

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 interconnections 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] [Ord. 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 reestablishment 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 reestablish 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. Screening and Buffering

Whenever possible landscape materials should be utilized to provide a spatial transition between different land uses; buffering between adjacent properties; and, screening for parking, 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 screen or buffer, 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 TDDs, 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]

Figure 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]

Figure 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 Multifamily 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 Bona Fide Agriculture, 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 abutting 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.
6. Community Vegetable Gardens located in the WCRAO or CCRT areas, unless stated otherwise in Art. 4.B.6.C, Definitions and Supplementary Use Standards for Specific Uses. [Ord. 2019-005]

C. Public Park Exception or PO Deviations

Deviations or exceptions from the minimum standards of this Article may be permitted as follows: [Ord. 2019-005]

1. Public parks, as specified in Art. 5.D.2.G, Public Park Landscape Standards; and [Ord. 2006-004] [Ord. 2007-013] [Ord. 2018-002] [Ord. 2019-005]
2. Development supporting Government Facilities within the PO Zoning District, subject to Art. 2, Application Processes and Procedures and PPM #ZO-O-063, as applicable and as amended. [Ord. 2006-004] [Ord. 2007-013] [Ord. 2019-005]

D. Overlay Exceptions

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

Section 2 Definitions

See Art. 1.H, 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. 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 in response to a complaint or Code Enforcement case as it relates to vegetation violations (e.g., missing or damaged plant material or changes to the landscape not previously approved in accordance with the Landscape Permit). [Ord. 2009-040] [Ord. 2018-002] [Ord. 2020-001]

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 this Article, 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. ch. 481, pt. 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]

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.G.3, Standards for a 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
R-O-W Buffer		
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"> 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. The required trees shall be located on both sides of the wall or fence.
Incompatibility Buffer		
Art. 7.C.2.C.1, Elimination of Incompatibility Buffer (1)	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"> The pod or tract is located adjacent to open space that is 100 feet or greater in width; or The site layout of the pod or tract will integrate recreation amenities with Multifamily and Congregate Living Facilities (CLFs). [Ord. 2021-022]
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"> The Applicant shall demonstrate in the request that the proposed wall or fence is an integral design component for security or aesthetic purpose. The required trees shall be located on both sides of the wall or fence.
Berm		
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"> Berms are utilized to improve screening of loading, parking, or vehicular use areas, and to address compatibility issues.
Foundation Planting		
Table 7.C.3.B, Foundation Planting and Dimensional Requirements – Façades to be Planted	Allow a 50 percent relocation of required foundation planting.	<ul style="list-style-type: none"> 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; The relocated foundation planting shall have the minimum planting width; and, The overall total square feet for the foundation planting meets or exceeds the required foundation planting.
Landscape Islands and Parking Structures		
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 five feet excluding curbs.	<ul style="list-style-type: none"> For infill sites with less than 25 parking spaces.
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"> For industrial developments that do not have significant public visitation and the nature of the use does not benefit for interior plantings in parking areas.
Art. 7.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"> To allow existing vegetation to be preserved or existing vegetation to be relocated within parking areas.

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

Article/Table Reference and Title	Maximum Waiver	Criteria
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"> • The Applicant is required to submit Architectural Elevations of the parking structure for Staff review and evaluation. • The required planting for the planters shall be relocated to other areas of the same property where the parking structure is located.
Art. 7.C.5.A.1, Underground Easement Relocation of Trees	Allow required trees to be relocated on the same site. [Ord. 2018-018]	<ul style="list-style-type: none"> • There is no reduction in the total quantity of the required trees; [Ord. 2018-018] • A maximum of ten percent of the required trees within the same buffer may be relocated; and, [Ord. 2018-018] • The Applicant shall identify on the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree. [Ord. 2018-018]
Art. 7.C.5.B, Easements in On-Site Parking Areas – Existing Utilities	Allow existing easements to overlap the landscape islands. [Ord. 2018-018]	<ul style="list-style-type: none"> • The Applicant shall provide documentation from the utility easement holder that the easement(s) are recorded, and are not subject to a change in the location; [Ord. 2018-018] • The Applicant may utilize a small tree or a palm to satisfy the Canopy tree requirement. If the minimum separation between the tree and the utilities cannot be met, the required tree in the island may be relocated within the same site; [Ord. 2018-018] • The minimum percentage of Canopy tree pursuant to Table 7.C.4.A, Landscape Island and Divider Median – Planting and Dimensional Requirements, may be reduced to 50 percent and palms may be increased up to 50 percent, and, [Ord. 2018-018] • The Applicant shall identify on the Alternative Landscape Plan the new location of the tree(s) and whether root barrier will be utilized for the tree. [Ord. 2018-018]
[Ord. 2005-002] [Ord. 2012-027] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-016] [Ord. 2016-042] [Ord. 2017-007] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-005] [Ord. 2021-022]		
Notes:		
1.	Multifamily also includes Cottage Homes (Multiple Units on a Single Lot); and Community Residences and Recovery Communities located in a Multifamily housing type. [Ord. 2021-022]	

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. Alternative Landscape Plan (ALP)

The Applicant shall submit an ALP to the DRO to graphically depict the proposed Type 1 Waiver request(s). 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 ALP. Upon the approval of the Type 1 Waiver(s), the Applicant shall finalize the ALP as Final Landscape Plans, and shall include it as part of the Building Permit review, if applicable. [Ord. 2018-002] [Ord. 2020-001]

Section 5 Vegetation Removal and Replacement

For the purpose of this Section, the term “vegetation” shall include tree(s), palm(s), and pine(s). Vegetation that is required to be planted on a property per Code requirements or through a Condition(s) of Approval shall not be removed without first applying for and being issued a Vegetation Removal and Replacement Permit. Removal of vegetation without a valid permit shall be considered a violation of the Code or the DO, unless otherwise exempted by the F.S. [Ord. 2019-005] [Ord. 2020-001]

A. Exception

The following exceptions shall apply to parcels with residential uses: [Ord. 2020-001]

1. No permit is required for a Single Family residence as long as the minimum required vegetation is maintained in accordance with standards set forth in Table 7.C.3.A, Interior Landscaping Requirements. [Ord. 2020-001]
2. Residential properties may be exempt from permitting requirements in accordance with F.S. § 163.045. Residential properties are properties that are developed with a residential use and may be located within either a residential or non-residential zoning district. [Ord. 2020-001]

B. Approval Process

An Applicant may request the removal of existing vegetation by submitting an application to the Zoning Division, and subject to the following procedures: [Ord. 2019-005] [Ord. 2020-001]

1. Pre-Application Site Meeting

Prior to the submittal of an application, the Applicant shall schedule an on-site meeting with Staff of the Permit Review/Landscape Section of the Zoning Division to discuss and inspect the vegetation that is proposed to be removed. Staff shall determine whether the vegetation is eligible for removal based on the standards listed below. If the vegetation is eligible for removal, Staff shall provide the Applicant a Vegetation Removal and Replacement application to be completed for submittal. [Ord. 2019-005] [Ord. 2020-001]

2. Application Submittal Requirements

The Applicant shall submit the application to the Permit Review/Landscape Section. The application shall include a Justification Statement providing the reason for the proposed removal of the vegetation. The Applicant shall also submit either a Final Site, Subdivision, or Regulating Plan, or a survey of the subject property. The Applicant shall identify the following: species, size, and location of the vegetation to be removed, and the required replacement of the vegetation and their proposed species, size, and location. [Ord. 2019-005] [Ord. 2020-001]

3. Application Review and Final Decision

Staff shall review the application utilizing the Standards for Removal that are listed below to consider whether to approve or deny the request. A Vegetation Removal and Replacement Permit shall be issued upon the approval of the application. The DRO may approve, approve with a Condition of Approval, or deny the request. [Ord. 2019-005] [Ord. 2020-001]

4. Standards for Removal and Replacement

In reviewing an application for Vegetation Removal and Replacement, Staff shall consider the following standards to determine whether the removal permit is granted: [Ord. 2019-005] [Ord. 2020-001]

- a. The Applicant's justification for the removal; [Ord. 2019-005]
- b. The site condition of the area where the existing vegetation is located, and whether the location has easement overlap or proximity of the vegetation to the overhead electric utilities; [Ord. 2019-005] [Ord. 2020-001]
- c. The health condition of the vegetation; or, [Ord. 2019-005] [Ord. 2020-001]
- d. Any valid safety concerns that may arise if the removal of the vegetation is not allowed. [Ord. 2019-005] [Ord. 2020-001]

C. Replacement

All replacement of vegetation, shrubs, landscape barriers, and ground treatment shall be in compliance with Art. 7.E.3, Credit and Replacement, unless stated otherwise in Art. 7.B.1.B, Exemptions. [Ord. 2019-005] [Ord. 2020-001]

D. Timeline

Staff shall indicate the timeline of removal and replacement of the tree on the permit to ensure the replacement of the tree is done in accordance with the approval. The permit is valid for six months from the date of issuance. Failure to comply with the permit requirements, which include the established dates or any imposed Conditions of Approval, shall result in enforcement action, pursuant to Art. 7.G, Enforcement. [Ord. 2019-005] [Ord. 2020-001]

E. Inspection

The Applicant shall contact Staff when the trees are removed, and Staff shall schedule a site inspection to confirm that the trees have been removed, and that any required replacement of trees have been installed in conformance with the permit. [Ord. 2019-005]

CHAPTER C LANDSCAPE BUFFER AND INTERIOR LANDSCAPE REQUIREMENTS

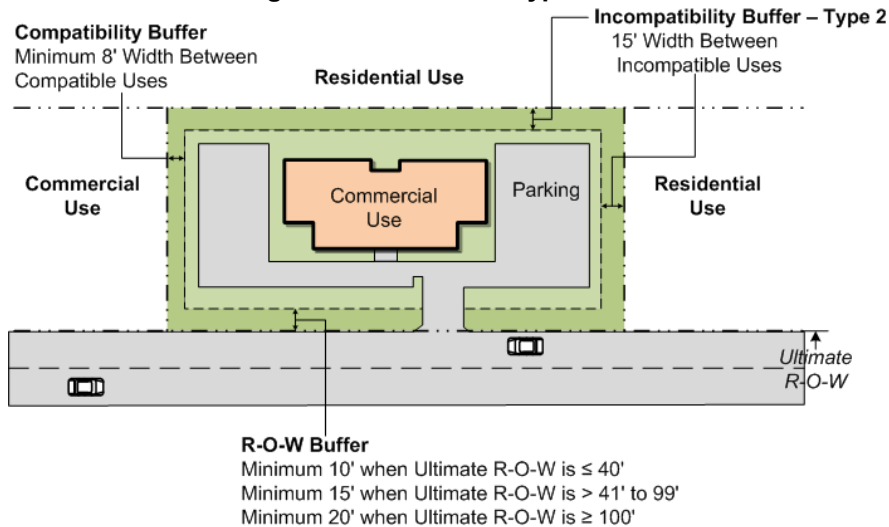
Section 1 General

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]

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, ground cover. 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]

- Where the R-O-W is an alley; [Ord. 2018-002]
- A lot with a Single Family, ZLL, or Townhouse unit; [Ord. 2018-002]
- Cottage Home (Single Unit on a Single Lot); [Ord. 2019-034]
- 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; and, [Ord. 2018-002]
- Renewable Energy Solar Facility, within the Rural, Exurban, and Glades Tiers greater than 250 acres in size, shall comply with the requirements of Art. 4.B.7.C.8.d, Perimeter Buffers and Interior Tree Requirements. [Ord. 2019-023]

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	Min. Width of Buffer
≤ 40'	10'
41-99'	15'
≥ 100'	20'
[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, R-O-W Buffer Landscape Requirements, as follows: [Ord. 2018-002]

