

ORDINANCE SUMMARY

Lake County Comprehensive Plan requires the landscape code be updated on a periodic basis. In 2006, the Board of County Commissioners requested that the Landscape and Tree Protection Regulations be updated. The changes indicated herein have involved several meetings with representatives of the County, City of Clermont, Cooperative Extension Service, Water Management District, Water Authority and the landscaping community.

Summary of Changes to Section 9.01.00 development design and improvement standards:

1. Clarifying applicability to existing development;
2. Requiring revegetation if development has not occurred within six months of development approval;
3. Providing that damage or destruction of each tree constitutes a separate violation;
4. Changing requirements for landscaped buffer zones; Allowing some wall heights to be eight feet (8') wall height (such as in heavy industrial sites) Allowing ornamental fencing for other landscape buffers.
5. Banning St. Augustine sod for new construction.
6. Proposing certain limitations to the type of irrigation zones; high, medium and low water use zones.
7. Proposing more landscape islands in parking lots; requiring landscape islands for every ten rather than fifteen parking spaces.
8. Requiring a certain number of trees based upon square feet of lot; and

Summary of changes to Section 9.02.00 Protected Trees:

1. Providing for a list of protected and recommended trees, shrubs and other plants;
2. Amending the list of prohibited trees;
3. Clarifying the silviculture exemption to tree removal permits; and
4. Providing for alternative tree replacement requirements;

Changes are shown as follows: ~~Strikethrough~~ for deletions, Underline for additions.

Notations showing “* * *” indicate that no changes are proposed between modified sections.

Changes shown in yellow highlight were made after the 12/20/08 hearing based on input received from the public and staff. These items are acceptable to staff and will be addressed at the 1/16/08 LPA meeting. These changes are shown in an effort to address issues that will be raised at the hearing to which staff is in agreement in an expeditious manner. These additions not intended and shall not be construed to indicate acceptance by the LPA. A hardcopy of these changes will be provided at the hearing.

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING CHAPTER II, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED DEFINITIONS; AMENDING CHAPTER IX, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS ENTITLED DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS; AMENDING SECTION 9.01.00, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED LANDSCAPING STANDARDS; AMENDING SECTION 9.02.00, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED PROTECTED TREES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

1 Visibility Triangle. The Areas of property on both sides of an access way and the public right-of-way
2 pavement line with two (2) sides of each triangle being twenty-five (25) feet in length from the point of
3 intersection and the third side being a line connecting the ends of the other sides.

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5 * * *

6 **Section 3. Amendment.** Chapter IX, entitled **Development Design and Improvement**
7 **Standards** of the Lake County Code, Appendix E, Land Development Regulations, is hereby amended to
8 read as follows:

9
10 **9.01.00 Landscaping Standards.**

11
12 ~~9.01.01 Purpose and Protection Standards.~~ The purpose of this section is to provide minimum
13 standards for landscaping, buffering and tree protection within the unincorporated Area~~unincorporated~~
14 Area of Lake County. This section shall be implemented so as to promote the preservation of native plant
15 species and to provide for aesthetic landscaping complements to proposed development and encourage
16 the use of plants that are Florida Friendly Landscaping.

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18
19 ~~A. The purpose of this Section is to provide minimum standards for Landscaping, Buffering~~
20 ~~and tree protection within the unincorporated Area of Lake County. This Section~~
21 ~~Shall be implemented so as to promote the preservation of native plant species~~
22 ~~and to provide for aesthetic Landscaping complements to proposed Development~~
23 ~~and encourage the Use of plants that are drought tolerant.~~

24
25 ~~B. Tree Protection Standards. The protection measures described in this Subsection are~~
26 ~~based on those described in the Tree City USA Bulletins published by The~~
27 ~~National Arbor Day Foundation: How to Save Trees During Construction (No. 8,~~
28 ~~1998), A Systematic Approach to Building with Trees (No. 20, 1998), and How to~~
29 ~~Protect Trees During Underground Work (No. 35, 1998). These publications are~~
30 ~~hereby adopted and included by reference herein. A copy of such publications is~~
31 ~~available from the County Manager or designee. This publication should~~shall be
32 used to supplement the required protection measures. It also provides information
33 on the economic value of trees to developments and their incorporation into
34 designs as well as guidelines on professional tree care, tree planting and tree
35 transplanting. The Lake County Tree Protection Standards are detailed in
36 Subsection 9.01.10.A.

37
38 **9.01.02 Applicability and Additions to Existing Development.**

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40 A. *Applicability.* It shall be unlawful for any person to clear, develop or increase the
41 developed Area of any Lot, Parcel, Plot or Tract of Land unless in compliance
42 with the terms of ~~this~~ Section 9.01.00 and Section 9.02.00, or unless otherwise
43 exempted by these regulations. ~~this Section.~~

44
45 B. Additions to Existing Development. As a condition of approval for ~~such any~~
46 addition, the owner Shall comply with the requirements of this Section upon the
47 following:

- 1
- 2 1. ~~should~~ Shall- any addition made to a Structure and/or parking Area
- 3 existing as of the effective date of this Section which exceeds a twenty-
- 4 five (25) percent **cumulative** increase in the size of the existing
- 5 Structure(s) **floor area** and/or parking area(s). ~~or~~
- 6 2. Additions of less than twenty-five (25) percent shall only be responsible
- 7 for buffering the new structure; ~~or~~
- 8 3. Additions of 4,000 square feet of impervious area;
- 9

10

11 C. It shall be the responsibility of the **newly approved** ~~most recent approved~~ use or

12 development ~~use or development~~ to provide all the required **landscape and**

13 buffering required by this section prior to occupation or operation. ~~and not the~~

14 ~~previously existing land use or development.~~

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16 **Section 9.01.02A Prohibition, Separate Violations and Revegetation.**

17 A. *Separate Violations.* Each tree damaged or destroyed without a permit required under

18 Section 9.01.00 or Section 9.02.00 shall be considered a separate violation punishable as

19 provided by law and also listed by these sections. Determinations of the number of

20 cleared trees shall be based on best available data that may include surveys of adjacent

21 property or aerial photographs taken prior to clearing.

22

23 B. *Re-vegetation Required.* If a property has not been developed within six (6) months of

24 receiving development approval, re-vegetation shall be required. ~~;~~

25

26 **9.01.03 General Requirements**

27

28

29 A. *Landscaping.* All ground surface Areas of any Lot, Plot, Tract or Parcel of Land,

30 however designated, must maintain Landscaped Areas to eliminate Erosion,

31 reduce the generation of dust particles **and other windborne particles**, provide

32 aesthetic relief, and further the objectives of this Section.

33

34 B. *Monoculture.* In order to guard against disease susceptibility,

35 a. **If 10 or more canopy trees are required then a minimum two (2) species**

36 **shall be required; a minimum of 35% shall be any one species.**

37 b. **If 30 or more canopy trees are required then a minimum three (3) species**

38 **shall be required; a minimum of 25% shall be any one species.**

39 c. **If 50 or more canopy trees are required, then a minimum four (4) species**

40 **shall be required; a minimum of 15% shall be any one species.**

41 d. **Shrub Diversity: For all required shrubs in the landscape plan, the**

42 **developer shall meet the following diversity requirements:**

43 i. **For Plans requiring 350-699 shrubs, then a minimum of two (2)**

44 **different species shall be used with a minimum of 30% for any one**

45 **species.**

1 ii. For Plans requiring 700-999 shrubs, then a minimum of three (3)
2 different species shall be used with a minimum of 20% for any one
3 species.

4 iii. For Plans requiring 1000 shrubs or more, then a minimum of four
5 (4) different species shall be used with a minimum of 15% for any
6 one species.

7 e. The County Manager or designee may Permit exceptions to this subsection
8 where trees are used as a design element such as Bosques or Allees or
9 based on Landscape design intent including but not limited to shrubs
10 massed for the purposes of creating a unifying effect for color, texture, and
11 shape or erosion control.

12
13 C. *Plant Substitutions:* The Applicant may make plant substitutions from any
14 approved plan with approved plants that are on the Lake County approved plant
15 list or designated as Florida Friendly with approval by the County Manager or
16 designee as follows:

17 1) Significant changes require the resubmittal of a Landscape Plan and the
18 appropriate fee. If any other changes have taken place that affects the landscape
19 redesign, then a site plan amendment shall be needed. Significant changes are
20 considered when a buffer is relocated or if 5% or more of the percentage of the
21 landscape is changed in any one site.

22 2) Minor changes may be allowed to an approved Landscape Plan as follows:
23 changing ten (10) or fewer trees, moving a buffer less than twenty (20') feet or
24 making other minor plant changes with written permission from the County
25 Manager or designee.

26
27 D. *Installation.* All Landscaping Shall be installed according to recommended
28 practices as noted on the University of Florida IFAS website:
29 http://solutionsforyourlife.ufl.edu/lawn_and_garden/plants_and_grasses/trees_shrubs_vines.html
30 "Selecting and Planting Trees and Shrubs," published by the
31 University of Florida/Florida Cooperative Extension Service (Institute of Food
32 and Agricultural Sciences, Circular 858, June 1990 and subsequent editions). This
33 publication is hereby adopted and included by reference herein. A copy of this
34 publication is available from the County Manager or designee.

35
36 E. *Maintenance.* The owner of a Property_ Shall be responsible for the maintenance
37 of all Landscaping so as to present a neat, healthy, and orderly appearance free of
38 refuse and debris. All required Landscaping, pursuant to Site Plan approval, Shall
39 be maintained in perpetuity. All required Landscaped Areas Shall contain an
40 automatic irrigation system in accordance with Subsection 9.01.03(I), except for
41 waterwise landscapes and/or Florida Friendly Xeriscape Landscapes per Section
42 9.01.03.II, and as approved by the County Manager or designee.

43
44 F. *Pruning.* Vegetation and trees required by these regulations shall only be pruned
45 to maintain health and vigor. Pruning shall be in accordance with Standard
46 Practice for Trees, Shrubs and Other Woody Plant Maintenance, ANSI 300 of the

1 National Tree Care Association. Trees shall not be severely pruned in order to
2 permanently maintain growth at a reduced height or spread. A tree's natural
3 growth habit shall be considered in advance of conflicts which might arise (i.e.
4 view, signage, lighting and similar conflicts). Excessive pruning (hat racking,
5 topping, etc.) Shall be considered tree abuse and a violation of these regulations.
6 These regulations apply to newly installed trees as well as established trees.

7
8 G. Staking. Staking may be required and will be determined on a site-by-site basis.
9 All staking shall be in accordance with "Selecting and Planting Trees and
10 Shrubs", published by the University of Florida/Florida Cooperative Extension
11 Service (Institute of Food and Agricultural Sciences, Circular 858, June 1990 and
12 subsequent editions).

13
14 H. *Plant Materials*

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16 1. Quality. Plant materials used in conformance with the provisions of this Section
17 Shall conform to the standards for Florida No. 1 or better as given in Grades and
18 Standards for Nursery Plants, State of Florida, Department of Agriculture and
19 Consumer Services, Tallahassee (97T-05, second edition, February 1998), which
20 is hereby adopted and included by reference herein. A copy of such publication is
21 available from the County Manager or designee. All plant material shall be
22 planted in suitable soil ~~or soil that has been amended~~ to Permit its survival. ~~Plant~~
23 ~~materials listed for the site should~~ ~~shall be found planted successfully within sixty~~
24 ~~(60) miles of Lake County.~~

25
26 2. Native Plants. A minimum of 75% of the required plants shall be native species
27 suitable for the site. Landscaping installed in addition to this requirement is not
28 subject to this provision. ~~The preservation and Use of native material is~~
29 ~~encouraged and recommended.~~

30
31 3. Canopy Trees. To meet the minimum requirements, trees planted under this
32 Section Shall be ~~a minimum of two and one-half inches (2.5")~~ ~~two (2)~~ caliper and
33 ~~in a thirty (30)-fifteen (15)~~ gallon container or greater. ~~Equivalent ball and burlap~~
34 ~~trees may be used; but container trees shall be preferred.~~ The minimum height of
35 trees is eight (8) feet and the minimum spread is four (4) feet. Trees planted
36 voluntarily may be of any size. ~~Palms are measured by height of clear trunk. The~~
37 ~~minimum size for palms is four (4) feet of clear trunk for tree form palms or five~~
38 ~~(5) feet from the ground surface to the apical bud for shrub form palms.~~ A list of
39 recommended Landscaping trees is provided in ~~The Plant List for Lake~~
40 ~~County, Subsection 9.01.10.B.~~ ~~New tree calipers shall be measured six inch (6")~~
41 ~~above grade for trees that are under four inch (4") caliper and measured twelve~~
42 ~~inch (12") above grade for trees that are larger than four inch (4") tree caliper.~~
43 ~~Existing tree calipers are measured at Diameter at Breast Height (DBH) or fifty~~
44 ~~four inch (54") height from grade.~~

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2 A. Additional Tree Credits for new Canopy Trees planted:

- 3 1) Minimum 2.5-inch-2-1/2" Caliper x 8-foot Height x 4-foot Spread = 1
4 Canopy Tree Credit
5 2) Minimum 4-inch Caliper x 12-foot Height x 5-foot Spread = 2 Canopy
6 Tree Credits
7 3) Minimum 6-inch² Caliper x 14'-foot Height x 6-foot² Spread = 3
8 Canopy Tree Credits
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- 10
11 4. *Ornamental trees.* Ornamental trees set forth in The Plants List for Lake County
12 Shall be used as ornamental or accent trees when required, and may be
13 used in place of canopy trees in situations where height restrictions or root
14 zone intrusion issues are shown to be a concern , such as under power
15 lines. In the case of ornamental trees being used in place of canopy trees,
16 then a two to one ratio (2:1) ratio shall be required. , or for a unique design
17 concept to meet the minimum requirements. Ornamental trees shall be a
18 minimum of two (2) inches in caliper and be in a thirty (30) gallon
19 container or greater. The minimum height of an ornamental tree is eight
20 (8) feet and the minimum spread is four (4) feet. For multi-trunk trees,
21 trunks shall have an average cumulative caliper of two (2)-inches.
22

23 A. Tree Credits for new Ornamental trees planted:

- 24 1. Minimum 2-inch Caliper x 8-foot Height x 4-foot Spread = 1 Ornamental
25 Tree Credit
26 2. Minimum 3-inch Caliper x 10-foot Height x 5-foot Spread = 2 Ornamental
27 Tree Credits
28 3. Minimum 4-inch Caliper x 14-foot Height x 6-foot Spread = 3 Ornamental
29 Tree Credits
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- 31
32 5. *Ornamental Trees and Palms.* In addition to protected trees, ornamental trees and
33 Palms set out in The Plant List for Lake County may also be used to meet the
34 minimum requirements. In no case shall the total number of trees-palm trees of all
35 species combined from The Plant List for Lake County Subsection 9.01.10.C
36 account for more than twenty-five (20%5) percent of the required Landscape
37 trees. The minimum size of palms is four (4) feet of clear trunk for tree form
38 palms. Palm trees may be used in lieu for canopy trees at the following ratios:
39 applies;:
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- 41 A. Two (2) palm trees count as one (1) canopy tree unless it is a large specimen
42 palm tree such as Medjool or Date Palms which may be counted as one (1)
43 palm tree to one (1) canopy tree.
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1 | 6. *Shrubs.* The shrubs listed in The Plant List for Lake County shall be used for all
2 | visual screens that are required pursuant to the provisions of this Section and shall
3 | be planted on the minimum centers listed in The Plant List for Lake County. The
4 | minimum installed height of shrubs shall be twenty-four (24") height by eighteen
5 | inches spread (18") table. The County Manager or designee may permit
6 | exceptions to the minimum centers, based on Landscape design intent including
7 | but not limited to massing for color, texture, and effect or Erosion control. The
8 | following standard applies:
9 |

- 10 | A. In Type A, B, or C landscape buffer, shrubs shall be a minimum of two (2)
11 | feet tall at the time of planting and in a minimum of a three (3) gallon
12 | container. Shrubs planted to fulfill the requirements of the Type A, B, or C
13 | Buffer shall be able to obtain a height of three (3) feet within twelve to
14 | eighteen (12-18) months of planting under normal growing conditions.
15 | B. In Type D and E landscape buffer, a minimum of threefour (34) feet tall at the
16 | time of planting and in a minimum of a five (5) gallon container. Their spread
17 | shall be appropriate for their size and species. Small or shrub-form palms shall
18 | be three (3) feet from the ground surface to the apical bud. Shrubs planted to
19 | fulfill the requirement of a Type D and E buffer shall be able to obtain a
20 | height of fivetosix (45-6) feet in twelve (12) months and be maintained at a
21 | height of at least fivesix (56) feet.
22 |

23 | 7. *Lawn Grass.* ~~Grass Areas shall be planted in species normally grown as~~
24 | ~~permanent lawns in the vicinity of the County.~~ Grass Areas may be sodded,
25 | plugged, sprigged, or seeded and shall provide complete coverage planted to
26 | industry standards. Drought tolerant species are outlined in Subsection 9.01.10.E.
27 | Complete coverage shall mean that not more than ten (10) square feet cumulative
28 | of bare ground per one-quarter (1/4) acre of grass Area are exposed. Nothing
29 | herein shall be construed to prevent a landowner from converting lawn grass areas
30 | to Florida Friendly landscape that require less water.
31 |

32 | 8. *Slopes.* Solid sod shall be used on slopes greater than fifteen ~~(15)~~ percent (15%).
33 | ~~Complete coverage shall mean that not more than ten (10) square feet cumulative~~
34 | ~~of bare ground per one-quarter (1/4) acre of grass Area are exposed.~~
35 |

36 | 9. *Synthetic Lawns and Plants.* Synthetic or artificial turf and plants may shall be
37 | used prohibited from Use in lieu of required Landscape material on a case by case
38 | basis and with approval by the County Manager or designee.
39 |

40 | 10. *Architectural Planters.* The Use of permanent or moveable architectural planters
41 | may be permitted in fulfillment of Landscape requirements upon approval of the
42 | County Manager or designee. The planters shall be adequately sized for palms, ~~or~~
43 | ornamental trees and shrubs, shall not cause the roots to bind and shall permit
44 | water to drain through the base of the planter. The base of the planter shall be
45 | wide enough that it does not blow over in mild to moderate winds. Canopy trees
46 | shall be prohibited from being planted in moveable planters.

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2 11.10. Existing Trees. Existing trees may be counted for tree requirements in Section
3 9.01.00 ~~and 9.02.00~~ pursuant to the following criteria:

- 4
5 a. The tree shall be in very good health and free of pests, disease, or injury.
6
7 b. The tree can be deciduous, coniferous, or evergreen, but no more than
8 twenty-five (2520%) percent of the existing native palm species shall
9 count toward the tree requirement. ~~One (1) native palm shall count as one~~
10 ~~(1) tree.~~
11
12 c. The minimum size of an existing canopy tree to count toward a tree
13 requirement is two (2) inches diameter at breast height (DBH) with a
14 minimum height of ~~eight feet (8')~~, and a minimum spread of four (4')
15 feet for trees and four (4') feet of clear trunk (tree-form). The trees used
16 for tree credits shall be on The Plant List for Lake County.
17
18 d. The tree shall not be a prohibited species ~~as outlined in Subsection~~
19 ~~9.02.02.B.1.~~
20
21 e. The tree may count toward the ~~replacement requirements for the Lake~~
22 ~~County Tree Removal Permit~~ or required Landscaping for Site Plan or
23 Residential development. To count for buffering or interior landscape
24 requirements; the existing tree must be located within the appropriate
25 corresponding area. The tree shall not count toward both requirements
26 simultaneously.
27
28 f. ~~The caliper of the existing tree shall count toward required trees as~~
29 ~~follows~~ Tree credits given for existing qualifying canopy trees:
30
31
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| <u>Existing Tree Size based on DBH</u> | <u>Number of Trees Credited for required landscape – (not used for replacement trees)</u> |
|----------------------------------------|-------------------------------------------------------------------------------------------|
| <u>2"-6.99"</u> | <u>1 Canopy Tree Credits</u> |
| <u>7"-12.99"</u> | <u>2 Canopy Tree Credits</u> |
| <u>13"-18" or greater</u> | <u>3 Canopy Tree Credits</u> |

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35 • 1. Ornamental trees meeting a minimum cumulative caliper shall be
36 credited as one (1) existing ornamental tree = 1 replacement [Minimum
37 two inch (2") Caliper x eight feet (8') height x four feet (4') spread].
38

| <u>Caliper of Existing Tree</u> | <u>Number of Trees Credited</u> |
|---------------------------------|---------------------------------|
| <u>2-6</u> | <u>1</u> |

| | |
|----------------|---|
| 7-12 | 2 |
| 13-18 | 3 |
| 19-24 | 4 |
| 25-30 | 5 |
| 36-41 | 6 |
| 42 and greater | 7 |

112. All Landscape material Shall be suited to soil and climate conditions of the site ~~Central Florida~~ in order to conserve water.

