



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

May 6, 2022

Ms. Nikki Alvarez-Sowles, Esq.
Pasco County Clerk and Comptroller
The East Pasco Governmental Center
14236 6th Street, Suite 201
Dade City, Florida 33523

Attention: Jessica Popplewell

Dear Nikki Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of revised Pasco County Ordinance No. 22-23, which was filed in this office on May 6, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/mas

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; CHAPTER 800 NATURAL AND CULTURAL RESOURCE PROTECTION; SECTION 802 TREE PRESERVATION AND REPLACEMENT; CHAPTER 900 DEVELOPMENT STANDARDS; SECTION 905 GREENSPACE REQUIREMENTS AND STANDARDS; SUBSECTION 905.2 LANDSCAPING AND BUFFERING; SUBSECTION 905.3 PLANTINGS IN RIGHTS-OF-WAY OF RESIDENTIAL SUBDIVISIONS; PROVIDING FOR ENFORCEMENT, VIOLATIONS AND PENALTY; APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY, INCLUSION IN THE PASCO COUNTY LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, and 380 Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

WHEREAS, Sections 163.3201, 163.3202, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Pasco County, Florida, to implement adopted Comprehensive Plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

WHEREAS, Section 163.3202, Florida Statutes, provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

WHEREAS, The Board of County Commissioners of Pasco County, Florida adopted the restated Pasco County Land Development Code (LDC) on October 18, 2011, by Ordinance No. 11-15. Since that time, there have been 53 amendments to the Code; and

WHEREAS, The Ordinance Development Team (ODT) leads the drafting and review of all potential Land Development Code Amendments. After any necessary research is completed, potential amendments are drafted by members of ODT. The draft amendments are then taken to the LDC Interested Parties and Horizontal Roundtable group for review and comment; and

WHEREAS, On September 22, 2021, the subject proposed amendments were presented to and discussed with the LDC Interested Parties and the Horizontal Roundtable group. In addition, the team responsible for crafting the amended language included members of the Horizontal Roundtable group; and

WHEREAS, the Board of County Commissioners has conducted duly noticed public hearings as required by law, at which hearings all parties-in-interest and citizens were afforded notice and the opportunity to be heard; and

WHEREAS, the Board of County Commissioners hereby finds and declares that this Ordinance is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. Authority.

This ordinance is enacted pursuant to Chapter 125, Florida Statutes (2022) and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact.

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect on Existing Development Approvals.

The applicability and effect of this amendment shall be as provided for in Sections 103.1 and 103.2 of the restated Land Development Code.

SECTION 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 5. Amendment

The Pasco County Land Development Code is hereby amended as shown and described in Attachment A, attached hereto and made part hereof.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

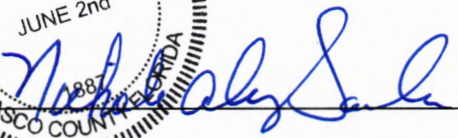
SECTION 7. Effective Date.

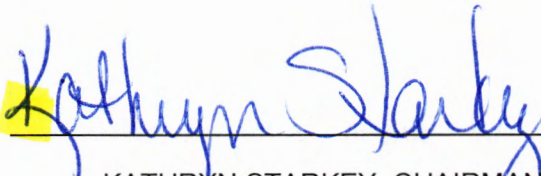
A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 3rd day of May 2022.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA




NIKKIA ALVAREZ-SOWLES, ESQ
PASCO COUNTY CLERK & COMPTROLLER


KATHRYN STARKEY, CHAIRMAN

APPROVED
IN SESSION
MAY 03 2022
PASCO COUNTY
BCC

CHAPTER 800. NATURAL AND CULTURAL RESOURCES PROTECTION

SECTION 802. TREE PRESERVATION AND REPLACEMENT

802.1. Intent and Purpose

It is the intent and purpose of this section to preserve, maintain, and protect existing native and noninvasive trees on site and to require a minimum number of trees as a condition of land development approvals. A list of native trees can be found within the [Site Development Manual](#).

802.2. Applicability

This section shall apply to all land in unincorporated Pasco County, except for the activities of registered commercial growers on the premises of plant or tree nurseries, botanical nurseries, botanical gardens, or tree farms (sponsored by the American Forest Foundation).

802.3. Tree Removal

A. Permits Required

A Tree Removal Permit is required for the removal of all five (5) inch diameter at breast height (dbh) or greater trees, except in the following circumstances:

1. Utilities

Removal by agents of a utility for overhead and underground utilities service, including distribution, collection and transmission lines, and pipelines subject to the following limitations:

- a. Pruning or trimming a tree inconsistent with the American National Standards Institute (ANSI) 300A 2001, as amended, is prohibited.
- b. Removal of trees eighteen (18) inches dbh and larger within corridors and/or easements shall require notification, prior to removal, by telephone to the County Administrator or designee and notification to the property owner and/or occupant at least three (3) business days prior to removal.

2. County Maintenance

County Road and Drainage Maintenance Projects

3. Management Plans with Tree and Vegetation Removal

Projects for which a plan has been approved by a Federal, State, or local agency or water management district for the removal of undesirable invasive or nonnative vegetation on lands owned, controlled, or managed for conservation, excluding vegetation in surface waters and wetlands. This includes alteration of vegetation

pursuant to an adopted management plan for government-maintained parks, recreation areas, wildlife management areas, conservation areas, and preserves.

4. County Approved Management Plan

Activities consistent with a management plan adopted by or reviewed and approved in writing by the County, provided that the activity furthers the natural values and functions of the ecological communities present, such as clearing firebreaks for prescribed burns.

5. Fencing

The minimal removal of trees necessary to install a fence or wall defining a property line, provided that all of the following conditions are complied with:

- a. The fencing or wall is not related to the requirements of a development plan;
- b. The path cleared for the fence does not exceed ten (10) feet in width;
- c. No equipment heavier than a one (1) ton pickup truck, hand-held outdoor power equipment, or a standard farm tractor is used in clearing the fence or installing the fence; and
- d. No dredge or fill activity is required other than the installation of posts and fence materials.

6. Survey or Other Test Required

The necessary removal of vegetation by, or at the direction of, a State of Florida licensed professional surveyor and mapper, professional geologist, or professional engineer to conduct a survey or other required test, provided that no tree of special significance tree is removed and the path cleared does not exceed ten (10) feet in width.

7. Exotic Species (provided the tree is not part of a required landscape plan or tree permit plan) and Invasive Species

8. Palms and Pines

Any tree of the palm family or pine family (other than long-leaf pine) on single-family lots, unless part of an adopted replanting or landscaping plan.