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

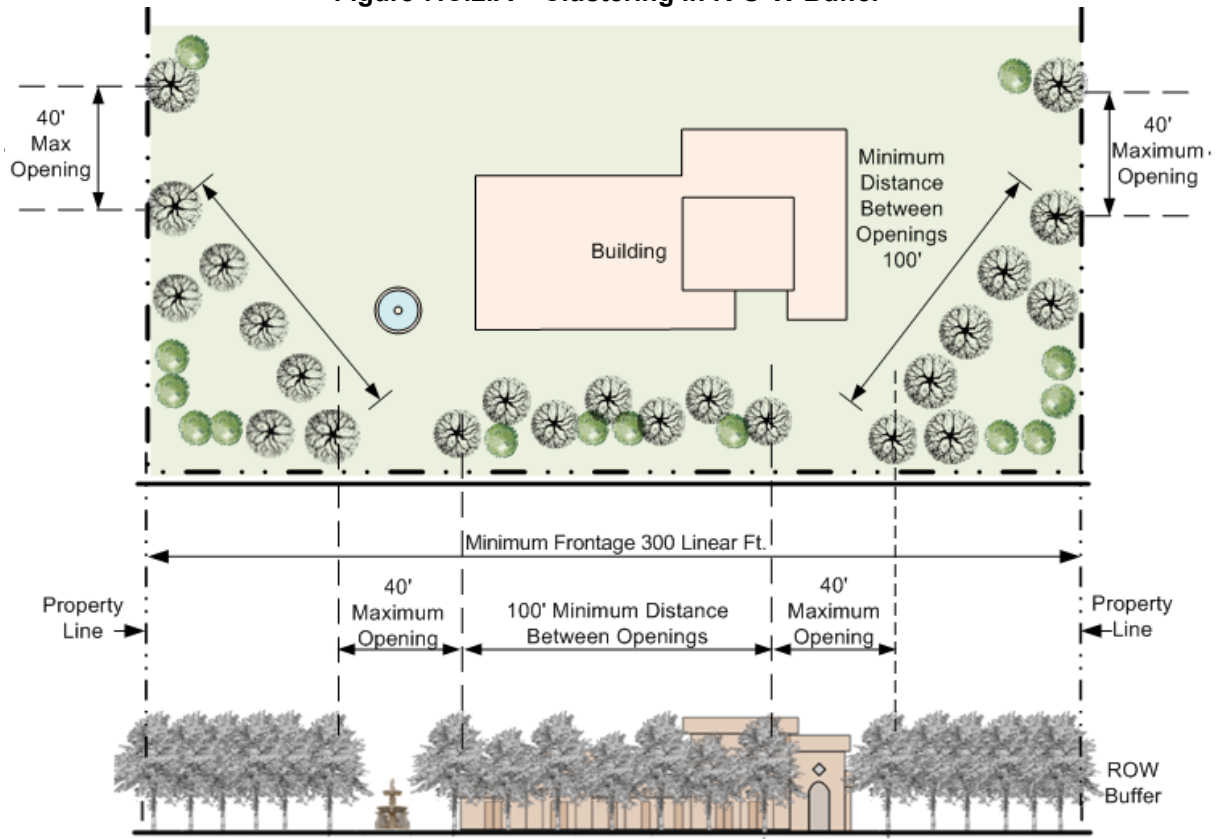
Min. Buffer Width Based on Width of Ultimate R-O-W	Quantity of Canopy Trees (1)(2)(3)	Quantity of Palms or Pines (1)(2)	Quantity of Shrubs (1)(2)(5)(6)	Landscape Barrier and Min. Height (7)
20'	1 Canopy tree per 25 linear feet	1 palm or pine per 30 linear feet	1 row of each: Ground cover – 1 per 1 linear foot; Small shrubs – 1 per 2 linear feet; and, Medium and large shrubs – 1 per 4 linear feet	No
15'	1 Canopy tree per 25 linear feet	1 palm or pine per 30 linear feet	1 row of each: Ground cover and small shrubs – 1 per 2 linear feet; and Large shrubs – 1 per 4 linear feet	No
10'	1 Canopy tree per 25 linear feet	-	1 row of each: Small shrubs – 1 per 2 linear feet; and Medium shrubs – 1 per 5 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.	Ground cover 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 follows: [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) 1,001 linear feet and over – 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]

- Single Family residential subdivisions or pods adjacent to Single Family residential subdivisions or pods. Cottage Home Pods adjacent to Cottage Home Pods. [Ord. 2018-002] [Ord. 2018-018]
- Internal buffers within TDDs, unless specifically stated otherwise; [Ord. 2018-002]
- Where residential uses are not adjacent to other incompatible design elements such as roadways, usable open space areas, or where residential setbacks are less than adjacent residential development; [Ord. 2018-002]
- Renewable Energy Solar Facility, within the Rural, Exurban, and Glades Tiers greater than 250 acres in size, provided the site meets or exceeds the minimum 25-foot setback, and is adjacent to a parcel of land with agricultural or utility uses or a conservation FLU designation; or, [Ord. 2019-023]
- Renewable Energy Solar Facility, within the Rural, Exurban, and Glades Tiers greater than 250 acres in size, provided the site meets or exceeds a 50-foot setback, and is adjacent to a parcel of land with an existing landscape buffer. [Ord. 2019-023]

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 Landscape Requirements, as follows: [Ord. 2018-002]

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

Min. Width	Quantity of Canopy Trees (1)(2)(3)	Quantity of Shrubs (1)(2)	Landscape Barrier and Min. Height (5)
8'	1 Canopy tree per 25 lineal feet	1 row of medium shrubs at 1 per 4 lineal 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 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. 2018-002]		
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. [Ord. 2018-002]		

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]

Table 7.C.2.C – Incompatibility Buffer Types

Difference Between Adjacent Uses (1)			
Use Classification	Abutting	Use Classification	Required Buffer Type
Residential, Detached (4)	↔	Residential, Attached (3)	Type 1
Residential, Detached (4)	↔	Congregate Living Facility	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
[Ord. 2008-003] [Ord. 2016-016] [Ord. 2018-002] [Ord. 2018-018] [Ord. 2019-034] [Ord. 2021-022]			
Notes:			
1.	Determination of Use Classification shall be consistent with Art. 4, Use Regulations. Where proposed development abuts vacant parcels, Use Classification shall be based upon future land use (FLU) designation. [Ord. 2018-002]		
2.	Buffer for Minor Utilities or Electric Distribution Substation shall be determined by the DRO. [Ord. 2017-007] [Ord. 2018-002]		
3.	Attached Residential classification includes Multifamily, Cottage Homes (Multiple Units on a Single Lot), or Townhouse housing types. This shall also include Community Residences and Recovery Communities located within attached housing types. [Ord. 2021-022]		
4.	Detached Residential classification includes Cottage Home (Single Unit on a Single Lot), Zero Lot Line, or Single Family housing types. This shall also include Community Residences and Congregate Living Facilities located within detached housing types. [Ord. 2021-022]		

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, Incompatibility Buffer Landscape Requirements, as follows: [Ord. 2018-002]

Table 7.C.2.C – Incompatibility Buffer Landscape Requirements (6)

Buffer Type	Min. 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'	1 Canopy tree per 20 linear feet	-	1 row of each: Small shrubs – 1 per 2 linear feet	6' high opaque fence or hedge (7)
Type 2 Incompatibility	15'	1 Canopy tree per 20 linear feet	1 palm or pine per 30 linear feet	1 row of each: Small shrubs – 1 per 2 linear feet; and Medium shrubs – 1 per 4 linear feet	6' high fence or hedge (7)
Type 3 Incompatibility	20'	1 Canopy tree per 20 linear feet	1 palm or pine per 30 linear feet	1 row of each: Small shrubs – 1 per 2 linear feet; and Medium shrubs – 1 per 4 linear feet	6' high opaque wall (4)(5)
[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 (trees, shrubs, and ground cover). [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.	Substitute of the required wall may be requested through a Type 2 Waiver. [Ord. 2018-002]				
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. [Ord. 2008-003] [Ord. 2018-002]				
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. [Ord. 2018-002]				
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. [Ord. 2018-002]				

4. AGR-PUD Landscape Buffer

- a. 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]

1) Buffer Width Reduction

The minimum 50-foot buffer width required along the perimeter of an AGR-PUD Development Area may be reduced for the following: [Ord. 2013-001] [Ord. 2018-002]

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

A 50 percent reduction (minimum of 25 feet in width) shall be permitted if: [Ord. 2013-001] [Ord. 2018-002]

- (1) the buffer is within a non-residential pod and adjacent to a R-O-W greater than 50 feet in width; [Ord. 2018-002]

- (2) the buffer is adjacent to another platted PUD buffer a minimum of 20 feet in width; or, [Ord. 2018-002]
- (3) the buffer is adjacent to open space (e.g., lake, canal, etc.) greater than 50 feet in width. [Ord. 2018-002]

b) Abutting a Rural Parkway

A reduction to a minimum of 15 feet in width shall be permitted if the buffer is abutting a Rural Parkway a minimum of 100 feet in width. [Ord. 2013-001] [Ord. 2018-002]

b. A Lot with Split Zoning of IPF and AGR-PUD

No landscape buffer shall be required between the portion of the lot zoned IPF and AGR-PUD Zoning Districts, provided both areas are owned by Faith Farm Ministries or another single non-profit entity whose primary mission is residential treatment and recovery program. [Ord. 2020-019]

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 ground cover 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
Min. Tree Quantities			
Residential Lot – SF, Cottage Home, 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.
Min. Shrub Quantities			
Residential Lot – SF, Cottage Home, 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.
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-001] [Ord. 2014-025] [Ord. 2014-031] [Ord. 2018-002] [Ord. 2018-018]			
Notes:			
1.	Tree and shrub planting requirement calculations for residential lots shall be based on the pervious surface areas of the lot. For Cottage Homes that have less than 1,250 square feet of lot size, a minimum of one flowering tree or palm shall be provided. [Ord. 2014-025] [Ord. 2018-002] [Ord. 2018-018]		
2.	No maximum for lots with Multifamily units. [Ord. 2018-002]		
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. [Ord. 2018-002]		

B. Foundation Planting

1. Applicability

- a. Foundation planting shall be provided along façades 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]

Table 7.C.3.B – Foundation Planting and Dimensional Requirements

Min. Requirements	U/S Tier (2)	AGR and Glades Tiers	Exurban and Rural Tiers
Planting Width for All Sides	8'	10'	12'
Façades to be Planted (3)	Front and sides	Front, sides, and rear	Front, sides, and rear
Length – Percentage of Façade (1)	40%	50% for front and sides 30% for rear	60% for front and sides 40% for rear
Tree, Palm, or Pine (5)	1 per 20 linear feet of the length of the foundation planting area	1 per 20 linear feet of the length of the foundation planting area	1 per 20 linear feet of the length of the foundation planting area
Shrub or Ground Cover	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
Freestanding ATM and Unmanned Retail Structure			
Min. Planting Width	3'	3'	3'
Façades to be Planted (4)	Non-point of service façades	Non-point of service façades	Non-point of service façades
Length – Percentage of Total Length of Non-Point of Service Façades	70%	85%	100%
Small Shrub or Ground Cover	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]			
Notes:			
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]		
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]		
3.	Foundation planting may be relocated to any façade of the same building or structure subject to Table 7.B.4.A, Type 1 Waivers for Landscaping. [Ord. 2018-002]		
4.	For Freestanding ATMs or Unmanned Retail Structures, the façade where the point of service is located shall be exempt from the foundation planting requirement. [Ord. 2018-002]		
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]		

- 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 façade. [Ord. 2018-002]
 - 2) For a building with multiple tenants that has individual primary pedestrian entrances that serve each tenant, the front façade 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]

The diagrams illustrate facade design guidelines for three urban tiers:

- Urban/Suburban Tier:** Shows a house footprint with a central 'Main Pedestrian Entrance' and a 'Rear Façade'. The 'Side Façade' is 40% of the total width. The 'Front Façade' is 40% of the total width. The 'Rear Façade' is 8' high. The 'Main Pedestrian Entrance' is 40% of the total width.
- AGR and Glades Tiers:** Shows a house footprint with a central 'Main Pedestrian Entrance' and a 'Rear Façade'. The 'Side Façade' is 50% of the total width. The 'Front Façade' is 50% of the total width. The 'Rear Façade' is 10' high. The 'Main Pedestrian Entrance' is 50% of the total width.
- Exurban and Rural Tiers:** Shows a house footprint with a central 'Main Pedestrian Entrance' and a 'Rear Façade'. The 'Side Façade' is 60% of the total width. The 'Front Façade' is 60% of the total width. The 'Rear Façade' is 12' high. The 'Main Pedestrian Entrance' is 60% of the total width.

The diagram illustrates the layout of a building footprint. It shows a central area labeled "Tenant A Pedestrian Entrance" at the bottom, with a width of 40% and a height of 8'. Above this area are three smaller rectangular sections labeled "Tenant B", "Tenant C", and "Tenant D", each with a width of 40% and a height of 40%. These three sections are collectively labeled "Pedestrian Entrance". To the right of the central area is a "Loading Area". Arrows indicate the direction of pedestrian flow: three arrows point down from the top towards the "Pedestrian Entrance" area, and one arrow points up from the bottom towards the "Tenant A Pedestrian Entrance". The overall dimensions are marked as "Front Façade" (40%) and "Side Façade" (40%).

