

# ARTICLE 7

## LANDSCAPING

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# ARTICLE 7

## LANDSCAPING

### CHAPTER A GENERAL

#### Section 1 Purpose and Intent

This Article provides general direction and establishes minimum standards related to the following: **[Ord. 2018-002]**

- A. Design principles to ensure compliance with the Managed Growth Tier System (MGTS); **[Ord. 2018-002]**
- B. Review process and decision making standards for the evaluation of Landscape Plans; **[Ord. 2018-002]**
- C. Requirements for buffers, interior, and other service areas of a property; **[Ord. 2018-002]**
- D. Standards for plant materials and other landscape barriers or structures; **[Ord. 2018-002]**
- E. Preservation of existing native vegetation, elimination of prohibited and reduction of controlled plant species; **[Ord. 2018-002]**
- F. Installation and continued maintenance; and, **[Ord. 2018-002]**
- G. Enforcement of the Code requirements. **[Ord. 2018-002]**

#### Section 2 MGTS Compliance

Landscape design shall comply with the relevant MGTS characteristics in both plant material selection and overall landscape composition. **[Ord. 2018-002]**

##### 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 WCRAO, IRO and URAO, among others, serve to promote urbanized forms of development that accommodate walkability and other attributes of the urban environment. Greater flexibility and alternative landscape solutions are available to promote development within the boundaries of these areas. **[Ord. 2010-005] [2010-022] [Ord. 2014-025] [Ord. 2018-002]**

##### B. AGR and Glades Tiers

Landscaping in the AGR and Glades Tiers should consist of large open spaces, with equestrian and agricultural elements, and an increased percentage of native plant species. **[Ord. 2018-002]**

##### 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] [Ord. 2018-002]**

#### Section 3. 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 the DRO and other County Agencies in evaluating whether the proposed Landscape Plans are in compliance with the requirements of this Article: **[Ord. 2009-040] [Ord. 2018-002]**

##### A. Appearance and Composition

To improve the aesthetic appearance of development through creative landscaping that helps to enhance the natural and built environment. **[Ord. 2018-002]**

The quality of landscape design is dependent upon the quantity; selection and arrangement of plant materials. Landscape materials should be designed in a manner as to provide the following qualities and characteristics: **[Ord. 2018-002]**

**1. Texture**

Landscape designs should provide a textured appearance through the use of a variety of plant materials with varying leaf sizes, textures and height. Formal landscape designs benefit from a uniform spacing of plants, whereas varied spacing and clustering of trees is more compatible with a naturalistic design. [Ord. 2018-002]

**2. Color**

Landscape designs should include a variety of plants that provide contrasting colors. Designs should include a mix of plants that flower throughout the year. [Ord. 2018-002]

**3. 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. [Ord. 2018-002]

**B. Environmental Quality**

To improve the environment by maintaining permeable land area essential to surface water management; reducing and reversing air, noise, heat, and chemical pollution through the biological filtering capacities of vegetation; promoting energy conservation through the creation of shade; and reducing heat gain in or on buildings or paved areas. [Ord. 2018-002]

**1. Energy Conservation and Sustainable Design**

Attention should be given to locating landscape elements in a manner that provides energy conservation benefits. 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; and the adherence to landscape installation standards and maintenance procedures that promote water conservation. [Ord. 2018-002]

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

Landscape designs should feature native plant species, especially in areas adjacent to existing native vegetation. Where feasible, the re-establishment of native habitats should be incorporated into the landscape design. 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. [Ord. 2018-002]

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

To encourage the preservation and planting of native vegetation as part of landscape design and eradicate prohibited species. [Ord. 2018-002]

**1. Incorporation of Existing Vegetation**

Landscape designs should incorporate and enhance existing specimen trees and native vegetation. 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. Landscape designs should also include the eradication of prohibited plant species that have become nuisances because of their tendency to disrupt or destroy native ecosystems. [Ord. 2018-002]

**E. Compatibility**

To promote efficiency in the development of limited land resources by improving the compatibility of adjacent incompatible land uses, particularly residential development that is adjacent to non-residential development, through the use of landscape buffers. [Ord. 2018-002]

**1. Buffering and Screening**

Whenever possible landscape materials should be utilized to provide a spatial transition between different land uses; buffering between adjacent properties; and screening for parking, or storage areas, or other service areas. Plants may be used with fences, walls 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. [Ord. 2018-002]

**F. 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 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. [Ord. 2018-002]

**G. 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. Plant material shall be installed at an appropriate size and allowed to accomplish these intended goals. When foundation planting is required, plantings and planters should incorporate artistic elements and be compatible with a building's architectural character. [Ord. 2018-002]

**Photo 7.A. - Visual Interest for Pedestrian and Vehicular Traffic**



Meandering sidewalks flanked by well composed curvilinear landscaping can add visual interest for pedestrian and vehicular traffic. [Ord. 2018-002]

**Photo 7.A. - 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.

**CHAPTER B APPLICABILITY AND APPROVAL PROCESS**

**Section 1 Applicability**

The provisions of this Article shall be considered minimum standards and shall apply to all new development unless stated otherwise herein. [Ord. 2018-002]

**A. Relation to Art. 14.C, Vegetation Preservation and Protection**

Landscape requirements shall also be consistent with the standards of Art. 14.C, Vegetation Preservation and Protection, nothing in this Article shall be applied to contradict these requirements. [Ord. 2018-002]

**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, unless stated otherwise in Art. 4.B.6, Agricultural Uses. Where the property has a use that is classified as Agriculture, bona fide, with agricultural activities or accessory agricultural uses, the property owner shall provide a six-foot high hedge along the frontage of the property where it is abuts a public street R-O-W. [Ord. 2018-002]
4. 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.
5. Projects in the Glades Area Economic Development Overlay (GAO) that have provided in-lieu funds to the Glades Thoroughfare Beautification Fund.

**C. Deviations**

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

1. PBC parks, as specified in Art. 5.D.2.G, Public Park Landscape Standards; and, [Ord. 2006-004] [Ord. 2007-013] [Ord. 2018-002]
2. Development supporting government facilities within the PO Zoning District, subject to approval by the BCC. [Ord. 2006-004] [Ord. 2007-013]

**D. Overlay Exceptions**

Modifications of the requirements of this Article may be permitted pursuant to Art. 3.B.14.J, WCRAO Landscape Deviations, Art. 3.B.15.F.11, Landscape Standards in IRO; and Art. 3.B.16.F.10, Landscape Standards in the URAO. . [Ord. 2018-002]

**Section 2 Definitions**

See Art. 1.I, Definitions and Acronyms

**Section 3 Approval Process for Landscape Plans**

Approval process for Landscape Plans shall be subject to the requirements pursuant to Art. 2, Application Processes and 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, and shall comply with the following requirements: [Ord. 2018-002]

**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 as part of the Building Permit application. 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. [Ord. 2018-002]

**B. Review of Landscape Plans**

Landscape Plan applications shall be submitted to the DRO, and if applicable, the DRO will review in coordination with ERM and other County Agencies. [Ord. 2018-002]

**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 of Approval 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] [Ord. 2018-002]

**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 PZB 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: [Ord. 2018-002]

**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] [Ord. 2018-002]
- 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] [Ord. 2018-002]

- 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 Art. 10, Enforcement. **[Ord. 2009-040] [Ord. 2018-002]**
- 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] [Ord. 2018-002]**

**E. Certification of Compliance**

In addition to Final Inspection and certification by PZB, the Applicant shall submit a Certificate of Compliance to the PZB 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] [Ord. 2018-002]**

**1. Field Verification of Certification**

PZB may elect to conduct a field inspection to verify the Certificate of Compliance. **[Ord. 2018-002]**

**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. **[Ord. 2018-002]**

**F. Optional Special Certification**

In lieu of the Landscape Inspections and certification by PZB, the Applicant may submit a request for a Special Certificate of Compliance to the Zoning Director, and on a form established by the Zoning Division. **[Ord. 2018-002]**

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

- a. The Applicant shall employ a Landscape Architect licensed in the State of Florida, or a qualified professional as authorized by F.S. 481, Part II, as amended. The Landscape Architect or qualified professional shall perform the following: **[Ord. 2018-002]**
  - 1) Be familiar with the Final Landscape Plans approved by the DRO; **[Ord. 2018-002]**
  - 2) Conduct inspections of the site; **[Ord. 2018-002]**
  - 3) Certify that landscaping was properly installed and meets all requirements of the Code or Conditions of Approval. The Certificate shall be signed and sealed by the Landscape Architect or qualified professional; **[Ord. 2018-002]**
  - 4) Understands that any misrepresentations or misstatements in the Special Certificate of Compliance shall constitute a violation of this Article and of State law; and **[Ord. 2018-002]**
  - 5) Understands that any misrepresentations or misstatements in the Special Certificate of Compliance may also become the grounds for professional disciplinary action pursuant to State law. **[Ord. 2018-002]**
- b. The Applicant shall submit the completed Special Certification Form with the approved Landscape Plans to the PZB prior to issuance of a Building Permit, Paving Permit, a CO or a Certificate of Completion, whichever is applicable. **[Ord. 2018-002]**

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

PZB may, at its option, conduct a Landscape Inspection to verify representation made in the Special Certificate of Compliance. **[Ord. 2018-002]**

**3. Acceptance of Special Certification**

If no verification is conducted by PZB, the Special Certificate of Compliance shall be deemed to have been accepted. Upon acceptance by PZB, the Certificate of Compliance shall be filed and maintained with the official records of the development. **[Ord. 2018-002]**

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**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.4.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, Application Processes and Procedures. The Applicant shall demonstrate in the Justification Statement and provide supporting documents that Art. 2.C.5.E.3, Standards for Type 1 Waiver, and the applicable Criteria in the following Table have been met. **[Ord. 2007-001] [Ord. 2016-042] [Ord. 2018-002]**

**A. Applicability**

Type 1 Waiver for Landscaping shall not be combined with other Variance requests for the same requirements. **[Ord. 2018-002]**

**Table 7.B.4.A –Type 1 Waivers for Landscaping**

Article/Table Reference and Title	Maximum Waiver	Criteria
<b>R-O-W Buffer</b>		
Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer, Canopy Tree Planting for R-O-W Buffer.	Allow a reduction of 25 percentage of required Canopy trees to be located on the exterior side of the wall or fence for R-O-W Buffers.	<ul style="list-style-type: none"> <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> <li>• The required trees shall be located on both sides of the wall or fence.</li> </ul>
<b>Incompatibility Buffer</b>		
Art. 7.C.2.C.1, Elimination of Incompatibility Buffer	Allow to eliminate the requirement of an Incompatibility Buffer for residential pods in a PDD or tracts within a residential subdivision.	<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>
Table 7.D.4.D, Location of Wall or Fence in a Landscape Buffer, Canopy Tree Planting for Incompatibility Buffer	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.	<ul style="list-style-type: none"> <li>• The applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose.</li> <li>• The required trees shall be located on both sides of the wall or fence.</li> </ul>
<b>Berm</b>		
Art.7.D.6.A, Berm, Tier Restrictions	Allow landscape berms within the Exurban, Rural, Agricultural Reserve, or Glades Tiers.	<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.</li> </ul>
<b>Foundation Planting</b>		
Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Facades to be Planted	Allow a 50 percent relocation of required foundation planting.	<ul style="list-style-type: none"> <li>• The foundation planting shall be relocated to another façade of the same building or structure; or to an expanded sidewalk that is located within 30 feet of the same building or structure;</li> <li>• The relocated foundation planting shall have the minimum planting width; and</li> <li>• The overall total square feet for the foundation planting meets or exceeds the required foundation planting.</li> </ul>

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**Table 7.B.4.A –Type 1 Waivers for Landscaping - Continued**

Article/Table Reference and Title	Maximum Waiver	Criteria
<b>Landscape Islands and Parking Structures</b>		
Table 7.C.4.A, Landscape Island and Divider Median - Planting and Dimensional Requirements, Landscape Island Width	Allow the reduction of width of landscape island to 5 feet excluding curbs.	<ul style="list-style-type: none"> <li>• For infill sites with less than 25 parking spaces.</li> </ul>
Table 7.C.4.A, Landscape Island and Divider Median - Planting and Dimensional Requirements, Divider Median Shrub Planting	Allow relocation of shrubs from divider medians to other areas of the site.	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
Art. 7.C.4.A.1, Landscape Island Maximum Spacing	Allow to increase the number of spaces or distance to provide larger interior islands.	<ul style="list-style-type: none"> <li>• To allow existing vegetation to be preserved or existing vegetation to be relocated within parking areas.</li> </ul>
Art. 7.C.4.F, Parking Structures	Allow perimeter planter requirement be altered if the planters are in conflict with the architectural design of the parking structure	<ul style="list-style-type: none"> <li>• The Applicant is required to submit architectural elevations of the parking structure for Staff review and evaluation.</li> <li>• The required planting for the planters shall be relocated to other areas of the same property where the parking structure is located.</li> </ul>
[Ord. 2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [2016-016] [Ord. 2016-042] [Ord. 2017-007] [Ord. 2018-002]		

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

The applicant shall be required to schedule and attend a 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] [Ord. 2018-002]

**C. Landscape Plan**

The Applicant shall submit Landscape Plan(s) to the DRO to demonstrate graphically the proposed Type 1 Waiver requests. The DRO may allow the alternative designs or waiver requests be incorporated on a Site or Subdivision Plan or any other types of Zoning Plan in lieu of the Landscape Plan. Upon the approval of the Type 1 Waiver(s), the Applicant shall finalize the Landscape Plans as Final Landscape Plans for Building Permit Review, if applicable. [Ord. 2018-002]