9. Bona Fide Agricultural Land

Tree removal on lands classified as bona fide agricultural land for ad valorem taxation purposes pursuant to Section 193.461, Florida

Statutes, or proposed for bona fide agricultural purposes, except that such activity must be done in compliance with the Southwest Florida Water Management District (SWFWMD), the Florida Department of Environmental Protection regulations, and silviculture Best Management Practices. Tree replacement and/or mitigation shall be required for trees removed pursuant to a proposed application for land classification if such application is not granted within one (1) calendar year of removal. This exemption from the tree removal requirements shall expire upon submittal of a PSP or PDP application, unless the PSP or PDP is denied, rescinded or expires, in which case the exemption shall be reinstated. Pine trees and palm trees or other trees planted specifically for harvesting are not included and may be harvested pursuant to the agricultural exemption. Applications for a PSP or PDP submitted prior to June 8, 2016, the effective date of Ordinance 16-12, may continue to rely on this exemption after the submittal of a PSP or PDP. The expiration of the exemption from the tree removal requirements hereunder shall not affect a landowner's ability to apply for, receive, or maintain an agricultural classification pursuant to Florida Statutes Section 193.461.

10. Single-Family Residential Lots with Existing Homes

Tree Removal Permits on single-family lots with existing homes are only required for trees greater than five (5) inch diameter at breast height.

B. Tree Removal Permit Applications

1. Tree Removal Associated with Development Activity

a. Intent and Purpose

It is intended that consideration of tree removal will be part of a holistic evaluation of a project proposal. While retaining existing trees and vegetation is encouraged, it is also recognized that trees have a life span and are subject to injury and disease. It is the intention of this section to protect trees that are currently healthy and viable and are able to remain so for a significant period after development. It is also recognized that tree removal is often an inevitable part of development and as such, replacement of tree canopy is often a necessary and preferred alternative.

b. Development Plan Submittals

Applications associated with Development Permit requests shall include the following:

- (1) A tree location survey identifying all trees ten (10) inches dbh and larger. Unless otherwise permitted by the Zoning Administrator or designee, tree surveys shall not have been completed more than three (3) years in advance of submittal. In no case, shall tree surveys have been completed more than five (5) years in advance of submittal, unless part of a previous approval. If a tree survey was prepared in association with a previous approval, a modified tree survey verifying tree diameter information (as certified by an arborist) shall be submitted at the time of preliminary site plan review.
- (2) An inventory of identified trees by type and size (not including palm and pine trees, except for longleaf).
- (3) A tree plan prepared or approved by a registered landscape architect as authorized by Chapter 481, Florida Statutes, as amended, or other type of professional as approved by the County Administrator or designee. The tree plan shall be part of the landscape plan for the site and the overall design plan and shall consider the following:
 - (a) Minimizing tree removal through design creativity and sensitivity using requests for alternative standards and modifications as appropriate to permit existing trees to remain on site.
 - (b) Design and location of streets, accessways, sidewalks, and other hardscape shall consider the location of trees.
 - (c) Stature, strength, health, and endurance of existing trees with due consideration given to fill requirements of the proposed development.
- (4) *Representative sample.* A representative sample provides an estimate of tree coverage by surveying a portion of the property containing dense tree cover and applying the survey results to the entire property, or to all areas of the property with dense tree cover. The use of a representative sample is discretionary to the county, and the county may alter the methodology used on a case-by-case basis to best suit the specific circumstances. The following parameters shall be followed when developing a representative sample:
 - (a) The survey area shall contain a minimum area of 10,000 square feet.

- (b) The survey area shall be representative of other areas of the property in terms of tree density, growth characteristics and species.
- (c) It is acceptable to utilize multiple survey areas representing varying tree densities and growth characteristics on the property.
- (d) A current aerial map identifying the sample area(s) will be required to be submitted in conjunction with an explanation of the methodology used to develop the representative sample shall be explained in a plan note.

c. Development Approval Required

Approval to remove trees shall be part of the overall development approval and shall only be allowed after the development approval is granted.

2. Individual Tree Removal Permits

a. Applications

Applications for individual Tree Removal Permits, or Tree Removal Permits not in association with a development proposal, shall be submitted on the forms and in the manner prescribed by the County Administrator or designee in the Development Manual. The application shall include a sketch of the location of the tree or trees proposed for removal and an analysis of the reason removal should be authorized.

b. Criteria to Allow Removal

The following shall be considered by the County Administrator or designee when determining whether to approve a request for tree removal:

(1) Proximity to Structures

Whether the tree or root system is determined to be detrimental to the integrity of a structure or proposed structure's foundation.

(2) Thinning

Whether the removal of the tree would be beneficial to the enhanced growth of other trees on site.

(3) Safety

Whether the tree poses a hazard and the hazard cannot be eliminated through other means, such as trimming.

(4) Condition of Tree

Whether the tree is dead; irreversibly diseased; insect ridden; or weakened by age, storm, fire, or other natural causes or act of God rendering it beyond saving. When this condition is field verified by an arborist, tree replacement is not required.

(5) Not Viable in Future

If the tree will be damaged or killed by required site grading, excavation, and/or fill.

(6) Whether the tree is subject to the provisions of Section 802.3.D, Removal of Previously Approved and Required Tree Plantings.

c. Denied Requests

In circumstances where the request to remove a tree or trees is denied by the County Administrator or designee, the applicant may supply additional information from a certified arborist for review.

C. Tree Replacement and Mitigation

1. Tree Replacement

a. Residential Tree Replacement where trees were not planted in accordance with a site development plan approved by the County.

A replacement tree shall be required to be planted for each tree removed from existing single family, two (2) family, or mobile home lots, including those on agriculturally zoned property, where the removal will result in fewer beneficial trees remaining on the lot in accordance with Section 905.2.D.2.a.

b. Replacement on Other Than Residential Lots

(1) Replacement Ratio

Trees of ten (10) inches dbh and larger which are allowed to be removed shall be replaced as follows:

(a) For live oak (*Quercus Virginiana*), the total caliper inches of replacement trees shall equal

the total caliper inches of live oaks removed, rounded to the nearest whole number.

- (b) For other trees, the total caliper inches of replacement trees shall equal one-third the total caliper inches removed, rounded up to the next whole inch.

(2) Planting Credit

Credit against the required replacement trees will be given for trees planted pursuant to the landscaping and buffering requirements. Trees located within environmentally sensitive lands shall not be credited toward the total number of required trees.

(3) Tree Mitigation Fund

If the applicant demonstrates to the satisfaction of the County Administrator or designee that a site cannot accommodate the total number of replacement trees required by this section as a result of insufficient planting area, the applicant shall provide a monetary contribution to the Tree Mitigation Fund at the rate established by resolution of the Board of County Commissioners (BCC) as follows:

- (a) For residential projects, \$50.00 per inch of the total caliper inches of replacement trees that could not be accommodated on the site, but not to exceed \$500.00 for each residential unit.
- (b) For residential projects which are designated as qualifying affordable housing projects, \$10.00 per inch of the total caliper inches of replacement trees that could not be accommodated on the site, but not to exceed \$50.00 for each residential unit.
- (c) For non-residential projects, \$50.00 per inch of the total caliper inches of replacement trees for that could not be accommodated on the site, but not to exceed \$500.00 for each 2,000 square feet of first floor building area.
- (d) For non-residential projects where there is no building area, \$50.00 per inch of caliper inches of replacement trees that could not be accommodated on the site.