I. *Irrigation.*

1. ~~For a~~In all required landscaped areas, irrigation shall be used if necessary in order to establish and maintain the health~~optimal growth~~ of plant material. Temporary irrigation may be utilized, if approved by the County Manager or designee, with a provided a Maintenance Plan by the applicant is submitted. Installed irrigation shall be noted on the landscape plan as; “All irrigated landscape areas shall use an automatic irrigation system with a rain sensor shut off” ~~..or separate irrigation plans shall be provided for review~~ The irrigation system shall be in compliance with The Florida Building Code and ~~State Statue~~ 373.62 F.S. for rain sensor shut-off devices. Micro-irrigation may be utilized to conserve water resources provided it is in compliance with the Florida Building Code.

a. Irrigation shall be limited ~~to two days a week before 10:00 a.m. and after 4:00 p.m.~~ as required by the applicable Water Management District.

b. Watering for new landscapes shall comply with the applicable ~~St Johns or Southwest Florida~~ Water Management District Guidelines.

2. In order to conserve potable Groundwater, Brightwater, Reclaimed water, reclaimed water, and Rainwater from eistern collection are recommended as ~~primary irrigation sources, storm water ponds and cistern collection~~ may be utilized for irrigation water if the water quality will meet the needs of the landscape. Any reuse irrigation water or storm water used for irrigation shall be marked with appropriate signage to let the public know about the non-potable nature of the water source in conformance with the Florida Building Code. Purple pipe and irrigation heads shall be used in conformance with the Florida Building Code. Developments seeking to use water from ~~esignated wetlands retention ponds or natural lakes~~ shall comply with all requirements of the appropriate Water Management District.

3. Automatic irrigation systems shall comply with the following requirements:
An automated irrigation system is required for Commercial buildings with over one thousand (1,000) square feet of Landscape area, and shall be:

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- a. Be zoned to reflect different levels of water usage. For the most efficient Use of irrigation, plants with similar water Use requirements ~~should~~ shall be grouped together. ~~such as low with medium water requirements or medium with high water requirements.~~ Turf and shrub beds shall be on a separate zone.
- b. Be on a 24-hour automatic timer with a Backflow Prevention Device.
- c. Be keyed to topography and soil type as to avoid runoff and promote optimal percolation.
- d. Have a rain sensor per Section 373.62 of the Florida Statutes and shall be required to restrict the irrigation system from operating when adequate rainfall has occurred. ~~soil is saturated.~~

[b2]

- 4. In situations where irrigation is not required in small commercial or Community Facility Districts such as billboards, communication towers, or antennae array areas, drought-tolerant species of turfgrass shall be used. ~~in remote Commercial installation. Refer to Subsection 9.01.10.F~~ The Plant List for Lake County for types of low water use turfgrass.
- 5. When a permanent system is not required, a temporary system is allowed and encouraged for establishment of Landscape material.
- 6. Pop-up irrigation heads shall be no shorter than six (6) inches when fully extended for turf grass irrigation.
- 7. Landscaped Areas that are irrigated shall not be less than five (5) feet in width. Areas less than five (5) feet in width shall incorporate micro-irrigation.

J. ~~Voluntary Mandatory Waterwise or Florida Friendly Landscape Measures. Site Appropriate Plants~~ ~~Voluntary Xeriscaping Measures.~~ The purpose of this Subsection is to establish minimum standards for the development, installation, and maintenance of Landscaped Areas on a Site with water Use efficiency as a goal without inhibiting the Use of creative Landscape design. Waterwise and Florida Friendly landscaping, promotes encourages specific water conservation measures including the re-establishment of native plant communities, the Use of Site specific plant materials, and the Use of native vegetation. The intent of this Subsection is to recognize the need for the protection of groundwater as a Natural Resource through the application of enhanced Landscape practices, that water-efficient Landscaping maximizes the conservation of water by using Site appropriate adapted plants and efficient watering methods that will generally result in a reduction of irrigation requirements, costs, energy and maintenance. Irrigation should shall follow Florida Irrigation Society standards and Florida Water Star standards

1 maintained by the St. Johns Water Management District and comply with the Florida
2 Building Code.

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5 1. Applicants for Site Plan approval for development, redevelopment, and
6 rehabilitation of all Parcels within unincorporated Lake County shall follow the
7 requirementsguidelines of this Subsection.

8
9 2. In addition to the Landscape plan approval in Subsection 9.01.067-A, the
10 following items will be required as a part of the site plan submittal to ensure that
11 when water-efficient and waterwise principles are used.

12
13 a. Illustrate and label the water Zone requirements. See section 9.01.03.J.3.E

14
15 b. Illustrate and label all areas of the Site to be preserved in a natural state,
16 and therefore do not require irrigation.

17
18 c. Illustrate and label all turf grass and shrub areas.

19
20 ~~d. Provide a maintenance schedule and management plan.~~

21 d. Irrigation Plan in accordance with site requirements.

22
23 3. Any construction or Development activity requiring planting within Buffers or
24 other Landscaping is encouragedrequired to be consistent with water-efficient
25 Landscaping standards established herein. To achieve the objectives of this
26 Subsection, the six seven (67) basic principles of water-efficient Landscaping
27 shall be followed, -are incorporated. These principles are:

28
29 a. ~~Good design. Preservation of existing vegetation Areas when possible.~~
30 ~~Installation of plant material in groups according to the water needs of the~~
31 ~~genus and species. The plants shouldshall be grouped as follows:~~

32
33 ~~1. High water Use zones. Plant material that is associated with moist~~
34 ~~soils and require supplemental water in addition to natural rainfall~~
35 ~~to survive. The high water Use Zone plant material be limited to~~
36 ~~less than fifty (50) percent of the total Landscaped Area of the site~~

37
38 ~~2. Moderate water Use zones. Plant material that can survive on natural~~
39 ~~rainfall with supplemental water during seasonal dry periods.~~

40
41 ~~3. Low water Use zone. Plant material that can survive on natural~~
42 ~~rainfall with no supplemental water.~~

43
44 Ab. Soil improvement. The existing soils on the Site shouldshall be analyzed to
45 help determine the appropriate plant types for the site. The soils

1 | ~~should~~shall be enhanced if needed to give the soils more moisture
2 | retention capabilities

3 |
4 | Be. *Use of mulch.* Organic mulches ~~should~~shall be used and maintained
5 | around all trees located in turf grass areas, in Landscaped Areas not
6 | planted or not appropriate for growing turf grass or groundcover, and in all
7 | planted areas.- Due to slow growth rate, low renewability as a natural
8 | resource, and impacts to wetlands, cypress mulch shall not be used.
9 | Mulch shall be installed a maximum of two (2) inches deep and kept off
10 | the root ball and a minimum of two feet (2') away from the foundation of
11 | any structure. Mulch shall be kept a minimum of one foot (1') from the
12 | base of a tree trunk.

13 |
14 | Cd. *Limit irrigated lawn areas.* The use, type, and location of lawn Area in the
15 | Landscape Shall be selected in a planned manner and not used as a fill-in
16 | material. Low water use grasses such as Bahia are encouraged to cover
17 | areas reserved for turf. Since most lawn varieties used in the Landscape
18 | require supplemental watering more frequently than other types of
19 | Landscape plants, turf shall be placed so that it can be irrigated separately.
20 | Bahia grass, Zoysia Grass or other drought tolerant turf, shall be used. St.
21 | Augustine sodgrass shall not be permitted for new construction per the
22 | effective date of this Ordinance.

23 |
24 | De. *Use of low water use plants.* Landscape Pplants ~~should~~shall be selected
25 | based on appropriateness the plant's adaptability to the site considering
26 | conditions such as soil type, moisture and sunlight using the principal of
27 | "right plant-right place." desired effect, color, texture, and mature size.
28 | The Landscape ~~should~~shall be designed to give the desired aesthetic effect
29 | and plants ~~should~~shall be grouped in accordance with their respective
30 | water needs. The Use of native plants is encouraged whenever possible. A
31 | list of recommended plant material is listed in The Plant List for Lake
32 | County.

33 |
34 | Ef. *Efficient irrigation and good design.* The irrigation system shall be
35 | designed to correlate to the water Use plant zones established in
36 | the Landscape design. The following criteria for irrigating the Site
37 | ~~should~~shall be used in the design of the system. Golf Course
38 | Fairways and Greens, greenhouses, landscape nurseries, retail
39 | nurseries and agricultural production systems are exempt from
40 | meeting these requirements. Landscape nurseries shall comply
41 | with the watering restrictions for any landscape that is required as
42 | a part of landscape buffering, parking or other required landscape
43 | not related to the production or selling of landscape material on
44 | site.

1 1. High water Use zones. Plant material that is associated with moist
2 soils and require supplemental water in addition to natural rainfall
3 to survive. Generally watering is limited to twice a week or as
4 determined by the appropriate Water Management District.
5 Watering shall not exceed three quarter (3/4") of an inch of water
6 per application. The high water Use Zone plant material shall be
7 limited to less than -twenty (20%) percent of the total Landscaped
8 Area of the site. This high water use zone includes turf areas and
9 annual beds.

10 In the high water Use zones all portions of the Zone Shall be
11 provided with an automatic irrigation system with low volume
12 heads that are timed to produce no more than (2) inches of water
13 per week in established Landscapes.

14
15 2. Moderate water Use zones. Plant material that can survive on
16 natural rainfall with supplemental water during seasonal dry
17 periods. Forty percent (40%) maximum of the landscape area shall
18 be of the moderate water use zone. Generally, watering will not
19 exceed once per week with a maximum of three quarter (3/4") of
20 an inch per week.

21 In the moderate water Use zone, all portions of the Zone Shall be
22 provided with a readily available water supply within twenty five
23 (25) feet to supplement natural rainfall when needed and to help
24 ensure that watering will take place until the plant material is
25 established.

26
27 3. Low water Use zone. Plant material that can survive on natural
28 rainfall with low supplemental water. Forty percent (40%)
29 minimum of the landscape area shall be of the low water use zone.
30 Generally, watering will not exceed once every two weeks with a
31 maximum of three quarter (3/4") of an inch per application. This
32 zone is also characterized by low flow irrigation heads or micro-
33 irrigation systems.

34 In low water Use zones, all portions of the Zone Shall be provided
35 with a readily available water supply within fifty (50) feet to
36 supplement natural rainfall when needed and to help ensure that
37 watering will take place until the plant material is established.

38
39 4. Rain sensor devices shall be required on all automatic irrigation
40 systems to avoid irrigation during periods of sufficient rainfall.

41
42 5. The irrigation system shall be designed to minimize irrigation
43 overthrow onto impervious surfaces and to **avoidnegate** any
44 ponding effects.

45
46 6. **Required m**Minimum size canopy trees **requiring irrigation prior to**

1 becoming established shall use have tree bubblers or micro-
2 irrigation on a separate zone. to ensure survival. Hand watering or
3 a temporary irrigation system may be allowed as long as the owner
4 is liable for all required landscape to live and thrive in perpetuity.
5

6
7 Fg. *Appropriate maintenance.* Lake County will NOT require a maintenance
8 plan to be submitted; this information is listed as a reference only.

9 Proper maintenance will preserve and enhance the quality of the
10 Landscape. Included in the maintenance schedule shouldshall be the
11 time periods for the following: the checking, adjusting, and repairing of
12 the irrigation system, resetting of the irrigation schedule according to the
13 season, remulching, fertilizing, weeding, and pruning.
14

15
16 **9.01.04 Landscape Requirements:**

17
18
19
20 A. All Lots, Plots, Tracts or Parcels of Land Shall maintain Landscaping in Areas subject to
21 site plan approval. specifically authorized as a developed area. The This includes
22 developed Areaareas, includes open space, and water retention areas. Areas that have not
23 been affected by Development and are illustrated on the Site plan, including clearing,
24 grading, grubbing, or construction of Landscape or structural elements, are exempt from
25 requirements of this Subsection Landscape buffers be required to screen uses that are
26 viewed as incompatible or required by this code
27

28 B. General Required Landscape Requirements: ing adjacent to public rights-of-way for
29 commercial, industrial, multi-family, condominium, institutional and community
30 facility sites.
31

32 1. Minimum Buffer widths are addressed in Table 9.01.04.B.a. See Subsection
33 9.01.10.H.1-2 that depict illustrated examples of the following standards.
34

35
36
37 1. Between adjacent development parcels, the following Landscape plant
38 materials Shall be required for the different Buffer types and width options per
39 one hundred (100) linear feet of buffer length. Buffer lengths shall be determined
40 to the nearest tenth and then multiplied by the number of plants required. For
41 example, a three hundred and thirty foot buffer would be as follows for buffer A:
42 3.3 x 3 Canopy Trees = 9.9 Canopy trees required. For plants required standard
43 math rounding will be used. For example, if 3.5 Canopy Trees are required per the
44 multiplier, then that number would be rounded to four (4) Canopy Trees required.
45 (Existing native or indigenous vegetation may be used to meet the buffering

requirements as long as it meets the minimum sizes set forth herein and is labeled and depicted on the Landscape Plan}

Table 9.01.04.B.2.A

Landscape Buffers between Zoning Types

*Indicates that no landscape buffer is required.

| | A [±] | RA | AR | R1 | R2 | R3 | R4 | R5 | R6 | R7 | RP | RMRP | RM | C1 | C2 | CP | LM | HM | MP | CFD | RV | PUD | |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----|----|----|----|----|----|-----|----|-----|---|
| A [±] | * | * | * | * | * | * | * | * | * | * | A | *A | A [±] | C | C | C | D | D | D | A | B | B | |
| RA | * | * | * | A [±] | A | *A | A [±] | C | C | C | D | D | D | A | B | B | |
| AR | * | * | * | A [±] | A | *A | A [±] | C | C | C | D | D | D | A | B | B | |
| R1 | * | A [±] | A [±] | * | * | A [±] | A | *A | A [±] | C | C | C | ED | ED | ED | A | B | B | |
| R2 | * | A [±] | A [±] | * | * | * | * | * | * | * | A | *A | A [±] | C | C | C | ED | ED | ED | A | B | B | |
| R3 | * | A [±] | A [±] | A [±] | * | * | * | * | * | * | A | *A | A [±] | C | C | C | ED | ED | ED | A | B | B | |
| R4 | * | A [±] | A [±] | A [±] | * | * | * | * | * | * | A | *A | A [±] | C | C | C | ED | ED | ED | A | B | B | |
| R5 | * | A [±] | A [±] | A [±] | * | * | * | * | * | * | A | *A | A [±] | B | B | B | ED | ED | ED | A | B | B | |
| R6 | * | A [±] | A [±] | A [±] | * | * | * | * | * | * | A | *A | A [±] | B | B | B | ED | ED | ED | A | B | B | |
| R7 | * | A [±] | A [±] | A [±] | * | * | * | * | * | * | A | *A | A [±] | B | B | B | ED | ED | ED | A | B | B | |
| RP | A | A | A | A | A | A | A | A | A | A | A | *A | A [±] | B | B | B | ED | ED | ED | A | A | B | |
| RMRP | *A | *A | A | A | A | A | A | A | A | A | A | *A | A [±] | B | B | B | ED | ED | ED | A | A | B | |
| RM | A [±] | C | C | C | ED | ED | ED | A | B | B | |
| C1 | C | C | C | C | C | C | C | B | B | B | B | B | B | C | B | B | B | EB | EB | EB | B | B | B |
| C2 | C | C | C | C | C | C | C | B | B | B | B | B | B | C | B | B | B | B | B | B | B | B | B |
| CP | C | C | C | C | C | C | C | B | B | B | B | B | B | C | B | B | B | B | B | B | B | B | B |
| LM | D | D | D | ED | B | B | B | B | B | B | C | D | B | |
| HM | D | D | D | ED | B | B | B | B | B | B | C | D | B | |
| MP | D | D | D | ED | B | B | B | B | B | B | C | D | B | |
| CFD | A | A | A | A | A | A | A | A | A | A | A | A | A | B | B | B | C | C | C | B | B | B | |
| RV | B | B | B | B | B | B | B | B | B | B | A | A | B | B | B | B | D | D | D | B | B | B | |
| PUD | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | B | |

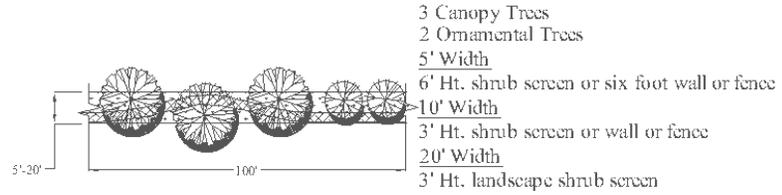
Table 9.01.04.B.2.B

Land Use Buffer Area Requirements and Options

| <u>Buffer Area Type</u> (See Table 9.01.04.B.2.A) | <u>Width Options</u> (All options available unless restricted) | <u>Landscape/Hardscape Requirements</u> (per 100 linear feet of Buffer Area) |
|------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------|
|------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------|

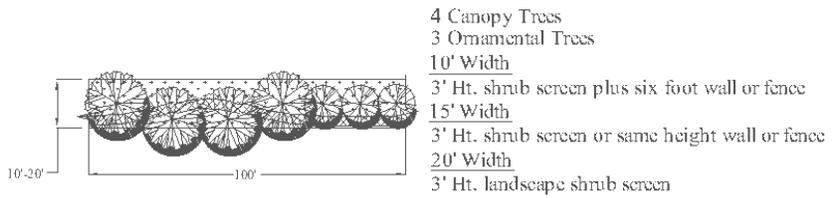
| | | |
|----------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | 1. <u>20 Feet</u> | Three (3) canopy trees with (2) <u>ornamental trees</u> plus two (2) <u>foot height landscape shrub screen</u> |
| | 2. <u>10 Feet</u> | Three (3) canopy trees with (2) <u>ornamental trees</u> plus two (2) <u>foot height landscape shrub screen or wall or fence</u> |
| | 3. <u>5 Feet</u> | Three (3) canopy trees with (2) <u>ornamental trees</u> plus two <u>(26)</u> <u>foot height landscape shrub screen or six (6) foot wall or fence</u> |
| B | 1. <u>20 Feet</u> | Four (4) canopy trees plus three (3) <u>ornamental trees</u> and two (2) <u>foot landscape screen</u> |
| | 2. <u>15 Feet</u> | Four (4) canopy trees plus three (3) <u>ornamental trees</u> and two (2) <u>foot landscape shrub screen or same height wall or fence</u> |
| | 3. <u>10 Feet</u> | Four (4) canopy trees plus three (3) <u>ornamental trees</u> and two (2) <u>foot landscape shrub screen plus six (6) foot wall or fence</u> |
| C | <u>50 Feet</u> | Five (5) canopy trees plus four (4) <u>ornamental trees</u> plus double row of a two (2) <u>foot height landscape shrub screen</u> |
| | <u>25 Feet</u> | Five (5) canopy trees plus four (4) <u>ornamental trees</u> plus double row of a two (2) <u>foot height landscape shrub screen plus six (6) foot wall or fence. An additional 300 SF of landscape groundcover other than turf is required</u> |
| | <u>15 Feet</u> | Five (5) canopy trees plus four (4) <u>ornamental trees</u> plus double row of a two <u>(23)</u> <u>foot height landscape shrub screen plus eight (8) foot wall or fence. An additional 300 SF of landscape groundcover other than turf is required.</u> |
| D | <u>100 Feet</u> | Six (6) canopy trees plus (5) <u>ornamental trees</u> with a four <u>two</u> <u>(42)</u> <u>foot height shrub planted in a double row with optional three (3) foot high berm. An additional 300 SF of landscape groundcover other than turf is required</u> |
| | <u>50 Feet</u> | Six (6) canopy trees plus (5) <u>ornamental trees</u> with a four <u>two</u> <u>(42)</u> <u>foot height shrub planted in a double row with optional (3) foot high berm plus six (6) foot wall or fence. An additional 300 SF-feet of landscape groundcover other than turf is required</u> |
| E | <u>50 Feet</u> Varies | Ten (10) canopy trees plus (8) <u>ornamental trees</u> with a four <u>two</u> <u>(42)</u> <u>foot height shrub planted in a double row- with (4) foot high berm</u> |

1
2



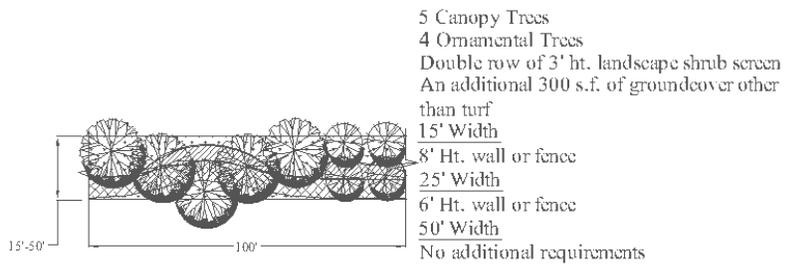
Buffer A

Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.