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

**Section 1 General**

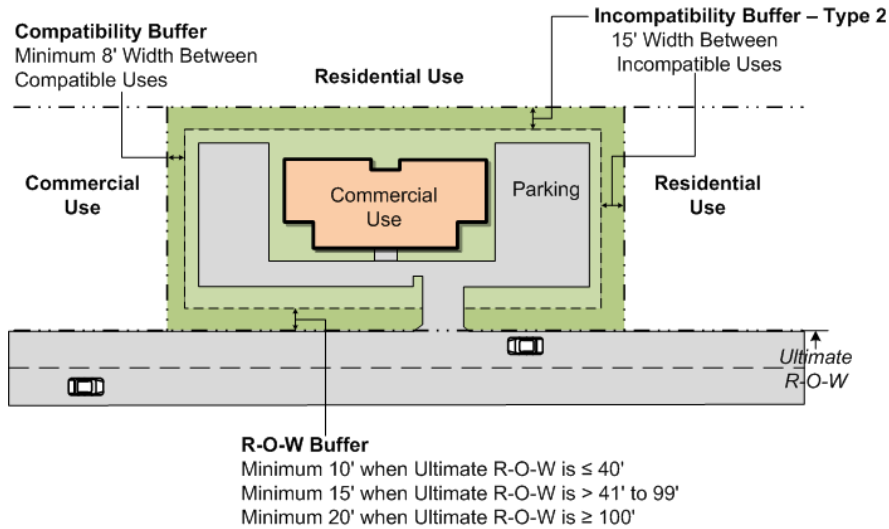
Landscaping requirements shall include the perimeter and interior buffers; interior landscaping along the building façades; in parking lots; vehicular use areas; and any other pervious surface areas. This Chapter also addresses other requirements that may impact the establishment of a buffer or interior planting, which includes easement encroachment; retention areas, corner clips and safe sight distances. In addition, specific requirements are established for Large Scale Commercial Development. [Ord. 2018-002]

**Section 2 Types of Landscape Buffer**

There are three types of landscape buffers: Right-of-Way (R-O-W), Compatibility and Incompatibility Buffers. Landscape requirements for each type of buffer shall be provided in accordance with the following standards, unless stated otherwise herein. [Ord. 2018-002]

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



**A. R-O-W Buffer**

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. [Ord. 2018-002]

**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] [Ord. 2018-002]

**2. Exemptions**

R-O-W Buffers are not required for the following: [Ord. 2018-002]

- a. Where the R-O-W is an alley; [Ord. 2018-002]
- b. A lot with a Single Family, ZLL or townhouse unit; and [Ord. 2018-002]
- 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. [Ord. 2018-002]

**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 Art. 11.C.1.C.1, Access and Circulation Systems. [Ord. 2018-002]

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

Width of Ultimate R-O-W	Minimum Width of Buffer
$\leq 40$ feet	10 feet
$>41$ feet to 99 feet	15 feet
$\geq 100$ feet	20 feet
[Ord. 2018-002]	

**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, retention, open space area, or combination thereof, with a minimum width of 80 feet, and subject to the following requirements: [Ord. 2018-002]

- 1) The quantity of required Canopy trees, palms or pines shall not be reduced; and **[Ord. 2018-002]**
- 2) No easement overlap in the buffer. **[Ord. 2018-002]**

**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: **[Ord. 2018-002]**

- 1) The percentage of shrub reduction shall be in proportion to the percentage of the width reduction of the buffer; and **[Ord. 2018-002]**
- 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. **[Ord. 2018-002]**

**4. Location**

R-O-W Buffers shall be located at the Base Building Line, if applicable. **[Ord. 2018-002]**

**5. Landscape Requirements**

Planting for R-O-W Buffer shall be pursuant to Table 7.C.2.A.4, R-O-W Buffer, as follows: **[Ord. 2018-002]**

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

Minimum Buffer Width Based on Width of Ultimate R-O-W	Quantity of Canopy Trees (1) (2) (3)	Quantity of Palms or Pines (1) (2)	Quantity of Shrubs (1) (2) (5) (6)	Landscape Barrier and Min. Height (7)
20 feet	One Canopy tree per 25 linear feet.	One palm or pine per 30 linear feet.	One row of each: 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

**[Ord. 2018-002]**

**Notes:**

1. Linear feet is based on the property line where the landscape buffer is located **[Ord. 2018-002]**
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. **[Ord. 2018-002]**
3. Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute. **[Ord. 2018-002]**
4. Any areas of the buffer not planted with trees and shrubs shall be landscaped with ground treatment pursuant to Art. 7.D.7, Ground Treatment. **[Ord. 2009-040] [Ord. 2018-002]**
5. Groundcover shall not be allowed to substitute for shrubs. **[Ord. 2018-002]**
6. 100 percent of the buffer length shall be composed of a continuous opaque vertical landscape screen at least two feet in height if the R-O-W Buffer is located adjacent to parking areas of the same lot. **[Ord. 2009-040] [Ord. 2018-002]**
7. If walls or fences are provided in the R-O-W Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Barriers. **[Ord. 2018-002]**

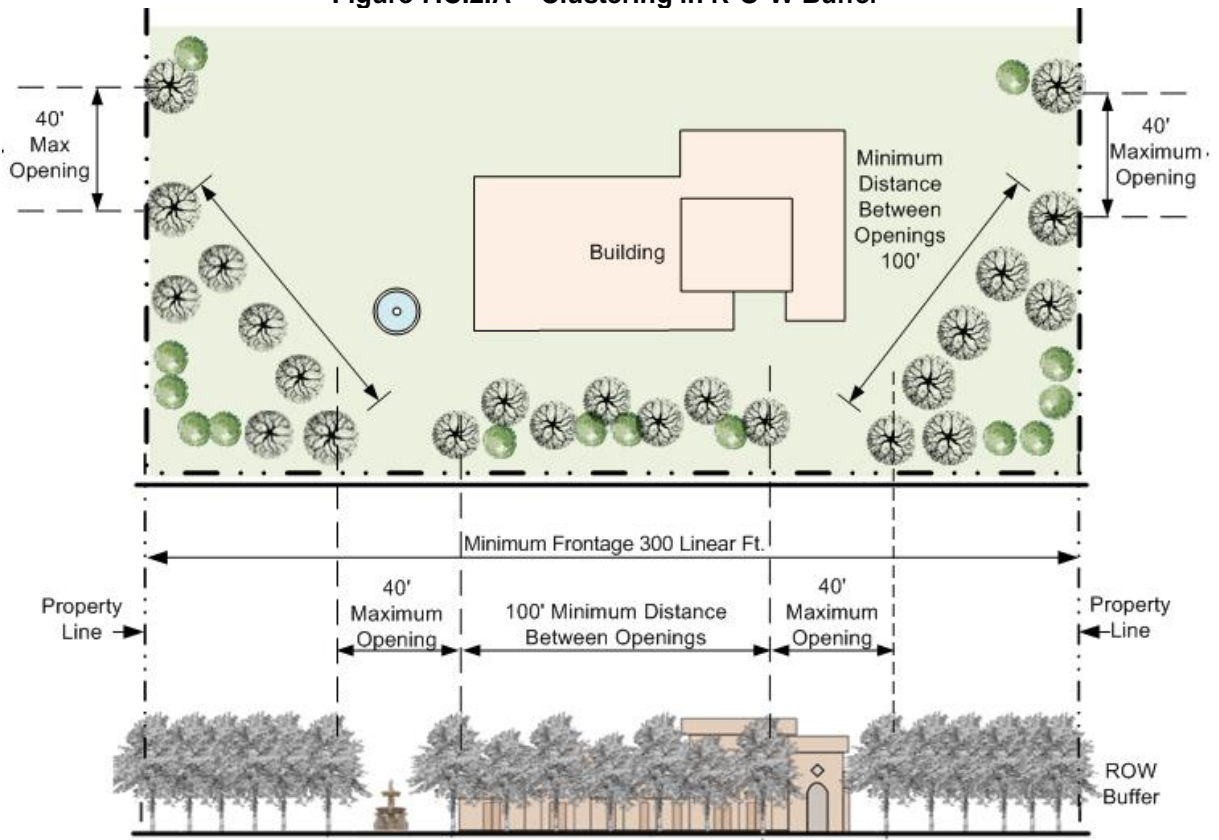
**6. Clustering**

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: **[Ord. 2018-002]**

- a. Shall comply with or exceed the total amount of required plant material; **[Ord. 2018-002]**

- b. For the remainder of the required trees, palms or pines that are not used for clustering, they shall be spaced evenly within the R-O-W Buffer to comply with the maximum openings, as follow: **[Ord. 2018-002]**
- c. A maximum of four openings shall be allowed based on the lot frontage: **[Ord. 2018-002]**
  - 1) 300 linear feet to 600 linear feet – two openings; **[Ord. 2018-002]**
  - 2) 601 to 1,000 linear feet – three openings; **[Ord. 2018-002]**
  - 3)  $\geq 1,001$  linear feet – four openings. **[Ord. 2018-002]**
- 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, **[Ord. 2018-002]**
- e. The minimum distance between two openings shall be 100 linear feet. **[Ord. 2018-002]**

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



**[Ord. 2018-002]**

**B. Compatibility Buffer**

A Compatibility Buffer shall consist of Canopy trees and rows of shrubs. Palms or pines may be used as a substitute for Canopy trees. **[Ord. 2018-002]**

**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. **[Ord. 2018-002]**

**2. Exemption**

Compatibility Buffers shall not be required for the following: **[Ord. 2018-002]**

- a. Single Family residential subdivisions or pods adjacent to Single Family residential subdivisions or pods; **[Ord. 2018-002]**
- b. Internal buffers within TDDs, unless specifically stated otherwise; or **[Ord. 2018-002]**



- 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. **[Ord. 2018-002]**

**3. Width**

The minimum width of a Compatibility Buffer is eight feet. All Compatibility Buffers that were approved with a five foot width shall be considered as legal and conforming, and shall be vested if they are clearly shown on an approved Zoning Plan or a Development Permit. **[Ord. 2018-002]**

**4. Landscape Requirements**

Planting for a Compatibility Buffer shall be pursuant to Table 7.C.2.B, Compatibility Buffer, as follows: **[Ord. 2018-002]**

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

Minimum Width	Quantity of Canopy Trees (1) (2) (3)	Quantity of Shrubs (1) (2)	Landscape Barrier and Min. Height (5)
8 feet	One Canopy Tree per 25 lineal feet	One row of Medium shrubs at one per four lineal feet.	No
<b>[Ord. 2018-002]</b>			
<b>Notes:</b>			
(1) Linear feet is based on the property line where the landscape buffer is located. <b>[Ord. 2018-002]</b>			
(2) Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of plant materials. <b>[Ord. 2018-002]</b>			
(3) Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute. <b>[Ord. 2018-002]</b>			
(4) Any areas of the buffer not planted with trees and shrubs shall be landscaped with ground treatment pursuant to Art. 7.D.7, Ground Treatment. <b>[Ord. 2018-002]</b>			
(5) If walls or fences are provided in the R-O-W Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Barriers <b>[Ord. 2018-002]</b>			

**C. Incompatibility Buffer**

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] [Ord. 2018-002]**

**1. Applicability**

Incompatibility Buffers shall be provided between all incompatible uses or incompatible pods in a PDD. **[Ord. 2018-002]**

**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. **[Ord. 2018-002]**

**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] [Ord. 2018-002]**

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

Difference Between Adjacent Uses (1)			
Use Classification	Abutting	Use Classification	Required Buffer Type
Residential, Detached	↔	Residential, Attached (3)	Type 1
Residential, Detached	↔	Type 3 CLF	Type 2
Residential	↔	Commercial	Type 2
Residential	↔	Recreational	Type 2
Residential	↔	Institutional, Public and Civic	Type 2
Residential	↔	Agricultural	Type 3
Residential	↔	Industrial	Type 3
Residential	↔	Utility (2)	Type 3
<b>[Ord. 2008-003] [Ord. 2016-016] [Ord. 2018-002]</b>			
<b>Notes:</b>			
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. <b>[Ord. 2018-002]</b>			
2. Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. <b>[Ord. 2017-007] [Ord. 2018-002]</b>			
3. Shall also apply to a Type 2 CLF. <b>[Ord. 2018-002]</b>			

**a. Width Reduction**

The required buffer width may be reduced by 50 percent when a lot or a development is separated from another parcel of land that has an incompatible use or FLU designation by a canal, lake, retention, open space area with a minimum width of 100 feet or combination thereof, or if the same type of buffer exists on the adjacent property and subject to the following requirements: **[Ord. 2018-002]**

- 1) The quantity of required Canopy trees, palms or pines shall not be reduced; and **[Ord. 2018-002]**
- 2) No easement overlap in the buffer. **[Ord. 2018-002]**

**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: **[Ord. 2018-002]**

- 1) The percentage of shrub reduction shall be in proportion to the percentage of the width reduction of the buffer; and **[Ord. 2018-002]**
- 2) The required six foot high Landscape Barrier shall be provided. **[Ord. 2018-002]**

**3. Landscape Requirements**

Landscaping for an Incompatibility Buffer shall be pursuant to Table 7.C.2.C.3, Incompatibility Buffer Landscape Requirements, as follows: **[Ord. 2018-002]**

