

**ARTICLE VIII. - LANDSCAPING**

**Sec. ~~45-81. 6-1.~~ - Intent.**

- A. ***Purpose and intent.*** The provisions of this section are intended to ensure that properties within the ~~NBOZ~~ Village meet minimum landscaping standards in order to:
1. Improve and sustain the aesthetic appearance of the village through creative landscaping which helps to harmonize and enhance the natural and built environment.
  2. Promote water conservation by encouraging ~~xeriscaping~~ Florida-friendly landscape principles and utilization of native and drought tolerant landscape material and utilization of water conserving irrigation practices;
  3. Provide a visual buffer between otherwise incompatible types of land uses and adjacent rights-of-ways.
  4. Encourage innovative and cost-effective approaches to the design, installation, and maintenance of landscaping.

B. ***Landscape principles.*** The Village promotes Florida-friendly landscaping as defined in F.S. § 373.185 and requires that installed landscapes be designed and maintained with full consideration of the following principles:

1. Specify the right plant in the right place by selecting pest-resistant plants that match the sites soil, light, water, and climate conditions, with an aim for a diversity of trees, shrubs, groundcover, and flowers.
2. Design for more efficient irrigation by grouping plants with similar watering needs together and zoning the irrigation system accordingly.
3. Select sustainably harvested mulch for landscape beds and around tree trunks.
4. Use proper maintenance practices, including fertilizing appropriately to prevent pollution and maximize plant health and spot-treating pests with selective spectrum pesticides.

**Sec. ~~45-82. 6-2.~~ - Administration.**

- A. ***Applicability.*** The provisions of this article shall apply to all existing and future development within the ~~boundaries of the NBOZ~~ village as follows:
1. ***New development.*** All new development.
  2. ***Existing development.*** All existing multifamily, mixed-use, commercial, and industrial development shall conform with the provisions of the article by May 31, 2014. if requesting any of the following types of changes to existing development or to a previously approved development plan:

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- a. Increase in the total square footage of any building by more than twenty (20) percent;
  - b. Increase in the number of structures; or
  - c. Increase in the building height of any building.
3. **Existing development along Northlake Boulevard.** See section 45-83.
  4. **Exceptions.** This article does not apply to the construction, renovation, or replacement of single-family or two-family dwellings.

B. **Exemptions.** All licensed plant or tree nurseries or tree farms shall be exempt from the terms and provisions of this article, but only with respect to those trees planted and growing which are for sale to the general public in the ordinary course of the business. The landscaping required for buildings and parking lots shall be provided.

C. **Modifications.** The Community Development Director may modify a locational requirement for required landscaping if necessary due to site constraints that were discovered after site plan and appearance approval or PUD approval; however, the amount of landscaping that is required may not be reduced.

~~C. **Waiver.** The landscape regulations may be waived in whole or part by the village when a property owner has demonstrated that the requirements contained in this article will reduce required parking, or substantially restrict the operation of the existing business or property's use.~~

D. **Compliance.** Failure to install, maintain, or preserve landscaping ~~or native vegetation~~ required in accordance with the terms of this article shall constitute a violation of this article.

1. **Failure to comply.** If the property fails to meet the requirements of this article, or if the existing trees, shrubbery, grass, or groundcover are permitted to die, and such materials are not replaced within thirty (30) days of the event, the code enforcement officer shall notify, in writing, the person responsible for the maintenance or replacement of such property of the need to comply with the requirements of this section within thirty (30) days from the date of delivery of the notice.
2. **Extensions.** The thirty (30) day rule for compliance may be extended when necessary by the village to recover from acts of nature such as a hurricane or a drought.
3. **Temporary exemptions.** Temporary exemptions from compliance of this section may be granted as per the village, if the violation is a direct result of a natural disaster occurrence or drought.
4. **Relocation or replacement for redevelopment.** The site plan approved to remedy any violation of this article shall include landscaping and

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1 tree preservation, replacement or relocation to comply with all  
2 requirements herein, including ~~Relocation or replacement shall~~  
3 ~~comply with~~ the standards listed below.

- 4 a. Existing trees shall be preserved in place to the best extent  
5 practical. Tree preservation shall include measures to protect  
6 existing trees from construction encroachment within their  
7 driplines.
- 8 b. Trees that cannot be preserved in place shall be evaluated by a  
9 certified arborist for relocation. If the arborist's assessed  
10 condition rating of the tree is greater than 60%, the tree shall be  
11 relocated within the project limits or within Village of North  
12 Palm Beach public lands.
- 13 c. a. Trees having a ~~four (4) three (3)~~ inch or greater caliper at  
14 diameter at breast height (DBH) ~~that cannot be preserved in~~  
15 ~~place or relocated which are to be replaced~~ shall be replaced by  
16 the sum of three (3) caliper inches to every one (1) inch lost and  
17 are of like or similar species. Replacement trees shall be a  
18 minimum of three (3) inches in caliper. For example, if an  
19 existing five (5)-inch caliper tree is removed from the subject  
20 property, fifteen (15)-inches in caliper are required for  
21 replacement. A combination of tree sizes may be utilized as long  
22 as no tree is less than three (3) inches in caliper.
- 23 d. b. If the site cannot support the total number of required  
24 replacement trees as determined herein, the village may permit  
25 the owner to donate excess trees to the village for planting on  
26 public lands at the owner's expense; ~~contribute to the village the~~  
27 ~~monies equivalent to such required replacement trees; or permit~~  
28 ~~the required replacement trees to be placed upon other lands~~  
29 ~~owned by the same property owners.~~
- 30 e. The village may require alternative landscape solutions such as  
31 additional aesthetic hardscaping, site amenities, or specimen  
32 landscaping as per the intent of this article.

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### 1        **Sec. 45-83. 6-3. - Landscape areas in the C-NB zoning district.**

#### 2        **Nonconforming**

3        A. ~~Nonconformities established.~~ All development constructed prior to the  
4        effective date of these regulations that do not conform with the provisions of  
5        this article shall be considered nonconforming. ~~1. If nonconforming~~  
6        landscaping is damaged or destroyed by any means to the extent of fifty (50)  
7        percent or more of its replacement value at the time of the damage, the  
8        replacement landscaping and elements must conform to all of the provisions  
9        of this article.

10       B. ~~Maintenance.~~ Nonconforming landscape areas are not exempt from  
11       minimum maintenance standards.

12       C. ~~Amendments to the approved plan.~~ The following types of amendments to a  
13       previously approved development plan shall require the review of the  
14       landscape plan for the entire site using the minimum landscape standards in  
15       this article:

- 16       1. Increase in the total square footage of any building by more than  
17       twenty (20) percent;
- 18       2. Increase in the number of structures; or
- 19       3. Increase in the building height of any building.