D. Removal of Previously Approved and Required Tree Plantings where trees were planted in accordance with a site or development plan approved by the County.

1. Applicability

This section applies only to trees that were planted as part of a development project where the trees installed in accordance with the approved plan are damaging utilities, sidewalks, parking areas, or structures (problem trees).

2. Verification of Problem Trees where trees were planted in accordance with a site or development plan approved by the County prior to January 1, 2017.

The applicant shall provide written confirmation that the tree is causing damage and that measures, such as excavation under roots, meandering or reinforcing the sidewalk, or pruning roots are not appropriate and the tree should be removed. If not all trees of a particular species are causing similar-type damage, it may be presumed that the remaining trees of that species will become problematic in the future and may also be removed pursuant to this section.

3. Verification of Problem Trees where trees were planted in accordance with a plan approved by the County after January 1, 2017.

A licensed arborist or certified landscape architect shall provide written verification that the tree is causing damage and that mitigation efforts, such as excavation under roots, meandering sidewalks, installation of alternate sub-base materials or pruning roots are not appropriate and the tree should be removed.

4. Authority to Request Removal of Problem Trees

a. In residential projects, the homeowners' association, Community Development District, or similar entity having authority may submit an application for removal of problem trees located on the property under the control of the entity. Where such entities do not exist, an authorized representative of the neighborhood, through petition of the affected owners, may apply.

b. In nonresidential projects, the property owner, merchants' association, or similar entity having authority may submit an application for problem tree removal.

5. Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee. Plans shall be drawn at a readable scale and include:

- a. The location and number of the problem trees to be removed;
- b. The planting locations and number of replacement trees, including botanical names;
- c. Application fee; and
- d. Proof of authority.

6. Replanting Requirements

- a. Problem trees shall be replaced at 1:1 for each problem tree removed.
- b. Replacement trees shall be of a species appropriate for the placement area and comply with the principle of "right plant, right place." Additional resources, such as Costello, L.R. & Jones, K.S. Reducing Infrastructure Damage By Tree Roots: A Compendium of Strategies, 2003, should be consulted.
- c. Replacement trees shall meet the quality of standards in this Code and be planted, installed, and maintained according to the requirements of this Code.
- d. Replacement trees shall only be planted within an easement so as not to interfere with the use of that easement, and shall not be planted under any present or planned overhead or underground utility, nor within any County maintained rights-of-way or on public lands without prior County approval through the appropriate review process.
- e. Replacement trees proposed for planting in County maintained rights-of-way will require the submittal of a report and mitigation plan prepared by a Certified Landscape Architect or Licensed Arborist. Said mitigation plan shall outline preventive measures for trees that have a potential to cause damage to structures, including but not limited to, sidewalks, utilities, parking areas, storm drains, or common ground walkways as identified by Certified Landscape Architect or Licensed Arborist. Such mitigation measures shall include solutions such as installation of alternative sub-base materials, installation of root barriers, meandering sidewalks, or other similar preventive measures to ensure the most favorable outcome for healthy and viable plantings.

- f. Where possible, replacement trees shall be installed in the same location as the problem tree was formerly located.
- g. If an appropriate replacement tree cannot be installed in the same location as the problem tree, the replacement tree shall be planted on site in another location or in other common areas, such as around drainage ponds, near a clubhouse, a park, or at the entrance of the project.
- h. If all of the replacement trees cannot be replaced on site, the applicant shall contribute to the Tree Mitigation Fund as provided for in Section 802.3.C.1.b.(3) and 802.3.E.

E. Tree Mitigation Fund

1. Establishment

A tree mitigation trust fund is hereby established. All monies received by the County pursuant to this section shall be deposited in a separate revenue account known as the Tree Mitigation Fund, established and maintained apart from other general revenue funds and accounts of the County.

2. Purpose

The fund shall be used solely for the reimbursement of the purchase and planting of drought tolerant trees, as listed by the SWFWMD or the University of Florida Institute of Food and Agricultural Sciences and by the County Administrator or designee, and other landscape plants or native trees and landscaping plants meeting the intent and purpose of this Code and the administrative costs as designated by the BCC.

3. Authorized Locations

Trees and other landscaping plants and materials purchased with fund monies may only be planted:

- a. On land owned by or under the control of the County;
- b. Where the County desires to assist homeowners and affordable housing project meet the tree plant requirements of this Code, after an assessment by the Community Development Division of property value and income level;
- c. To assist in the redevelopment of designated portions of Pasco County, including providing assistance to individual property owners; and
- d. To assist the District School Board of Pasco County in the creation and maintenance of attractive community assets. In

this circumstance, the assistance shall be specifically approved by the BCC.

F. Tree Standards

All trees required by this section to remain or be planted shall be alive, in good health, and meet the following standards:

1. Florida Grade No. 1. Trees to be planted shall be Florida Grade No. 1 or better pursuant to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Grades, and Standards for Nursery Plants, which is incorporated herein by reference.
2. Trees shall be equal to or greater than two (2) inches in caliper. Multi-trunked trees shall be equal to or greater than two (2) inches in caliper with a minimum of three (3) trunks.
3. Trees shall meet the following diversity standards:

<u>Required Number of Trees</u>	<u>Required Species</u>
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5
26-30	6
31-35	7
35 or more	8

4. Invasive or exotic species located within a project area shall be removed.
5. Tree plans shall designate a person or entity, other than the County, to be responsible for maintenance.
6. All trees shall be planted according to the Florida Chapter, International Society of Arboriculture Standards for Planting, which is incorporated herein by reference. All trees must be maintained in good condition and planted in locations with adequate open space to allow for mature tree-canopy development.
7. A tree of the required size and type shall replace any required tree that dies within one (1) year from completion of construction of associated infrastructure improvements; issuance of a Certificate of Occupancy (CO) for the lot; or where no CO is required, final inspection or first use of the lot. Planting of such tree shall take place within thirty (30) days, unless an extension is requested by the applicant and granted by the County Administrator or designee. To increase likelihood of survivability, the tree may be located elsewhere on site.
8. Trees shall not be planted within any easement so as to interfere with the use of that easement, nor under any present or planned overhead

utility, nor in any rights-of-way or on public lands without County approval through the appropriate review process.