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

Buffer Type	Minimum Width	Quantity of Canopy Trees (1) (2) (3)	Quantity of Palms or Pines (1) (2)	Quantity of Shrubs (1) (2)	Landscape Barrier and Min. Height
Type 1 Incompatibility	10 feet	One Canopy tree per 20 linear feet	-	One row of each: Small Shrubs – One per two linear feet.	Six feet high opaque fence or hedge (7)
Type 2 Incompatibility	15 feet	One Canopy Tree per 20 linear feet	One Palm or Pine per 30 linear feet	One row of each: Small shrubs – One per two linear feet; and, Medium shrubs – One per four linear feet.	Six feet high fence or hedge (7)
Type 3 Incompatibility	20 feet	One Canopy Tree per 20 linear feet	One Palm or Pine per 30 linear feet	One row of each: Small shrubs – One per two linear feet; and Medium shrubs – One per four linear feet.	Six feet high opaque wall (4) (5)
<b>[Ord. 2018-002]</b>					
<b>Notes:</b>					
<ol style="list-style-type: none"> <li>1. Linear feet is based on the property line where the landscape buffer is located. <b>[Ord. 2018-002]</b></li> <li>2. Width of pedestrian walkway and access points shall be deducted from the length of the property line when calculating the quantity of the plant materials (trees, shrubs and groundcover). <b>[Ord. 2018-002]</b></li> <li>3. Palms or pines may substitute a Canopy tree pursuant to Art. 7.D.2.B.1 or Art. 7.D.2.C.1, Canopy Tree Substitute. <b>[Ord. 2018-002]</b></li> <li>4. Substitute of the required wall may be requested through a Type 2 Waiver. <b>[Ord. 2018-002]</b></li> <li>5. The wall requirement shall not be required for a Type 3 Incompatibility Buffer in an AGR PUD in accordance with Art. 7.C.2.C.4, AGR PUD, Landscape Buffer <b>[Ord 2008-003] [Ord. 2018-002]</b></li> <li>6. 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. <b>[Ord. 2018-002]</b></li> <li>7. If walls or fences are provided in a Type 1 or Type 2 Incompatibility Buffer, the requirements shall be pursuant to Art. 7.D.4, Landscape Barriers. <b>[Ord. 2018-002]</b></li> </ol>					

**4. AGR PUD Landscape Buffer**

A Type 3 Incompatibility Buffer shall be required between the Development Area and all adjacent properties zoned AGR, AP, SA, or AR; including Preservation Areas. The buffer shall be a minimum of 50 feet in width and a wall shall not be required. **[Ord. 2006-004] [Ord. 2008-003] [Ord. 2018-002]**

**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] [Ord. 2018-002]**

**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] [Ord. 2018-002]**

- a) the buffer is within a nonresidential pod and adjacent to a R-O-W greater than 50 feet in width; **[Ord. 2018-002]**
- b) the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in width; or **[Ord. 2018-002]**
- c) the buffer is adjacent to open space (e.g. lake, canal, etc.) greater than 50 feet in width. **[Ord. 2018-002]**

**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] [Ord. 2018-002]**

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**Section 3 Interior Landscaping**

Interior landscaping shall include, but not limited to: foundation planting, landscape islands and medians, screening for loading areas, vehicular use areas and any pervious areas that could be utilized for additional planting. Interior landscaping shall consist of mainly Canopy trees and shrubs. Palms or Pines and groundcover may also be utilized to enhance the interior landscaping. If palms or pines are used in lieu of Canopy trees, they shall be planted in accordance with Art. 7.D.2.B.1 and Art. 7.D.2.C.1, Canopy Tree Substitute for Palms and Pines. **[Ord. 2018-002]**

**A. Calculation of Interior Landscaping**

Planting in the perimeter buffers shall not be counted to satisfy the interior landscaping requirements. Interior quantities for trees and shrubs shall be calculated based on pervious areas, excluding preservation areas, lakes, retention areas, and perimeter landscape buffers. **[Ord. 2009-040] [Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002]**

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

	U/S Tier	AGR and Glades Tiers	Exurban and Rural Tiers
<b>Min. Tree Quantities</b>			
Residential lot – SF, ZLL, TH and MF	1 per 1,250 sq. ft. (max. 15 trees) (1) (2)	1 per 1,000 sq. ft. (max. 30 trees)(1) (2)	1 per 800 sq. ft. (max. 30 trees)(1) (2)
Non-residential Vehicular Use Area (3)	1 per 2,000 sq. ft.	1 per 1,500 sq. ft.	1 per 1,200 sq. ft.
<b>Min. Shrub Quantities</b>			
Residential lot – SF, ZLL, TH and MF	3 per 1,250 sq. ft. (max. 45 trees) (1) (2)	3 per 1,000 sq. ft. (max. 90 trees) (1) (2)	3 per 800 sq. ft.(max. 90 trees) (2)
Non-residential Vehicular Use Area (3)	3 per 2,000 sq. ft.	3 per 1,500 sq. ft.	3 per 1,200 sq. ft.
<b>[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031] [Ord. 2018-002]</b>			
<b>Notes:</b>			
(1) Tree and shrub planting requirement calculations for Residential Lots shall be based on the pervious surface areas of the lot. <b>[Ord. 2014-025] [Ord. 2018-002]</b>			
(2) No maximum for lots with Multi-family units. <b>[Ord. 2018-002]</b>			
(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. <b>[Ord. 2018-002]</b>			

**B. Foundation Planting**

**1. Applicability**

- a. Foundation planting shall be provided along facades as required by Table 7.C.3.B, Foundation Planting and Dimensional Requirements for non-residential structures unless specifically exempted by this Article. Planting shall also be required at the base of freestanding ground-mounted signs. **[Ord. 2018-002]**

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**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>
Planting Width for all sides	8 feet	10 feet	12 feet
Facades to be Planted (3)	Front and Sides	Front ,Sides and Rear	Front ,Sides and Rear
Length - Percentage of Façade (1)	40 percent	50 percent for Front and Sides 30 percent for Rear	60 percent for Front and Sides 40 percent for Rear
Tree, palm or pine (5)	1 per 20 linear ft. of the length of the foundation planting area.	1 per 20 linear ft. of the length of the foundation planting area	1 per 20 linear ft. of the length of the foundation planting area
Shrub or groundcover	1 per 10 sq. ft. of foundation planting area	1 per 10 sq. ft. of foundation planting area	1 per 10 sq. ft. of foundation planting area
<b>Freestanding ATM and Unmanned Retail Structure</b>			
Minimum Planting Width	3 feet	3 feet	3 feet
Façades to be planted (4)	Non point of Service Facades	Non point of Service Facades	Non point of Service Facades
Length – Percentage of total Length of Non point of Service Facades	70 percent	85 percent	100 percent
Small shrub or Groundcover	1 per 2 linear feet of the foundation planting area	1 per 2 linear feet of the foundation planting area	1 per 2 linear feet of the foundation planting area
[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] [Ord. 2018-002]			
<b>Notes:</b>			
<ol style="list-style-type: none"> <li>1. The minimum length shall be calculated by the total length of the applicable side of the structure, excluding garage doors and loading bays. [Ord. 2018-002]</li> <li>2. 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] [Ord. 2018-002]</li> <li>3. Foundation Planting may be relocated to any façade of the same building or structure subject to Table 7.B.4.A, Type 1 Waiver for Landscaping. [Ord. 2018-002]</li> <li>4. For Freestanding ATMs or Unmanned Retail Structure, the façade where the point of service is located shall be exempt from the Foundation Planting requirement. [Ord. 2018-002]</li> <li>5. 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. [Ord. 2018-002]</li> </ol>			

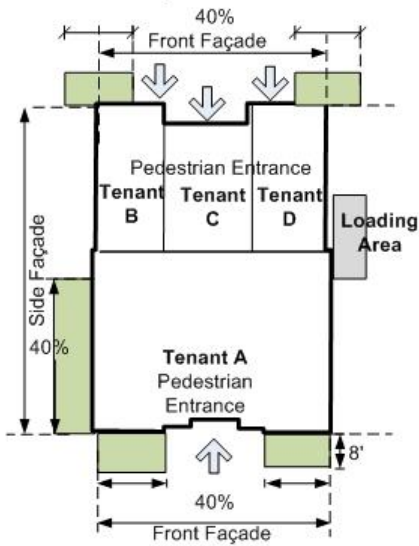
- b. The Applicant shall identify on the Zoning Plan(s) the primary pedestrian entrance of each building. [Ord. 2018-002]
- 1) For building(s) with a single tenant and multiple entrances, the façade where the primary pedestrian entrance is located will be considered as the front facade. [Ord. 2018-002]
  - 2) For a building with multiple tenants that has individual primary pedestrian entrance that serve each tenant, the front facade will be the façades where the primary pedestrian entrances are located. The rear façade shall be considered that side of the building where the loading area is located. [Ord. 2018-002]

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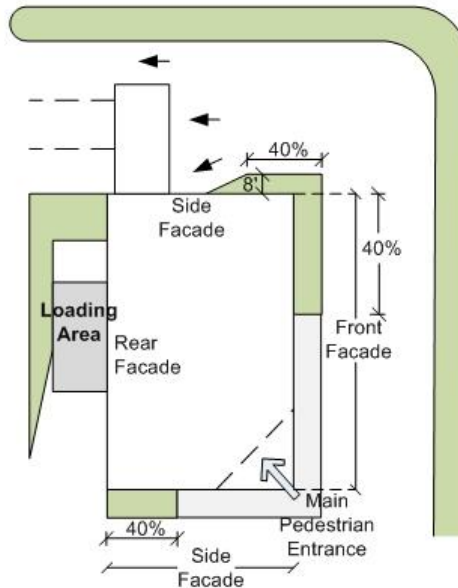
**Figure 7.C.3.B – Foundation Planting Requirements**



**Example of Multi-Tenant Building in the U/S Tier**



**Example of Single Tenant Building w/ Corner Access in the U/S Tier**



[Ord. 2018-002]

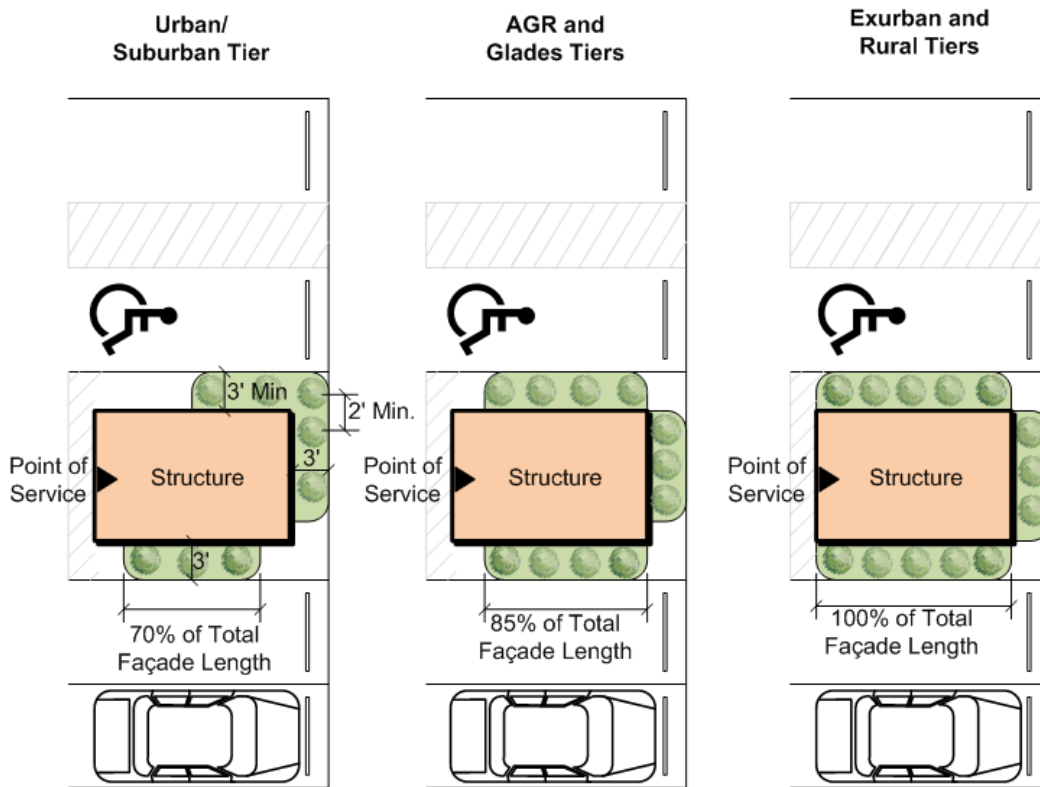
**2. Exemptions**

- a. Agricultural or industrial buildings that are not visible from a public street or residential zoning district. [Ord. 2018-002]
- b. Buildings which are exempt from local building permits or government review pursuant to State or Federal Statutes. [Ord. 2018-002]
- c. Structures within a TDD, where a build-to-line is established along the sidewalk, except where required in TDD, LCC, IRO and PRA DOs 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] [Ord. 2018-002]
- d. Properties where the required planting area would overlap a required buffer. [Ord. 2018-002]
- e. Accessory buildings and structures subject to Zoning approval. [Ord. 2018-002]

**3. Establishments with drive-throughs, Freestanding ATMs and Unmanned Retail Structures**

Location of required foundation plantings may be modified if the planting and dimensional requirements are met in the relocated area. [Ord. 2013-021] [Ord. 2018-002]

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



[Ord. 2018-002]

**a. 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] [Ord. 2018-002]

**b. Drive Through**

Foundation planting areas may be relocated within 30 feet from the original required facades of the drive-through. [Ord. 2013-21] [Ord. 2017-007] [Ord. 2018-002]

**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. [Ord. 2018-002]

**Section 4. Landscape 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 Art. 7.C.2, Types of Landscape Buffer, shall not be used to satisfy these requirements. [Ord. 2018-002]

**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.A, Landscape Island and Divider Median - Planting and Dimensional Requirements. [Ord. 2018-002]

**1. Maximum Spacing**

**a. U/S Tier**

One Landscape island per ten spaces (maximum 100 feet apart). [Ord. 2018-002]

**b. AGR and Glades Tier**

One Landscape island per eight spaces (maximum 80 feet apart). [Ord. 2018-002]

