



**PALM BEACH COUNTY  
 PLANNING, ZONING AND BUILDING DEPARTMENT  
 ZONING DEPARTMENT  
 POLICY AND PROCEDURE**

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**PPM #        ZO-O-060**

**Effective:    02/10/17**

**SUBJECT:            Preservation of Vegetation for Site Development**

**PURPOSE:**        To establish procedures for Staff to coordinate and address the Preservation of *Trees* requirement for site development

**BACKGROUND:**   Pursuant to Art. 2.G.4.N.2, Decision Making Bodies; Art.7.A.3.D.1, Preservation, and Art 14.C, Vegetation Preservation and Protection, preservation of existing trees is a requirement for any site development application. The following steps will assist Zoning, Environmental Resources Management (ERM) Staff, and the Applicant, to coordinate and address the preservation of trees in the early stage of development review, and to work out design issues without impacting the timeline for certification or approval of the application. For the purpose of this PPM, the term **Tree** shall include native trees, specimen trees where applicable, palms or any other type of vegetation, not covered by ERM under Art. 14.C.

**PROCEDURES:**    The following procedures have been established for the applicant and Staff to follow to ensure consistency in the application process and enforcement of code provisions that apply to preservation of vegetation. Zoning and ERM shall collaborate on the review of all applications that require preservation through: pre-submittal meetings, site visits, site design to maximize preservation when appropriate, conditions of approval and follow-up monitoring during land development and building permit stages of site development.

**Application Submittal and Review**

**1. Pre-Application Appointment:**

A Pre-Application Appointment is required between the applicant and Zoning Staff to discuss the applicant’s request and the applicable review procedures. The applicant shall identify all existing native vegetation on the site that will be incorporated into the final site design. Zoning Staff shall confirm by way of a site visit, and ERM Staff if the site supports native vegetation worthy of preservation, not included in Art.14, and inform the applicant of the necessary application requirements.

**2. Initial Review of Application for Sufficiency:**

a) The applicant shall submit a Zoning application with the required forms, all related documents to support the request, and all other documents as directed by Staff. The applicant shall confirm if a Tree survey is being submitted and establish finish grade of the site. Staff may request a Tree Disposition Chart to be added to the Tree Survey and other plans, as applicable, such as, Site and/or Subdivision Plan and/or Landscaping Plan and/or Alternative Landscape Plan(s) depending on how significant the preservation is.

- b) The applicant shall submit a Justification Statement describing the specific project, the proposed site development, and indicate any proposal for preservation of vegetation. Any preservation of vegetation must be shown on the Tree Disposition Chart and shall be added to the applicable Plan(s). (Refer to the Zoning Technical Manual (TM), Title 4, Landscaping, Chapter C, all sections, for the template and notes.)
- c) If no Tree Survey is submitted, then during the review process the Zoning Project Manager (PM), Landscape Inspectors and ERM shall coordinate a site visit to determine if a Tree Survey and a Tree Disposition Chart is required and make this a certification issue.
3. **Site visit:**  
A site visit must be completed prior to the completion of the first comments. The Zoning PM shall coordinate the site visit with the Landscape Inspector and ERM Staff to identify whether there are existing **Trees** (significant or not) on the site, and compare the current site situation with the submitted Plan. Two or more site visits may be warranted if there is a significant amount of **Trees**.
4. **Coordination with ERM/Landscape Inspector:**  
After the site visit(s), the Zoning PM shall review site visit notes and the application documents in coordination with ERM, Landscape Inspector and PM's Immediate Supervisor to decide whether ERM or Zoning would require a Tree Disposition Chart to be added to the plans (such as Tree Survey, Site, Subdivision, Landscape and /or Alternative Landscape Plans) for the site. Also, at the monthly review of new applications both Section Supervisors for the CD and Landscape/Permitting shall attend to discuss vegetation or landscape issues with each new site.
5. **Contacting Applicant:**  
Zoning PM shall contact the Applicant via email informing them that a Tree Disposition Chart is required along with the applicable plan(s) and shall be submitted consistent with the Zoning TM requirements. (Refer to TM, Title 4, Chapter C, Section 1 & 2)
6. **DRO Comments (Certification Issues):**  
The Zoning PM shall review, coordinate and finalize all comments entered for the application with the other agencies (ERM and Landscaping) to ensure consistency in the requirements for the site.
7. **Mitigation:**  
It is important to note that ERM does allow **Tree** mitigation, pursuant to ULDC, Article 14.C.7.B.5 using a combination of trees/palms and or shrubs to satisfy the mitigation requirement, and sometimes, ERM could require the Applicant to pay cash for the mitigation. Therefore, the Zoning PM must coordinate with ERM and Landscaping to agree and approve the Tree Disposition Chart prior to DRO certification or approval.
8. **Agreement on Tree Preservation:**
- a) Upon review of the Tree Survey; ERM, Zoning PM, and Landscape Inspector will coordinate to agree on the preservation requirements (which includes preservation, relocation, mitigation, replacement, etc.) of the trees and palms.
- b) The Zoning PM shall set up a meeting with the Applicant to discuss the recommendations with regard to the site design and preservation. If the recommendations require a redesign of the site layout, Staff shall address all issues before certification of the application for public hearings or final approval by the DRO.
- c) The Zoning PM, ERM and Landscape Inspector shall coordinate and draft the appropriate Conditions of Approval, discuss the conditions