9. Palms

Palm trees may be substituted for shade trees at a rate of three (3) palm trees, grouped together, for one (1) shade tree. Exceptions may be made for the Phoenix (not including Roebellini), which may be planted individually. Palms must have a minimum of ten (10) feet of clear trunk at the time of installation.

G. Tree Protection Requirements

To ensure a healthy tree canopy in Pasco County, the following tree protection measures shall be complied with:

1. Tree Protection During Development

a. Marking and Barriers. Prior to the clearing or grubbing of land or the removal of any tree, the applicant shall clearly mark all trees for which Tree Removal Permits are requested and shall erect barriers around trees to be retained so as to create a protected zone.

(1) The protected zone shall radially extend from the tree trunk at a minimum distance equal to the tree's drip line.

(2) Barriers a minimum three (3) feet in height shall be erected outside the protected zone to prevent encroachment. Barriers shall remain in place and be in good condition throughout all development and building activity. Silt barriers, hay bales, or similarly effective erosion-control barriers shall be required in any areas where erosion or siltation may cause damage to retained trees.

(3) For large property areas, contained stands of trees to be retained that are separated from grubbing, clearing, and construction, in lieu of placing barriers around each tree, the stand of trees may be partitioned off by placing the barriers around the perimeter of the stand area on the sides where grubbing, clearing, construction, etc., is occurring, as long as an equivalent protected zone is established.

b. The application shall not cause or permit the movement of equipment or the storage of equipment, material, and debris or fill to be placed in the protected zone. No excavation shall occur within the protected zone, and there shall be no cleaning of equipment or material or the storage or disposal of waste materials, such as paints, petroleum products, oils, solvents, asphalts, concrete, mortar, or any other material within the protected zone. There shall be no fire or burning within thirty (30) feet of the protected zone.

- c. Protective barriers may be removed for the final grading. Removal of vegetation or any landscaping activities within the barrier area shall be accomplished by mowing or hand clearing. If landscaping is to be located within the protected zone, clearing by light rubber-wheeled machinery only in the area and to the extent necessary shall be allowed.

2. Utilities

Utility lines which are tunneled beneath tree roots in order to protect feeder roots are permitted. Elsewhere, trenching is allowed no closer to the tree's trunk than two-thirds of the drip line radius. However, protective measures shall be taken as specified in the *Tree Protection Manual for Builders and Developers*, as amended and published by the Florida Department of Agriculture and Consumer Services, which protective measures for feeder roots are incorporated herein by reference.

3. Activities Prohibited

When a tree is damaged by acts/omissions prohibited by this section, separate violations (or counts) may be charged for each inch of the tree measured at dbh.

The following are prohibited:

- a. Irreversible damage to a tree.
- b. Pruning or trimming any tree (except invasive) in a manner inconsistent with ANSI Pruning Standards, Section A300 2001, as amended, which is incorporated by reference.
- c. Topping of any tree.
- d. Damaging, in any manner, any tree located on public lands.
- e. Failure to remove guy or support wires, where used, from trees within six (6) months after planting.

H. Trees of Special Significance

1. Designation

Trees of special significance are those trees or grouping of trees designated as such by resolution of the BCC. Designations can only be initiated by the property owner(s) of such trees or, if on County property, by County staff. After initiation, designation requests shall be reviewed by County staff, and those trees meeting the requirements of this section shall be presented to the BCC who shall decide whether to approve the designation. Trees may be designated if one (1) of the following criteria exists:

- a. It is a historic tree, which is a tree of notable historical interest and value to the County because of its location or historical association with the community.
 - b. It is a specimen or grand tree, which is a tree of high value to the community because of its type, size, age, exceptional characteristics, or other relevant criteria.
 - c. It is a champion tree, which is a tree that has been identified by the State Division of Forestry as being the largest of its species in the United States or the world.
2. Trees designated as trees of special significance shall have a preservation easement, prepared by the owner(s) of the tree(s), created around them, and extending a minimum of fifteen (15) feet in all directions from the trunk. The preservation easement shall be recorded by the owner(s) of the tree(s) in the Public Records of Pasco County.
 3. Special Protection

An administrative variance of the required minimum front, rear, and side yard setbacks may be granted to allow the preservation of trees of special significance. Topping, irreversible damage to, or incorrect pruning of trees of special significance shall be subject to all penalties and fines as provided by this Code. The removal of any designated tree of special significance requires a permit, a site inspection, and a written evaluation by a certified arborist demonstrating that removal is deemed necessary to avoid the immediate peril to life, and/or property, and/or the condition of the tree warrants removal; removal must be approved by the BCC and the replacement requirements shall be as determined by the BCC.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 905. GREENSPACE REQUIREMENTS AND STANDARDS

905.2 Landscaping and Buffering

A. Intent and Purpose

It is the intent and purpose of this subsection to promote the health, safety, and general welfare of the current and future residents of the County by establishing minimum standards for the preservation, development, installation, and maintenance of native and Florida Friendly landscaping, as defined in Section 373.185, Florida Statutes.

Such landscape and buffers are intended to improve the aesthetic appearance of public, commercial, industrial, and residential areas by reducing the visual impact of large building masses; by softening the visual impact of paved surfaces and vehicular-use areas; by screening conflicting uses from one another; and otherwise helping establish a harmonious relationship between the natural and built environment.

These minimum requirements and standards recognize and address the vital contributions of landscapes and buffers to intercepting and filtering stormwater, reducing erosion, providing shade, enhancing property values, supporting wildlife, protecting natural resources, forming a “sense of place,” reducing costs and impacts of storms and natural disasters, and other beneficial services.

Resources for selecting appropriate planting material, helpful guides and templates, and links to external resources mentioned in this Section can be found in the [Development Manual](#).

B. Applicability

1. This section shall be applicable to all development plans submitted on or after February 26, 2002.

C. General Standards

1. Design

- a. Clear-Sight Triangle. Where a driveway/accessway intersects a road right-of-way or where two (2) road rights-of-way intersect, vegetation, structures, and non-vegetative visual screens shall not be located so as to interfere with the clear- sight triangle as defined in this Code or the *Florida Department of Transportation, Manual of Uniform Minimum Standards*, most recent edition (Green Book), whichever is more restrictive.
- b. Sidewalks, driveways, and other impervious areas shall not be located within a required planting area except when they are constructed perpendicular to the planting area and provide direct access to a structure, parcel, or adjacent parcels.
- c. Sustainable Practices. Landscape installations shall employ

environmentally sustainable principles and practices, which include Florida Friendly landscaping. A comprehensive guide to Florida Friendly landscaping principles and materials is available through the University of Florida IFAS website linked in the [Development Manual](#). Landscaping shall be installed so that landscaping materials meet the concept of right material/right place. Installed material shall be grouped into zones according to water, soil, climate, and light requirements.

d. Diversity

- (1) A maximum of fifty (50) percent of the plant materials used, other than trees, may be non-drought tolerant. The use of turfgrass varieties with excellent drought tolerance may exceed the fifty (50) percent limitation.
- (2) A minimum of thirty (30) percent of the plant materials, other than trees and turfgrass, shall be native Floridian species suitable for growth in the County.
- (3) Tree diversity shall be required based on the number of required trees on site (see Table 905.2-B).