The diagram illustrates a building facade layout with the following features and dimensions:

- Side Facade:** The top horizontal facade, with a width dimension of 40%.
- Rear Facade:** The left vertical facade, with a height dimension of 40%.
- Front Facade:** The right vertical facade, with a height dimension of 40%.
- Main Pedestrian Entrance:** Indicated by a blue arrow pointing to the bottom right corner of the main facade.
- Side Facade (Bottom):** The bottom horizontal facade, with a width dimension of 40%.
- Loading Area:** A shaded gray rectangular area on the left side of the building.
- Dimensions:**
 - 40% (width of the top side facade)
 - 40% (height of the rear facade)
 - 40% (height of the front facade)
 - 40% (width of the bottom side facade)
 - 8' (a small vertical dimension on the top right corner)
- Arrows:**
 - Black arrows pointing left from the top left corner.
 - A black arrow pointing down from the top right corner.
 - A blue arrow pointing to the main pedestrian entrance.

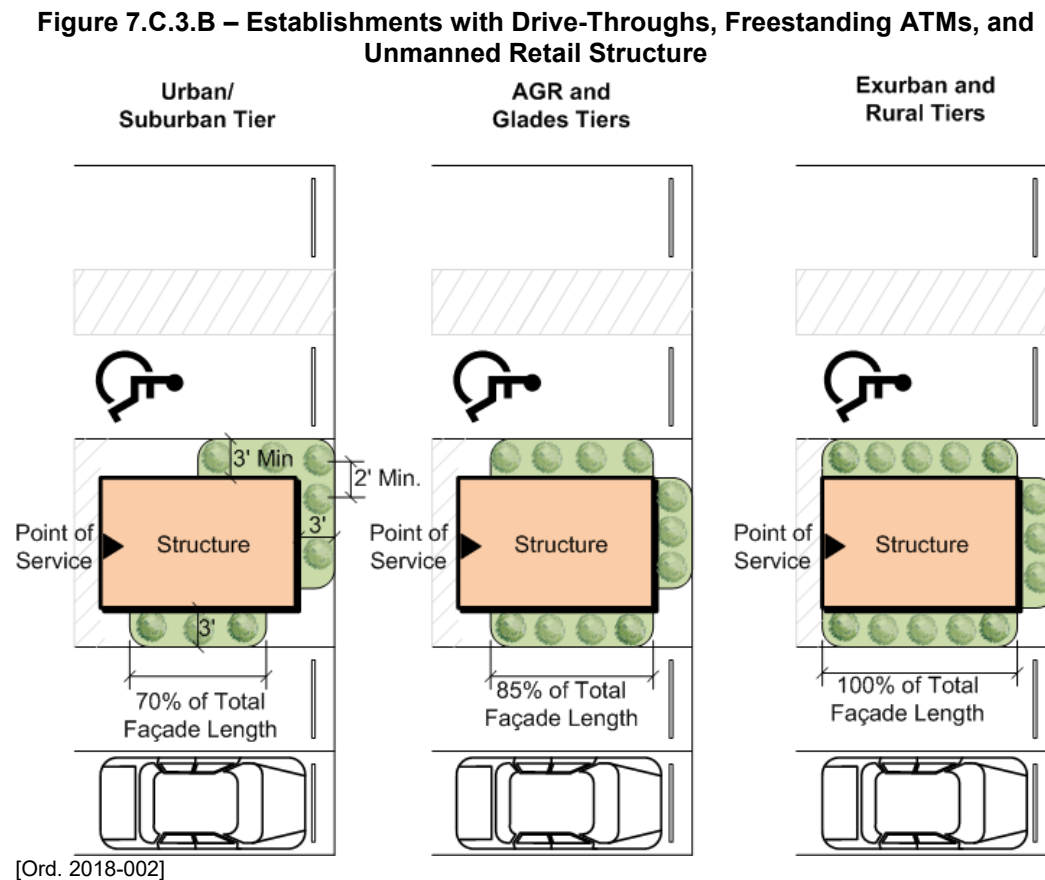
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2. Exemptions

- Agricultural or industrial buildings that are not visible from a public street or residential zoning district. [Ord. 2018-002]
- Buildings which are exempt from local Building Permits or government review pursuant to State or Federal Statutes. [Ord. 2018-002]
- 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. 2017-025] [Ord. 2018-002]
- Properties where the required planting area would overlap a required buffer. [Ord. 2018-002]
- Accessory buildings and structures subject to Zoning Division 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]



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. ch. 655, F.S. ch. 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 façades 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 On-Site Parking

On-site 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, or 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 Tiers

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]

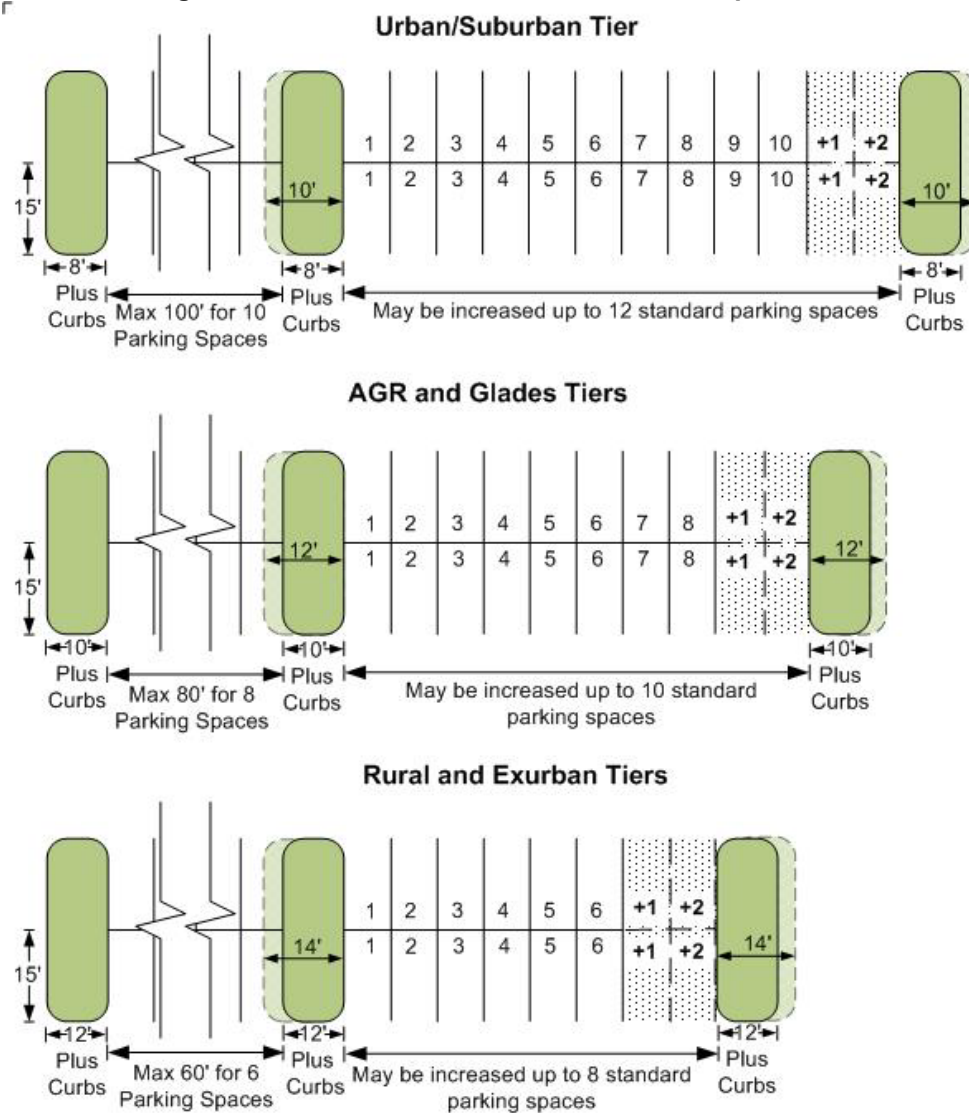
2. Increased Interval of Landscape Islands

The distance between landscape islands may be increased to a maximum of 12 side-by-side parking spaces or five parallel parking spaces or five parallel parking spaces for the U/S Tier, ten side-by-side spaces for the AGR and Glades Tiers, and eight side-by-side 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] [Ord. 2024-020]

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 trees is allowed. [Ord. 2018-002]

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



[Ord. 2018-002]

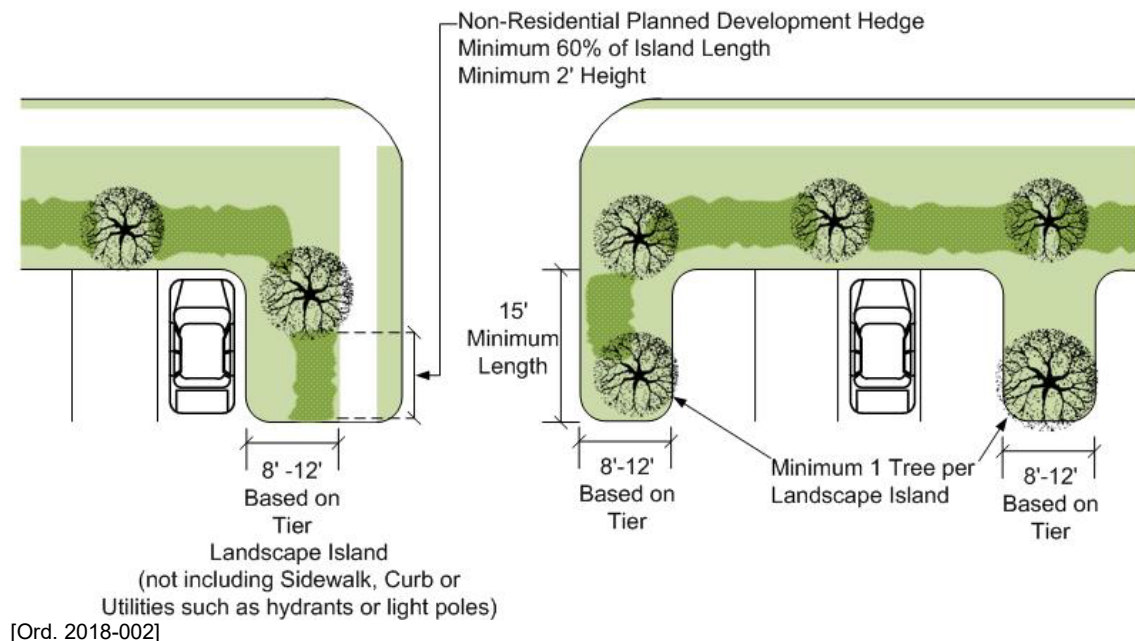
3. Type 1 Waiver for Maximum Spacing

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

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
Landscape Island (4) and Divider Median Min. Dimensions			
Landscape Island Min. Width (1)(3)	8'	10'	12'
Landscape Island Min. Length (3)	15'		
Divider Median Min. Width (1)	10'		
Landscape Diamond (Width x Length)	5'x 5'		
Min. Tree Planting Requirements (2)			
Tree Planting – Landscape Island	1 tree per island		
Tree Planting – Divider Median	1 tree per 30 linear feet		
Landscape Diamond	1 palm per diamond		
Min. Shrub and Ground Cover Planting Requirements			
Ground Cover Planting – Landscape Island (3)	Grass or appropriate ground cover to be planted in island		
Shrub Planting – Divider Median (5)	Medium shrubs planted at 30" on center, and appropriate ground cover		
Landscape Diamond	Appropriate ground cover or tree grate		
[Ord. 2018-002]			
Notes:			
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. [Ord. 2018-002]		
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. [Ord. 2018-002]		
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. [Ord. 2018-002]		
4.	Landscape islands shall not overlap landscape buffers. [Ord. 2018-002]		
5.	Required shrubs may be relocated subject to a Type 1 Waiver for Landscaping. [Ord. 2018-002]		

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]