**c. Rural and Exurban Tiers**

One Landscape island per six spaces (maximum 60 feet apart). [Ord. 2018-002]

**2. Increased Interval of Landscape Islands**

The distance between landscape islands may be increased to a maximum of 12 standard parking spaces for U/S Tiers, 10 spaces for the AGR and Glades Tiers, and 8 spaces for the Exurban and Rural Tiers. The width of abutting landscape islands, where the increased interval occurs, shall be increased by one foot for each additional space. [Ord. 2018-002]

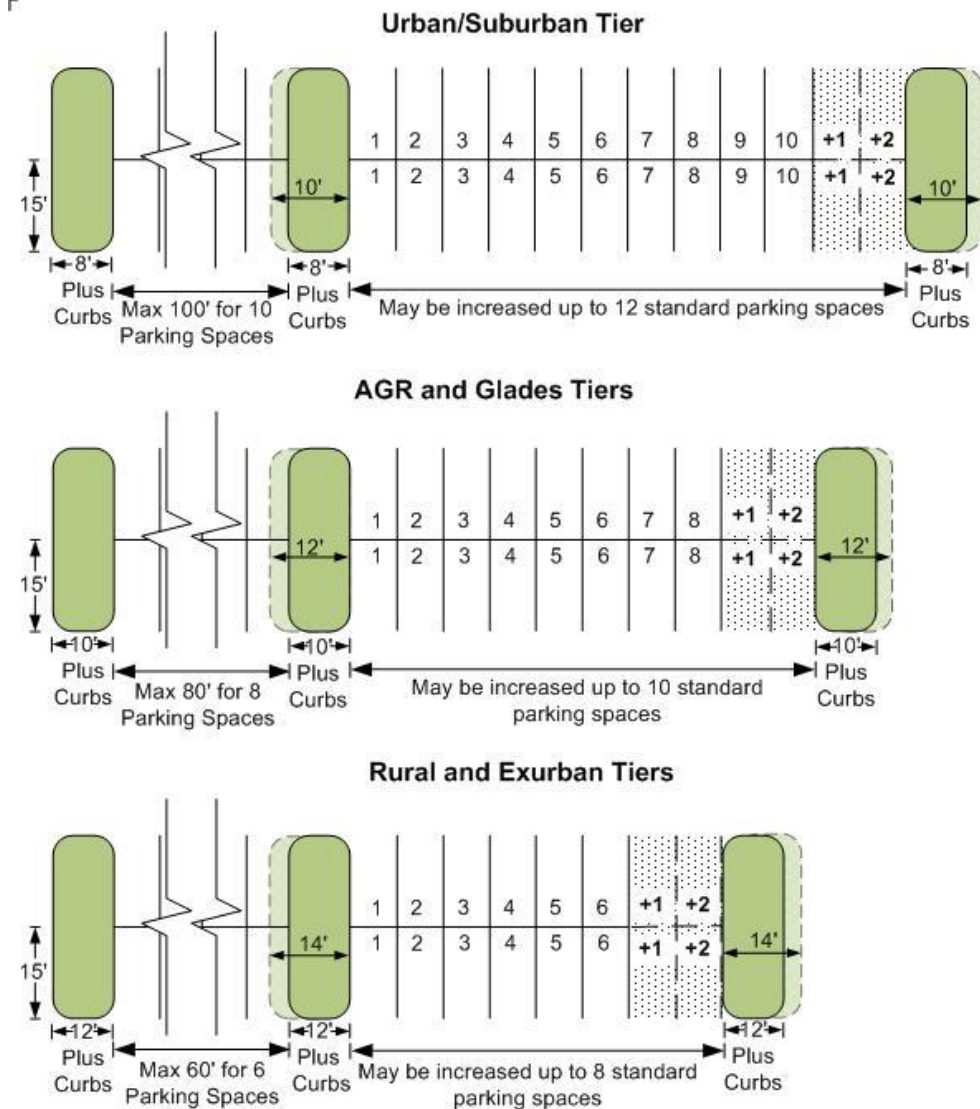
**a. Required Canopy Tree**

The required Canopy tree for each expanded island shall have a minimum height of 12 feet. No palm or pine substitute for Canopy tree is allowed. [Ord. 2018-002]

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



[Ord. 2018-002]

**3. Type 1 Waiver for Maximum Spacing**

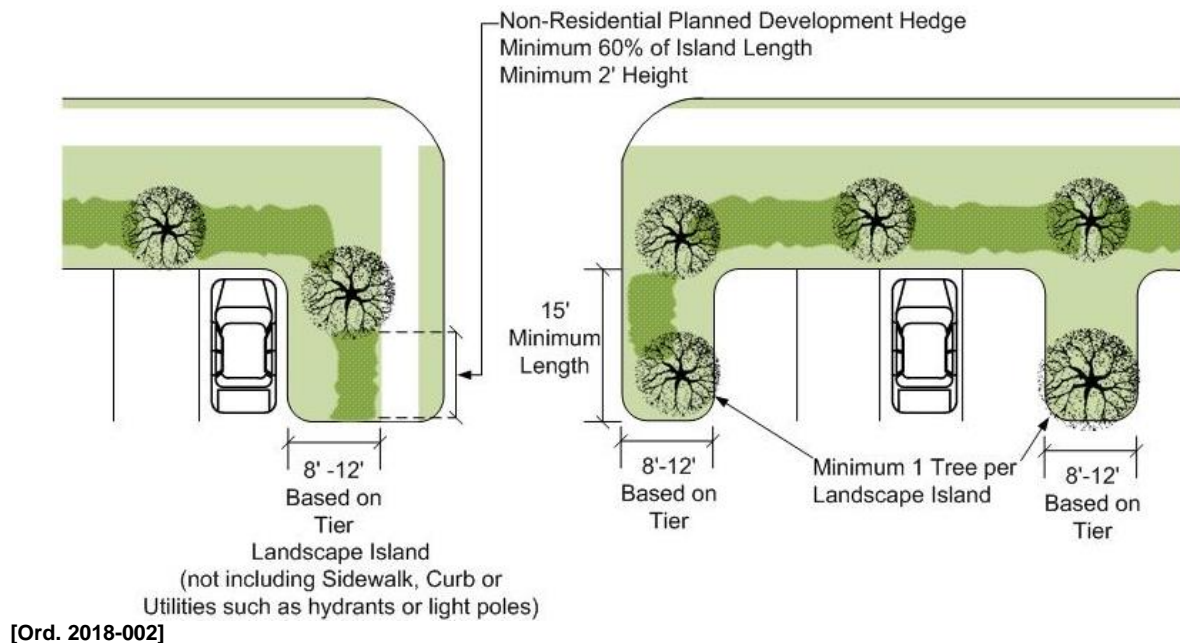
Landscape islands may be increased in spacing to accommodate preservation of existing vegetation subject to a Type 1 Waiver for Landscaping. [Ord. 2018-002]

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

	U/S Tier	AGR and Glades Tiers	Exurban and Rural Tiers
<b>Landscape Island (4) and Divider Median Minimum Dimensions</b>			
Landscape Island Min. Width (1) (3)	8 feet.	10 feet	12 feet
Landscape Island Min. Length (3)	15 ft.		
Divider Median Min. Width (1)	10 ft.		
Landscape Diamond (Width x Length)	5 ft x 5 ft		
<b>Minimum Tree Planting Requirements (2)</b>			
Tree Planting - Landscape Island	1 tree per island		
Tree Planting - Divider Median	1 tree per 30 linear ft.		
Landscape Diamond	1 palm per diamond		
<b>Minimum Shrub and Groundcover Planting Requirements</b>			
Groundcover Planting - Landscape Island (3)	Grass or appropriate Groundcover to be planted in island		
Shrub Planting - Divider Median (5)	Medium Shrubs planted at 30 inches on center, and appropriate Groundcover		
Landscape Diamond	Appropriate Groundcover or Tree Grate		
<b>[Ord. 2018-002]</b>			
<b>Notes:</b>			
<ol style="list-style-type: none"> <li>1. Minimum width of islands shall exclude curbs, sidewalks and utility easements. The width must be increased by the minimum amount necessary to meet the needs of the utility providers or to accommodate a sidewalk. <b>[Ord. 2018-002]</b></li> <li>2. 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. <b>[Ord. 2018-002]</b></li> <li>3. 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. <b>[Ord. 2018-002]</b></li> <li>4. Landscape islands shall not overlap Landscape Buffers. <b>[Ord. 2018-002]</b></li> <li>5. Required shrubs may be relocated subject to a Type 1 Waiver for Landscaping. <b>[Ord. 2018-002]</b></li> </ol>			

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



**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: **[Ord. 2018-002]**

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.A, Landscape Island and Divider Median - Planting and Dimensional Requirements. **[Ord. 2018-002]**
2. Adjacent to driveways where external access points are located for PDDs or TDDs. **[Ord. 2018-002]**

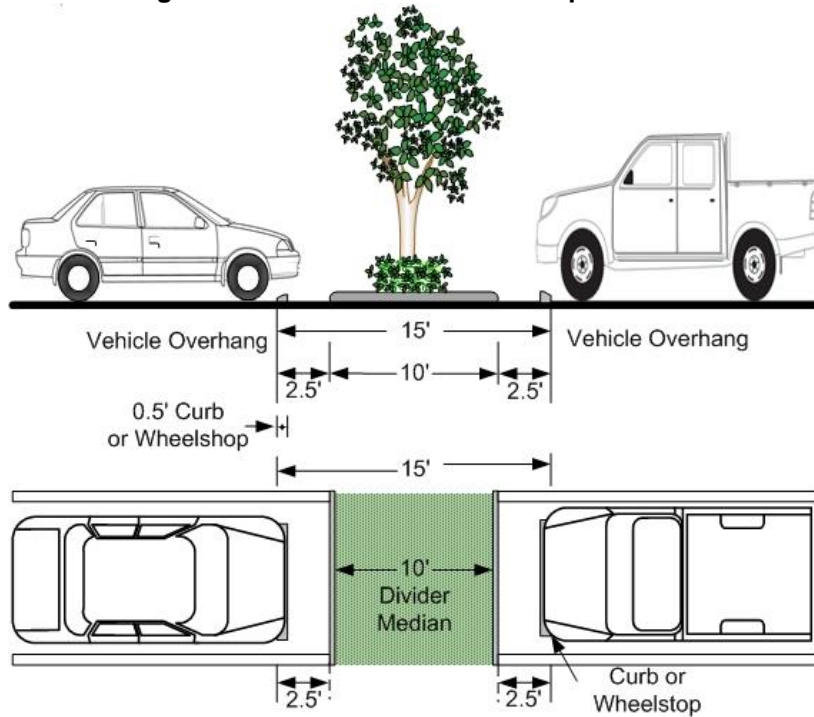
**Figure 7.C.4.B – Divider Medians Location**



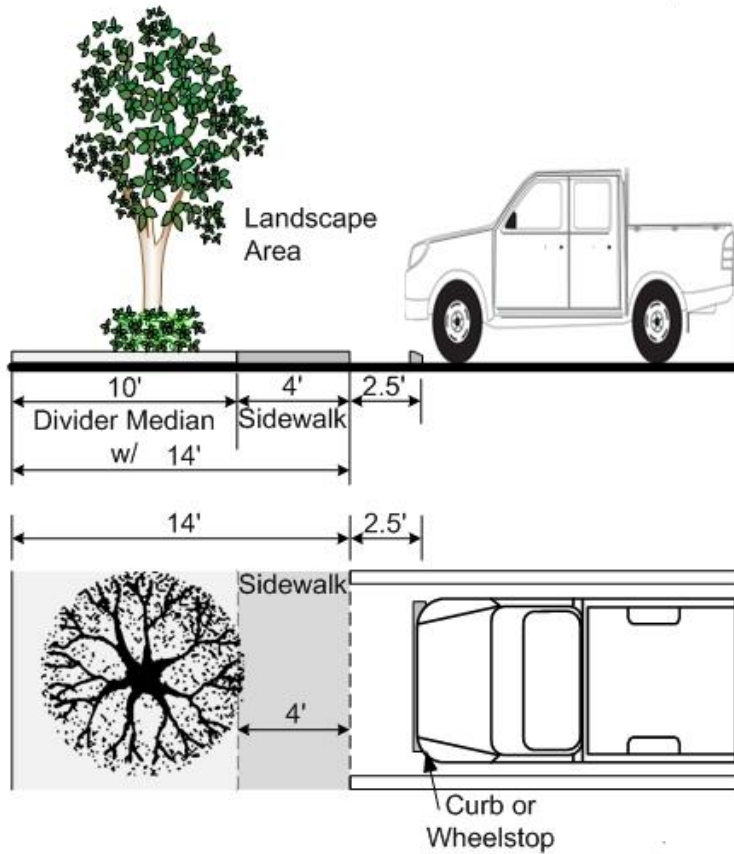
**[Ord. 2018-002]**

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



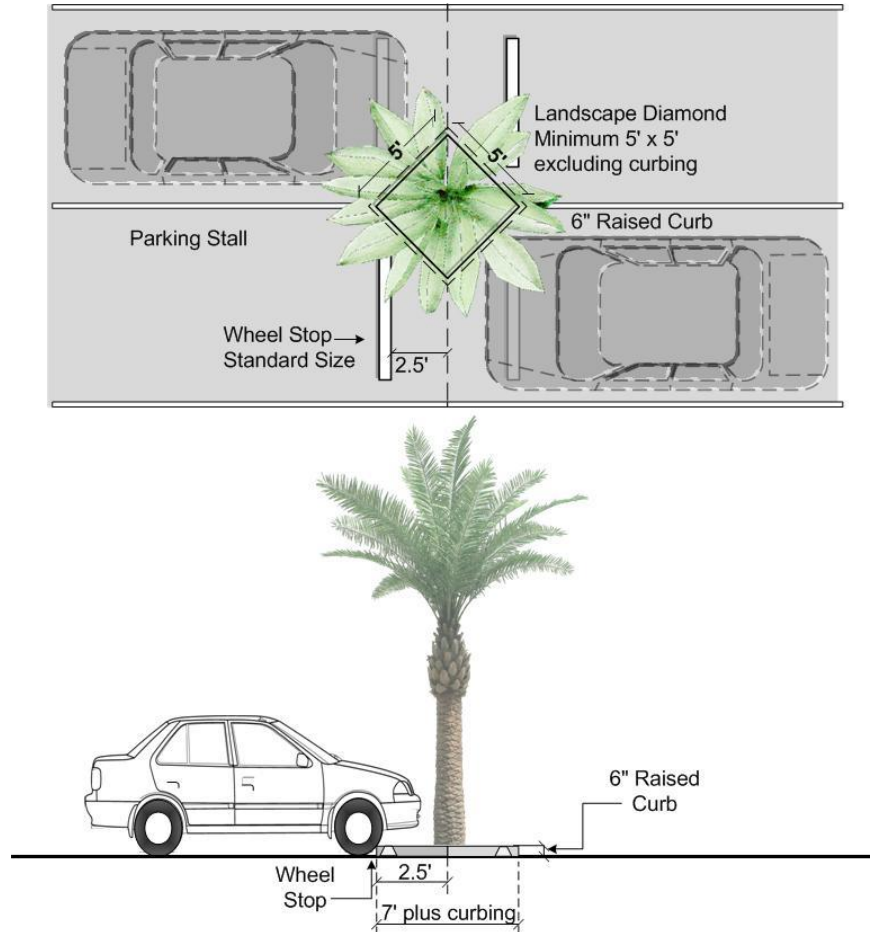
**Figure 7.C.4.B - Divider Median Requirements (with Sidewalk)**



