



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**LANDSCAPE SUB-COMMITTEE**

AUGUST 2, 2017 AGENDA  
2300 NORTH JOG ROAD, CONFERENCE ROOM VC-2E-12 – 2ND FLOOR  
9:00 AM – 11:00 AM

**A. CALL TO ORDER**

1. INTERESTED PARTIES AND STAFF INTRODUCTIONS
2. ADDITIONS, SUBSTITUTIONS AND DELETIONS TO AGENDA
3. MEETING SUMMARY JULY 12, 2017
4. MOTION TO ADOPT AGENDA

**B. OVERVIEW**

1. PROPOSED AMENDMENTS TO ART. 7 – REVIEW CHANGES PROPOSED BY SUBCOMMITTEE AND STAFF
2. AMENDMENTS TO OTHER ULDC ARTICLES AFFECTED BY PROPOSED CHANGES OF ARTICLE 7.

**C. INPUT AND COMMENTS**

**D. SUMMARY OF TODAY'S DISCUSSION**

**E. AMENDMENT TIMELINE**

LDRAB MEETING – AUGUST 23, 2017

LDRC MEETING – OCTOBER 25, 2017

BCC ZONING HEARING – NOVEMBER 30, 2017 – REQUEST FOR PERMISSION TO ADVERTISE

JANUARY 4, 2018 – 1<sup>ST</sup> READING

JANUARY 25, 2018 - ADOPTION

**F. ADJOURN**



## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

### LANDSCAPE (ARTICLE 7) SUB-COMMITTEE

JULY 12, 2017 AGENDA

2300 NORTH JOG ROAD, CONFERENCE ROOM VC-2E-12 – 2ND FLOOR

11:00 AM – 1:00 PM

#### A. Call to Order– 11:01 AM

##### 1. INTERESTED PARTIES AND STAFF INTRODUCTIONS:

**Subcommittee Members:** None

**Industry/Public:** Gladys DiGirolamo, Helen Cohen, Eddy Viera, Chris Lockhart, Michelle Duchene, and Drew Martin.

**County Staff:** Maryann Kwok, Barbara Pinkston, Rodney Swonger, George Galle, Jon Powers, Melissa Matos, Zubida Persaud, Mark Goodwin, John Reiser, Keri Smith, and Robert Kraus,

##### 2. ADDITIONS, SUBSTITUTIONS AND DELETIONS TO AGENDA:

There were no additions, substitutions or deletions to the agenda.

##### 3. MINUTES OF LAST MEETING – No comments.

##### 4. MOTION TO ADOPT AGENDA – No motion necessary.

#### B. REVIEW OF PROPOSED AMENDMENTS OF ARTICLE 7, LANDSCAPING

##### 1. Exhibit A - CHAPTER E, EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLAN SPECIES:

Maryann explained that today we are discussing Chapters E, F and G to complete the review of the changes made to Article 7, Landscaping. She proceeded to review each chapter and each page of the handouts and emphasize some of the changes and their impact on current code.

- Major clarification with the changes in the title, involve using the word “Vegetation” in this Article to mean trees, palms, pines and shrubs, therefore all trees and vegetation;
- Few other minor changes such as, providing a section for “Authority and Procedures” to make relevance;
- Codifying the procedures from the PPM ZO-O-061, for Preservation of Vegetation. John from ERM wanted clarification as to the effect of codifying this PPM, if it will mean that the conditions for preservation of vegetation will no longer be identified in the resolutions. Maryann clarified that once the procedures are codified that the conditions will no longer be necessary.
- Robert pointed out that there should be more clarification when reference is made to the types of ERM permits, such as, Vegetation Protection Permit issued by ERM and the Vegetation Barricade Permit issued through Building Division.
- Maryann pointed out the clarification is made in this chapter to indicate that a tree is measured by using the “Diameter” of the trunk rather than the circumference, both ERM and Zoning concur;
- Some pictures have been removed from the code, as they are outdated and we will add links to State references and lists.

##### 2. Exhibit B - CHAPTER F, INSTALLATION AND MAINTENANCE

- Maryann pointed out some of the changes in this chapter that involves the ROW buffers to occur in the first phase of the project;
- We will refer to the Property Maintenance Code Book for standards for landscape maintenance, example, an abandoned golf course can be mowed lower for the first 25ft;
- Most sections have been relocated to Article 5 regarding vacant lots; but we maintain the section to allow applicant who wishes to plant a vacant lot by submitting a planting plan;
- It was suggested that we re-review the section Pruning after Installation to separate topics such as, when allowed to prune a tree (>20ft in height) and pruning in accordance with standards for tree care; Barbara will review and make changes;

- Discussion proceeded on how will enforcement of pruning standards be enforced; Rodney explained that Code Enforcement will receive calls and also when applications are submitted;
- It was discussed that we should add to the code that the procedure that Temporary Irrigation when used must be removed; (Irrigation section #G);

### **3. Exhibit C - CHAPTER G, ENFORCEMENT**

- Maryann explained that the administrative section was moved to Chapter A, the processes section;
- It was questioned as to why is the permit fee changed to quadruple for violations; Maryann explained this was done in order to be consistent with Building procedures;
- Again, some pictures are being removed from this chapter and will be replaced with a link to the plant list provided by the state.

## **C. INPUT AND COMMENTS**

### **Review of Chapters C and D – Pending Issues**

Maryann provided feedback on the changes requested and discussed in Chapters C and D at the last meeting, and will make the changes and send out an electronic copy to all, in a few days; she also said that those items that requires extensive discussions and changes may need to be completed to a later round.

- Included in Chapter C and based on previous recommendations minor changes were added to the amendment, such as, minor amendments to the table of standards regarding cluster trees in the outer edge of buffer, ability for applicants to be able to re-design buffer, and multiple waivers and variances allowed with regards to foundation plantings, and island increased width;
- Included in Chapter D and based on previous recommendations changes were added to the amendment, such as, reduced tree height requirements, and discussion on changing the “Ratio” requirement to allow more flexibility in the ratio for more non-native trees; Eddy from GL Homes provided research that suggested that there were more non-native species that would be appropriate, and he suggested the code allow a ratio of 50/50 and wants less restrictive ratio. Rodney pointed out the with the reduced tree height requirement proposed change in the Code this will accommodate a greater variety and selection of native trees. Chris also pointed out that for long term projects, a request may be placed for nurseries to grow or procure specific species of native trees, and we should be careful to incorporate those prohibited Cat 2 and Cat 1 evasive species and non-native species, must refer to established plant list by State.
- Maryann agrees further discussion is needed and zoning will review the research.
- Updates on Chapter B included changes to allow more flexible waivers to use shrubs in buffers, and regarding landscape on the external side of a wall, will allow waivers to reduce from 75% down to max 25%; foundation planting was removed to be revisited at a later time.

## **D. SUMMARY OF TODAY’S DISCUSSION**

Maryann indicated that she will make the appropriate changes to Chapter A, B, C, and D and will send an electronic document for everyone to review within the next few days.

## **E. FUTURE MEETING TOPICS**

- General Overview of Art. 7 amendments
- Minor amendments to other Articles  
Next Subcommittee Meeting – August 2<sup>nd</sup>, 2017  
LDRAB Meeting – August 23<sup>rd</sup>, 2017

## **F. Adjourn – 12:25pm**

# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

1 Part 1. ULDC Art. 7.A.1, General – Landscaping and Buffering (page 6-11 of 49), is hereby  
2 amended as follows:  
3

<b>Reason for amendments:</b> [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.

### 4 CHAPTER A GENERAL

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

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

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

10 ~~A. Landscape principles for a property to be designed in compliance with the Managed Growth Tier~~  
11 ~~System (MGTS);~~

12 ~~B. Application review process and decision making standards for the evaluation of Landscape Plans;~~

13 ~~C. Landscape requirements for buffers; interior; and other service areas of a property;~~

14 ~~D. Landscape standards for both plant materials and other landscape barriers or structures;~~

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

17 ~~F. Installation and continued maintenance of landscaping; and,~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Notes:

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

~~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~~

~~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

*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 urbanized forms of development that accommodate 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. [Ord. 2010-005] [2010-022] [Ord. 2014-025] [Partially relocated from Art. 7.C.1, U/S Tier]*

### B. AGR and Glades Tiers

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

### C. Exurban and Rural Tiers

*Landscaping 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]*

#### Reason for amendments: [Zoning]

1. 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.
2. 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: planting, landscape 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 County staff and the 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~~*

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

~~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.

### ~~b2.~~ **Color**

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.

### ~~c3.~~ **Form**

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

~~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~~



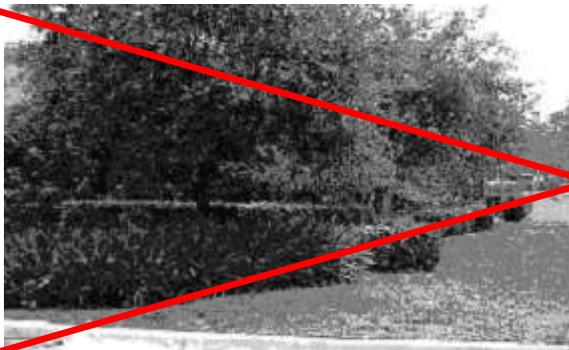
~~Well Composed Rural Tier Landscaping: good use of tree spacing, hierarchy of plant materials and use of plants of texture, color and form.~~

### ~~3.~~ **Buffering and Screening**

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

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

~~Photo 7.A.1.B – Opaque Landscape Buffer~~



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

~~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.~~

### ~~4.~~ **Responsive to Local Context and Character**

~~Landscape designs should build on the site's and area's unique physical characteristics, conserving and complementing existing natural features. Naturalistic design elements such as irregular plant spacing, undulating berm contours, and mixed proportions of plant species~~

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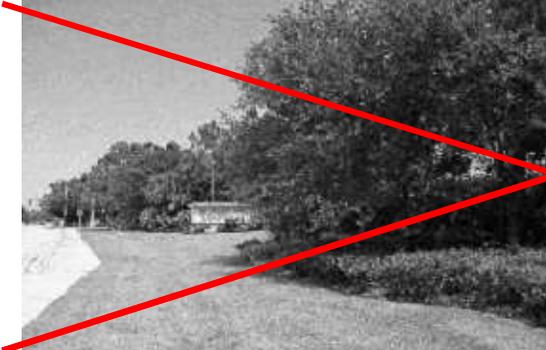
# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

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~~should be used to ensure that new landscaping blends in and contributes to the quality of the surrounding area. Selection and spacing of plant material should be reflective of the surrounding area's character.~~

~~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.~~

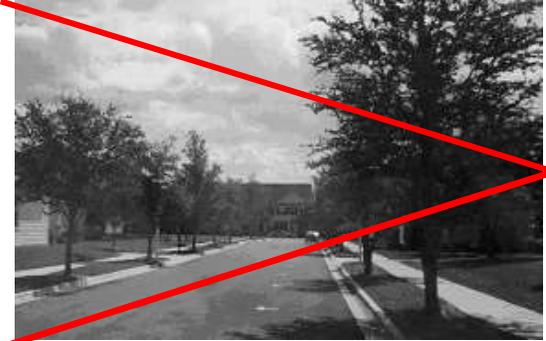
~~Photo 7.A.1.B - Naturalistic Design in a Rural Setting~~



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

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~~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.~~

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### **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~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

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~~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.~~

**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~~

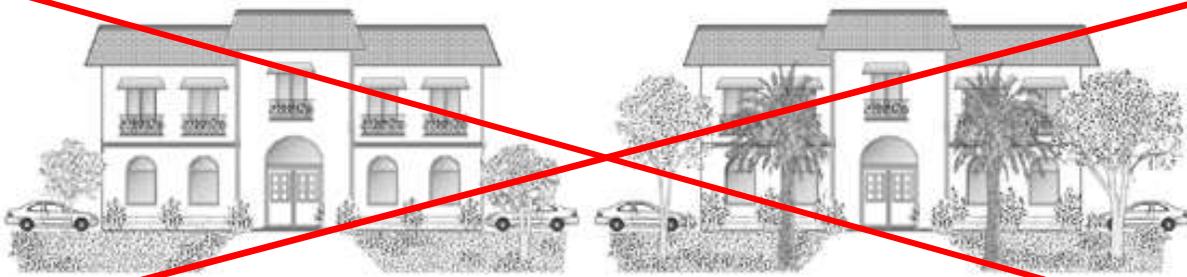
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### **8. Enhancing Architecture**

~~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.~~

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### **B. Environmental Quality**

~~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; and reducing heat gain in or on buildings or paved areas. [Partially relocated from Art. 7.A.1.A.2, Environment]~~

### **91. Energy Conservation and Sustainable Design**

Attention should be given to locating landscape elements in a manner that provides energy conservation benefits. ~~Large trees, for example, can provide daytime shading for buildings, reducing energy needed for interior air conditioning.~~ Landscape designs should also consider natural drainage features and the use of pervious surfaces and areas to minimize runoff.

### **C. Water Conservation**

~~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~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER A, LANDSCAPE DESIGN PRINCIPLES (Updated 7/07/17)

1 and the adherence to landscape installation standards and maintenance procedures that promote  
2 water conservation. [Relocated from Art. 7.A.1.3, Water Conservation]

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

4 Landscape designs should feature native plant species, especially in areas adjacent to  
5 existing native vegetation. Where feasible, the re-establishment of native habitats should be  
6 incorporated into the landscape design. The use of drought tolerant plants should enrich the  
7 existing landscape character, conserve water and energy, and provide as pleasant and  
8 varied a visual appearance as plants that require more water. [Partially relocated from Art.  
9 7.A.1.B.6, Use of Native and Drought Resistant Plants]

### 10 D. Preservation and Removal of Prohibited Plant Species

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

#### 13 1. Incorporation of Existing Vegetation

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

### 22 E. Compatibility

23 To promote efficiency in the development of limited land resources by improving the compatibility  
24 of adjacent incompatible land uses, particularly residential development that is adjacent to non-  
25 residential development, through the use of landscape buffers. [Partially relocated from Art.  
26 7.A.1.A.5, Compatibility, page 6]

#### 27 1. Buffering and Screening

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

### 35 F40. Quality Pedestrian Environment and Enhancing Architecture

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

42 Landscape designs should be compatible with and enhance the architectural character and  
43 features of the buildings on site, and help relate the building to the surrounding landscape. Plant  
44 material shall be installed at an appropriate size and allowed to accomplish these intended goals.  
45 When foundation planting is required, plantings and planters should incorporate artistic elements  
46 and be compatible with a building's architectural character. [Partially relocated from Art.  
47 7.A.1.B.8, Enhancing Architecture, page 9]

48 **Photo 7.A.1.B - Visual Interest for Pedestrian and Automobile Traffic**



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

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#### Notes:

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER B, APPLICABILITY AND APPROVAL PROCESS (Updated 7/07/17)

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

<b>Reason for amendments:</b> [Zoning]
1. No major proposed changes for Chapter B, which addresses the review and approval processes, including exemptions and deviations.
2. Relocate specific requirements for Agriculture, bona fide, agricultural activities and accessory agricultural uses under Chapter C, Landscape Buffers and Interior Landscaping.

### **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 herein. ~~Except as specified in Article 4.B, SUPPLEMENTARY USE STANDARDS, Agriculture, bona fide, agricultural activities and accessory agricultural uses shall require a six foot high perimeter buffer along a public road R-O-W.~~
4. ~~Development that does not entail a substantial change in land use as defined in ART. 1.I, DEFINITIONS AND ACRONYMS.~~
5. 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.
6. 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. Westgate Community Redevelopment Area Overlay (WCRAO)**

Modifications of the requirements of this Article may be permitted in the WCRAO pursuant to Art. 3.B.14.J, WCRAO Landscape Modifications.

<b>Reason for amendments:</b> [Zoning]
1. Relocate this Section to the revised Chapter B.
2. Relocate and consolidate Landscape Plan Review from Chapter H and Landscape Permit from Chapter E.2 to the revised Chapter B.
3. 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.
4. 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.

#### **Section 2 Definitions**

See Art. 1.I, Definitions and Acronyms

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER B, APPLICABILITY AND APPROVAL PROCESS (Updated 7/07/17)

### CHAPTER B — APPROVAL PROCESS AND APPLICABILITY

#### Section 13 Approval Process for Landscape Plans

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

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

##### A. Submittal Requirements

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

##### B. Review of Landscape Plans

Landscape Plan applications shall be submitted to the DRO, and if applicable will review in coordination with ERM and other County Agencies. [Partially relocated from Art. 7.H.2, Enforcement – Administration, page 46]

##### C. Issuance of Landscape Permits

When all requirements are satisfied, the DRO shall issue a Landscape Permit referencing the approved Landscape Plan(s) 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 DRO. 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 from Art. 7.H.2.A, Enforcement - Landscape Permit, page 46]

##### D. Landscape Inspections

Unless otherwise stated in this Article, all developments subject to this Article may be inspected by PZB prior to and after installation of required landscaping. Required landscaping shall be approved by the DRO prior to the issuance of a CO, or Certificate of Completion, whichever occurs first. Various types of Landscape Inspection shall be conducted at different stages of the development, as follows: [Partially relocated from Art. 7.H.2.B, Field 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]
- 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 accordance to the Landscape Permit. [Ord. 2009-040]
- 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 ENFORCEMENT. [Ord. 2009-040]
- 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 from Art. 7.H.2.B, Enforcement – Field Inspections, pages 46-47]

##### E. Certification of Compliance

In addition to Final Inspection and certification by PZB, the applicant shall submit a Certificate of Compliance to the DRO 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 B, Certification of Compliance, shall be made part of the documentation in the official building permit file. [Ord. 2009-040] [Partially relocated from Art. 7.H.2.C, Certification of Compliance]

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

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

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER B, APPLICABILITY AND APPROVAL PROCESS (Updated 7/07/17)

### 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 from Art. 7.H.2.C.2, Acceptance of Certification]

### ~~Section 2~~ Application Requirements

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

#### Reason for amendments: [Zoning]

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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 to combine Interior Island Maximum Spacing and Alternative Parking Lot Landscaping since most of the requests under review were for the accommodation/preservation of existing trees.
9. 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.
10. Clarify that the Landscape Plan(s) is a requirement for the Type 1 Waiver for Landscaping process.

### ~~A-Section 4~~ Type 1 Waiver for Landscaping

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

#### A. Applicability

Type 1 Waiver for Landscaping shall not be combined with other Variance requests for the same requirements.

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER B, APPLICABILITY AND APPROVAL PROCESS (Updated 7/07/17)

1  
2

**Table 7.B.42.A –Type I1 Waivers for Landscaping**

Article/Table Reference and Title	Maximum Waiver	Criteria
Art.7.D.2.A.1, Canopy Tree Minimum Height	Allow 75 percent of the total required trees to be reduced in height by 25 percent	<ul style="list-style-type: none"> <li>All proposed trees must be native species.</li> </ul>
Art. 7.D.3.B.3 PDD and Non-residential Perimeter Buffer Hedge Height [Relocated to Hedge Height below]	Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial developments. [Relocated to Hedge Height below]	<ul style="list-style-type: none"> <li>The proposed hedge is planted for the purpose of screening the outdoor industrial activities. Relocated to Hedge Height below]</li> </ul>
Art.7.D.9.A, Berm, Tier Restrictions [Relocated to Berm below]	Allow landscape berms within the Exurban, Rural, Agricultural Preserve, or Glades Tiers. [Relocated to Berm below]	<ul style="list-style-type: none"> <li>Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues. [Relocated to Berm below]</li> </ul>
Art. 7.D.11, Foundation Planting	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.	<ul style="list-style-type: none"> <li>Provide a minimum width of 55 feet for each area of foundation planting;</li> <li>The overall total required square footage of the planting area meets or exceeds the requirement; and;</li> <li>Location of relocated planting will be within proximity to the building it serves to still meet the intent of enhancing the building.</li> </ul>
<b>R-O-W Buffer</b>		
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	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.	<ul style="list-style-type: none"> <li>The minimum perimeter buffer planting requirements is provided; and one or all of the below criteria:</li> <li>There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or;</li> <li>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.</li> <li>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.</li> </ul>
Art.7.F.7.B, Shrub Hierarchy	A maximum of 50% of large shrubs may be substituted with medium shrubs.	<ul style="list-style-type: none"> <li>The proposed quantity of medium and small shrubs exceeds the minimum Code requirement by a minimum of 10 percent.</li> </ul>
Art.7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer	A maximum of 25% reduction of the continuous opaque vertical landscape screen.	<ul style="list-style-type: none"> <li>The reduced quantity of groundcover and shrub planting could be relocated elsewhere on the site; and;</li> <li>Necessary to accommodate an entrance feature, an amenity and/or a walkway.</li> </ul>
Art.7.F.8, Compatibility Buffer	Allow to waive the requirement to provide a solid opaque visual screen.	<ul style="list-style-type: none"> <li>There is an existing mature vegetative buffer screen on adjacent property; or</li> <li>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</li> <li>If an alternative design approach results in adequate screening being provided.</li> </ul>
Art. 7.F>9.C.1, Existing Walls and Fences	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.	<ul style="list-style-type: none"> <li>Condition of existing wall, fence or other barrier;</li> <li>Effectiveness of visual screen; and</li> <li>Type of construction.</li> </ul>
<b>Incompatibility Buffer</b>		
Art.7.F.9.E, Art. 7.C.2.C.1, Elimination of Incompatibility buffer Recreational Pod	Allow to waive the requirement of an Incompatibility buffer for residential pods, areas in a PDD or tracts within a residential subdivision, or PUD	<ul style="list-style-type: none"> <li>The pod or tract is located adjacent to open space that is 100 feet or greater in width; or</li> <li>The site layout of the pod or tract will integrate recreational amenities with multi-family units and CLFs.</li> </ul>

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER B, APPLICABILITY AND APPROVAL PROCESS (Updated 7/07/17)

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

Article/Table Reference and Title	Maximum Waiver	Criteria
<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>
<b>Hedge Height</b>		
<del>Art. 7.D.4.A.1.b, PDD and Non-residential Perimeter Buffer Hedge Height [Relocated from this table above]</del>	<del>Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial PDDs. [Relocated from this table above]</del>	<del>• The proposed hedge is planted for the purpose of screening the outdoor industrial activities. [Relocated from this table above]</del>
<b>Berm</b>		
<del>Art. 7.D.9.A, Berm, Tier Restrictions [Relocated from this table above]</del>	<del>Allow landscape berms within the Exurban, Rural, Agricultural Reserve, or Glades Tiers. [Relocated from this table above]</del>	<del>• Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues. [Relocated from this table above]</del>
<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; • The relocated foundation planting shall have the minimum planting width; and • 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, Table 7.C.4, Landscape Island and Divider Median - Planting and Dimensional Requirements, Terminal Island Width – Landscape Island Width</del>	<del>Allow the reduction of terminal island green space width of landscape island to 5 8 feet.</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 Width</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 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. • 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>		

**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 Preliminary 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 Preliminary 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.~~

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER B, APPLICABILITY AND APPROVAL PROCESS**  
**(Updated 7/07/17)**

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**EXHIBIT**

**ARTICLE 7, LANDSCAPING**

**CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS**

**(Updated 7/12/17)**

1  
2 Part 1. ULDC Art. 7.C, MGTS TIER COMPLIANCE (page 13-15, 32-46 of 49), is hereby amended  
3 as follows:  
4

<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.