20       D. ~~Notice of nonconforming status.~~ All existing development along  
21       Northlake Boulevard was required to conform with the new landscaping  
22       regulations by May 31, 2014. On any properties where this requirement has not  
23       been met, this requirement remains in effect until compliance has been achieved.  
24       ~~Upon the effective date of this article or upon the future annexation of properties,~~  
25       ~~the village shall contact the owners of all properties developed for nonresidential~~  
26       ~~purposes that do not comply with the provisions of this article. The notice shall~~  
27       ~~inform the property owners that the property is being placed in a nonconforming~~  
28       ~~[property] and that the owner of nonconforming property shall have eight (8)~~  
29       ~~years from the date of the nonconforming notice to comply with the requirements~~  
30       ~~set forth in this article. Written notice to the property shall be provided by~~  
31       ~~certified mail.~~

## Exhibit 7 (Landscaping)

1 **Sec. ~~45-84. 6-4.~~ - Tree and Plant quality, species, and installation.**

2 A. ***Minimum plant quality.*** Plant quality for all required landscaping shall be  
3 Florida No. 1 or better, as provided in Grades and Standards for Nursery  
4 Plants, Part 1 and Part 2, as amended, as published by the Florida  
5 Department of Agriculture and Consumer Services. ~~All vegetation shall be  
6 clean and free of noxious pests or disease,~~

7 B. ***Preferred Low-maintenance species list.*** ~~For required landscaping, 75~~  
8 ~~percent of trees and shrubs shall be selected from “Low-Maintenance~~  
9 ~~Landscape Plants for South Florida” (latest edition published by the~~  
10 ~~University of Florida IFAS Extension office). Low-maintenance plants have~~  
11 ~~low fertilizer requirements, few pest and disease problems, and do not~~  
12 ~~require frequent maintenance. Some low-maintenance species are identified~~  
13 ~~in this publication as native species; certain landscaping requirements in this~~  
14 ~~article include a minimum percentage of these native species. The preferred~~  
15 ~~species list contained in section 4-7 periodically revised, as needed. To the~~  
16 ~~greatest extent possible, the species list shall represent plants that are~~  
17 ~~drought tolerant plants, noninvasive; not destructive to native plants, and~~  
18 ~~strong wooded, non-brittle plants.~~

19 C. ***Installation.***

- 20 1. All landscaping shall be installed with sound workmanship and sound  
21 nursery practices in a manner that will encourage vigorous growth.  
22 2. A plant or tree's growth characteristics shall be considered before  
23 planning planting to prevent conflicts with views, lighting, utilities, or  
24 signage.

25 D. ***Root barriers.*** ~~The village shall require root barriers for trees planted within~~  
26 ~~fifteen (15) feet of any road right-of-way, sidewalk, or utility. In~~  
27 ~~determining the appropriateness of particular protection techniques, the~~  
28 ~~village shall use the current edition of the Tree Protection Manual for~~  
29 ~~Builders and Developers, published by the State Division of Forestry,~~  
30 ~~Florida Department of Agriculture and Consumer Services.~~

## Exhibit 7 (Landscaping)

### ~~Sec. 6-5. –New construction and substantial revision.~~

- ~~A. *Landscape area.* At least fifteen (15) percent of the total parcel area shall be landscaped, excluding any area utilized for required parking.~~
- ~~B. *Overall landscaping.* The required area to be landscaped may include any of the following: [this material is being relocated to Table 45-87.B]~~
- ~~1. Entry features;~~
  - ~~2. Massing of landscaping to produce focal points;~~
  - ~~3. Foundation plantings;~~
  - ~~4. Trellises, arbors, and similar structures;~~
  - ~~5. Planter and flower boxes;~~
  - ~~6. Freestanding planters and pottery;~~
  - ~~7. Sidewalk plantings;~~
  - ~~8. Landscaped courtyards, loggias, patios, and similar open areas available for public use; and~~
  - ~~9. Materials installed within publicly owned lands.~~

### **Sec. 45-85. ~~6-6.~~ - Prohibited and standard invasive plants.**

#### ~~A. *Prohibited plantings.*~~

- ~~A. 1. Artificial plants or vegetation may not be used to meet the landscaping requirements of this article. shall be prohibited.~~
- ~~B. 2. Prohibited plants shall not be planted within the village, NBOZ, and existing prohibited plants shall be removed if determined to be invading adjacent native plant communities. The list of prohibited plant species shall include all species identified as Category 1 invasive species on “List of Invasive Plant Species” (latest edition published by the Florida Exotic Pest Plant Council), specifically including the following species: ,include, but are not limited to Casuarina spp. (Australian Pine), Ficus bengalensis (Banyan), Schinus terebinthifolius (Brazilian Pepper), Supaniopsis anacardioides (Carrotwood), Acacia auriculiformis (Earleaf Acacia), Pueraria montana (Kudzu), and Melaleuca quinquenervia (Melaleuca/Punk Tree/Pepper Tree), and Schefflera actinophylla (Umbrella Tree).~~
- ~~C. All existing Category 1 invasive species shall be removed from existing development if the thresholds in section 45-82.A.2 are exceeded.~~
- ~~B. *Controlled plant species.* The following species may be planted or maintained under controlled conditions and shall not exceed a maximum of ten (10) percent of the total number of required trees.~~
- ~~1. *Black olives.* Black olives shall not be installed within fifteen (15) feet of any parking area.~~

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1           2. ~~*Ficus species.* Ficus species may be planted as individual trees or~~  
2           ~~hedge material provided that individual trees are no closer than thirty~~  
3           ~~(30) feet from any public road right of way, utility, or structure.~~  
4           ~~Hedges shall not exceed eight (8) feet in height and be regularly~~  
5           ~~maintained.~~

6           ~~Sec. 6-7. Preferred landscape palette.~~

7           A. ~~*Preferred trees.* Fifty (50) percent of the required trees shall be selected~~  
8           ~~from the list presented below.~~

<del><i>Table 6-7A Preferred Tree Species</i></del>	
<del><i>Common Name</i></del>	<del><i>Scientific Name</i></del>
<del>1. Cabbage Palm</del>	<del>Sabal palmetto</del>
<del>2. Cattley Guava</del>	<del>Psidium littorale</del>
<del>3. Dahoon Holly</del>	<del>Hex Cassine</del>
<del>4. Ligustrum Tree</del>	<del>Ligustrum lucidum</del>
<del>5. Live Oak</del>	<del>Quercus virginiana</del>
<del>6. Mahogany</del>	<del>Swietenia mahogani</del>
<del>7. Oak</del>	<del>Quercus spp.</del>
<del>8. Oleander Tree</del>	<del>Nerium oleander</del>
<del>9. Pink Tabebuia</del>	<del>Tabebuia heterophylla</del>
<del>10. Pygmy Date Palm</del>	<del>Phoenix roebellini</del>
<del>11. Silver Buttonwood</del>	<del>Conocarpus erectus</del>
<del>12. Washington Palm</del>	<del>Washingtonia robusta</del>
<del>13. Wax Myrtle</del>	<del>Myrica cerifera</del>
<del>14. Weeping Bottlebrush</del>	<del>Callistemon viminalis</del>

9           B. ~~*Preferred shrubs and groundcovers.* Fifty (50) percent of the required~~  
10          ~~shrubs and groundcovers shall be selected from the list presented below:~~

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Table 6-7B—Preferred Shrub/Groundcover Species

Common Name	Scientific Name
1. Bougainvillea	Bougainvillea spp.
2. Cocoplum	Chrysobalanus icaco
3. Confederate Jasmine	Trachelospermum jasminoides
4. Crinum Lily	Crinum asiaticum
5. Croton	Codiaeum variegatum
6. Dwarf Oleander	Nerium oleander 'petite'
7. Dwarf Philodendron	Philodendron 'xanadu'
8. Fakahatchee Grass	Tripsacum dactyloides
9. Hibiscus	Hibiscus spp.
10. Liriope	Liriope muscari
11. Saw Palmetto	Serenoa repens

### **Sec. 45-86. – Submission requirements for landscaping.**

Plans must be submitted that demonstrate compliance with Village landscaping requirements. These plans must be prepared by a landscape architect authorized by chapter 481, *Florida Statutes*, and must contain the following:

#### **A. Tree disposition plan, depicting:**

1. Existing trees, with a unique number assigned to each tree; and
2. A tree survey table with the following information listed by tree number corresponding to the numbered existing trees on the plan view:
  - a. Common and botanical species name
  - b. Diameter at breast height (DBH) for all trees 3" DBH and greater
  - c. Clear trunk (CT) height for all palms greater than 6' CT
  - d. Proposed tree disposition (remain/protect, relocate, or remove)

#### **B. Landscape plan, depicting:**

1. Existing plant material to remain;
2. Existing trees and shrubs and site improvements on abutting properties within 25 feet of the property lines. This information may be obtained from aerial photographs and approximate locations based on field observations;
3. The location and outline of proposed buildings and site improvements including landscaping, paving, utilities, easements, and rights-of-way;
4. Existing site improvements to remain including buildings, paving, utilities, easements, and rights-of-way;
5. Proposed plant materials by botanical and common names and by installation size and spacing; and
6. Signage locations, including monument signage and wall-mounted building signage.