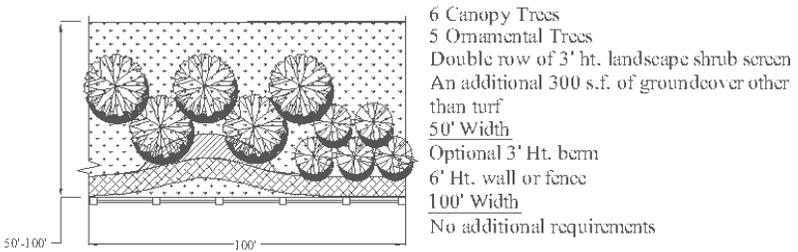
Buffer B

Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.



Buffer C

Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.

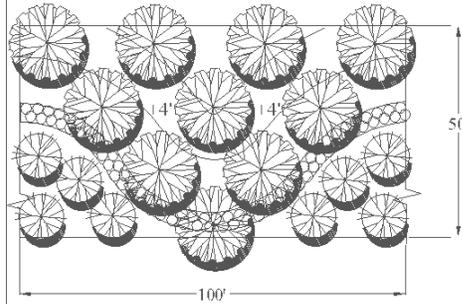


Buffer D

Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.

3

Buffer Type E



- 10 Canopy Trees
- 8 Ornamental Trees
- 2 Rows of shrubs
- 4' Berm

Layout is schematic - owner is allowed to adjust design as needed to meet the minimum requirements as shown above.

Zoning Based Buffering and Landscape Requirements:

- 1) Multi-use sites most intensive use shall determine buffering provisions.
- 2) “One-sided” wood fences shall be installed with wood posts to the inside of the property that is installing the fence. Any wood fence along a private or public right of way shall be painted.
- 3) The landscape material shall be maintained in perpetuity.
- Separately platted or phased developments will require a landscape shared buffer pursuant to the Zoning Buffer area requirements.
- 4) Allowed wall types include EFIS with stucco, stucco, brick, finished or textured block and poured-in-place concrete wall with a finished surface. Disallowed wall types include any type of wall that has an unfinished surface such as unfinished concrete or an unfinished (CMU) concrete masonry unit wall. Allowed fence types for fences or screens 3’ or less include ornamental metal, opaque wood or other similar material. For fences or screens 6’ or taller an opaque material shall be used. Chain link fencing is not allowed along any public right of ways or adjacent to any residential use areas as a required screening material. Chain link fencing may be allowed around certain utility areas towers as allowed by the Lake County Land Development Code.
- 5) Required canopy trees shall generally not be spaced more than at 50-foot averages; however, clustering may be utilized if desired for design intent. Required ornamental trees shall have a maximum spacing of 50-feet however; clustering may be utilized for design intent. Generally, Spacing of tree groupings shall not exceed 150-feet. to allow for views and or sign placement.
- 6) The buffer may be shared for similar zoned properties. The first developed use shall be responsible for installing the buffer. The buffer width may be split between two similar use properties such as commercial to commercial.

1
2
3
4 *Table 9.01.04.B.2.a: Landscape Plants for Required Buffers Between Lots and Rights-of-Way*
5
6
7
8

| Buffer Type | Minimum Width | Minimum Number of Canopy Trees | | Number of Ornamental Trees* | Shrub Reqt |
|-------------|---------------|--------------------------------|-----|-----------------------------|----------------------------------------------|
| A | 10 | 3 | AND | 2 | 1 single row of shrubs |
| B | 15 | 4 | AND | 3 | 1 single row of shrubs |
| C | 20 | 6 | AND | 5 | Double (2 rows) of shrubs |
| D | 30 | 10 | AND | 8 | Double (2 rows) shrubs AND a min 6 high wall |

9
10
11 ~~—————*Ornamental Trees are optional and in addition to the minimum number of~~
12 ~~canopy trees for Buffer types "A" and "B" only.~~
13

14 ~~—————Notes for Table 9.01.04.B.2.a~~

15 ~~—————*Indicates that no Landscape Buffer is required.~~

16
17 7.

18
19 The Any parcel developed adjacent to a public right-of-way Parcel shall have a Landscape
20 Buffer along its right-of-way that reflects the zoning category across the road/street or a

1 Type A landscape buffer, whichever is more intense, unless the Parcel is located If the
2 parcel is located along a road classified as an arterial roadway as designated by the County,
3 then the minimum buffer shall be Type C Landscape Buffer unless the adjacent zoning
4 requires a more intense buffer. The arterials are as defined by the Lake County Public
5 Works including but not limited to all segments of SR 50, US 27 and US 441.
6 along the Arterials in Subsection 9.01.04.2.a. Then, the minimum Buffer Shall be 20',
7 unless the "D" category Buffer is greater.
8
9

10 8. One (1) Landscape Buffer is required between similar zoned adjacent Parcels in a tract
11 of land that is master planned as one development. If the commercial parcels are part of
12 a master planned commercial center or mixed use Planned Unit Development (PUD) the
13 adjacent lots may share the installation with each providing fifty percent (50%) of the
14 required minimum buffer. Individually developed commercial sites, not part of a master
15 planned commercial center, shall install full buffers.
16
17

18 9. For commercial, industrial, PUD, single-family subdivisions and multi-family
19 subdivisions, all areas set aside as pervious area, including but not limited to retention
20 ponds and parks, shall have ten (10) Canopy trees per acre minimum. Some parts of the
21 site may be left as open space but the total average number of trees shall average 10
22 canopy trees per acre for pervious areas. Other landscape requirements of this Code
23 Ordinance may be used to meet this requirement such as required landscape buffering
24 and canopy trees required around retention ponds. This rule does not apply to the yards of
25 a single-family home, whose tree requirements are listed in Section 9.01.05 of this code.
26 Other protected lands such as wetlands do not have to meet the ten (10) trees per acre
27 requirement. Permanent water bodies, wetlands and wet retention ponds shall be
28 excluded in calculating the amount of pervious area open space requiring ten (10) canopy
29 trees per acre.
30

31 10. Where residential developments abut other residential developments, the
32 landscape buffer in the area where the properties adjoin shall be a separate tract that is
33 maintained by a homeowners association, or a portion of a yard that is owned and
34 maintained by an individual homeowner. The buffer shall be shown on the site plans. In
35 instances where the landscape buffer is a portion of an individual back yard, deviations
36 from the required number of trees and shrubs may be permitted. Buffering between
37 residential developments as required by the Landscape Buffers between Zoning Types
38 (Table 9.01.04.B.2.A) shall only be waived through the Variance process.
39

40 117. Within single-family and multi-family residential developments, a buffer shall be
41 provided along all external roadways to reduce noise generated by traffic and
42 create a visual barrier. Unless otherwise noted, the buffer shall be as required by
43 the adjacent land use or a Type A buffer at a minimum, whichever is more robust.
44 If the road is an arterial road then the buffer shall be a type C buffer at a
45 minimum.
46

47 128. In areas where dual access is an issue, a ten (10) foot wide landscape tract shall be

1 provided. The tract shall be dedicated to the homeowners association with
2 covenants and restrictions precluding the construction or placement of any
3 structures within the tract with the exception of a fence or a wall. Unless
4 otherwise required, this tract may be solely vegetated with groundcover or turf.
5 The tract shall be indicated on the landscape plans.
6

7 13. Existing native or non-invasive trees and vegetation may be retained and used to
8 meet landscape buffering requirements. The existing material must be located
9 and called out on the Landscape Plan and shall meet the minimum sizes listed
10 under required for trees and shrubs to be utilized.
11

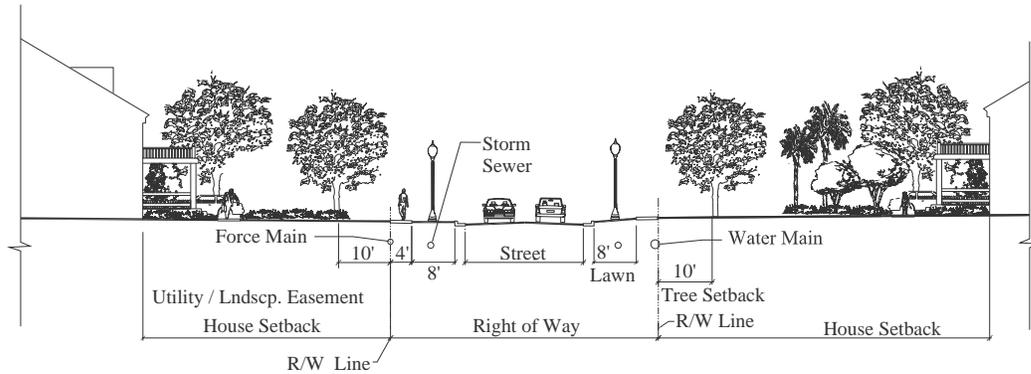
12
13
14 a. A minimum twenty (20) foot wide Buffer is required along the following rights-
15 of-way:
16

17 1. All existing Arterial Roads.
18

19 2. Any new major Arterial construction.
20

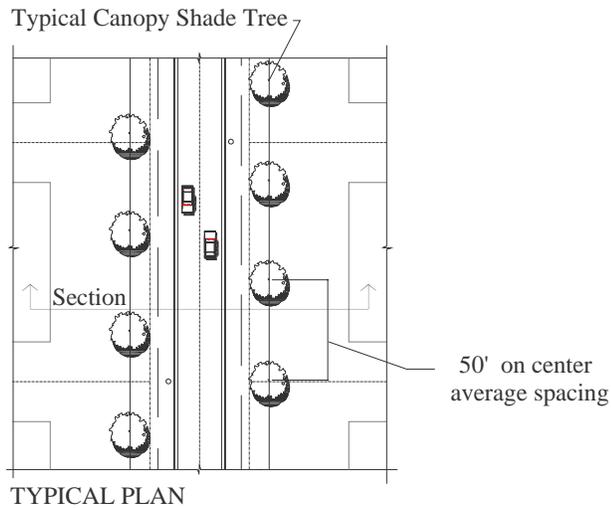
21 b. New single family and multi family Residential Development of more than
22 twenty (20) units Shall provide a treed boulevard along the length of the Development along the
23 all rights of way. The Buffer Shall be ten (10) feet in width unless it is along one (1) of the roads
24 in Subsection 9.01.04.B.1.a.1-6.
25

26 14.9. All roads in single family and multi-family developments shall provide internal
27 tree lined roads and that shall have street trees, from the canopy tree list, (as listed in the
28 Plant List for Lake County) at an average spacing of 50-feet on center spacing along both
29 side of roads. The canopy trees required for residential lots may also be used as required
30 street trees as long as they are no more than twenty feet away from the right-of-way line. It
31 is recommended required that trees are planted a minimum of ten feet (10') and maximum
32 of twenty (20) feet just outside the right-of-way (R.O.W.) with an alternating pattern on
33 each side of the road. ~~Developments-Developers~~ may plant trees in the right of way, with
34 permission from the Lake County Department of Public Works. Any tree planted within the
35 R.O.W. shall comply with the latest F.D.O.T. Green Book Standards. It is required that
36 trees are planted as far from utilities as possible but not less than 10-foot horizontal or as
37 required by the utility provider, whichever is farther. Canopy trees ~~must~~ shall be be
38 planted a minimum of eight (8)5-foot distance from public sidewalks. When the proposed
39 development is only on one side of the road then street trees shall be required for that side
40 of the road. The following zoning classification shall be exempt from providing street trees
41 as listed by this paragraph only: (Exempt Zoning Categories:) "A", "RA", "AR", "R-1", "R-
42 2", "RV", "RMRP" although 8 foot is preferred. ~~b31~~
43
44



TYPICAL SECTION

1



TYPICAL PLAN

2
3
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12

150. Landscape materials within Buffers along all rights-of-way ~~Shall~~ shall be designed to display variety, color, form, and texture, by utilizing native and drought tolerant -plants and exotic species. Such variety and color may be accomplished by using a combination of shrubs, ~~and~~ ornamentals, and accent plants from the plant lists in Subsection 9.01.10.C & D Plant List for Lake County as maintained

1 | by the County Manager or designee. The placement of Landscape materials
2 | within Landscape Buffers Shall have a rational relationship to the existing
3 | patterns and densities of adjoining Areas which have been designed or preserved.
4 | Arrangements shall replicate natural conditions and shall not be linear unless
5 | dimensional limitations necessitate such an arrangement or linear arrangement is
6 | part of a formal Landscape directly related to the architecture of the building(s) or
7 | are part of a formal street tree landscape as described in paragraph #14 above.
8 | Landscape materials Shall be clustered into groupings that simulate a natural,
9 | rather than man-made appearance

10 |
11 | 161. When cross access is required, the landscape buffer shall terminate at the
12 | pavement's edge or the edge of the easement.

13 |
14 |
15 | 173. Individual Trees Planting Requirement

16 |
17 | a. Unless specified by the Landscape Buffer requirements in Table 9.03.04.B, a
18 | minimum, three (3) canopy trees or five (5) understory or ornamental
19 | trees Shall be provided within the Landscaped Buffer for every one
20 | hundred (100) feet of public right of way. A combination of two (2)
21 | canopy and three (3) understory or three (3) canopy and two (2)
22 | understory may be used to fulfill this requirement.

23 |
24 | a. Generally, understory ornamental trees shall be spaced a minimum
25 | twelve ~~twenty~~ (2012') feet apart and canopy trees a minimum of twenty
26 | (20') ~~maximum forty (40)~~ feet apart. However, clusters of trees and non
27 | linear alignments within the Landscaped Buffer may be used to meet the
28 | above requirement. Adequate spacing shall be maintained to protect and
29 | allow for the growth of the root systems of each tree. Special precautions
30 | shall be taken in to not locating locate canopy trees under or near utility
31 | easements. Generally, maximum spacing of trees shall not exceed 150' to
32 | allow for views and sign placement.

33 |
34 | b. Each canopy tree shall be provided with a minimum one-hundred twenty-
35 | five (10025) square foot planting Area around the trunk with a minimum
36 | dimension of eight five (85) feet. Large maturing canopy trees will need
37 | more planting area typically. Each planting Area Shall be landscaped with
38 | a mulch ring, groundcover, or other Landscape material, excluding lawn
39 | grass, in addition to the required tree. See Subsection 9.01.10.H.12 for an
40 | illustrated example of a tree planting area.

41 |
42 |
43 | cd. No understory ornamental or canopy tree shall be planted within a the
44 | Visibility Triangle.

45 |
46 | de. No Certificate of Occupancy Shall be issued by the County Manager or
47 | designee on the types of construction indicated below unless the

1 underlying Parcel has the following minimum number of protected trees in
2 Subsection 9.02.02;

3
4 1. For any multifamily, or non-Residential Development requiring
5 Site Plan Approval under the Lake County Land Development
6 Regulations, six (6) trees per acre.

7
8 2. Existing trees may be used to meet these provisions in Subsection
9 9.01.03.E.10.

10 e. Trees shall be maintained in excellent condition and protected during
11 development of the site. ~~for one (1) year during which survival is~~
12 ~~guaranteed by the Property owner pursuant to Subsection 9.02.06 below.~~

13
14 3. One (1) of the required trees Shall be planted within ten (10) feet
15 Landward of the right of way for Lots less than or equal to one
16 half (1/2) acre. ~~More canopy trees may need to be planted outside~~
17 ~~but parallel to the road right of way based on the street tree~~
18 ~~requirements as listed in 9.01.04.B.14.~~

19
20 184. Individual Shrubs Planting Requirements.

21
22 a. A visual screen Shall include shrubs or berm(s) with shrubs. The shrubs
23 shall have an average height at time of planting of at least ~~three (3) gallon~~
24 ~~or two to two and one-half (2' - 2 1/2) feet~~ or greater planted at the
25 minimum centers provided in Subsection 9.01.10.D. Plant List for Lake
26 County. Their spread ~~should~~shall be appropriate for size and species. They
27 shall be able to obtain a height of three (3) feet within twelve (12) months
28 of planting under normal growing conditions.

29
30 b. The shrubs with or without berm(s) shall be located within the Landscaped
31 Buffer between the planting Areas of the required trees.

32
33 C. Internal Landscaping in Parking areas and other Site Areas

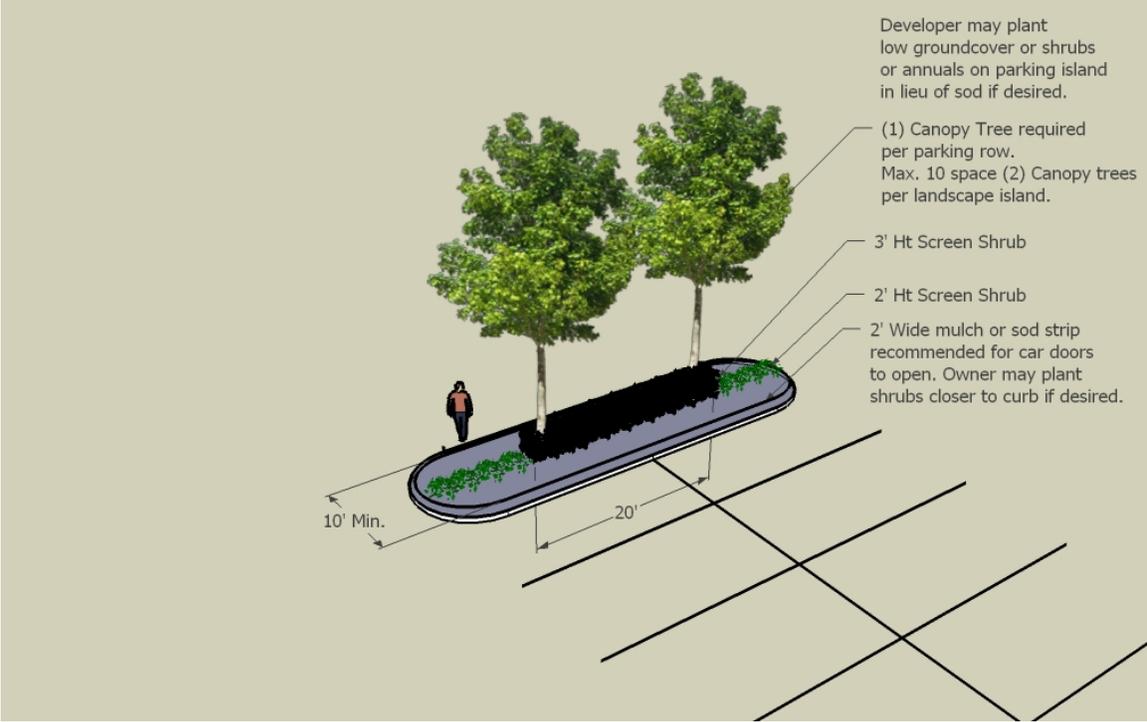
34
35 1. Generally. All ground surface Areas used on commercial, institutional,
36 community facility, industrial, condominium, recreational vehicle parks,
37 or multifamily sites shall have internal Landscaping to provide visual and
38 climatic relief from broad expanses of pavement and channelize and
39 define logical Areas for pedestrian and vehicular circulation. The
40 following special landscaping requirements apply to commercial,
41 institutional, community facility, industrial, condominium, recreational
42 vehicle parks and multifamily sites.