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

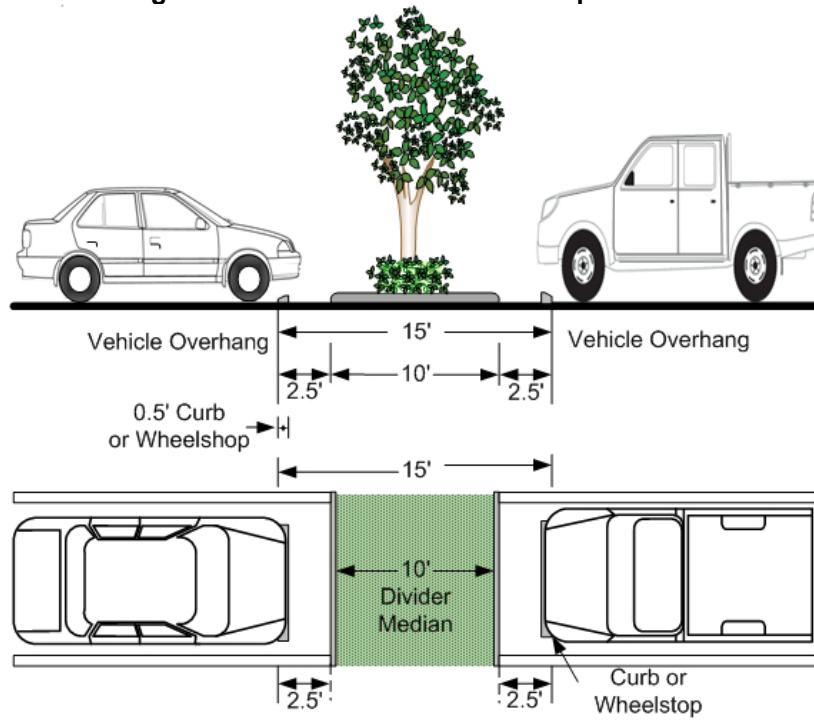
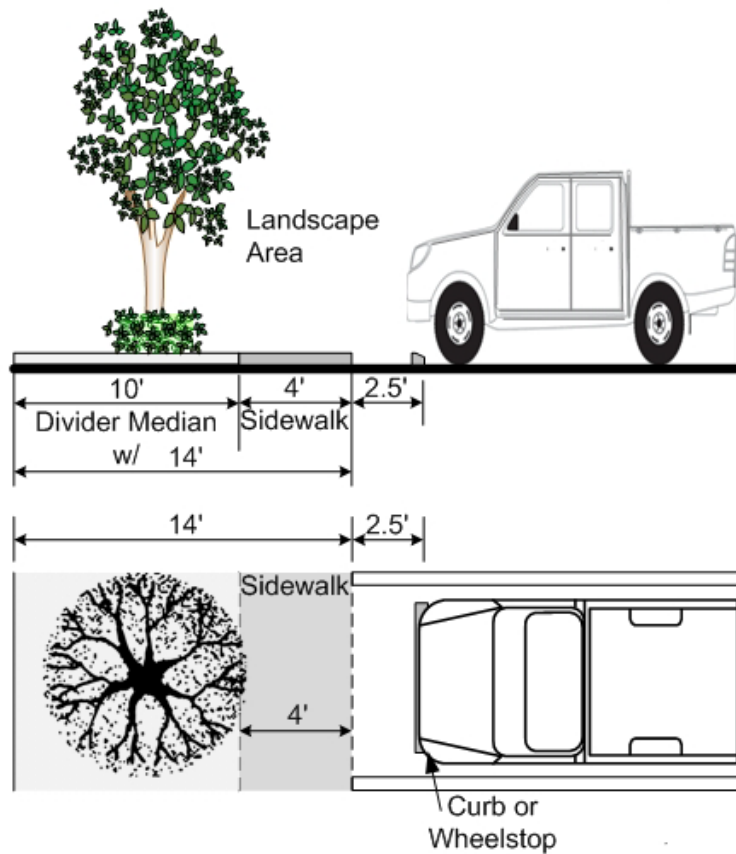


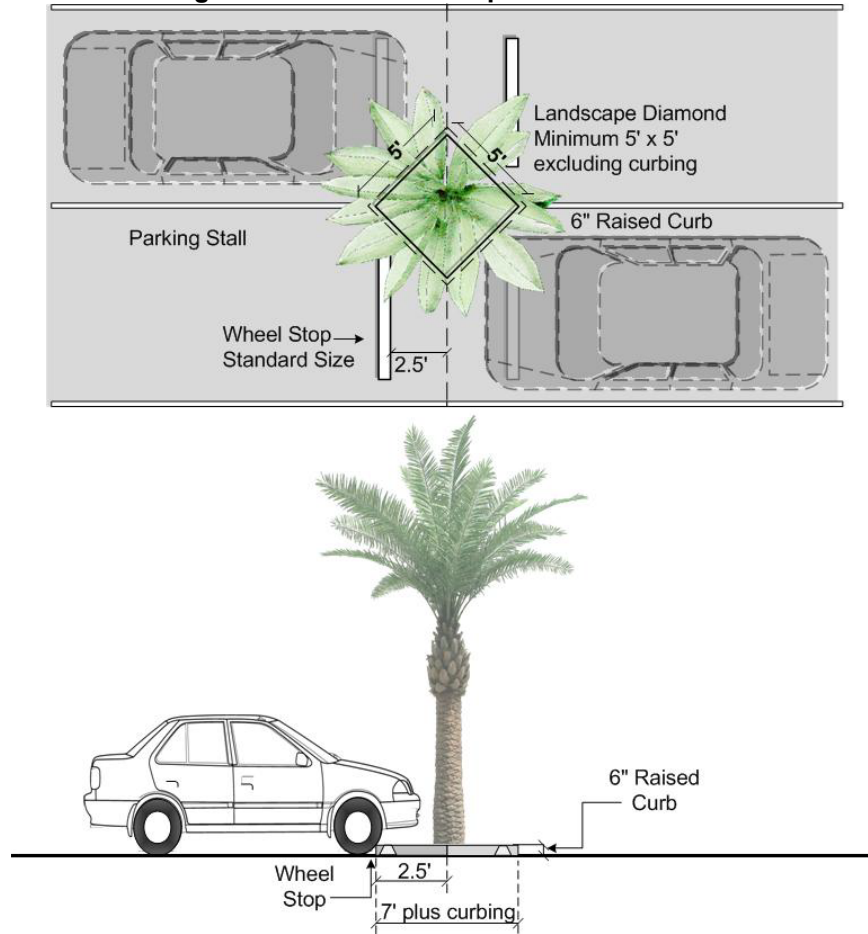
Figure 7.C.4.B – Divider Median Requirements (with Sidewalk)



C. Landscape Diamonds

Landscape diamonds may be distributed throughout the interior of an on-site 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 on-site 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 Agriculture 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, Curbing: [Ord. 2018-002]

- a. AGR, AGR-PUD Preservation Area, 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 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 façade 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 Overlap in Landscape Buffers and On-Site Parking Areas

Underground, above-ground, or overhead utility easements, private utilities without an easement, and drainage areas may overlap a landscape buffer provided the required planting has sufficient area for healthy plant growth, and the required quantity is not reduced. For the purpose of this Section, drainage areas may include: drainage easements, retention or detention areas, and swales, as determined by the Land Development Division. [Ord. 2020-001]

A. Overlap in a R-O-W and Incompatibility Buffers

An easement, private utilities without an easement, drainage area, or a combination thereof may be permitted to overlap by a maximum of five feet, provided there are no Conditions of Approval that prohibit width reduction or easement encroachment into the landscape buffer. [Ord. 2020-001]

1. Underground Utilities

If a wall with a continuous footer is proposed, a minimum of ten feet of clear planting area is required from the footer, and the buffer width shall be increased to accommodate the wall and the required planting. 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 on the Zoning Plans prior to the application for Building Permit. [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-001]

2. Overhead Utilities

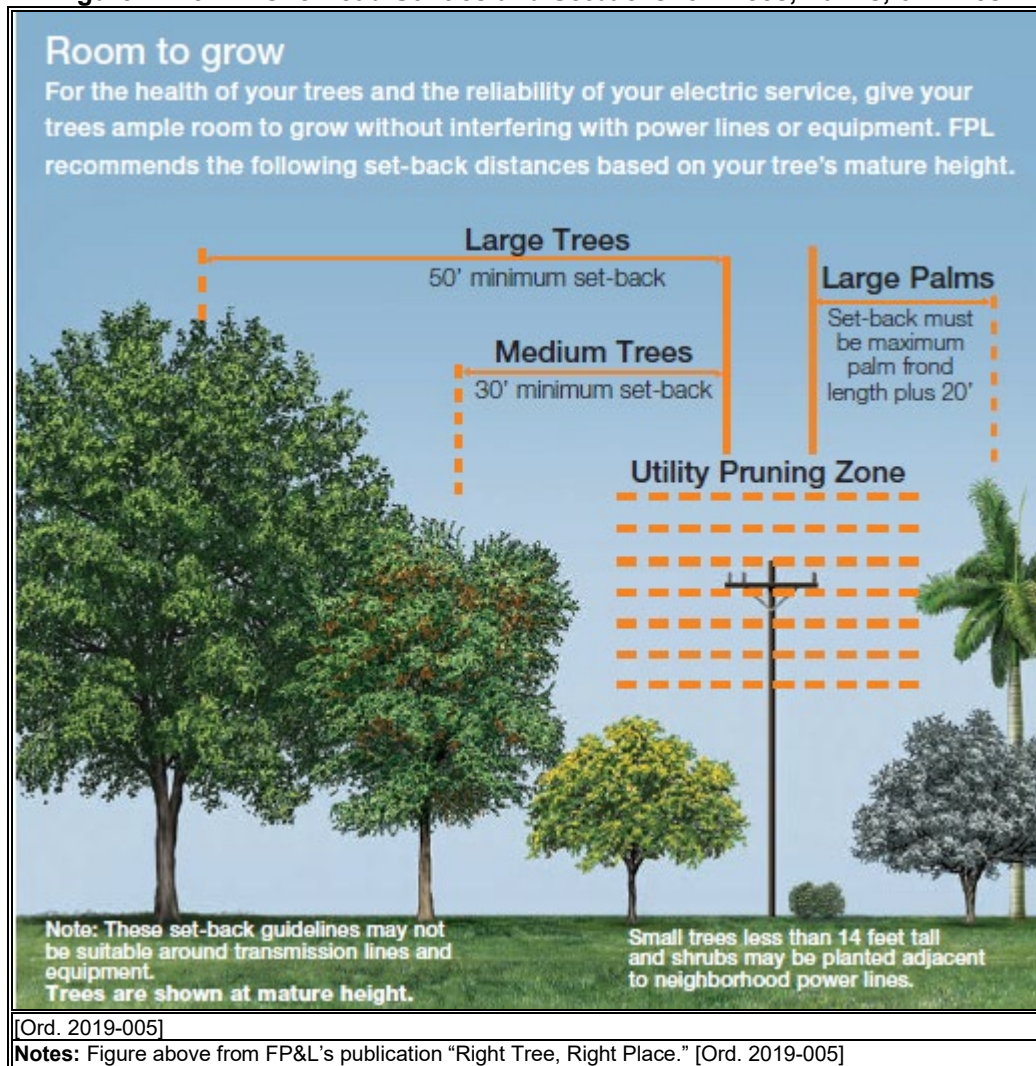
Vegetation that is planted within or abutting any easement with overhead utilities shall comply with the planting and maintenance requirements in FP&L's publication "Right Tree, Right Place," available from the Zoning Division. The Applicant shall take into consideration the mature height and spread of the species beneath or adjacent to overhead utilities. For the purpose of this Section, the term "vegetation" shall include, trees, palms, or pines. Where overhead utilities exist, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from overhead lines. [Ord. 2019-005]

a. Planting near Overhead Electric Utilities

The setbacks shall be measured from the centerline of the trunk to the outer edge of the overhead utility lines. The following minimum setbacks shall apply: [Ord. 2019-005]

- 1) Vegetation that at a mature height may grow to 50 feet or greater shall be planted at least 50 feet away from overhead electric utility lines; [Ord. 2019-005]
- 2) Vegetation that at a mature height may grow to between 14 to 49 feet shall be planted at least 30 feet away from overhead electric utility lines; [Ord. 2019-005]
- 3) Palms shall be planted at least 20 feet plus the maximum palm frond length away from overhead electric utility lines; and, [Ord. 2019-005]
- 4) Only vegetation that at a mature height grow to less than 14 feet shall be permitted to be planted underneath or adjacent to overhead electric utility lines. [Ord. 2019-005]

Figure 7.C.5.A – Overhead Utilities and Setbacks for Trees, Palms, or Pines



b. Transformer Cabinet in the Overhead Electric Utilities Easement

Planting around transformer cabinet shall be set back from the cabinet a minimum of eight feet on the front and three feet on the sides and rear. [Ord. 2019-005]

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

Detention or retention areas, drainage easements, and swales, may overlap required landscape buffers. The required planting for the landscape buffer may be installed in the detention or retention areas, swales, or drainage easements subject to the mutual agreement and approval of the Directors of Zoning and Land Development Divisions, and any applicable Agencies or easement holders. [Ord. 2006-004] [Ord. 2016-042] [Ord. 2018-002] [Ord. 2020-001]

4. Type 1 Waiver for Landscaping

Required plants, which are overlapped by an easement, may be planted elsewhere on the same site subject to Art. 7.B.4, Type 1 Waiver for Landscaping. [Ord. 2018-002] [Ord. 2018-018] [Ord. 2020-001]

