1996. [Ord. 2005 – 002] [Ord. 2008-037]  
29 **[Relocated from Art. 7.E.5.B.3.c, Vacant Lot Exemptions]**
- 30 4. Vacant premises resulting from eminent domain proceedings. [Ord. 2005-002] [Ord. 2008-  
31 037] [Relocated from Art. 7.E.5.B.3.d, Vacant Lot Exemptions]
- 32 5. Vacant premises resulting from demolition funded by the Department of Housing and  
33 Community Development. [Ord. 2005-002] [Ord. 2008-037] [Relocated from Art.  
34 7.E.5.B.3.e, Vacant Lot Exemptions]

##### 35 C. Single Family Residential

36 A property owner may apply for a Type 1 Waiver requesting modifications of required planting.

#### 37 Section 2 Maintenance for Developed Premises

38 Premises that are either partially or fully developed shall be maintained on a regular and perpetual basis,  
39 as follows:

##### 40 A. Regular Maintenance

41 Maintenance shall include, but not limited to:

- 42 1. Free from disease, pests, weeds, and litter;
- 43 2. Weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed,  
44 consistent with acceptable horticultural practices. [Partially relocated from Art. 7.E.5.A.2,  
45 General]
- 46 3. Removal of diseased, damaged limbs, or foliage that present a hazard. All trees and palms  
47 shall be allowed to grow to their natural mature height and to full canopy. [Partially relocated  
48 from Art. 7.E.5.A.5, related to Maintenance]
- 49 4. No canopy tree shall be pruned until it has reached the minimum 20 foot required height and  
50 canopy spread, unless required to address damage by natural causes, such as hurricanes.  
51 **[Partially relocated from Art. 7.D.5.A.5, General]**
- 52 5. Repair or replacement of landscape barriers and focal points, including but not limited to:  
53 fences, walls, fountains, benches, in order to keep them in a structurally sound condition.

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

### B. Perpetual Maintenance

1. Perpetual maintenance to prohibit the re-establishment of prohibited and non-native invasive species within landscape and preservation areas. [Relocated from Art. 7.D.5.A.4, General]
2. Landscape areas which are required to be created or preserved by ~~this Article 7, Landscaping~~ shall not be used for temporary parking or the storage/display of materials or sale of products or services. [Relocated from Art. 7.D.5.A.6, General]

### Section 3 Maintenance for Vacant Premises

Premises that are vacant shall be maintained on a regular basis until the premises are ready for redevelopment:

#### A. Regular Maintenance

Maintenance shall include, but not limited to:

1. Removal of construction materials and debris from the premise;
2. The premise shall be planted with sufficient ground treatment to cover the entire premise or the affected area of the premise. All newly planted or existing ground treatment shall comply with Art. 7.D.7, Ground Treatment. [Partially relocated from Art. 7.E.5.B.5.a, Vacant Lot Maintenance and Planting Requirements –Ground Treatment]
3. Ground Treatment shall be maintained in accordance with the following maximum height:
  - a. For premises that are one acre or less – seven inches;
  - b. For premises that exceed one acre in size – seven inches for the first 25 feet measuring from the property line, tract line or pod line pursuant to Art. 1.C.4.M, Measurement-Maintenance of Vacant Premises; and 18 inches thereafter.
4. The clearing and if applicable, planting must be completed within 120 days of the completion of demolition, within 120 days of the effective date of this section, or within thirty days of Department approval of a planting plan, whichever is later. Slab foundations or other structural features remaining from demolished houses, or from other demolished structures, must be removed from vacant lots regulated by this Chapter. [Ord. 2005-002] [Ord. 2008-037] [Partially relocated from Art. 7.E.5.B.a Vacant Lot Maintenance and Planting Requirements –Ground Treatment]

#### B. Existing Vegetation

Existing Vegetation, whether they are subject to preservation, elimination of prohibited plant species and reduction of controlled species shall be in compliance with Art. 7.E, Existing Native Vegetation, Prohibited and Controlled Plant Species, and Art. 14.C, Vegetation Preservation and Protection.

##### 1. Protection of Existing Vegetation

All existing vegetation that is required to be preserved by the Zoning Division or by ERM shall be subject to the Vegetation Barricade Permit process pursuant to Art. 7.E.2.5, Vegetation Barricade Permit.

##### 2. Existing Vegetation Replacement

Preserved vegetation that is damaged or removed during the demolition activities shall be replaced in accordance with Art. 7.E.3, Tree Credit and Replacement.