43
44 2. Interior Parking Areas.
45 Landscape Islands shall be provided within parking areas as described
46 below to prevent excessively long, contiguous runs of parking spaces.

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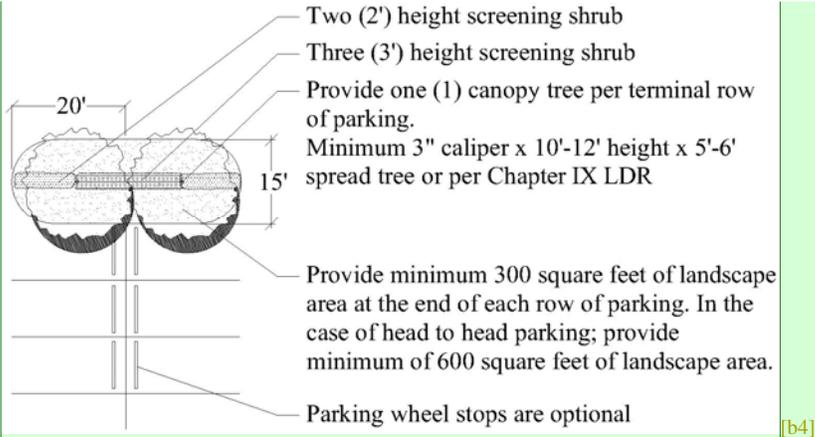
These Areas Shall have, wheel stops, bollards or other control measure to prevent vehicles from driving near or under the trees. Variances to this rule may be granted by the County Manager or designee. Multiple floor parking garages are exempt from meeting paragraphs "a", "b" and "c" below.

Typical Terminal Landscape Island – Perspective View



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Typical Terminal Landscape Island – Plan View



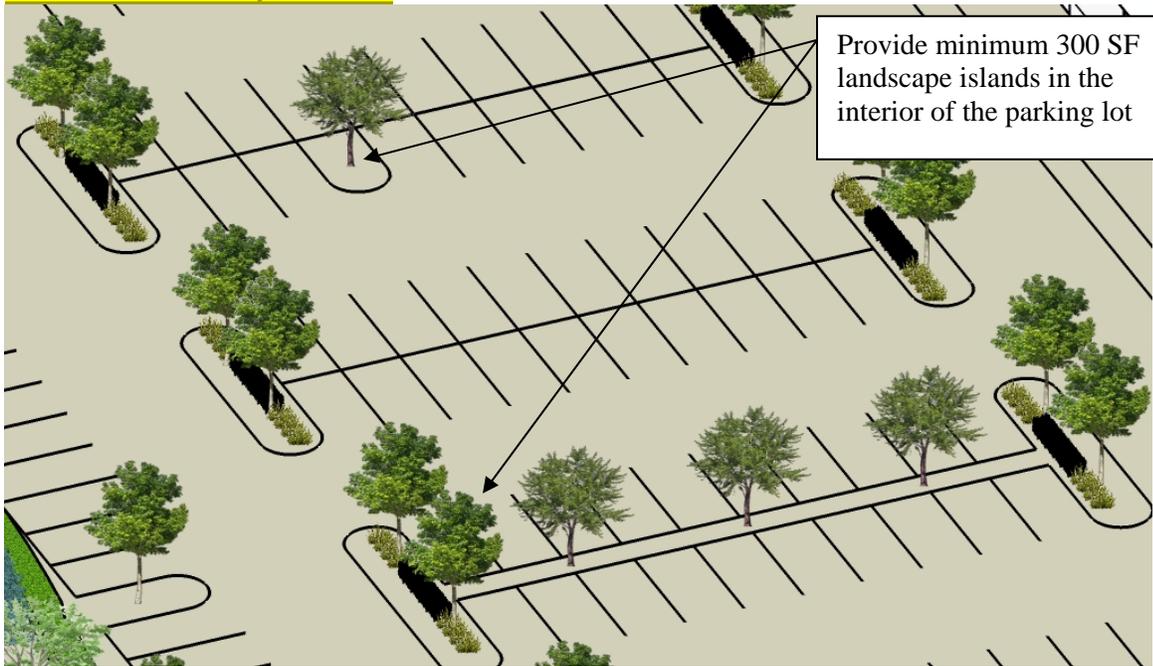
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a. Single-Row Terminal Landscape Islands

A single-row parking bay shall not contain more than ten (10) contiguous parking spaces or extend more than one-hundred and twenty (120), whichever is more restrictive. One single-row terminal landscape island, with a minimum pervious area of three hundred (300) square feet and a minimum width of ten (10) feet, shall be provided at each end of a single-row parking bay. Each single-row terminal landscape island shall contain at least one (1) canopy tree.

Terminal Landscape Islands



b. Double-Row Terminal Landscape Islands

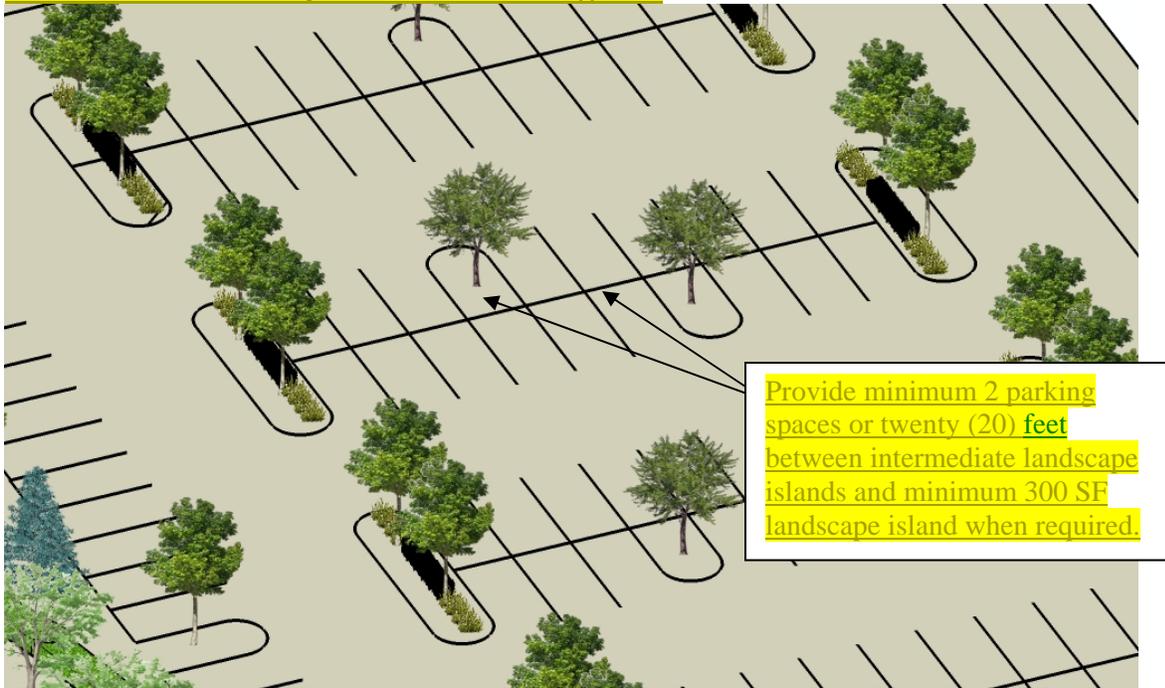
A double-row parking bay with head-to-head parking shall not contain more than twenty (20) contiguous parking spaces in a 2x10 configuration or extend more than one-hundred and twenty (120), whichever is more restrictive. One double-row terminal landscape island, with a minimum pervious area of six hundred (600) square feet and a minimum width of ten (10) feet, shall be provided at each end of a double-row parking bay. Each double-row terminal landscape island shall contain at least two (2) canopy trees.

c. Intermediate Landscape Islands

Additional interior landscape islands, known as an intermediate landscapes islands, shall be required within parking lots having eighty (80) or more parking spaces. An intermediate landscape

1 island shall be provided for any parking lot with eighty (80) or
2 more parking spaces, and an additional intermediate landscape
3 island shall be provided for every additional twenty (20) parking
4 spaces in excess of eighty (80). Each intermediate landscape
5 island shall have a minimum pervious area of three hundred (300) square
6 feet and a minimum width of ten (10) feet, and each intermediate
7 landscape island shall contain at least one (1) canopy tree.
8 Alternatively a minimum seven (7) foot wide landscape strip may
9 be provided between head-to-head parking, which may count as
10 the required intermediate landscape island for every three hundred
11 square feet (300) of impervious area provided. If a landscape strip
12 is used, ornamental landscape trees and shrubs shall be planted
13 within the landscape strip on minimum thirty (30) foot centers.
14

15 Intermediate Landscape Islands in Parking Lots



16
17
18 **d.a.** Interior portions of Off-Street parking facilities, which are not
19 specifically designed as parking spaces or maneuvering areas,
20 Shall not be paved for vehicle use.
21

22
23 **b.** One landscaped area, a minimum of 300 square feet shall be provided
24 at each end of all parking rows as measured from outside of vertical
25 curb inside the curb or edge of impervious surface for non-curbed areas,
26 where installed

27 Unless specifically designated as open space or green area, all designated,
28 planted and permanently maintained Landscaped Areas Shall have at least
29 one (1) canopy tree two (2) inches caliper and fifteen (15) gallon container

1 or greater at time of planting for every two hundred (200) (300) square
2 feet with two canopy trees per 600 landscape island for a double row of
3 parking. The minimum size of the tree is eight (8) feet in height with a
4 spread of four (4) feet. ~~These Areas Shall have curbing, wheel stops,~~
5 ~~bollards or other control measure to prevent vehicles from driving near or~~
6 ~~under the trees. Variances to this rule may be granted by the County~~
7 ~~Manager or designee.~~

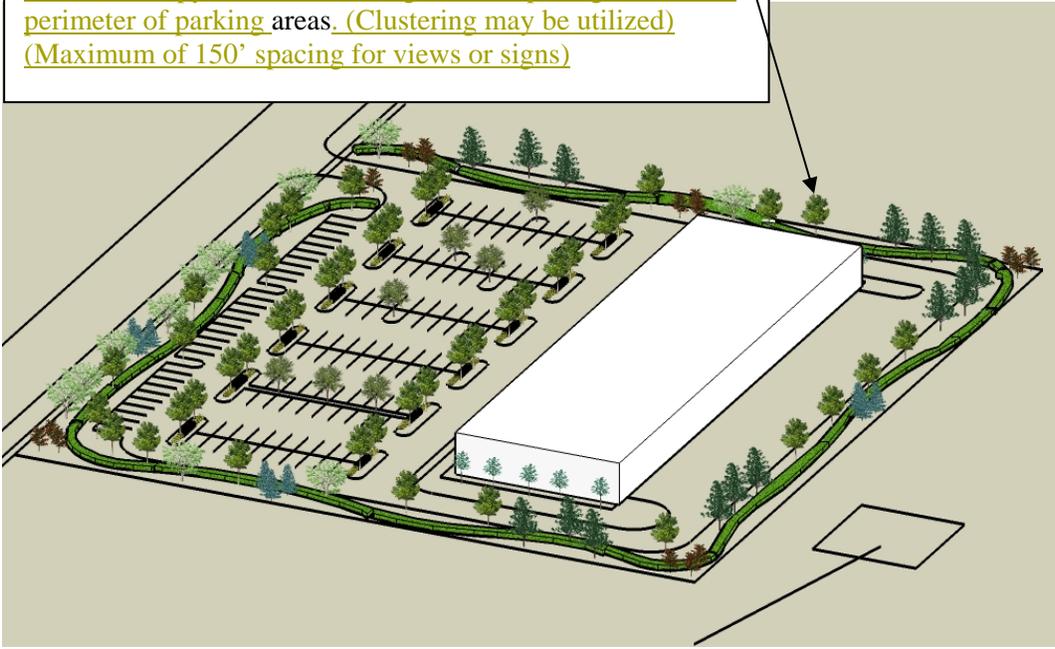
8
9 **e.e *Parking Lot Trees and Substitutions***

10 All trees in the parking lots shall be approved Canopy Trees contained in
11 the Plant List for Lake County. A maximum of 20% of the required
12 canopy trees in the parking lots may be palm trees. Palm trees used in
13 parking lots shall be planted at a 2:1 ratio (Cabbage Palms, Washingtonia
14 Palms and Windmill Palms) in relation to canopy trees with the exception
15 of Canary Island Palms, Date Palms and Paurotis Palms which may be
16 planted at a 1:1 ratio.

17
18 **f.e *Perimeter Trees and Spacing***

19 Canopy trees shall be planted an average of fifty-foot centers around the
20 total perimeter of the parking lot and all vehicular service areas. Clustering
21 may be utilized but spacing shall not exceed one-hundred-and-fifty-foot
22 (150')-foot spacing. The canopy trees shall be planted between eight feet
23 (8') and thirty (30') from the edge of pavement. Canopy trees within the
24 landscape buffers may be used if they fall within thirty feet (30') from the
25 edge of paving or vehicular service area.

Provide canopy trees at an average of 50' spacing around the perimeter of parking areas. (Clustering may be utilized) (Maximum of 150' spacing for views or signs)



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Note:

Commercial, industrial, institutional, and multi-family buildings shall have a 3-foot wide landscape area around a minimum of 40% of the total building perimeter. Landscape perimeter shall occur adjacent to or within 25 feet of the building perimeter walls. Breaks are allowed for accessways, plazas or other building design features.

e. An additional interior landscape island shall be provided with a minimum three hundred (300) square feet area known as an “intermediate” landscape island for every twenty (20) parking spaces required for parking lots that are over eighty (80) spaces for a single use. The owner shall provide separate landscape islands OR provide a minimum seven (7) foot wide landscape strip between head to head parking. The parking landscape strip may be counted as a required intermediate landscape island for every three hundred (300) square feet and one (1) canopy tree provided.

g. Landscape areas shall be provided in trees, shrubs or groundcover; other than sod, as specified below: The footprint areas below uses are determined by calculating the square footage of the first floor of all buildings, footprint including both primary and secondary structures, and not in multiple story buildings. Minimum shrub shall be provided so that shrub spacing shall not exceed three (3’)-foot on center and a minimum one-gallon or three-gallon shrub shall be used. One (1) canopy tree or three (3) ornamental trees shall be required in addition to any other tree requirements for every three hundred and fifty (350) square feet of required “building” landscape area, including but not limited to required

1 landscape islands within parking areas, required street trees, minimum
2 canopy trees required for residential lots described in Section 9.01.05 and
3 required trees surrounding retention areas. The following, however, may
4 be credited toward the minimum requirement for ten (10) canopy trees per
5 acre within a development site.

6 1) Single Family Residential = Twenty percent (20%) of the 1st floor
7 footprint. This requirement shall not require a landscape plan to be
8 submitted for a single-family residential plan; however a note shall be
9 placed on the development site plan or landscape plan stating that a non-
10 turf landscape area shall be provided.

11 2) Townhouse and Multi-Family with or without vehicular use area= 350
12 square feet per dwelling unit or thirty five percent (35%) of all the
13 ground floor units, whichever is greater.

14 3) Commercial, Retail and Restaurant = Twenty five percent (25%) of the
15 first floor footprint

16 Commercial, industrial, institutional, and multi-family buildings shall
17 have a 3 feet wide landscape area around a minimum of forty percent
18 (40%) of the total building perimeter. Landscape perimeter shall occur
19 adjacent to or within twenty five (25) feet of the building perimeter
20 walls. Breaks are allowed for accessways, plazas or other building
21 design features.

22 4) Office = Thirty percent (30%) of the first floor footprint

23 5) Mixed Use Buildings = Twenty five (25%) of the first floor footprint

24 6) Developments occurring in “new urbanism” or “traditional town
25 centers” may request for less landscape areas than noted above.
26

27 Alternate language

28
29 **(f) Appropriate Plant Selection, Location, and Arrangement**

30 Plants shall be grouped in accordance with their respective water and maintenance needs. Plants
31 with similar water and cultural (soil, climate, sun, and light) requirements shall be grouped
32 together. The high water use zones (hydrozones) shall be shown on the irrigation, layout, and
33 planting plans (where required). Where natural conditions are such that irrigation is not required,
34 the presence of site appropriate plants shall not be considered a hydrozone. The combined size of
35 all hydrozones shall be limited to 25% of the total landscaped area. In landscapes irrigated with
36 recycled water, the allowable size of all high water-use zones shall be increased to not more than
37 50% of the total landscaped area. These high water-use limits do not apply to landscaped areas
38 requiring large amounts of turf for their primary functions, e.g., ball fields and playgrounds.
39

40
41
42 h. Pervious Parking.

43 The owner may provide pervious parking if not otherwise prohibited by
44 other provisions of the Lake County Code in the following areas:

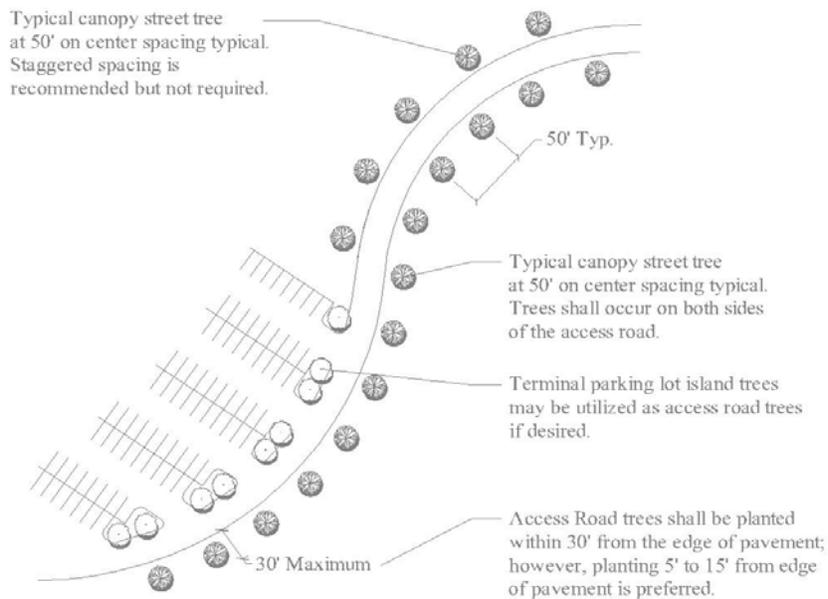
45 i. Adjacent to parking lot landscape islands to allow for the
46 percolation of water and the exchange of oxygen for the tree roots.

