

EXHIBIT X
ARTICLE 7, LANDSCAPING
CHAPTER A, LANDSCAPE DESIGN PRINCIPLES
(Updated 5/17/17)

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

Reason for amendments: [Zoning] 1) Clarify that planting requirements are based on the Growth Management Tier System (MGTS).
2) Relocate existing MGTS Compliance language from Chapter C to Chapter A.
3) Relocate specific objectives under Art. 7.A.1.A. 1-8 (Appearance, Environment... Removal of Prohibited Plant Species) and combined under affiliated Design Principles in Art. 7.A.1.B, this is intended for the ease of use for the readers. Reduce redundancy between these 2 Sections of Art. 7.

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 - Section 3.E – Compatibility
 - Section 3.F – Enhancing Architecture
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Commented [MK1]: This will help the reader to follow the contents of each Chapter, it will be deleted after presenting to the Subcommittee.

CHAPTER A GENERAL

Section 1 Landscaping and Buffering Purpose and Intent

A. Purpose and Intent

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

- ~~• Landscape principles for a property to be designed in compliance with the Growth Management Tier System (MGTS);~~
- ~~• Application review and approval process with criteria for evaluation of Landscape Plans;~~
- ~~• Landscape requirements for buffers and landscaping for interior and other service areas of a property;~~
- ~~• Landscaping standards for both plant materials and other landscape structures;~~
- ~~• Preservation of existing native vegetation, elimination of prohibited and reduction of controlled plant species;~~
- ~~• Installation, continued maintenance of landscaping and restoration of native plant communities; and,~~
- ~~• Enforcement of the Code requirements.~~

Commented [MK2]: The following "bullets" follow the order of the proposed Chapters
Chapter A – General
Chapter B – Applicability and Approval Process
Chapter C – Landscape Buffer and Interior Landscape Requirements
Chapter D – Landscaping Standards
Chapter E – Preservation, Prohibited and Controlled Plant Species
Chapter F – Installation, Maintenance and Restoration
Chapter G - Enforcement

~~The specific objectives of this Article are as follows:~~

~~**1. Appearance**~~

~~To improve the aesthetic appearance of development through creative landscaping that helps to enhance the natural and built environment.~~

~~**2. Environment**~~

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

~~**3. Water Conservation**~~

~~To promote water conservation by encouraging xeriscaping in appropriate areas, such as medians; requiring the use of native and drought tolerant landscape material; encouraging the use of water conserving irrigation practices; requiring adherence to landscape installation standards and maintenance procedures that promote water conservation; and encouraging the~~

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~~ecologically sound placement of landscape material and incorporation of natural areas and vegetation into landscape plans.~~

~~**4. Preservation**~~

~~To encourage the preservation and planting of native trees and vegetation as part of landscape design.~~

~~**5. Compatibility**~~

~~To promote efficiency in the development of limited land resources by improving the compatibility of otherwise incompatible land uses in close proximity, particularly residential development that is adjacent to commercial and industrial development, through the use of landscaped buffers.~~

~~**6. Land Values**~~

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

~~**7. Human Values**~~

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

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

~~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.~~ [Deleted from here and partially relocated to New Art. 7.A.3, Landscape Design Principles]

Section 2 **CHAPTER C** **MGTS TIER COMPLIANCE Compliance**

Landscape design shall comply with the relevant MGTS characteristics in both plant material selection and overall landscape composition.