B. Easements in On-Site Parking Areas

1. Underground Utilities

Utility easements may encroach landscape islands provided there is a sufficient area for the growth of the required tree within the same island. The width and length of the island may be increased by the minimum amount necessary to meet the separation requirements of the utility providers, indicated below. [Ord. 2018-018]

a. PBC Water Utilities Separation

A minimum of ten feet shall be provided, by measuring from the outer edge of the pipes to the edge of the pit where the tree is to be planted. The Department of Water Utilities (WUD) may allow the separation distance be reduced to seven feet if tree root barriers are installed. [Ord. 2018-018] [Ord. 2019-005]

b. Fire Rescue Utility Separation

A minimum of five feet shall be provided, measuring from the outer edge of the fire hydrant to the pit where the tree is to be planted. [Ord. 2018-018]

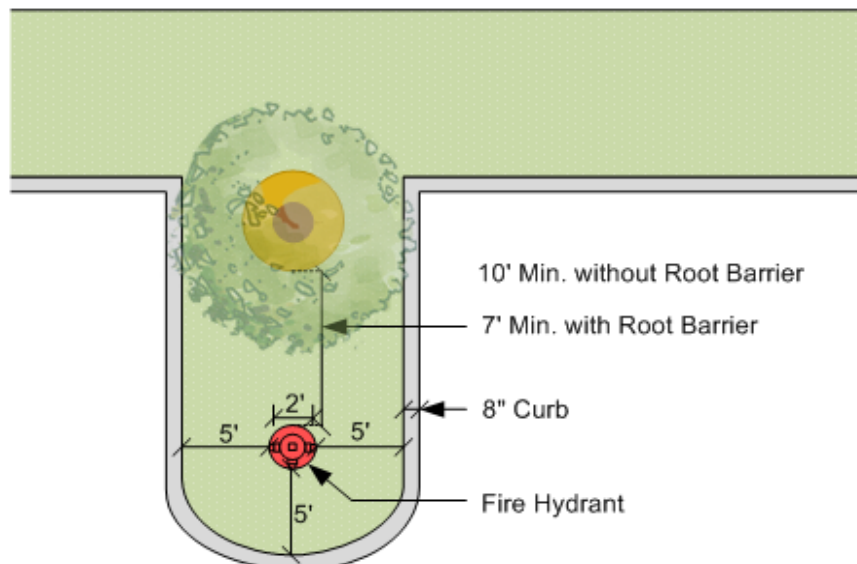
c. Existing Utilities

For sites where existing underground utilities are encroaching into landscape islands, and there is not a sufficient area for the growth of the required tree within the same island, the relocation of the required tree may be requested subject to a Type 1 Waiver for Landscaping. [Ord. 2018-018]

d. Other Utility Authorities – Root Barrier and Separation Requirement

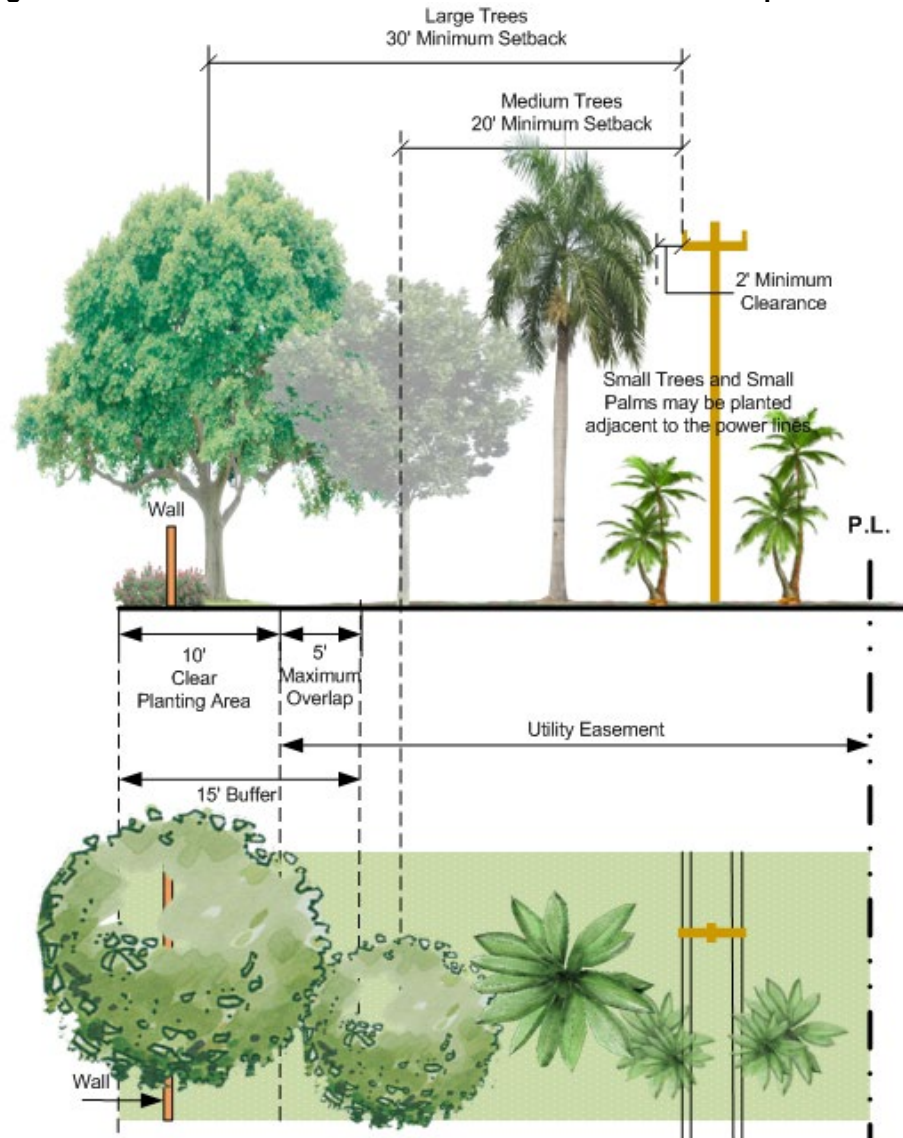
Proposed landscaping near non-PBC utilities shall be subject to that utility's separation requirements. [Ord. 2018-018]

Figure 7.C.5.B – Easements in On-Site Parking Areas



[Ord. 2018-018]

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 (LMEs)

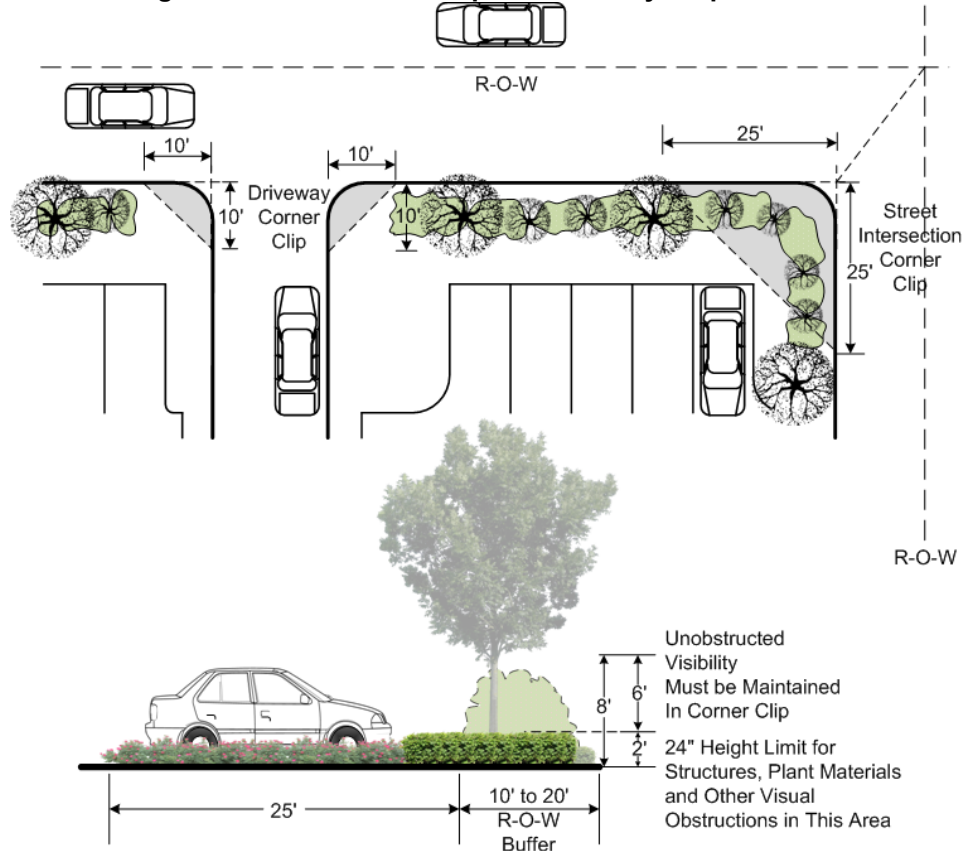
Planting of new trees or relocation of native, non-prohibitive, or specimen vegetation may occur in the LME subject to the approval by the ERM Department and Land Development Division. [Ord. 2016-042] [Ord. 2018-002]

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]

- An area of unobstructed visibility shall be maintained between 30 inches and eight feet above the crown of the adjacent roadway. [Ord. 2018-002]
- 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]
- 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]

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/Exurban 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/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]

B. Foundation Planting

Foundation planting shall meander along building façade, and shall not be entirely located at the base of the building. 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. 2005-002] [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 50 percent of the required buffer width. [Ord. 2005-002] [Ord. 2018-002]

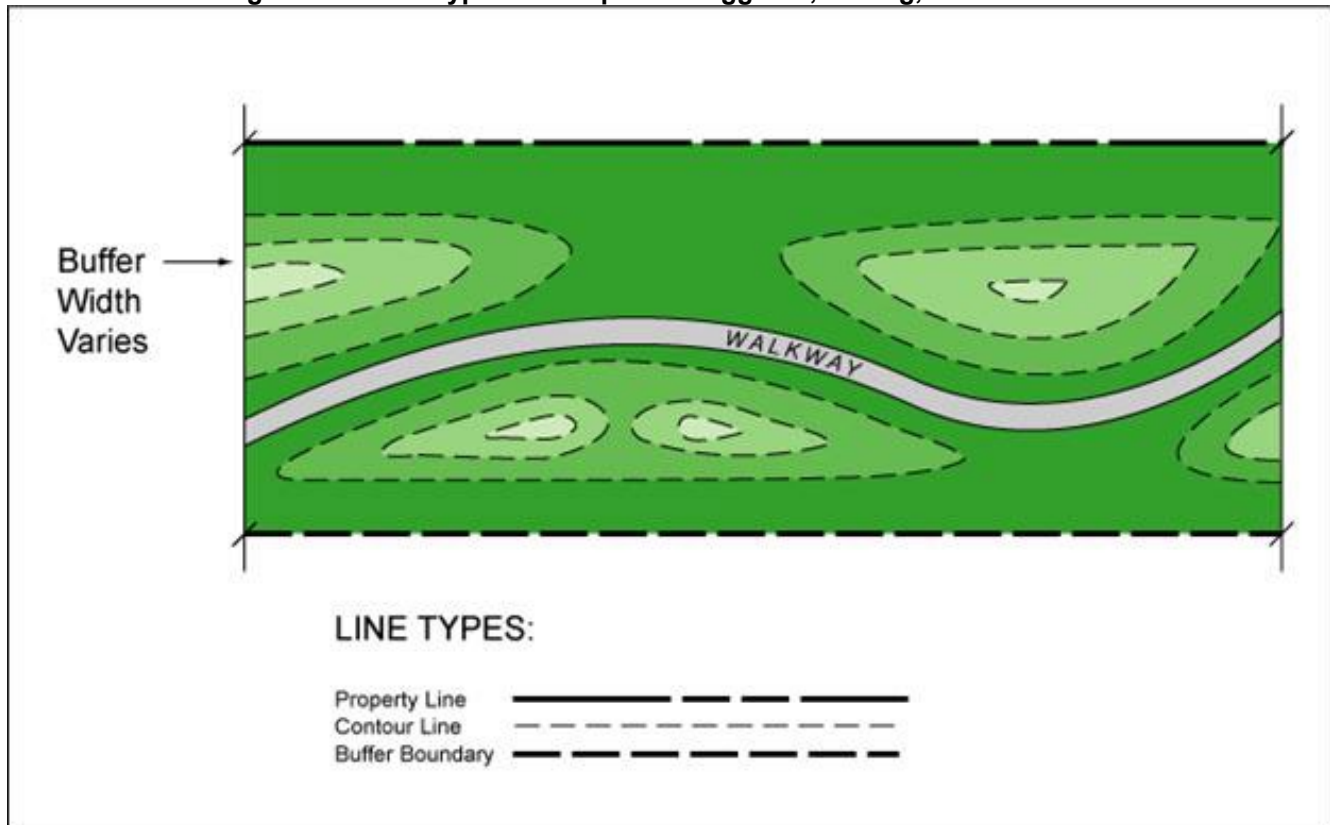
D. Perimeter Sidewalk

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.7.E, Typical Example of Staggered, Rolling, or Offset Berm. [Ord. 2005-002] [Ord. 2018-002]