#### C. Optional Planting of Vacant Lot

The property owner may submit a Planting Plan to the DRO indicating the following:

1. The method of ground treatment, existing and replacement trees, and irrigation simultaneously with the application for a demolition permit. [Ord. 2005-002] [Ord. 2008-037] [Relocated from Art. 7.E.5.f.1), Planting Plan, page 29]
2. The Building Division shall not issue the demolition permit until a planting plan is approved by the Zoning Division unless the applicant signs an affidavit in accordance with Art. 7.E.5.G.3.b. [Ord. 2005-002] [Ord. 2008-037] [Relocated from Art. 7.E.5.f.2), Demolition Permit]
3. The DRO shall determine if the planting plan is sufficient and includes the information necessary to evaluate the plan within five days of receipt. The DRO shall approve, approve with conditions, or deny the plan within ten days of the determination of sufficiency. [Ord. 2005-002] [Ord. 2008-037] [Relocated from Art. 7.E.5.f.3), Review of Planting Plan]

##### a. Standards

The DRO shall consider the following criteria in reviewing the Planting Plan:

- 1) whether or not the ground treatment and other landscape materials are consistent with the established character of the neighborhood; and
- 2) whether or not the proposed planting is consistent with the applicable Crime Prevention Through Environmental Design principles contained in Art. 3.B.7.E.2.C, Crime Prevention Through Environmental Design (CPTED). Whether or not alternative or temporary irrigation methods such as hand-watering are acceptable. [Ord. 2005-002] [Ord.2008-037] [Partially relocated from Art. 7.E.5.B.5..f.4), Standards]

#### D. Plant Installation, Maintenance and Irrigation

Native vegetation, drought tolerant vegetation, or ground treatment shall be installed, maintained, pruned and irrigated in accordance with the requirements of Art. 7.F, Installation and Maintenance,

#### Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.

EXHIBIT D

ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

and conditions of approval for the Planting Plan. Temporary irrigation methods may be approved for native vegetation only, subject to a Maintenance and Replacement Agreement. [Ord. 2005-002] [Ord. 2008-037] [Relocated from Art. 7.E.5.B.5.g, Vacant Lot Plant Installation, Maintenance, Pruning and Irrigation]

Part 16. ULDC Art. 8.C.8., Obstructions to Driver Visibility (page 12-13 of 42), is hereby amended as follows:

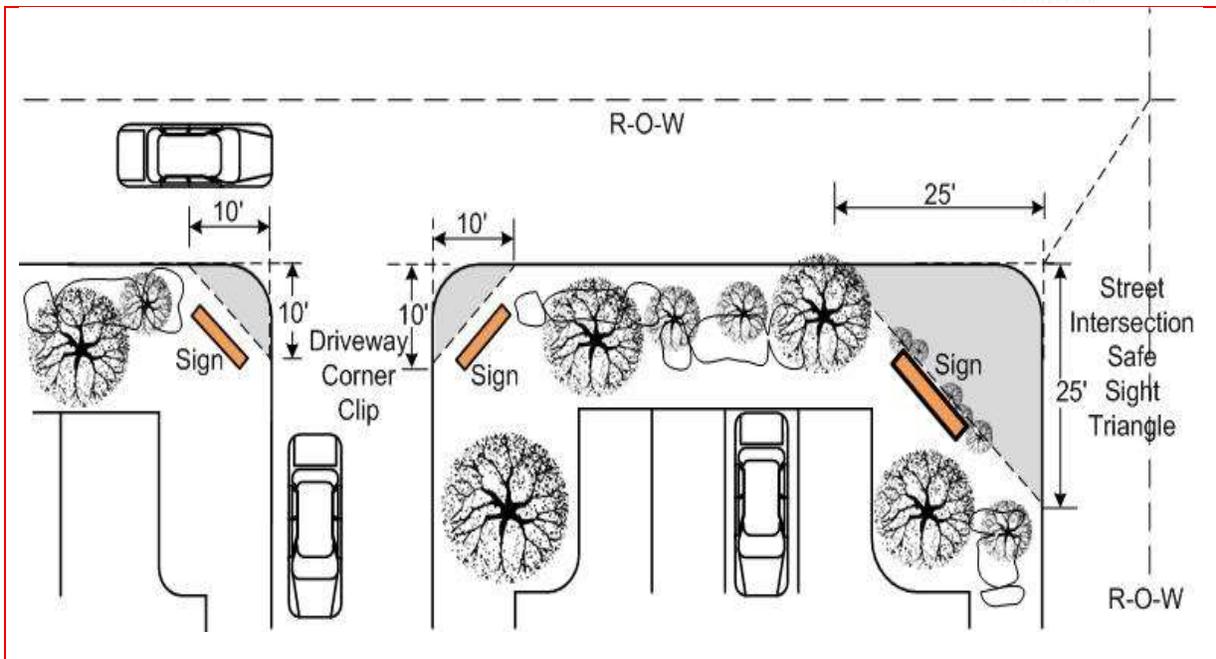
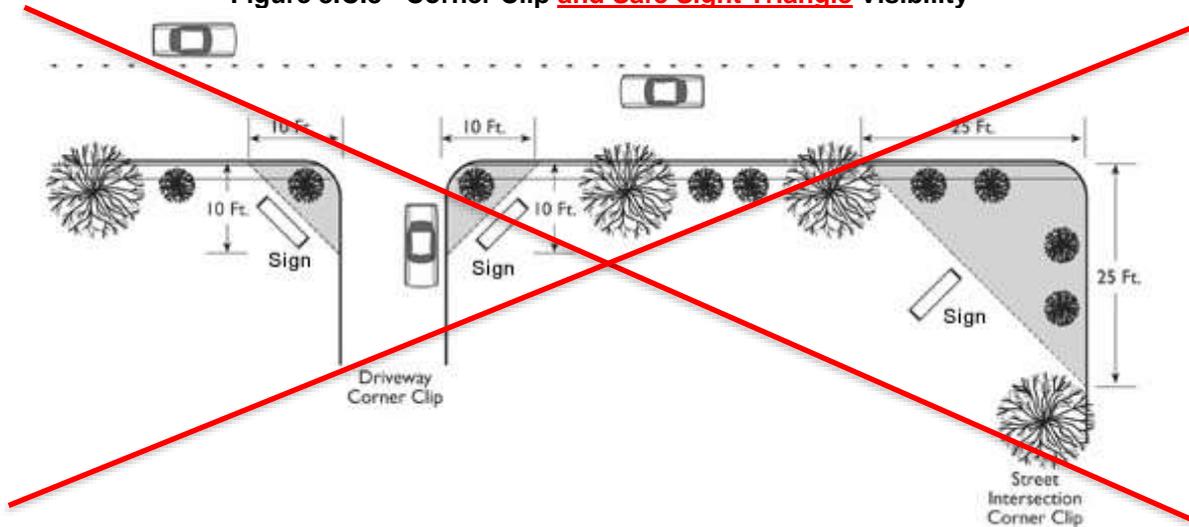
|   |
|---|
| Reason for amendments: [Zoning]   |
| 1. Add safe sight triangles to Art.8.C.9, Signage – Obstruction to Driver Visibility. |

CHAPTER C PROHIBITIONS

Section 8 Obstructions to Driver Visibility

Signs in corner clips and ~~line-of-sight safe sight triangles~~ in accordance with PBC standards that do not meet the visibility requirements in accordance with PBC standards.

Figure 8.C.8 - Corner Clip and Safe Sight Triangle Visibility



(This space intentionally left blank)

Notes:

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets [Relocated to: ] or [Partially relocated to: ].
- *Italicized* indicates relocated text. Source is noted in bolded brackets [Relocated from: ].
- .... A series of four bolded ellipses indicates language omitted to save space.

# EXHIBIT D

## ARTICLE 7, LANDSCAPING

(Updated 08/10/17)

1  
2 Part 17. ULDC Art. 8.G.2.A.3, Limitations in Median [Related to Freestanding Signs] (page 28 of  
3 42), is hereby amended as follows:

4 CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

5 Section 2 Ground Mounted Signs

6 A. Freestanding Signs

7 ....

8 3. Limitations in Median

9 Freestanding signs erected in a median within a driveway to a development shall not be located  
10 in corner clips or ~~visibility areas~~ safe sight triangles unless they are less than 30 inches high  
11 and shall be set back a minimum of five feet from the face of curb, or from the edge of adjacent  
12 pavement where no curb exists. Signs that overhang a driveway shall be a minimum of 13.5  
13 feet above the adjacent pavement

14 ....

15

U:\Zoning\CODEREV\2017\LDRAB\Meetings\8-23-17\4 - Final Packet\Exh. D - Art. 7, Landscaping.docx

---

**Notes:**

- Underlined indicates new text.
- ~~Stricken~~ indicates text to be ~~deleted~~. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to: ]** or **[Partially relocated to: ]**.
- *Italicized* indicates relocated text. Source is noted in bolded brackets **[Relocated from: ]**.
- .... A series of four bolded ellipses indicates language omitted to save space.