Section 1 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 infill redevelopment or more urbanized forms of development and allow for commensurate forms of urban landscaping that accommodate CPTED principles, walk-ability and other attributes of the urban environment. Greater flexibility and alternative landscape solutions are available to promote development within the boundaries of these areas. However, it also recognizes the unique opportunities and restrictions that may be encountered for parcels developing consistent with Article 3.B.15. INFILL REDEVELOPMENT OVERLAY (IRO), and recommends allowing greater flexibility and alternative landscape solutions to be made available to these types of projects. [Ord. 2010-005] [2010-022] [Ord. 2014-025] [Relocated from Art. 7.C.1, U/S Tier, page 13]~~

Section 2 B. **AGR and Glades Tiers**

~~The AGR and Glades Tiers designs should promote reduced impervious areas consist of, maintain large green/open spaces, incorporate equestrian and agricultural elements into the design, include an increased percentage of native plant species, and the use of natural stone and/or wood materials in the landscape design. [Relocated from Art. 7. C.2, AGR and Glades Tier, page 14]~~

Section 3 C. **Exurban and Rural Tiers**

~~The Exurban and Rural Tiers primarily consist of larger residential lots, Landscaping in these Tiers areas should incorporate and require the use of more informal design patterns that include: incorporate reduced impervious areas; preservation of native vegetation, lakes and other similar open space areas; and, more naturalistic landscaped areas. Non-residential uses shall also provide for the accommodate increased use amounts of landscape materials in perimeter buffers, the parking areas and building foundation plantings; dispersed parking with additional screening from adjacent roadways and residential uses; and, compliance with rural architectural design guidelines where applicable. [Ord. 2009-040] [Relocated from Art. 7. C.3, U/S Tier, page 14]~~

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Part 2. ULDC Art. 7.A.1.A, Purpose and Intent and Art. 7. A.1.B, Landscape Design Principles (page 6 -10 of 49), are hereby amended as follows:

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 goals that may not enforceable by the Zoning Division or Code Enforcement, e.g. Land Values and Human Values..

Section 3 B. 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 when used by County staff and DRO in evaluating whether or not landscape plans conform to with the requirements of this Article: [Ord. 2009-040] [Relocated from Art. 7.A.1.B, Landscape Design Principles, page 6]~~

4.A. 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, page 6]~~ **2. Composition** The quality of a landscape design is dependent upon not only on the quantity and selection of plant materials and its arrangement but also on how that material is arranged. Landscape materials should be arranged in a manner as to provide the following qualities and characteristics:

a1. Texture

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

b2. Color

~~Landscape designs shall include a variety of plants that to provide contrasting differ in color 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 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. [Relocated from Art. 7.A.1.B.2, Composition, page 7]~~

~~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.~~

Commented [MK3]: Proposed to delete these photos, and could be replaced with better ones.

~~[Relocated from Art. 7.A.1.B.2, Composition, Photos, page 7]~~

d4. 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.~~

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~~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. When foundation planting is required, plantings and window boxes should incorporate artistic elements and be compatible with a building's architectural character. [Relocated from Art.~~

~~7.A.1.B.8, Enhancing Architecture, page 9]~~

~~**2B. 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; reducing heat gain in or on buildings or paved areas; reducing the temperature of the microclimate through the process of evapotranspiration; and encouraging the limited use of fresh water resources through the use of native and drought tolerant plants. [Relocated from Art. 7.A.1.A.2, Environment, page 6]~~

~~**3C. Water Conservation**~~

~~To promote water conservation by encouraging native and xeriscaping drought tolerant plant materials to be planted in appropriate areas, such as medians; requiring the use of native and drought tolerant landscape material; encouraging the use of water conserving irrigation practices; requiring adherence to landscape installation standards and maintenance procedures that promote water conservation; and encouraging the ecologically sound placement of landscape material and incorporation of natural areas and vegetation into landscape plans. [Relocated from Art. 7.A.1.3, Water Conservation, page 6]~~

~~**a. 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. In the same manner, landscape designs should utilize drought tolerant plant materials to the maximum extent feasible to enhance the character of the existing landscape and. 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. [Relocated from Art. 7.A.1.B.6, Use of Native and Drought Resistant Plants, page 9]~~

~~**4D. Preservation and 8. Removal of Prohibited Plant Species**~~

~~To encourage the preservation and planting of native trees and vegetation as part of landscape design and eradication of eradicate prohibited species. [Relocated from Art. 7.A.1.4, Preservation, page 6]~~