- 1 ii. Grass paving or turf block areas may be utilized in low impact
 2 areas or infrequent use areas such as churches or the outlying
 3 parking areas of malls or other shopping areas.
 4

5 **i. Internal Access Roads**

6 Commercial site plans having an internal access road shall be required to
 7 plant an average of one (1) canopy tree on each side of the road for
 8 every 50 feet of the road deemed an internal access road for both sides
 9 of the roadway. An internal access road is a collector road that occurs
 10 within any development either at the perimeter or internal to the
 11 development. Parking lot island trees may be used to meet this
 12 requirement if they fall within 30-feet from the edge of the pavement
 13 along the internal access road.
 14

Typical Plantings Required at commercial center access roads



- Notes:
- 1) Access roads are considered perimeter "collector" type roads within a planned commercial center. The roads immediately in front of the commercial stores do not have to meet the 50' on center tree planting requirement but do have to meet other parking lot landscape requirements such as providing terminal parking landscape islands with a canopy tree..
 - 2) Palm trees may be utilized as a substitute for canopy trees at a 2:1 ratio for required access road trees (2 palms for every 1 canopy tree; see tree list for specific palm tree ratios) Palm trees shall not exceed 20% of the required canopy trees for any parking lot or vehicular use areas.
 - 3) Safety and sight distance requirements take priority over tree requirements.

15 Intermediate Landscape Islands in Parking Lots – Required for parking lots that have eighty
 16 (80) or more parking spaces for a single user and are required for every additional twenty
 17 (20) parking spaces above and beyond eighty (80) spaces.
 18 Provide minimum 7 foot wide landscape strip between head to head parking.
 19 Provide 1 canopy tree equally spaced in the ‘intermediate area’
 20
 21

1 j. Accommodations for lighting and other features

2 Islands shall be enlarged beyond the minimum requirements if necessary to
3 accommodate light poles, fire hydrants, or other necessary features. Light
4 poles may be located within the parking area rather than in landscape islands
5 if necessary to ensure that the lighting placement does not conflict with the
6 location with the location or normal growth of island trees.

7
8 **Parking Lot Light Placement Picture**



25
26 k. Rain Gardens

27 Parking lot islands are encouraged to use curb breaks and create swale or
28 depression areas to allow for the percolation of rainwater and parking storm
29 water. Owner shall be careful in- Attention shall be given to the selection,
30 placement and durability of landscape material within rain garden areas to
31 ensure their long-term viability. Any proposed rain garden areas must comply
32 and meet with all storm water requirements. Smaller rain gardens that serve
33 as landscape islands shall adhere to all canopy and understory requirements
34 for landscape islands.

1 Rain Garden Photo Example



2
3 3. *Maximum number of continuous parking spaces.* Landscaping Areas with a
4 minimum width of ten (10) feet and a minimum total Area of two hundred (200)
5 ~~three hundred (300)~~ square feet shall be provided to break up excessively long,
6 continuous runs of parking spaces. A parking bay Shall not contain more than
7 fifteen (15) ~~ten (10)~~ continuous parking spaces or extend more than one hundred
8 sixty (160) ~~one hundred and twenty (120)~~ feet maximum, whichever is more
9 restrictive, without being broken up by a ~~min. 300 -ft landscaped area~~ and 600
10 square feet for islands that have head-to-head parking. These Landscaped Areas
11 must have one (1) canopy tree to meet the minimum size canopy tree
12 requirements, see Figure 14. The landscape termination islands shall contain one
13 canopy tree at the end of each row of parking unless there is a restrictive
14 condition such as a fire hydrant or unavoidable light pole in the landscape island.
15 The restrictive conditions that prohibit the planting of a tree shall only be allowed
16 in 15% of the landscape islands. ~~(When a fire hydrant or necessary light pole is~~
17 ~~placed in the terminal parking rows.)~~
18 _ with a two (2) inch caliper and 15 gallon container or greater at time of planting. The
19 minimum size of the tree is eight (8) feet in height with a spread of four (4) feet.
20 See illustrated figure in Subsection 9.01.10.H.14.

21
22 4. *Termination of parking rows.* Each row of interior parking spaces which contains
23 more than 15 continuous parking spaces or extend more than 160 feet, which ever
24 is more restrictive, shall be terminated at each end by a Landscaping Area which
25 shall be a minimum of two hundred (200) square feet shall shall

26
27
28 Figure 14 — Landscaped parking island at end of rows.

29
30 [b5]

31 Terminal Landscape Island — Plan View

32 45. *Curbing or wheel stops.* All interior Landscaping Area Shall be curbed or
33 provided with wheel stops to prevent vehicular encroachment, as appropriate.

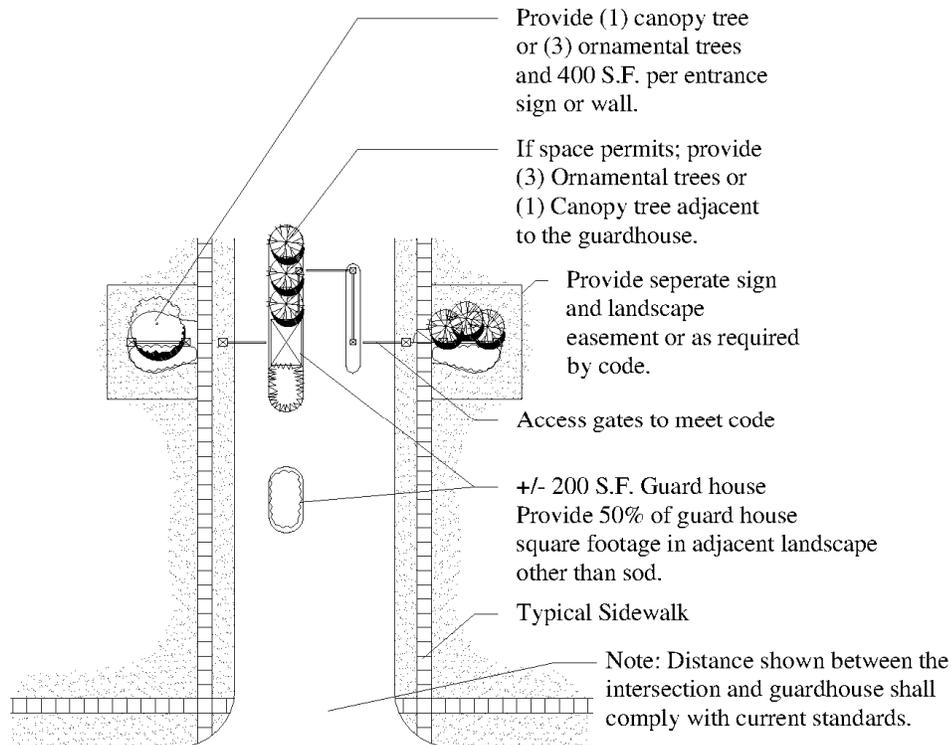
1 Curbs may terminate to allow for swales if desired in landscape areas. The
2 intermediate landscape islands are not required when the parking lot is less than
3 15,000 square feet. Terminal landscape islands are required at the ends of all
4 parking rows with a minimum. Three hundred (300) square feet of landscape
5 areas.

6
7 6. Exceptions. Interior Landscaping is not required when the paved (impervious)
8 portion of a Lot is five thousand (5,000) square feet or less.

9
10 3. Guardhouses - Shall An area greater than or equal to fifty percent (50%) of the
11 footprint of any guardhouse shall be landscaped immediately adjacent to the
12 guardhouse to create an aesthetic landscape. The landscape shall be planted in the
13 median if space is provided. If the guardhouse is located within the roadway
14 median, the required landscaping shall also be planted in the median. Clear zones
15 and clear sight lines must be maintained for any landscape within the road right of
16 way. The clear zone shall consist of an area between two--feet (2') and eight--feet
17 (8') height from the road elevation. The landscape area shall consist of shrubs,
18 perennials and trees. Sod or other ornamental landscaping may be utilized in the
19 remaining areas around the guardhouse as long as 50% of the guardhouse has
20 been landscaped as described.

21
22 4. Vehicular Gates and associated security walls
23 Shall provide Landscape shall be required on the entrance side of gates and walls
24 as follows:

- 25 1) A minimum of 400 square feet of landscape area shall be provided on
26 each side of an entrance road (800 square feet total) to a neighborhood or
27 commercial area.
28 2) Within each entrance area of 400 square feet; one canopy tree or three
29 ornamental trees shall be provided.
30 3) The landscape area shall have shrubs, perennials, vines or other
31 ornamental plantings other than sod. If a utility easement or other restrictive
32 condition restricts the use of trees then the tree portion of this requirement may be
33 waived or limited by the County Manager or designee.
34



**Guardhouse and Security Gate
Landscape Requirements**

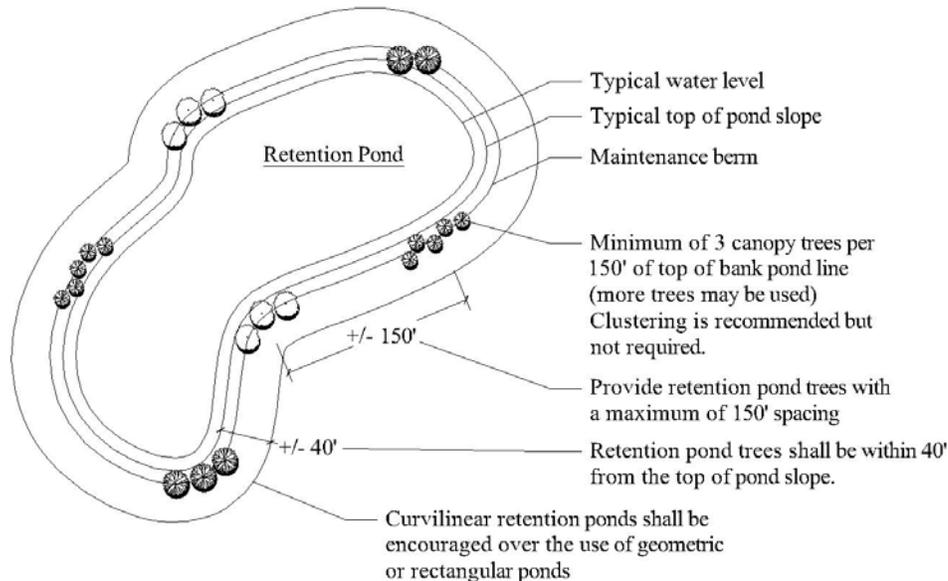
[b6]

5. Retention Ponds:

Retention ponds shall be planted with a minimum of three (3) canopy trees for every 150 linear feet of pond bank determined by measuring the top of pond bank. The trees shall be planted within forty (40) feet from the top of bank line. No less than three (3) canopy trees shall be required at retention ponds. Required retention pond trees may be used to meet the ten (10) canopy trees per acre requirement for "common" areas within a development site, excluding the single-family residential canopy tree requirement.

Please see The Plant List for Lake County contains for a listing of the recommended lake edge and retention pond plantings.

Typical Plantings Required at retention ponds



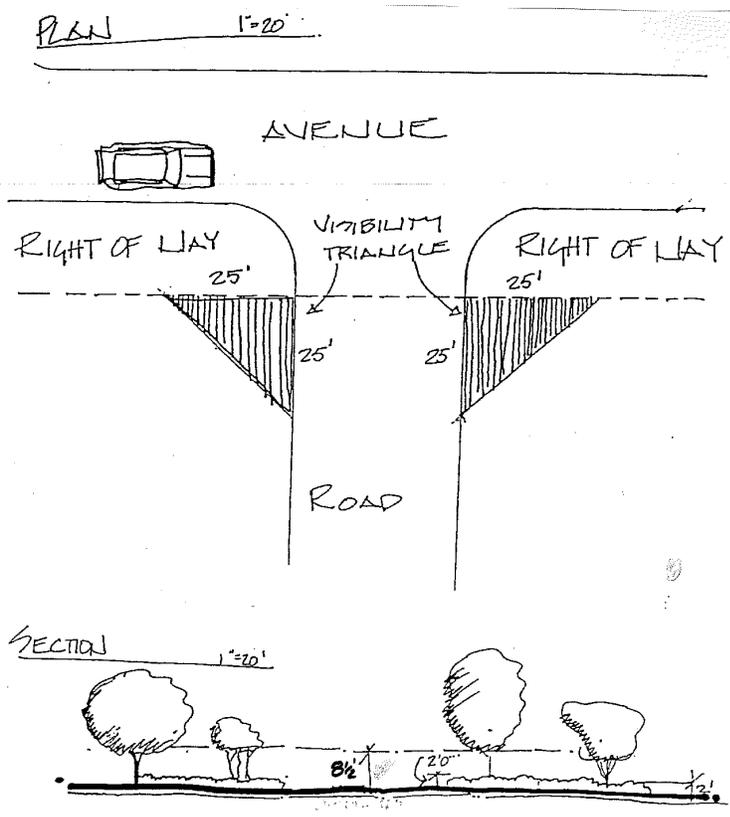
Notes:

- 1) Tree requirements are for retention ponds and do not apply to any existing wetland that are protected under other ordinances.
- 2) Proposed or existing canopy trees meeting the minimum canopy tree size may be used to meet the 10 canopy trees required per acre for non-residential land use. The required retention pond trees may be used to meet the required 10 canopy trees required per acre non single-family residential land use.

DE. — Intersection Visibility (See Figure 13).

Where an ~~accessway~~ access way intersects a public right-of-way on a Commercial, Industrial, Multifamily, Institutional, or Community Facility Site, Landscaping shall be used to define the intersection, provided, however, that all Landscaping within the triangular Areas described below Shall provide unobstructed cross visibility at a level between eighteen (18) inches and ~~eight and one half six (8.56)~~ eight and one half six (8.56) feet measured from road grade. Trees having limbs and foliage extending into cross visibility ~~Shall~~ shall be allowed provided they do not create a traffic hazard. Landscaping, except grass and ground cover, Shall not be located closer than three (3) feet from the edge of any ~~accessway~~ access way pavement. The triangular Areas are: the Areas of Property on both sides of an ~~accessway~~ access way and the public right-of-way pavement line with two (2) sides of each triangle being twenty-five (25) feet in length from the point of intersection and the third side being a line connecting the ends of the other sides. Visibility triangles shall be provided at all intersections of public rights-of-way. ~~See illustrated Subsection 9.01.10.H.13 for diagram.~~ And shall meet the site distance requirements per Chapter Three, Geometric Design of the Florida Green Book.

1
2
3 **Figure 13 – Intersection Visibility**
4



5
6
7 **E. Natural Vegetation Preservation Credit.**

8 Where the preservation and incorporation of the existing natural vegetation exceeds
9 twenty five (25) percent of the total Land Area of Development and where preservation
10 and incorporation of the existing natural vegetation meets the aesthetic intent of this
11 Section, the Development may be eligible for credit from any Landscape requirements of
12 this Section. However, In order to meet the aesthetic intent of this Section, compliance
13 with all applicable Buffering provisions within parking areas, along rights-of-way, and
14 between Land uses as set out in Subsection 9.01.04 shall be required. AnyQualifying
15 preserved trees in areas requiring Landscaping shall be subtracted from the total tree
16 requirements. AnyQualifying trees preserved on the Site that meet dimensional and
17 species type shall count toward number of trees required. Receiving credits toward the
18 requirements of this Section does not exempt the Development from normal horticultural
19 maintenance that is necessary to maintain the desirable aesthetic appeal required to meet
20 the intent of this Section. All other attempts at preservation and incorporation of the
21 existing natural vegetation less than twenty five (25) percent of the total Land Area of
22 Development will be evaluated and awarded credit on a Site specific basis. All areas that
23 will remain in natural vegetation to be awarded a credit shall be duly noted and
24 designated on all site plans submitted for Development approval.
25

1 FG. Screening of Heating/Ventilation/Air Conditioning Units.

2 Where heating/ventilation/air conditioning units are located on the ground surface area,
3 they shall be screened from view. A combination of a fence and a berm or shrubs shall be
4 required. ~~The shrubs shall~~ may be selected from the suggested approved shrub list
5 contained in The Plant List for Lake County. ~~in Subsection 9.01.10.D~~ and planted at the
6 minimum center requirement.
7

8 **9.01.05 Canopy Tree Requirements for Single-Family Residential (including mobile**
9 **homes), Condominium, Institutional and Public Facility Areas.**

10
11 A. Single Family residential canopy tree requirements may be noted on a Site or Landscape
12 plan, however this Section 9.01.05, shall NOT require the submittal of a Single Family
13 Residential Landscape Plan unless required by other provisions in this Landscape Code.
14 No certificate of occupancy for a single-family residence shall be issued by the Building
15 Official ~~County Manager or designee~~ unless the subject Parcel has the following: ~~tree~~
16 ~~regimen:~~

17
18 1. A minimum of two (2) canopy trees for Lots 6,000 square feet or less;

19
20 2. A minimum of three (3) canopy trees for Lots between 6,001 and 10,000 square feet;

21
22 3. A minimum of five (5) canopy trees for Lots ~~greater than~~ between 10,001 square feet
23 to 43,560 square feet (1 Acre)-

24
25 4. A minimum of eight (8) trees for lots between 43,561 and 87,120 square feet (2
26 acres).

27
28 5. A minimum of eleven (11) canopy trees for lots between 87,121 square feet and
29 130,680 square feet (3 acres).

30
31 6. A minimum of fifteen (15) trees for lots 130,681 square feet (3 acres) or greater with
32 three (3) additional canopy trees required for each acre after the first 3 acres

33 ~~Three (3) trees for each additional acre in excess of one (1) acre, with a maximum number of~~
34 ~~trees not to exceed fifteen (15) for the total acreage;~~

35
36 7. Existing trees may be used to meet the provisions in Subsection 9.01.054.B.2.
37 Trees shall be in very good health and maintained in good condition in perpetuity
38 for one (1) year during which survival is guaranteed by the Property owner.
39 pursuant to Subsection 9.02.06;

40
41 8. One (1) or more of the required trees shall be planted within ten (10) feet
42 Landward of the right-of-way for residential Lots less than or equal to one-half
43 (1/2) acre. More canopy trees may need to be planted outside but parallel to the
44 road right of way based on the street tree requirements as listed in 9.01.04.B.14
45

1 B. For single-family Lots within a new subdivision, additional trees may be required
2 pursuant to the replacement requirements in Subsection 9.02.05.D. ~~In such cases, the~~
3 ~~required number of replacement trees shall be divided by the number of Lots approved for~~
4 ~~the subdivision. The resulting number shall be added to the minimum tree requirements~~
5 ~~for each Lot as set out in Subsection 9.01.05.A above. The number of trees required shall~~
6 ~~be indicated or noted on the Landscape or Site Plan.~~

7
8 C. All protected trees listed in The Plant List for Lake County. ~~Subsection 9.02.02.A~~ are
9 prohibited from being removed from Residential Lots of any size without an approved
10 tree removal Permit.

11
12 1. The replacement requirements of Subsections 9.02.03 and 9.02.04 shall apply
13 ~~here.~~

14
15 2. Systematic clearing of a single family Residential Lot is prohibited. Groups of
16 trees smaller than ~~three~~ four 3 (4) inches caliper are encouraged to be preserved.

17
18 **9.01.06 Plan Approval.**

19 A. An appropriate Landscape Plan shall be submitted to the County Manager or designee at
20 the time an application for Site Plan or Development approval is submitted.

21
22 1. The Landscape plan shall be prepared by a Landscape architect if the following
23 apply:

24
25 a. Single-Family or multi-family residential development in excess of ten
26 (10) dwelling units; or

27 ~~Single family Residential Development over ten (10) one hundred (100)~~
28 ~~acres or a multi family Development over five (5) fifteen (15) acres; or~~

29
30 b. Commercial, industrial, community facility projects ~~exceeding a Parcel~~
31 ~~size of one half (1/2) acre or twenty one thousand seven hundred and~~
32 ~~eighty (21,780) square feet.~~

33
34 2. If the Landscape plan is prepared by a Landscape architect, it shall be signed,
35 dated, and sealed by a Landscape architect registered pursuant to the provisions of
36 Chapter 481, Florida Statutes, Part II.