### C. Landscape Diamonds

Landscape diamonds may be distributed throughout the interior of an off-street parking area as an alternative to divider medians for lots that are located in the WCRAO, IRO, or URAO. Landscape diamonds shall be located only at the common intersection of four parking spaces and spaced a maximum of four parking spaces apart. A raised curb is required around the entire landscape diamond when wheel stops are not used. [Ord. 2018-002]

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



[Ord. 2018-002]

### D. Vehicular Use Area

Interior landscaping for the vehicular use area shall be landscaped to provide adequate screening of vehicular uses. A minimum of ten percent of the gross paved areas of the vehicular use area shall be designated for interior landscaping. [Ord. 2018-002]

1. If the vehicular use area is adjacent to a perimeter landscape buffer, the required plant materials may be designed as an integral part of the buffer, provided the minimum quantity for the interior landscaping and the perimeter buffer is not reduced. [Ord. 2018-002]
2. Interior landscaping may be in form of a divider median and implemented pursuant to Table 7.C.3.A, Interior Landscaping Requirements. [Ord. 2018-002]

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

The required interior landscaping shall be allowed to be transferred to other interior landscaping areas or within the Landscape buffers. [Ord. 2018-002]

## **E. Landscape Protection Measures**

The landscape area adjacent to any off-street parking space or vehicular use area shall be protected from vehicular encroachment by the use of wheel stops or continuous concrete curbing. **[Ord. 2018-002]**

### **1. Curbing**

All landscape areas subject to vehicular encroachment shall be separated from vehicular use areas by six inch, non-mountable, FDOT-type "D" or FDOT-type "F", concrete curbing. Curbing shall be machine-laid, formed-in-place or integrally installed with the pavement. Landscaped areas adjacent to vehicular use areas shall be surrounded with a continuous raised curb. **[Ord. 2010-022] [Ord. 2018-002]**

#### **a. Exemptions**

- 1) Divider medians that abut parking spaces with wheel stops; or, **[Ord. 2010-022]**
- 2) Properties located in the AGR, AP or AR Zoning Districts that support bona fide agricultural uses. **[Ord. 2010-022] [Ord. 2018-002]**

### **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: **[Ord. 2018-002]**

- a. AGR, AP, and PO;
- b. AR Zoning District in the AGR, Glades, Exurban and Rural Tiers; and **[Ord. 2018-002]**
- c. Cemeteries in all Tiers. **[Ord. 2018-002]**

### **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. **[Ord. 2018-002]**

- a. For properties located in the PO Zoning District, alternative landscape protection may be allowed when it can be demonstrated to the Zoning Director that the curbing will interfere measures may with the traffic circulation of the proposed use. **[Ord. 2010-022] [Ord. 2018-002]**

### **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] [Ord. 2018-002]**

## **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. **[Ord. 2018-002]**

## **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 Art. 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. **[Ord. 2018-002]**

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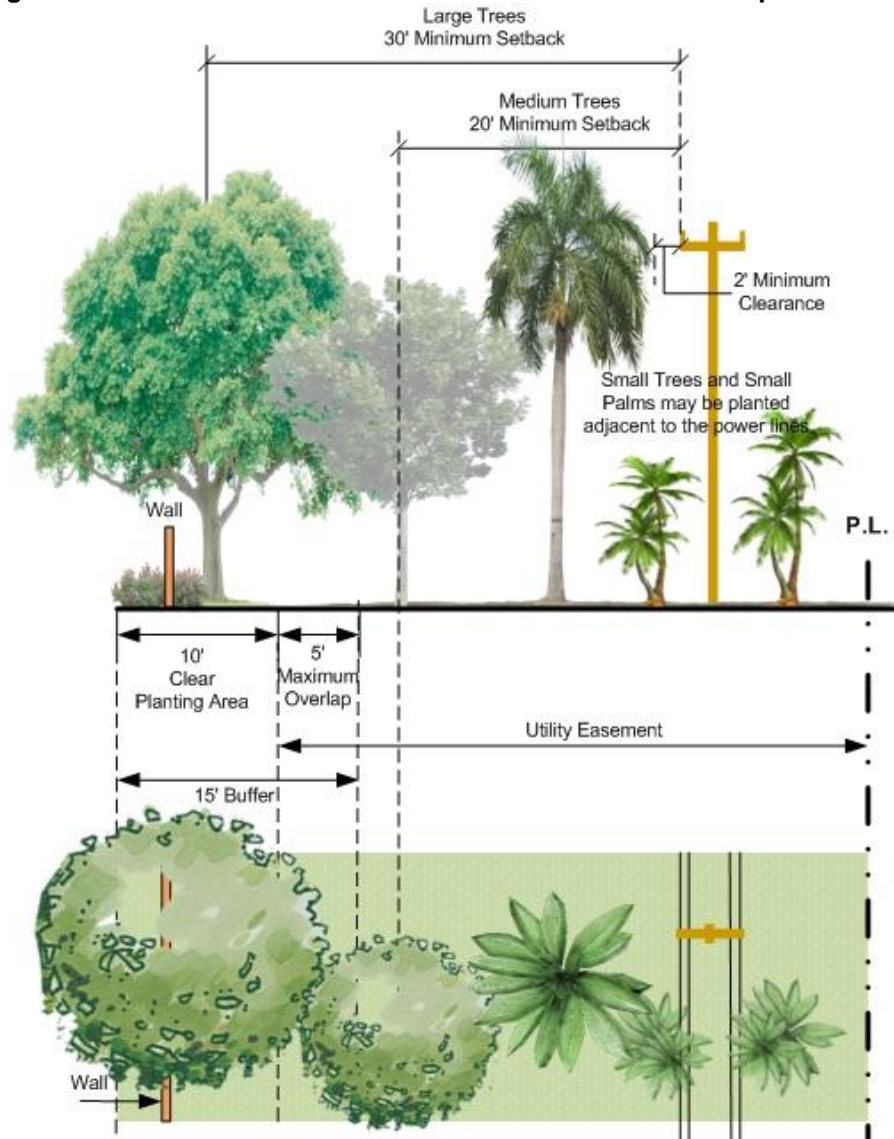
**A. Overhead Utilities**

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. [Ord. 2018-002]

**B. Detention or-Retention Areas, Swales, and Drainage Easements**

Detention or 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] [Ord. 2018-002]

**Figure 7.C.5.B - Maximum Allowed Encroachment of Landscape Buffers**



[Ord. 2018-002]



1. Planting may be allowed in the dry detention area if approved by the Land Development Division.  
**[Ord. 2016-042] [Ord. 2018-002]**

**C. Lake Maintenance Easements (LME)**

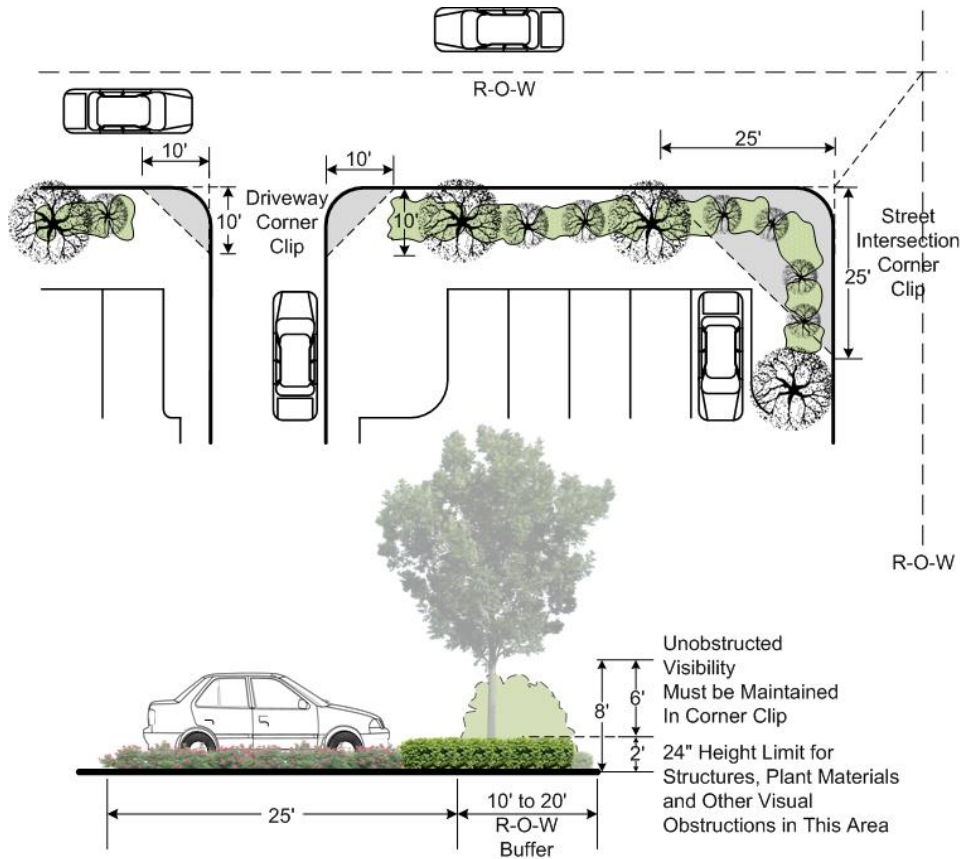
Planting of new trees or relocation of native, non-prohibitive or specimen vegetation may occur in the LME subject to the approval by the ERM Department and Land Development Division. **[Ord. 2016-042] [Ord. 2018-002]**

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

Landscaping within corner clips and safe sight distances required by Art. 11, Subdivision, Platting, and Required Improvements, shall be subject to the following: **[Ord. 2018-002]**

- A. An area of unobstructed visibility shall be maintained between 30 inches and eight feet above the crown of the adjacent roadway. **[Ord. 2018-002]**
- B. Vegetation located adjacent to and within corner clip or safe sight distance areas shall be trimmed so that limbs or foliage do not extend into the required visibility area. **[Ord. 2018-002]**
- C. All landscaping in a corner clip or safe sight distance shall be planted and perpetually maintained by the property owner, except where maintained by another entity such as a Homeowner's Association (HOA). **[Ord. 2018-002]**

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



**[Ord. 2018-002]**

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## 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] [Ord. 2018-002]

#### 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] [Ord. 2018-002]

##### a. U/S Tier

- 1) A minimum 25 foot wide buffer. [Ord. 2005 – 002] [Ord. 2018-002]
- 2) A three foot high berm. [Ord. 2005 – 002] [Ord. 2018-002]

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

- 1) A minimum 50 foot wide buffer. If a lake/retention area is located along a R-O-W, the buffer may be split to border the perimeter of the lake, 25 feet along the street and 25 feet along the interior side of the lake. [Ord. 2005-002] [Ord. 2018-002]
- 2) Required trees, palms and shrubs shall be double the quantities required under Art. 7.C.2.A, R-O-W Buffer. [Ord. 2005-002] [Ord. 2018-002]

#### 2. Compatibility Buffers

The width, berm and planting requirements along property lines adjacent to compatible uses shall be upgraded as follows: [Ord. 2005-002] [Ord. 2018-002]

##### a. U/S Tier

- 1) A minimum 25 foot wide buffer. [Ord. 2005-002] [Ord. 2018-002]
- 2) A three foot high berm. [Ord. 2005-002] [Ord. 2018-002]

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

- 1) A minimum 50 foot wide buffer. [Ord. 2005-002] [Ord. 2018-002]
- 2) Required trees, palms and shrubs shall be double the quantities required under Art. 7.C.2.A, R-O-W Buffer. [Ord. 2005-002] [Ord. 2018-002]

#### 3. Incompatibility Buffers

The width, berm and planting requirements along property lines adjacent to residential and other incompatible uses, and vacant properties with a residential FLU designation, shall be upgraded as follows: [Ord. 2005-002] [Ord. 2018-002]