~~**1.a. Natural Landscapes Incorporation of Existing Vegetation**~~

~~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. [Relocated from Art.~~

~~**7.A.1.B.1, Natural Landscapes, page 6]**~~

~~**b. Landscape designs should include the To require the initial eradication of and control the ongoing and removal of prohibited plant species that have become nuisances because of their tendency to disrupt or destroy native ecosystems. [Relocated from Art. 7.A.1.A.8, Removal of Prohibited Plant Species, page 6]**~~

~~**5 E. Compatibility**~~

~~To promote efficiency in the development of limited land resources by improving the compatibility of otherwise incompatible land uses in close proximity, particularly residential development that is adjacent to commercial and industrial development, through the use of landscaped buffers. [Relocated from Art. 7.A.1.A.5, Compatibility, page 6]~~

~~**3.1. Buffering and Screening**~~

~~The placement of natural Whenever possible landscape materials should be utilized to provide (trees, shrubs, and hedges) is the preferred method for buffering an area of transition between differing land uses; for providing buffering a transition between adjacent properties; ; and for screening for the view of any parking, or storage areas, refuse collection, utility enclosures, or other service areas, 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. When used to screen an activity area~~

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such as a parking lot, landscaping shall not obstruct the visibility of motorists or pedestrians or interfere with public safety. [Relocated from Art. 7. A.1.B.3, Buffering and Screening, page 7]

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

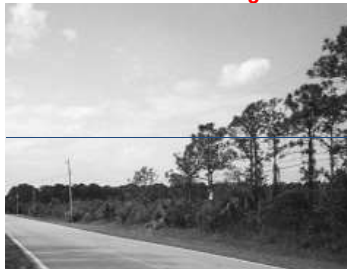
Landscape designs should build on the site's and area's unique physical characteristics, conserving and complementing existing natural features. Naturalistic design elements such as irregular plant spacing, undulating berm contours, and mixed proportions of plant species should be used to ensure that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

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.

[Relocated from Art. 7.B, page 8]

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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.~~ **[Relocated to New Art. 7.A.2, MGTS Compliance]**

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.~~

~~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.~~ **[Relocated to New Art. 7.A.3.C.1, Use of Native and Drought Resistant Plants]**

7.—Continuity and Connection

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

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~~

8F. 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.~~

~~When foundation planting is required, plantings and window boxes for parking structures should incorporate artistic elements and be compatible with a building's architectural character.~~ **[Relocated from Art. 7.B.8, Enhancing Architecture, page 9]**

Figure 7.A.1.B - Enhancing Architecture

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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.

9.G. 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.

10.H. Quality Pedestrian Environment

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

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.

[Relocated from Art. 7.A.1.B.10, Quality Pedestrian Environment, page 10]

~~C. 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. For previously approved development orders, refer to Art. 1.F, NONCONFORMITIES.~~

~~D. Relation to Article 14, Vegetation Preservation and Protection~~

~~Landscape plans required by this Article shall conform to 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 14.C, VEGETATION PRESERVATION AND PROTECTION, Appendix F.~~

~~E. 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. 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.~~

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1 ~~4.—Development that does not entail a substantial change in land use as defined in ART. 1.I,~~
2 ~~DEFINITIONS AND ACRONYMS.~~

3 ~~5.—Uses such as airports, major utilities, and stockades which have planting requirements~~
4 ~~regulated by Federal or State law. Off-site planting of required landscaping may be approved~~
5 ~~in areas where there is a direct public benefit, such as in schools, parks, libraries, streets, and~~
6 ~~medians.~~

7 ~~6.—Projects in the Glades Area Economic Development Overlay (GA-O) that have provided in-lieu~~
8 ~~funds to the Glades Thoroughfare Beautification Fund.~~

9 ~~**F. Deviations**~~

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

11 ~~1.—PBC parks, as specified in Art. 5.D.2.G., County Park Landscape Standards; and, ~~[Ord. 2006-~~~~
12 ~~004] [Ord. 2007-013]~~