TABLE 905.2-B

Required Number of Trees	Required Species
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5
26 or more	6

- (4) Where more than one (1) species is required, even distribution shall be strived for and subject to County approval through the associated review process.
- (5) For shrubs, no one (1) species shall constitute more than twenty-five (25) percent of the total number of plantings.
- (6) Development projects one (1) acre or less in size are exempt from the diversity requirements of Subsections 3, 4, and 5 above.

e. Berms. Where berms are installed, drought tolerant ground cover or sod, such as Bahia, may be used to stabilize the berms. The height of the berm shall be measured and averaged at regular intervals on the exterior of the berm. The final height shall be determined by averaging the dimensions obtained. The measured interval distances shall be typically eight (8) feet.

- f. Tree Location. Trees are required to be located on the site; however, trees may be planted within rights-of-way or on public lands pursuant to Section 905.2.D.3.
- g. Use of Existing, Noninvasive Plant Materials. Existing, noninvasive plant materials may be used to meet the buffering and landscaping requirements, provided there is no reduction in the required landscaping and the required vegetation is adequate to meet the intent of the buffer being substituted for. If existing plant materials are retained to meet the requirements, the following standards shall apply:
 - (1) All new development shall retain existing, noninvasive plant materials to the maximum extent possible, unless stormwater management design, necessary grade changes, required infrastructure, or approved construction footprints necessitate their removal. Areas of retained plant materials shall be preserved in their entirety with all trees, understory, and ground cover left intact and undisturbed, provided that invasive, prohibited plant materials are removed.
 - (2) Numbered photographs with site plan key, or other forms of proof and a print date showing the extent of the existing landscaping shall be provided during the review process for assessment of the existing landscaping.
 - (3) The protection of existing, noninvasive plant materials shall conform to the standards listed in this Code, Section 802.
 - (4) The required buffer width shall be delineated on the plans and existing vegetation within those buffers can be administratively approved to be used in whole or in part to satisfy buffer requirements. The subsequent removal of the existing vegetation shall require additional review and approval .
 - (5) Trees located within environmentally sensitive lands shall not be counted or credited toward the total number of trees required.

2. Types of Planting Materials

a. Shade Trees

All required shade trees shall be a selected from the Tree List in the [Development Manual](#), unless otherwise approved by the County Administrator or Designee. All shade trees used to satisfy landscaping requirements shall at a minimum have a two (2) inch caliper trunk and be a minimum of six (6) feet in height at the time of installation.

The County defines a shade tree as any tree with a height and spread over 20-feet tall at maturity, that is planted for its wider canopy, can maintain a higher bottom-branch scaffold, and provide relief from direct sunlight for at least six months of the year.

b. Ornamental Trees

All required ornamental trees shall be selected from the Tree List in the [Development Manual](#) unless otherwise approved by the County Administrator or Designee. All ornamental trees used to satisfy landscaping requirements shall at a minimum have a two (2) inch caliper trunk and be a minimum of six (6) feet in height at the time of installation.

The County defines an ornamental tree as any variety of tree which is not expected, at maturity, to reach a height of twenty (20) or more feet which is planted for its decorative value rather than for shading purposes. Ornamental trees are usually deciduous but may include short-growing conifers or palms.

c. Palms

Palm trees may be substituted for up to thirty (30) percent of the required shade trees at a rate of three (3) palm trees, grouped together, for one (1) shade tree. Exceptions may be made for Palms classified as "Shade Palm" in the [Development Manual](#), which may be planted individually. Palms must have a minimum of ten (10) feet of clear trunk at the time of installation.

d. Multiple-Trunk Trees

All proposed multiple-trunk trees shall have no less than three (3) trunks, each trunk equal to or greater than one (1) inch caliper, and shall be a minimum of six (6) feet in height at the time of installation.

e. Shrubs

(1) Shrubs grown in appropriately sized containers shall have the ability to be a minimum of twenty-four (24) inches in height within one (1) year of planting (unless otherwise required) and shall maintain that height. Shrubs shall be a minimum of eighteen (18) inches in height at the time of installation. Shrubs shall be spaced a distance appropriate to the species to create a continuous appearance within one (1) year of planting, but at no more than thirty-six (36) inches on center at the time of installation.

(2) Dwarf variety of shrubs grown in the appropriate-sized containers shall be a minimum of ten (10) inches in height at the time of installation. Dwarf shrubs shall be

spaced a distance appropriate to the species to create a continuous appearance within one (1) year of planting, but at no more than thirty-six (36) inches on center at the time of installation.

f. Ground Cover

Ground cover plants shall be spaced so as to present a finished appearance and to obtain a reasonably complete coverage within one (1) year after planting. Nonliving ground cover, such as mulch, gravel, rocks, etc., shall be used in conjunction with living plants so as to cover exposed soil and suppress fugitive dust.

g. Grasses

All portions of each site, which are not devoted to buildings, sidewalks, paving, or special landscape features shall be grassed, which may include wildflower grasses.

3. Installation of Planting Materials

- a. Avoid Utility Conflicts. Landscape installations shall be placed to avoid conflict with the existing and/or proposed utilities, both underground and overhead. Where interference with overhead utility lines is probable, ornamental trees shall be planted with a maximum spacing of twenty (20) feet on center. Consultation with the affected utility should occur for assistance with the selection of suitable vegetative species.
- b. Good Condition. All trees shall be planted according to the Florida Chapter, International Society of Arboriculture Standards for Planting, which is incorporated herein by reference. All trees must be maintained in good condition and planted in locations with adequate open space to allow for mature tree-canopy development.
- c. Avoid Easements. Trees shall not be planted within any easement that might interfere with the use of that easement.
- d. Nonliving Ground Cover. Nonliving ground cover such as mulch, gravel, rocks, etc. shall be used in conjunction with living plants to cover exposed soil and suppress fugitive dust. The nonliving ground covers shall be installed to a minimum depth of three (3) inches and should not be placed directly against the plant stem or tree trunk. Nonliving ground covers shall not be required for annual beds. Stone or gravel may be used to cover a maximum of twenty (20) percent of the landscaped area.
- e. Quality Practices. All landscaping shall be installed in accordance with standards and practices of the Florida Nursery, Growers, and Landscape Association and the Florida Chapter

of the International Society of Arboriculture.