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1        **C. Irrigation plan**, containing the following:

- 2            1. Technical specifications for the irrigation system, as required by the  
3            Florida Building Code, Plumbing for preconstruction submittals;  
4            2. Water source (well/pump, canal/pump, reclaimed, potable, etc.) and/or  
5            water service connection location and backflow prevention device, as  
6            applicable; and  
7            3. Rain and/or moisture-sensing device(s), as required by Florida Statutes  
8            373.62.

9        **Sec. 45-87. 6-8. – Criteria for required landscaping.**

10       **Minimum landscape requirements.**

- 11       A. **Required landscaped areas.** The following ~~uses areas are within~~  
12       ~~nonresidential developments shall be required to provide landscaping; , as~~  
13       ~~required herein.~~  
14            1. Miscellaneous landscape elements, as required in section 45-88;  
15            2. ~~1. Off-street parking lots, Vehicular use areas as required in section~~  
16            ~~45-89 6-8;~~  
17            3. Site perimeters, as required in section 45-90; and  
18            4. ~~2. Building Base of foundation, as required by section 45-91. 6-12;~~  
19            ~~and~~  
20            ~~3. Signs as required by article 7.~~  
21       B. **Natural form.** New trees and shrubs should duplicate natural patterns with  
22       multiple plant sizes, spacing, plant clusters, and single plantings.

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- 1 C. Size and configuration of plants. ~~Minimum landscape standards.~~ All  
 2 required landscaping installed shall meet the minimum standards  
 3 requirements of Table 45-87-A 6-8A and as otherwise provided herein.

<b>Table 45-87-A 6-8A</b>		
<b><u>Minimum Size and Configuration Standards</u> Landscape Requirements</b>		
<b>Plant Material</b>	<b>Minimum Size at Planting</b>	<b>Other Installation Requirements</b>
<b>Trees</b>	<del>12 feet with a minimum crown of 5 feet. (1)</del> <u>All trees: 8 feet tall at planting, with a minimum crown at planting of 3 feet. (1)</u> <u>Shade trees: 12 feet tall at planting, with a minimum crown at planting of 5 feet. (1)</u>	<del>50% of required trees shall be selected from the preferred plant list.</del> <u>75% of required trees shall be low maintenance. (5)</u> <u>50% of required trees shall be shade trees.</u> <u>25% of required trees shall be native trees.</u>
<b>Palms</b>	<del>8 feet clear trunk when used for required buffer or parking purposes. (2, 3)</del>	<del>3 palms equals 1 required canopy tree.</del> <u>75% of required palms shall be low maintenance. (5)</u>
<b><u>Specimen Palms</u></b>	<u>See list of specimen palms in (4)</u> <u>12 feet clear trunk (2)</u>	<u>1 specimen palm shall equal 1 shade tree or 3 palms.</u>
<b>Hedge Shrubs</b>	<del>30</del> <u>24 inches tall</u>	<del>Planted not more than 36 inches on center.</del> <u>75% of required shrubs shall be low maintenance. (5)</u>
<b>Vines</b>	60-inch trellis length, with 3 or more live runners at planting	Attached to support. <u>(6)</u>
<b>Notes:</b>		
(1) <u>Height</u> measured from grade to average end of branches, not the tallest of one or two branches <del>and a minimum crown of five (5) feet.</del>		
(2) <u>Height</u> measured as clear <del>gray</del> trunk (CT) height: <u>from the top of the root ball to the point where the lowest untrimmed leaf's petiole diverges from the trunk.</u>		
(3) Palms not classified as specimen palms and planted in perimeter buffer areas shall be installed in groups of not less than three.		
(4) <u>Specimen palms: Phoenix canariensis, sylvestris, reclinata, or dactylifera; Bismarkia nobilis; Roystonea spp.; Attelea spp.; and Cocos nucifera (Green Maypan or Green Malayan only)</u>		
(5) <u>Low-maintenance and native species are described in section 45-84.</u>		
(6) <u>Support shall be provided consistent with sound horticultural practices to encourage future growth.</u>		

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- 1 D. Minimum Landscape points to exceed minimum standards. In addition to  
 2 meeting all other landscaping requirements, each development parcel must  
 3 supplement the minimum standards by qualifying for additional landscape  
 4 points. Points are awarded for landscape material and improvements that  
 5 exceed the minimum standards, including exceeding the size and volume of  
 6 required material.
- 7 1. Parcels less than 1 acre must exceed the minimum standards by 50  
 8 points.
  - 9 2. Parcels between 1 and 2 acres must exceed the minimum standards by  
 10 100 points.
  - 11 3. Each additional acre or portion thereof requires 50 additional points.  
 12 Tables 4-8B and 4-8C shall be used to determine the minimum landscape  
 13 points per open space a project shall be required to provide. Achieving the  
 14 minimum open space landscape point requirement does not exempt a project  
 15 from compliance with other requirements of this article.
  - 16 4. ~~E. Total landscaping points.~~ Achieving the total points per open  
 17 space for an entire project ~~within one or more areas~~ does not exempt  
 18 one from complying with all other requirements, even if that means  
 19 exceeding the minimum required.
  - 20 5. If a redevelopment project is unable to meet the point system or open  
 21 space requirements of this article, required landscape points may be  
 22 acquired by placing equivalent landscaping on public lands, parks,  
 23 road rights-of-way, or other similar public space, if acceptable to the  
 24 village and the entity that manages the land, up to a maximum of fifty  
 25 (50) percent reduction of required points.

*Table 6-8B — Minimum Landscape Requirements for Point System Delineation*

<i>% Open Space Provided*</i>	<i>Points per 100 Square Feet</i>	<i>% Open Space Provided*</i>	<i>Points per 100 Square Feet</i>
<15%	22	25—27%	14
16%	21	28—29%	13
17%	20	30—32%	12
18%	19	33—34%	11
19%	18	35—39%	10.5
20%	17	40—49%	9.5
21—22%	16	50—59%	8
23—24%	15	>60%	7

**Notes**

\*Example: 15% project open space requires 22 points/100 square feet

< = Equal to or less than      > = Equal to or greater than

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<i>Category</i>	<i>Points</i>
Specimen Trees <u>or</u> Palms (1) *	25 per tree or palm retained <u>or planted additional</u>
<del>Specimen Plants*</del>	<del>15 additional</del>
<del>Specimen Palms*</del>	<del>25 additional</del>
Native Trees (1)– (if $\geq 5$ Inches DBH)	20 per tree retained or planted, plus 1 point for each inch $> 5$ DBH
<del>Trees w/12 foot minimum height (minimum of 50% from Preferred Tree Species list) (See Note 1)</del>	<del>15 plus 1 point for each foot than minimum</del>
<del>Low-Maintenance Trees not on Preferred Tree Species list or <math>\leq 12</math> foot minimum height</del>	<del>5 per tree planted</del>
<del>Low-Maintenance Palms from Preferred Tree Species list w/minimum <math>\geq 8</math> feet of clear trunk</del>	<del>3.3 per palm planted, points plus 1 point for each foot of clear trunk <math>&gt; 8</math> feet</del>
<u>Courtyards, loggias, patios, and similar open areas available for public use</u>	<u>50 points</u>
<u>Massing of landscaping including trees, shrubs, groundcover, and flowers to produce focal points</u>	<u>up to 25 points</u>
<u>Trellises, arbors, or flower boxes</u>	<u>up to 25 points</u>
<u>Sidewalks &amp; adjoining landscaping that connect parking lots or alleys to buildings or to public sidewalks</u>	<u>up to 25 points</u>
<del>Palms not on Preferred Tree Species List or less than 8 feet of clear trunk</del>	<del>4</del>
<del>All Shrubs (minimum of 50% from Preferred Shrub Species list)</del>	<del>4</del>
<del>All Groundcover (minimum of 50% from Preferred Groundcover Species list)</del>	<del>2 points per 10 square feet</del>
<del>Grass</del>	<del>.25 (1/4) points per 10 square feet</del>
<i>Notes</i>	
<i>(1) Abused trees, as determined by the village, shall not count toward required points.</i>	
<i>* = Justification to be provided consistent with definition below.</i>	
<i>DBH= Diameter at Breast Height. (4-1/2 feet above grade) &lt; = Less Than. &gt; = Greater Than.</i>	