13 ~~2.—Development supporting government facilities within the PO Zoning District, subject to approval~~
14 ~~by the BCC. ~~[Ord. 2006-004] [Ord. 2007-013]~~ [Relocated to New Art. 7.B, Applicability and~~
15 ~~Approval Process]~~

16 **Section 24 Definitions**

17 *See Art. 1.I, Definitions and Acronyms.*

18 [Relocated from Art. 7.C.2, Definitions, page 11]

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CHAPTER B, APPLICABILITY AND APPROVAL PROCESS

(Updated 5/17/17)

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

Reason for amendments: [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.

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CHAPTER B APPLICABILITY AND APPROVAL PROCESS

Section 1. General

C. 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. For previously approved development orders, refer to Art. 1.F, NONCONFORMITIES, unless stated otherwise herein. [Relocated from Art. 7.A.1.C, Applicability, page 10]

D. A. Relation to Article 14, Vegetation Preservation and Protection

Landscape plans required by this Article shall conform to the standards of Article 14, ENVIRONMENTAL STANDARDS. Nothing in this Article shall be applied to contradict the requirements of Article 14, ENVIRONMENTAL STANDARDS, Appendix F. [Relocated from Art. 7.A.1.D, Relation to Article 14, Vegetation Preservation and Protection, page 10]

E.B. 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. Except as specified in Article 4.B.6, USE CLASSIFICATION, Agriculture, bona fide, agricultural activities and accessory agricultural uses shall require a six foot high perimeter buffer along a public road R-O-W unless stated otherwise herein.*
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. [Relocated from Art. 7.A.1.E, Exemptions, page 10-11]*

F.C. Deviations

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

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- 1 1. *PBC parks, as specified in Art. 5.D.2.G., Public Park Landscape Standards; and, [Ord. 2006-004] [Ord. 2007-013]*
- 2
- 3 2. *Development supporting government facilities within the PO Zoning District, subject to approval*
- 4 *by the BCC. [Ord. 2006-004] [Ord. 2007-013] [Relocated from Art. 7.A.1.F, Deviations,*
- 5 *page 11]*
- 6

7 **Part 2. ULDC Art. 7.A.2, Definitions (page 11 of 49), is hereby amended as follows:**

Reason for amendments: [Zoning] 1) Proposed to delete this Section since definitions are located in Art. 1.A.3, Definitions and therefore there is not a need to create a Section for the definition. This is consistent with the construction of the Articles of the Unified Land Development Code.
2) Relocate and consolidate Landscape Plan Review from Chapter H and Landscape Permit from Chapter E.2 to Chapter B.
3) Expand the Type 1 Waiver Table to include those existing waivers which are located in other Sections of Art.7. Also update the references in accordance with the proposed Article 7.

9 **Section 2 — Definitions**

10 *See Art. 1.J, Definitions and Acronyms*

11 **CHAPTER B — APPROVAL PROCESS AND APPLICABILITY**

12 **Section 12 Approval Process for Landscape Plans**

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

19 **A. Submittal Requirements**

20 *If the application is submitted at BCC, ZC or DRO, the application shall consist of the appropriate*
21 *forms and Landscape Plans as established by the Zoning Division, otherwise the application shall*
22 *be included under the Building Permit application requirement. The Plans shall comply with*
23 *applicable Code requirements and Conditions of Approval. The approval process for*
24 *Landscape Plans shall be subject to the requirements of pursuant to Art.2, Development Review*
25 *Procedures. [Ord. 2016-042] [Relocated from Art. 7.B.1, Approval Process for Landscape*
26 *Plans, page 11]*

27 **Section 2 — Application Requirements**

28 All Plans shall be prepared and submitted in accordance with Art. 2.A.1.G, Application Procedures, Art.
29 2.A.1.G.3, Plan Requirements, and the Technical Manual. **[Ord. 2007-001] [Ord. 2016-042]**
30