##### a. U/S Tier

- 1) A minimum 50 foot wide buffer. [Ord. 2005-002] [Ord. 2018-002]
- 2) A four foot high berm. [Ord. 2005-002] [Ord. 2018-002]
- 3) Required trees, palms and shrubs shall be double the quantities required under Art. 7.C.2.A, R-O-W Buffer. [Ord. 2005-002] [Ord. 2018-002]

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

- 1) A minimum 50 foot wide buffer. [Ord. 2005-002] [Ord. 2018-002]
- 2) Required trees, palms and shrubs shall be double the quantities required under Art. 7.C.2.A, R-O-W Buffer. [Ord. 2005-002] [Ord. 2018-002]

### B. Foundation Planting

Foundation planting shall meander along building facade, and shall not be entirely located at the base of the building. [Ord. 2005 – 002] Dimensions and planting for the required Foundation planting shall be based on the Tier of which the proposed development is located within, and subject to Table 7.C.3.B, Foundation Planting and Dimensional Requirements. [Ord. 2018-002]

### C. Encroachment

No easement encroachment shall be permitted in required perimeter buffers, except for bisecting utility easements and required safe sight distance easements not to exceed a maximum of fifty percent of the required buffer width. [Ord. 2005-002] [Ord. 2018-002]

### D. Perimeter Sidewalk

A perimeter sidewalk a minimum of five feet shall be required in all R-O-W Buffers 50 feet in width, and shall meander through the buffer. [Ord. 2005-002] [Ord. 2018-002]

### E. Berm

Berms shall be staggered, rolling or offset, as indicated in Figure 7.C.6, Typical Example of Staggered, Rolling or Offset Berm. [Ord. 2005-002] [Ord. 2018-002]

## CHAPTER D LANDSCAPE STANDARDS

### Section 1 General

This Chapter provides the minimum standards for plant materials, which includes trees, palms, pines, shrubs, and ground treatment. It also addresses requirements for landscape barriers, which consist of hedges, walls and fences. **[Ord. 2018-002]**

#### A. Plant Species

All plants shall comply with Grades and Standards for Nursery Plants, latest edition, prepared by the Florida Department of Agriculture and Consumer Services. A minimum of 60 percent of required plant material shall be selected from Appendix A, PBC's Preferred Species List, published by the Zoning Division, or the list of native and drought-tolerant species in the most recent edition of the "SFWMD's Waterwise Florida Landscapes". A minimum of 60 percent of required plant materials shall be native species. **[Ord. 2018-002]**

### Section 2 Trees, Palms and Pines

#### A. Trees

The size of a Canopy tree shall include the height and caliper pursuant to the Shade Trees, Types One through Five Matrices of the Grades and Standards for Nursery Plant. The minimum size of a Canopy tree shall be 12 feet in height with a two and one half inch caliper at installation. **[Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002]**

##### 1. Average Height

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

- a. Average height of total quantity of trees shall have a minimum of 12 feet. A maximum of 25 percent of the required trees shall be at a minimum height of eight feet. **[Ord. 2018-002]**

#### B. Palms

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

**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, Canary, Bismarck and similar species
<b>[Ord. 2016-042] [Ord. 2018-002]</b>	

##### 1. Canopy Tree Substitute

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. 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. **[Ord. 2018-002]**

##### 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 be spaced a maximum of 20 feet on center, and the clear trunk or grey wood shall be increased by 40 percent of the minimum requirements. **[Ord. 2018-002]**

#### 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 Art. 7.D.2.C, 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.D, Tree Species Mix. Vegetation preserved in accordance with Art. 14.C, Vegetation Preservation and Protection, is exempt from the tree species mix requirement.

**Table 7.D.2.D - 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

**Section 3 Shrubs**

**A. Shrub-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: [Ord. 2018-002]

- 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] [Ord. 2018-002]
- 2. Height and spacing requirements pursuant to Table 7.D.3.A, Shrub Planting Requirements. [Ord. 2018-002]

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

Shrub Type	Minimum Height at Installation (Size)	Maximum Spacing at Installation	Maximum <sup>1</sup> Maintained Height
Ground Cover	6 inches	6 inches	N/A
Small Shrubs	18 inches	24 inches	36 inches
Medium Shrubs	24 inches	48 inches	48 inches
Large Shrubs	36 inches	48 inches	72 inches
<b>[Ord. 2009-040] [Ord. 2018-002]</b>			
<b>Notes</b>			
1. Maximum height is established to maintain the hierarchical visual effect for landscape buffer. Height may be increased unless stated otherwise herein. [Ord. 2009-040] [Ord. 2018-002]			

**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. [Ord. 2018-002]

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## **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] [Ord. 2018-002]

#### **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] [Ord. 2018-002]

1) Hedges shall not exceed four feet in height when located within the required front setback. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]

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] [Ord. 2018-002]

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

Hedges shall not exceed 12 feet in height. Height may be increased to a maximum of 20 feet for an Industrial PDD for the purpose of screening outdoor industrial activities. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]

### **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. [Ord. 2018-002]

### **3. 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] [Ord. 2018-002]

#### **b. Grade Change**

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

##### **1) Residential**

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.D.5, Landscape Buffers with Grade Changes. [Ord. 2016-016]

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

Hedges shall not exceed 12 feet in height. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002]

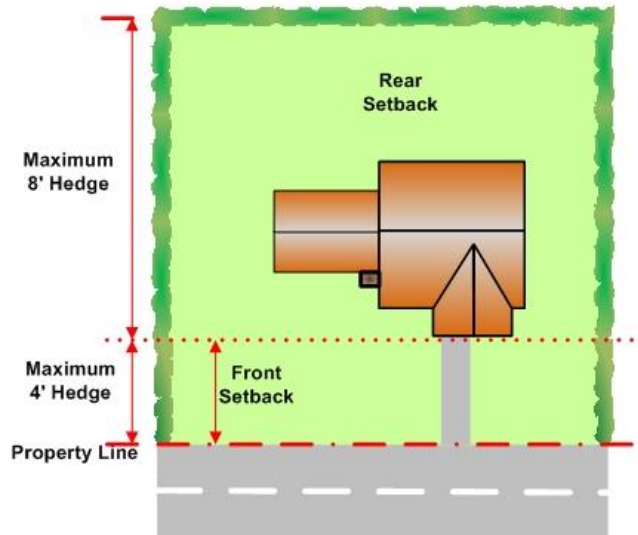
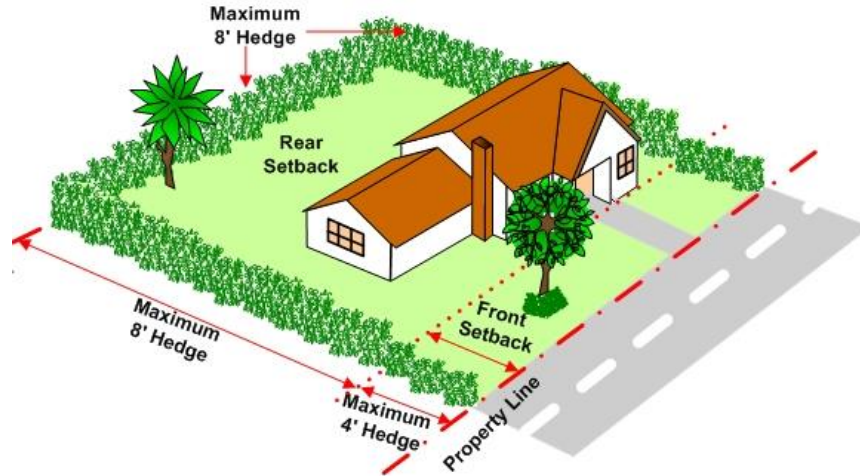
**5. Setback**

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] [Ord. 2018-002]

**6. Sight Distance**

Hedges shall comply with Art. 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]

**B. Walls**

Walls shall be composed of, but not be limited to: concrete panels, or concrete blocks with continuous footer. In the Exurban and Rural Tiers, walls shall be constructed from natural stone, concrete with a stone veneer, or embossed concrete with a natural stone or wood grain. Product samples shall be submitted to the Zoning Division for approval prior to submittal of the Building Permit for the wall. [Ord. 2018-002]

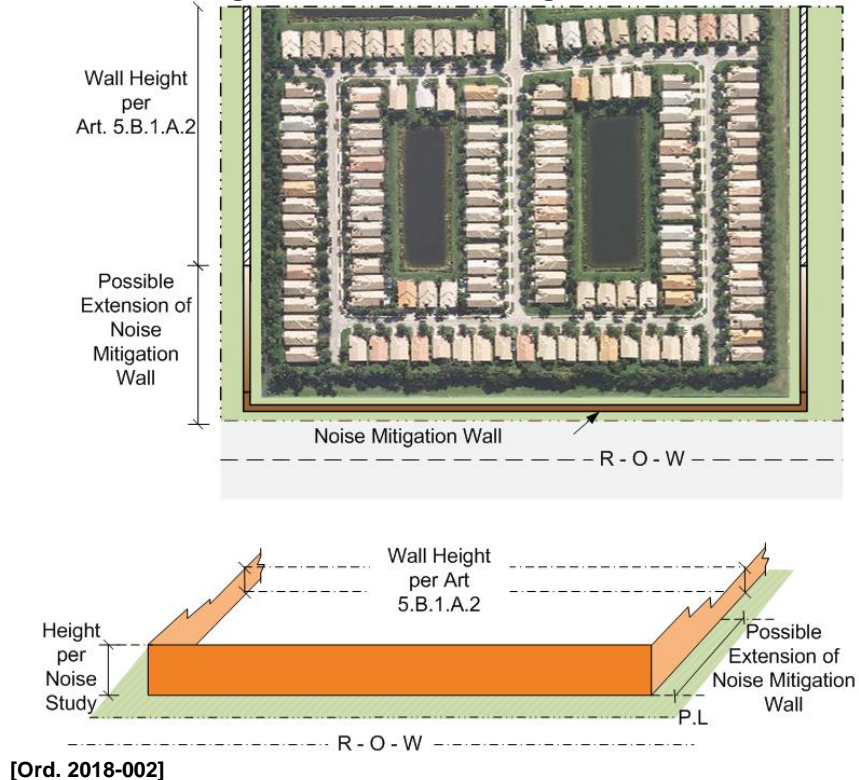
**1. Architectural Treatment**

Both sides of a wall shall be given a finished architectural treatment that is compatible and harmonious with adjacent developments. [Ord. 2007-013] [Ord. 2018-002]

## 2. Noise Mitigation Walls

Walls that abut the Florida Turnpike or any public street and any portion of an attached wall required to comply with the Noise Study, may increase the height to be consistent with the noise analysis acceptable to the FDOT, provided there is a Condition of Approval recommended by Land Development and imposed by the ZC or BCC specifying the requirement for the noise mitigation wall. [Ord. 2018-002]

Figure 7.D.4.B – Noise Mitigation Walls



[Ord. 2018-002]

## 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. [Ord. 2018-002]

### 1. Chain Link Fences

Chain link fences are prohibited in Incompatibility or R-O-W buffers unless they are vinyl coated. Vinyl coated chain link fences are only permitted in a R-O-W or Incompatibility buffer, and when installed behind an opaque six-foot high hedge. [Ord. 2007-001] [Ord. 2007-013] [Ord. 2016-016] [Ord. 2018-002]

#### a. Exception

An electrified fence in accordance with Art. 5.B.1.A.2.e.2), Electrified Fences – Exceptions and Regulations, shall not be required to be vinyl coated. [Ord. 2013-018] [Ord. 2018-002]

## 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. [Ord. 2018-002]

### 1. Exception

Electrified fencing in accordance with Art. 5.B.1.A.2.e.2), Electrified Fences – 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] [Ord. 2018-002]**

**Table 7.D.4.D - Requirements for a Wall or Fence in a Landscape Buffer**

Minimum Requirements	R-O-W	Incompatibility	Compatibility
<b>Setback for the Wall or Fence</b>	10 feet from the edge of the ultimate R-O-W or Base Building Line, whichever is applicable. (1)	10 feet from the edge of the property line.	No setback required. Allow to be located along the property line.
<b>Planting Width</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>Berm</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>Canopy Tree Planting</b>	75 percent of required trees shall be located along the exterior side of the wall or fence. (4)	75 percent of required trees shall be located along the exterior side of the wall or fence. (4)	No percentage requirement.
<b>Shrub Planting</b>	Shrubs shall be planted on both sides of the wall or fence.	Shrubs shall be planted on both sides of the wall or fence.	No percentage requirement.
<b>[Ord. 2018-002]</b>			
Notes:			
(1) Unless waived or reduced by the County Engineer, provided there remains a minimum of seven and one half clear feet for planting. <b>[Ord. 2018-002]</b>			
(2) No easement encumbrances. <b>[Ord. 2018-002]</b>			
(3) If a wall is installed, the minimum width of the landscape buffer shall be increased to have sufficient area for the required planting. <b>[Ord. 2018-002]</b>			
(4) Percentage of required trees to be located on the exterior side of the wall or fence may be reduced subject to a Type 1 Waiver for Landscaping. <b>[Ord. 2018-002]</b>			

**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 Art. 3.D, Property Development Regulations (PDRs). **[Ord. 2007-013] [Ord. 2018-002]**