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### **E. Reserved.**

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- 1 F. **Reserved.** ~~Water conservation.~~
- 2 1. ~~Landscape plans shall be required to use minimum water conservation~~
- 3 ~~techniques such as the following:~~
- 4 a. ~~Moisture Sensing Controller (other than rainswitch).~~
- 5 b. ~~Drip/Trickle/Micro Irrigation System.~~
- 6 c. ~~Quality Effluent Irrigation.~~
- 7 2. ~~Water conservation may also be obtained through the use of the following:~~
- 8 a. ~~Florida Native Landscaping.~~
- 9 b. ~~Very drought tolerant trees, shrubs and groundcovers.~~
- 10 c. ~~Native wildflowers, meadow grasses or groundcover in lieu of~~
- 11 ~~allowable sodded area.~~
- 12 G. **Specimen trees and palms.** Specimen trees and palms are either: ~~shall be~~
- 13 ~~considered as~~
- 14 1. Existing native trees if in good health, and over thirteen (13) inches at
- 15 diameter at breast height (DBH), and not a Category 1 invasive species
- 16 on the “List of Invasive Plant Species” (latest edition published by the
- 17 Florida Exotic Pest Plant Council) or larger.
- 18 2. A newly planted palm of a species listed in Table 45-87-A.
- 19 H. **Shade canopy trees.**
- 20 1. ~~Canopy trees shall be installed in the landscape buffer at a maximum~~
- 21 ~~of thirty (30) feet on center.~~
- 22 1. 2. ~~The Canopy Shade~~ trees, at maturity, shall be of a species, which
- 23 possess an average spread of at least twenty-five (25) feet and a clear
- 24 trunk of at least six (6) feet.
- 25 2. 3. ~~The village staff may approve~~ Approval of the use of shade trees
- 26 with a lesser mature canopy spread, provided that groupings of such
- 27 species are utilized to achieve the average spread.
- 28 I. **Palm trees.**
- 29 1. Palms must attain a minimum twelve (12) feet in height at maturity.
- 30 2. Palms must be resistant to lethal yellowing.
- 31 J. **Tree species mix.** When more than fifteen (15) trees are required to be planted
- 32 to meet the landscaping standards of this section, a mix of species shall be
- 33 provided according to the overall number of trees required to be planted.
- 34 Species shall be planted in proportion to the required mix. The minimum
- 35 number of species to be planted is indicated in Table 45-87-C. ~~6-8D.~~

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Table <del>45-87-C</del> <del>6-8D</del> --- Required Species Mix			
Required Number of Trees	Min. Number of Species	Required Number of Trees	Min. Number of Species
16—20	<del>2</del> <u>3</u>	31—40	4 <del>5</del>
21—30	<del>3</del> <u>4</u>	41 +	<del>5</del> <u>6</u>

1        **K. ~~Native and drought-tolerant trees.~~** ~~1. A minimum of fifty (50) percent of~~  
 2        ~~all trees used to satisfy the standards of this article shall be classified as~~  
 3        ~~native species (see section 45-84). 2. In addition, fifty (50) percent shall be~~  
 4        ~~classified as drought-tolerant by the most recent edition of the South Florida~~  
 5        ~~Water Management District's "Xeriscape Plant Guide."~~

6        **L. ~~Shrubs and hedges, groundcovers.~~**

- 7            1. ~~At least fifty (50) percent of all required hedges and shrubs shall be~~  
 8            ~~classified as native species (see section 45-84). drought tolerant by the~~  
 9            ~~most recent edition of the South Florida Water Management District's~~  
 10           ~~"Xeriscape Plant Guide."~~
- 11           2. ~~At the time of installation, required hedges and shrubs shall be a~~  
 12           ~~minimum of twenty-four (24) inches in height, or eighteen (18) inches~~  
 13           ~~in height for native species, spaced at a maximum of thirty-six (36)~~  
 14           ~~twenty-four (24) inches on center.~~
- 15           3. ~~Required hedges shall form a solid, continuous visual screen of at least~~  
 16           ~~three (3) feet in height within two (2) years of planting.~~
- 17           4. ~~Hedges used in combination with nonliving landscape barriers to meet~~  
 18           ~~the six (6) feet screen requirements in section 45-88 shall be installed~~  
 19           ~~at the height necessary to provide the total six (6) foot screen within~~  
 20           ~~(2) years of planting.~~

21        **M. Reserved. ~~Sod or grass.~~** ~~Not more than forty (40) percent of the total~~  
 22        ~~landscape area shall be covered with sod or grass.~~

23        **N. Ground treatment.**

- 24           1. ~~The ground area within required landscaped areas which is not~~  
 25           ~~dedicated to trees or palms, or the preservation of existing or new~~  
 26           ~~vegetation, shall receive appropriate landscape treatment such as grass,~~  
 27           ~~groundcover, mulch, or shrubs and present a finished appearance upon~~  
 28           ~~planting.~~
- 29           2. ~~Sand, gravel, shellrock, or pavement shall not be considered~~  
 30           ~~appropriate landscape treatment.~~
- 31           3. ~~The following standards shall apply to the design of ground treatment.~~  
 32           a. **Plants.** ~~Ground cover.~~ ~~Live material used as ground cover shall~~  
 33           ~~provide a minimum of fifty (50) percent coverage immediately~~

## Exhibit 7 (Landscaping)

- 1 upon planting and one hundred (100) percent coverage within  
2 one (1) year.
- 3 b. **Mulch.** Mulch shall be installed and maintained at a minimum  
4 depth of three (3) inches at all times; in all planted areas not  
5 containing ground cover, except leaving two inches of space  
6 around tree trunks to prevent rot.
- 7 i) All mulch material shall be seed and weed-free to prevent  
8 tree sprouting and regrowth, and shall be sustainably  
9 harvested such as melaleuca, pine straw, or eucalyptus.
- 10 ii) Mulch shall be temporarily applied to areas not  
11 immediately covered by groundcover.
- 12 iii) Mulch will be thoroughly wet at the time of application to  
13 prevent wind displacement.
- 14 c. **Pebble and egg rock.** Pebble or egg rock may be used in a  
15 limited amount as a ground treatment in areas where drainage is  
16 a problem.
- 17 d. **Lawn and turf grass.** Grass areas shall be planted with species  
18 suitable as permanent lawns. Use of drought-tolerant  
19 groundcover instead of lawn and turf grass is encouraged.
- 20 O. **Flowers.** Flower boxes and hanging pots should complement the overall  
21 architecture of the facade and not obscure architectural details. The boxes  
22 should be well constructed, and accommodate watering needs without  
23 allowing water to drip or leak onto the building or sidewalk.
- 24 P. **Reserved. ~~Redevelopment and nonconforming projects.~~** [content moved to  
25 45-87.D.5]
- 26 Q. **Landscape in easements.**
- 27 1. Landscaping may be permitted in easements with the written  
28 permission of the easement holder. Trees planted within any easement  
29 with overhead utilities shall be consistent with FP&L's suggested tree  
30 list "Plant the Right Tree in the Right Place," taking into consideration  
31 the mature height and spread of the species beneath or adjacent to  
32 existing overhead utilities.
- 33 2. Easements may overlap a landscape buffer a maximum of five (5) feet  
34 provided that there remains a minimum of five (5) clear feet for  
35 planting, or if a wall with a continuous footer is used, a minimum of  
36 ten (10) clear feet for planting.
- 37 3. The landscape buffer may be traversed by easements or access ways as  
38 necessary to comply with the standards of this section.