Figure 7.C.7.E – Typical Example of Staggered, Rolling, or Offset Berm



[Ord. 2005-002]

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 – Plant Materials Database, As Amended, 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, unless stated otherwise below. [Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002] [Ord. 2019-005]

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]

2. Overhead Utilities with or without an Easement

- May be exempt from Art. 7.D.2.A.1, Average Height; [Ord. 2019-005]
- Shall be a minimum of eight feet in height at installation and comply with Art. 7.C.5.A.2, Overhead Utilities; and, [Ord. 2019-005]
- Shall comply with FP&L's publication "Right Tree, Right Place." [Ord. 2019-005]

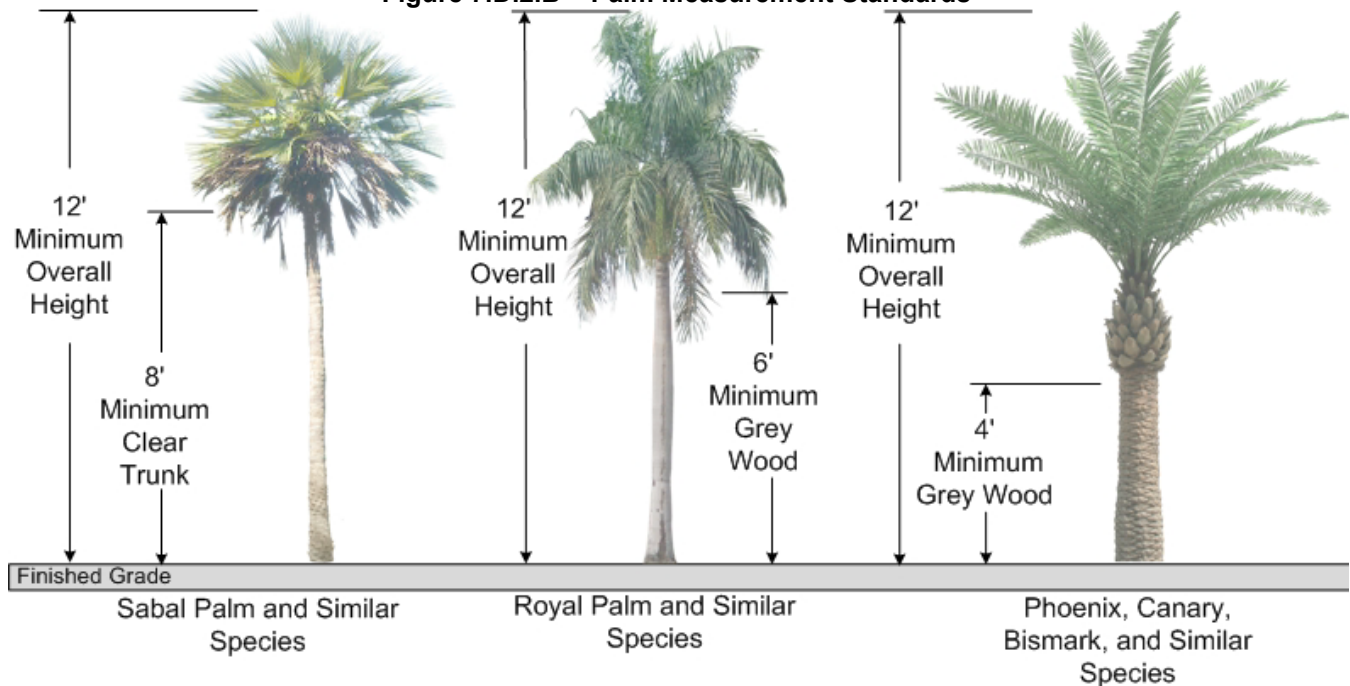
B. Palms

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 (1)

Min. Height	8' clear trunk for Sabals and similar species
	6' grey wood for Royals and similar species
	4' grey wood for Phoenixes, Canary, Bismarck, and similar species
[Ord. 2016-042] [Ord. 2018-002] [Ord. 2019-005]	
Notes:	
1.	May be exempt from the minimum overall height, where there are adjacent overhead utilities with or without an easement, and shall comply with FP&L's publication "Right Tree, Right Place." [Ord. 2019-005]

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



[Ord. 2018-002]

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 feet in height with a two and one-half-inch caliper at installation. [Ord. 2014-025] [Ord. 2016-042]

1. Canopy Tree Substitute

- 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]
- 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. 2014-025]

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	Min. 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]

- Table 7.C.2.A, R-O-W Buffer Landscape Requirements, Table 7.C.2.B, Compatibility Buffer Landscape Requirements, and Table 7.C.2.C, Incompatibility Buffer Landscape Requirements for quantity requirements; and [Ord. 2009-040] [Ord. 2018-002]
- 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	Min. Height at Installation (Size)	Max. Spacing at Installation	Max. Maintained Height (1)
Ground Cover	6"	6"	N/A
Small Shrubs	18"	24"	36"
Medium Shrubs	24"	48"	48"
Large Shrubs	36"	48"	72"
[Ord. 2009-040] [Ord. 2018-002]			
Notes:			
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]

A. Hedges

1. Height and Spacing at Installation

Hedge shall be planted at a minimum of 36 inches in height for a minimum mature height of six feet 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] [Ord. 2024-004]

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 six feet in height in AR/RSA zoning, and four feet in height in all other residential zoning districts, when located within the required front setback. [Ord. 2005-002] [Ord. 2014-025] [Ord. 2018-002] [Ord. 2024-004]
- 2) Hedges shall not exceed ten 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] [Ord. 2024-004]

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 Art. 7.D.4.A.3.b, 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 the 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]

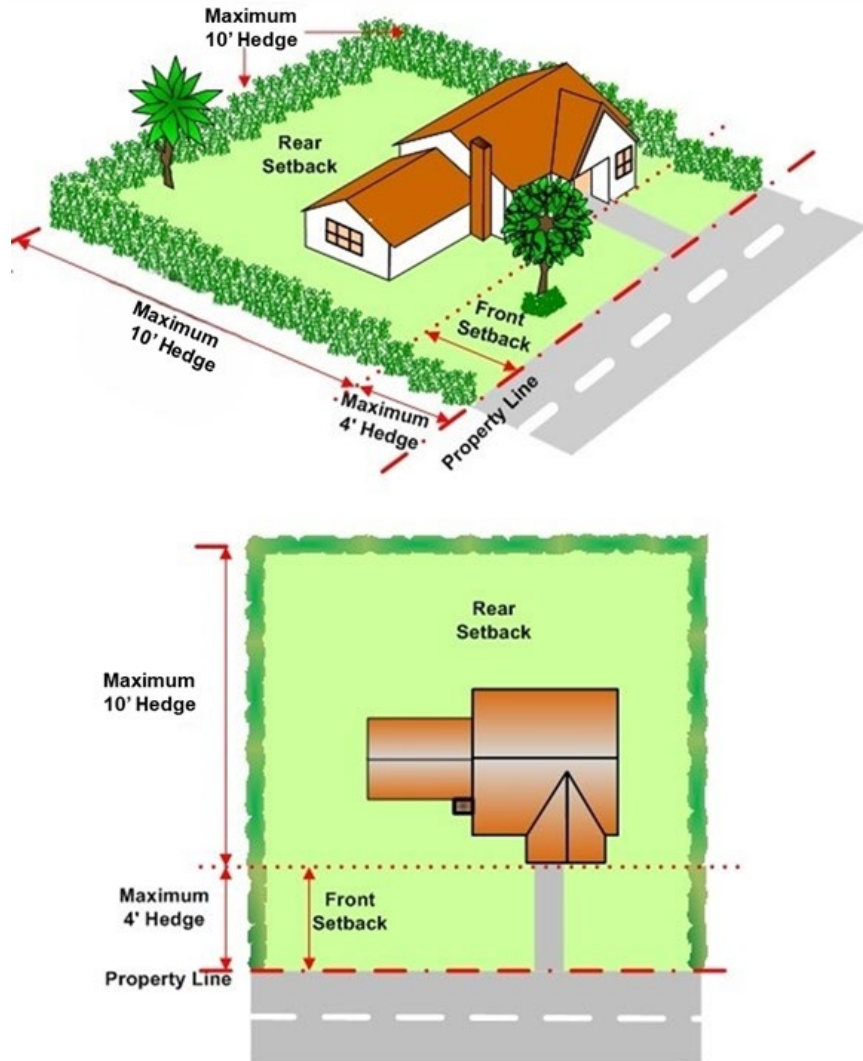
4. Setback

Hedges shall be set back 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]

5. Sight Distance

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

Figure 7.D.4.A – Maximum Hedge Height, except AR/RSA



[Ord. 2005-002] [Ord. 2015-006] [Ord. 2024-004]

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]

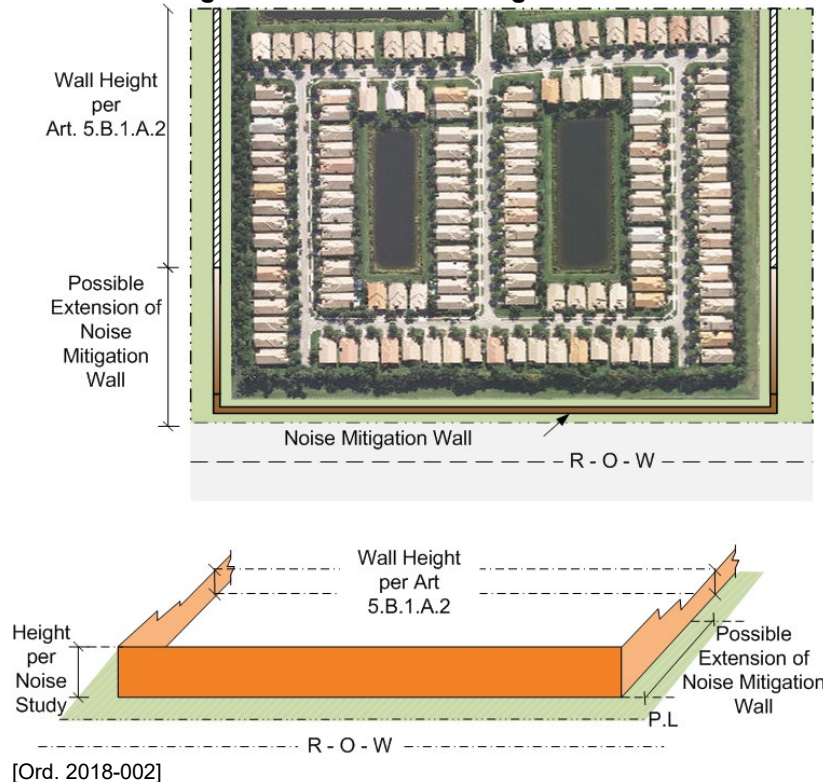
1. Architectural Treatment

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 Florida's 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 addition, in the AR/RSA Zoning District, rail and wire fencing may be used. [Ord. 2018-002] [Ord. 2024-004]

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 that are utilized in a landscape buffer should have sufficient area with minimum easement encumbrances for planting on both sides of the wall or fence. [Ord. 2018-002] [Ord. 2019-005]

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. [Ord. 2013-018] [Ord. 2018-002]

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

Min. Requirements	R-O-W	Incompatibility	Compatibility
Setback for the Wall or Fence	10' from the edge of the ultimate R-O-W or base building line, whichever is applicable (1)	10' from the edge of the property line	No setback required Allowed to be located along the property line or inner edge of the buffer
Planting Width	7.5' on both sides of the wall or fence, or 10' if a wall with continuous footer is used (2)(3)	7.5' on both sides of the wall or fence, or 10' if a wall with continuous footer is used (2)(3)	7.5' on one side of the fence If a wall is installed, 10' on one side of the wall (2)(3)
Berm	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
Canopy Tree Planting	75% of required trees shall be located along the exterior side of the wall or fence (4)	75% of required trees shall be located along the exterior side of the wall or fence (4)	No percentage requirement
Shrub Planting	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
[Ord. 2018-002] [Ord. 2019-005]			
Notes:			
1.	Unless waived or reduced by the County Engineer, provided there remains a minimum of seven and one-half feet clear for planting. [Ord. 2018-002]		
2.	No easement encumbrances. [Ord. 2018-002]		
3.	If a wall is installed, the minimum width of the landscape buffer shall be increased to have sufficient area for the required planting. [Ord. 2018-002]		
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. [Ord. 2018-002]		