31 **Section 2 — Landscape Permit**

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

34 ~~*A. Submit an application for a Landscape Review on forms prepared by the Zoning Division; [Ord.*~~
35 ~~*2009-040].*~~

36 ~~*B. Comply with Code requirements and any conditions of approval; [Ord. 2009-040]*~~

37 ~~*C. Schedule and receive approval of all required landscape inspections; and, [Ord. 2009-040]*~~

38 ~~*D. Adhere to long-term landscape maintenance obligations and all material associated with the*~~
39 ~~*application. [Ord. 2009-040]*~~
40

41 **Section 2 — Administration**

42 **A. Landscape Permit B. Review of Landscape Plans**

43 ~~*Landscape Plan applications for review shall be submitted in compliance with the provisions of this*~~
44 ~~*Chapter. shall be reviewed by the Landscape Section of the Zoning Division, and when in*~~
45 ~~*coordination with ERM and other County Agencies, where applicable.*~~

46 **C. Issuance of Landscape Permits**

47 ~~*When all requirements are satisfied, the appropriate staff Zoning Division shall issue a Landscape*~~
48 ~~*Permit that shall reference referencing the approved Landscape Plan(s) associated with the permit*~~

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in addition to any necessary inspections, conditions and maintenance obligations. The Permit shall be maintained on site until the ~~final landscape inspection~~ Final Landscape Inspection is signed off by the ~~PBC Zoning Division Inspector~~. A copy of the landscape permit shall be maintained in the associated official Building Permit record, as well as the Zoning Division file. **[Ord. 2009-040]**

B.D. Field Landscape Inspections

Unless otherwise ~~provided~~ stated in this Article, all developments subject to this Article may be inspected by ~~PZB the Landscape Inspector~~ prior to and after installation of required landscaping. Required landscaping shall be approved by ~~PZB the Zoning Division~~ prior to the issuance of a paving permit, CO, or Certificate of Completion, whichever occurs first. Various types of Landscape Inspection shall be conducted at different stages of the development, as follows:

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. **[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]**

C. E. Certification of Compliance

In addition to Final Inspection and certification by PZB, the ~~land owner~~ applicant 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]**

1. Field Verification of Certification

PZB may elect to conduct a field inspection to verify the Certificate of Compliance.

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, Administration, pages 46-47 of 49]**

Section 3 Type 1 Waiver

A. Type 1 Waiver for Landscaping

An Applicant may seek minor modifications to the requirements of this Article that are identified in Table 7.B.2.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. The Applicant shall demonstrate in the Justification Statement and provide supporting documents that the Type 1 Waiver Standards pursuant to Art. 2.D.6.C, Standards and the applicable ~~e~~Criteria in the following Table have been met. **[Ord. 2007-001] [Ord. 2016-042]**

Table 7.B.2.A –Type 1 Waivers for Landscaping

Article/Table Reference and Title	Maximum Waiver	Criteria
R-O-W Buffer		
<u>Art. 7.C.2.B.3. Width Reduction for a R-O-W Buffer</u>	Allow 50 percent reduction of the R-O-W buffer width.	<ul style="list-style-type: none"> • <u>When a lot or a development is separated from the adjacent street by a canal, lake open space or a combination thereof, with a minimum width of 80 feet.</u> • <u>No reduction in quantity of Canopy trees;</u> • <u>Minimum height of Canopy trees shall not be reduced; and,</u> • <u>Shall utilize 100 percent native species; and,</u>

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Table 7.B.2.A –Type ~~1~~ Waivers for Landscaping