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

8 **Section 1—U/S Tier**  
9 ~~Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian~~  
10 ~~accents, formal or meandering arrangements in perimeter landscape buffers, street tree plantings, and~~  
11 ~~inter connections between pedestrian and vehicular areas. The Revitalization and Redevelopment~~  
12 ~~Overlay, Priority Redevelopment Areas, and Westgate/Belvedere Homes Community Redevelopment~~  
13 ~~Area, among others, serve to promote infill redevelopment or more urbanized forms of development and~~  
14 ~~allow for commensurate forms of urban landscaping that accommodate CPTED principles, walk ability~~  
15 ~~and other attributes of the urban environment. Greater flexibility and alternative landscape solutions are~~  
16 ~~available to promote development within the boundaries of these areas. However, it also recognizes the~~  
17 ~~unique opportunities and restrictions that may be encountered for parcels developing consistent with~~  
18 ~~Article 3.B.15, INFILL REDEVELOPMENT OVERLAY (IRO), and recommends allowing greater flexibility~~  
19 ~~and alternative landscape solutions to be made available to these types of projects. **[Ord. 2010-005]**~~  
20 ~~**[2010-022]** **[Ord. 2014-025]** **[Partially relocated to Art. 7.A.2.A, U/S Tier]**~~

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

26 **Section 3—Exurban and Rural Tiers**  
27 ~~The Exurban and Rural Tiers primarily consist of larger residential lots and require the use of more~~  
28 ~~informal design patterns that incorporate reduced impervious areas; preservation of native vegetation,~~  
29 ~~lakes and other similar open space areas; and, more naturalistic landscaped areas. Non-residential uses~~  
30 ~~shall also provide for the increased use of landscape materials in perimeter buffers, parking areas and~~  
31 ~~building foundation plantings; dispersed parking with additional screening from adjacent roadways and~~  
32 ~~residential uses; and, compliance with rural architectural design guidelines where applicable. **[Ord. 2009-**~~  
33 ~~**040]** **[Partially relocated to Art. 7.A.2.C, Exurban and Rural Tiers]**~~

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

<b>Code Requirements</b>	<b>U/S Tier</b>	<b>AGR and Glades Tiers</b>	<b>Exurban and Rural Tiers</b>
<b>Landscape Buffers<sup>2</sup></b>			
<b>Preferred Design</b>	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
<b>Berms</b>	Optional	Optional	No <sup>1</sup>
<b>Fences/Walls</b>	Optional <sup>2</sup>	Optional <sup>2</sup>	Optional <sup>2,3</sup>
<b>Layers of Shrubs and Ground Cover<sup>4</sup></b>	3	4	3

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS (Updated 7/12/17)

Interior Landscaping <sup>7,8</sup>			
<del>Minimum Tree Quantities – Zero Lot Line, Single Family Residential, and Townhouse Lots</del>	<del>1 per 1,250 sq. ft. (max. 15) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree Quantities U/S Tier]</del>	<del>1 per 1,000 sq. ft. (max. 30) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree Quantities AGR and Glades Tiers]</del>	<del>1 per 800 sq. ft. (max. 30) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Tree Quantities Exurban and Rural Tiers]</del>
<del>Minimum Shrub Quantities – Multi-family Residential Lots<sup>5</sup></del>	<del>1 per 1,250 sq. ft.</del>	<del>1 per 1,000 sq. ft.</del>	<del>1 per 800 sq. ft.</del>
<del>Minimum Tree Quantities – Non-Residential Lot</del>	<del>1 per 2,000 sq. ft.</del>	<del>1 per 1,500 sq. ft.</del>	<del>1 per 1,200 sq. ft.</del>
<del>Minimum Shrub Quantities – Zero Lot Line, Single Family Residential, and Townhouse Lots<sup>5</sup></del>	<del>3 per 1,250 sq. ft. (max. 45) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities U/S Tier]</del>	<del>3 per 1,000 sq. ft. (max. 90) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities AGR and Glades Tier]</del>	<del>3 per 800 sq. ft. (max. 90) [Relocated to Table 7.C.3.A, Interior Landscaping Requirements – Min. Shrub Quantities Exurban and rural Tier]</del>
<del>Minimum Shrub Quantities – Multi-family Residential Lots</del>	<del>3 per 1,250 sq. ft.</del>	<del>3 per 1,000 sq. ft.</del>	<del>3 per 800 sq. ft.</del>
<del>Minimum Shrub Quantities – Non-Residential Lot<sup>5</sup></del>	<del>3 per 2,000 sq. ft.</del>	<del>3 per 1,500 sq. ft.</del>	<del>3 per 1,200 sq. ft.</del>
Plant Standards <sup>7</sup>			
<del>Minimum Tree Height (Perimeter)</del>	<del>12 ft.</del>	<del>12 ft.</del>	<del>12 ft.</del>
<del>Minimum Tree Height (Interior)</del>	<del>12 ft.</del>	<del>12 ft. (average)</del>	<del>12 ft. (average)</del>
<del>Palms Substitute (3 palms for 1 tree)</del>	<del>Yes</del>	<del>Yes – Native clusters only</del>	<del>Yes – Native clusters only</del>
Foundation Planting <sup>6,7</sup>			
<del>Planting Width</del>	<del>5 ft. along front façades 8 ft. along side façades [Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier]</del>	<del>10 ft. all sides [Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers]</del>	<del>12 ft. all sides</del>
<del>Façades to be Planted</del>	<del>Front &amp; Sides [Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier]</del>	<del>Front, Sides &amp; Rear [Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers]</del>	<del>Front, Sides &amp; Rear [Partially relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities Exurban and Rural Tiers]</del>
<del>Percentage of Façade</del>	<del>40 percent [Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities U/S Tier]</del>	<del>50 percent [Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities AGR and Glades Tiers]</del>	<del>60 percent [Relocated to Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Min. Shrub Quantities Exurban and Rural Tiers]</del>
<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>			

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE**  
**REQUIREMENTS**  
(Updated 7/12/17)

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

3 **Section 1 General**

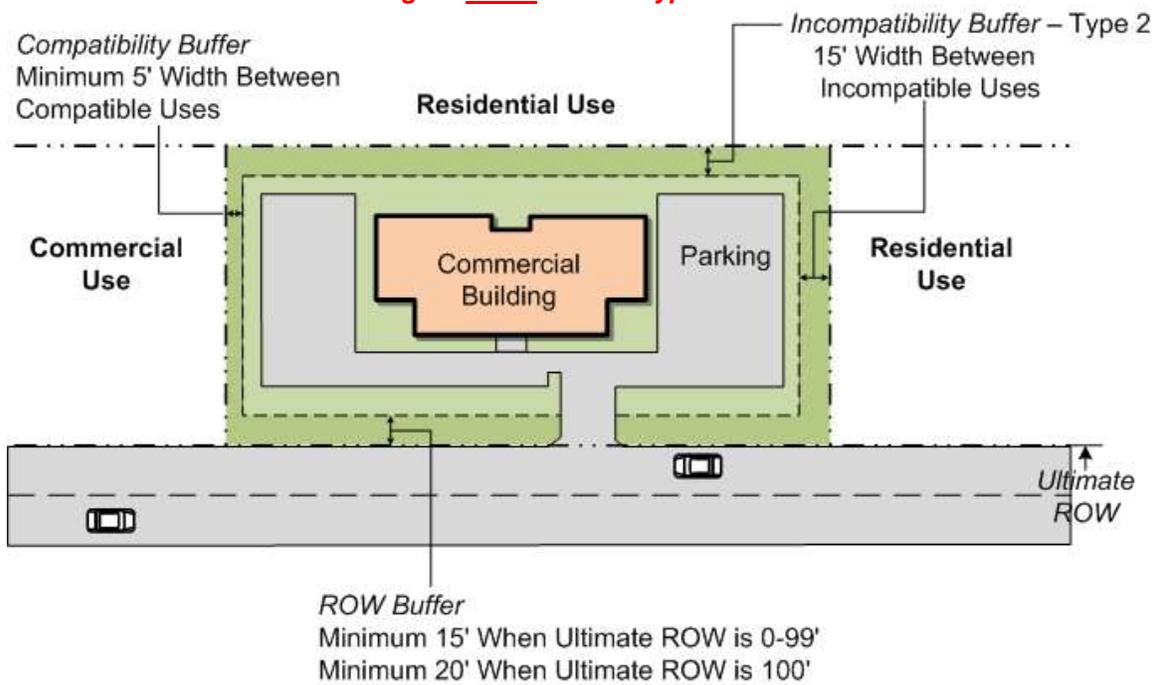
4 Landscaping requirements shall include the perimeter and interior buffers; interior landscaping along the  
5 building façades; in parking lots; vehicular use areas; and any other pervious areas. This Chapter also  
6 addresses other requirements that may impact the establishment of a buffer or interior planting, which  
7 includes easement encroachment; retention areas, and safe sight corners. In addition, specific  
8 requirements are established for Large Scale Commercial Development.  
9

Reason for amendments: [Zoning]	
1.	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.
2.	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.

10 **Section 2 Types of Landscape Buffer**

11 There are three types of landscape buffers: Right-of-Way (R-O-W), Compatibility and Incompatibility  
12 Buffers. Landscape requirements for each type of buffer shall be provided in accordance with the  
13 following standards, unless stated otherwise herein.  
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**Figure 7.C.2 - Buffer Type Detail**



15 [Relocated from Figure 7.F.1.C – Buffer Type Detail]

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS (Updated 7/12/17)

1

Reason for amendments: [Zoning]	
1.	Part 1 is related to Right-of-Way buffer requirements.
2.	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.
3.	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.
4.	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.
5.	Delete Landscaping in the Street right-of-way since any planting in a street is currently under the jurisdiction of Engineering Department.

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**A. R-O-W**

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

**1. Applicability**

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

**2. Exemptions**

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

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

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

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

**3. Width**

The width of the R-O-W Buffer shall be determined by the width of the ultimate R-O-W pursuant 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 from Art. 7.F.7.A, Width]

**Table 7.C.2.A – Width of ROW Buffer**

Width of Ultimate R-O-W	Minimum Width of Buffer
<u>≤ 40 feet</u>	<u>10 feet</u>
<u>&gt;40 to 99 feet</u>	<u>15 feet</u>
<u>≥ 100 feet</u>	<u>20 feet</u>

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**a. 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, and subject to the following requirements: [Partially relocated from Art. 7.F.6, Buffer Width Reduction]

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

2. No easement overlap on 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. If the buffer is located adjacent to parking areas, the reduced shrubs shall still maintain an effective screening of the vehicle headlights from the street R-O-W.

**4. Location**

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

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**REQUIREMENTS**  
*(Updated 7/12/17)*

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**5. Landscape Requirements**

Planting for R-O-W Buffer shall be pursuant to Table 7.C.2.B.4, R-O-W Buffer, as follows:

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

<u>Minimum Buffer Width based on width of Ultimate R-O-W</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) (5) (6)</u>	<u>Landscape Barrier and Min. Height (7)</u>
20 feet	One Canopy tree per 25 linear feet.	One palm or pine per 30 linear feet.	One row of each: Groundcover – one per one linear foot; Small shrubs – One per two linear feet; and 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: Groundcover and small shrubs – One per two linear feet; and, Large shrubs – one per four linear feet.	No
10 feet	One Canopy tree per 25 linear feet.	-	One row of each: Small shrubs – One per two linear feet; and, Medium shrubs – one per five linear feet.	No
<b>Notes:</b>				
(1) <u>Linear feet is based on the property line where the landscape buffer is located</u>				
(2) <u>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.</u>				
(3) <u>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.</u>				
(4) <u>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]</u>				
(5) <u>Groundcover shall not be allowed to substitute for shrubs.</u>				
(6) <u>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]</u>				
(7) <u>If walls or fences are provided in the R-O-W Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Buffers.</u>				

**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;
- 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.

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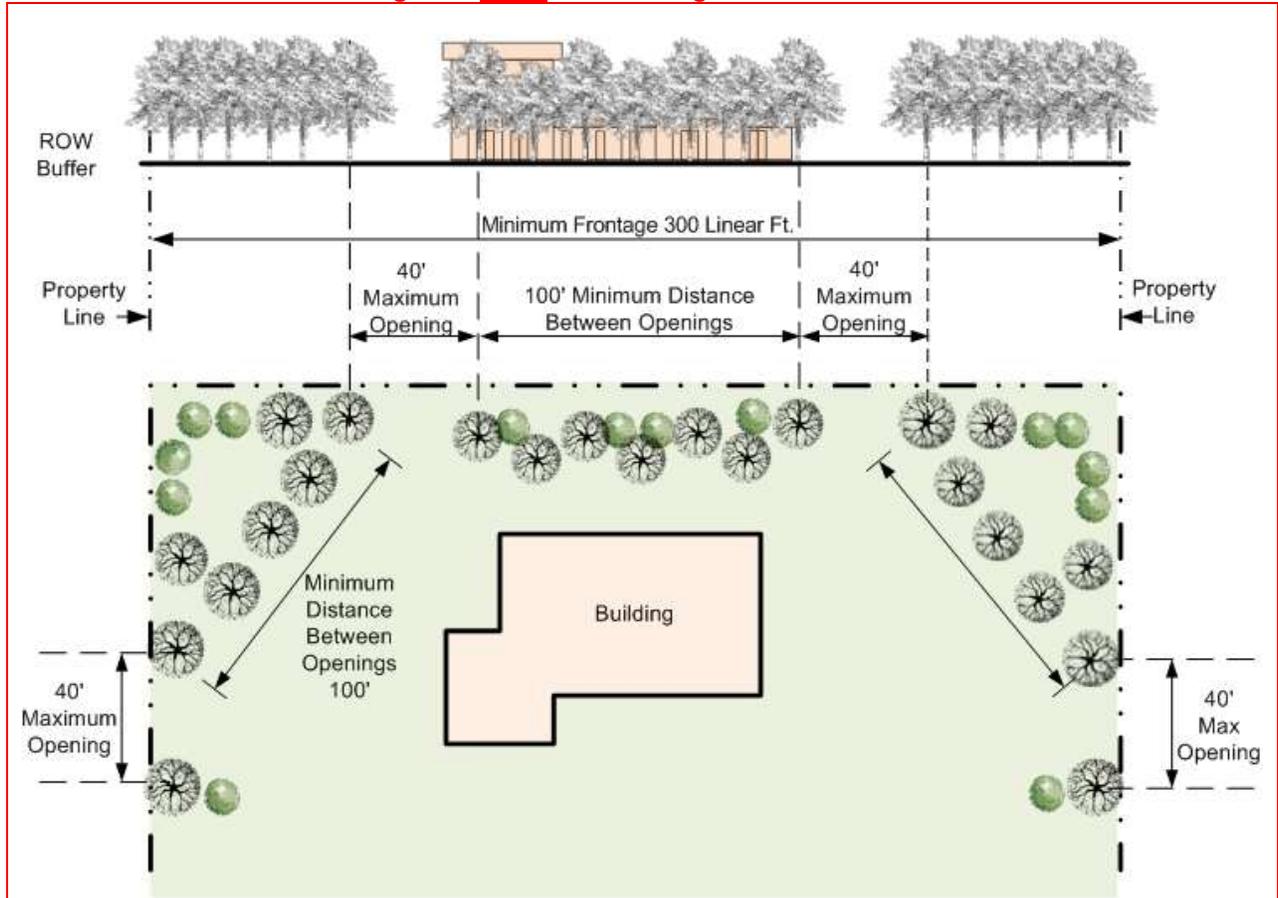
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**REQUIREMENTS**  
*(Updated 7/12/17)*

1

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



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Reason for amendments: [Zoning]
1. Part 2 is related to Compatibility Buffer requirements.
2. 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.
3. 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.

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**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]

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**EXHIBIT**

**ARTICLE 7, LANDSCAPING**

**CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS**

**(Updated 7/12/17)**

**3. Width**

*The minimum width of a Compatibility Buffer is eight feet.* [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:

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

<u>Quantity of Canopy Trees</u> <u>(1) (2) (3)</u>	<u>Quantity of Shrubs (1) (2)</u>	<u>Landscape Barrier and Min.</u> <u>Height (5)</u>
<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>	<i>No</i>
<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:</b> [Zoning]
1. Part 3 is related to Incompatibility Buffer requirements.
2. 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.
3. Codify BCC conditions of approval related to addition of palms and pines as part of the Code requirement for Incompatibility Buffers.
4. 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]

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*(Updated 7/12/17)*

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**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>
<u>Residential, Detached</u>	↔	<u>Residential, Attached (3)</u>	<i>Type 1</i>
<u>Residential, Detached</u>	↔	<u>Type 3 CLF</u>	<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. [Ord. 2017-007]</i>			
3. <i>Shall 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, open space area with a minimum width of 100 feet or combination 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 on 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.

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**Notes:**

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**EXHIBIT**

**ARTICLE 7, LANDSCAPING  
CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE  
REQUIREMENTS  
(Updated 7/12/17)**

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**3. Landscape Requirements**

Landscaping for an Incompatibility Buffer shall be pursuant to Table 7.C.2.D.4, Incompatibility Buffer Landscape Requirements, as follows:

**Table 7.C.2.C - 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) (3)</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>Yes, Six feet high opaque fence or hedge (7) (8)</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>Yes, Six feet high fence or hedge (7) (8)</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>Yes, Six feet high opaque wall (4) (5) (8)</u>
<b>Notes:</b>					
(1) <u>Linear feet is based on the property line where the landscape buffer is located.</u>					
(2) <u>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).</u>					
(3) <u>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.</u>					
(4) <u>Substitute of the required wall may be requested through a Type 2 Waiver.</u>					
(5) <u>The wall requirement shall be waived 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 from Table 7.F.9.B - Incompatibility Buffer Standards note #2]</u>					
(6) <u>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.</u>					
(7) <u>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.</u>					
(8) <u>Landscape Barrier under specific circumstances may not be provided subject to a Type 1 Waiver for Landscaping</u>					

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**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 installed in accordance with Article 7, Landscaping, except that a wall shall not be required. **[Ord. 2006-004] [Ord. 2008-003] [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]*

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]**

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS (Updated 7/12/17)

1

<b>Reason for amendments:</b> [Zoning]
1. 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.
2. 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.
3. 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.

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### **Section 3 Interior Landscaping**

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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.

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#### **A. Calculation of Interior Landscaping**

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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.]

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**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>	<u>1 per 1,250 sq. ft. (max. 15 trees)(1)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers U/S Tier]</u>	<u>1 per 1,000 sq. ft. (max. 30 trees)(1)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers AGR and Glades Tiers]</u>	<u>1 per 800 sq. ft. (max. 30 trees)(1)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers Exurban and Rural Tiers]</u>
<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>	<u>3 per 1,250 sq. ft. (max. 45 trees)(1)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers U/S Tier]</u>	<u>3 per 1,000 sq. ft. (max. 90)(1)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers AGR and Glades Tiers]</u>	<u>3 per 800 sq. ft.(max. 90)(2) [Relocated from Table 7.C.3 – Minimum Tier Requirements – Landscape Buffers Exurban and Rural Tiers]</u>
<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>			
<u>(1) Tree and shrub planting requirement calculations for Residential Lots shall be based on the pervious surface areas of the lot. [Ord. 2014-025] [Partially relocated from Table 7.C.3 – Minimum Tier Requirements, note #8]</u>			
<u>(2) No maximum for lots with Multi-family units.</u>			
<u>(3) 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>			

14

#### **Reason for amendments:** [Zoning]

- 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.
- Relocate Westgate Community Redevelopment Area Overlay requirements to Art. 3.B, Overlays.
- Consolidate all requirements under Large Scale Commercial Development under a new Section, Art. 7.C.7.

#### **Notes:**

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**ARTICLE 7, LANDSCAPING  
CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE  
REQUIREMENTS  
(Updated 7/12/17)**

**B. Foundation Planting**

**1. Applicability**

*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**

<b>Minimum Requirements</b>	<b>U/S Tier (2)</b>	<b>AGR and Glades Tiers</b>	<b>Exurban and Rural Tiers</b>
<i>Planting Width [Relocated from Table 7.C.3 – Minimum Tier Requirement]</i>	<b>8 feet</b> [Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]	<b>10 feet</b> [Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, SAGR and Glades Tiers]	<b>10 feet</b>
<i>Facades to be Planted (3) [Relocated from Table 7.C.3 – Minimum Tier Requirement]</i>	<b>Front and Sides</b> [Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]	<b>Front and Sides</b> [Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, AGR and Glades Tiers]	<b>Front and Sides</b> [Partially relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, Exurban and Rural Tiers]
<i>Length - Percentage of Façade (1) [Relocated from Table 7.C.3 – Minimum Tier Requirement]</i>	<b>40 percent</b> [Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, U/S tier]	<b>50 percent</b> [Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, AGR and Glades Tiers]	<b>60 percent</b> [Relocated from Table 7.C.3 – Minimum Tier Requirement – Foundation Planting, Exurban and Rural Tiers]
<i>Canopy tree, palm or pine (5) [Relocated from Art. 7.D.11, Foundation Plantings]</i>	<b>1 per 20 linear ft. of façade</b> [Relocated from Art. 7.D.11, Foundation Plantings]	<b>1 per 20 linear ft. of façade</b> [Relocated from Art. 7.D.11, Foundation Plantings]	<b>1 per 20 linear ft. of façade</b> [Relocated from Art. 7.D.11, Foundation Plantings]
<i>Shrub or groundcover [Relocated from Art. 7.D.11, Foundation Plantings]</i>	<b>1 per 10 sq. ft. of foundation planting area</b> [Relocated from Art. 7.D.11, Foundation Plantings]	<b>1 per 10 sq. ft. of foundation planting area</b> [Relocated from Art. 7.D.11, Foundation Plantings]	<b>1 per 10 sq. ft. of foundation planting area</b> [Relocated from Art. 7.D.11, Foundation Plantings]
<b>Freestanding ATM and Unmanned Retail Structure</b>			
<i>Minimum Planting Width</i>	<b>3 feet</b>	<b>3 feet</b>	<b>3 feet</b>
<i>Facades to be planted (4)</i>	<b>Non point of Service Facades</b>	<b>Non point of Service Facades</b>	<b>Non point of Service Facades</b>
<i>Length – Percentage of total Length of Non point of Service Facades</i>	<b>70 percent</b>	<b>1 per 2 linear feet</b>	<b>1 per 2 linear feet</b>
<i>Small shrub or Groundcover</i>	<b>1 per 2 linear feet</b>	<b>1 per 2 linear feet</b>	<b>1 per 2 linear feet</b>
<i>[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]</i>			
<b>Notes:</b>			
(1) <i>The minimum length shall be calculated by the total length of the applicable side of the structure, excluding garage doors and loading bays. [Relocated from Art.7.D.11.C, Minimum Length]</i>			
(2) <i>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. [Ord. 2010-022]</i>			
(3) <i>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.</i>			
(4) <i>For Freestanding ATMs or Unmanned Retail Structure, the façade where the point of service is located shall be exempt from the Foundation Planting requirement.</i>			
(5) <i>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.</i>			

**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]*
- b. *Buildings which are exempt from local building permits or government review pursuant to State or Federal Statutes. [Relocated from Art. 7.D.11.A.b, Related to Foundation Planting Exemptions]*
- c. *Structures within a TDD, where a build-to-line is established along the sidewalk, except where required in TDD, 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 access way to a parking area, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2006-004] [Ord. 2010-022] [Relocated from Art. 7.D.11.A.3, Related to Foundation Planting Exemptions and Table 7.C.3 – Minimum Tier Requirements, note #6]*

**Notes:**

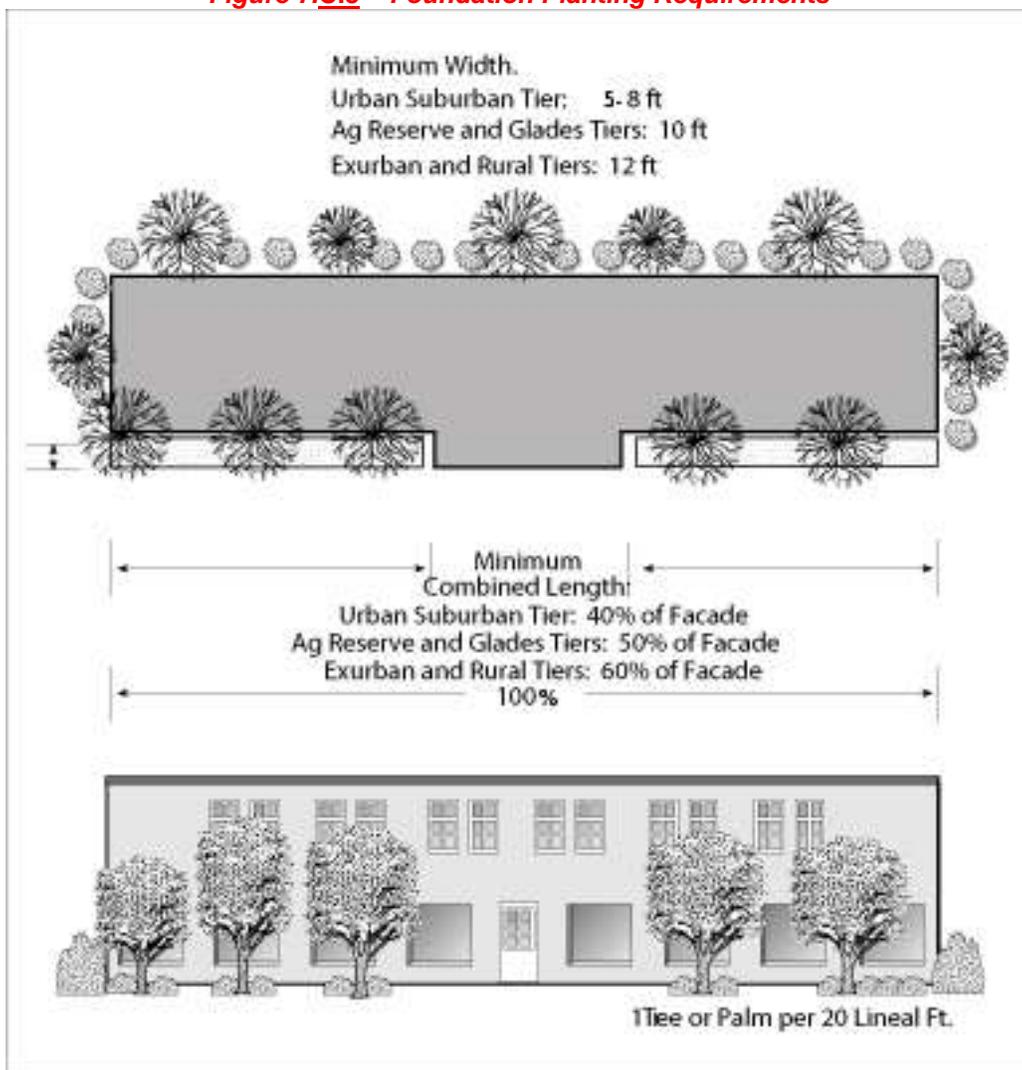
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- 1 *d. Properties where the required planting area would overlap a required buffer. [Relocated*
- 2 *from Art. 7.D.11.A.4, Related to Foundation Planting Exemptions]*
- 3 *e. Accessory buildings and structures subject to Zoning approval. [Relocated from Art.*
- 4 *7.D.11.A.5, Related to Foundation Planting Exemptions]*
- 5 **3. Establishments with drive-throughs, Freestanding ATMs and Unmanned Retail Structures**
- 6 *Location of required foundation plantings may be modified if the planting and dimensional*
- 7 *requirements are met in the relocated area. [Ord. 2013-021] [Relocated from Art. 7.D.11.F,*
- 8 *Freestanding ATM's and Unmanned Retail Structures]*
- 9 **a. Walk Up**
- 10 *Foundation planting areas may be relocated up to a maximum of ten feet away from the*
- 11 *applicable façade to accommodate pedestrian walkways, access to the ATM or Unmanned*
- 12 *Retail Structure, or as needed to comply with F.S. 655, 960, security lighting, or Crime*
- 13 *Prevention Through Environmental Design (CPTED) guidelines. [Ord. 2013-21] [Ord. 2017-*
- 14 *007] [Relocated from Art. 7.D.11.F.1, Walk Up]*
- 15 **b. Drive Through**
- 16 *Foundation planting areas may be relocated within 30 feet from the original required facades*
- 17 *of the drive-through. [Ord. 2013-21] [Ord. 2017-007] [Relocated from Art. 7.D.11.F.2, Drive*
- 18 *Through]*
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**Figure 7.C.3 – Foundation Planting Requirements**



21 [Relocated from Figure 7.D.11.D, Foundation Planting Requirements]

Reason for amendments: [Zoning]	
1.	Address planting around the base or peripheral area of a sign, ATMs or Unmanned Retail Structure/Kiosk.

24

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ARTICLE 7, LANDSCAPING
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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, page 23]

Table with 6 rows and 2 columns: Reason for amendments: [Zoning] and numbered list of amendments (1-6) regarding landscaping for parking areas, landscape islands, and spacing requirements.

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, page 41]

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]

d. Compact Car or LSEV Spacing

Landscape islands may be placed at intervals of a maximum of 12 compact or LSEV parking spaces for U/S Tiers, and a maximum of 14 spaces for the other Tiers.