- f. Height. All height requirements shall be based on the finished grade of the landscaped area and measured at the main stem.
- g. Quality of Planting Areas. Equipment, construction material, and debris or fill shall not be placed in future planting areas. There shall be no cleaning of equipment or material or the storage or disposal of waste materials, such as paints, petroleum products, oils, solvents, asphalts, concrete, mortar, or any other material within these future planting areas. At the time of completion, landscape areas shall be free of compaction, foreign debris, and other components not native to the site.
- h. Interim Coverage. All portions of a lot upon which development has commenced, but not continued for a period of thirty (30) days, shall be planted with a grass species or ground cover to prevent erosion and encourage soil stabilization. Adequate coverage, so as to suppress fugitive dust, shall be achieved within forty-five (45) days.

D. Specific Planting Requirements

1. Specific Standards for Residential Lots

- a. Minimum shade tree planting requirement. A minimum number of shade trees shall be planted or retained on all property upon which an individual lot is located in accordance with the following table:

Table 905.2-C

Size of Lot (Square Feet)	Minimum Number of Shade Trees
6,000 or less	1
6,001-8,999	2
9,000-11,999	3
12,000-14,999	4
15,000-17,999	5
18,000-43,559	6
1 Acre to Under 2.5 Acres	8
2.5 Acres to Under 5 Acres	6 per Developable Acre
5 Acres and Larger	4 per Developable Acre

- b. This requirement does not apply to lots of record existing before February 26, 2002.
- c. The minimum number of trees per lot can be counted toward minimum number of replacement inches if the landscape plans show a variety of tree species to select from to ensure diversity.

- d. All lots shall require at least one (1) shade tree be placed in the front yard of the lot. For multifamily projects, fifty (50) percent of the lots within a shared structure are required to meet this provision.
2. On-street Parking Areas/Plantings in Rights-of-Way. Trees planted within rights-of-way shall not be counted toward lot tree minimum requirements as outlined in Table 905.2-C.
- a. Trees planted in rights-of-ways are not required to meet the diversity requirement outlined in Table 905.2-B.
 - b. Tree plantings pursuant to this subsection of the Code shall require a County Right-of-Way Use Permit and a License and Maintenance Agreement if the Right-of-Way is to be dedicated to the County.
 - c. To prevent obstructed views of stop signs or other safety and traffic control signs, trees shall be placed a minimum of 30' from the face of said sign.
 - d. At no time, whether during installation or completion of construction, will there be imposed on the County any obligation to maintain or inspect plantings, including, but not limited to trees, shrubbery, etc., planted in the rights-of-ways pursuant to this section. Further, nothing herein is intended or shall be inferred to impose any obligation on the part of the County to maintain or inspect sidewalks constructed in accordance with any other section of this Code that are located in the same rights-of-way where said plantings are placed. All sidewalks constructed are subject to the provisions of section 901.8 of this Code and shall be inspected and maintained by the Developer and its successors and assigns, such as a CDD or HOA.
 - e. Utilities/Pavement. Trees shall be installed using a tree mitigation method as shown in the [Development Manual](#) when:
 - (1) The distance to any paved surface is less than the "Distance Between Paved Surface" column, shown in the Pasco County Tree list, found in the [Development Manual](#).
 - (2) The distance to any underground or ground level utilities is less than the "Ground Utility Minimum Distance from Trunk" column, shown in the Pasco County Tree list, found in the [Development Manual](#). This provision defines utilities as pressure pipes, sanitary sewer pipes, air release valves (ARVs), underground and above ground utility boxes, manholes, water meters, backflow prevention devices, and other such structures installed for and by utility companies, not including storm water pipes and underdrains.

3. Off Street Vehicular Use Areas. To divide and break up large expanses of paving, provide shading for paved areas, as well as creating an aesthetically pleasing environment. Applicable to all new or expanded off-street parking or other vehicular use areas.

a. General Requirements

- (1) A minimum of ten (10) percent of the on-site, vehicular use area shall be devoted to interior landscape areas. For those projects that cannot meet this requirement, alternative planting solutions may be proposed and approved administratively.
- (2) A minimum of one (1) shade tree for every 200 square feet of required interior landscaped area.
- (3) Other than trees, planting materials shall naturally grow no taller than thirty (30) inches.

b. Landscape Islands and Terminal Islands

- (1) Minimum length; one (1) foot less than the length requirements in 907.1.D.2
- (2) Minimum width of ten (10) feet, between back of curbs.
- (3) Maximum of ten (10) parking spaces between islands.
- (4) All rows of parking shall be bordered by a terminal landscaped island. Where a terminal island abuts a required buffer area or where two (2) rows of parking abut either perpendicularly or at an angle, the required plantings may be relocated elsewhere on the site upon approval of the landscape plan.
- (5) Planting Requirements Per Island:
 - (a) One (1) evergreen shade tree; shall be set back a minimum of four (4) feet from the drive aisles.
 - (b) Shrubs, dwarf shrubs, ornamental grasses, or ground cover plants shall be placed to provide a finished appearance at the time of inspection. These plantings shall be set back a minimum of one (1) foot from curbing or pavement.

c. Landscape Medians

Where a drive aisle is not loaded with parking spaces and

another buffer is not immediately adjacent, the following planting area shall be required:

- (1) Minimum width of five (5) feet, between back of curbs.
- (2) Planting Requirements for Medians:
 - (a) One (1) understory tree every thirty (30) feet.
 - (b) Shrubs, dwarf shrubs, ornamental grasses, or ground cover plants shall be placed to provide a finished appearance at the time of inspection. These plantings shall be set back a minimum of one (1) foot from curbing or pavement.
- (3) No landscaping shall be placed in a manner that would impede the clear-sight triangle of internal drive aisle intersections with other drive aisles or pedestrian paths.
- (4) The County Administrator or designee may consider alternative landscape plantings and median widths as part of the review process.

d. Additional Considerations and Standards

- (1) Use of existing noninvasive trees is preferred in the design of the vehicle use area. Where existing trees are retained in landscape islands, the number of uninterrupted parking spaces in a row may be increased to fifteen (15).
- (2) For industrial parks or land devoted to industrial use, only the parking areas between the front of the building line and the road right-of-way or easement providing access shall comply.
- (3) For vehicle use areas serving large vehicles requiring additional maneuvering room, such as truck stops, motor freight terminals, boat and RV storage, and distribution centers, up to fifty (50) percent of required vehicle use area landscaping may be transferred and added to the perimeter buffer or roadway buffer.
- (4) Areas that utilize grass parking shall not be subject to the provisions above so long as the vehicle use area provides for orderly circulation and parking spaces are delineated with wheel stops.
- (5) Where known or newly emerging clean energy technologies are proposed to be installed (including, but

not limited to, solar carports, wind turbines, and electric vehicle charging stations), and the installation of such technologies conflict with these landscaping requirements, the County Administrator or designee may administratively approve modifications to landscaping materials or planting locations during the review process without the need for formal submission of an Alternative Standard.