37
38 B. The Landscape and irrigation plans shall be drawn at an appropriate scale (generally
39 drawn at twenty (20) or thirty (30) scale or a scale that is legible) and shall include:

40
41 1. All property line dimensions, north arrows, scale distances, and plan information
42 required by the Site Plan review process. All easements shall be shown and
43 labeled, all existing and proposed structures and address of the owners and plan
44 preparers, label topographic contours and spot elevations.

- 1 2. Delineation of proposed parking spaces, other vehicular areas, access drives,
2 aisles;
- 3
4 3. A detailed plan, illustrating ~~an~~ the automatic irrigation system shall be installed
5 to that Shall meet the requirements of Subsection 9.01.03.~~IF~~, prior to issuance of a
6 Certificate of Occupancy. Water Use Zones shall be shown and labeled as part of
7 the landscape plan submittal. The Water Use Zones may be indicated on the
8 landscape plan if legible or a separate plan may be submitted;
9
- 10 4. Designation by common and botanical (scientific) name, including applicable
11 cultivar name, and location of plant material to be installed or preserved in
12 accordance with the requirements of this Section;
- 13
14 5. Location of buildings; location of internal and external streets; location of existing
15 and proposed utilities.
- 16
17 6. Use or zoning classification of adjacent properties;
- 18
19 7. Pertinent features on adjacent properties, including buildings and landscaping
20 near the property line and natural or man-made features that may continue into or
21 through the subject site;
- 22
23 8. Statement that the owner shall install the landscape according to the landscape
24 plan and maintain the landscape according to the Landscape Plan.
- 25
26 9. A tabulation of all information necessary for evaluation of the plan, including
27 gross acreage, Area in square feet of paved areas; and other information that may
28 be reasonably required to determine that the plan will meet requirements of this
29 Section. Table with the required buffer type(s), width and number of required
30 trees shall be provided for each buffer.
 - 31 a. A tree removal matrix shall be shown, if applicable, on the Landscape
32 Plan or Tree Removal Plan depicting how the removed trees will be
33 mitigated. Removed trees that are required to be mitigated shall be shown
34 on the Landscape Plan or Tree Removal Plan with location, DBH caliper
35 size and species type.
- 36
37 10. Location of preserved trees or clusters of trees -may be used to count as landscape
38 credit with the species and DBH Caliper called out or a note stating that a group
39 of trees will meet the minimum size canopy or ornamental trees.
- 40
41 11. Removed trees that are required to be mitigated may be submitted. There must be
42 a mitigation table on either the tree removal plan or the landscape plan that
43 depicts how the trees will be mitigated.
- 44
45

1 | C. Individual single-family and duplex (two-family) Residential Property Shall be exempted
2 | from having a Landscape architect sign and seal Landscape and irrigation plans.
3 |
4 |

5 | 9.01.07 Reserved.
6 |
7 |

8 | **9.01.08 Certificate Of Occupancy.**
9 |

10 | A. No certificate of occupancy shall be issued by the County Building Department until the
11 | requirements of this Section are met.
12 |

13 | B. ~~The County Manager or designee~~ Lake County Building Official can issue a Certificate
14 | of Occupancy if the ~~requirements~~ requirements of this Section are not met, provided the developer or
15 | owner submits a performance bond to the County Manager or designee in the amount of
16 | one hundred and ten (110) percent of the costs to bring the Property into compliance with
17 | the requirements of this Section. The required landscaping shall be installed no later than
18 | one (1) year after issuance of the Certificate of Occupancy. The developer or owner shall
19 | pay reinspection fees for subsequent reinspections of the property.
20 |
21 |

22 | **9.01.09 Administration and Enforcement.**
23 |

24 | A. The County Manager or designee shall be charged with the duty of administering the
25 | provisions of this section and securing compliance therewith. In furtherance of this
26 | responsibility, the County Manager or designee shall:
27 |

28 | 1. ~~Make such~~ Perform inspections as may be necessary to carry out the purposes and
29 | intent of this section.
30 |

31 | 2. Site conditions may prohibit the owner or developer from complying with the
32 | requirements of this section. The County Manager or designee may use discretion and
33 | waive and/or alter certain requirements while maintaining the intent of Subsections
34 | 9.01.02, 9.01.03, 9.01.04, 9.01.05 and 9.02-Protected Trees and all subsections.
35 | 9.01.01.A&B, 9.01.01A-d, and 9.02.01.
36 |

37 | 3. Enforce code requirements through fines or other punitive action consistent with State
38 | and Lake County regulations.
39 |

40 | 4. Report findings to the Board of County Commissioners for appropriate action.
41 |

42 | (Ord. No. 2004-15, § 14, 3-16-04)
43 |
44 |
45 |
46 |

1 | **9.01.10 Lake County Tree Protection Standards and Tables.**

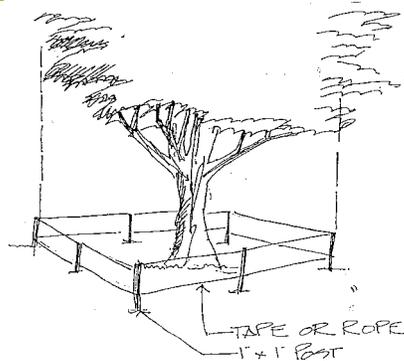
2
3 | A. *Lake County Tree Protection Standards.*

- 4
5 | 1. The protection measures described in this Subsection are based on those in the
6 | Tree City USA Bulletins published by The National Arbor Day Foundation: How
7 | to Save Trees During Construction (No. 8, 1998), A Systematic Approach to
8 | Building with Trees (No. 20, 1998), and How to Protect Trees During
9 | Underground Work (No. 35, 1998). These publications are hereby adopted and
10 | included by reference herein. Copies of such publications are available from the
11 | County Manager or designee. These publications ~~should~~shall be used to
12 | supplement the required protection measures. They also provide information on
13 | the economic value of trees to developments and their incorporation into designs
14 | as well as guidelines on professional tree care, tree planting and tree transplanting.
15
16 | 2. The applicable protection measures in this Subsection Shall be implemented for:
17
18 | a. Any exempt tree that will not be removed; and
19
20 | b. Any non-exempt tree that has not been Permitted for removal; and
21
22 | c. All trees that are retained or replaced pursuant to ~~Subsection~~
23 | ~~9.02.05.D of~~ the Lake County Land Development Regulations
24 | Chapter IX – Sections 9.01 and 9.02.
25
26 | 3. It shall be unlawful for any person, during the construction of any Structures or
27 | other improvements, to place solvents, materials, construction machinery or
28 | temporary soil deposits within the drip line of any protected tree. This includes
29 | soil that is placed in the drip-line permanently for the purpose of a grade change,
30 | unless the grade is changed according to the standards described in Subsection
31 | ~~9.01.10.A.6.a&b~~ below.
32
33 | 4. Avoiding mechanical injuries. In order to protect against mechanical injuries to
34 | roots, trunks and branches, and injuries by chemical poisoning, grade changes,
35 | excavations, paving, and attachments or wires, the applicable protection measures
36 | set out below Shall be implemented prior to commencement of Permitted
37 | construction.
38
39 | a. A protective barrier (~~Illustration Subsection 9.01.10.H.3~~See Figure 3) shall
40 | be placed around all protected trees prior to any ~~L~~and preparation or
41 | construction of Structures or other improvements in accordance with the
42 | following measures:
43
44 | 1. Posts shall be placed at points not closer than at the natural drip-
45 | line of the tree unless the Structure or improvement has been
46 | permitted by the County Manager or designee through the

1 Development Review Staff process or special staff review to be
2 erected within the drip-line of the tree with a wide canopy. The
3 Structure or improvement may be placed within the drip-line of the
4 tree only if the tree has been root pruned, as supervised by a
5 licensed Landscape architect or arborist certified by the
6 International Society of Arboriculture. For palm trees, the posts
7 shall be placed at points not closer than six (6) feet from the trunk.
8

9 2. The posts shall be connected with clearly visible plastic- tape or
10 ribbon, or rope
11
12
13

14 Figure 3 – Properly constructed barricade protects the total area at the tree drip line.
15



- 16
17
18 b. No attachments, other than “tree-save” ribbons, wires, signs, nails, or
19 Permits Shall be fastened to a protected tree other than supportive wires if
20 applicable which Shall be attached in compliance with the guidelines set
21 forth in the Tree City USA Bulletins published by The National Arbor
22 Day Foundation: How to Save Trees During Construction (No. 8, 1998), A
23 Systematic Approach to Building with Trees (No. 20, 1998), and How to
24 Protect Trees During Underground Work (No. 35, 1998).
25
26 c. No equipment, construction materials or debris of any kind shall be placed
27 within a protective barrier.
28
29 d. Landscaping activities within the bounds of the protective barrier (before
30 and after it is removed) shall be accomplished with light machinery (such
31 as, aerators and mowers) or manual labor. No grubbing, root rakes or
32 similar activities are permitted.
33
34 e. In lieu of constructing the barriers required above in Subsection
35 9.10.10.A.4.a.1, above large Areas containing protected trees where no
36 Land preparation or other Development activities of any kind will occur
37 may be designated on a tree removal application. The designated Area

1 Shall be protected by placing stakes a maximum of twenty-five (25) feet
2 apart along the outside perimeter of the Area and tying clearly visible
3 plastic tape or ribbon, or rope, from stake to stake. The perimeter line shall
4 be outside of the drip line of any protected tree within the designated area.
5

6 | f. Protective barriers and perimeter lines shall remain in place until all
7 construction activity is terminated, except for Landscaping.
8

9 | 5. Avoiding injuries due to chemical poisoning
10

11 a. No fuel, paint, solvent, oil, thinner, asphalt, cement, grout or any other
12 construction chemical or other material or tools of any kind Shall be
13 stored, or allowed in any manner to enter, within a protective barrier or
14 perimeter line during the construction process.
15

16 | b. No equipment shall be cleaned within a protective barrier or perimeter
17 line.
18

19 6. Avoiding injuries due to grade changes. Because changes in soil grade within the
20 drip line of a protected tree commonly cause extensive root damage or death of
21 the tree within one (1) to two (2) years, grade changes Shall not be made within
22 the drip line unless the following protective measures are taken:
23

24 a. Raising the Grade.
25

26 1. Preparing the ground.
27

28 a. Within the drip line, existing sod, vegetation and leaf litter
29 shall be removed ~~and the soil loosened without injuring the~~
30 ~~roots.~~
31

32 b. The Area within the drip line shall be properly watered and
33 protected fertilized to improve the vigor and growth of the
34 roots.
35

36 2. Installing tile drains.
37

38 a. Porous, four (4) inch agriculture drain tiles or perforated
39 piping shall be laid over the soil to drain liquids away from
40 the trunk. A drop of at least one-eighth (1/8) inch per foot
41 shall be provided. The drain field shall be designed to
42 provide adequate drainage of the existing configuration of
43 the trees. (Illustration in Subsection 9.01.10. AH.64-5). See
44 Figures 4, 5, 6 and 7
45

- b. The number of drains shall depend upon the soil material; lighter sandy soils and porous gravelly material require fewer drains than heavy non-porous soils.
- c. Installing vertical tiles along the system shall provide aeration. The vertical tiles shall be filled with gravel and capped with a heavy-duty mesh to keep out trash and debris.

Figure 4 – A dry well around a tree permits air and water circulation. Tiles on the ground are sloped to drain away from the trunk and off roots (arrow) Vertical tiles (A) are connected with drain to permit additional air circulation; the one on the extreme right is held erect by loose stones.

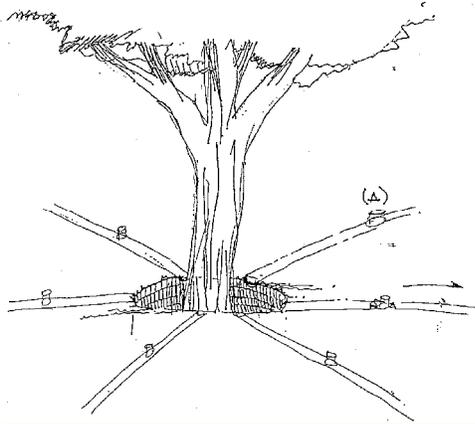


Figure 5 – Grid pattern of tiles for draining a stand of trees.

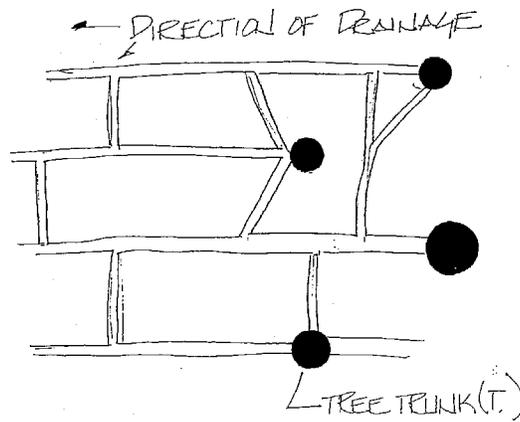
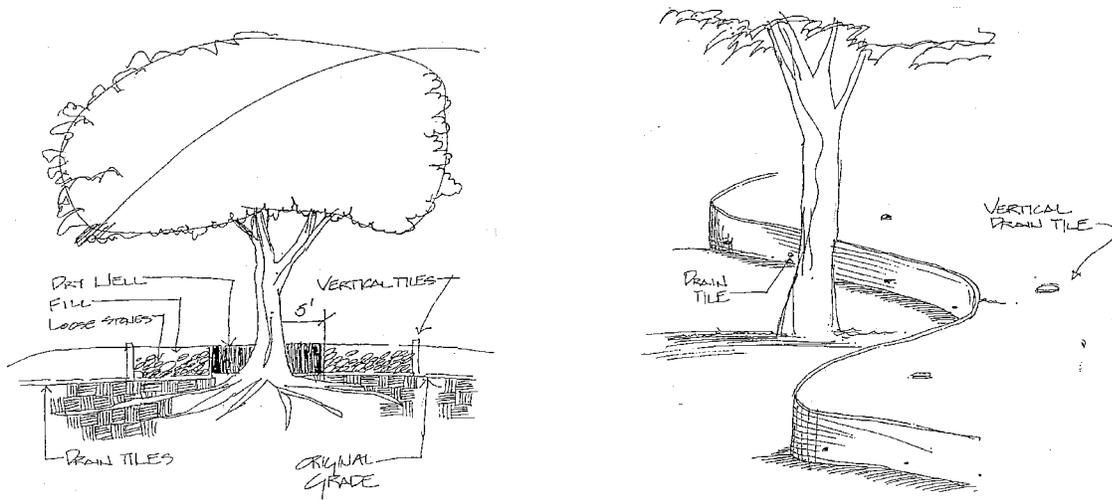


Figure 6 – Section illustrating fill in over tiles.

Figure 7 – Open dry well at the edge of a filled slope provides air and water circulation over part of the root system covered by fill. Extending the upper side of the wall a few inches above the fill prevents debris from washing into the well.



3. Dry well construction (Illustration in Subsection 9.01.10.A.6.a.3H.6). See Figure 4.

- a. Dry wells shall be large enough to allow for maximum growth of the tree trunk. Most large shade trees require at least a sixty (60) inch diameter well. For slow growing mature trees, a space of at least twelve (12) to eighteen (18) inches shall be provided between the trunk and the side of the well at every point.
- b. To prevent washing of material into the well, the dry well casing walls shall be high enough to bring the coping just above the level of the proposed fill.
- c. Dry well walls shall be constructed of materials that Permit passage of air and water. Concrete blocks backed with galvanized screening may be used for the sides of the well.
- d. Gratings or barriers shall be used around openings that are large enough to present a hazard to pedestrians.
- e. Open wells (Illustration in Subsection 9.01.10.A.6.a.3H.7) (See Figure 7) shall be cleaned regularly to remove sediment, leaves, and debris that might interfere with the free passage of air.

4. Filling (Illustration in Subsection 9.01.10.A.6.a.3H.6). (See Figure 6)

- a. Large stones, except for those made from limestone or marble chips, Shall be placed over the drainage tiles and a

1 layer of smaller stones shall be placed over the remainder
2 of the ground within the drip line.

3
4 b. A layer of gravel shall be placed over the stones.

5
6 c. A layer of geotextile, including filter fabric or woven
7 polystyrene, that prevents fill but allows water to pass
8 through shall be placed over the gravel.

9
10 d. The fill shall be completed with a layer of porous soil.

11
12 b. Lowering the Grade.

13
14 1. Methods. When lowering the grade of the soil surrounding a protected
15 tree, using any of the following methods shall preserve the maximum
16 number of tree roots within the drip line:

17
18 a. Terracing. The Area within the drip line left at the original
19 grade by terracing (~~Illustration in Subsection 9.01.10.H.8~~).
20 See Figure 8

21
22 b. Retaining wall. The Area within the drip line is left at the
23 original grade by constructing a dry retaining wall. The
24 retaining wall shall be porous to allow for aeration-
25 (~~Illustration in Subsection 9.01.10.H.9~~) See Figure 9

26
27 c. Terracing and retaining wall. The Area within the drip line
28 is left at the original grade by the combined Use of
29 terracing and dry retaining wall.

30
31 2. Precaution. In addition to the above, the following precaution shall be
32 taken when lowering the grade around a protected tree:

33
34 Roots Shall be cut cleanly and retrimmed after excavation using
35 equipment such as axes, shovels, chainsaws, and other similar root
36 pruning instruments. No bulldozers, root rakes, or other such
37 equipment shall be used.

38
39 a. Minor Changes in Grade. When the change in grade is
40 minor, two (2) inch to four (4) inch maximum, protective
41 measures may be taken as shown in Subsection
42 9.01.10.H.10 in lieu of the above requirements. See Figure
43 10

b. The County Manager or designee shall approve the Use of these methods where their Use will not endanger the health of the protected tree.

7. *Avoiding injuries due to excavations.*

- a. To avoid damage to protected trees, water, sewer, and other utility-lines ~~should~~shall be routed around the drip lines.
- b. If a utility line cannot reasonably be routed around the drip line the utility line shall be tunneled beneath the Area within the drip line. The tunnel shall be offset to one (1) side of the trunk to prevent damage to the main taproots. (Illustration in Subsection 9.01.10.H.11). See Figure 11

8. *Avoiding injuries by paving within the drip line.* Paving may be placed within the drip line but outside the tree protection Zzone of a protected tree, so long as no damage is inflicted to the tree by grade change, compaction of soil, or any other cause, if approved by the County Manager or designee.

Figure 8 – Lowering the grade by terracing.

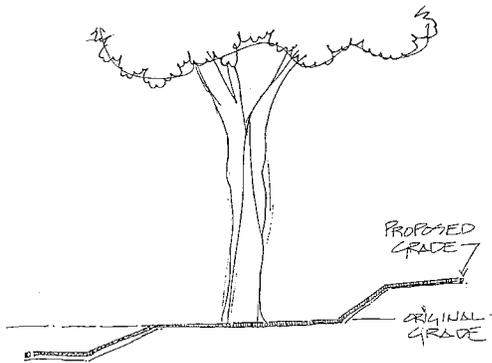


Figure 9 – Lowering the grade with a retaining wall.