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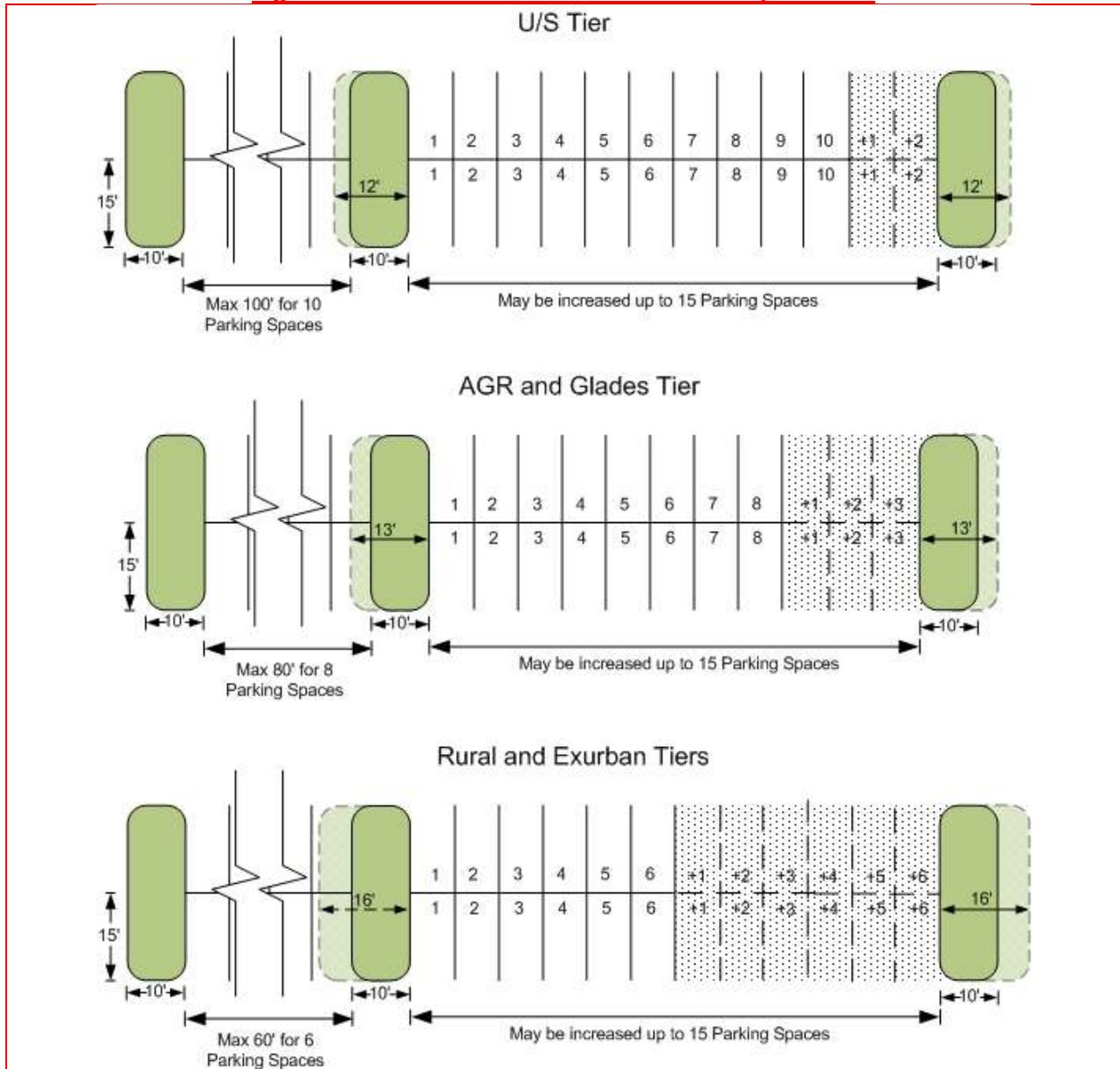
2. Increased Interval of Landscape Island

The distance between landscape islands may be increased to a maximum of 15 standard parking spaces and 17 compact parking spaces for U/S Tiers and 12 standard and 15 compact parking spaces for the other 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

Any plant materials that were required to be installed in the original island(s) prior to the increased interval of parking spaces, shall be planted either in the landscape buffer or within the interior planting areas of the same project.

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



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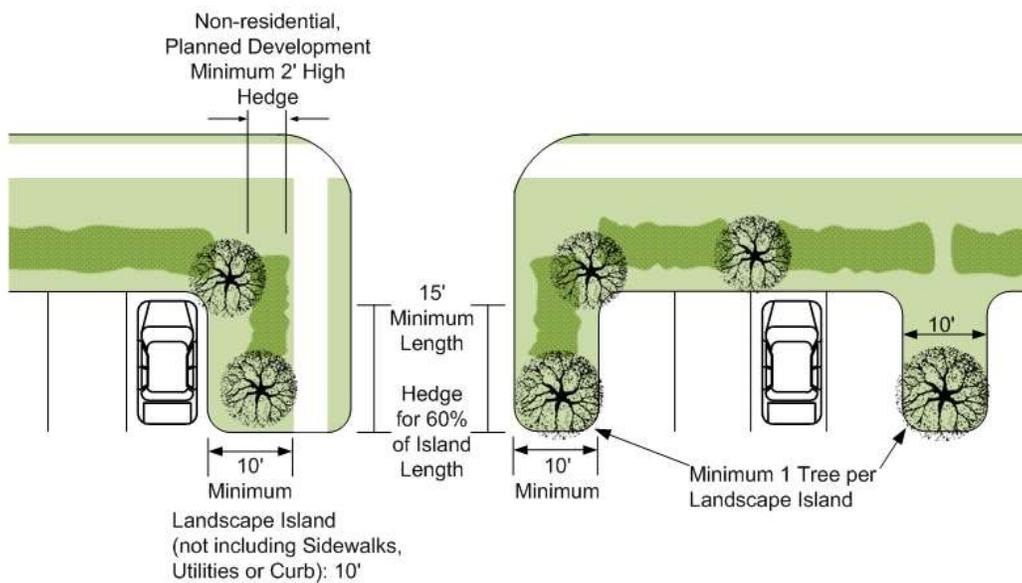
3. Type 1 Waiver for Maximum Spacing

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

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

All Tiers	
Landscape Island (4) and Divider Median Minimum Dimensions	
Landscape Island Min. Width (1) (3)	10 ft.
Landscape Island Min. Length (3)	15 ft.
Divider Median Min. Width (1)	10 ft.
Landscape Diamond (Width x Length)	5 ft x 5 ft
Minimum Tree Planting Requirements (2)	
Tree Planting - Landscape Island	1 tree per island
Tree Planting - Divider Median	1 tree per 30 linear ft.
Landscape Diamond	1 palm per diamond
Minimum Shrub and Groundcover Planting Requirements	
Groundcover Planting - Landscape Island (3)	Grass or appropriate Groundcover to be planted in island
Shrub Planting - Divider Median	Medium Shrubs planted at 30 inches on center, and appropriate Groundcover
Landscape Diamond	Appropriate Groundcover or Tree Grate
<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>	

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



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

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*(Updated 7/12/17)*

**Reason for amendments:** [Zoning]

1. 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**



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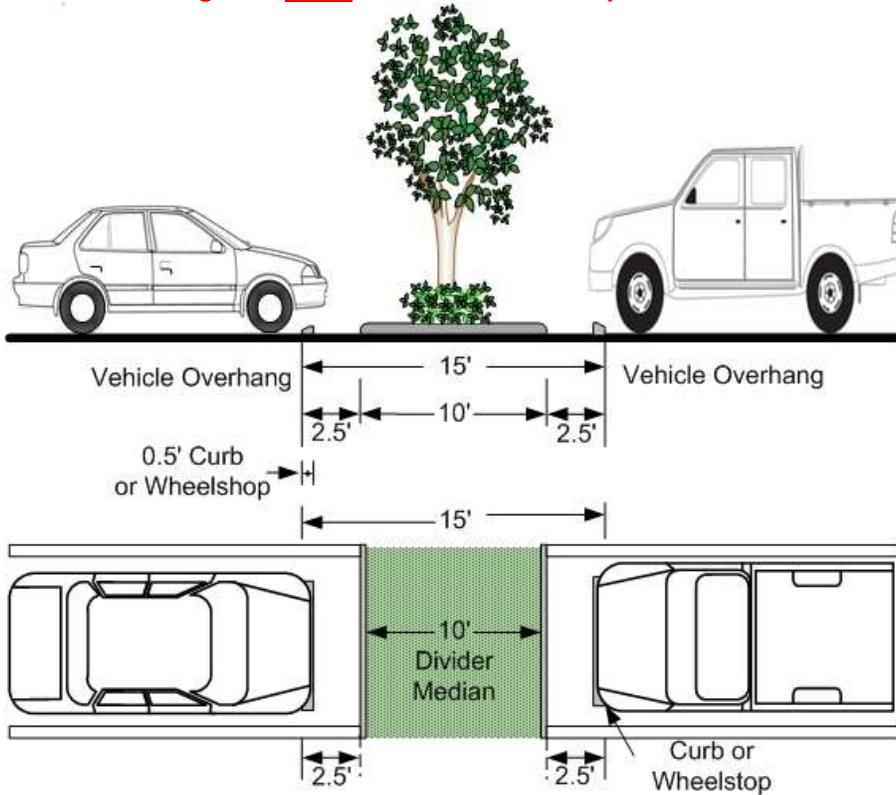
**Notes:**

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE**  
**REQUIREMENTS**  
*(Updated 7/12/17)*

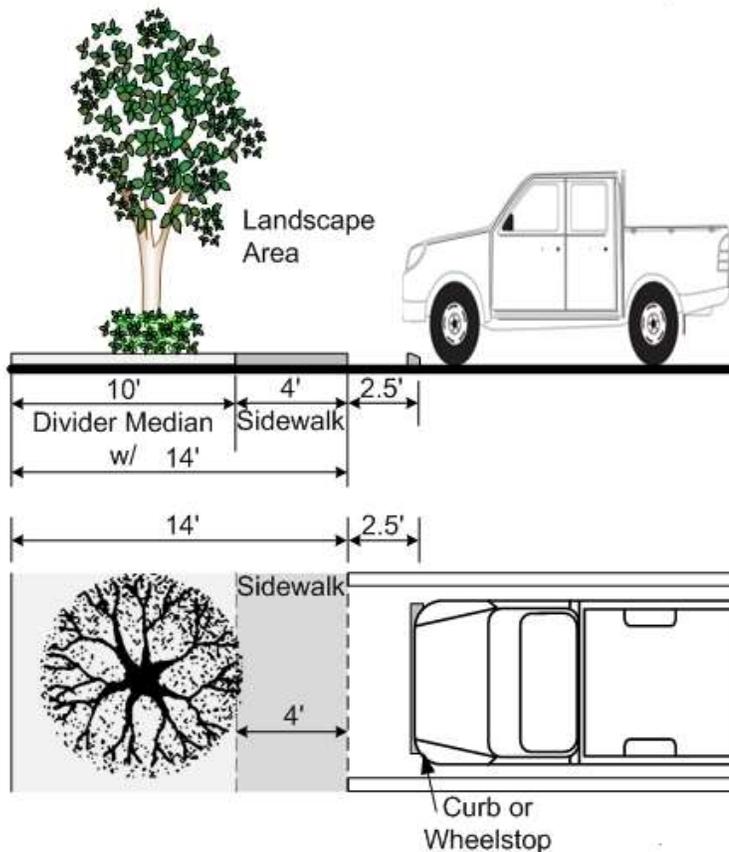
1

*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*  
 7 *an alternative to divider medians for lots that are located in the WCRAO, URAO or IRO.*

**Notes:**

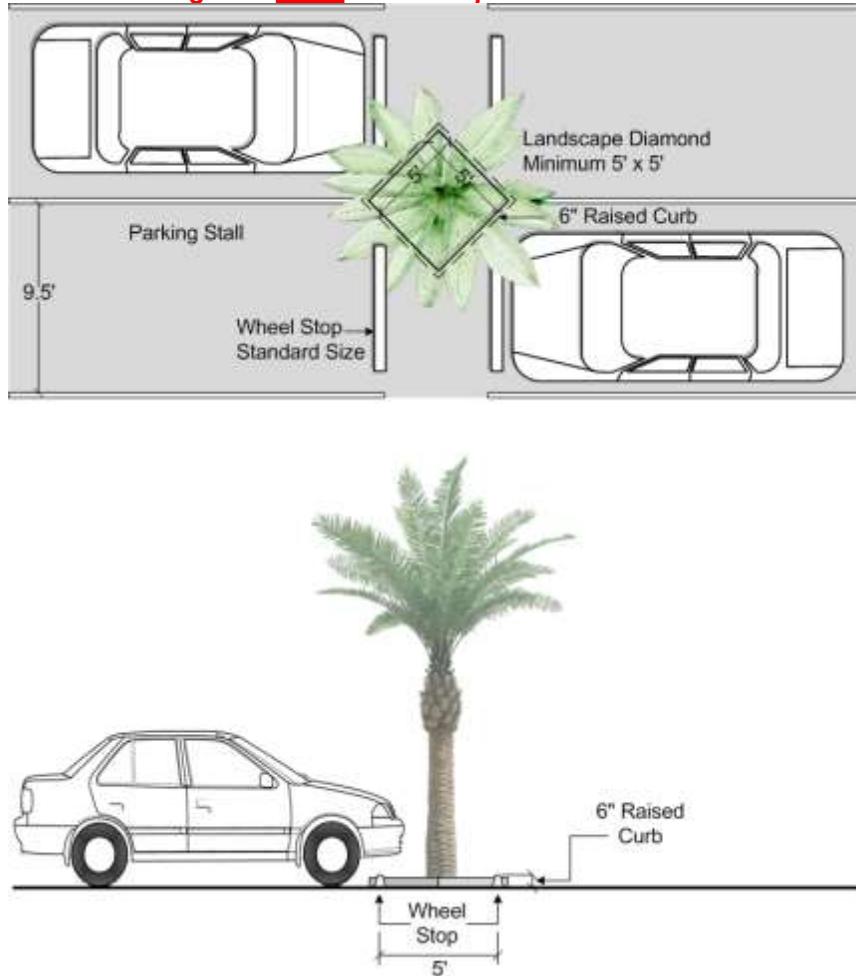
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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS (Updated 7/12/17)

1 Landscape diamonds shall be located only at the common intersection of four parking spaces and  
2 spaced a maximum of four parking spaces apart. [Partially relocated from Art. 7.G.2.D,  
3 **Landscape Diamonds]** A raised curb is required around the entire landscape diamond when  
4 wheel stops are not used.  
5

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



~~A raised curb is required around the entire landscape diamond when wheel stops are not used.~~

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

### 7 **D. Vehicular Use Area**

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

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

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

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

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

### 19 **E. Landscape Protection Measures**

20 The landscape area adjacent to any off-street parking space or vehicular use area shall be  
21 protected from vehicular encroachment by the use of wheel stops or continuous concrete curbing.  
22 Alternative protection may be allowed in the AGR, Exurban, Glades and Rural Tiers by the  
23 Zoning Division. [Partially relocated from Art. 7.G.2.E, Landscape Protection Measures]

#### 24 **1. Curbing**

25 All landscape areas subject to vehicular encroachment shall be separated from vehicular use  
26 areas by six inch, non-mountable, FDOT-type “D” or FDOT-type “F”, concrete curbing.  
27 Curbing shall be machine-laid, formed-in-place or integrally installed with the pavement.

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EXHIBIT

ARTICLE 7, LANDSCAPING
CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE
REQUIREMENTS
(Updated 7/12/17)

Landscaped areas adjacent to vehicular use areas shall be surrounded with a continuous raised curb. [Ord. 2010-022] [Relocated from Art. 7.G.2.E.1, Curbing]

a. Exemptions

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

Reason for amendments: [Zoning]
1. Relocate Easement related requirements from Chapter D to the new Chapter C.
2. 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

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# EXHIBIT

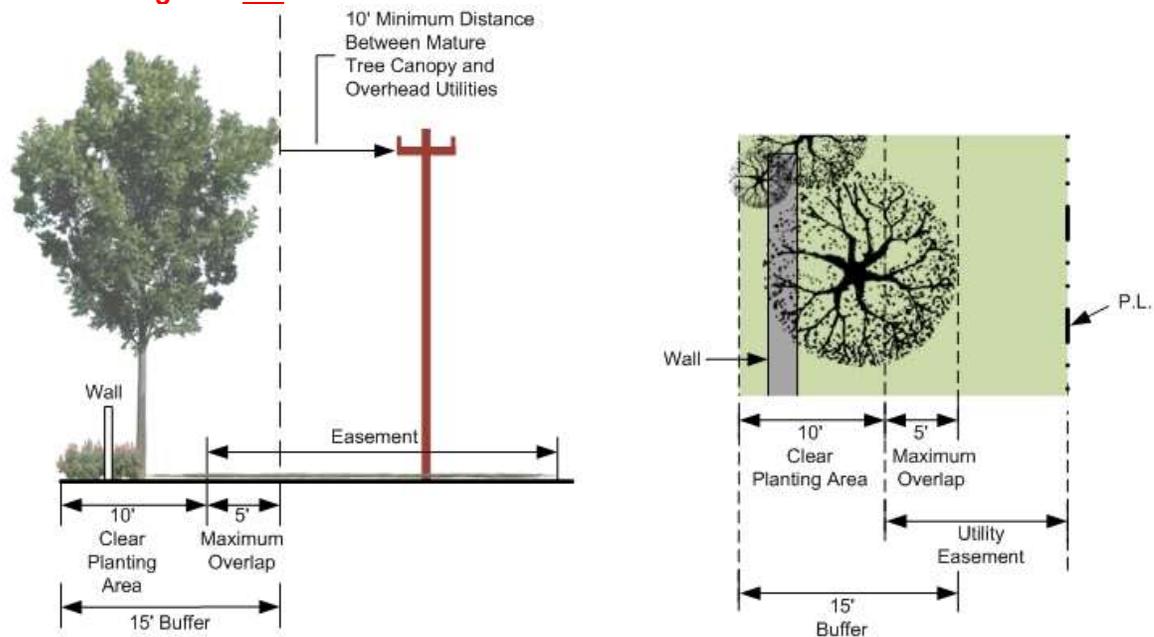
## ARTICLE 7, LANDSCAPING CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS (Updated 7/12/17)

1 *Right Place,” available from the Zoning Division, and take into consideration the mature height*  
2 *and spread of the species beneath or adjacent to overhead utilities. Where overhead utilities*  
3 *exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from*  
4 *overhead lines. Plants required in the easement area may be planted elsewhere on site, in the*  
5 *vicinity of the required location. In order to maintain tree and plant spacing when a landscape*  
6 *buffer is traversed by a utility easement, a larger overlap may be allowed with the written approval*  
7 *of the relevant utility service company. Where a utility easement crosses a R-O-W Buffer, plant*  
8 *material spacing may be adjusted, provided there is no reduction in the amount of required plant*  
9 *material.* [Relocated from Art. 7.D.12.B, Overhead Utilities]

### 10 **C. Detention/Retention Areas, Swales, and Drainage Easements**

11 *Detention/Retention areas, drainage easements, and sloped, directional swales greater than*  
12 *one foot below finished grade, may overlap required landscape buffers provided a minimum of*  
13 *five feet remains for planting.* [Ord. 2006-004] [Ord. 2016-042] [Relocated from Art. 7.D.12.C,  
14 **Detention/Retention Areas, Swales, and Drainage Easements**]  
15

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



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

17  
18 1. *Planting may be allowed in the dry detention area if approved by the Land Development*  
19 *Division.* [Ord. 2016-042] [Relocated from Art. 7.D.12.C.1, Detention/Retention Areas,  
20 **Swales, and Drainage Easements**]

### 21 **D. Lake Maintenance Easements (LME)**

22 *Planting of new trees or relocation of native, non-prohibitive or specimen vegetation may occur in*  
23 *the LME subject to the approval by the ERM Department and Land Development Division.* [Ord.  
24 **2016-042**] [Relocated from Art. 7.D.12.D, Lake Maintenance Easement (LME)]  
25

#### Reason for amendments: [Zoning]

1. Relocate Corner Clips from Chapter D to the new Chapter C.
2. 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’.

#### 26 **Section 6 Corner Clips and Safe Sight Corners**

27 *Landscaping within corner clip and safe sight corners required by Article 11, Subdivision, Platting, and*  
28 *Required Improvements, shall be subject to the following limitations.* [Relocated from Art. 7.D.13, Corner  
29 **Clips**]  
30

#### Notes:

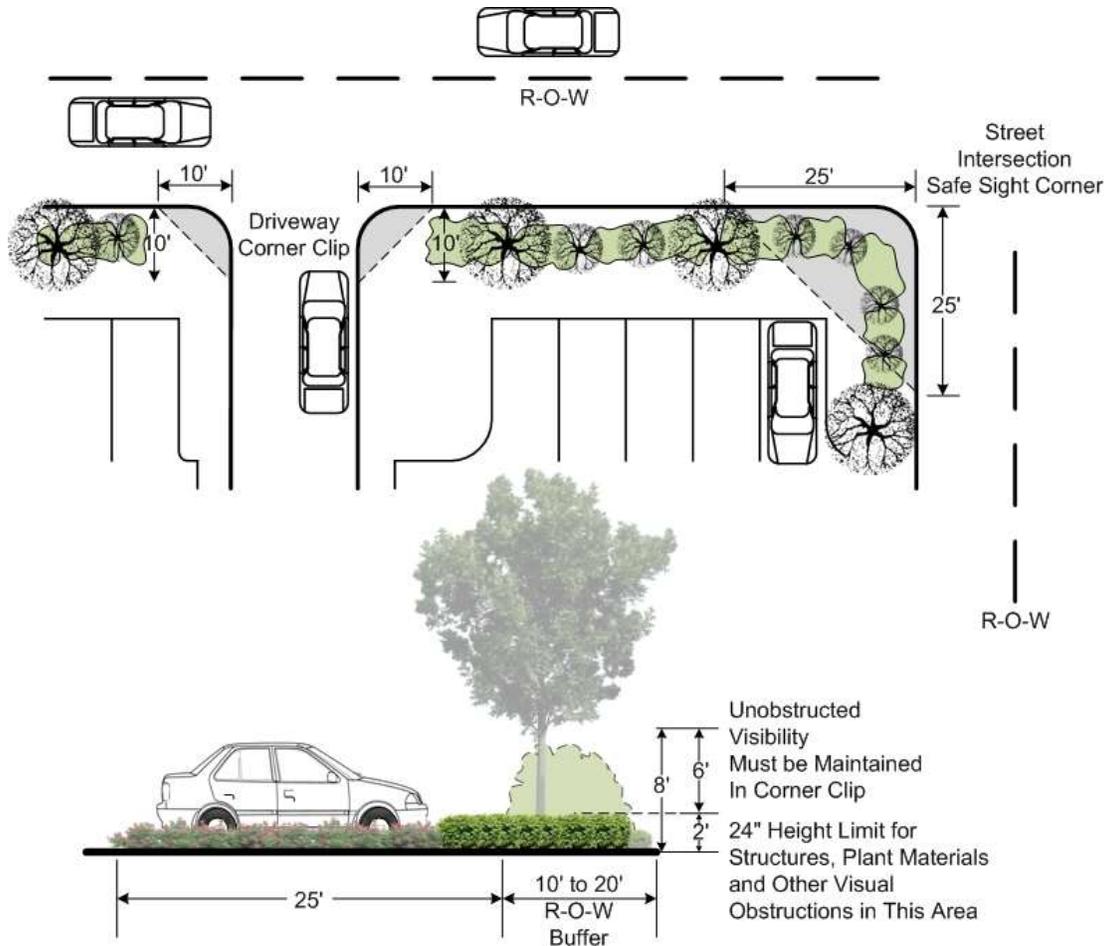
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EXHIBIT

ARTICLE 7, LANDSCAPING  
 CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE  
 REQUIREMENTS  
 (Updated 7/12/17)

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

Figure 7.C.5- Corner Clip and Safe Sight Corner Visibility Requirements



Reason for amendments: [Zoning]
1. 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

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER C, LANDSCAPE BUFFER AND INTERIOR LANDSCAPE**  
**REQUIREMENTS**  
**(Updated 7/12/17)**

- 1                   1) *A minimum 50 foot wide buffer. If a lake/retention area is located along a R-O-W, the*  
2                   *buffer may be split to border the perimeter of the lake, 25 feet along the street and 25*  
3                   *feet along the interior side of the lake. [Ord. 2005-002] [Relocated from Art.*  
4                   *7.F.12.A.1.b.1), related to Glades and Rural/Ex Tiers]*  
5                   2) *Required trees, palms and shrubs shall be double the quantities required under Art.*  
6                   *7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art.*  
7                   *7.F.12.A.1.b.2), related to Glades and Rural/Ex Tiers]*  
8                   **2. Compatibility Buffers**  
9                   *The width, berm and planting requirements along property lines adjacent to compatible uses*  
10                  *shall be upgraded as follows: [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2,*  
11                  **Compatibility Buffers]**  
12                  **a. U/S Tier**  
13                  1) *A minimum 25 foot wide buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a,*  
14                  *related to U/S Tier]*  
15                  2) *A three foot high berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a, related*  
16                  *to U/S Tier]*  
17                  **b. Glades and Rural/Exurban Tiers**  
18                  1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art.*  
19                  *7.F.12.A.2.b.1), related to Glades and Rural/Exurban Tiers]*  
20                  2) *Required trees, palms and shrubs shall be double the quantities required under Art.*  
21                  *7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art.*  
22                  *7.F.12.A.2.b.1), related to Glades and Rural/Exurban Tiers]*  
23                  **3. Incompatibility Buffers**  
24                  *The width, berm and planting requirements along property lines adjacent to residential and*  
25                  *other incompatible uses, and vacant properties with a residential FLU designation, shall be*  
26                  *upgraded as follows: [Ord. 2005-002] [Relocated from Art. 7.F.12.A.3, , Incompatibility*  
27                  **Buffers]**  
28                  **a. U/S Tier**  
29                  1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art.*  
30                  *7.F.12.A.3.a.1), related to U/S Tier]*  
31                  2) *A four foot high berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.2.a.2),*  
32                  *related to U/S Tier]*  
33                  3) *Required trees, palms and shrubs shall be double the quantities required under Art.*  
34                  *7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art.*  
35                  *7.F.12.A.2.a.3), related to U/S Tier]*  
36                  **b. Glades and Rural/Ex Tiers**  
37                  1) *A minimum 50 foot wide buffer. [Ord. 2005-002] [Relocated from Art.*  
38                  *7.F.12.A.3.b.1), related to Glades and Rural/Exurban Tiers]*  
39                  2) *Required trees, palms and shrubs shall be double the quantities required under Art.*  
40                  *7.F.2, Trees, Shrubs and Hedges. [Ord. 2005-002] [Relocated from Art.*  
41                  *7.F.12.A.3.b.2), related to Glades and Rural/Exurban Tiers]*  
42                  **B. Foundation Planting**  
43                  *Foundation planting shall meander along building facade, and shall not be entirely located at the*  
44                  *base of the building. [Ord. 2005 - 002] [Relocated from Art. 7.D.11.E.1.b, Dimensional*  
45                  **Requirements related to Large Scale Commercial Development]**  
46                  Dimensions and planting for the required Foundation planting shall be based on the Tier of which  
47                  the proposed development is located within, and subject to Table 7.C.3.B, Foundation Planting  
48                  and Dimensional Requirements.  
49                  **C. Encroachment**  
50                  *No easement encroachment shall be permitted in required perimeter buffers, except for bisecting*  
51                  *utility easements and required safe sight distance easements not to exceed a maximum of fifty*  
52                  *percent of the required buffer width. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.4,*  
53                  **Enrichment]**  
54                  **D. Perimeter Sidewalk**  
55                  *A perimeter sidewalk a minimum of shall be required in all R-O-W Buffers 50 feet in width, and*  
56                  *shall meander through the buffer. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.5, Perimeter*  
57                  **Sidewalk]**  
58                  **E. Berm**  
59                  *Berms shall be staggered, rolling or offset, as indicated in Figure 7.C.6, Typical Example of*  
60                  *Staggered, Rolling or Offset Berm. [Ord. 2005-002] [Relocated from Art. 7.F.12.A.6, Berm]*  
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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS

(Updated 4/06/17)

1  
2 Part 1. ULDC Art. 7.D, GENERAL STANDARDS (page 16-25 of 49), is hereby amended as  
3 follows:  
4

Reason for amendments: [Zoning]
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.