4. Building Perimeter Landscaping

The intent and purpose of building perimeter landscaping is to provide for visual interest, prevent monotony, break up wall and pavement expanses, and clearly define entryways.

- a. Building perimeter landscaping shall be placed such that a minimum of fifty (50) percent of the building perimeter is landscaped.
- b. All shopping center, retail, office, multifamily, clubhouse, or similar uses shall provide perimeter building landscaped beds in a minimum amount equal to ten (10) percent of the proposed building ground-level floor area.
- c. These building perimeter landscape areas shall be located adjacent to the building and shall consist of landscaped areas, raised planters, or planter boxes that are a minimum of five (5) feet wide. These landscaped areas shall include:
 - (1) Any combination of ornamental trees or group of palms, at a rate of one (1) tree or group of palms per fifty (50) linear feet within the required landscape area. Shade trees planted within fifteen (15) feet of the building may count towards meeting this requirement.
 - (2) At a minimum, the required landscape area is to have a single row of plantings, consisting of species reaching at least thirty-six (36) inches tall at maturity.

Alternative design solutions for these building perimeter landscaping requirements that meet or exceed the intent and purpose of this section may be considered through the review process.

5. Site Perimeter Landscape Buffering and Screening

The intent and purpose of providing landscape buffering and screening is to provide for an aesthetically pleasing developed environment and separation between uses and intensities where appropriate. Perimeter landscaping is required on all sides of a lot. The required buffer type is based on the subject property's district/use and the adjacent district/use as shown in Tables 905.2-D and 905.2-E at the bottom of this section.

- a. Where the buffers are located within residential subdivisions, the buffers shall be indicated as tracts and the applicable minimum side or rear yard shall be measured from the tract line.
- b. For residential uses where the buffers are not located within a subdivision, they shall be delineated by an easement and the applicable side or rear yard shall be increased by the width of the required buffer. Additionally, where the buffer is located within an easement, the applicable side- or rear-yard setback, as required by the zoning district, shall be measured from the easement line. Further, when a buffer is located within an easement, additional conditions relating to the maintenance and disclosure of the buffer requirements to the lot owner may be imposed by the County.

TABLE 905.2-D

District/Use Key:		Adjacency Matrix:										
		1	2	3	4	5	6	7	8	9	10	11
Agricultural Districts	1	-	-	-	-	-	-	-	-	-	F	-
Residential Districts ⁽¹⁾	2	A	B	B	B	C	C	-	B	D	F	B
Commercial/Office Districts/Uses	3	A	B	A	A	B	C	-	A	D	F	A
Industrial Districts/Uses	4	B	C	B	E	B	C	-	A	D	F	A
Automotive Service Stations and Convenience Stores with Gas Pumps	5	B	C	B	B	B	B	-	B	G	F	A
Vehicle Dealerships	6	A	H	A	A	A	A	-	A	D	F	A
Mining Operations/Construction and Demolition Debris Disposal Facilities/Landfills (All Types)	7	-	C	C	C	C	C	-	C	C	F	A
Self-Storage Facilities (Free Standing RV/Boat Storage Facilities do not need a buffer against Agricultural Districts)	8	A	B	A	A	B	A	-	A	#	F	A
Rights-of-Way ⁽²⁾	9	-	-	-	-	-	-	-	-	-	-	-
Controlled Access Roadways	10	-	-	-	-	-	-	-	-	-	-	-
Electrical Substations, Distribution Electrical Substations or Similar Uses, Including Solar Facility	11	B	B	A	A	A	A	A	A	D	F	-

(1) Single Family Districts, Multiple Family Districts, and Mobile Home Districts shall be required to provide a Type “B” buffer between each other. Developments of the same district shall not be required to buffer from themselves.

(2) Applies to major County roads and Type 1 subdivision collectors, except rights-of-ways as outlined in Section 905.3, or as required by this Code. Where a local roadway exists, the required buffer shall be determined by the adjacent district/use directly across the local roadway.

For specific requirements for Self-Storage Facility buffering, see LDC Section 1105.

**TABLE 905.2-E
Landscaping Buffer and Screening Requirements**

Buffer Type	Width	Shade Trees⁽¹⁾	Shrubs	Visual Screening⁽²⁾	Accent Plantings⁽³⁾
A Light	10	1 / 60 LF	Single row of evergreen shrubs	N/A	N/A
B Moderate	15	1 / 30 LF	Single row of evergreen shrubs	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	N/A
C Dense	20	1 / 20 LF staggered	Single row of evergreen shrubs	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	N/A
D-1 Nonlocal Roadway - General	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	5 shrubs per tree	N/A	50 / 100 linear foot
D-2 Nonlocal Roadway- Vehicle Use Area	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	Double row of staggered evergreen shrubs 3' tall at planting OR Combination of a berm and single row of evergreen shrubs, 3' tall at installation		30 / 100 linear foot
D-3 Nonlocal Roadway - Residential	Varies ⁽⁴⁾⁽⁵⁾	1 / 30 LF	5 shrubs per tree	6' min – 8' max with any combination: Opaque fence (no wood or chain link), wall, berm, or hedge (plantings 1 / 5 LF)	50 / 100 linear foot
E ⁽⁶⁾ Industrial to Industrial	5	1 / 60 LF	Single row of evergreen shrubs	N/A	N/A
F-1 ⁽⁷⁾ Controlled Access Roadways – Residential	20	1 / 60 LF	5 shrubs per tree or single row of evergreen shrubs	Wall (masonry or ornamental); may be placed atop berm to achieve height. Within 500 feet: sound wall, 10' Over 500 feet: 8'	50 / 100 linear foot
F-2 ⁽⁷⁾ Controlled Access Roadways – All Other	20	1 / 60 LF	5 shrubs per tree	8' min with any combination: Wall (masonry or ornamental), berms, or hedge (plantings 1 / 5 LF)	50 / 100 linear foot
G Service Stations and Convenience Stores with Gas Pumps	20 ⁽⁵⁾	1 / 20 LF staggered	Double row of staggered evergreen shrubs 3' tall at planting OR Combination of a berm and single row of evergreen shrubs, 3' tall at installation.		50 / 100 linear foot
H Vehicle Dealership	20 ⁽⁸⁾	1 / 20 LF staggered	5 shrubs per tree or single row of	6' min – 8' max with any combination:	N/A

to Residential			evergreen shrubs	Opaque fence (no wood or chain link), wall, or berm	
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(1) To provide options and diversity in design, up to 30% of required shade trees may be substituted with ornamental trees and/or groups of palms.

(2) If the visual screen on the adjacent development has already been approved and installed, this requirement shall be waived.

(3) Accent Plantings may be either shrubs, dwarf shrubs, or ornamental grasses.