with the Applicant, and finalized all conditions so that the Staff Report may be prepared. An agreement should be reached with the applicant before certification of the application.

- d) Those issues that are not acceptable to the Applicant, but are recommended by Staff must be discussed at the Hearings.
- e) All preservation of vegetation (*Trees*) will be entered as separate Condition(s) of Approval as part of the approved Development Order and be enforced through Monitoring section PZB. Staff may also place a “Hard Hold” or “Epsz Flag” in the ePZB system, as applicable.

#### **Off The Board or Final Approval by the DRO**

1. The Zoning PM, ERM and Landscape Inspector must monitor the Final Plans including the Tree Survey, Tree Disposition Chart, and all applicable plans required to be submitted at Final DRO, to ensure that the specific preserved /replaced /relocated /mitigated **Trees** are incorporated in the design of the Final Approved Plan(s).
2. The applicant shall submit a Vegetation Protection application (if applicable) to ERM prior to final approval of the site plan. If the applicant complies with all requirements the Vegetation permit will be issued by ERM.
3. The applicant shall submit a Vegetation Barricade Permit application to the Building Department prior to any land clearing activity/removal of vegetation, or Building Permit/construction. All **Trees** that are to be preserved must be properly barricaded and/or tagged and protected during all stages of site development.

#### **Barricade Permits and Tagging**

1. The vegetation barricades and tree tags must be installed prior to any land clearing or building activity/permits. (Refer to Technical Manual, Title 4, Chapter C, Section 2 - Tree Tagging and Section 3 - Tree Barricades).
2. All areas of native vegetation, all **Trees** designated for preservation and/or transplant/relocated (as identified by Zoning and ERM) shall be appropriately tagged or cordoned off, as identified on the Tree Survey, Disposition Chart, and all applicable plans (Site and/or Subdivision Plan(s), Landscape or Alternative Landscape Plan.)
3. Prior to any land clearing activity or building permit/construction activity the applicant shall submit a Vegetation Barricade Permit application to the Building Division. In addition to the standard permit application form the following supplementary items shall be submitted:
  - a. 3 (sets) copies of the approved plan(s) with the Disposition Chart, (such as, Tree Survey, and/or Site and/or Subdivision Plan(s), Landscape and/or Alternative Landscape Plan) indicating the locations of the proposed barricade(s) and tags; and
  - b. 3 (sets) copies of the description of the type of durable material that will serve as the barricade and tags (subject to approval by ERM) and/or the maintenance plan for those *Trees* slated for relocation.
4. The Vegetation Barricade Permit application shall be routed to the Zoning Division for review and approval by the Landscape Inspectors in coordination with ERM Staff.
5. Once the Vegetation Barricade Permit is issued and the barricades and tree tags have been installed, the applicant must schedule inspections with Zoning Landscape Inspectors prior to initiating any land development activities/clearing.
6. The Landscaping Inspector will assign the “Closed” status to the

condition(s) in ePZB database once the final inspection has attained a "Pass" status. The ePZB flag will also be removed.

7. Failure to comply with these requirements shall result in a Stop Work Order being placed on the site and potential fines.

#### **Building and Land Development Review Process**

1. Landscape Inspector shall closely monitor the site development stage. The Landscape Inspector will review and ensure as a site development comes in for building permits that the applicant has met all requirements and if any vegetation (*Trees*) or landscaping has been designated for preservation, this must be incorporated into the current site design.
2. CD and Landscape/Permitting Staff will update the Vegetation Monitoring Chart and review this chart on a monthly basis to maintain a resource of information of all sites that were determined to have vegetation or landscaping to be preserved.
3. The building permit shall be routed to Zoning Staff for review for compliance with any vegetation (*Trees*) or landscape preservation. The Landscape Inspector will monitor and coordinate when necessary with ERM for compliance.
4. A property owner or contractor who removes Vegetation (*Trees*) or Landscaping designated for preservation will be processed as a violation of the code and any associated permits will be placed on hold until such violations are corrected and satisfied. Staff may refer to PPM ZO-O-061, Processing Violations for Illegal Tree Removal, for the detailed procedures.



Zoning Director

#### Supersession History:

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