### 5 CHAPTER D ~~GENERAL~~ LANDSCAPE STANDARDS

#### 6 Section 1 General

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

#### 11 Section 1 A. Plant Species

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

#### 18 Section 2 Trees, Palms and Pines

##### 19 A. Canopy Trees

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

##### 24 1.—Height Reduction Average Height

25 ~~A maximum of 25 percent of the total number of required trees may be reduced in height by~~  
26 ~~25 percent. One additional tree, a minimum of eight feet in height, shall be planted for each~~  
27 ~~tree with reduced height. [Ord. 2014-025] [Ord. 2016-042]~~

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

29 a. Average height of total quantity of trees shall have a minimum of 12 feet. A maximum of  
30 25 percent of the required trees shall be at a minimum height of eight feet.

##### 31 B. Palms

32 The size of a palm shall be measured by the height of the clear trunk or the grey wood pursuant  
33 to Figure 7.D.2.B - Palm Measurement Standards. The minimum overall height of a palm shall be  
34 12 feet, and the minimum height for different species of palms shall be in accordance with Table  
35 7.D.2.B – Palm Height Standards.

36 **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, Bismarck</u> and similar species
[Ord. 2016-042]	

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#### Notes:

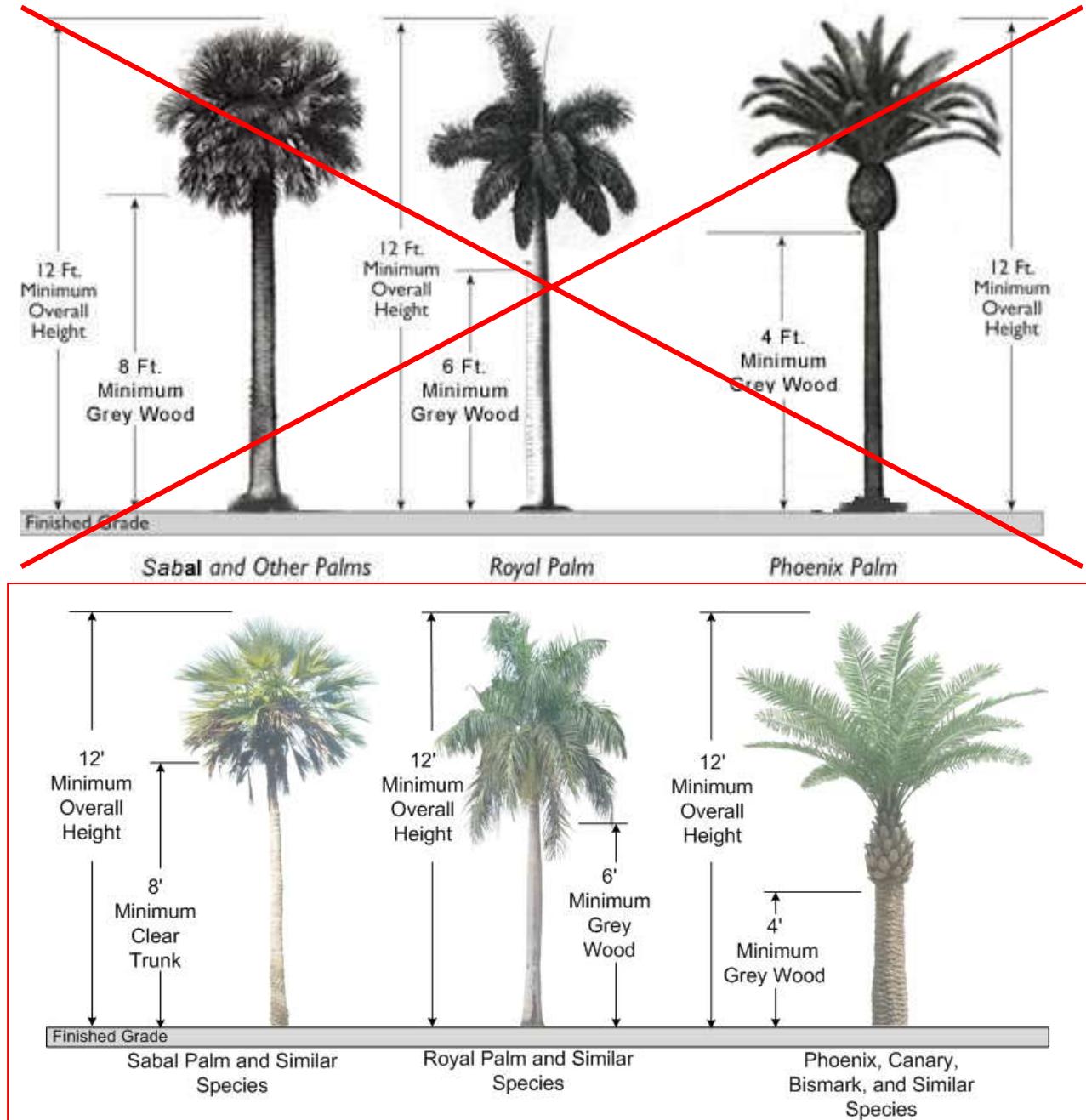
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EXHIBIT X

ARTICLE 7, LANDSCAPING  
CHAPTER D – LANDSCAPE STANDARDS  
(Updated 4/06/17)

1

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



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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.~~

**a. Exception**

*Royal, Bismarck, Phoenix, Canary, Date or similar palm species determined to be acceptable by the Zoning Director may be counted as one required canopy tree. These palms shall have a minimum of 8 feet of grey wood* [Partially relocated from Art. 7.F.2.A.2.a, Exception, related to Palms]

Notes:

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS

(Updated 4/06/17)

### C. Pines

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

#### 1. Canopy Tree Substitute

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

### D. Tree Species Mix

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

Table 7.D.2.GD - 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]

1. 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.

### ~~E. Preservation of Trees~~

- ~~1. The Zoning Director shall have the authority to require the preservation of vegetation on-site that is not covered under Article 14.C, Vegetation Protection, subject to the following provisions: [Ord. 2016-016] [Relocated to Art. 7.E.2, Authority and Review Procedures]~~
  - ~~a. Applications submitted for new or modified development proposals shall use the most applicable plan to identify existing vegetation proposed to be: [Ord. 2016-016]~~
    - ~~1) Preserved and incorporated into the site design; [Ord. 2016-016]~~
    - ~~2) Relocated on-site; and, [Ord. 2016-016]~~
    - ~~3) Relocated off-site. [Ord. 2016-016]~~
  - ~~b. A Tree Survey may be required as part of the approval of the application for sites that support significant vegetation, in order to ensure the final site design incorporates the maximum number of trees. [Ord. 2016-016]~~
- ~~2. The Zoning Director shall have the authority to condition the approval of the development order to incorporate existing vegetation into the site design. [Ord. 2016-016] [Relocated to Art. 7.E.2.B.3.c, related to Agreement on Preservation]~~

### F. Tree Credit

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

#### ~~1. Tree Survey~~

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

#### ~~2. Trees Excluded from Credit~~

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

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

~~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]~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

~~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]

**Reason for amendments:** [Zoning]

1. 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.
2. 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.
3. 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.
4. 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:~~

**B. 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.~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

**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
<i>Ground Cover</i>	<i>6 inches</i>	<i>6 inches</i>	<i>N/A</i>
<i>Small Shrubs</i>	<i>18 inches</i>	<i>24 inches</i>	<i>36 inches</i>
<i>Medium Shrubs</i>	<i>24 inches</i>	<i>48 inches</i>	<i>48 inches</i>
<i>Large Shrubs</i>	<i>36 inches</i>	<i>48 inches</i>	<i>72 inches</i>
<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]	
1.	Clarify that hedges, fences and walls are considered landscape barriers to provide screening.
2.	Clarify that Hedge materials are shrubs that are closely planted together to form a visual barrier.
3.	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 for an Industrial PDD subject to a Type 1 Waiver for Landscaping. [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**

##### **43. 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**

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS

(Updated 4/06/17)

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.10, Perimeter Buffers with Grade Changes. [Ord. 2016-016]

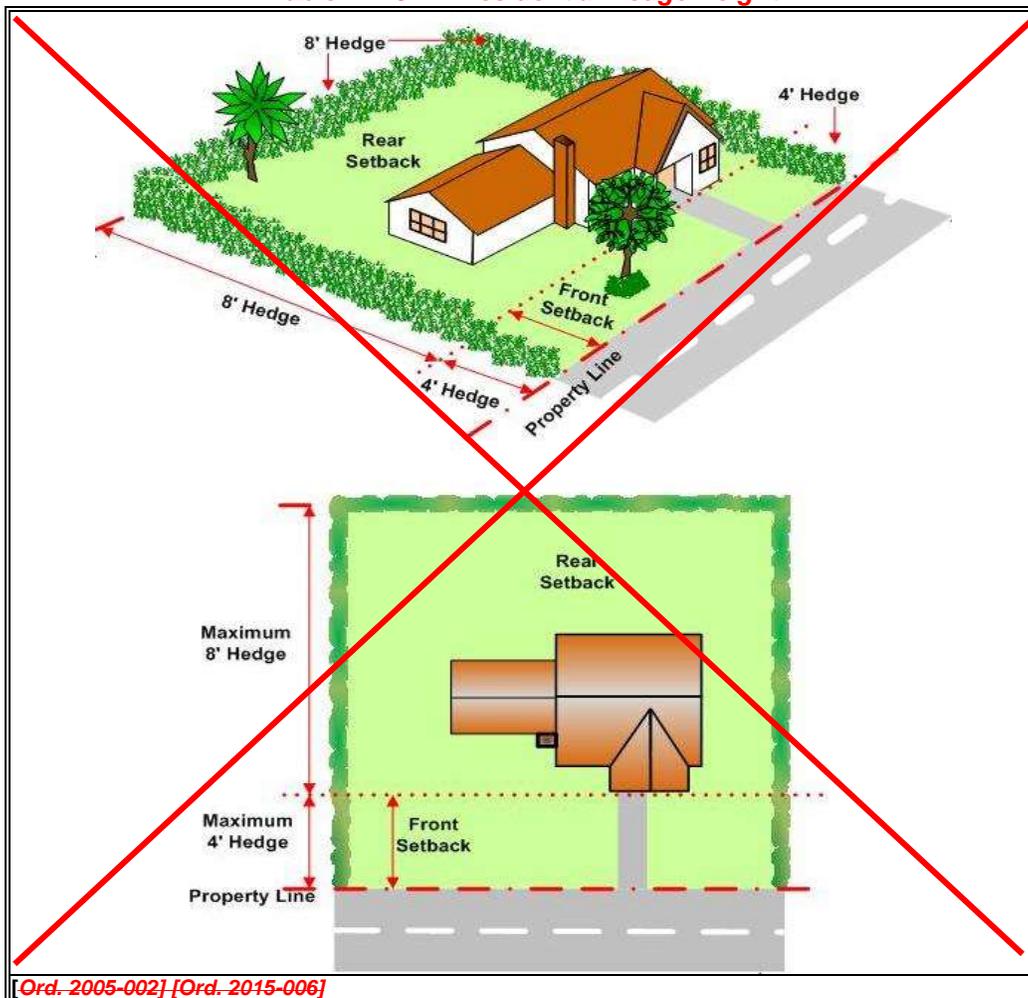
~~2. Residential Hedge Height~~

~~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]

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS

(Updated 4/06/17)

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

~~3.—PDD and Non-residential Perimeter Buffer Hedge Height~~

~~Hedges shall not exceed 12 feet in height. [Ord. 2005-002] [Ord. 2014-025]~~ [Relocated to Art. 7.D.4.A.1,b, PDD and Non-residential Perimeter Buffer Hedge Height, above]

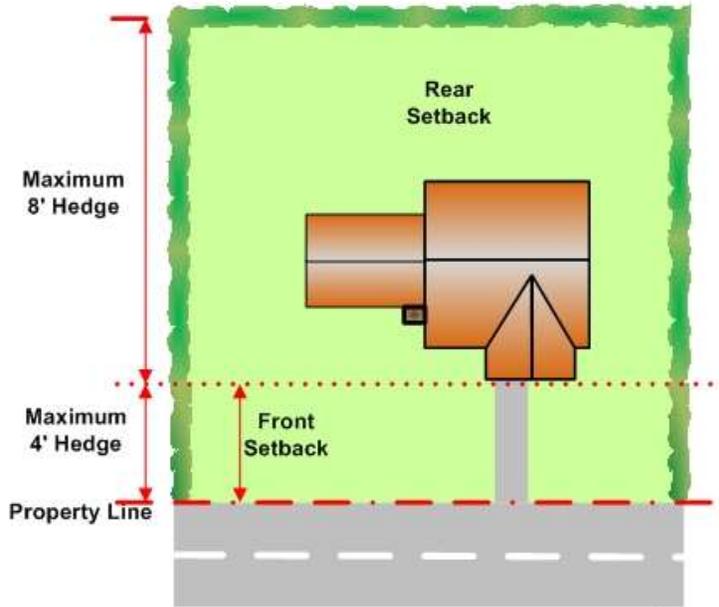
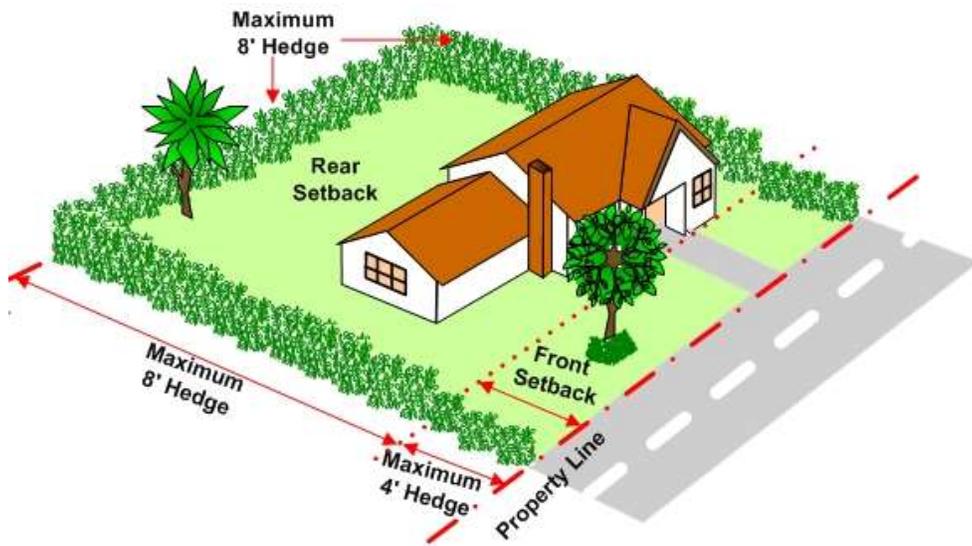
**4. Setback**

~~Hedges shall be setback a minimum of two feet from the property line to allow for maintenance, or additional landscape material if required, unless stated otherwise herein. [Ord. 2016-016]~~ [Partially relocated from Art. 7.F.2.C, Hedges]

**45. Sight Distance**

Hedges shall comply with Article 11.E.9.C, Minimum Safe Sight Distance and Corner Clips at Intersection. [Ord. 2015-006]

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



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

[Relocated from Table 7.D.3.B, Residential Hedge Height, above]

**5.—Shrub**

~~Required shrubs may be planted in the form of a hedge provided the minimum quantities are installed pursuant to Table 7.C.3, Minimum Tier Requirements, and shall be subject to the following: [Ord. 2005-002] [Ord. 2014-025]~~

**a.—Height at Installation**

~~Hedge material shall be a minimum of 24 inches at the time of installation. [Ord. 2014-025]~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

### b. **Spacing at Installation**

~~Hedge material shall be planted a maximum of 24 inches on center, or as may be adjusted in the field based upon the type of plants utilized with a maximum spacing of 36 inches on center. [Ord. 2005-002] [Ord. 2014-025] [Partially relocated to Art. 7.D.4.A.1, Height and Spacing Installation, above]~~

### ~~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]
1. Clarify that walls and fences are considered landscape barriers to provide visual screening.
2. 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.
3. Clarify the placement of walls and fences based on the type of landscape buffer.
4. 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 7 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

#### Notes:

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

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. **[Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016]** [Partially relocated from Art. 7.F.3.E, Chain Link Fences]

**a. 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]** [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>
<b><u>Setback for the Wall or Fence</u></b>	10 ft. feet from the edge of the ultimate R-O-W or Base Building Line, whichever is applicable. (1) [Partially relocated from Art.7.F.7.E, Walls and Fence]	10 ft. feet from the edge of the property line. [Partially relocated from Art.7.F.3.A, Location of Wall or Fence]	No setback required. Allow to be located along the property line.
<b><u>Planting Width</u></b>	7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)	7.5 feet on both sides of the wall or fence, or 10 feet if a wall with continuous footer is used. (2) (3)	7.5 feet on one side of the fence. If a wall is installed, 10 feet on one side of the wall. (2) (3)
<b><u>Berm</u></b>	If a continuous berm is proposed, the wall may be located on top of the berm.	If a continuous berm is proposed, the wall may be located on top of the berm.	No requirement.
<b><u>Canopy Tree Planting</u></b>	75 percent of required trees shall be located along the exterior side of the wall or fence. (4) [Partially relocated from Art.7.F.3.B, Location of Planting]	75 percent of required trees shall be located along the exterior side of the wall or fence. (4) [Partially relocated from Art.7.F.3.B, Location of Planting.]	No percentage requirement.
<b><u>Shrub Planting</u></b>	<del>Shrubs or hedges shall be installed—planted on both sides of the wall or fence.</del> [Partially relocated from Art.7.F.3.B, Location of Planting]	<del>Shrubs or hedges shall be installed—planted on both sides of the wall or fence.</del> [Partially relocated from Art.7.F.3.B, Location of Planting]	No percentage requirement.
<b>Notes:</b>			
(1) <del>Unless waived or reduced by the County Engineer, provided there remains a minimum of seven and one half clear feet for planting.</del> [Partially relocated from Art.7.F.7.E, Walls and Fences]			
(2) <del>No easement encumbrances.</del>			
(3) <del>If a wall is installed, the minimum width of the landscape buffer shall be increased to have sufficient area for the required planting.</del>			
(4) <del>Percentage of required trees may be reduced subject to a Type 1 Waiver for Landscaping.</del>			

**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, page 34]

**Reason for amendments:** [Zoning]

- 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]

**Notes:**

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

### 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

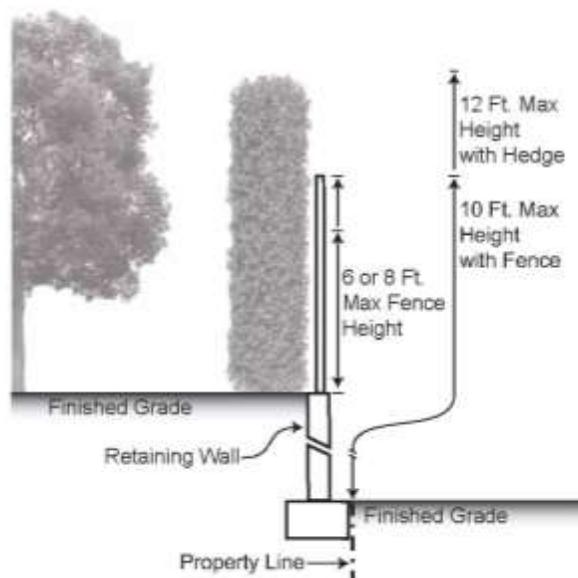
#### 1. Fences

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 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.F.10.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.F.10.B.2, Hedges]

**Figure 7.D.5.B - Height Requirements for Compatibility Buffers  
With Grade Changes Using Retaining Walls**



[Ord. 20016-016]

[Relocated from Figure 7.F.10.B - Height Requirements for Compatibility Buffers with Grade Changes Using Retaining Walls]

### 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 from Art. 7.F.10.C, Incompatibility or R-O-W 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 from Art. 7.F.10.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 from Art. 7.F.10.C.2, Hedges]

#### Notes:

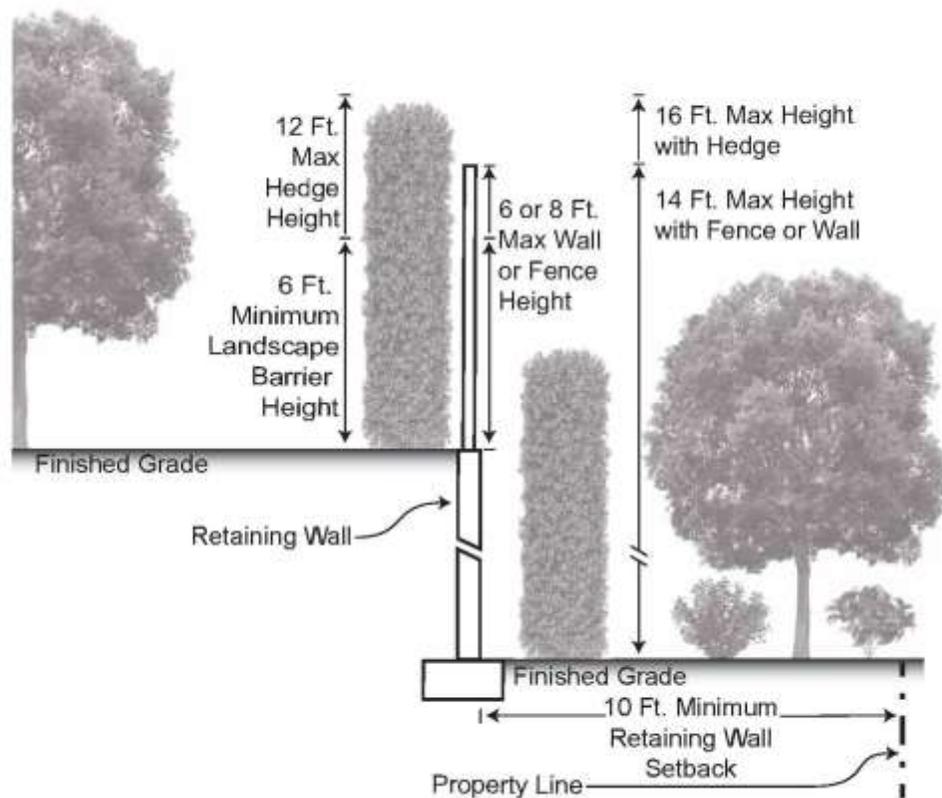
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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

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**Figure 7.D.5.C - Height Requirement for Incompatibility or R-O-W Buffers With Grade Changes Using Retaining Walls**



[Ord. 2016-016]

3 [Relocated from Figure 7.F.10.C - Height Requirement for Incompatibility or R-O-W Buffers With  
4 Grade Changes Using Retaining Walls]

### 5 ~~Section 5~~ Existing Native Trees and Vegetation

6 ~~Existing native trees and vegetation may satisfy the landscape buffer requirements in this Article, in total~~  
7 ~~or in part. Existing native trees and vegetation may be relocated from areas of the site to be used as or in~~  
8 ~~a landscape buffer. In determining whether native trees and vegetation satisfy the requirements of this~~  
9 ~~Article, the following shall be considered:~~ [Partially relocated to Art. 7.E.1, Purpose related to Chapter  
10 E]

11 ~~A. The effectiveness of the visual screening. If adequate screening is provided, then no additional~~  
12 ~~trees and vegetation will be required.~~ [Partially relocated to Art. 7.E.1.A, related to Purpose of  
13 Chapter E]

14 ~~B. The quality and kind of the trees and vegetation being preserved.~~ [Partially relocated to Art.  
15 7.E.1.B, related to Purpose of Chapter E]

### 16 ~~Section 6~~ Prohibited Plant Species

17 ~~The planting or installation of the following plant species is prohibited. Each planting plan, landscape plan~~  
18 ~~or ALP shall include a program to eradicate and prevent the reestablishment of these species.~~  
19 [Relocated to Art. 7.E.4, Prohibited Plant Species]

20 ~~A. Prohibited plant species listed in Article 14.C, VEGETATION PRESERVATION AND~~  
21 ~~PROTECTION.~~ [Relocated to Art. 7.E.4.A, related to Prohibited Plant Species]

22 ~~B. Any plant species classified in Article 14.C, VEGETATION PRESERVATION AND~~  
23 ~~PROTECTION, as an "invasive non-native species".~~ [Relocated to Art. 7.E.4.B, related to  
24 Prohibited Plant Species]

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EXHIBIT X

ARTICLE 7, LANDSCAPING
CHAPTER D – LANDSCAPE STANDARDS
(Updated 4/06/17)

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

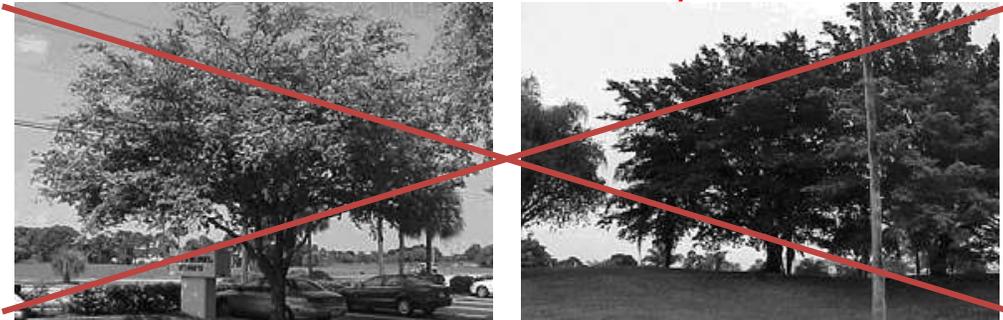
Ficus species may be planted under the following conditions but shall not exceed a maximum of ten percent of the total number of required trees. [Relocated to Art. 7.E.5,B, Ficus Species]

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]

- 1. Relocate Art. 7.D.9 to Section 6. Also eliminate redundant language under Art.7.F.9.D, Incompatibility – Berms.
2. 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] [Relocated below under Art. 7.D.9.B, Maximum Slope, below]

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS

(Updated 4/06/17)