## Exhibit 7 (Landscaping)

- 1 R. **Perimeter landscaping.** Only access ways and easements shall be permitted  
2 as interruptions in perimeter landscaping and shall be included in the  
3 calculation of linear dimension. No structures or parking are to be located in  
4 this landscape area.
- 5 S. **Landscaping in public road right-of-way.** Maintenance of landscaped  
6 rights-of-way shall be the responsibility of the project's property owner or,  
7 as agreed upon in the development order approving the project, by special  
8 districts created for unified maintenance.

### 9 **Sec. 45-88. 6-9. - Miscellaneous landscape elements.**

- 10 A. **Alternative landscape materials.** A landscape plan may utilize one or more  
11 materials not specifically authorized in this article and must be demonstrated  
12 to be consistent with the purposes and intent of this article.
- 13 B. **Screening required.** Uses ~~within the overlay zone~~ that shall be required to  
14 be screened from public view are identified in this section. ~~include~~  
15 ~~mechanical equipment areas, parking areas, satellite dishes mounted on the~~  
16 ~~ground, chain link or other non-opaque fence or wall type, accessory use~~  
17 ~~structures, and other elements as defined by this article.~~
- 18 C. **Perimeter walls and fences.**
- 19 1. Perimeter walls, metal or wood fences, or other nonliving landscape  
20 materials may be used in conjunction with vegetation to meet required  
21 screening. ~~landscaping.~~ The heights of walls and fences are limited by  
22 section 45-36.
- 23 2. Approved walls or fences shall be set back from property lines  
24 adjoining streets sufficiently to include landscape on the street side  
25 ~~outside~~ of the wall or fence. Chain link fences shall have a green or  
26 black vinyl covering.
- 27 3. Maintenance of the wall or fence and associated landscaping by the  
28 property owner is required.
- 29 D. **Storage and garbage collection sites.** All outside storage and trash or  
30 garbage collection sites shall be completely screened from view, utilizing  
31 any approved combination of walls and fences ~~hedge~~ (a minimum of six (6)  
32 ~~three (3)~~ feet in height) structural barriers, berms that will fully or any  
33 ~~combination thereof to one hundred (100) percent~~ screen the area from view  
34 except for gates.
- 35 E. **Service areas.**
- 36 1. Service areas of nonresidential buildings, when visible from the street  
37 right-of-way or adjacent residential land use, shall have barriers and/or  
38 a hedge at a minimum of six (6) feet in height to screen the service

## Exhibit 7 (Landscaping)

1 area ~~from this use~~. A hedge that is planted meet this requirement must  
2 achieve this height within 2 years of planting.

- 3 2. Service areas may include interior or exterior work bays associated  
4 with full service gas stations, tire repair, auto repair business, as well  
5 as any business proposing loading or unloading docks.

6 F. ***Backflow preventers.*** Backflow preventer systems shall be screened from  
7 public view, utilizing any combination of trees, palms, hedges, or other  
8 barriers.

9 G. ***Reserved. ~~Mulch.~~*** [*mulch standards relocated to 45-87.N.3*]

10 H. ***Pavers and other impervious surfaces.*** The use of concrete, asphalt,  
11 impervious pavers, or similar ~~impervious~~ material, excluding sidewalks,  
12 shall not exceed thirty (30) percent coverage of an open space area, and  
13 shall not be wider than twelve (12) feet if used in a required landscape  
14 buffer area. This limitation shall be increased to sixty (60) percent for  
15 pervious concrete, pervious asphalt, and pavers set on a pervious base.

16 I. ***Signs.*** ~~Landscaping around ground/monument signs is required and shall be~~  
17 ~~provided pursuant to article 7.~~

18 I. ***2. Landscape area around signs.*** [*relocated from subsection 45-89.H.2*]

- 19 1. ~~a.~~ A three (3) foot wide planting area shall be required around the  
20 base of all signs except signs that are mounted on buildings.  
21 2. ~~b.~~ One (1) shrub for each ten (10) square feet of sign surface area shall  
22 be installed within the three (3) foot planting area at the base of the  
23 sign.  
24 3. ~~c.~~ Ground/monument signs may be surrounded by ground cover  
25 instead of shrubs.  
26 4. ~~d.~~ Landscaping and trees which interfere with signage may be  
27 relocated to the rear of the sign planting area.

28 J. ***Advertising.*** At no time shall a landscaped area be used for advertising  
29 display or sales. Temporary signs may not be placed in landscaped areas.

30 K. ***Earth berms.*** Earth berms shall use long and gentle slopes and as non-  
31 living landscape barriers only when installed in conjunction with plant  
32 materials.

- 33 1. Berms five (5) feet or less in height shall have a maximum slope of  
34 2:1. Berms greater than five (5) feet in height shall not exceed a ratio  
35 of 3:1 in slope.  
36 2. Hedges used in combination with earth berms to meet the six (6) foot  
37 screen requirements in section 45-88 shall be installed at the height  
38 necessary to provide the total six (6) foot screen at time of planting.

## Exhibit 7 (Landscaping)

1 **Sec. ~~45-89. 6-10.~~ - Landscape requirements for off-street parking**  
2 **lots. areas:**

3 **A. Landscape buffer.** A landscape buffer, at least five (5) feet in width, shall  
4 be provided along all sides of parking lots, excluding a side or sides that  
5 abut a building. This buffer strip shall be planted with shade trees at a  
6 maximum spacing of thirty (30) feet on center and with a continuous hedge  
7 that will be maintained at least three (3) feet high.

8 **B. A. Minimum spacing of shade trees.**

- 9 1. The minimum shade tree spacing for ~~interior~~ parking lots areas shall  
10 be such that the center of any parking space is not more than thirty  
11 (30) ~~forty (40)~~ feet from the center of a ~~the~~ shade tree.
- 12 2. ~~A shade tree may be replaced by a minimum of three (3) palms~~  
13 ~~clustered together, as long as the affected parking bays are more than~~  
14 ~~fifty (50) feet from a public street.~~

15 **C. B. Landscape islands.**

- 16 1. **Interior islands.** An interior landscape island shall be required ~~for~~  
17 ~~every~~ wherever nine (9) or more parking spaces are located in a row.
- 18 a. Interior islands shall be spaced a maximum of ninety (90) feet  
19 apart.
- 20 b. Interior islands shall measure at least (15) feet in length and eight  
21 (8) feet in width, measured from back of curb to back of curb.
- 22 c. A minimum of one (1) shade tree shall be planted in each interior  
23 island, in addition to shrubs and mulch or ground cover.
- 24 2. **Terminal islands.** Each row of parking spaces shall be terminated by  
25 landscape islands.
- 26 a. Terminal islands shall measure at least (15) feet in length and  
27 eight (8) feet in width, measured from back of curb to back of  
28 curb.
- 29 b. A minimum of one (1) shade tree shall be planted in each  
30 terminal island, in addition to shrubs and mulch or ground cover.
- 31 3. ~~2.~~ **Landscape diamonds.** ~~The use of Landscape diamonds may be~~  
32 ~~substituted for interior landscape islands~~ parking lot tree planting is  
33 permitted as per this section for parcels less than 1 acre, but not for  
34 terminal ~~excluding~~ islands at the end of parking rows.
- 35 a. ~~I. Landscape diamonds.~~ 1. On these small parcels, landscape  
36 diamonds may be distributed throughout the interior of an off-