(4) The minimum width will vary according to the ultimate width of abutting right-of-way and project size as follows:

Right-of-Way Width and Buffer Required:

- 0-99 Feet: 10 Feet
- 100 or More: 15 Feet
- 15 Acres or Larger Project Regardless of Right-of-Way Width: 20 Feet

(5) When a corridor right-of-way is dedicated in accordance with this Code, the Type D and G buffer widths may be reduced to no less than ten (10) feet as part of plan review, provided the intent and purpose of this section are met.

(6) When the industrial uses are adjacent, such as sharing of side-yard line, the buffer is only required to extend from the front property line to that point parallel to the front building line.

(7) Any Controlled Access Roadway also designated as a Scenic Corridor per the Pasco County Comprehensive plan shall provide a visual screen consisting of native vegetation and double rows of trees or stands of trees. The number and specific planting criteria shall meet the intent of shielding the traveling public's view of sound walls, walls, and fences, and signage while providing for views of open space and natural areas.

(8) Where the vehicle dealership site is larger than 3 acres, the buffer width shall be increased to 40 feet.

- c. **Joint Landscape Areas.** When perimeter landscape areas are required on adjacent properties with similar densities and intensities, the County Administrator or designee may approve a Joint Landscape Area permitting installation of one (1) such landscape area on the adjoining boundary. The Joint Landscape Area shall be a recorded, binding agreement on both property owners and their successors in interest and shall be approved by the County Administrator or designee. The agreement shall describe each property owner's initial landscape requirements and ongoing maintenance responsibilities between the two parties. The Joint Landscape Area shall meet or exceed the intent of the properties' buffer requirements including required trees and screening opacity.
- d. **Drainage Easements.** Where drainage easements encroach the Perimeter landscape Buffering areas, landscape shall be installed to allow positive flow of the stormwater drainage.
- e. Unless specifically stated elsewhere in this Code, landscape buffers shall follow the stricter provision between use or zoning district. Within MPUD Master Planned Unit Developments, the buffering required shall be in accordance with the use within that phase, portion, and parcel of the MPUD plan.

6. Water Management Systems

- a. All manmade dry and wet retention areas that are visible from the right-of-way shall be designed to appear natural by avoiding squared edges and appearing more rounded where possible. In addition, the following standards shall apply:
 - (1) Trees shall be planted along the banks of the water management area at a minimum rate of one (1) shade tree per fifty (50) lineal foot of pond bank.
 - (a) No landscape buffer shall be required between a retention/detention pond and a Type 1 subdivision road if there is an average pond width of 125 feet.
 - (b) No landscape buffer shall be required between a retention/detention pond and a collector road if there is an average pond width of 175 feet.
 - (2) Retention/detention ponds between an arterial road and the development, or ponds adjacent to the right-of-way that do not comply with the above requirements shall install the full buffer.
- b. Retention/detention ponds and swales not visible from the right-of-way shall be permitted within a required buffer provided they are consistent with the following criteria:
 - (1) Retention/detention ponds and swales shall not exceed, at any location within the required buffer, seventy (70) percent of the required buffer width.
 - (2) A minimum five (5) foot wide, level planting area shall be maintained between the retention/detention pond or swale and the public right-of-way or adjacent parcel. This area shall be planted with trees and shrubs to provide a natural appearance.
- c. The banks of dry retention areas shall be sodded to the pond bottom. Wet retention areas shall be sodded to the seasonal high water line. Bahia grass may be used or planted in retention/detention areas, drainage areas, wetland setback areas and mitigation areas.
- d. Stormwater retention and detention areas that are visible from the public right-of-way or located within a required buffer and, if required to be fenced in accordance with the SWFWMD requirements, shall be enclosed with a nonopaque, six (6) foot decorative, metal or vinyl-coated chain-link fence. Regular chain-link fences shall not be permitted.

E. Landscape Acceptance, Maintenance, and Prohibitions

1. All landscaping, including those areas as outlined in Section 905.2.D.3 as approved through the applicable development review process, shall be maintained by an entity other than the County.
2. All required landscaping shall be maintained in a healthy condition in perpetuity in accordance with this Code.
3. All installed landscaping shall be neat and orderly in appearance and kept free of refuse, debris, disease, pests, and weeds, and shall be fertilized and irrigated as needed to maintain plants in a healthy condition.
4. Maintenance and pruning of required shade or ornamental trees is allowed in order to remove diseased or dead wood, remove hazardous limbs, remove or trim limbs that would obstruct vehicular movement, utility lines, or pedestrian traffic, remove double leaders or crossing limbs, or maintain or correct the size of the tree. Trimming to provide proper clearance from overhead utility lines shall be allowed; however, it shall not be allowed to significantly alter the natural form of the tree. Pruning that grossly alters the natural characteristic form of that species is not permitted, (e.g. topiary sculptures or "lollipop" shapes).
5. Plantings classified as Prohibited, Invasive (No Use), Invasive, and High Risk in the "Central" zone on the "Assessment of Non-Native Plants in Florida's Natural Areas" page of University of Florida/Institute of Food and Agricultural Sciences (US/IFAS) shall be prohibited. Invasive species located within the area of the project proposed to be developed are required to be removed. Ongoing maintenance to prevent the establishment of prohibited, invasive species is required.
6. Any plant materials of whatsoever type and kind required by these regulations shall be replaced within thirty (30) days of their demise and/or removal.
7. Paving, treating, or covering a required landscape area in any way that renders it impervious is prohibited.
8. Parking of vehicles shall not be permitted in required landscape areas.
9. Certification Requirements for New Development
 - a. Certification. A registered landscape architect or other person as authorized by Chapter 481, Florida Statutes, as amended or other type of professional as approved by the County Administrator or designee, shall conduct a final field inspection. A Certificate of Compliance with the requirements of this section shall be provided to the County and the property owner prior to obtaining a Certificate of Occupancy (CO). If the property owner installs the landscaping and irrigation, the owner shall act as the

certifying agent.

- b. Installation Prior to CO. Prior to the issuance of any CO, or where no CO is required, prior to final inspection or the use of the lot, all required landscaping shall be installed and in place as set out in the approved landscape plans. In cases where timely installation of landscaping is not practicable due to the season or shortage, as determined by the County Administrator or designee, a bond satisfactory to the Engineering Services Department shall be posted until the planting occurs.

F. Alternative Standards

The County Administrator or designee may approve a request for alternative standards when the intent and purpose of this section is met or exceeded by the proposed design. This is specifically designed to encourage the application of creativity in proposals for landscape solutions that comply with Section 905.2.A.

CHAPTER 900. DEVELOPMENT STANDARDS

SECTION 905. GREENSPACE REQUIREMENTS AND STANDARDS

~~905.3 PLANTINGS IN RIGHTS-OF-WAY OF RESIDENTIAL SUBDIVISIONS~~
RESIDENTIAL STREET TREES