### 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]

### 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]

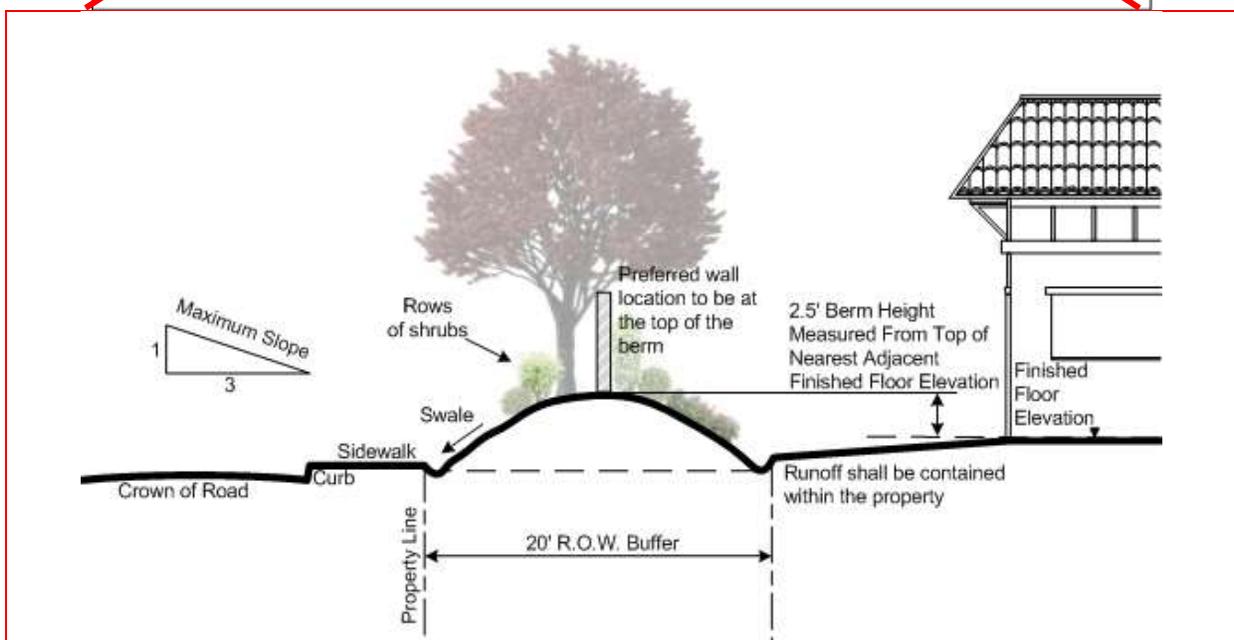
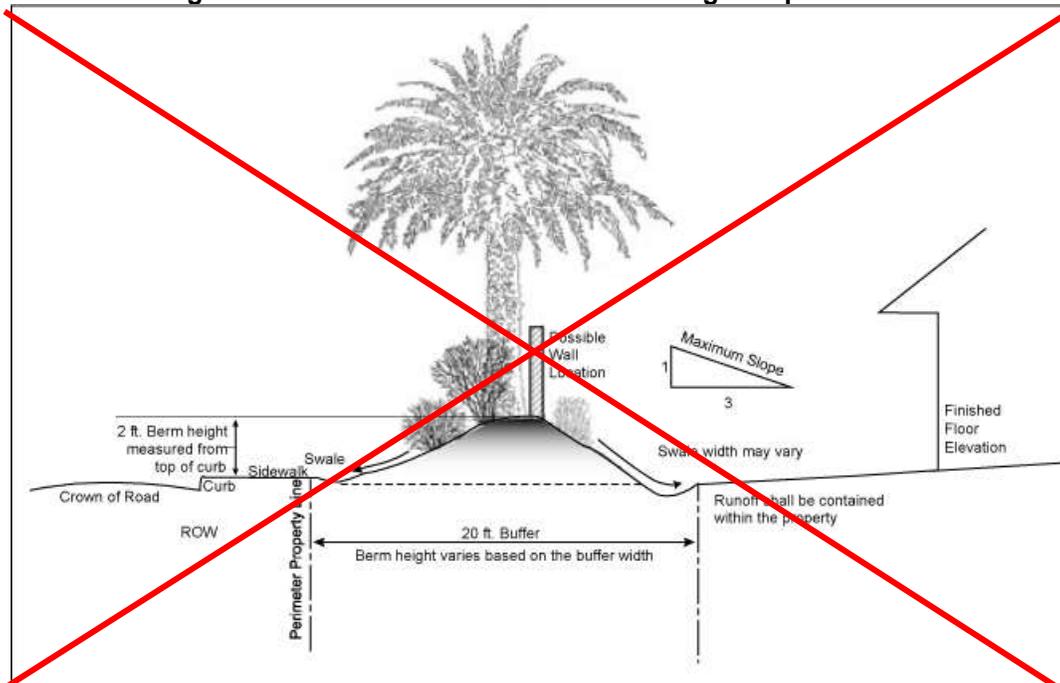
### D. Incompatibility Buffer

*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]

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

Reason for amendments: [Zoning]

1. 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. 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] [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 7.E.5.G, Vacant Lots. [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 foot of building facade and one shrub or ground cover for every 10 square foot 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.~~
- ~~2. Buildings which are exempt from local building permits or government review pursuant to State or Federal Statutes.~~
- ~~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).~~
- ~~4. Properties where the required planting area would overlap a required buffer.~~
- ~~5. Accessory buildings and structures subject to Zoning approval.~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

### ~~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 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 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]~~

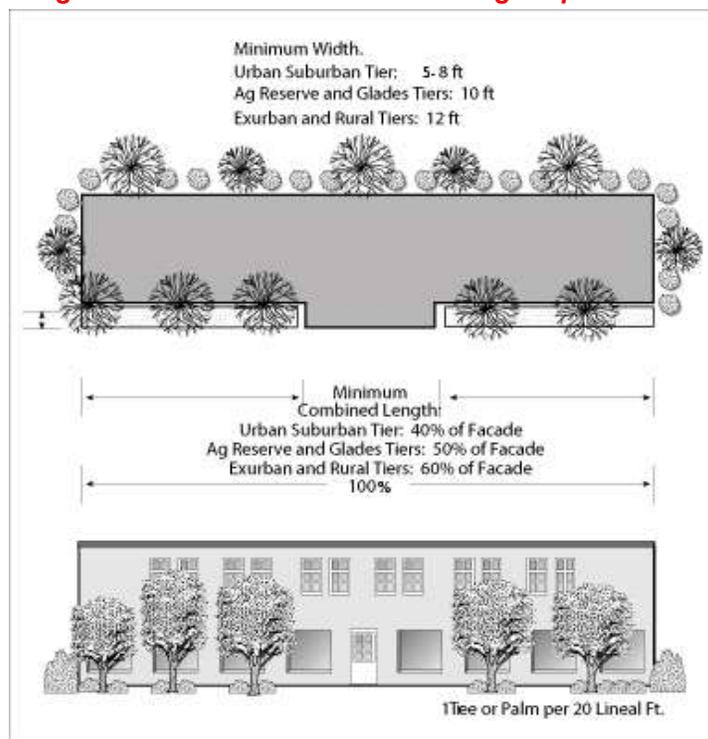
#### ~~2. Easements~~

~~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**



38 [Relocated to Figure 7.C.3 – Foundation Planting Requirements]

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

### ~~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]~~

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#### Notes:

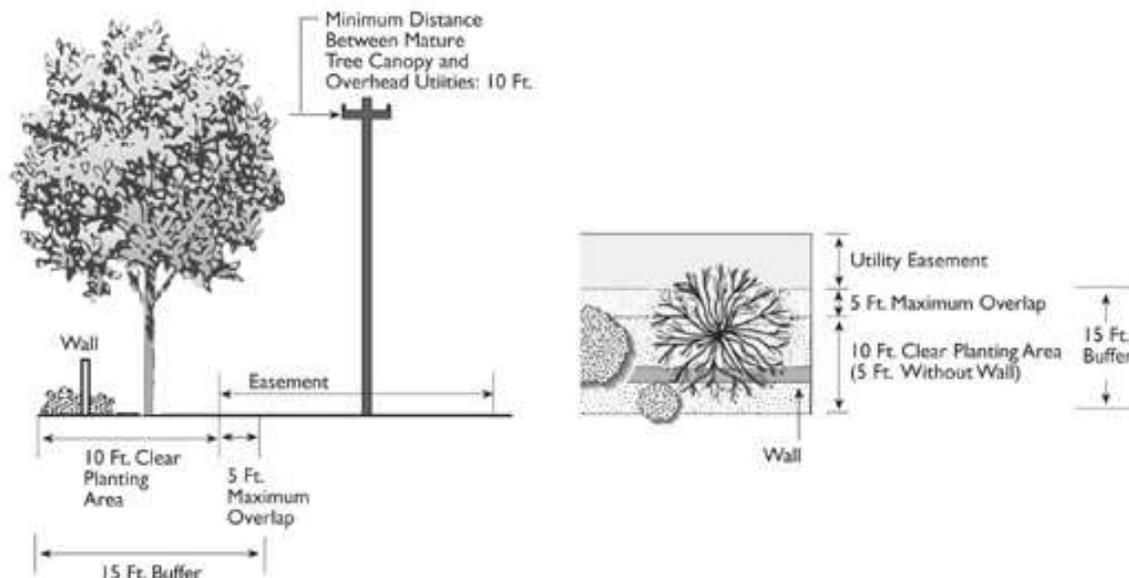
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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER D – LANDSCAPE STANDARDS (Updated 4/06/17)

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**Figure 7.D.12.C – Maximum Allowed Encroachment into Easements**



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**[Relocated to Figure 7.C.5 – Maximum Allowed Encroachment into Easements]**

~~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)]**

10 **~~Section 13 – Corner Clips~~**

11 ~~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]**

14 ~~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]**

17 ~~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]**

20 ~~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]**

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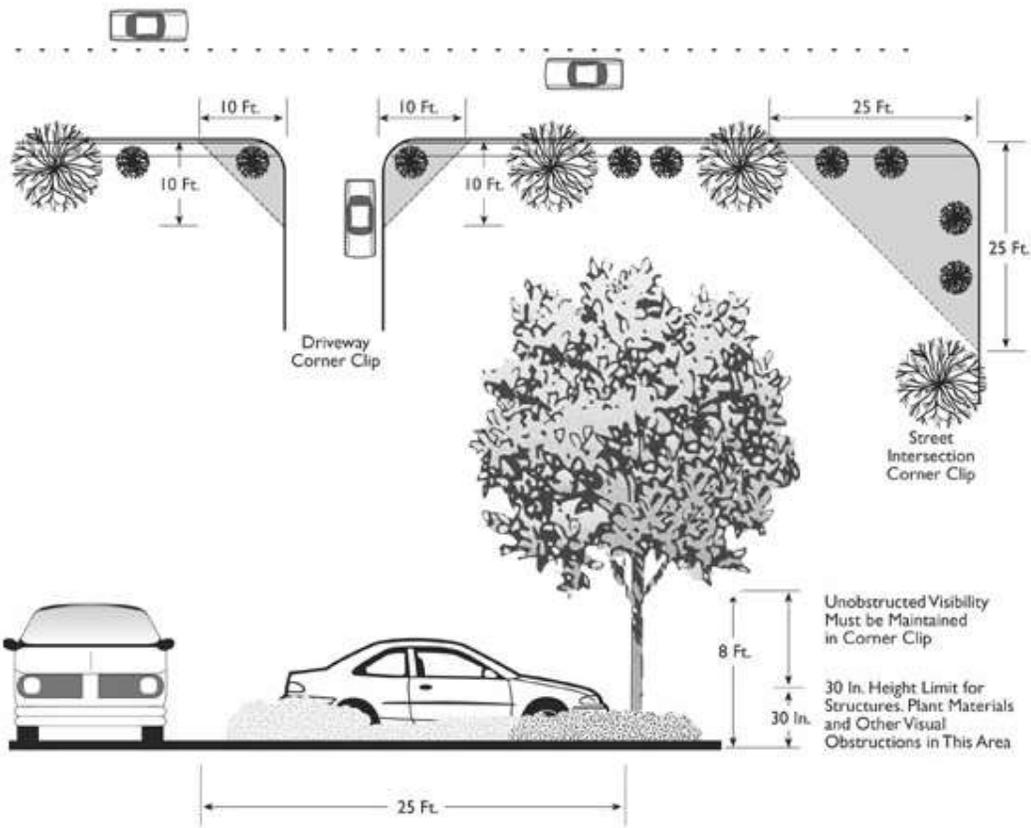
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**EXHIBIT X**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER D – LANDSCAPE STANDARDS**  
*(Updated 4/06/17)*

1

*Figure 7.D.13 – Corner Clip Visibility Requirements*



2 [Relocated to Figure 7.C.5 – Corner Clip and Safe Sight Corner Visibility Requirements]

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER E – EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES

(Updated 7/12/17)

1 Part 1. 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.

### CHAPTER E EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES

#### Section 51 Existing Native Trees and Vegetation Purpose

7 To establish standards and requirements for the preservation of existing native vegetation; removal of  
8 prohibited species, and reduction of controlled species, For the purpose of Article 7, existing native  
9 vegetation includes native trees, palms, and pines and are required to be incorporated in the site for any  
10 application that is subject to a DO. Existing native vegetation may satisfy the landscape requirements in  
11 this Article, in total or in part. In determining whether native vegetation satisfies the requirements of this  
12 Article and the goals of Art. 14.C, Vegetation Preservation and Protection, either one or both of the  
13 following shall be considered: [Partially relocated from Art. 7.D.5.A, related to Existing Native Trees  
14 and Vegetation]

15 A. The effectiveness of utilizing the existing vegetation as visual screening and re-establish a natural  
16 habitat for the existing vegetation; or [Partially relocated from Art. 7.D.5.A, related to Existing  
17 Native Trees and Vegetation]

18 B. The quality and species of the vegetation being preserved. [Partially relocated from Art.  
19 7.D.5.B, related to Existing Native Trees and Vegetation]

#### Section 2 Authority and Review Procedures

21 The Zoning Director shall have the authority to require the preservation of vegetation on-site that is not  
22 covered under Article 14.C, Vegetation Preservation and Protection, subject to the following: [Ord. 2016-  
23 016] [Partially relocated from Art. 7.D.2.E, Preservation of Trees]

##### A. Pre-application Appointment

25 The applicant shall meet with the Zoning Division and the Department of Environmental  
26 Resources Management (ERM) prior to the submittal of the application. Staff shall coordinate with  
27 the applicant to address the preservation of native vegetation in the early stage of development  
28 review, and to resolve design issues without impacting the timeline for certification or approval of  
29 the application. Staff may request a site visit with the applicant to determine whether the existing  
30 vegetation is worthy of preservation, and inform the applicant of the necessary application  
31 requirements, including a Vegetation Survey, prior to the submittal of the Zoning application.

##### B. Review and Permit Procedures

33 Zoning Division and ERM shall collaborate on the review of all applications that require  
34 preservation through: PAA, site visits, site design to maximize preservation, and when  
35 appropriate, conditions of approval shall be imposed to ensure the requirements are being  
36 monitored at land development and building permit stages.

##### 1. Application Submittal

38 a. In addition to all the required forms and related documents pursuant to Art. 2, Application  
39 Processes and Procedures, the applicant shall include a description of the proposed site  
40 development, and indicate any proposal for preservation of existing native vegetation in  
41 the Justification Statement;

42 b. The applicant shall submit a Vegetation Survey with estimated preliminary finished grade  
43 of the areas where the proposed preservation of vegetation is located;

44 c. Any preservation or relocation of vegetation shall be shown on the applicable Zoning  
45 Plan(s) with a Vegetation Disposition Chart pursuant to Title 4, Landscaping, Chapter C  
46 of the Zoning Technical Manual for the template and notes; and

47 d. Existing vegetation may be preserved in its original location on the site; replaced;  
48 relocated on site or relocated off-site in a location designated by ERM.

##### 2. Site Visit

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EXHIBIT

ARTICLE 7, LANDSCAPING
CHAPTER E – EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES

(Updated 7/12/17)

If a PAA is not requested by the applicant prior to the submittal of the Zoning application, Staff shall conduct a site visit to determine if a Vegetation Survey and a Vegetation Disposition Chart are required. If necessary, the requirement shall be listed as a certification issue at the issuance of the first set of DRO comments.

3. Agreement on Preservation

a. Staff shall set up an appointment with the applicant to discuss the recommendations related to the site design and preservation. If the recommendations require a redesign of the site layout, the applicant shall address issues related to the preservation and relocation of vegetation before certification of the application for public hearings or Final Approval by the DRO.

b. Prior to the certification or approval of an application, the applicant shall agree to the specific requirements which includes, preservation, relocation, mitigation, replacement of the existing native vegetation, and shall be shown on the Plan(s) and Vegetation Disposition Chart.

c. The Zoning Director shall have the authority to impose conditions of approval on the development order to require the incorporation of existing vegetation into the site design. [Ord. 2016-016] [Relocated from Art. 7.D.2.E.2, Preservation of Trees]

4. ERM Vegetation Protection

For applications that are approved by the ZC or BCC, the applicant shall submit a Protection of Native Vegetation application to ERM prior to Final Approval by the DRO. For applications that are approved by the DRO, the applicant shall submit the Protection of Native Vegetation Approval application concurrent with the Vegetation Barricade Permit. A Vegetation Permit shall be issued by ERM if the requirements are consistent with the approved Zoning Plans, conditions of approval or in compliance with Code.

5. Vegetation Barricade Permit

a. Prior to any land clearing activity; removal of vegetation; or issuance of any other Building Permits for the site, the applicant shall:

- 1) Submit a Vegetation Barricade Permit application to the Building Division;
2) Tag all existing vegetation as identified on the approved plans and Vegetation Disposition Chart to ensure there are no discrepancies between the approved documents and the site situations; and,
3) Install all barricades around tagged vegetation that is to be preserved or relocated on site.

b. The Vegetation Barricade Permit application shall be reviewed by Zoning Division and ERM. Staff shall schedule inspections for the installation of the tags and barricades prior to the approval of the Permit.

c. PZB shall inspect the site for compliance with the Vegetation Barricade Permit to ensure all barricades are properly installed around the vegetation to be preserved or relocated. Once the final inspection for the Vegetation Barricade Permit is signed off by the Zoning Division, other permits for the property may be issued.

Table with 2 columns: Reason for amendments: [Zoning], 1. Relocate Tree Credit which is currently under Art. 7.D to the new Chapter E., 2. 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.

Section 3 Tree Credit and Replacement

A preserved upland or drought-tolerant tree or palm meeting the standards in this Article may be substituted for required trees, subject to the following: [Relocated from Art. 7.D.2.F, Tree Credit]

A. Tree Survey

Credit shall be granted for on-site preservation of existing trees or palms when accompanied by a tree survey. [Relocated from Art. 7.D.2.F.1, Tree Survey]

B. Trees Excluded from Credit

Credits shall not be permitted for trees that are: [Relocated from Art. 7.D.2.F.2, Trees Excluded from Credit]

1. Required for preservation by Article 14.C, Vegetation Preservation and Protection (i.e. located in required preservation areas, heritage or champion trees). [Relocated from Art. 7.D.2.F.2.a, related to Trees Excluded from Credit]

2. Not properly protected from damage during the construction process, as required in Article 14.C, Vegetation Preservation and Protection. [Relocated from Art. 7.D.2.F.2.b, related to Trees Excluded from Credit]

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**EXHIBIT**

**ARTICLE 7, LANDSCAPING  
CHAPTER E – EXISTING NATIVE VEGETATION, PROHIBITED AND  
CONTROLLED PLANT SPECIES  
(Updated 7/12/17)**

- 1           3. *Classified as prohibited or invasive non-native species as defined in Article 14.C, Vegetation*  
2           *Preservation and Protection.* [Relocated from Art. 7.D.2.F.2.c, related to Trees Excluded  
3           from Credit]  
4           4. *Dead, dying, diseased, or infested with harmful insects.* [Relocated from Art. 7.D.2.F.2.d,  
5           related to Trees Excluded from Credit]  
6           5. *Located on a subarea of a planned development that is not intended to be developed for*  
7           *residential, commercial, or industrial use, such as a golf course on an adjacent open space*  
8           *parcel.* [Relocated from Art. 7.D.2.F.2.e, related to Trees Excluded from Credit]  
9           **C. Tree Credit Formula**  
10           All existing trees to be preserved, mitigated on or off site, replaced on or off site shall be credited  
11           pursuant to Table 7.E.3, Tree Credit and Replacement. Only pines with a caliper of two inch or  
12           more shall be subject to preservation, mitigation or replacement. [Ord. 2016-042] [Relocated  
13           from Art. 7.D.2.F.3, Tree Credit Formula]  
14

**Table 7.E.3.C - Tree Credit and Replacement**

Diameter at 4.5 Feet Above Grade (1)	=	Credits or Replacements
<i>Less than 2 in.</i>	=	0
<i>2-6 in.</i>	=	1
<i>7-11 in.</i>	=	2
<i>12-16 in.</i>	=	3
<i>17-21 in.</i>	=	4
<i>22-26 in.</i>	=	5
<i>27-31 in.</i>	=	6
<i>32-36 in.</i>	=	7
<i>37 in. or more</i>	=	8
<b>[Ord. 2014-025] [Ord. 2016-042]</b>		
<b>Notes:</b>		
<i>(1) Fractional measurements shall be rounded down.</i>		

15           [Partially relocated from Art. 7.D.2.F, Tree Credit]

<b>Reason for amendments:</b> [Zoning]
1. 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.
2. Add Mahogany to the Controlled Species list, as it has a tendency to drop seeds that may create a pedestrian safety issue.

16           **Section 4       Prohibited Plant Species**

17           *The planting or installation of the following plant species is prohibited. Each planting plan, landscape plan*  
18           *or ALP shall include a program to eradicate and prevent the reestablishment of these species.*  
19           [Relocated from Art. 7.D.6, Prohibited Plant Species]  
20           A. *Prohibited plant species listed in Article 14.C, Vegetation Preservation and Protection.*  
21           [Relocated from Art. 7.D.6.B, related to Prohibited Plant Species]  
22           B. *Any plant species classified in Article 14.C, Vegetation Preservation and Protection, as an*  
23           *“invasive non-native species”.* [Relocated from Art. 7.D.6.B, related to Prohibited Plant  
24           Species]

25           **Section 5       Controlled Plant Species**

26           *The following species may be planted or maintained under controlled conditions:* [Relocated from Art.  
27           7.D.7, Controlled Plant Species]  
28           A. **Black Olives and Mahogany**  
29           *Black olives and Mahogany shall not be installed within 15 feet of any vehicular use area,*  
30           *sidewalk, paved pathway, or bike lane.* [Relocated from Art. 7.D.7.A, Black Olives]  
31           B. **Ficus Species**  
32           *Ficus species may be planted under the following conditions but shall not exceed a maximum of*  
33           *ten percent of the total number of required trees.* [Relocated from Art. 7.D.7.B, Ficus Species]  
34           1. *Planted as individual trees provided they are no closer than 30 feet from any structure or*  
35           *utility;* [Relocated from Art. 7.D.7.B.1, related to Ficus Species]  
36           2. *Contained in a planter or root barrier; or* [Relocated from Art. 7.D.7.B.2, related to Ficus  
37           Species]  
38           3. *Maintained in accordance with the restrictions for hedges pursuant to Art. 7.D.3.B, Hedges.*  
39           *Ficus hedges in interior landscape areas shall not exceed a maximum of 12 feet in height,*

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER E – EXISTING NATIVE VEGETATION, PROHIBITED AND CONTROLLED PLANT SPECIES

(Updated 7/12/17)

- 1                    *measured from the lowest grade adjacent to the hedge. [Ord. 2005 – 002] [Relocated from*  
2                    *Art. 7.D.7.B.3, related to Ficus Species]*
- 3                    **C. *Silk Oak, Rosewood***  
4                    *Silk Oak and Rosewood trees shall not be planted within 500 feet of a preserve area. [Relocated*  
5                    *from Art. 7.D.7.C, Silk Oak, Rosewood]*
- 6                    **D. *Trees***  
7                    *Citrus trees shall not qualify as a required tree, except for single-family lots. [Relocated from Art.*  
8                    *7.D.7.D, Citrus Trees]*
- 9                    **Section 6        *Artificial Plants***
- 10                   *No artificial plants or vegetation shall be used to meet any standard of this Section. [Relocated from Art.*  
11                   *7.D.8, Artificial Plants]*

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**EXHIBIT**

**ARTICLE 7, LANDSCAPING**

**CHAPTER F –INSTALLATION AND MAINTENANCE**

**(Updated 7/05/17)**

1 Part 1. ULDC Art. 7.F, ~~REVIEW,~~ INSTALLATION AND MAINTENANCE (pages 26-46 of 49), are  
 2 hereby amended as follows:  
 3

<b>Reason for amendments:</b> [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.

4 **CHAPTER ~~E F~~ REVIEW, INSTALLATION AND MAINTENANCE**

5  
 6 This Chapter establishes standards for the ~~landscape review,~~ installation and maintenance of ~~trees and~~  
 7 ~~landscape plant~~ material. [Ord. 2009-040]  
 8

9 **Section 1 ~~General~~**

10 ~~Plant material shall:~~

- 11 ~~A. Be planted in soil and conditions appropriate for their growth habits.~~
- 12 ~~B. Be appropriate for the USDA plant hardiness zone and ecological setting in which they are to~~  
 13 ~~planted.~~
- 14 ~~C. Be compatible with existing native plants in the area through similar ornamental properties and~~  
 15 ~~physical requirements (e.g. water use, soil conditions).~~

16 **Section 2 ~~Landscape Permit~~**

17 ~~To ensure compliance with the various requirements associated with a new development permit for~~  
 18 ~~installation and maintenance of landscape on site, the applicant shall: [Ord. 2009-040]~~

- 19 ~~A. Submit an application for a Landscape Review on forms prepared by the Zoning Division; [Ord.~~  
 20 ~~2009-040]~~
- 21 ~~B. Comply with Code requirements and any conditions of approval; [Ord. 2009-040]~~
- 22 ~~C. Schedule and receive approval of all required landscape inspections; and, [Ord. 2009-040]~~
- 23 ~~D. Adhere to long-term landscape maintenance obligations and all material associated with the~~  
 24 ~~application. [Ord. 2009-040]~~

25 **Section 3 ~~1~~ Plant Quality**

26 Plants installed pursuant to this Article shall conform to or exceed the minimum standards for Florida  
 27 Number 1, as provided in the most current edition of "~~Grades and Standards for Nursery Plants, Parts I~~  
 28 ~~and II~~", Florida Grades and Standards for Nursery Plants, as amended, prepared by the State of Florida  
 29 Department of Agriculture and Consumer Services, ~~see Appendix B for Examples of Florida Number 1~~  
 30 ~~Quality Plants. A different minimum standard may be approved for native plants installed in accordance~~  
 31 ~~with an approved ALP if an applicant demonstrates that sufficient quantities of commercial stock meeting~~  
 32 ~~the Florida Number 1 standard are not available.~~ All plants shall be clean and free of noxious pests  
 33 and/or diseases. [Partially relocated to Art. 7.F.1.A, below]

34 **A. Exception**

35 *A different minimum standard may be approved for native plants installed subject to a Type 1*  
 36 *Waiver for Landscaping if an applicant demonstrates that sufficient quantities of commercial stock*  
 37 *meeting the Florida Number 1 standard are not available.* [Relocated from Art. 7.E.3, Plant  
 38 **Quality**]

39 **Section 4 ~~2~~ Installation**

40 All landscaping shall be installed according to acceptable nursery practices in a manner designed to  
 41 encourage vigorous growth. Soil improvement measures may be required to ensure healthy plant growth.  
 42 Before planting, a plant or tree's growth characteristics shall be considered to prevent conflicts with views,  
 43 lighting, infrastructure, utilities, or signage. ~~Proposed infrastructure, lighting, and signage plans shall be~~  
 44 ~~submitted concurrent with landscape plans prior to issuance of a building permit.~~

45 **A. Planting Specifications**

46 Required trees and palms ~~shall~~ may be securely guyed, braced, and/or staked at the time of  
 47 planting until establishment. All plants shall be installed so that the top of the root ball remains

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER F –INSTALLATION AND MAINTENANCE**  
**(Updated 7/05/17)**

1 even with the soil grade. The top one-third of burlap shall be removed from the root ball at  
2 planting. If used, nylon strapping and wire cages shall be completely removed at installation. All  
3 guys and staking material should be removed when the tree is stable and established but in no  
4 case more than one year after initial planting of tree. Construction debris shall be kept clear from  
5 the planting area.