## Exhibit 7 (Landscaping)

- 1 street parking lot area to provide shading of parked motor  
2 vehicles as an alternative to interior landscape islands.
- 3 b. ~~2. Landscape diamonds~~ ~~Tree planting areas~~ shall be located only  
4 at the common intersection of four (4) parking spaces and spaced  
5 no greater than four (4) spaces apart.
- 6 c. ~~3.~~ The ground within the diamond ~~tree planting area~~ shall  
7 receive appropriate landscape treatment, including shrubs and  
8 mulch or groundcover.
- 9 d. ~~4.~~ The minimum diamond size ~~tree planting area~~ shall be  
10 twenty-five (25) square feet and the minimum dimension shall be  
11 five (5) feet by five (5) feet, not including curb treatment.
- 12 e. ~~A minimum of one (1) tree shall be planted in each diamond.~~ ~~3.~~  
13 ~~Each planter island shall contain at least one canopy tree for each~~  
14 ~~one hundred (100) square feet of area or fraction thereof, in~~  
15 ~~addition to shrubs and mulch or ground cover.~~
- 16 4. ~~*Terminal and landscape islands.*~~ Each row of parking spaces shall be  
17 terminated by landscape islands, which measure a minimum of eight  
18 (8) feet in width, excluding required curbing, and fifteen (15) feet in  
19 length. A minimum of one hundred twenty (120) square feet of  
20 pervious surface areas shall be provided. A minimum of one (1) tree  
21 shall be planted in each terminal island.
- 22 5. ~~*Interior landscape islands.*~~ A minimum of one (1) interior landscape  
23 island shall be provided for every nine (9) parking spaces or fraction  
24 thereof and shall be spaced a maximum of ninety (90) feet apart.  
25 Interior islands shall measure not less than eight (8) feet in width,  
26 excluding required curbing, and fifteen (15) feet in length. A minimum  
27 of one hundred twenty (120) square feet of pervious surface areas shall  
28 be provided. A minimum of one (1) tree shall be planted in each  
29 interior island.
- 30 6. ~~*Lots equal to or less than one (1) acre.*~~ For lots equal to or less than  
31 one (1) acre, terminal and interior landscape islands shall be a  
32 minimum of five (5) feet in width, excluding required curbing, and  
33 fifteen (15) feet in length.
- 34 C. ~~*Divider median.*~~
- 35 1. ~~Divider medians shall be installed between rows of parking and~~  
36 ~~between all parking/vehicular use areas.~~
- 37 2. ~~One (1) tree shall be planted for each thirty (30) linear feet of a divider~~  
38 ~~median, or fraction thereof.~~
- 39 3. ~~The minimum width shall be five (5) feet of un-encroached landscape~~  
40 ~~area.~~

## Exhibit 7 (Landscaping)

1 ~~D.~~ *Minimum size for landscape areas.*

- 2 1. ~~The minimum landscape area shall contain no dimension less than five~~  
3 ~~(5) feet in width, measured from the inside of the curb.~~
- 4 2. ~~There shall be no landscape area smaller than twenty five (25) square~~  
5 ~~feet.~~
- 6 3. ~~Landscape areas within interior parking areas may be reduced if the~~  
7 ~~areas shall constitute an obstruction in use of a building structure,~~  
8 ~~providing the reduced square footage is relocated so as to emphasize~~  
9 ~~entrance corridors or special landscaped areas within the general~~  
10 ~~parking area.~~

11 D. ~~E.~~ *Protection of landscape areas.* All landscape areas shall be protected by  
12 curbs or wheel stops from vehicular encroachment and from the damages  
13 caused by vehicles overhanging into landscape areas.

- 14 1. *Landscaping.* ~~In addition to grass,~~ Landscaping shall be required to  
15 be at least twenty four (24) ~~thirty (30)~~ inches from the edge of the  
16 wheel stop or curbing.
- 17 2. ~~*Overhang areas.* Vehicle parking areas designed to permit vehicles~~  
18 ~~overhanging into landscaped areas shall not be permitted to count the~~  
19 ~~first thirty (30) inches of landscape area as open space.~~
- 20 23. *Curbing.* All landscape areas subject to vehicular encroachment shall  
21 be separated from vehicular use areas by six (6) inch, non-mountable,  
22 FDOT-type 'D' or FDOT-type 'F', concrete or asphalt curbing. The  
23 curbing shall be machine-laid, formed-in-place or integral with the  
24 pavement. Curbing may be interrupted to accommodate drainage,  
25 paths, or sidewalks.
- 26 34. *Wheel stops.*
- 27 a. Wheel stops shall have a minimum height of four (4) ~~six (6)~~  
28 ~~inches~~ above finished grade of the parking lot area, shall be  
29 properly anchored, and continuously maintained in good  
30 condition.
- 31 b. The space between the wheel stop and the end of the parking  
32 space may be paved as required by the building division for  
33 anchoring and maintenance purposes.
- 34 c. Wheel stop anchor rods shall be set through the pavement and  
35 the bottom of the wheel stop must rest fully on the pavement to  
36 prevent rocking.

## Exhibit 7 (Landscaping)

1        ~~F. Hedges.~~

2            1. ~~All parking, loading, or storage areas adjacent to the right-of-way,~~  
3            ~~including driveways to parking lots, shall include a continuous hedge~~  
4            ~~that is maintained at a minimum of three (3) feet at maturity.~~

5            2. ~~"Dwarf" hedges may be installed and maintained at a minimum height~~  
6            ~~of eighteen (18) inches when adjacent to an automobile sales display~~  
7            ~~area.~~

8        ~~G. Maintenance.~~ ~~Regular maintenance of vehicular use areas adjacent to all~~  
9        ~~landscape areas shall include replacement of broken curbs or curb stops as~~  
10        ~~needed to keep the general appearance in good condition and safe.~~

11        ~~H. Safe sight distance triangles. [moved to subsection 45-90.C]~~

12            ~~2. Landscape area around signs. [moved to subsection 45-88.I]~~

## Exhibit 7 (Landscaping)

**Sec. 45-90. 6-11. – Landscape requirements for site perimeters.**

**Minimum landscape buffer and planting requirements.**

- A. **Minimum buffer width for site perimeters.** ~~required.~~ A landscape buffer of the widths specified in Table 45-90 shall be provided ~~a minimum of eight (8) feet in width~~ around the perimeter of all parcels in the specified zoning districts.

<b><u>Table 45-90 – Minimum Buffer Widths</u></b>			
	<b><u>Front Yard</u></b>	<b><u>Side Yard</u></b>	<b><u>Rear Yard</u></b>
<b><u>R-3</u></b>	8 feet	5 feet <sup>1</sup>	5 feet
<b><u>C-MU</u></b>	5 feet <sup>2</sup>	–	5 feet
<b><u>C-2</u></b>	8 feet	10 feet	5 feet <sup>3</sup>
<b><u>C-3</u></b>	5 feet <sup>2</sup>	–	5 feet <sup>4</sup>
<b><u>C-NB</u></b>	5 feet	–	5 feet
<b><u>All other commercial</u></b>	5 feet	5 feet <sup>5</sup>	5 feet
<b><u>I-1</u></b>	see section 45-38		

**NOTES:**

- <sup>1</sup> Only required in side yards that adjoin R-1 or R-2 districts
- <sup>2</sup> Does not apply to all building frontage types; along US Highway 1 and Northlake Boulevard, the front yard landscape buffer may not be planted on a sidewalk easement (see subsections 45-31.E.6 and 45-34.1.H)
- <sup>3</sup> Not required on parcels that adjoin the railroad right-of-way
- <sup>4</sup> Only required on parcels that adjoin US Highway 1 or Northlake Boulevard (see subsection 45-34.1.H)
- <sup>5</sup> Only required in side yards that adjoin less intense zoning districts (e.g. any residential district)

However, additional buffer width shall be provided as indicated below:

1. A minimum landscape buffer of ten (10) feet in width shall be required on lands located adjacent to public rights-of-ways that are one hundred ten (110) feet wide or less;
2. A minimum landscape buffer of at least fifteen (15) feet in width shall be required on lands located adjacent to public rights-of-ways that are one hundred eleven (111) to one hundred fifty (150) feet wide;
3. A minimum landscape buffer of at least twenty (20) feet in width shall be required on lands located adjacent to public rights-of-ways that are greater than one hundred fifty (150) feet wide; and

## Exhibit 7 (Landscaping)

1           4.    A landscape buffer, at least five (5) feet in width, shall be provided  
2           along all sides of the parking lot, excluding that side or sides, which  
3           abut a building. [relocated to subsection 45-90.E]

4    B.    ~~Mature height.~~ Vegetation should be planted taking into consideration the  
5           mature height and spread of the species.