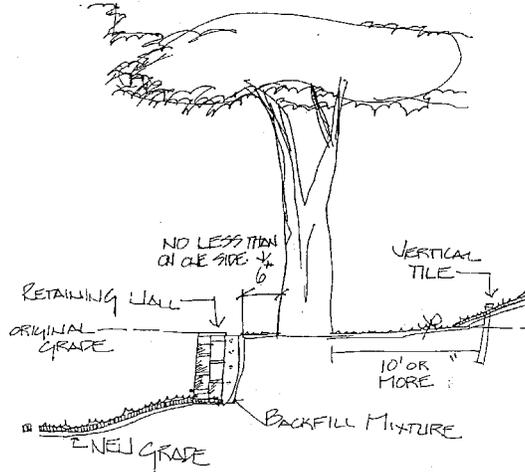
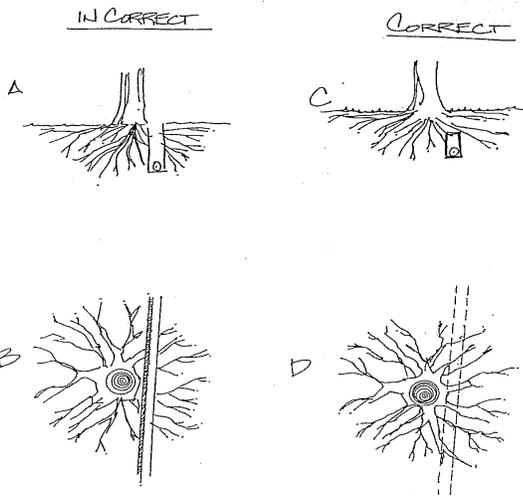
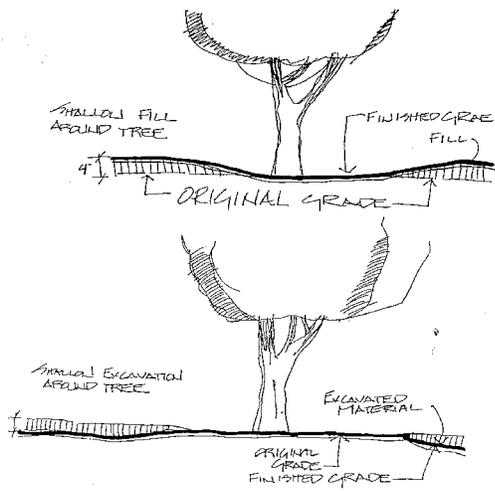


Figure 10 – Protection measures for minor changes in grade.

Figure 11 – Excavations within the drip line. Trenching to close to the (A & B) severs roots. Tunneling under the base of the tree and offset from the main taproot (C & D) destroys fewer roots.

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B. Table 1. List of recommended Landscaping trees.

| <u>Understory Ornamental Trees</u> | |
|------------------------------------|------------------------------------------|
| <i>Common Name</i> | <i>Botanical Name</i> |
| Redbud | <i>Cereis canadensis</i> |
| Anise | <i>Illicium spp.</i> |
| Southern red cedar | <i>Juniperus silicicola</i> |
| Drake/"Chinese" elm | <i>Ulmus parvifolia</i> |
| Walter's viburnum | <i>Viburnum obovatum</i> |
| Flowering dogwood | <i>Cornus florida</i> (partial sun only) |
| Wax myrtle | <i>Myrica cerifera</i> |
| Fringe tree | <i>Chionanthus virginica</i> |
| Yaupon holly | <i>Hex vomitoria</i> |

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| | |
|----------------|-----------------------------------|
| Loblolly bay | Gordonia lasianthus |
| Canopy Trees | |
| Common Name | Botanical Name |
| American elm | Ulmus americana |
| American holly | Ilex opaca |
| Live oak | Quercus virginiana |
| Loblolly bay | Gordonia lasianthus |
| Bald cypress | Taxodium distichum |
| Loblolly pine | Pinus taeda |
| Cabbage palm | Sabal palmetto |
| Longleaf pine | Pinus palustris |
| Palatka holly | Ilex attenuata |
| Savannah holly | Ilex opaca x attenuata "Savannah" |
| Persimmon | Diospyros virginiana |
| Slash pine | Pinus elliottii |
| Red bay | Persea borbonia |

| | |
|--------------------------|-----------------------------------------------------------|
| Southern magnolia | <i>Magnolia grandiflora</i> |
| Red maple | <i>Acer rubrum</i> |
| Oct. Glory maple & cult. | <i>Acer rubrum</i> "October Glory" & cultivars (FL flame) |
| Sugarberry | <i>Celtis laevigata</i> |
| Sand pine | <i>Pinus clausa</i> |
| Swamp black gum | <i>Nyssa sylvatica</i> |
| Sweet bay magnolia | <i>Magnolia virginiana</i> |
| Dahoon holly | <i>Ilex cassine</i> |
| Sweetgum | <i>Liquidambar styraciflua</i> |
| Hornbeam/Bluebeech | <i>Carpinus caroliniana</i> |
| American sycamore | <i>Platanus occidentalis</i> |
| Laurel oak | <i>Quercus laurifolia</i> |
| Tuliptree | <i>Liriodendron tulipifera</i> |
| Water ash/Pop ash | <i>Fraxinus caroliniana</i> |

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C. Table 2. List of ornamental Landscaping trees.

| | |
|-------------|--|
| Small Trees | |
|-------------|--|

| Common Name | Botanical Name |
|-------------------|---------------------------------------------------|
| Crape myrtle | Lagerstroemia x fauriei and cultivars |
| Rusty pittosporum | Pittosporum ferrugineum |
| Wax myrtle | Myrica cerifera |
| Podocarpus | Podocarpus macrophyllus |
| Loblolly bay | Gordonia lasianthus |
| Red holly | Hex spp. including "EP", "Savi", "Nellie Stevens" |
| Junipers | Juniperus "Torulosa" and "Spartan" |

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| Large Ornamental Trees and Palms | |
|----------------------------------|-------------------------|
| Common Name | Botanical Name |
| Winged elm | Ulmus alata |
| Heritage river birch | Betula nigra "Heritage" |
| Washingtonia palm | Washingtonia robusta |
| Chinese fan palm | Livistona chinensis |
| Date palm | Phoenix dactylifera |
| Canary Island date palm | Phoenix canariensis |

| | |
|-------------------|------------------------------|
| Windmill palm | <i>Trachycarpus fortunei</i> |
| European fan palm | <i>C. humilis</i> |
| Pindo palm | <i>Butra capitata</i> |

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D. Table 3. List of suggested shrubs and minimum center requirements for visual screens.

| Common Name | Botanical Name | Minimum Center (in feet) |
|---------------------|-----------------------------|--------------------------|
| Glossy abelia | <i>Abelia spp.</i> | 2.0 |
| Pampas grass | <i>Cortaderia selloana</i> | 4.0 |
| Allamanda, Pineland | <i>Angadenia berterii</i> | 2.5 |
| Pineapple guava | <i>Feijoa sellowiana</i> | 3.0 |
| Anise | <i>Illicium floridanum</i> | 2.5 |
| Pittosporum | <i>Pittosporum tobira</i> | 3.0 |
| Azalea | <i>Rhododendron hybrids</i> | 3.0 |
| Plumbago | <i>Plumbago capensis</i> | 2.0 |
| Banana shrub | <i>Michelia fuscata</i> | 3.0 |
| Primrose jasmine | <i>Jasminum mesnyi</i> | 3.0 |
| Boxwood | <i>Buxus microphylla</i> | 2.0 |

| | | |
|------------------|-------------------------|---------|
| Viburnum | Viburnum hybrids | 3.0 |
| Chinese juniper | Juniperus chinensis | 3.0 |
| Silverthorn | Elaeagnus philippensis | 3.0 |
| Podocarpus | Podocarpus macrophyllus | 2.0 |
| Holly | Hex spp. | 2.0–3.0 |
| Indian hawthorne | Raphiolepis indica | 2.5 |

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E. Table 4: List of Recommended Lawn Grass

| |
|-----------------------------|
| Common Name |
| Centipede |
| Bahaia |
| St. Augustine "Palmetto" |
| St. Augustine "Bitter Blue" |
| St. Augustine "Floratan" |
| Annual Ryegrass |
| Perennial Ryegrass |

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F. Table 5: List of Recommended Xeriscape Plants

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From *Drought Tolerant Plant Guide for Lake County* published by the Lake County Water Authority and Xeriscape plant list from St. John's Water Management District.

+ = Low drought tolerance

++ = Moderate drought tolerance

+++ = High drought tolerance

*Indicates species is native to North America

| Canopy Trees | | |
|-----------------|-------------------------|-------------------|
| Common Name | Botanical Name | Drought Tolerance |
| *Bald cypress | Taxodium distichum | +++ |
| *Pond cypress | Taxodium ascendens | +++ |
| *Pignut hickory | Carya glabra | +++ |
| *Laurel oak | Quercus laurifolia | ++ |
| *Live oak | Quercus virginiana | +++ |
| *Shumard oak | Quercus shumardii | +++ |
| *Longleaf pine | Pinus palustris | +++ |
| *Sand pine | Pinus clausa | +++ |
| *Slash pine | Pinus elliottii | +++ |
| *Redbay | Persea borbonia | +++ |
| *Sweetgum | Liquidambar styraciflua | ++ |

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| Understory Ornamental and Palm Trees | | |
|--------------------------------------|------------------------------|-------------------|
| Common Name | Botanical Name | Drought Tolerance |
| *Myrtle oak | <i>Quercus myrtifolia</i> | +++ |
| *Cabbage palm | <i>Sabal palmetto</i> | +++ |
| *Chickasaw plum | <i>Prunus angustifolia</i> | +++ |
| Chinese fan palm | <i>Livistona chinensis</i> | ++ |
| Crape myrtle | <i>Lagerstroemia indica</i> | +++ |
| Winged elm | <i>Ulmus alata</i> | +++ |
| European fan palm | <i>Chamerops humilis</i> | ++ |
| *East Palatka holly | <i>Ilex x attenuata</i> | +++ |
| *Yaupon holly | <i>Ilex vomitoria</i> | +++ |
| Loquat | <i>Eriobotrya japonica</i> | ++ |
| Redbud | <i>Cercis canadensis</i> | ++ |
| *Southern red cedar | <i>Juniperus silicicola</i> | +++ |
| *Sugarberry | <i>Celtis laevigata</i> | ++ |
| Purple tabebuia | <i>Tabebuia heterophylla</i> | +++ |
| Washington palm | <i>Washingtonia robusta</i> | +++ |

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| | | |
|---------------|-----------------------|-----|
| Windmill palm | Trachycarpus fortunei | +++ |
|---------------|-----------------------|-----|

| | | |
|--------|--|--|
| Shrubs | | |
|--------|--|--|

| | | |
|-------------|----------------|-------------------|
| Common Name | Botanical Name | Drought Tolerance |
|-------------|----------------|-------------------|

| | | |
|----------------|-------------------|----|
| Japanese anise | Illicium anisatum | ++ |
|----------------|-------------------|----|

| | | |
|----------------|---------------------|----|
| *Florida anise | Illicium floridavum | ++ |
|----------------|---------------------|----|

| | | |
|--------------|----------------------|-----|
| *Beautyberry | Callicarpa americana | +++ |
|--------------|----------------------|-----|

| | | |
|----------------|----------------------|-----|
| Butterfly bush | Buddlea davidii spp. | +++ |
|----------------|----------------------|-----|

| | | |
|-------------------|-------------------|----|
| Japanese camellia | Camellia japonica | ++ |
|-------------------|-------------------|----|

| | | |
|-------------------|-------------------|----|
| Sasanqua camellia | Camellia sasanqua | ++ |
|-------------------|-------------------|----|

| | | |
|------------------|--------------------|----|
| Cape honeysuckle | Tecomaria capensis | ++ |
|------------------|--------------------|----|

| | | |
|--------|---------------------|-----|
| Croton | Codiaeum variegatum | +++ |
|--------|---------------------|-----|

| | | |
|-------------------|------------------------------|-----|
| Firecracker plant | Crossandra infundibuliformis | +++ |
|-------------------|------------------------------|-----|

| | | |
|-----------|----------------|-----|
| Firethorn | Crataegus spp. | +++ |
|-----------|----------------|-----|

| | | |
|-----------------|----------------------|-----|
| *Florida privet | Forestiera segregata | +++ |
|-----------------|----------------------|-----|

| | | |
|------------|--------------|-----|
| *Gallberry | Hex coriacea | +++ |
|------------|--------------|-----|

| | | |
|---------------|---------------|-----|
| Chinese holly | Hex chinensis | +++ |
|---------------|---------------|-----|

| | | |
|----------------|--------------|----|
| Japanese holly | Hex japonica | ++ |
|----------------|--------------|----|

| | | |
|-----------------------|-----------------------------------|-----|
| *Schillings holly | Hex x 'Schilling' | +++ |
| Indian hawthorn | Raphiolepis indica | +++ |
| Japanese boxwood | Buxus sempervirens | +++ |
| Juniper family | Juniperus spp. | +++ |
| Leatherleaf mahonia | Mahonia bealei | ++ |
| Natal plum | Carissa macrocarpa | +++ |
| Orange jasmine | Murraya paniculata | ++ |
| *Saw palmetto | Serenoa repens | +++ |
| Pampas grass | Cortaderia selloana | +++ |
| Pineapple guava | Psidium L. spp. | +++ |
| Pittosporum family | Pittosporum spp. | ++ |
| Maki podocarpus | Podocarpus macrophyllus 'Maki' | +++ |
| Yew podocarpus | Podocarpus macrophyllus | +++ |
| *Viburnum family | Viburnum spp. | ++ |
| *Wax myrtle | Myrica cerifera | +++ |
| *Prickley pear cactus | Opuntia humifusa | +++ |
| *Spanish bayonette | Yucca filamentosa | +++ |

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|---------------------|-----------------------------|-------------------|
| Vines | | |
| Common Name | Botanical Name | Drought Tolerance |
| *Coral honeysuckle | Lonicera sempervirens | +++ |
| Creeping fig | Ficus repens | +++ |
| *Carolina jessamine | Gelsemium sempervirens | +++ |
| *Grape | Vitis rotundifolia | ++ |
| *Virginia creeper | Parthenocissus quinquefolia | +++ |

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|------------------|-------------------------------------------------|-------------------|
| Groundcover | | |
| Common Name | Botanical Name | Drought Tolerance |
| *Beargrass | Nolina brittoniana | ++ |
| *Blue-eyed grass | Sisyrinchium angustifolium or S. atlanticum | ++ |
| *Coontie | Zamia pumila | ++ |
| *Crinum lily | Crinum amabile 'Purple Leaf' or C. asiaticum | ++ |
| Dwarf nandina | Nandina domestica 'compacta' | ++ |
| *Gopher apple | Licana michauxii | ++ |
| Holly fern | Crytomium falcatum | ++ |

| | | |
|---------------------|------------------------------------|-----|
| Algerian ivy | <i>Hedera canariensis</i> | ++ |
| English ivy | <i>Hedera helix</i> | ++ |
| Confederate jasmine | <i>Trachelospermum jasminoides</i> | +++ |
| Creeping juniper(s) | <i>Juniperus</i> spp. | +++ |
| Liriope | <i>Liriope muscari</i> | +++ |
| Mondo grass | <i>Ophiopogon japonicus</i> | +++ |
| *Cord grass | <i>Spartina</i> spp. | +++ |
| Society garlic | <i>Tulbaghia violacea</i> | +++ |
| *Wiregrass | <i>Aristida stricta</i> | ++ |

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| Annuals and Perennials | | |
| Common Name | Botanical Name | Drought Tolerance |
| Aloe | <i>Aloe vera</i> | +++ |
| *Blanket flower | <i>Gallardia grandiflora</i> | +++ |
| Daylily | <i>Hermocallis</i> spp. | ++ |
| False heather | <i>Cuphea hyssopifolia</i> spp. | ++ |
| Kalanehoe | <i>Kalanehoe</i> spp. | +++ |
| Perwinkle | <i>Catharanthus roseus</i> | +++ |

| | | |
|-----------|------------------------------|-----|
| Moss rose | <i>Portulaca grandiflora</i> | +++ |
| Innocence | <i>Hedyotis spp.</i> | ++ |
| Sun rose | <i>Helianthemum spp.</i> | ++ |
| Piriqueta | <i>Piriqueta caroliniana</i> | ++ |
| Stylisma | <i>Stylisma patens</i> | ++ |
| Pentas | <i>Penta spp.</i> | +++ |

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G. Table 6: List of Xeric Oak and Sand Pine Community Plants

| Trees and Palms | |
|-----------------|--------------------------------|
| Common Name | Botanical Name |
| Myrtle oak | <i>Quercus myrtlefolia</i> |
| Scrub oak | <i>Quercus inopina</i> |
| Saw palmetto | <i>Serona repens</i> |
| Chapman's oak | <i>Quercus chapmanii</i> |
| Dwarf red bay | <i>Persea borbonia humilis</i> |
| Bluejack oak | <i>Quercus incana</i> |
| Live oak | <i>Quercus virginiana</i> |
| Dwarf live oak | <i>Quercus minima</i> |

| | |
|----------------|---------------------------------------------------------|
| Ground oak | Licania michauxii |
| Scrub hickory | Carya floridana |
| Scrub holly | Hex opaca var. arenicola |
| Scrub palmetto | Sabal etonia |
| Scrub plum | Prunus geniculata (Endangered/endemic to scrub habitat) |

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|---------------------|------------------------|
| Shrubs | |
| Common Name | Botanical Name |
| Prickly pear cactus | Opuntia spp./compressa |
| Rusty lyonia | Lyonia ferruginea |
| Blueberry | Vaccinium spp. |
| Winged sumac | Rhus copallina |
| Dwarf huckleberry | Gaylussacia dumosa |
| Paw paw | Asimina reticulata |
| Florida rosemary | Ceratiola ericoides |

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|---------------------|------------------------------|
| Vines | |
| Common Name | Botanical Name |
| Calusa grapevine | Vitis shuttleworthii |
| Cat-greenbriar | Smilax glauca |
| Greenbriar | Smilax auriculata/laurifolia |
| Muscadine grapevine | Vitis rotundifolia |
| Passion-vine | Cassytha filiformes |

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|------------------------|------------------------------------------------------------|
| Annuals and Perennials | |
| Common Name | Botanical Name |
| Bluestems | Andropogon spp. |
| Beak-rush | Rynchospora spp. |
| Blazing-star | Liatris tenuifolia |
| Britton's beargrass | Nolina brittonia |
| Queen's-delight | Stillingia sylvatica |
| Wiregrass | Aristida stricta |
| Clasping-warea | Warea amplexifolia (Extremely endangered/endemic to scrub) |

| | |
|------------------------|------------------------|
| Brown-haired snoutbean | Rynchosia cinerea |
| Frostweed | Helianthem spp. |
| Panic grass | Dicanthelium sabulorem |
| Yellow indiagrass | Sorghastrum nutana |

9.01.11 Prohibited Plant Species. The control and elimination of invasive, nonnative plant species helps shall protect the natural vegetative communities existing within Lake County. The trees plant species set forth below are prohibited from being counted toward the required number of trees or vegetation, as replacements to removed trees, and shall not be voluntarily planted.