**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] [Ord. 2018-002]**

**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] [Ord. 2018-002]**

**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] [Ord. 2018-002]**

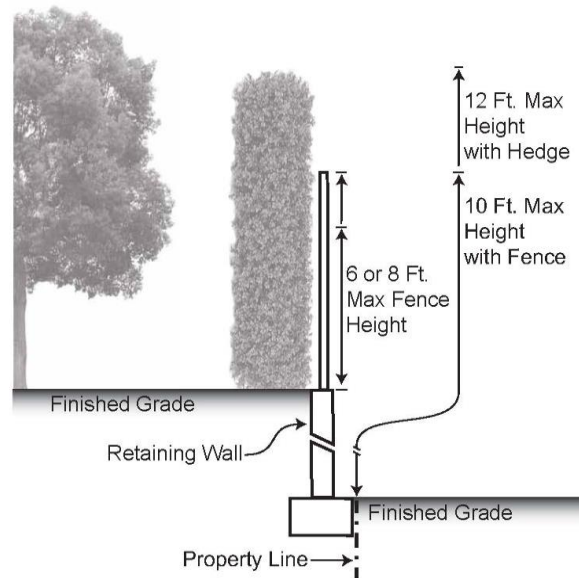
**2. Hedges**

Maximum permitted hedge height abutting a retaining wall may only be increased subject to the requirements of Art. 7.D.4.A.3, Height Measurements. 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] [Ord. 2018-002]**

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



[Ord. 20016-016]

**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.D.5.C Height Requirements for Incompatibility or R-O-W Buffers with Grade Changes Using Retaining Walls, and the following: [Ord. 2016-016] [Ord. 2018-002]

**1. Fences and Walls**

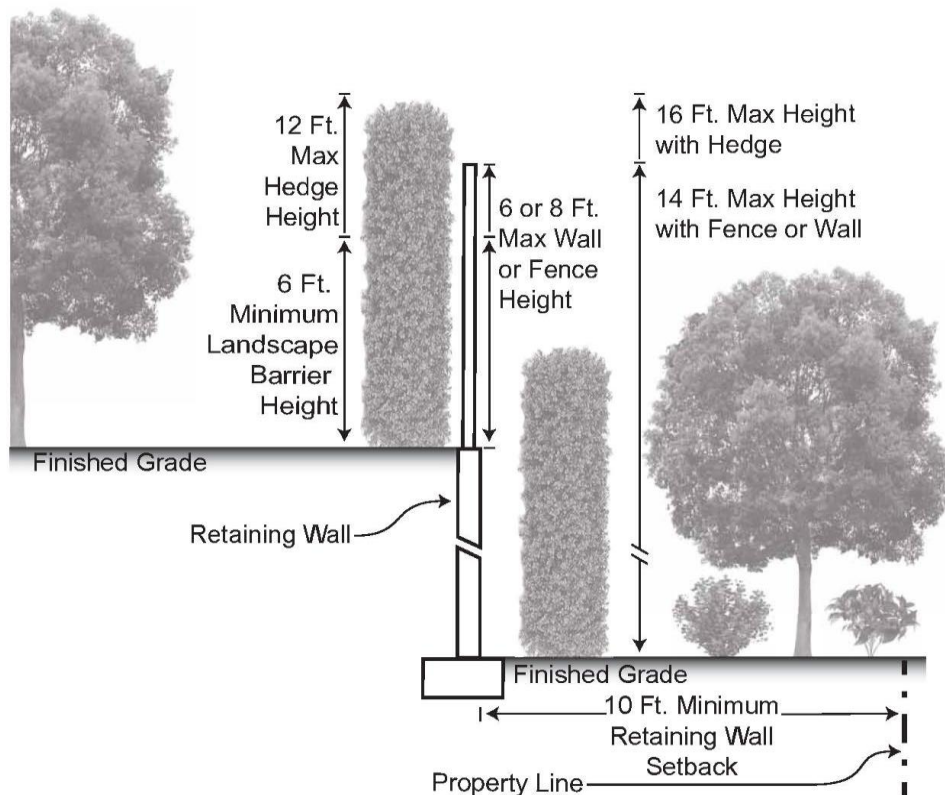
The height of a fence or wall located on a retaining wall setback a minimum of ten feet from the outer edge of the perimeter buffer may be increased by the difference in grade, up to a maximum overall height of 14 feet, whichever is less. The fence or wall shall be of the minimum height necessary to comply with Florida Building Code requirements for guardrails, or minimum required landscape barrier height. [Ord. 2016-016] [Ord. 2018-002]

**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] [Ord. 2018-002]

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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]

## Section 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.

### A. Tier Restrictions

Landscape berms are not allowed within the Exurban, Rural, Agricultural Preserve, or Glades Tiers, unless approved through a Type 1 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. [Ord. 2018-002]

### 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]

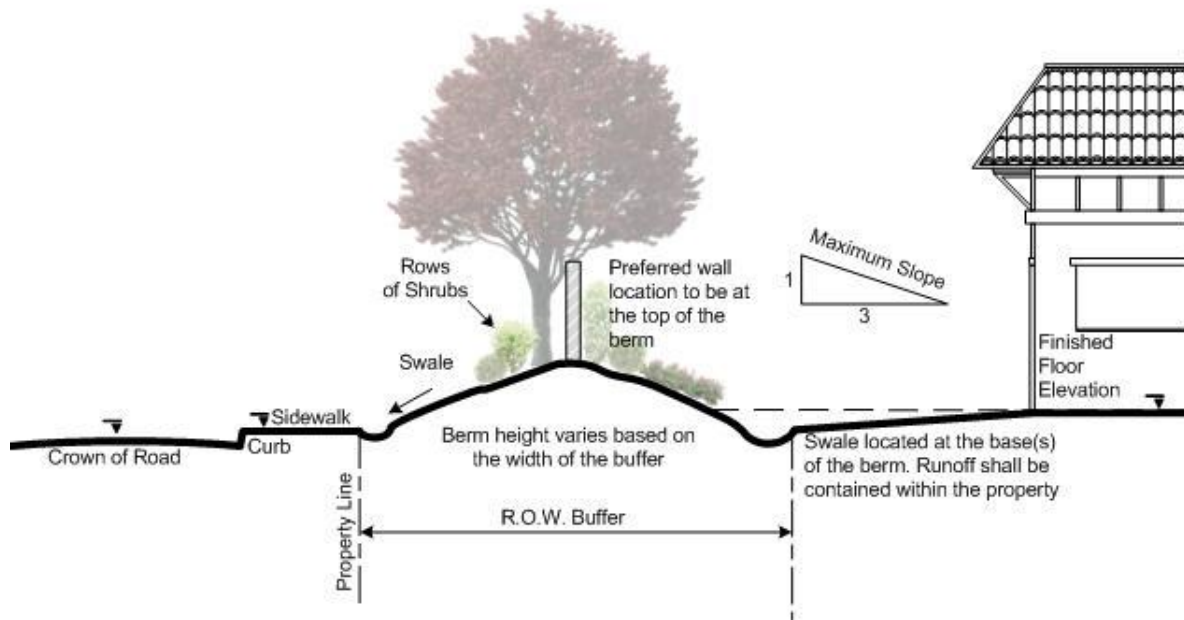
### D. Incompatibility Buffer

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. [Ord. 2018-002]

### E. Preservation Areas

Berms may be installed in preservation areas only where they will not affect the viability of preserved trees and vegetation. [Ord. 2018-002]

**Figure 7.D.9.C - Berm Elevation and Drainage Requirements**



[Ord. 2005-002] [Ord. 2018-002]

**Section 7 Ground Treatment**

The ground within required landscaped areas shall receive appropriate ground treatment at installation. Ground treatment shall not be required in preservation areas. Mulch that originated from a plant specie that will create an environmental impact shall be discouraged for application. Sand, gravel, shellrock, or pavement is not considered appropriate ground treatment. The following standards shall apply to the installation of ground treatment: [Ord. 2016-042] [Ord. 2018-002]

**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] [Ord. 2018-002]

**B. Mulch**

Mulch shall be installed and maintained at all times in all planted areas not containing ground cover. All mulch material shall be free of seeds and weeds to prevent tree sprouting and regrowth. [Ord. 2016-042] The application of Cypress mulch shall be discouraged. [Ord. 2018-002]

**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. [Ord. 2018-002]

**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.F.3.C, Maintenance of Vacant Lots. [Ord. 2016-042] [Ord. 2018-002]

**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] [Ord. 2018-002]

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

**Section 1 Purpose**

To establish standards and requirements for the preservation of existing native vegetation; removal of prohibited species, and reduction of controlled species, For the purpose of Article 7, existing native vegetation includes native trees, palms, and pines and are required to be incorporated in the site for any application that is subject to a DO. Existing native vegetation may satisfy the landscape requirements in this Article, in total or in part. In determining whether native vegetation satisfies the requirements of this Article and the goals of Art. 14.C, Vegetation Preservation and Protection, either one or both of the following shall be considered: [Ord. 2018-002]

- A. The effectiveness of utilizing the existing vegetation as visual screening and re-establish a natural habitat for the existing vegetation; or [Ord. 2018-002]
- B. The quality and species of the vegetation being preserved. [Ord. 2018-002]

**Section 2 Authority and Review Procedures**

The Zoning Director shall have the authority to require the preservation of vegetation on-site that is not covered under Art. 14.C, Vegetation Preservation and Protection, subject to the following: [Ord. 2016-016] [Ord. 2018-002]

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

The Applicant shall meet with the Zoning Division and the Department of Environmental Resources Management (ERM) prior to the submittal of the application. Staff shall coordinate with the Applicant to address the preservation of native vegetation in the early stage of development review, and to resolve design issues without impacting the timeline for certification or approval of the application. Staff may request a site visit with the Applicant to determine whether the existing vegetation is worthy of preservation, and inform the Applicant of the necessary application requirements, including a Vegetation Survey to be submitted as part of the Zoning application. [Ord. 2018-002]

**B. Review and Permit Procedures**

Zoning Division and ERM shall collaborate on the review of all applications that require preservation of existing vegetation through: PAA, site visits, site design to maximize preservation, and when appropriate, conditions of approval shall be imposed to ensure the requirements are being monitored at land development review and building permit stages. [Ord. 2018-002]

**1. Application Submittal**

- a. In addition to all the required forms and related documents pursuant to Art. 2, Application Processes and Procedures, the applicant shall include a description of the proposed site development, and indicate any proposal for preservation of existing native vegetation in the Justification Statement; [Ord. 2018-002]
- b. The Applicant shall submit a Vegetation Survey with estimated preliminary finished grade of the areas where the proposed preservation of vegetation is located; and [Ord. 2018-002]
- c. Any preservation or relocation of vegetation shall be shown on the applicable Zoning Plan(s) with a Vegetation Disposition Chart pursuant to Title 4, Landscaping, Chapter C of the Zoning Technical Manual for the template and notes. [Ord. 2018-002]

**2. Site Visit**

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. [Ord. 2018-002]

### **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. **[Ord. 2018-002]**
- 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. **[Ord. 2018-002]**
- 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] [Ord. 2018-002]**

### **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. **[Ord. 2018-002]**

### **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: **[Ord. 2018-002]**
  - 1) Submit a Vegetation Barricade Permit application to the Building Division; **[Ord. 2018-002]**
  - 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, **[Ord. 2018-002]**
  - 3) Install all barricades around tagged vegetation that is to be preserved or relocated on the site. **[Ord. 2018-002]**
- b. The Vegetation Barricade Permit application shall be reviewed by the Zoning Division and ERM. Staff shall schedule inspections for the installation of the tags and barricades prior to the approval of the Permit. **[Ord. 2018-002]**
- 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. **[Ord. 2018-002]**

## **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: **[Ord. 2018-002]**

### **A. Vegetation Survey**

Credit shall be granted for on-site preservation of existing vegetation when accompanied by a tree survey. **[Ord. 2018-002]**

### **B. Trees Excluded from Credit**

Credits shall not be permitted for vegetation-that are: **[Ord. 2018-002]**

1. Required for preservation by Art. 14.C, Vegetation Preservation and Protection (i.e. located in required preservation areas, heritage or champion trees); **[Ord. 2018-002]**
2. Not properly protected from damage during the construction process, as required in Art. 14.C, Vegetation Preservation and Protection; **[Ord. 2018-002]**
3. Classified as prohibited or invasive non-native species as defined in Art. 14.C, Vegetation Preservation and Protection; **[Ord. 2018-002]**
4. Dead, dying, diseased, or infested with harmful insects; or **[Ord. 2018-002]**

5. 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. **[Ord. 2018-002]**

**C. Tree Credit Formula**

All existing vegetation to be preserved, mitigated on or off site, replaced on or off site shall be credited pursuant to Table 7.E.3, Tree Credit and Replacement. Pines with a caliper of two inch or more shall be subject to preservation, mitigation or replacement. **[Ord. 2016-042] [Ord. 2018-002]**

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

Diameter at 4.5 Feet Above Grade (1)	=	Credits or Replacements
Less than 2 in.	=	0
2-6 in.	=	1
7-11 in.	=	2
12-16 in.	=	3
17-21 in.	=	4
22-26 in.	=	5
27-31 in.	=	6
32-36 in.	=	7
37 in. or more	=	8
<b>[Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002]</b>		
<b>Notes:</b>		
1. Fractional measurements shall be rounded down. <b>[Ord. 2018-002]</b>		

**Section 4 Prohibited Plant Species**

The planting or installation of the following plant species is prohibited. Each planting plan, landscape plan or ALP shall include a program to eradicate and prevent the reestablishment of these species. **[Ord. 2018-002]**

- A. Prohibited plant species listed in Art. 14.C, Vegetation Preservation and Protection. **[Ord. 2018-002]**
- B. Any plant species classified in Art. 14.C, Vegetation Preservation and Protection, as an “invasive non-native species”. **[Ord. 2018-002]**

**Section 5 Controlled Plant Species**

The following species may be planted or maintained under controlled conditions: **[Ord. 2018-002]**

**A. Black Olives and Mahogany**

Black Olives and Mahogany shall not be installed within 15 feet of any vehicular use area, sidewalk, paved pathway, or bike lane. **[Ord. 2018-002]**