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. 5.F.2.A, Easement Encroachment. [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

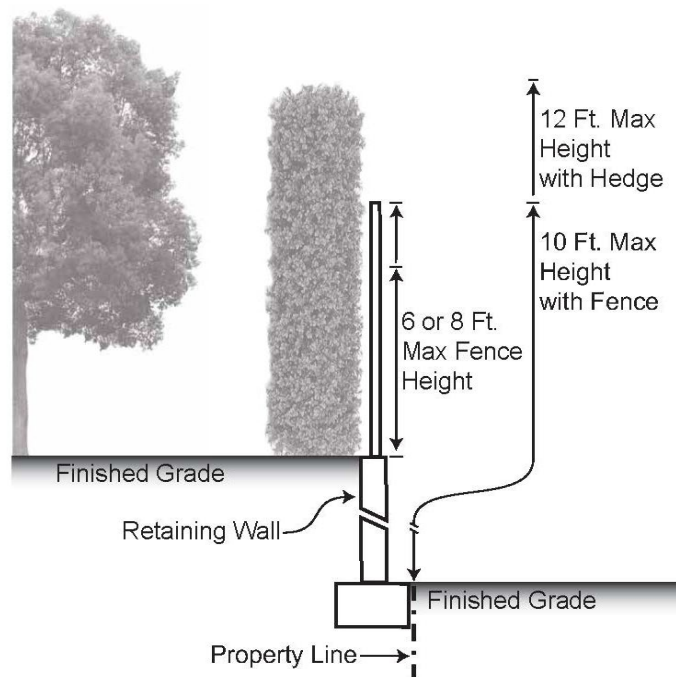
1. Fences

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.D.5.B, 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 Measurement. A guardrail shall be installed on the retaining wall if required by the Florida Building Code, subject to the height limitations for fences and walls. [Ord. 2016-016] [Ord. 2018-002]

Figure 7.D.5.B – Height Requirements for Compatibility Buffers with Grade Changes Using Retaining Walls



[Ord. 2016-016]

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]

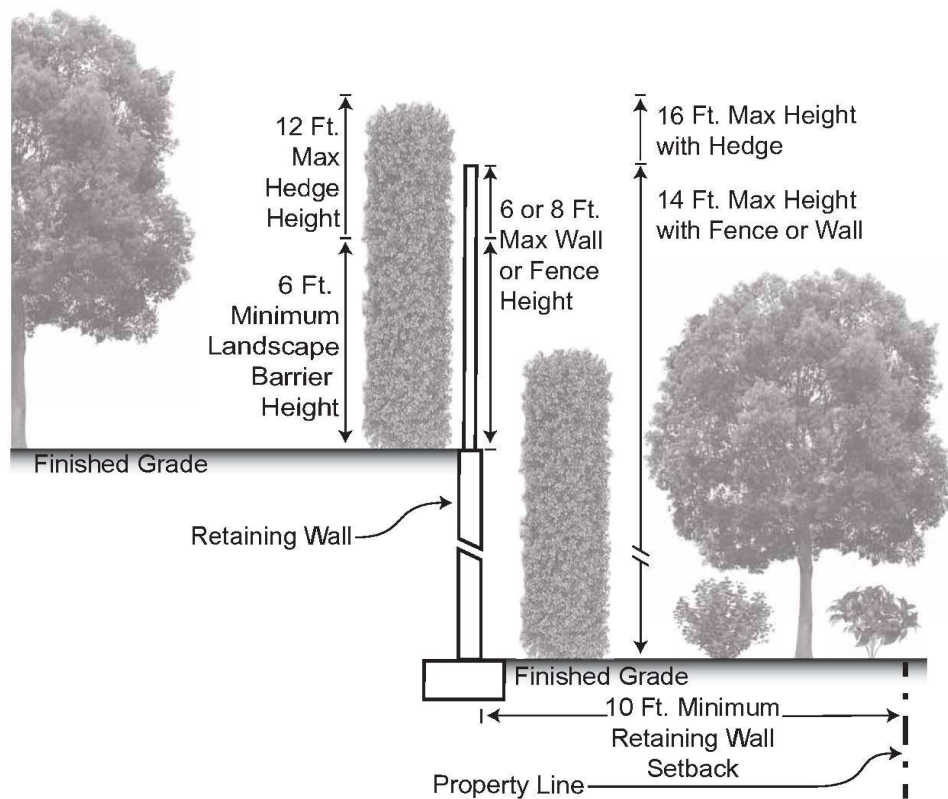
1. Fences and Walls

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 set back 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 the Florida Building Code, subject to the height limitations for fences and walls. [Ord. 2016-016] [Ord. 2018-002]

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 Reserve, or Glades Tiers, unless approved through a Type 1 Waiver for Landscaping 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.6, 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]

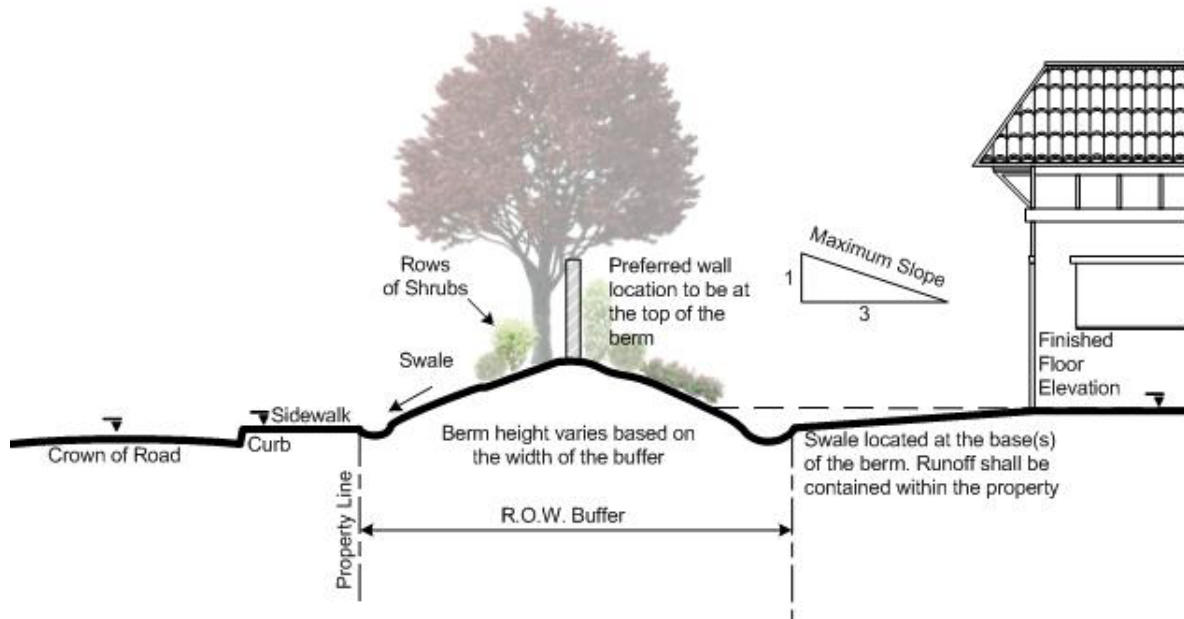
D. Incompatibility Buffer

Incompatibility Buffers, as illustrated in Figure 7.D.6, 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.6 – 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 species that will create an environmental impact shall be discouraged for application. Sand, gravel, shell rock, 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 months 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. The application of cypress mulch shall be discouraged. [Ord. 2016-042] [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 it 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 this Article, existing native vegetation includes native trees, palms, and pines and shall be incorporated with the vegetation required pursuant to this Article 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] [Ord. 2021-023]

- A. The effectiveness of utilizing the existing vegetation as visual screening and reestablish 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 and ERM to address the preservation of native vegetation and to resolve design issues to the greatest extent, without impacting the timeline for certification or approval of the application. Staff shall conduct a site visit with the Applicant to determine whether the existing vegetation is worthy of preservation, whether the vegetation falls under Zoning or ERM authority, and inform the Applicant of the necessary application requirements, including a Vegetation Survey to be submitted as part of the Zoning application. Vegetation that has been determined to be under the authority of ERM, shall be subject to the requirements of Art. 14.C, Vegetation Preservation and Protection. [Ord. 2018-002] [Ord. 2021-023]

B. Review and Permit Procedures

The Zoning Division shall review 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] [Ord. 2021-023]

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 3, Landscaping, Chapter C, Existing Native Vegetation – Preservation 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 Credit and Replacement

This Section clarifies when existing vegetation can be utilized to satisfy Art. 7.C, Landscape Buffer and Interior Landscaping Requirements and Art. 7.D, Landscape Standards. In addition, this Section also establishes requirements for quantity and size for replacement. Replacement of vegetation may be required due to injury, damage, or removal, which includes: improper pruning, hatracking, or other actions that render existing vegetation unable to achieve its natural and intended form. The quantity and the size of the replaced vegetation is based on the size of the individual vegetation at the time when the vegetation was injured, damaged, or removed. For the purpose of this Section, the term “vegetation” shall include trees, palms, or pines. [Ord. 2018-002] [Ord. 2019-005]

A. Vegetation Credit

Credit to satisfy Art. 7.C, Landscape Buffer and Interior Landscaping Requirements, and Art. 7.D, Landscape Standards shall be granted for on-site preservation of existing vegetation when accompanied by an approved Vegetation Survey with a Vegetation Disposition Chart, and indicated on the Final Landscape Plan or Final ALP. [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]

1. Approval

The credited vegetation shall be approved by both the Department of ERM and the Zoning Division. The Vegetation Survey, Vegetation Disposition Chart, and Final Landscape or Final ALP shall clearly identify which vegetation is being preserved to satisfy the requirements of this Article. [Ord. 2020-001]

2. Excluded from Credit

Credits shall not be permitted for vegetation: [Ord. 2018-002] [Ord. 2019-005]

- a. Required for preservation by Art. 14.C, Vegetation Preservation and Protection (i.e., located in required preservation areas, heritage, or champion trees);
- b. Irreparably damaged during the construction process; [Ord. 2018-002] [Ord. 2019-005]
- c. Classified as prohibited or invasive non-native species as defined in Art. 14.C, Vegetation Preservation and Protection; [Ord. 2018-002]
- d. Dead, dying, diseased, or infested with harmful insects; or, [Ord. 2018-002]
- e. Located in a sub-area 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]

B. Replacement

Required vegetation, landscape barriers, or ground treatment that become damaged, diseased, removed, or are dead shall be immediately replaced, and where specified, are subject to the Vegetation Removal and Replacement Permit process. Replacement shall comply with the following: [Ord. 2005-002] [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]

1. Trees shall be in accordance with Table 7.E.3.C, Vegetation Credit and Replacement, and subject to the Tree Removal and Replacement Permit pursuant to Art. 7.B.5, Tree Removal and Replacement. [Ord. 2019-005] [Ord. 2020-001]
2. Shrubs shall be in accordance with the original size as required under each type of buffer consistent with this Article or Conditions of Approval. [Ord. 2019-005]
3. A wall or fence shall be in accordance with the original height, and the same construction material as required under each type of buffer consistent with this Article or Conditions of Approval, and subject to a permit approval process. [Ord. 2019-005]
4. A hedge shall be in accordance with the original height as required under each type of buffer consistent with this Article or Conditions of Approval, where applicable. [Ord. 2019-005]
5. Ground treatment shall be in accordance with Art. 7.D.7, Ground Treatment or Conditions of Approval, where applicable. [Ord. 2019-005]

C. Vegetation Credit and Replacement Formula

Existing vegetation that is given credit towards required vegetation, or for the purpose of a replacement shall be subject to the following Table. In addition, the size of the credited or replaced vegetation shall be in compliance with the size requirements pursuant to Art. 7.D.2, Trees, Palms, and Pines. [Ord. 2019-005]