6 **B. Phasing**

7 Required landscaping may be installed in phases, if development phasing, pursuant to Art. 2.E,  
8 Monitoring is designated on the approved site Zoning plan, as follows:

9 **1. Planned Developments with Phasing**

10 The ~~number of trees~~ required ~~plant materials to be planted or preserved shall be installed in a~~  
11 ~~construction phase accordance with the approved phasing~~ of a planned development. ~~The~~  
12 ~~quantity of the required plant materials for each development phase~~ shall be a proportion of  
13 the total number of ~~trees plant materials~~ required to be planted in the overall planned  
14 development. This proportion shall be determined by comparing the area of the plan to the  
15 area of the entire planned development as shown on the approved plan. Areas of vegetation  
16 required to be preserved shall be excluded from this calculation. A R-O-W buffer along the  
17 development frontage shall be installed under Phase One.

18 **2. Other Developments Without Phasing**

19 The ~~entire~~ perimeter landscaping shall be installed prior to the issuance of the first Certificate  
20 of Occupancy (CO) ~~or in accordance with a phasing plan approved by the DRO.~~

21 **a. Developments with Multiple Buildings**

22 A R-O-W buffer along the development frontage shall be installed prior to the issuance of  
23 the first CO for the first building.

24 ~~**a. PO Zoning District and Public Civic Pods of a PUD**~~

25 ~~Installation of a proportionate share of required materials shall be permitted subject to~~  
26 ~~Signature Only approval of a phasing plan. The phasing plan shall indicate the affected~~  
27 ~~area of each building permit application and general location of plant material that will be~~  
28 ~~installed. [Ord. 2007-013]~~

29 **3. Suspended Phasing Exception**

30 For developments with or without approved phasing, required installation may be phased into  
31 a project completed in different stages for up to one year from initial occupancy with subject  
32 to the approval of an installation schedule by the DRO. Zoning Division approval of a  
33 installation schedule.

34 **Section 5.4 Maintenance**

35 **A. General**

36 ~~1. PBC is responsible for the care and maintenance of the trees and vegetation on PBC-owned~~  
37 ~~property, unless provided for otherwise by DO condition of approval. For all other properties, the~~  
38 ~~property owner or successors in interest, contractor, or agent, if any, shall be jointly and severally~~  
39 ~~responsible for the following: [Relocated to Art. 5.L, Property and Vegetation Maintenance]~~

40 Maintenance of the properties shall be subject to the requirements of Art. 5.L, Property and  
41 Vegetation Maintenance and the PBC's Property Maintenance Code.

42 ~~2. Regular maintenance of all landscaping is required. All landscaping shall be free from~~  
43 ~~disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing,~~  
44 ~~pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable~~  
45 ~~horticultural practices.~~

46 ~~3. Regular maintenance, repair, or replacement of landscape barriers and focal points, including~~  
47 ~~landscape structures (e.g., walls, fences, fountains, and benches) in order to keep them in a~~  
48 ~~structurally sound condition.~~

49 ~~4. Perpetual maintenance to prohibit the reestablishment of prohibited and non-native invasive~~  
50 ~~species within landscape and preservation areas.~~

51 ~~5. Periodic maintenance to remove diseased or damaged limbs, or remove limbs or foliage that~~  
52 ~~present a hazard. All trees and palms shall be allowed to grow to their natural mature height~~  
53 ~~and to full canopy. No canopy tree shall be pruned until it has reached the minimum 20-foot~~  
54 ~~required height and canopy spread, unless required to address damage by natural causes,~~  
55 ~~such as hurricanes.~~

56 ~~6. Landscape areas which are required to be created or preserved by this Article shall not be~~  
57 ~~used for temporary parking or the storage/display of materials or sale of products or services.~~

58 **B. Vacant Lots**

59 **1. Affected Parties**

60 ~~Any owner of a vacant lot in a residential neighborhood upon which a home has been~~  
61 ~~demolished to the extent that it no longer qualifies for a certificate of occupancy must follow~~  
62 ~~the maintenance requirements of Art. 7.E.5.B.5, Vacant Lot Maintenance and Planting~~  
63 ~~Requirements, if the vacant lot, by itself or in combination with other vacant lots resulting from~~

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# EXHIBIT

## ARTICLE 7, LANDSCAPING CHAPTER F –INSTALLATION AND MAINTENANCE (Updated 7/05/17)

~~the demolition of a home or homes, results in significant degradation of the surrounding neighborhood as defined in Art. 1.1, 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~~

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~~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]**

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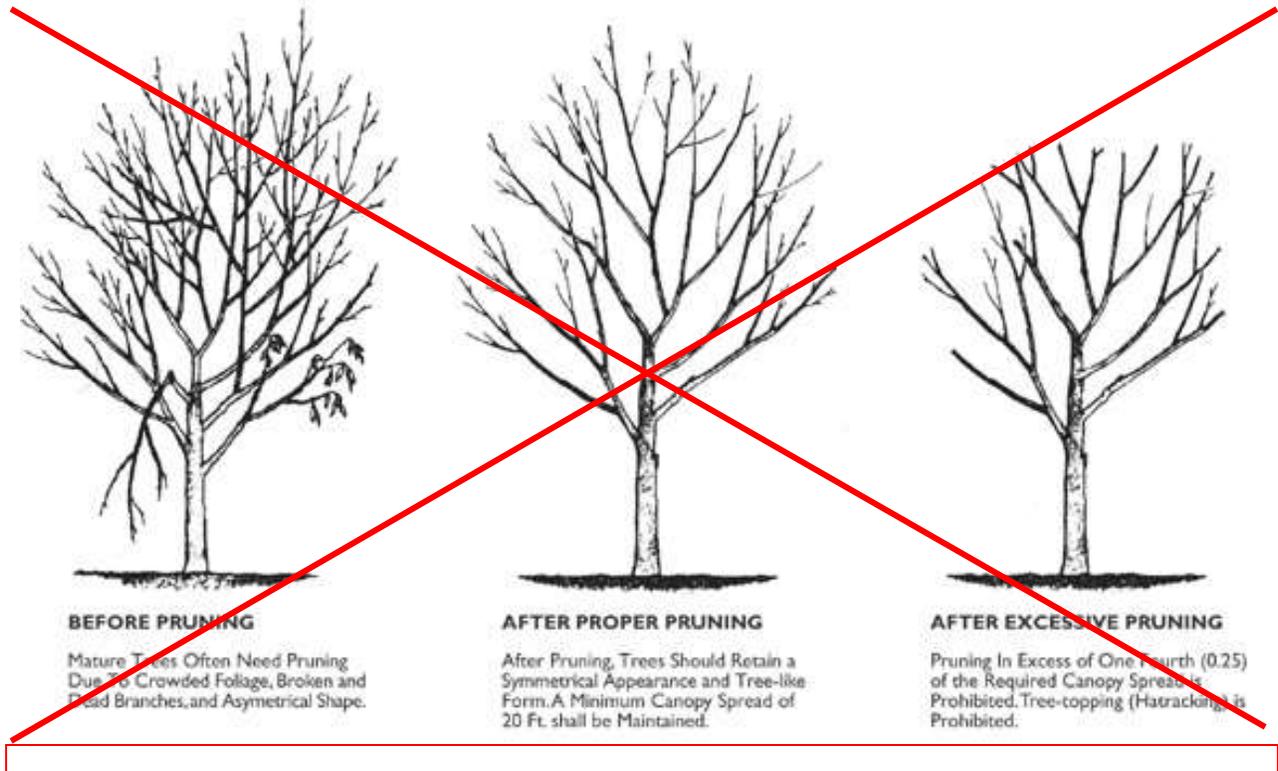
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- 1 2. If other than the mature height and spread is desired for any required tree, the size and
- 2 shape shall be indicated on an approved site plan, planting plan, landscape plan. Shaping of
- 3 a tree shall be permitted if the tree is to be used as an accent, focal point, or as part of an
- 4 overall landscape design. A maintenance program shall be clearly outlined on the approved
- 5 landscape plan to explain the care and upkeep of a shaped tree.
- 6 3. When cutting back trees, care shall be taken to promote the shape and form typical of the
- 7 tree's species in similar settings in PBC.
- 8 4. Tree topping (hatracking) is prohibited.
- 9 5. No large or medium canopy trees shall be pruned before it has reached a minimum 20 foot
- 10 canopy height and spread.
- 11

**Figure 7.E.6.A – Pruning Guidelines**



- 12
- 13 **B. Palm Pruning Requirements**
- 14 1. No more than one-third of fronds shall be removed.
- 15 2. No pruning above the horizon line, except for dead or diseased fronds.
- 16

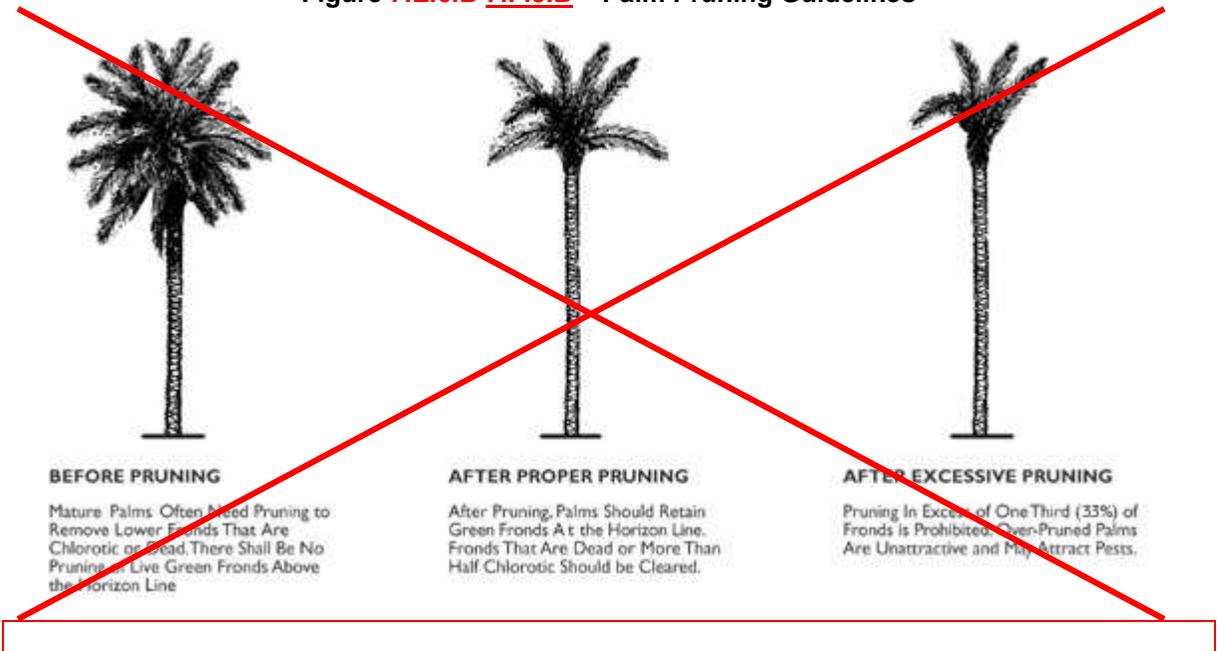
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1

Figure ~~7.E.6.B~~ 7.F.5.B – Palm Pruning Guidelines



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**C. Pruning Exemptions**

The following trees and species are exempt from these pruning standards:

1. Trees affected by FAA and airport safety regulations, to the extent required to comply with these regulations.
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.

16 **Section ~~7E~~ Irrigation**

17 The licensed professional or irrigation contractor responsible for the installation of irrigation shall  
18 demonstrate compliance with the ~~following~~ irrigation standards ~~in a form acceptable to the Zoning~~  
19 ~~Division~~. Landscaped areas shall be irrigated to maintain required plant materials in good and healthy  
20 condition. Irrigation systems shall comply with the following standards:

- 21 ~~A. The landscape design and final landscape plan shall incorporate acceptable xeriscape industry~~  
22 ~~standards.~~
- 23 BA. All landscaped areas requiring irrigation shall be provided with an automated irrigation system that  
24 provides 100 percent coverage. Areas requiring minimal irrigation to establish plants shall use  
25 drip irrigation.
- 26 CB. Irrigation systems shall be designed to apply water to shrub and tree areas on a less frequent  
27 schedule than lawn areas. A rain-sensor switch shall be installed on systems with automatic  
28 controllers.
- 29 DC. Irrigation systems shall be designed as not to overspray water impervious areas. All irrigation  
30 systems shall be continuously maintained in working order.
- 31 ED. Where feasible, irrigation systems shall not be installed or maintained on areas adjacent to a  
32 public street which causes water from the system to spray onto the roadway or strike passing  
33 pedestrian or vehicular traffic.
- 34 FE. The use of irrigation quality or re-used water is encouraged for parks and recreation facilities:  
35 1. Within the Irrigation Quality (IQ) effluent water service area of the PBCWUD; or  
36 2. Where irrigation quality or re-used water is available and where such reuse is approved by  
37 the regulatory agencies.
- 38 GF. Permanent irrigation systems are not required for areas set aside on approved site development  
39 plans for preservation of existing native vegetation.

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~~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]

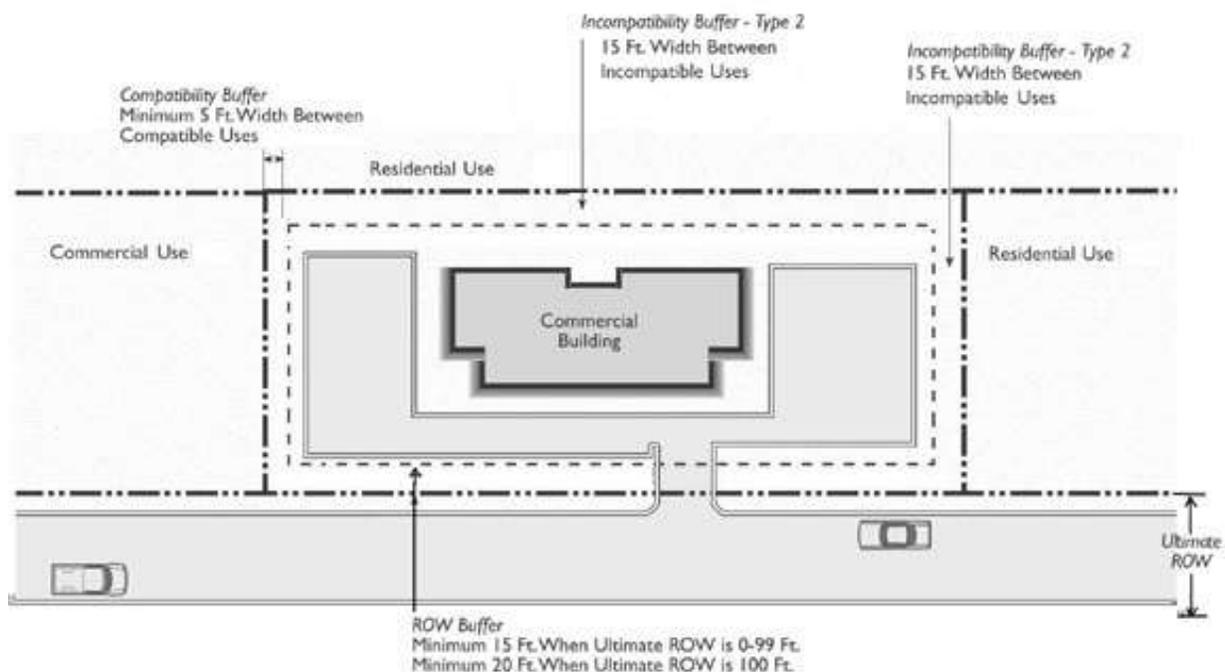
~~B. Compatibility~~

~~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 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~~

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1 ~~Trees, shrubs, and hedges shall be provided in all perimeter buffers in accordance with the following~~  
2 ~~standards:~~

3 **~~A. Trees~~**

4 **~~1. Minimum Tree Quantities~~**

5 **~~a. R-O-W Buffers~~**

6 ~~One canopy tree per 25 lineal feet.~~

7 **~~b. Compatibility Buffers~~**

8 ~~One canopy tree per 25 lineal feet.~~ **[Relocated to Table 7.C.2.B, Compatibility Buffer**  
9 **Landscape Requirements]**

10 **~~c. Incompatibility Buffers~~**

11 ~~One canopy tree per 20 lineal feet.~~

12 **~~2. Palms~~**

13 ~~Palms planted in groups of three or more may be counted as one required canopy tree, up to~~  
14 ~~a maximum of 25 percent of all trees required in each buffer. In the case of palm species that~~  
15 ~~characteristically grow in clumps, each clump may be counted as one canopy tree.~~

16 **[Relocated to Art. 7.D.2.B.1, Canopy Tree Substitute]**

17 **~~a. Exception~~**

18 ~~In R-O-W buffers only, Royal, Bismarck, Phoenix, Canary, Date or similar palm species~~  
19 ~~determined to be acceptable by the Zoning Division may be counted as one required~~  
20 ~~canopy tree. These palms shall be spaced a maximum of 20 feet on center and have a~~  
21 ~~minimum of 12 feet of clear trunk, except Royals which shall require a six feet minimum~~  
22 ~~Grey Wood.~~ **[Partially relocated to Art. 7.D.2.B.1.a, Exception, related to Canopy Tree**  
23 **Substitute]**

24 **~~3. Slash Pines~~**

25 ~~Slash pines planted in groups of three or more may be counted as one required canopy tree.~~  
26 ~~Each group of slash pines shall be staggered in height and average a minimum of ten feet in~~  
27 ~~height.~~

28 **~~B. Shrubs~~**

29 ~~Shrubs shall be installed according to Table 7.F.7.B, Shrub Planting Requirements.~~ **[Ord. 2009-**  
30 **040]** **[Relocated to Art. 7.D.3.B, Shrubs]**

31 **~~C. Hedges~~**

32 ~~Hedges may be used in place of required shrubs in compatibility and incompatibility buffers.~~  
33 ~~Hedges, in combination with a berm, shall be installed in a manner that provides the minimum~~  
34 ~~height required for continuous solid opaque screen at time of planting.~~ **[Partially relocated to**  
35 **Art. 7.D.4.A.4, Hedge and Berm Combination]** ~~It is recommended that hedges collocated in a~~  
36 ~~buffer with berm be located at the top of berm. Hedges shall be setback from the property line a~~  
37 ~~sufficient distance to allow for maintenance, or additional landscape material if required.~~ **[Ord.**  
38 **2016-016]** **[Relocated to Art. 7.D.4.A.4, Setback]**

39 **~~Section 3 — Walls and Fences~~**

40 ~~If a wall or fence is used, the following shall apply:~~ **[Ord. 2007-001]** **[Ord. 2007-013]**

41 **~~A. Location of Wall or Fence~~**

42 ~~It is recommended that walls and fences collocated in a buffer with a berm be located at the top~~  
43 ~~of berm. Walls and fences with a continuous footer shall be setback a minimum of ten feet from~~  
44 ~~the edge of the property line.~~ **[Partially relocated to Table 7.D.4.D, Location of Wall or Fence**  
45 **in a Landscape Buffer – Incompatibility – Setback for the wall or fence]** ~~Fences may be~~  
46 ~~permitted adjacent to a property line only when used in compatibility buffers. Fences or walls~~  
47 ~~located in Incompatibility or R-O-W Buffers shall be located a minimum of seven and one-half feet~~  
48 ~~from the outside buffer edge, or the minimum necessary to provide for required trees and shrubs.~~  
49 **[Ord. 2007-001]** **[Ord. 2007-013]** **[Ord. 2016-016]**

50 **~~B. Location of Planting~~**

51 ~~A minimum of 75 percent of required trees shall be located between the exterior of the wall or~~  
52 ~~fence along a R-O-W, or facing adjacent property, except when a fence is used in a compatibility~~  
53 ~~buffer and located along the property line.~~ **[Partially relocated to Table 7.D.4.D, Location of**  
54 **Wall or Fence in a Landscape Buffer – R-O-W / Incompatibility – Canopy Tree Planting]**  
55 ~~Shrubs or hedges shall be installed on both sides of the wall or fence along a R-O-W, or facing~~  
56 ~~adjacent property, except when a fence is used in a compatibility buffer and located along the~~  
57 ~~property line.~~ **[Ord. 2007-013]** **[Partially relocated to Table 7.D.4.D, Location of Wall or**  
58 **Fence in a Landscape Buffer – R-O-W / Incompatibility – Shrub Planting]**

59 **~~1. Exception~~**

60 ~~Electrified fencing in accordance with Art. 5.B.1.A.2.e.2), Electrified Fence — Exceptions and~~  
61 ~~Regulations, shall not be required to provide shrubs or hedges on the inside of the electrified~~  
62 ~~fencing or on the inside of the non electrified fencing or wall which the electrified fencing is~~

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~~adjacent to. [2013-018] [Relocated from 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 At. 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]~~

<b>Reason for amendments:</b> [Zoning]
1. Relocate Art. 7.F.6 to the new Chapter C.
2. Delete Section 4 from this Chapter and relocate to Art.3.E, Planned Development Districts because the requirements are specific to a PUD.
3. 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.~~

~~**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)**~~

<del>Width of Ultimate R-O-W (Feet)</del>	<del>Minimum Width of Buffer (Feet)</del>
<del>100+</del>	<del>20</del>
<del>0-99</del>	<del>15</del>

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**B. Shrub Hierarchy**

~~R-O-W buffers shall include each of the shrub types listed in Table 7.F.7.B, Shrub Planting Requirements.~~

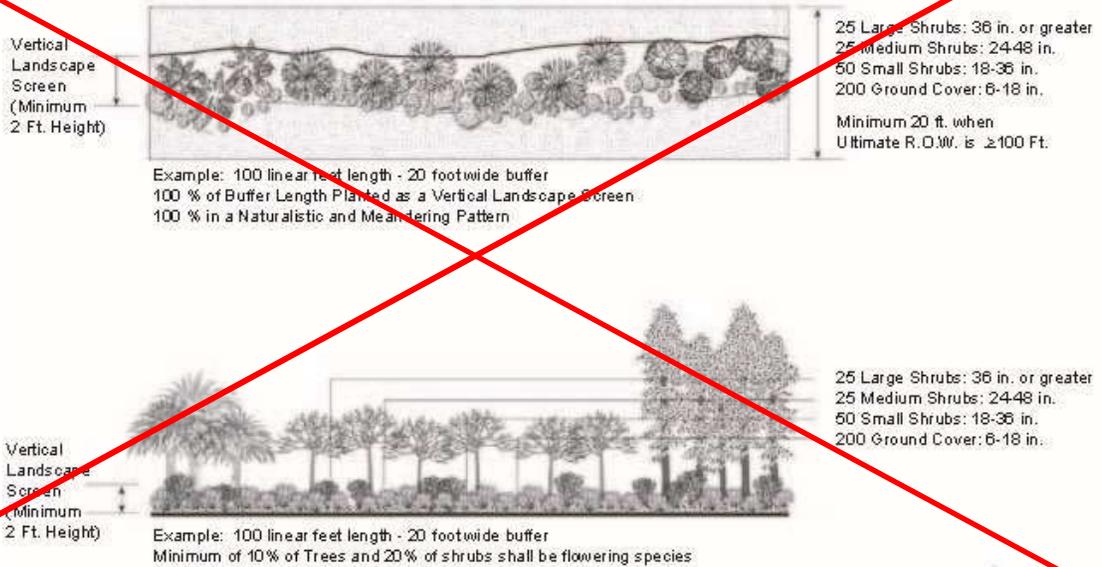
**Table 7.F.7.B - Shrub Planting Requirements**

<i>Shrub Type</i>	<i>Minimum Height at Installation (Size)</i>	<i>Minimum Number of Shrubs Per Linear Foot<sup>3</sup> of Buffer Length</i>	<i>Maximum Spacing at Installation</i>	<i>Maximum<sup>1</sup> Maintained Height</i>
<i>Ground Cover</i>	<i>6 inches</i>	<i>2 per 1 linear foot</i>	<i>6 inches</i>	<i>N/A</i>
<i>Small Shrubs</i>	<i>18 inches</i>	<i>1 per 2 linear feet</i>	<i>24 inches</i>	<i>36 inches</i>
<i>Medium Shrubs</i>	<i>24 inches</i>	<i>1 per 4 linear feet</i>	<i>48 inches</i>	<i>48 inches</i>
<i>Large Shrubs</i>	<i>36 inches</i>	<i>1 per 4 linear feet</i>	<i>48 inches</i>	<i>N/A</i>

**[Ord. 2009-040]**

**Notes**  
1. *Maximum maintained height is established to maintain the hierarchical visual effect for Perimeter R-O-W buffer. [Ord. 2009-040]*

~~**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]**~~

**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]~~

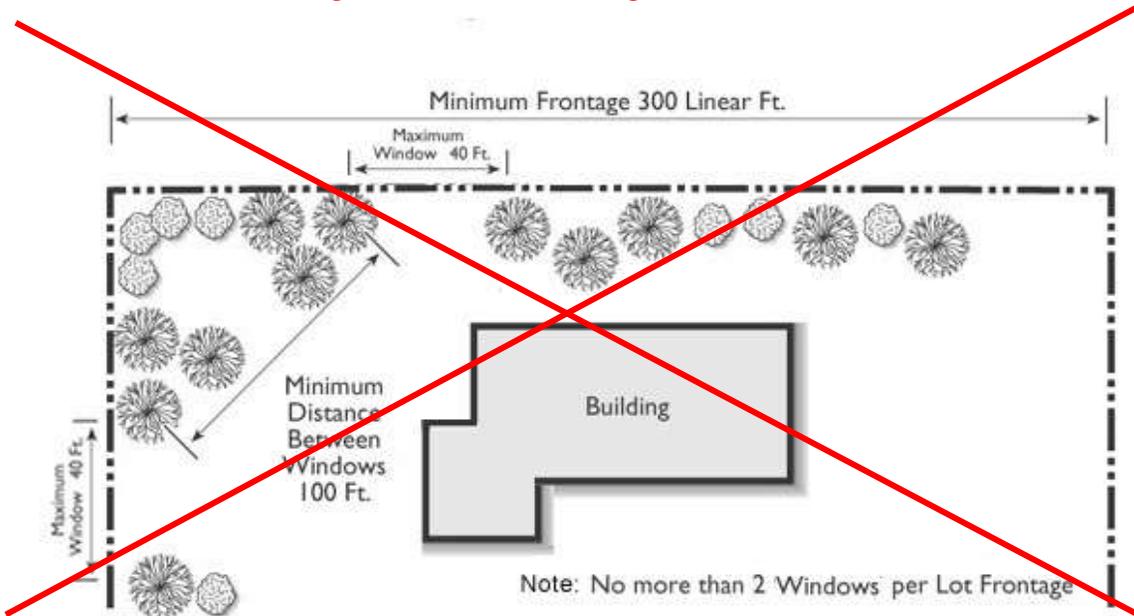
- ~~1. Clusters shall be spaced no more than 40 feet on center.~~
- ~~2. Clusters shall consist of trees of varied height, which when averaged, equal the minimum tree height requirements of Article 7.D.2.A, Canopy Trees.~~
- ~~3. Created visible openings to the site shall only be permitted on properties 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]~~