6    C.    ~~Spacing.~~ The maximum spacing of planting trees shall be thirty (30) feet on  
7           center along any perimeter buffer.

8    B.    ~~D.~~ **Perimeter Landscape requirements for site perimeters.** Perimeter  
9           landscape buffers shall be installed where required by Table 45-90 and  
10          maintained in accordance with the following standards. Vegetation should  
11          be planted taking into consideration the mature height and spread of the  
12          species. Easements and access ways, which traverse required perimeter  
13          landscape buffers, shall be included in the calculation of linear dimension.

14    1.    **Trees.** Trees shall be planted in required perimeter landscape buffers  
15          at a maximum spacing of thirty (30) feet on center.

16    2.    **Shrubs.** A hedge shall be planted in required perimeter landscape  
17          buffers to form a continuous solid opaque visual screen of at least  
18          thirty-six (36) inches in height within two (2) years of planting.

19    3. 1. **Palm Trees.**

20          a.    Within the perimeter landscape buffer, a specimen palm or a  
21               group of three (3) palm trees may be substituted for one (1)  
22               required ~~canopy~~ tree; however, not more than fifty (50) percent  
23               of the required ~~canopy~~ trees may be replaced by palm trees.

24          b.    ~~In right-of-way buffers only, Royal or Phoenix palms, excluding~~  
25               ~~Phoenix roebellini, may be counted as one (1) required canopy~~  
26               ~~tree. These palms shall:~~

- 27               1)    Not exceed a maximum of thirty (30) percent of all trees  
28               required in the buffer;
- 29               2)    Be spaced a maximum of twenty (20) feet on center; and
- 30               3)    Be a minimum of either six (6) feet of gray wood for Royal  
31               palms or eight (8) feet clear trunk for Phoenix palms.

32    4. 2. **Slash pines.**

33          a.    Slash pines planted in perimeter buffers shall be installed in  
34               groups of no less than three (3).

35          b.    Each group of slash pines shall average a minimum of ten (10)  
36               feet in height and may be counted as one (1) required ~~canopy~~  
37               tree.

## Exhibit 7 (Landscaping)

1           3. ~~**Hedges and shrubs.**~~

- 2           a. ~~At the time of installation, required hedges and shrubs shall be a~~  
3           ~~minimum of twenty four (24) inches in height, and spaced at a~~  
4           ~~maximum of twenty four (24) inches on center.~~  
5           b. ~~Required hedges shall form a continuous solid opaque visual~~  
6           ~~screen of at least thirty six (36) inches in height within two (2)~~  
7           ~~years of planting.~~

8           5. 4. **Canopy Tree and palm clustering.**

- 9           a. ~~Canopy~~ Trees and palms may be clustered in right-of-way  
10           buffers if the clusters are spaced a maximum of sixty (60) ~~thirty~~  
11           ~~(30)~~ feet apart, and/or consist of trees of varied height, which  
12           when averaged, equal the minimum tree height requirements, and  
13           are located on property containing a minimum of three hundred  
14           (300) linear feet along the right-of-way.

15           6. 5. **Walls and fences within right-of-way buffer.**

- 16           a. If a wall or fence is used, the required landscaping shall be  
17           located between the wall or fence and the right-of-way.  
18           b. Walls and fences shall not encroach upon easements, unless  
19           approved in writing by the easement holder.  
20           c. Wall or fences shall be setback a minimum of ten (10) feet from  
21           the edge of the ultimate right-of-way unless a wall with a  
22           continuous footer is used, then the wall shall be setback to  
23           provide a minimum of ten (10) clear feet for planting.

24           **C. H. Safe sight distance triangles.**

25           ~~[relocated from section 45-89.H and modified as indicated]~~

26           Safe sight distance triangles ~~may be required~~ ~~shall be provided~~ in  
27           accordance with the County Design Manual, published by the Palm Beach  
28           County Department of Engineering and Public Works, to restrict placement  
29           of visual obstructions. ~~1. Landscape limitations. a. Safe sight distance~~  
30           ~~triangle areas shall be maintained to provide unobstructed visibility at a~~  
31           ~~level between thirty (30) inches and eight (8) feet above the crown of the~~  
32           ~~adjacent roadway and in a way that does not that might create a traffic~~  
33           ~~hazard. b. Landscaping on state roads shall be installed in accordance with~~  
34           ~~requirements the roadside clear zone provisions of the State of Florida~~  
35           ~~Department of Transportation's Manual of Uniform Minimum Standards for~~  
36           ~~Design, Construction, and Maintenance of Streets and Highways, as~~  
37           ~~amended. c. All landscaping within the safe sight distance triangle area~~  
38           ~~shall be planted and perpetually maintained by the property owner, in~~  
39           ~~accordance with this section.~~

## Exhibit 7 (Landscaping)

1 **Sec. ~~45-91. 6-12.~~ – Landscape requirements for base of foundation,**  
2 **landscaping and plantings.**

3 **A. Location and width.**

- 4 1. There shall be foundation landscaping within five (5) feet of all  
5 buildings and structures, ~~and~~  
6 a. These landscape areas shall be provided along all four (4)  
7 facades of all ~~commercial~~ structures, excluding rear service areas  
8 not visible by a public road right-of-way or not generally  
9 traveled by the public or visible from adjacent structures.  
10 b. ~~2.~~ The combined length of the required foundation planting shall  
11 be no less than forty (40) percent of the total length of the  
12 applicable side of the structure.  
13 2. This requirement shall not apply in the C-MU and C-3 zoning districts  
14 in front of buildings that meet the standards for a gallery, storefront, or  
15 canopy building frontage type.

16 ~~B. Irrigation. All foundation areas shall be irrigated and of the appropriate size~~  
17 ~~to accommodate the mature size of the vegetation to be planted.~~

18 ~~B. C. Minimum standards.~~

- 19 ~~1. The minimum standards for When required, foundation landscaping~~  
20 ~~shall be determined by the building height and function, and always~~  
21 ~~extend along the portions of a facade that directly abut a street, a~~  
22 ~~parking lot, and other area or vehicular use areas, excluding~~  
23 ~~entryways, doorways or other building improvements.~~  
24 ~~1. The foundation planting area for a one-story building shall be at least~~  
25 ~~five (5) feet wide, unless foundation landscaping would interfere with~~  
26 ~~the intended use and function of a building.~~  
27 ~~2. The foundation planting area for a building of two (2) or more stories~~  
28 ~~shall be not less than thirty (30) percent of the height of the adjacent~~  
29 ~~wall.~~  
30 ~~3. At least one shade tree or palm cluster shall be installed for each thirty~~  
31 ~~(30) linear feet, or fraction thereof, of facade width.~~  
32 ~~2. a. A minimum of one (1) tree per facade shall be planted for each~~  
33 ~~seventy-five (75) linear feet of building perimeter, using a species~~  
34 ~~suitable for this location, and The remainder of the landscape area~~  
35 ~~shall be treated appropriately with plantings which may include~~  
36 ~~shrubs, vines, flower boxes, ground cover, and mulch, and with~~  
37 ~~pedestrian accessways.~~  
38 ~~b. Trees and palms shall be of an installed size relating to the height of~~  
39 ~~the adjacent wall or facade, as indicated in Table 6-12.~~

## Exhibit 7 (Landscaping)

<b>Wall Height</b>	<b>Min. Tree Height</b>	<b>Min. Palm Height</b>
<15 feet	12 feet	12—14 feet
15—25 feet	14 feet	14—18 feet
>25—35 feet	16 feet	18—22 feet
>35 feet	18 feet	22—28 feet