Article/Table Reference and Title	Maximum Waiver	Criteria
		<ul style="list-style-type: none"> No easement overlap shall be allowed.
Table 7.C.2.B.4. Shrub Planting Reduction	Allow 50 percent of shrub planting to be reduced.	<ul style="list-style-type: none"> Request must be concurrent with the width reduction for R-O-W buffer pursuant to Art.7.C.2.B.3 ; and, Reduced Planting shall consist of a combination of small, medium and large shrubs.
Art.7.F.7.C, Planting Pattern for a Perimeter R-O-W Buffer	A maximum of 25% percent reduction of the continuous shrub planting, opaque vertical landscape screen.	<ul style="list-style-type: none"> The reduced quantity of groundcover and shrub planting could be relocated elsewhere on the site; and, If buffer is located adjacent to parking areas, the reduced shrub planting shall maintain an effective screening of the vehicle headlights from the street R-O-W; or Necessary to accommodate an entrance feature, an amenity and/or a walkway.
Art.7.F.3.B, Location of Planting	No minimum of percentage of required trees to be located on the exterior side of the wall or fence for ROW Incompatibility Buffers.	<ul style="list-style-type: none"> The minimum perimeter buffer planting requirements is provided; and shall meet one or all of the below criteria: There are existing walls, fences, hedges or site conditions adjacent to the site that will create limitations to access for maintenance; or, 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.
Incompatibility Buffer		
Table 7.C.2.D.2. Width Reduction for an Incompatibility Buffer	Allow 50 percent of the required width to be reduced.	<ul style="list-style-type: none"> 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 or combination thereof, with a minimum width of 100 feet, or if the same type of buffer exists on the adjacent property; No reduction in quantity of Canopy trees; Minimum height of Canopy trees shall not be reduced; Shall utilize 100 percent native species; No easement overlay shall be allowed; and, A minimum of 5 clear feet for planting, or ten feet if a wall with a continuous footer is used.
Table 7.C.2.D.2. Shrub Planting Reduction an Incompatibility Buffer	Allow 50 percent of shrub planting to be reduced.	<ul style="list-style-type: none"> Request must be concurrent with the width reduction for the Incompatibility buffer pursuant to Art. 7.C.2.D.2; Shall provide the minimum six-foot high landscape barrier; and, Reduced Planting shall consist of a combination of small medium shrubs.
Art.7.F.9.E, Art. 7.D.2, Elimination of Incompatibility buffer Recreational Pod	Allow to waive the requirement of an Incompatibility buffer for pods, areas or tracts within a residential subdivision or PUD	<ul style="list-style-type: none"> Adjacent to open space that is 100 feet or greater in width; or The site layout will integrate recreational amenities with multi-family units and CLFs.
Art.7.F.9.C.1, Existing Walls and Fences	Where there Allow to waive the requirement of a hedge, wall or fence if there is an existing wall or fence on an adjacent property; the applicant may apply for a Type 1 Waiver to waive the wall or fence requirement.	<ul style="list-style-type: none"> Evaluate the existing wall, fence or other landscape barrier that is located on the adjacent property based on the following: Condition of existing wall, fence or other barrier; Effectiveness of visual screen; and Type of construction.
Tree & Hedge Height		

Commented [MK1]: Staff suggest adding no easement overlap is allowed. They can get a Type 2 Variance.

Commented [MK2]: Staff suggest to add blocking headlights.

Commented [MK3]: Only for Incompatibility since wall, fence or hedge is a requirement for an Incompatibility buffer and not R-O-W.

Commented [MK4]: Added no easement overlap to be consistent with the R-O-W buffer.

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Table 7.B.2.A –Type ~~1~~ Waivers for Landscaping