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*Figure 7.F.7.D – Clustering in R-O-W Buffer*



~~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]~~

**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]~~

**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]~~

**Table 7.F.9.A – Required 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>Single-Family</i>	↔	<i>Multi-Family, Type II CLF</i>	<i>Type 1</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>

~~[Ord. 2008-003] [Ord. 2016-016]~~

~~**Notes:**~~

~~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.~~

~~2. Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007]~~

~~[Relocated to Table 7.C.2.C – Incompatibility Buffer Types]~~

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**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>					
<b>Note:</b>					
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.					
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. <del>[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]~~

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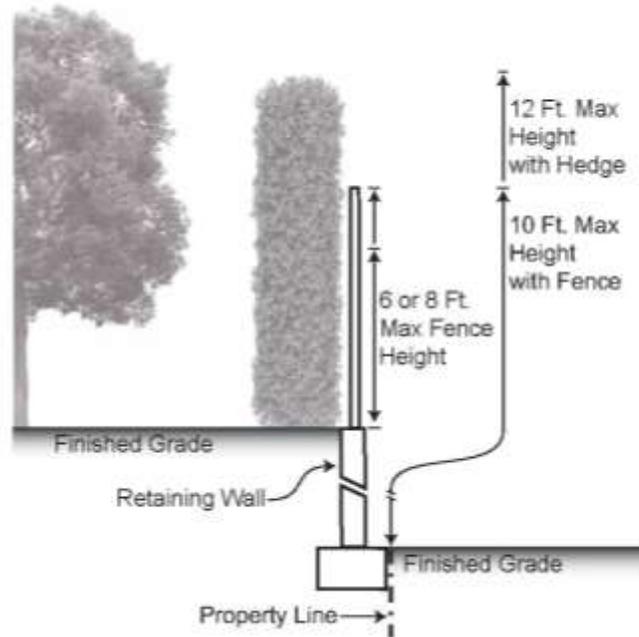
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*Figure 7.F.10.B – Height Requirements for Compatibility Buffers With Grade Changes Using Retaining Walls*



[Ord. 20016-016]

[Relocated to Figure 7.D.5.B - Height Requirement for Compatibility Buffers With Grade Changes Using Retaining Walls]

**~~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]~~

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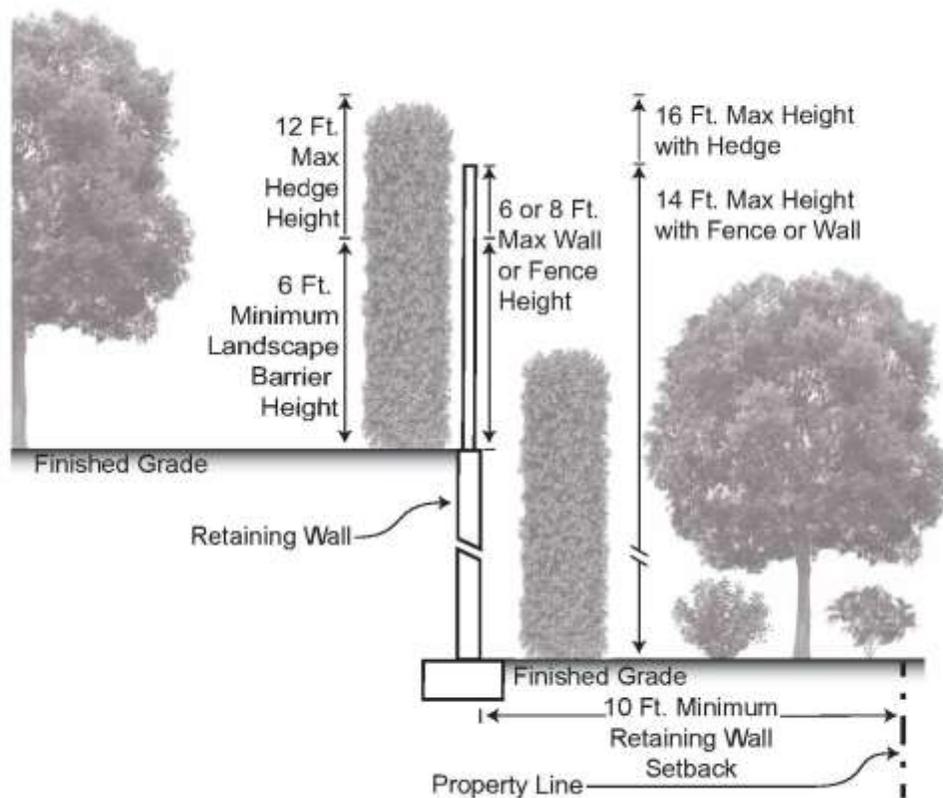
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*Figure 7.F.10.C – Height Requirement for Incompatibility or R-O-W Buffers With Grade Changes Using Retaining Walls*



[Ord. 2016-016]

[Relocated to Figure 7.D.5.C - Height Requirement for Incompatibility or R-O-W Buffers With Grade Changes Using Retaining Walls]

**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.~~

**Section 11 — WCRAO Deviations**

~~Parcels located in the WCRAO may deviate from perimeter landscape requirements pursuant to Art. 3.B.14.J, WCRAO Landscape Deviations. [Ord. 2010-022] [Ord. 2016-016]~~

**Section 12 — Large Scale Commercial Development** [Relocated to Art. 7.C.7, Large Scale Commercial Development]

**A. Perimeter Buffer**

~~In addition to the requirements of this Code, developments with single tenants 65,000 gross square foot or more shall be subject to the following standards: [Ord. 2005-002] [Relocated to Art. 7.C.7.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 to Art. 7.C.7.A.1, R-O-W Buffers]~~

**a. U/S Tier**

~~1) A minimum 25 foot wide buffer. [Ord. 2005-002] [Relocated to Art. 7.C.7.A.1.a.1), related to U/S Tier]~~

~~2) A three foot high berm. [Ord. 2005-002] [Relocated to Art. 7.C.7.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 foot along the street and 25 feet along the interior side of the lake. [Ord. 2005-002] [Relocated to Art. 7.C.7.A.1.b.1), related to Glades and Rural/Ex Tiers]~~

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## ARTICLE 7, LANDSCAPING CHAPTER F –INSTALLATION AND MAINTENANCE (Updated 7/05/17)

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.  
3                   7.C.7.A.1.b.2), 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                   1) ~~A minimum 25 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a,  
8                   related to U/S Tier]

9                   2) ~~A three foot high berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a, related to  
10                  U/S Tier]

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

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

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

### 3. ~~Incompatibility Buffers~~

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

#### a. ~~U/S Tier~~

20                  1) ~~A minimum 50 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3.a.1),  
21                  related to U/S Tier]

22                  2) ~~A four foot high berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.2.a.2), related  
23                  to U/S Tier]

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

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

27                  1) ~~A minimum 50 foot wide buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.A.3.b.1),  
28                  related to Glades and Rural/Exurban Tiers]

29                  2) ~~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.  
31                  7.C.7.A.3.b.2), related to Glades and Rural/Exurban Tiers]

### 4. ~~Encroachment~~

32                  ~~No easement encroachment shall be permitted in required perimeter buffers, except for~~  
33                  ~~bisecting utility easements and required safe sight distance easements not to exceed a~~  
34                  ~~maximum of fifty percent of the required buffer width. [Ord. 2005-002]~~ [Relocated to Art.  
35                  7.C.7.C, Encroachment]

### 5. ~~Perimeter Sidewalk~~

36                  ~~A perimeter sidewalk a minimum of shall be required in all R-O-W buffers 50 feet in width,~~  
37                  ~~and shall meander through the buffer. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.D,  
38                  Perimeter Sidewalk]

### 6. ~~Berm~~

39                  ~~Berms shall be staggered, rolling or offset, as indicated in Figure 7.F.11.A, Typical Example~~  
40                  ~~of Staggered, Rolling or Offset Berm. [Ord. 2005-002]~~ [Relocated to Art. 7.C.7.E, Berm]

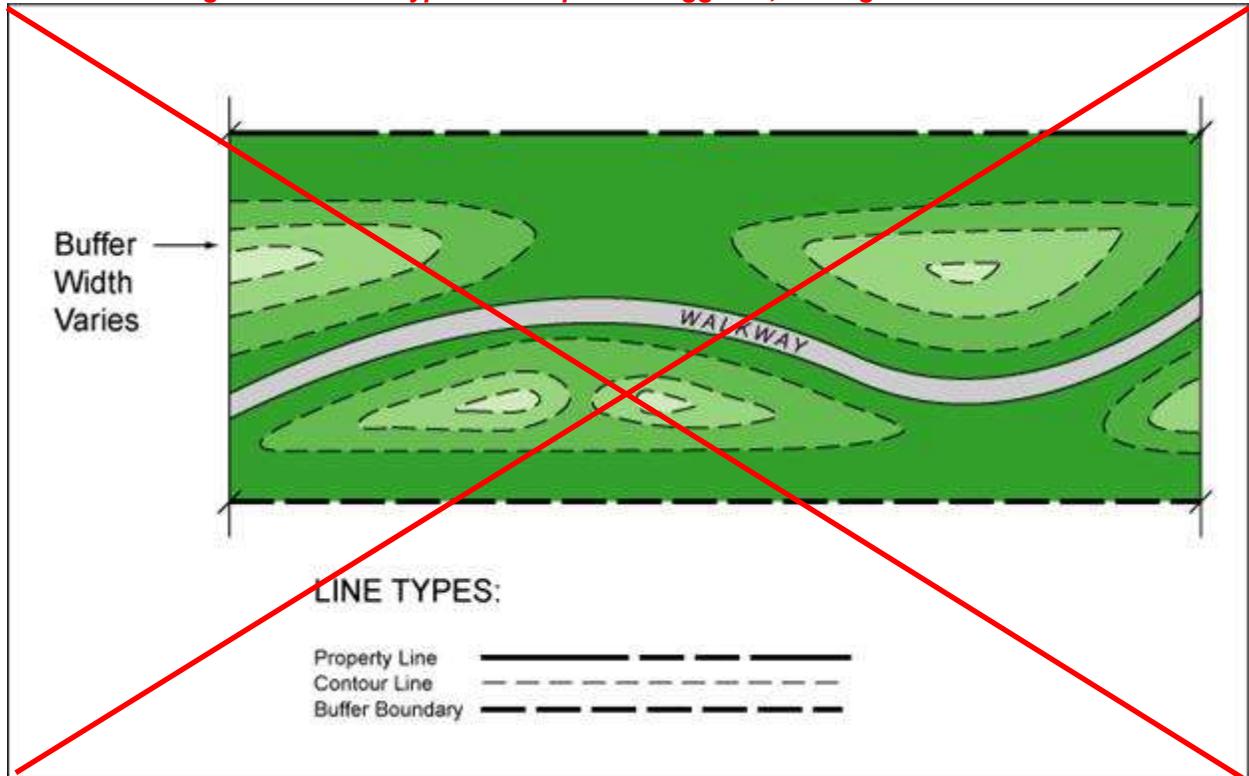
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*Figure 7.F.11.A - Typical Example of Staggered, Rolling or Offset Berm*



[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~~
- 13 ~~districts, shall be terminated by a landscape island. Terminal islands shall have a minimum length~~
- 14 ~~of 15 feet and include a minimum of one tree per island. The minimum width of terminal islands,~~
- 15 ~~exclusive of sidewalks or utilities, shall be subject to the standards in Figure 7.G.2.A, Terminal~~
- 16 ~~and Interior Landscape Islands. For non-residential planned development, terminal islands facing~~
- 17 ~~major internal driveways shall be landscaped on both sides with a minimum two foot high~~
- 18 ~~continuous opaque hedge for a minimum of 60 percent of the island length. Terminal islands shall~~
- 19 ~~not overlap perimeter or other required buffers.~~
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**Notes:**

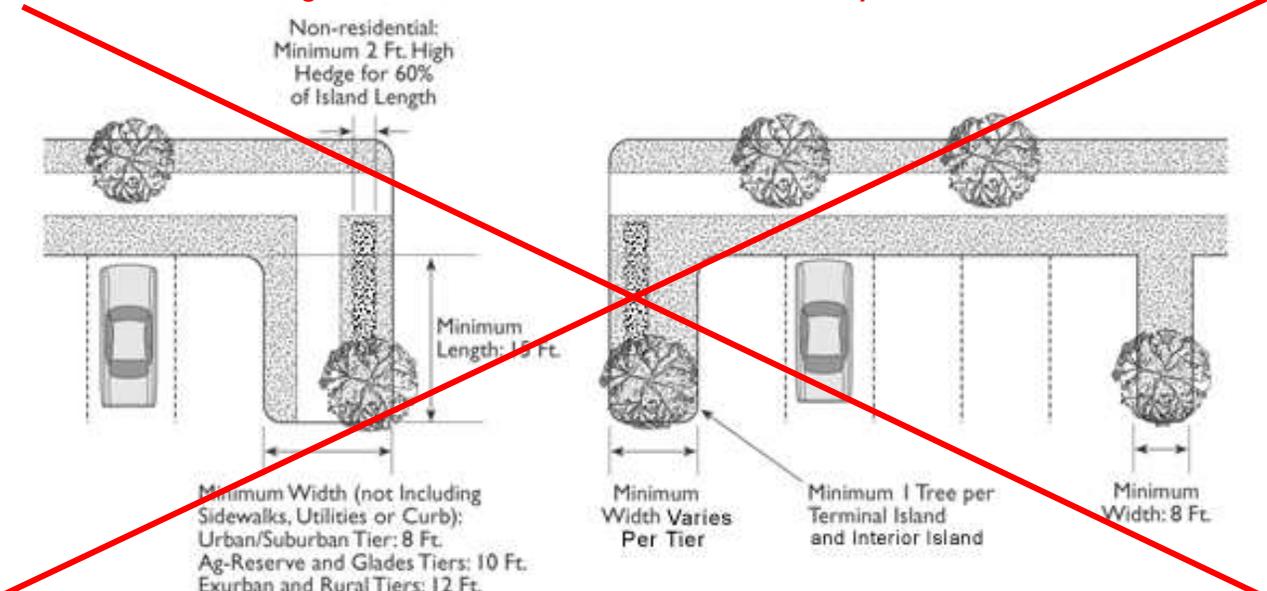
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**Figure 7.G.2.A - Terminal and Interior Landscape Islands**



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.

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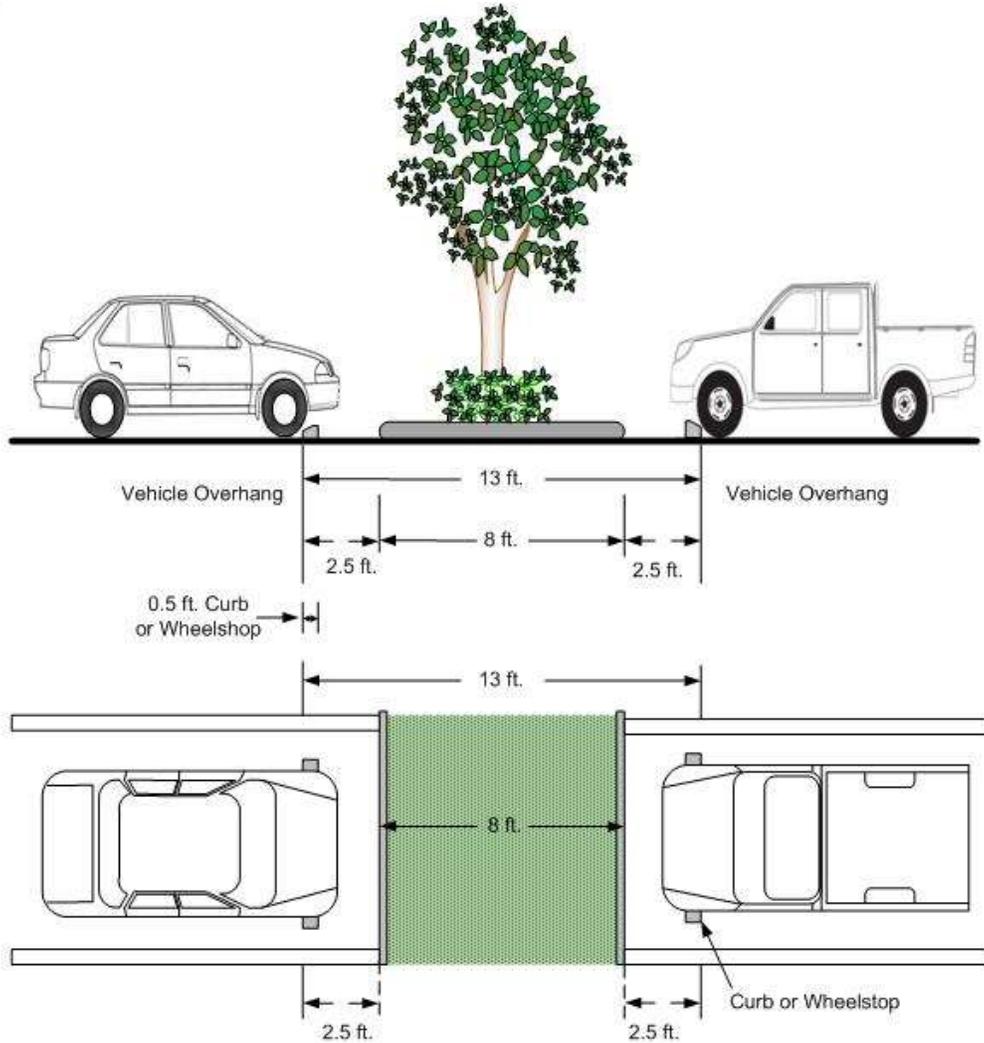
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*Figure 7.G.2.C – Divider Median Requirements*



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~~[Ord. 2015-031]~~  
**[Relocated to Figure 7.C.4.B – Divider Median Requirements]**

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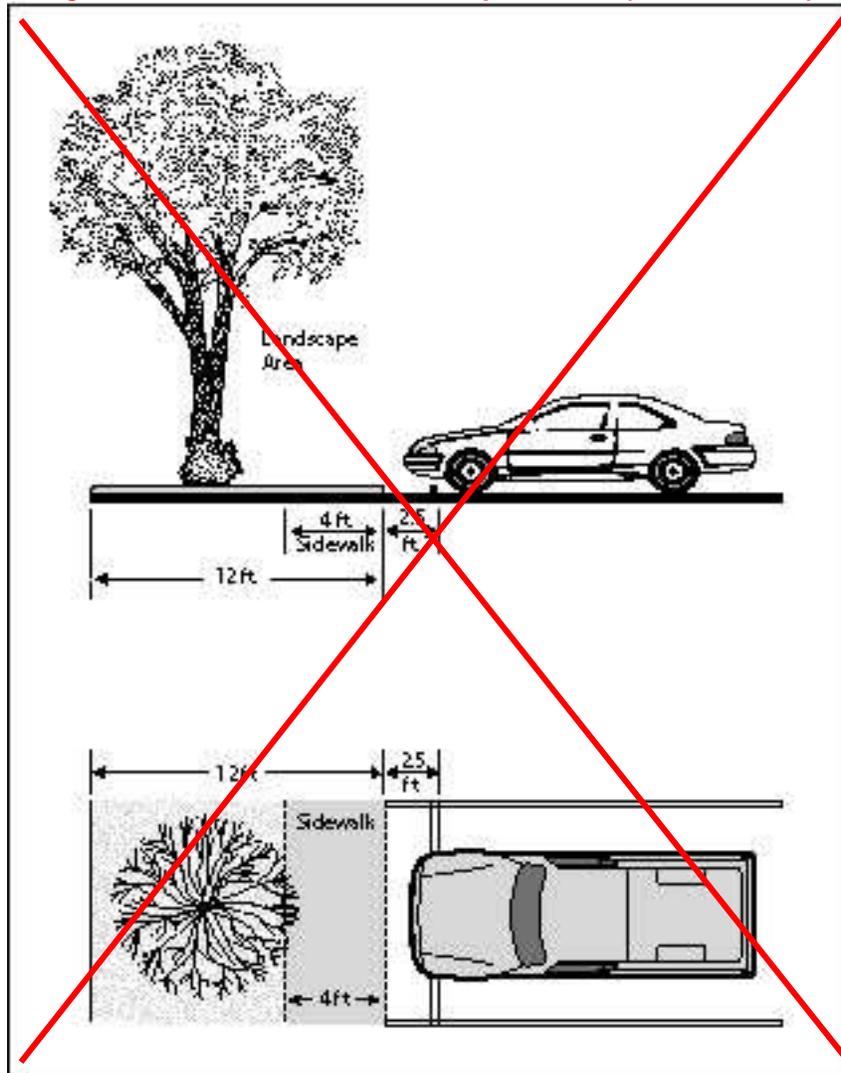
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Figure 7.G.2.C – Divider Median Requirements (with Sidewalk)



[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]~~

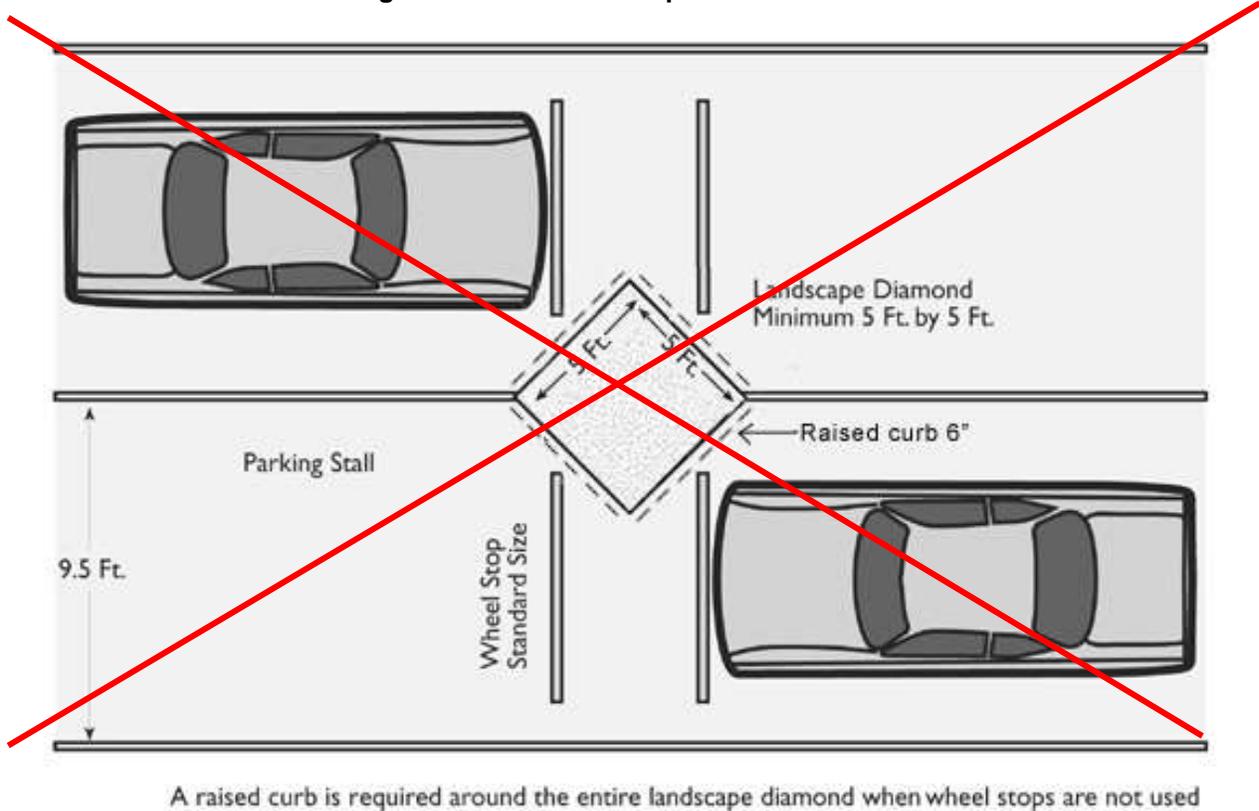
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Figure 7.G.2.D - Landscape Diamond Detail



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~~  
6 ~~Zoning 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.~~  
10 ~~Curbing shall be machine-laid, formed-in-place or integrally installed with the pavement.~~  
11 ~~Landscaped areas adjacent to vehicular use areas shall be surrounded with a continuous~~  
12 ~~raised curb. [Ord. 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~~  
22 ~~the curbing will interfere with the traffic circulation of the proposed use. [Ord. 2010-~~  
23 ~~022] [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~~  
29 ~~parking area, properly anchored, and continuously maintained in good condition. The space~~  
30 ~~between the wheel stop and the front end of the parking space may be paved for anchoring~~  
31 ~~and maintenance purposes. Wheel stop anchor rods shall be set through the wheelstop and~~  
32 ~~the pavement. The bottom of the wheel stop must rest fully on the pavement to prevent~~  
33 ~~rocking. Public parks in the PO District that are exempt from curbing requirements shall also~~  
34 ~~be exempt from wheel stop requirements. [Ord. 2006-004] [Relocated from Art. 7.C.4.E.4,~~  
35 ~~Wheel Stops]~~

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**EXHIBIT**  
**ARTICLE 7, LANDSCAPING**  
**CHAPTER F –INSTALLATION AND MAINTENANCE**  
**(Updated 7/05/17)**

1       **F. *Parking Structures***  
2       ~~*Perimeter planters shall be provided along the exterior of parking structures located within 500*~~  
3       ~~*feet of a public R-O-W or residential zoning district. Planters shall provide a total of one-half*~~  
4       ~~*square foot of planting area for each linear foot of facade per parking level. Planting areas may*~~  
5       ~~*be arranged in linear fashion or clustered at intervals or on levels, and shall be provided with*~~  
6       ~~*permanent irrigation to permit watering of plant materials. The perimeter planter requirement may*~~  
7       ~~*be altered if in conflict with the architectural character of the structure, subject to approval of an*~~  
8       ~~*ALP.*~~ **[Relocated to Art. 7.C.4.F, Parking Structures]**

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER G – ENFORCEMENT

(Updated 7/13/17)

1 Part 1. ULDC Art. 7.H, ENFORCEMENT (page 46-47 of 49), are hereby amended as follows:  
2

<b>Reason for amendments:</b> [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.
--

### 3 CHAPTER ~~H~~ ENFORCEMENT

#### 4 Section 1 Temporary Suspension of Landscape Standards

5 The Executive Director of PZB may temporarily suspend the standards of this Article and establish  
6 timeframes and guidelines to replace destroyed or damaged landscape material through a Departmental  
7 PPM in the following situations: a hurricane; a freeze resulting in unavailability of landscape materials; a  
8 period of drought resulting in restrictions on water usage imposed by a governmental authority; or a  
9 similar event. [Ord. 2005-041]

##### 10 A. Performance Surety

11 If the landscape standards of this Article are suspended pursuant to this Article, the property  
12 owner may enter into an agreement with PBC to allow issuance of the permit or CO or Certificate  
13 of Completion provided the property owner includes as part of this agreement adequate  
14 guarantee or surety that the terms of this Article will be met after the suspension period has been  
15 lifted. The guarantee shall consist of a performance bond or other surety agreement approved by  
16 the County Attorney in an amount equal to 110 percent of the direct costs of materials and labor  
17 and other costs incidental to the installation of the required landscaping completion agreement.  
18 Performance bonds or other guarantees required pursuant to this subsection shall name PBC as  
19 a beneficiary and specify the time-frame for the completion of the landscape standards of this  
20 Article. [Ord. 2005-041]

##### 21 B. Application Requirements

22 An application for a temporary suspension of landscape standards shall be accompanied by a  
23 landscape plan identifying the plantings that have been postponed, the proposed planting  
24 schedule, and the costs of the suspended planting. Planting cost estimates may be independently  
25 verified by PBC.