1       **Sec. 45-92. 6-13. - Landscape maintenance.**

2       A. **Minimum requirements.** The land owner shall be responsible for the  
3       following:

- 4           1. The maintenance of required landscape structures (e.g., walls, fences)  
5           in a structurally-sound condition.
- 6           2. Tree maintenance, which shall be limited to periodic trimming to  
7           maintain healthy trees, removal of diseased limbs, or removal of limbs  
8           or foliage that present a hazard. ~~a-~~ All trees shall be allowed to grow  
9           to their natural mature height and a full canopy.
- 10           ~~b. Large and medium canopy trees shall be required to attain a~~  
11           ~~minimum twenty (20) foot canopy spread prior to pruning. In no~~  
12           ~~case shall the canopy spread be reduced to less than twenty (20)~~  
13           ~~feet in width.~~
- 14           3. Landscape buffers shall be maintained and preserved along the entire  
15           length of the property.
- 16           4. All landscape areas, including any right-of-way landscaping between  
17           the property line and the adjacent street, ~~which~~ shall be maintained on  
18           a regular basis, to include weeding, watering, fertilizing, pruning,  
19           mowing, edging, mulching, replacement of dead or missing  
20           landscaping, removal of prohibited plants, and other horticultural  
21           practices that are needed to keep landscaping in good condition, free  
22           from disease, insect pests, weeds, refuse, and debris.
- 23           5. Landscape maintenance shall be carried out in a manner that will not  
24           disrupt, inconvenience, or endanger any member of the public, or  
25           pedestrian, or motor vehicles.

## Exhibit 7 (Landscaping)

### 1        **Sec. 45-93. ~~6-14.~~ - Irrigation.**

2        A.    **General.** All landscape areas, except those areas composed of existing  
3        native plant communities, shall provide an irrigation system ~~plan~~. The  
4        irrigation system shall be designed and installed in accordance with the  
5        Florida Building Code, Florida Irrigation Society Standards and  
6        Specifications for Turf and Landscape Irrigation Systems, as amended from  
7        ~~time to time~~. Irrigation systems shall be designed and maintained to obtain  
8        the following results:

- 9            1.    Eliminate the wasteful use of water;
- 10          2.    Eliminate overspray onto staining of buildings, walks, and walls and  
11          ~~other site improvements including landscaping;~~
- 12          3.    Provide a minimum of one hundred (100) percent coverage, including  
13          the capability of applying water onto turf areas on a different  
14          saturation level than that used to irrigate shrub-planting beds; and
- 15          4.    Use separate zones to match irrigation to vegetation types. ~~Eliminate~~  
16          ~~water overthrow onto non-pervious areas.~~

17        B.    **Standards.** Irrigation systems shall comply with the following standards.

- 18            1.    Irrigation systems shall be continuously maintained in working order  
19            and shall be designed so as not to overlap water zones or to water  
20            impervious areas.
- 21            2.    Irrigation systems shall not be installed or maintained abutting any  
22            public street which causes water from the system to spray onto the  
23            roadway or to strike passing pedestrian or vehicular traffic, where  
24            feasible.

25        C.    **Rain sensors.** A rain sensor, to switch off irrigation during wet periods,  
26        shall be required on all new irrigation systems.

### 27        **Sec. 45-94. ~~6-15.~~ - Pruning.**

28        A.    **Crown reduction.**

- 29            1.    [*relocated from 45-94.A.2.a*] The crown of a shade tree required by  
30            this code or condition of approval shall not be reduced below the  
31            minimum mature spread or height requirements of this code section or  
32            specific village conditions of approval. ~~Crown reduction of shade~~  
33            ~~trees shall be prohibited until the tree canopy has reached at least~~  
34            ~~twenty (20) feet in diameter.~~ Exceptions include:
  - 35                  a.    The removal of limbs or foliage presenting a hazard or in conflict  
36                  with a crime prevention program;
  - 37                  b.    Removal of dead or diseased limbs;
  - 38                  c.    The reinforcement strength of form, or
  - 39                  d.    In association with tree or palm relocation work.

## Exhibit 7 (Landscaping)

1           2.   ~~After a tree canopy reaches fifteen (15) feet in diameter, crown~~  
2           ~~reduction shall only be permitted as Incidental when correct pruning is~~  
3           ~~permitted standards are used and~~ when there are conflicts with  
4           ~~constraints such as, but not limited to,~~ views, power lines, structures,  
5           lighting, ~~or~~ signage, vehicles, pedestrians, etc. and to improve the  
6           structural integrity of trees. All pruning shall be in accordance with  
7           pruning standards in ANSI A300. ~~3.~~ A maximum of one-fourth (0.25)  
8           of tree canopy may be removed from a tree within a one (1) year  
9           period, provided that the removal conforms to the standards of crown  
10          reduction, crown cleaning, crown thinning, crown raising, vista  
11          pruning, and crown restoration pruning techniques.

12          ~~a.~~   ~~[relocated to 45-94.A.1]~~

13          ~~b.~~   A tree that is pruned in excess of these requirements shall be  
14          replaced with a tree that meets the minimum requirements of this  
15          section or equal specifications of the tree that has been pruned,  
16          whichever is greater, or, if deemed possible by a certified  
17          arborist, a remedy plan may be proposed to the village that  
18          would correct the pruning error.

19          B.   ***Plant characteristics.*** Unless otherwise approved by the village during the  
20          approval process, trees shall be allowed to grow to a shape and size typical  
21          of their species throughout their life cycle.

22          C.   ***Pruning standards.*** The following are general pruning standards and  
23          requirements ~~established for the overlay zone.~~

24           1.   ***Hat-racking.*** Hat-racking is prohibited. For the purposes of this  
25           article, hat-racking is defined as flat-cutting the top or sides of a tree,  
26           severing the leader or leaders; making internodal cuts (cutting back of  
27           limbs to a point between branch collars/buds) prune a tree by stubbing  
28           off mature wood larger than one (1) inch in diameter within the tree's  
29           crown; or reducing a mature tree's total circumference or canopy  
30           spread by one third or more.

31           2.   ***Palm trees.*** Pruning palm trees shall be limited to dead fronds and up  
32           to one-third ( 1/3 ) of the green fronds and seed pods.

33           3.   ***Maximum limb pruning.*** Severely cutting back lower branches to  
34           increase sight visibility from underneath a tree's canopy, shall not  
35           exceed thirteen feet six inches (13'-6") from the ground level to the  
36           collar of the first limb.

37          D.   ***Alternative canopy shapes.*** If other than the normal expected tree canopy  
38          shade and size is desired by the owner of the trees, the desired shape and  
39          size shall be indicated on the approved landscape plan. If a desired shape  
40          and size is not noted on the approved landscape plan, trees shall be allowed  
41          to grow to their natural shape and size.

## Exhibit 7 (Landscaping)

1 E. **Performance.** Pruning shall be performed by a certified arborist or FNGLA  
2 certified landscape contractor in accordance with the Tree Care Industry  
3 standard of care as described in ANSI A300. ~~person or tree service that is~~  
4 ~~knowledgeable with the latest standards of the National Arborist~~  
5 ~~Association.~~

6 F. **Exemptions.** Subsections 45-94.A–D do not apply to ~~The following shall~~  
7 ~~be exempt from this section.~~

- 8 1. ~~trees which interfere with safe site triangles, utility lines, or utility~~  
9 ~~structures.~~
- 10 2. ~~Trees having crown die back or decay greater than one third the tree~~  
11 ~~canopy.~~
- 12 3. ~~Trees having suffered damage due to natural or accidental causes.~~
- 13 4. ~~Trees having insect or disease damage greater than one third of the~~  
14 ~~tree crown.~~

15 **Secs. 45-95 – 45-100. - Reserved.**