**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. **[Ord. 2018-002]**

1. Planted as individual trees provided they are no closer than 30 feet from any structure or utility; **[Ord. 2018-002]**
2. Contained in a planter or root barrier; or **[Ord. 2018-002]**
3. Maintained in accordance with the restrictions for hedges pursuant to Art. 7.D.4.A, 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] [Ord. 2018-002]**

**C. Silk Oak, Rosewood**

Silk Oak and Rosewood trees shall not be planted within 500 feet of a preserve area. **[Ord. 2018-002]**

**D. Trees**

Citrus trees shall not qualify as a required tree, except for single-family lots. **[Ord. 2018-002]**

## **Section 6      Artificial Plants**

No artificial plants or vegetation shall be used to meet any standard of this Article. **[Ord. 2018-002]**

## **CHAPTER F    INSTALLATION AND MAINTENANCE**

This Chapter establishes standards for the installation and maintenance of plant material. **[Ord. 2009-040]**

### **Section 1      Plant Quality**

Plants installed pursuant to this Article shall conform to or exceed the minimum standards for Florida Number 1, as provided in the most current edition of Florida Grades and Standards for Nursery Plants, as amended, prepared by the Florida Department of Agriculture and Consumer Services. All plants shall be clean and free of noxious pests and/or diseases. **[Ord. 2018-002]**

### **Section 2      Installation**

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

#### **A. Planting Specifications**

Required trees and palms may be securely guyed, braced, and/or staked at the time of planting until establishment. All plants shall be installed so that the top of the root ball remains even with the soil grade. The top one-third of burlap shall be removed from the root ball at planting. If used, nylon strapping and wire cages shall be completely removed at installation. All guys and staking material should be removed when the tree is stable and established but in no case more than one year after initial planting of tree. Construction debris shall be kept clear from the planting area. **[Ord. 2018-002]**

#### **B. Phasing**

Required landscaping may be installed in phases, and if designated on the approved Zoning plan, as follows: **[Ord. 2018-002]**

##### **1. Developments with Phasing**

The required plant materials shall be installed in accordance with the approved phasing of a planned development. The quantity of the required plant materials for each development phase shall be a proportion of the total number of plant materials required to be planted in the overall planned development. This proportion shall be determined by comparing the area of the plan to the area of the entire planned development as shown on the approved plan. Areas of vegetation required to be preserved shall be excluded from this calculation. R-O-W buffers along the development frontage shall be installed under Phase One. **[Ord. 2018-002]**

##### **2. Developments Without Phasing**

The perimeter landscaping shall be installed prior to the issuance of the first CO.

###### **a. Developments with Multiple Buildings**

R-O-W Buffers along the development frontage shall be installed prior to the issuance of the first CO for the first building. **[Ord. 2018-002]**

###### **b. PO Zoning District and Public Civic Pods of a PUD**

Installation of a proportion of the required plant materials shall be permitted subject to the approval of a Phasing Plan by the DRO. The Phasing Plan shall indicate the affected area of each building permit application and general location of plant material that will be installed. **[Ord. 2007-013]**

##### **3. Suspended Phasing**

Required installation may be phased into a project for up to one year from the initial occupancy, subject to the approval of an installation schedule by the DRO. **[Ord. 2018-002]**

## Section 3 Maintenance

### A. General

PBC is responsible for the care and maintenance of the trees and vegetation on PBC-owned property, unless provided for otherwise by DO condition of approval. For all other properties, which includes vegetation required to be installed under a DO, or existing preserved vegetation, the property owner or successors in interest, contractor, or agent, if any, shall be jointly and severally responsible for the requirements of this Section. Maintenance of the Premises shall also be subject to the Palm Beach County Code, Chapter 14, Article 1, Property Maintenance Code. **[Ord. 2018-002]**

1. Regular maintenance of all landscaping is required. All landscaping shall be free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable horticultural practices.
2. Regular maintenance, repair, or replacement of landscape barriers and focal points, including landscape structures (e.g., walls, fences, fountains, and benches) in order to keep them in a structurally sound condition.
3. Perpetual maintenance to prohibit the reestablishment of prohibited and non-native invasive species within landscape and preservation areas.
4. Periodic maintenance to remove diseased or damaged limbs, or remove limbs or foliage that present a hazard. All trees and palms shall be allowed to grow to their natural mature height and to full canopy. **[Ord. 2018-002]**
5. Landscape areas, which are required to be created or preserved by this Article, shall not be used for temporary parking or the storage/display of materials or sale of products or services.

### B. Maintenance of Vegetation

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. Vegetation that is removed or damaged, shall be replaced in accordance with Table 7.E.3.C, 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]**  
**[Ord. 2018-002]**

### C. Maintenance of Vacant Lots

Vacant Lots and Vacant Residential Parcels shall be maintained by the property owner, and shall be subject to the requirements as listed below. **[Ord. 2018-002]**

#### 1. Vacant Lots or Parcels with Demolition Permits

##### a. Demolition Permits

Demolition Permits for Vacant Lots or Parcels shall be subject to the review and sign off by the Zoning Division. The Building Division shall not issue the demolition permit until a Planting Plan is approved by the Zoning Division unless the property owner signs an affidavit in accordance with the requirements below. **[Ord. 2005-002]** **[Ord. 2008-037]**  
**[Ord. 2018-002]**

##### 1) Planting Plant

The property owner shall submit a Planting Plan indicating the proposed method of ground treatment, preservation of existing native trees and if applicable replacement of trees; and irrigation simultaneously with the application for a demolition permit. **[Ord. 2005-002]** **[Ord. 2008-037]** **[Ord. 2018-002]**

##### a) Review of Planting Plan

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. If necessary, the DRO or Environmental Resources Management Department shall conduct a site visit as part of the Plan Review. **[Ord. 2005-002]** **[Ord. 2008-037]** **[Ord. 2018-002]**



**b) Standards**

The DRO shall consider the following criteria in reviewing the Planting Plan: whether or not the ground treatment and other landscape materials are consistent with the established character of the neighborhood; and, Whether or not alternative or temporary irrigation methods such as hand-watering are acceptable. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2018-002]

**c) Plant Installation, Maintenance, Pruning and Irrigation**

The Vacant Lot shall be subject to the requirements or Conditions of Approval as indicated in the Planting Plan related to installation and maintenance. Native vegetation, or ground treatment shall be installed, maintained, pruned and irrigated in accordance with the requirements of this Section. Temporary irrigation methods may be approved for native vegetation only, subject to a maintenance/replacement agreement. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2018-002]

**2) Vacant Lot Maintenance and Planting Requirements**

Native vegetation shall be preserved if required by ERM and ground treatment shall be installed and maintained, in accordance with the requirements of this Section. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2018-002]

**a) Ground Treatment**

Vacant Lots or Parcels shall be cleared of construction materials and debris, and must be planted with sufficient ground treatment to cover the entire Lot or Parcel in accordance with one of the choices pursuant to Art. 7.D.7, Ground Treatment. Existing ground treatment may be used to meet the requirements of this Section. The clearing and installation of ground treatment must be completed within 120 days of the completion of demolition, within 120 days of the effective date of this Section, or within 30 days of approval of a Planting Plan, whichever is later. Slab foundations or other structural features remaining from demolished houses, or from other demolished structures, must also be removed from Vacant Lots and Parcels. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2018-002]

**b) Existing Vegetation**

All existing native vegetation shall be preserved, and Prohibited and Controlled Species shall be eliminated pursuant to Art. 7.E, Existing Native Vegetation, Prohibited and Controlled Plant Species. [Ord. 2018-002]

**c) Irrigation**

Temporary irrigation methods may be approved for native vegetation only, subject to a maintenance or replacement agreement. [Ord. 2018-002]

**2. Vacant Lots or Parcels with Pending Redevelopment Permits**

A property owner shall initiate redevelopment of a Vacant Lot or Parcel within 120 days of demolition, or shall actively proceed in good faith to redevelop based on submittal of a building permit application or other applicable development permit application. The applicant shall submit evidence demonstrating good faith efforts to redevelop 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. The property owner shall execute an affidavit in conjunction with the demolition permit on a form established by the Zoning Division. [Ord. 2005-002] [Ord. 2008-037] [Ord. 2018-002]

**Section 4 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 the canopy spread to less than 20 feet. Pruning practices shall 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 Chapter upon recommendation from County Landscape Staff additional pruning is necessary for plant growth, safety, or aesthetics. [Ord. 2018-002]

#### **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 Art. 7.D.2.A, 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 Art. 7.D.2.A, Trees, and Table 7.D.2.E, Tree Credit and Replacement. **[Ord. 2014-025]**
2. If other than the mature height and spread is desired for any required tree, the size and shape shall be indicated on an approved site plan, planting plan, landscape plan. Shaping of a tree shall be permitted if the tree is to be used as an accent, focal point, or as part of an overall landscape design. A maintenance program shall be clearly outlined on the approved landscape plan to explain the care and upkeep of a shaped tree.
3. When cutting back trees, care shall be taken to promote the shape and form typical of the tree's species in similar settings in PBC.
4. Tree topping (hatracking) is prohibited.
5. No large or medium canopy trees shall be pruned before it has reached a minimum 20 foot canopy height and spread.

#### **B. Palm Pruning Requirements**

1. No more than one-third of fronds shall be removed.
2. No pruning above the horizon line, except for dead or diseased fronds.

#### **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.

### **Section 5      Irrigation**

The licensed professional or irrigation contractor responsible for the installation of irrigation shall demonstrate compliance with the irrigation standards. Landscaped areas shall be irrigated to maintain required plant materials in good and healthy condition. Irrigation systems shall comply with the following standards:

- A. All landscaped areas requiring irrigation shall be provided with an automated irrigation system that provides 100 percent coverage. Areas requiring minimal irrigation to establish plants shall use drip irrigation.
- B. Irrigation systems shall be designed to apply water to shrub and tree areas on a less frequent schedule than lawn areas. A rain-sensor switch shall be installed on systems with automatic controllers.
- C. Irrigation systems shall be designed as not to overspray water impervious areas. All irrigation systems shall be continuously maintained in working order.
- D. Where feasible, irrigation systems shall not be installed or maintained on areas adjacent to a public street which causes water from the system to spray onto the roadway or strike passing pedestrian or vehicular traffic.
- E. The use of irrigation quality or re-used water is encouraged for parks and recreation facilities:

1. Within the Irrigation Quality (IQ) effluent water service area of the PBCWUD; or
  2. Where irrigation quality or re-used water is available and where such reuse is approved by the regulatory agencies.
- F. Permanent irrigation systems are not required for areas set aside on approved site development plans for preservation of existing native vegetation.
- G. 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.

## **CHAPTER G ENFORCEMENT**

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

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

#### **A. Performance Surety**

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

#### **B. Application Requirements**

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

### **Section 2 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 Art. 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 Art. 10, Enforcement, or the PBC Code Enforcement Citation Ordinance; or **[Ord. 2005 – 002]**
2. Such fines and imprisonment as provided for in F.S. 125.69.

#### **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 **[Ord. 2018-002]**
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]

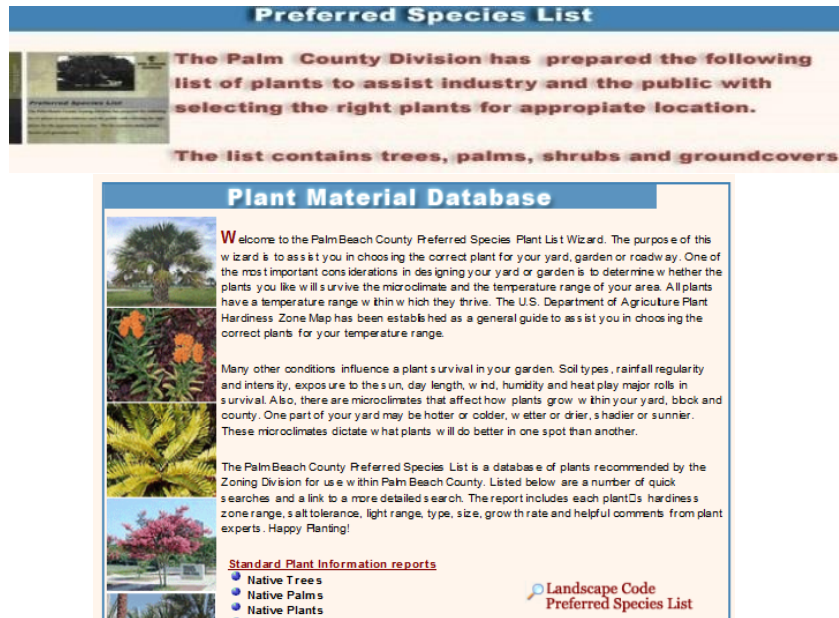
**1. Replacement of Landscaping**

- a. Canopy trees shall be replaced pursuant to Art. 7.E.3, Tree Credit and Replacement. [Ord. 2018-002]
- b. Any other landscape materials shall be replaced pursuant to Art. 7.D, Landscape Standards. [Ord. 2018-002]

**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/epzbccommon/asp\\_html/epzbgateway.aspx?ReferrerID=eziinfo&FROM=EZ&TargetMenuItem=Plant%20Material%20Database](http://www.pbcgov.com/epzbccommon/asp_html/epzbgateway.aspx?ReferrerID=eziinfo&FROM=EZ&TargetMenuItem=Plant%20Material%20Database)



**APPENDIX B – Certification of Compliance**

The following certification statement must appear on the Certification of Compliance required by Art. 7.B.3.E, Certification of Compliance. [Ord. 2018-002]

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] [Ord. 2017-025; August 28, 2017] [Ord. 2018-002; February 1, 2018]