Table 7.E.3.C – Vegetation Credit and Replacement

Tree or Pine Diameter at 4.5' Above Grade (1)(2)(3)	=	Quantity for Credits or for Replacements (4)
< 2"	=	0
2-6"	=	1
7-11"	=	2
12-16"	=	3
17-21"	=	4
22-26"	=	5
27-31"	=	6
32-36"	=	7
≥ 37"	=	8
[Ord. 2014-025] [Ord. 2016-042] [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]		
Notes:		
1.	Fractional measurements shall be rounded in accordance with Art. 1.C.1.A.2, Interpretation and Application. [Ord. 2018-002] [Ord. 2020-001]	
2.	Pines with a diameter of six inches or more, measured at a height of four and one-half feet above grade shall be subject to preservation, mitigation, or replacement. [Ord. 2019-005]	
3.	Quantity: replacement of palms shall be one for one. [Ord. 2019-005]	
4.	Replacement of vegetation for sites found in violation with irreparable or irreversible harm shall be pursuant to Art. 7.G.3.C, Corrective Actions. [Ord. 2020-001]	

1. Natural Disaster Replacement

The replacement standards of vegetation damaged by natural disaster, as determined by the Executive Director of PZB, pursuant to Art. 7.G.2, Temporary Suspension of Landscape Standards, shall be subject to the following, unless exempt by F.S. § 163.045. [Ord. 2020-001]

- a. Each tree, palm, or pine that has been damaged by a natural disaster, and impacts the life of the vegetation, shall be replaced by a similar tree, palm, or pine, and subject to the following: [Ord. 2019-005] [Ord. 2020-001]
 - 1) Quantity – one for one; [Ord. 2019-005] [Ord. 2020-001]
 - 2) Size – pursuant to Art. 7.D.2, Trees, Palms, and Pines, or a size specified pursuant to DO Conditions of Approval; [Ord. 2019-005] [Ord. 2020-001]
 - 3) Timing – replacement shall be completed in accordance with the dates established by the Executive Director of PZB, pursuant to Art. 7.G.2, Temporary Suspension of Landscape Standards; and, [Ord. 2020-001]
 - 4) Documentation shall be provided by an Applicant when utilizing these reduced standards, or if there are any modifications from the previously approved Final Landscape Plan or Final ALP, and shall be indicated on a revised Planting or Landscape Plan, whichever is applicable. [Ord. 2020-001]

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 and 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 Property Maintenance Code, Chapter 14, Article I of the PBC 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 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] [Ord. 2020-001]

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 Plan

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 American National Standards Institute (ANSI) A300, 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] [Ord. 2020-001]

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) A300 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.E.3.C, Vegetation Credit and Replacement. [Ord. 2014-025] [Ord. 2020-001]
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, or 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 tree 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 are exempt from these pruning standards: [Ord. 2020-001]

1. Vegetation affected by FAA and airport safety regulations, to the extent required to comply with these regulations. [Ord. 2020-001]
2. Vegetation that interfere with corner clips, utility lines, or utility structures, to the extent required to comply with regulations for these areas or structures. [Ord. 2020-001]
3. Vegetation that have insect or disease damage, crown dieback, or decay greater than one-third of the tree canopy. [Ord. 2020-001]
4. Vegetation that have suffered damage due to natural or accidental causes. [Ord. 2020-001]
5. Vegetation on Single Family lots unless pruned by a commercial tree service business, landscape company, lawn service business, or other related businesses. [Ord. 2020-001]
6. Vegetation in botanical gardens or botanical research centers. [Ord. 2020-001]
7. Vegetation under DOT, DEPW, and FP&L management. [Ord. 2020-001]
8. Vegetation pruned in accordance with F.S. § 163.045. [Ord. 2020-001]

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 reused 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 reused 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 Purpose

This Chapter establishes enforcement procedures to ensure compliance with the ULDC and applicable DOs. [Ord. 2019-005]

Section 2 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 timeframe 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 3 Enforcement

Failure to install or maintain landscape requirements, or when vegetation has irreparable or irreversible harm, shall constitute a violation of the Code or a DO. PZB may issue a cease and desist order or withhold a CO or Certificate 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. [Ord. 2019-005] [Ord. 2020-001]

A. Violations

The following deficiencies shall be considered a separate and continuing violation of this Article or a DO: [Ord. 2019-005]

1. Each required tree, palm, pine, or other vegetation not properly installed or maintained shall be considered a separate and continuing violation of the ULDC or applicable DO. Each row of shrubs and ground treatment shall be considered as a separate and continuing violation. Each wall or fence not properly installed or maintained shall be considered a separate and continuing violation. [Ord. 2019-005]
2. Each required tree, palm, pine, or other vegetation that has irreparable or irreversible harm. [Ord. 2020-001]
3. Each day in which required vegetation is not properly installed or properly maintained on site as required by this Section or by the order of the Special Master. [Ord. 2018-002] [Ord. 2019-005] [Ord. 2020-001]

B. Determining Extent of the Violation

1. Code Enforcement Staff receives a complaint of non-compliance of the Code or DO; [Ord. 2020-001]
2. Zoning Division Staff shall conduct a site inspection with the Code Enforcement Staff to assess if there is a violation of the Code or any DO, which may include Conditions of Approval that requires vegetation to be installed at a larger size, or a previously approved Landscape Plan or ALP. The assessment will confirm if the violation is reparable or if there is irreparable or irreversible harm pursuant to the definition of Art. 1.H.2.I.32, Irreparable or Irreversible Harm; and, [Ord. 2020-001]
3. If it is determined by Staff that there is a violation, then the Zoning Staff shall provide a recommendation for compliance and Code Enforcement Staff shall issue a Notice of Violation (NOV) to the Property Owner to correct the violation. [Ord. 2020-001]

C. Corrective Actions

PBC shall determine appropriate corrective actions, including, but not limited to Code Enforcement proceedings, the requirement to obtain an after-the-fact permit(s), the replacement of landscape material, and the requirement to amend the applicable Landscape Plan or DO pertaining to the property. [Ord. 2019-005] [Ord. 2020-001]

1. Reparable

For improper pruning or hatracking violations that are deemed reparable, the corrective action shall be based upon Staff inspection of the site and assessment of the violation and damage. The violation shall be corrected by implementing proper pruning practices in accordance to ANSI A300 standards. One or more monitoring site inspections may be required to confirm the damaged vegetation is being properly pruned over time to ensure prior balance in regrowth of the canopy or form. Repeated violations shall be processes pursuant to Art. 10.B, Enforcement by the Code Enforcement Special Masters. [Ord. 2020-001]

2. Irreparable/Irreversible Harm

For a violation that is deemed irreparable or irreversible damage to the vegetation, the violation shall be corrected by the removal of the damaged vegetation and stump, and replacement of the vegetation utilizing one or a combination of the following two options: [Ord. 2020-001]

a. Additional Quantity Option

Utilize Table 7.G.3.C, Violation of Vegetation Replacement to establish the quantity and the individual replacement size pursuant to Art. 7.D.2, Trees, Palms, and Pines. This option may require planting additional trees, palms, or pines. [Ord. 2020-001]

- 1) If the property has a prior approved Landscape Plan, ALP, or a DO that depicts the location of the vegetation, the approval shall be revised to show the new location of the additional vegetation. [Ord. 2020-001]
- 2) If the property is subject to Conditions of Approval requiring larger size trees, palms, or pines, the size of the replacement vegetation shall be in compliance with the conditions, and the vegetation shall be installed in the same or approximate location where the original vegetation was shown on the approved Landscape Plan or ALP. If additional vegetation is required to be planted on the property as a result of this option, then additional sanctions will be placed. [Ord. 2020-001]
- 3) If a tree or pine is removed with only the stump remaining, the following formula shall be utilized to determine the size of the removed tree or pine. [Ord. 2019-005]
 - a) measure the diameter of the tree or pine stump and reduce the measurement by 25 percent; and [Ord. 2019-005]
 - b) replacement of the quantity of the tree or pine shall be based on the reduced diameter measurement, and subject to, the requirements of Table 7.G.3.C, Violation of Vegetation Replacement for estimating the number of trees or pines to be replaced. [Ord. 2019-005]

Table 7.G.3.C – Violation of Vegetation Replacement

Tree or Pine Diameter at 4.5' Above Grade (1)(2)(3)	=	Quantity for Credits or for Replacements
< 2"	=	2
2-6"	=	3
7-11"	=	4
12-16"	=	5
17-21"	=	6
22-26"	=	7
27-31"	=	8
32-36"	=	9
≥ 37"	=	10
[Ord. 2020-001]		
Notes:		
1.	Fractional measurements shall be rounded in accordance with Art. 1.C.1.A.2, Interpretation and Application. [Ord. 2020-001]	
2.	Pines with a diameter of six inches or more, measured at a height of four and one-half feet above grade shall be subject to preservation, mitigation, or replacement. [Ord. 2020-001]	
3.	Quantity: replacement of palms shall be one for one. [Ord. 2020-001]	

b. Same Quantity and Larger Size Option

The option allows the Property Owner to install larger size vegetation to replace irreparable or irreversible vegetation. The replacement quantity may be one for one only if the size of each replacement tree, palm, or pine exceeds the minimum size by 20 percent of the size indicated in Art. 7.D.2, Trees, Palms, and Pines. If there are prior Conditions of Approval requiring larger size vegetation, then the replacement vegetation shall comply with the conditions. [Ord. 2020-001]

D. Additional Sanctions

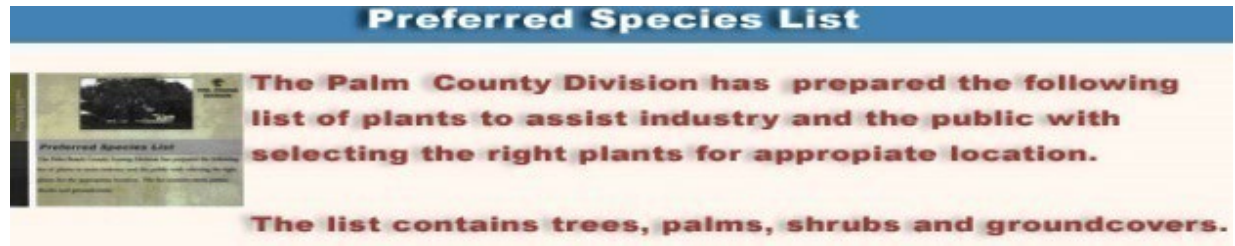
PBC may take any appropriate legal action, including, but not limited to requiring replacement of landscape material which has been hatracked, damaged, and rendered unable to achieve its natural and intended form, administrative action, requests for temporary and permanent injunctions, and other sanctions to enforce the provisions of this Section. [Ord. 2005-002]

E. Follow-Up Compliance

A follow-up compliance monitoring inspection from Landscape Staff may be required to confirm the vegetation violation has been satisfied. [Ord. 2020-001]


APPENDIX A – PBC’S PREFERRED SPECIES LIST – PLANT MATERIALS DATABASE, AS AMENDED

PBC’s Preferred Species List is available at the PZB Zoning Division or on ePZB at: [Ord. 2020-001]
https://www.pbcgov.org/ePZB.Admin.WebSPA/#/Container/Plant_Material_Database



Plant Material Database

Palm Beach County Preferred Species



Welcome to the Palm Beach County Preferred Species Plant List Wizard. The purpose of this wizard is to assist you in choosing the correct plant for your yard, garden or roadway. One of the most important considerations in designing your yard or garden is to determine whether the plants you like will survive the microclimate and the temperature range of your area. All plants have a temperature range within which they thrive. The U.S. Department of Agriculture Plant Hardiness Zone Map has been established as a general guide to assist you in choosing the correct plants for your temperature range.

Many other conditions influence a plant survival in your garden. Soil types, rainfall regularity and intensity, exposure to the sun, day length, wind, humidity and heat play major rolls in survival. Also, there are microclimates that affect how plants grow within your yard, block and county. One part of your yard may be hotter or colder, wetter or drier, shadier or sunnier. These microclimates dictate what plants will do better in one spot than another.

The Palm Beach County Preferred Species List is a database of plants recommended by the Zoning Division for use within Palm Beach County. Listed below are a number of quick searches and a link to a more detailed search. The report includes each plant's hardiness zone range, salt tolerance, light range, type, size, growth rate and helpful comments from plant experts. Happy Planting!

Standard Plant Information reports

Native Trees

Native Palms

Preferred Plants

Native Shrubs

Flowering Plants

Flowering Shrubs

Preferred Street Trees

All Drought Tolerant Plants

All Plants

Landscape Code - Preferred Species List

[Ord. 2020-001]

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] [Ord. 2018-018; August 29, 2018] [Ord. 2019-005; January 29, 2019] [Ord. 2019-023; July 2, 2019] [Ord. 2019-034; August 27, 2019] [Ord. 2020-001; January 28, 2020] [Ord. 2020-019; September 3, 2020] [Ord. 2021-022; September 3, 2021] [Ord. 2021-023; September 3, 2021] [Ord. 2024-004; July 1, 2024] [Ord. 2024-020; October 7, 2024]