Article/Table Reference and Title	Maximum Waiver	Criteria
Art. 7.D.2.A.1, Canopy Trees Minimum Height	Allow the minimum height of 75 <u>50</u> percent of the total required trees be reduced.	<ul style="list-style-type: none"> <u>Only for those small and medium trees per FPL "plant the Right Tree in the Right Place" Guideline: the Zoning Division Preferred Species List, or a specie that shall be subject to the approval by the Zoning Division.;</u> All proposed trees must be native species-; <u>The reduced height shall range from 9 to 11 feet. A maximum of 25 percent of these trees shall have a minimum height of 9 feet; and,</u> <u>One additional tree, a minimum of 8 feet in height, shall be planted for every three trees that have the request for a reduced height.</u>
Art. 7.D.3.B.2 PDD and <u>or</u> Non-residential Perimeter Buffer Hedge Height	Allow for hedge to exceed 12 feet in height, up to 20 feet, for industrial developments.	<ul style="list-style-type: none"> The proposed hedge is planted for the purpose of screening the outdoor industrial activities.
Berm		
Art.7.D.9.A, Berm, Tier Restrictions	Allow landscape berms within the Exurban, Rural, Agricultural Preserve, or Glades Tiers.	<ul style="list-style-type: none"> Berms are utilized to improve screening of loading, parking or vehicular use areas, and to address compatibility issues.
Foundation Planting		
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 drive-through establishments, including Freestanding ATMs and Unmanned Structures.	<ul style="list-style-type: none"> Provide a minimum width of 5 feet for each area of foundation planting; The overall total required square footage of the planting area meets or exceeds the requirement; and, Location of relocated planting will be within proximity to the building it serves to still meet the general intent of enhancing the building
Shrub		
Art.7.F.7.B, Shrub Hierarchy Minimum Height at Installation (Size)	A maximum of 50% <u>percent</u> of large shrubs may be substituted with medium shrubs.	<ul style="list-style-type: none"> The proposed quantity of medium and small shrubs exceeds the minimum Code requirement by a minimum of 10 percent.

Commented [MK5]: 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). Staff proposed to add more criteria to maintain the minimum 12 foot tree height, encourage the use of other native species that were not commonly used in the past.

Commented [MK6]: Suggested by LA Inspector to add criteria.

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Table 7.B.2.A –Type I Waivers for Landscaping -Continued

Article/Table Reference and Title	Maximum Waiver	Criteria
Art. 7.F.8, Compatibility Buffer	Allow to waive the requirement to provide a solid opaque visual screen.	• There is an existing mature vegetative buffer screen on adjacent property; or • 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 • If an alternative design approach results in adequate screening being provided.
Interior Islands		
Art. 7.G.2.A, Table 7.C.4, Off-Street Parking - Planting and Dimensional Requirements, Terminal Island Width	Allow the reduction of terminal island green space width to 5 feet.	• For infill sites with less than 25 parking spaces.
Art. 7.G.2.A, Table 7.C.4, Off-Street Parking - Planting and Dimensional Requirements, Terminal Island Shrub Planting	Allow for relocation of shrubs from terminal islands in industrial developments to other areas of the site.	• 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.
Art. 7.G.2.C, Table 7.C.4, Off-Street Parking - Planting and Dimensional Requirements, Divider Median Width	Allow for relocation of shrubs from divider medians to other areas of the site.	• 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.
Art. 7.G.2.B.1, Table 7.C.4, Off-Street Parking - Planting and Dimensional Requirements, Interior Island Maximum Spacing	Allow to waive the maximum number of spaces or distance to provide larger interior islands.	• To allow for existing trees to be preserved or existing trees to be relocated within parking areas.
Art. 7.G.2.G, Table 7.C.4, Off-Street Parking - Planting and Dimensional Requirements, Alternative Parking Lot Landscaping	Alternative parking lot landscape designs may be approved.	• Provided that the total landscaped area and plant material quantities equal or exceed the code requirements.
[Ord. 2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [2016-016] [Ord. 2016-042] [Ord. 2017-007]		

Commented [MK7]: Proposed to delete these Waivers since the new Chapter C already addresses the planting quantity for a Compatibility Buffer.

Commented [MK8]: 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. Need suggestions from Subcommittee.

B. Mandatory Pre-Application Meeting for a Type I Waiver

The applicants shall be required to schedule and attend a preliminary Pre-application meeting with Zoning 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

For Type 1 Waiver for Landscaping, 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.

Commented [MK9]: Add this to make it clear LA plan is a requirement for Waivers. Put this here as a placeholder, may incorporate under Art. 2, Plan Requirements.

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