#### 26 ~~Section 2 Administration~~

##### 27 ~~A. Landscape Permit~~

28 ~~Landscape Plan applications for review shall be submitted in compliance with the provisions of~~  
29 ~~this Chapter. When all requirements are satisfied, the appropriate staff shall issue a Landscape~~  
30 ~~Permit that shall reference the approved Landscape Plan associated with the permit in addition to~~  
31 ~~any necessary inspections, conditions and maintenance obligations. The Permit shall be~~  
32 ~~maintained on site until the final landscape inspection is signed off by the PBC Inspector. A copy~~  
33 ~~of the landscape permit shall be maintained in the associated official Building Permit record, as~~  
34 ~~well as the Zoning Division file. [Ord. 2009-040] [Partially relocated to Art. 7.B.3.B, Review of~~  
35 ~~Landscape Plans and Art. 7.B.3.C, Issuance of Landscape Plans]~~

##### 36 ~~B. Field Inspections~~

37 ~~Unless otherwise provided in this Article, all development subject to this Article may be inspected~~  
38 ~~by PZB prior to and after installation of required landscaping. Required landscaping shall be~~  
39 ~~approved by PZB prior to the issuance of a paving permit, CO, or Certificate of Completion,~~  
40 ~~whichever occurs first. Partially relocated to Art. 7.B.3.D, Landscape Inspections]~~

##### 41 ~~1. Types of Landscape Inspection~~

42 ~~a. Preliminary Inspection — required to verify existing grades, vegetation and necessary site~~  
43 ~~preparation has been completed prior to any plant material being installed on the site to~~  
44 ~~comply with the Landscape Permit; [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,a,~~  
45 ~~related to Types of Landscape Inspection]~~

46 ~~b. Final Inspection — required as part of the typical building permit process to ensure~~  
47 ~~landscape material, irrigation and conditions of approval on a development order are in~~  
48 ~~compliance prior to final sign off that the landscape is completed and installed in~~  
49 ~~accordance to the Landscape Permit. [Ord. 2009-040] [Relocated to Art. 7.B.3.D.1,b,~~  
50 ~~related to Types of Landscape Inspection]~~

51 ~~c. Annual Inspection — scheduled on the one year anniversary date from the date of the~~  
52 ~~Final Inspection noted on the Landscape Permit. Inspection shall be performed to ensure~~  
53 ~~all landscape and irrigation continually complies with the Landscape Permit. If material or~~

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER G – ENFORCEMENT

(Updated 7/13/17)

~~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:

1. 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]
2. Such fines and imprisonment as provided for in F.S. §125.69; or
3. 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:

1. Each tree or shrub that is not properly installed or properly maintained on site as required by this Section;
2. 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
3. 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

- a. Canopy trees shall be replaced pursuant to Art. 7.E.3.C, Tree Credit and Replacement.
- b. Any other landscape materials shall be replaced pursuant to Art. 7.D, Landscape Standards.

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# EXHIBIT X

## ARTICLE 7, LANDSCAPING CHAPTER G – ENFORCEMENT

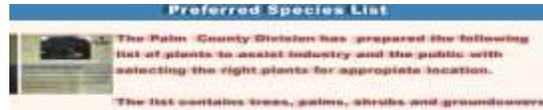
(Updated 7/13/17)

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:

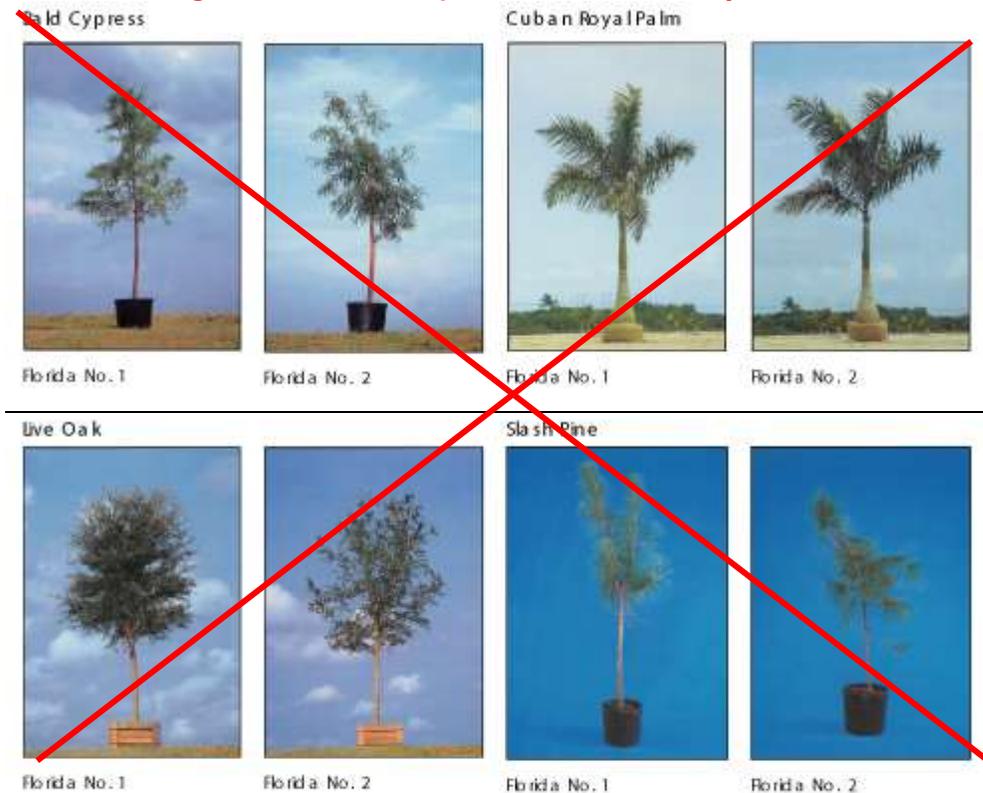
[http://www.pbcgov.com/epzbcommon/asp\\_html/epzbgateway.aspx?ReferrerID=einfo&FROM=EZ&TargetMenuitem=Plant%20Material%20Database](http://www.pbcgov.com/epzbcommon/asp_html/epzbgateway.aspx?ReferrerID=einfo&FROM=EZ&TargetMenuitem=Plant%20Material%20Database)



### 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



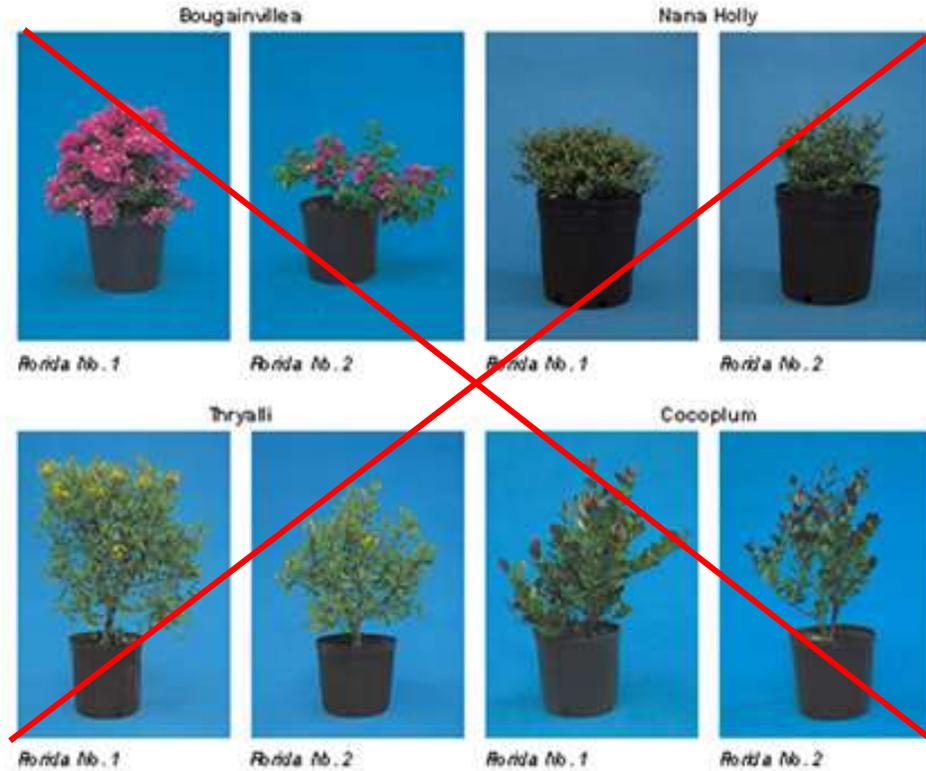
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EXHIBIT X

ARTICLE 7, LANDSCAPING  
CHAPTER G – ENFORCEMENT

(Updated 7/13/17)



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**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.

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: \_\_\_\_\_

Name: \_\_\_\_\_

Registration Number: \_\_\_\_\_

**Amendment History:**

[Ord. 2003-067; January 1, 2004] [Ord. 2005-002; February 2, 2005] [Ord. 2005-041; September 1, 2005] [Ord. 2006-004; March 1, 2006] [Ord. 2006-055; December 1, 2006] [Ord. 2007-001; January 31, 2007] [Ord. 2007-013; September 4, 2007] [Ord. 2008-003; January 30, 2008] [Ord. 2008-037; September 4, 2008] [Ord. 2009-040; October 28, 2009] [Ord. 2010-005; February 2, 2010] [Ord. 2010-022; September 1, 2010] [Ord. 2011-001; February 4, 2011] [Ord. 2012-027; August 31, 2012] [Ord. 2013-018; July 2, 2013] [Ord. 2013-018; July 2, 2013] [Ord. 2013-021; August 30, 2013] [Ord. 2014-025; September 3, 2014] [Ord. 2015-006; February 3, 2015] [Ord. 2014-031; July 7, 2015] [Ord. 2015-031; September 3, 2015] [Ord. 2016-016; February 2, 2016] [Ord. 2016-042; September 27, 2016] [Ord. 2017-007; March 2, 2017]

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# EXHIBIT B

## MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

1  
2 Part 1. ULDC Art. 1.I.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 C. Terms defined herein or referenced Article shall have the following meanings:  
9

10 91. **Corner Clip** - an area at each side of a street intersection, or driveway connection to a street,  
11 which is subject to restrictions on the construction, installation, placement, or maintenance of  
12 visual obstructions. The location and dimensions of said area, whether located within or  
13 adjacent to the legally established street boundaries, shall be as shown in Figure 3.D.1.D,  
14 Corner Clip Setback.  
15

16 F. Terms defined herein or referenced Article shall have the following meanings:  
17

18 52. **Front Facade** –

- 19 a. For the purposes of Art. 3, the wall of a building parallel with and facing a frontage line.  
20 b. For the purposes of Art. 5.C, Design Guidelines and Art. 7.C.3.B, Foundation Planting, the  
21 main pedestrian entrance of a building or structure shall be designated as the front façade.  
22

23 S. Terms defined herein or referenced Article shall have the following meanings:  
24

- 25 1. Safe Sight Triangle - an area within a property that abuts driveway at connection to a street.  
26 This area is typically to protect lines of sight for vehicles exiting private property and entering  
27 into a right-of-way.  
28

29 **[Renumber accordingly]**

30 Part 2. ULDC Art. 2.D.1.G.2.c.3.), Administrative Process (page 41 of 87), is hereby amended as  
31 follows:  
32

<b>Reason for amendments:</b> [Zoning]
1. Replace terminal and interior islands with Landscape islands.

33 **CHAPTER D ADMINISTRATIVE PROCESS**

34 **Section 1 Development Review Officer (DRO)**

35 **G. Modifications to Prior Development Orders**

36 **2. Administrative Modifications**  
37 **c. Zoning Review**

- 38  
39 3) Relocation of ~~terminal landscape~~ islands to accommodate trees or utility lines; **[Ord.**  
40 **2008-003]**  
41  
42

43  
44 Part 3. ULDC Art. 3.B, OVERLAYS (page 85 of 216), is hereby amended as follows:  
45

<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.

46  
47 **CHAPTER B OVERLAYS**  
48

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# EXHIBIT B

## MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

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

2    **....**  
3    **F. Planned Industrial Park Development (PIPD)**  
4    **1. Development Standard Exceptions**

5    **....**  
6    **f. Landscaping in Industrial Pods**  
7    **1) Foundation Planting**

8    Industrial buildings visible from a public street or residential zoning district may be  
9    exempt from the foundation planting requirements of Art. 7.~~D.44-C.3.B~~, Foundation  
10   Plantings if the adjacent perimeter ROW or incompatibility buffer is increased in width  
11   by eight feet and the foundation planting requirements are relocated to the buffer. For  
12   those parcels that use this exemption, only that portion of the building facade with the  
13   main public and employee entrances, and extending along the facade a minimum of  
14   100 feet in each direction from each entrance, including around corners unless  
15   interfering with a loading area/space/dock/bay, are subject to the provisions. If the  
16   distance between foundation planting treatments is less than 10 percent of the overall  
17   length of the building facade, the treatment shall be extended. If the Architectural  
18   Review exemption in Art. 3.B.4.F.1.d, Architectural Review is utilized, the additional  
19   buffer width and planting is not required to utilize the Foundation Planting exemption.  
20   **[Ord. 2014-025]**

21   **2) Interior Landscaping Exceptions**

22   **....**  
23   b) Interior Vehicular Use Areas not used for parking of passenger vehicles are not  
24   required to provide ~~terminal or interior~~ landscape islands. **[Ord. 2014-025]**  
25   **....**

26   **Section 14        WCRAO, Westgate Community Redevelopment Area Overlay**

27   **....**  
28   **F. Property Development Regulations (PDRs)**  
29   **2. Build to Line and Frontages**

30   **a. Build to Line**

31   The build to line may be adjusted by the DRO , or at Building Permit review for projects  
32   Permitted by Right, to accommodate requirements such as, increased R-O-W buffers due  
33   to location of existing utility easements, or required safe sight triangle or corner clips. The  
34   first three floors of all main structures, excluding parking garages, shall be constructed at  
35   the build to line, unless specified otherwise. An additional ten or 12 foot setback is  
36   permitted where a gallery is used in lieu of an arcade. Up to 25 percent of the building  
37   frontage or footprint that is required to be on the build to line may be either setback or  
38   projected beyond the build to line to accommodate requirements for balconies, stoops,  
39   porches, or other architectural features designed to enhance the pedestrian streetscape  
40   environment, provided that ground floor improvements do not conflict with the placement  
41   of street trees. Recesses and projections of the building façade up to a maximum of three  
42   feet shall be permitted. Maximum encroachments for balconies, and entryways shall  
43   comply with Table 3.B.14.G – WCRAO Supplementary Standards by Sub-Area. **[Ord.**  
44   **2006-004] [Ord. 2011-001]**

45   **....**  
46   **G. Supplementary Standards**

47   In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO  
48   Supplementary Standards by Sub-Area, the following shall apply: **[Ord. 2006-004]**  
49

**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> <u>Landscaping for provisions</u> allowing for reduction in Perimeter and foundation planting requirements.							
<b>Min. Pervious Surface Area</b>	-	20%	20%	20%	-	-	-
....							

50  
51   **J. WCRAO Landscape ~~Deviations-Modifications~~**  
52   **1. Foundation Planting**

53   **....**

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EXHIBIT B

MISCELLANEOUS AMENDMENTS RELATED TO ART. 7
SUMMARY OF AMENDMENTS
(Updated 7/27/17)

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

Table with 1 column and 1 row containing a note: Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines triangles, corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-005]

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

Table with 1 column and 1 row containing a note: Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines triangles, corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-005]

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

Table with 1 column and 1 row containing a note: Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines triangles, corner clips, or other similar need as may be required by the County Engineer. [Ord. 2010-005]

Table 3.B.15.F. - Townhouse Lot and Building Configuration PDRs

Table with 1 column and 1 row containing a note: Required maximum build to line may be increased, where necessary, to accommodate utility easements, landscape buffer, slip street, safe sight lines triangles, 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]

Notes:

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EXHIBIT B

MISCELLANEOUS AMENDMENTS RELATED TO ART. 7
SUMMARY OF AMENDMENTS
(Updated 7/27/17)

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

Table with 1 column and 1 row containing notes for PRA Block Building PDRs.

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

Table with 1 column and 1 row containing notes for PRA Liner Building Configuration PDRs.

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

Table with 1 column and 1 row containing notes for PRA Townhouse Lot and Building Configuration PDRs.

Part 5. ULDC Art. 3.D.1.D.3, Corner Clip Setback (page 120-122 of 216), is hereby amended as follows:

Reason for amendments: [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.

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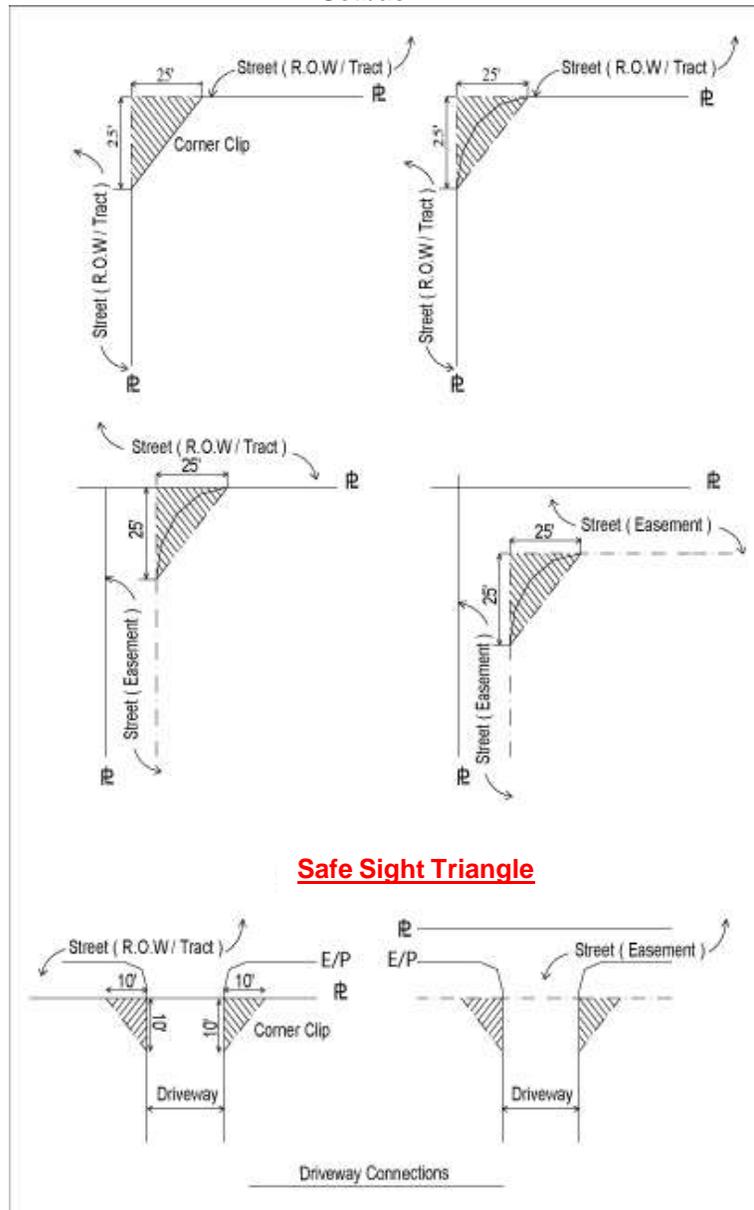
# EXHIBIT B

## MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS

(Updated 7/27/17)

1

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



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....  
**5. Setback Exceptions**

The following structures, projections, and improvements shall be allowed within required setbacks:

**a. Structures Projections and Improvements Permitted in Setbacks**

- ....  
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]**

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# EXHIBIT B

## MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

1 Part 6. ULDC Art. 3.E, PLANNED DEVELOPMENT DISTRICTS (page 135,152,158,159-160 of 216),  
2 is hereby amended as follows:  
3

Reason for amendments: [Zoning]

1. Relocate dedications of landscape buffer from Art.7, Landscaping to Art. 3 Planned Development District under the Platting process.

### 4 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDs)

#### 5 Section 1 General

6  
7 **J. Phasing and Platting**

8  
9 **2. Platting**

10 All land in a PDD shall be platted in accordance with Art. 11, Subdivision, Platting and Required  
11 Improvements. [Ord. 2005 – 002] [Ord. 2011-001] [Ord. 2012-003]

12  
13 **c. Dedications**

14 *Required landscape buffers within or around residential pods of Planned Developments*  
15 *shall be platted and dedicated as separate tracts of land.* [Relocated from Art. 7.F.4,  
16 Dedications]

#### 17 Section 2 Planned Unit Development (PUD)

18  
19 **F. AGR PUD**

20  
21 **4. Development Area**

22  
23 **~~d.~~ Landscape Buffer**

24 *A Type 3 incompatibility buffer shall be required between the Development Area and all*  
25 *adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer*  
26 *shall be a minimum of 50 feet in width and installed in accordance with Article 7,*  
27 *LANDSCAPING, except that a wall shall not be required.* [Ord. 2006-004] [Ord. 2008-  
28 003] [Relocated to Art. 7.C.2.C.4, AGR PUD Landscape Buffer]

29 **~~1)~~ Buffer Width Reduction**

30 *The minimum 50-foot buffer width required along the perimeter of an AGR-PUD*  
31 *Development Area may be reduced for the following:* [Ord. 2013-001] [Relocated to  
32 Art. 7.C.2.C.4.a, Buffer Width Reduction]

33 **~~a)~~ Abutting R-O-W, Open Space or Another Buffer**

34 *A 50 percent reduction (minimum of 25 feet in width) shall be permitted if:* [Ord.  
35 2013-001] [Relocated to Art. 7.C.2.C.4.a.1), Abutting R-O-W, Open Space or  
36 Another Buffer]

37 *(1) the buffer is within a nonresidential pod and adjacent to a R-O-W greater than*  
38 *50 feet in width;* [Relocated to Art. 7.C.2.C.4.a.1).a), related to Abutting R-  
39 O-W, Open Space or Another Buffer]

40 *(2) the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in*  
41 *width; or* [Relocated to Art. 7.C.2.C.4.a.1).b), related to Abutting R-O-W,  
42 Open Space or Another Buffer]

43 *(3) the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than 50 feet*  
44 *in width* [Relocated to Art. 7.C.2.C.4.a.1).c), related to Abutting R-O-W,  
45 Open Space or Another Buffer]

46 **~~b)~~ Abutting a Rural Parkway**

47 *A reduction to a minimum of 15 feet in width shall be permitted if the buffer is*  
48 *abutting a Rural Parkway a minimum of 100 feet in width.* [Ord. 2013-001]  
49 [Relocated to Art. 7.C.2.C.4.a.2), Abutting a rural Parkway]

50 [ReNUMBER Accordingly]

#### 51 Section 3 Multiple Use Planned Development (MUPD)

52  
53 **B. Objectives and Standards**

54  
55 **2. Performance Standards**

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## EXHIBIT B

### MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

1 Part 9. 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.

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## EXHIBIT B

### MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

#### 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]

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# EXHIBIT B

## MISCELLANEOUS AMENDMENTS RELATED TO ART. 7 SUMMARY OF AMENDMENTS (Updated 7/27/17)

### 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, 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 10. ULDC Art. 8.C.8., Obstructions to Driver Visibility (page 12-13 of 42), is hereby amended as follows:

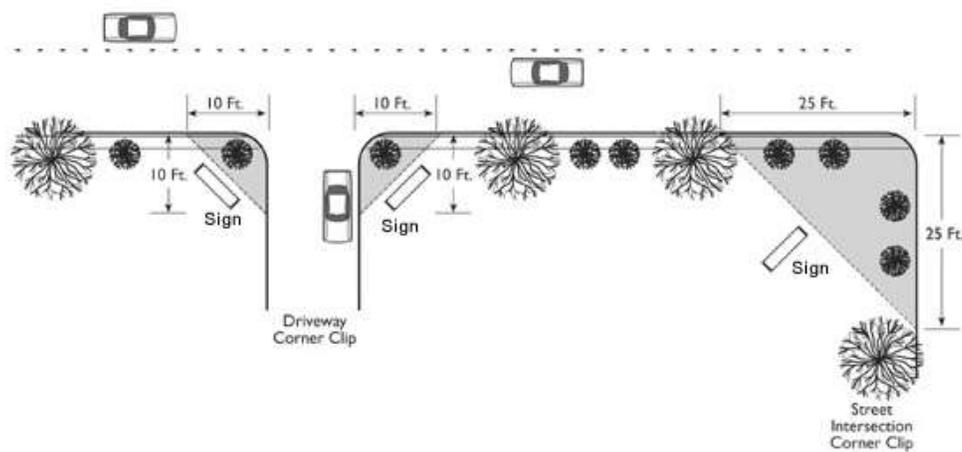
Reason for amendments: [Zoning]
1. Add safe sight triangles to Art.8.C.9, Signage – Obstruction to Driver Visibility.

## 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



Part 18. ULDC Art. 8.G.2.A.3, Limitations in Median [Related to Freestanding Signs] (page 28 of 42), is hereby amended as follows:

## CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

### Section 2 Ground Mounted Signs

#### A. Freestanding Signs

#### 3. Limitations in Median

Freestanding signs erected in a median within a driveway to a development shall not be located in corner clips or ~~visibility areas~~ safe sight triangles unless they are less than 30 inches high and shall be set back a minimum of five feet from the face of curb, or from the edge of adjacent pavement where no curb exists. Signs that overhang a driveway shall be a minimum of 13.5 feet above the adjacent pavement

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