1. These trees plant species are prohibited from being planted or counted toward minimum tree or vegetation requirements. Refer to The Plant List for Lake County for an expanded list of prohibited vegetation. These trees plant species do not require an approved Lake County tree removal permit for removal.
2. Removal of these trees from a commercial, industrial, community facility, or multi-family Site that is being developed plant species shall be completed as a requirement for approval of the final Permit inspection and prior to issuance of a certificate of occupancy. Prohibited vegetation shall NOT be removed from protected wetlands and natural water bodies that are regulated and protected by the Water Management Districts without an approved permit for vegetation removal. Single family residences of new construction shall comply with this requirement.
3. Designers and land owners shall also not plant vegetation that is listed in the following resources and web sites:
 - a. Florida Exotic Pest Plant Council Category I Prohibited Plants and web site: www.fleppc.org/
 - b. Center for Aquatic and Invasive Plants, University of Florida, IFAS: <http://aquaand t1.ifas.ufl.edu/photos.html/>

| PROHIBITED SPECIES | |
|--------------------------------|-------------------------|
| <u>Common Name</u> | <u>Botanical Name</u> |
| Australian Pine | Casuarina spp. |
| Brazilian Pepper | Schinus terbinthifolius |
| California Privet (Tree form) | Ligustrum ovalifolium |
| California Privet (Shrub form) | Ligustrum ovalifolium |

| | |
|-----------------------------|---------------------------------|
| <u>Camphor</u> | <u>Cinnamomum camphora</u> |
| <u>Cedar Gum</u> | <u>Eucalyptus gunnii</u> |
| <u>Chinaberry</u> | <u>Melia azedarch</u> |
| <u>Chinese Tallow Tree</u> | <u>Sapium sebiferum</u> |
| <u>Ear Tree</u> | <u>Enterlobium cyclocarpum</u> |
| <u>Empress Tree</u> | <u>Paulownia tomentosa</u> |
| <u>Eucalyptus species</u> | <u>Eucalyptus spp.</u> |
| <u>Jacaranda</u> | <u>Grevillea robusta</u> |
| <u>Japanese Tallow Tree</u> | <u>Sapium japonicum</u> |
| <u>Melaleuca</u> | <u>Melaleuca quinquenervia</u> |
| <u>Mimosa</u> | <u>Albizzia julibrissin</u> |
| <u>Paper Mulberry</u> | <u>Broussonetia papyrifolia</u> |
| <u>Silk Oak</u> | <u>Grevillea robusta</u> |
| <u>Tree of Heaven</u> | <u>Ailanthus altissima</u> |

2. Removal of these trees from any site that is being developed shall be completed as a requirement for approval of the final permit inspection and prior to issuance of a certificate of occupancy. Removal of any plant, native or invasive from a jurisdictional water body such as wetlands and lakes shall first be permitted by the corresponding agency such as the St. Johns Water Management District.

3. A phasing plan may be submitted for the removal of prohibited species.

H. ~~Figures 1–13 [14].~~

9.02.00 Protected Trees.

9.02.01 Purpose. The purpose of this Section:

1. ~~Is To~~ establish rules and regulations governing the protection of trees and vegetative cover within unincorporated Lake County
2. To encourage the proliferation of trees and vegetation within unincorporated Lake County as well as their replacement
3. To recognize the importance of trees and vegetation and their meaningful contribution to a healthy, beautiful, and safer community attributable to their carbon dioxide absorption, oxygen production, dust filtration, wind and noise reduction, soil erosion prevention, lakeshore erosion protection, wildlife habitat, surface drainage improvement, beautification and aesthetic enhancement of improved and vacant lands; and the general promotion of the health, safety, welfare and well-being of the community.

~~is to establish rules and regulations governing the protection of trees and vegetative cover within unincorporated Lake County; to encourage the proliferation of trees and vegetation within unincorporated Lake County as well as their replacement; to recognize their importance and their meaningful contribution to a healthy, beautiful, and safer community attributable to their carbon dioxide absorption, oxygen production, dust filtration, wind and noise reduction, soil Erosion~~

prevention, lakeshore Erosion protection, wildlife habitat, surface drainage improvement, beautification and aesthetic enhancement of improved and vacant Lands; and the general promotion of the health, safety, welfare and well being of the community.

9.02.02 Tree Protection.

A. *Protected Trees.* All trees native or as grown healthy in to Lake County, Florida, including, but not limited to, the types of trees set forth below are those identified within the following documents shall be protected and as contained in:

1. The Plant List for Lake County (separate document)

The Recommended Plant for Lake County (separate document) and *Vascular Plants of Florida* by Richard P. Wunderlin

B. The protected palm trees listed below may not be used for more than twenty-five (20%5) percent of the required replacement trees required pursuant to Subsections 9.01.03.E.4.

C. These trees require an approved Lake County Tree Removal Permit for removal. Subsection 9.02.089 specifically addresses the designation of *Historic Specimen Trees*. Subsection 9.02.09 specifically addresses the designation of *Speciman Trees*.

** Note: The Lake County Recommended Plants for Lake County Landscape Manual shall apply for trees that are required to be preserved in Lake County.

| | |
|----------------------------------------------------|-----------------------------------|
| CEDAR | |
| (1) Atlantic White Cedar | (<i>Chamaecyparis thyoides</i>) |
| CYPRESS | |
| (2) Bald Cypress | (<i>Taxodium distichum</i>) |
| (3) Pond Cypress | (<i>Taxodium ascendens</i>) |
| ELM | |
| (4) American Elm; White Elm* | (<i>Ulmus americana</i>) |
| (5) Winged Elm; Cork Elm | (<i>Ulmus alata</i>) |
| *Or other engineered <i>U. americana</i> cultivars | |

| | |
|------------------------|---------------------------------|
| HICKORY | |
| (6) Mockernut Hickory | (<i>Carya tomentosa</i> Nutt.) |
| (7) Pignut Hickory | (<i>Carya glabra</i>) |
| (8) Scrub Hickory | (<i>Carya floridana</i>) |
| (9) Water Hickory | (<i>Carya aquatica</i>) |
| HOLLY | |
| (10) American Holly | (<i>Ilex opaca</i>) |
| (11) Dahoon Holly | (<i>Ilex cassine</i>) |
| (12) Palatka Holly | (<i>Ilex attenuata</i>) |
| MAPLE | |
| (13) Florida Maple | (<i>Acer barbatum</i> Mich.) |
| (14) Red Maple | (<i>Acer rubrum</i>) |
| MAGNOLIA | |
| (15) Sweet Bay | (<i>Magnolia virginiana</i>) |
| (16) Southern Magnolia | (<i>Magnolia grandiflora</i>) |
| OAK | |
| (17) Bluejack Oak | (<i>Quercus incana</i>) |
| (18) Chapman Oak | (<i>Quercus chapmanii</i>) |
| (19) Laurel Oak | (<i>Quercus laurifolia</i>) |

| | |
|------------------------------------------|-------------------------------------|
| (20) Live Oak | (Quercus virginiana) |
| (21) Myrtle Oak | (Quercus myrtifolia) |
| (22) Post Oak | (Quercus stellata) |
| (23) Sand Live Oak | (Quercus geminata) |
| (24) Turkey Oak | (Quercus laevis) |
| (25) Water Oak | (Quercus nigra) |
| PALM | |
| (26) Sabal Palm; Cabbage Palm | (Sabal palmetto) |
| (27) Silver Palm | (Coccothrinax argentata) |
| PINE | |
| (28) Loblolly Pine | (Pinus taeda) |
| (29) Longleaf Pine | (Pinus palustris) |
| (30) Pond Pine | (Pinus serotina Mich.) |
| (31) Sand Pine | (Pinus clausa) |
| (32) Slash Pine | (Pinus elliottii) |
| RED CEDAR | |
| (33) Southern Red Cedar | (Juniperus silicicola) |
| OTHERS | |
| (34) Basswood | (Tilia americana) |

| | |
|--------------------------------------|--------------------------------------|
| (35) Blackgum | (Nyssa sylvatica) |
| (36) Chickasaw Plum | (Prunus angustifolia) |
| (37) Fringe Tree | (Chionanthus virginica) |
| (38) Hackberry | (Celtis canadensis) |
| (39) Sugarberry | (Celtis laevigata) |
| (40) Hornbeam | (Carpinus caroliniana) |
| (41) Loblolly Bay | (Gordonia lasianthus) |
| (42) Persimmon | (Diospyros virginiana) |
| (43) Red Bay | (Persea borbonia) |
| (44) Redbud | (Cercis canadensis) |
| (45) Red Mulberry | (Morus rubra) |
| (46) Sparkleberry | (Vaccinium arboreum) |
| (47) Sweetgum | (Liquidambar styraciflua) |
| (48) Tulip Tree | (Liriodendron tulipifera) |
| (49) Walter's Viburnum | (Viburnum obovatum) |
| (50) Wax Myrtle | (Myrica cerifera) |
| (51) Wild Olive-Devilwood | (Osmanthus americanus) |
| (52) River Birch | (Betula nigra) |
| (53) Flowering Dogwood | (Cornus florida) |

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~~B. Prohibited Species. The control and elimination of invasive, nonnative species shall protect the natural vegetative communities existing within Lake County. The trees set forth below are prohibited from being counted toward the required number of trees, as replacements to removed trees, and shall not be voluntarily planted.~~

~~1. These trees are prohibited from being planted or counted toward minimum tree requirements. These trees do not require an approved Lake County Tree Removal Permit for removal.~~

| | | |
|-----------------|--------------------------------|---------------------------------------|
| (1) | Australian Pine | (Casuarina spp.) |
| (2) | Melaleuca | (Melaleuca quinquenervia) |
| (3) | Chinaberry | (Melia azedarch) |
| (4) | Ear Tree | (Enterlobium cyclocarpum) |
| (5) | Eucalyptus species | (Eucalyptus spp.) |
| (6) | Brazilian Pepper | (Schinus terbinthifolius) |
| (7) | Paper Mulberry | (Broussonetia papyrifolia) |
| (8) | Silk Oak | (Grevillea robusta) |
| (9) | Empress Tree | (Paulownia tomentosa) |
| (10) | Tree of Heaven | (Ailanthus altissima) |
| (11) | Chinese Tallow Tree | (Sapium sebiferum) |

| | | |
|------|----------------------------|-------------------------|
| (12) | Japanese Tallow Tree | (Sapium japonicum) |
| (13) | Camphor | (Cinnamomum camphora) |
| (14) | California Privet* | (Ligustrum ovalifolium) |
| | *both shrub and tree forms | |
| (15) | Cedar Gum | (Eucalyptus gunnii) |

2. Removal of these trees from a commercial, industrial, community facility, or multi-family Site that is being developed shall be completed as a requirement for approval of the final Permit inspection and prior to issuance of a certificate of occupancy. Single family residences of new construction are not exempt from this requirement.

9.02.03 Removal of Trees Requiring a Permit from Lake County:

Unless exempt pursuant to Subsection 9.02.04, the following provisions shall apply to the removal of trees requiring a permit in Lake County:

A. It shall be unlawful and a violation of this Section to clear or remove a protected tree by any method without first submitting a Permit application and fee and securing a tree removal Permit in accordance with Section 14.14.04 of the Land Development Regulations from the County Manager or designee. If protected trees are removed intentionally or unintentionally without a Permit, then the real Property owner shall take the following remedial actions:

1. Restore the Property consistent with a restoration and monitoring plan submitted by the real Property owner and approved by the County Manager or designee. Restoration plan must be prepared and submitted within 30 days by the property owner, developer, contractor, or agent for approval by the County Manager or designee. All trees and vegetation shown on the approved site restoration plan must be installed on the property and the site grade restored.

2. The restoration plan shall include tree replacement in accordance with the following standards:

a. Each canopy tree replacement tree shall be a minimum two and one-half three (2-1/2"3) inches caliper, eight (8') feet height x four (4') feet spread. Each ornamental tree shall be a minimum two inch (2") caliper x eight (8') foot height x four feet (4') feet spread minimum. Required

1 ornamental tree credits shall not exceed twenty percent (20%) of the total
2 caliper inches of required replacement.

3
4 b. The total caliper of all the replacement trees shall be 1:1 (100%) equal the
5 total caliper of the trees removed or damaged for those trees that are not
6 historic or specimen trees.

7
8 c. The total caliper of all the replacement trees shall be 1:1.25 (125%) the
9 total caliper of the trees removed or damaged for those trees that are
10 historic or specimen trees.

11
12 ~~3. Removal of a Historical tree, as defined in this section and 9.02.09 requires~~
13 ~~approval by the Lake County Board of County Commissioners~~

14
15 B. When the removal of trees is associated with a Development project, the removal of trees
16 authorized pursuant to the Lake County Tree Removal Permit Shall not commence until
17 one (1) of the following has been approved or issued: ~~or unless otherwise authorized~~
18 ~~within the tree removal Permit;~~

19
20 a. Subdivision construction plan;

21
22 b. PUD or MUQD final Development plan;

23
24 ~~c. MUQD final Development plan;~~

25
26 cd. Final Master Site plan;

27
28 de. Master park plan; (only applicable within parks) or

29
30 ef. Building Permit.

31
32 f. Lot grading / site alteration plan submitted as part of a Master Site Plan.

33
34 ~~g. Landowners wishing to clear their property for Agricultural Purposes shall first~~
35 ~~seek zoning approval if needed. These cases shall be reviewed on a case by case~~
36 ~~basis and shall comply with other provisions of the Lake County Land~~
37 ~~Development Code.~~

38
39 C. Approval of a preliminary plat Development plan does not authorize approval for the
40 removal of trees or other vegetation. ~~A separate Lake County Tree Removal Permit is~~
41 ~~required by the Landowner.~~

42
43 D. If trees have been approved for removal in the aforementioned plans in Subsections
44 9.02.03.B.(a) – (f), removed with required approvals and pursuant to the requirements of
45 this section, and the subject Property has not been developed within twelve (12) months
46 of approval of the Development Order, then the Property owner Shall submit an interim

1 Landscape plan within thirty (30) days to the County Manager or designee for partial
2 revegetation revegetating the subject Property, which shall provide for:

- 3
- 4 a. A stabilizing vegetative groundcover of grasses, forbs, or legumes;
- 5
- 6 b. Canopy and understoryornamental trees at half the required number for the
7 approved development, which is equal to tenthree (5103) canopy trees per acre.
8 The trees may be grouped together, subject to County approval and provided that
9 a sufficient distribution occurs across the property; and
- 10
- 11 c. Masses of Landscape shrubs to complement the canopy and understoryornamental
12 trees, subject to County approval.
- 13
- 14 d. If the Interim landscape plan is not submitted within thirty (30) days, the County
15 shall be authorized to perform a complete assessment of site conditions, collect a
16 fee from the property owner necessary to pay for the purchase, installation, and
17 maintenance of trees pursuant to parts (a) through (c) above, and perform the
18 aforementioned revegetation.

19

20 E. Tree Removal Permits.

- 21
- 22 1. Application for Permit. An application for tree removal shall be filed on official
23 forms provided by the County Manager or designee. Completed applications shall be
24 returned to the Department of Growth Management along with the appropriate Permit
25 fee as set by resolution of the Board of County Commissioners.
- 26
- 27 2. Removal of a Historical tree or Specimen tree, as defined in this section and
28 subsections 9.02.08 and 9.02.09 requires approval by the Lake County Board of
29 County Commissioners

30

31 ~~F. Landowners wishing to clear their property for agricultural purposes must have necessary
32 zoning and demonstrate that the property is being used for a bona fide agricultural
33 operation pursuant to State and County requirements. shall first seek zoning approval if
34 needed. These cases shall be reviewed on a case by case basis and shall comply with
35 other provisions of the Lake County Land Development Code.~~

36

37

38 ~~F. Tree Protection in Rural Village. When the removal of trees are associated with a
39 Development project in a Rural Village, a tree removal Permit Shall Shall be
40 required. Removal of trees Shall Shall not commence until the final Development
41 approval has been authorized. Regulation of tree removal Shall Shall be as
42 follows:~~

- 43
- 44 ~~a. Tree removal Permits authorize, but do not require, removal of trees specified
45 herein. At least twenty five (25) percent of the total number of trees Permitted for~~

1 removal pursuant to any one (1) Permit Shall be replaced on-site by the
2 Permittee.

3
4 ~~b. Trees that are prohibited as replacement to removed trees are:~~

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| | | |
|----------------|---------------------------------|---------------------------------------|
| (1) | Australian Pine | (Casuarina species) |
| (2) | Cajeput or Punk Tree | (Melaluca quinquenervia) |
| (3) | Chinaberry | (Melia azedarch) |
| (4) | Ear Tree | (Enterlobium cyclocarpum) |
| (5) | Eucalyptus species | (Eucalyptus spp.) |
| (6) | Brazilian Pepper | (Schinus terebinthifolius) |
| (7) | Paper Mulberry | (Broussonetia papyrifora) |
| (8) | Silk-Oak | (Grevillea robusta) |

8
9
10 ~~c. Replacement size. A replacement tree Shall be an approved tree at least one~~
11 ~~(1) inch DBH, Florida number 1 grade or better.~~

12
13 ~~d. Exceptions to the requirements of this policy Shall be allowed for the~~
14 ~~following:~~

15
16 ~~(1) Trees within road or drainage rights-of-way and easements which are to be~~
17 ~~removed as part of an approved project of the Board of County~~
18 ~~Commissioners.~~

19
20 ~~(2) Trees of less than six (6) inches DBH, unless a wetland tree or a tree that~~
21 ~~is part of a Sand Pine (Scrub) community.~~

22
23 ~~(3) Trees which pose an immediate and direct threat to persons or Property.~~

~~(4) Trees existing on Lots of five (5) acres or less upon which one (1) or more single family or duplex dwellings exist unless such trees are being cleared to construct any other residence, or Commercial or industrial Structure regardless of when or by whom construction is planned.~~

~~(5) Trees that are located on Land zoned for agriculture and taxed and used for bona fide agricultural or silvicultural purposes.~~

9.02.04 Exemptions to Tree Removal Requirements.

The following are exempted from the requirements of this Section to receive a permit for tree removal or to replace removed trees:

A. Prohibited trees listed in Subsection 9.01.11., The Plant List for Lake County – Prohibited Plants section and 9.02.02.B or citrus or nonnative fruit trees of any species.

B. Trees located within existing recorded or prescriptive public road or drainage rights-of-way and easements that are to be removed as part of a Board approved project. However, all protected trees that are removed under this exemption shall be relocated or replaced either within the project Site or at a public Offsite location (e.g., other right-of-way, parks, governmental buildings, or tree farms). All replacement canopy trees shall be at least two to two and one-half (2 1/2”) inch caliper, Florida number 1 grade or better.

C. For the purposes of this exemption, trees located within new rights-of-ways along existing roads which are to be removed as part of a Board approved project shall also be exempt from the Permitting requirements of this Section provided:

1. The rights-of-way are necessary to meet minimum County width standards, up to a total right-of-way width of eighty (80) feet;

2. The existing number of roadway lanes will not be increased;

3. A notice of all such activities is submitted to the County Manager or designee within ten (10) working days prior to the activity; and

4. The trees removed are relocated or replaced as required ~~below~~ above.

D. Trees less than ~~four (4)~~ three (3) inches caliper measured at diameter breast height (DBH) Trees that are required for landscape buffering, parking, interior areas, single-family residential lots or any other requirements of this Landscape Code shall not be exempt. , unless a wetland tree or a tree that is part of a Sand Pine (Scrub) or Xeric Oak community, as listed in Subsection 9.01.10.B. 1-3G. Xeric (Sand) Pine and Xeric Oak community’s trees less than 2” caliper are exempt from this requirement.

1
2 | E. Trees of three inches diameter breast height (DBH) or smaller any size existing on
3 Lots of one (1) acre or less upon which one (1) or more single-family or duplex
4 dwellings exist unless such trees:

5
6 | 1. Are being cleared in order to construct a second residence on the Property, or
7 Development associated with a Commercial or industrial Structure regardless of
8 when or by whom construction is planned; or association with development or a
9 building permit.

10
11 | 2. Are trees planted to that fulfill the tree replacement requirements set out in
12 Subsection 9.02.05(D); or

13
14 | 3. Are trees that planted to fulfill the minimum tree requirements set out in
15 Subsection 9.01.04; or

16
17 | 4. Are wetland trees or protected trees that are part of a Sand Pine (Scrub) or
18 Xeric Oak community as listed in Subsection 9.01.10. as listed in the Protected
19 Tree List in the Lake County Tree Removal Permit.

20
21 | F. If any tree is determined to be in a hazardous or dangerous condition so as to
22 endanger the public health, welfare, or safety, and requires immediate removal
23 without delay, written authorization may be given by the County Manager or
24 designee and the trees removed without obtaining a written Permit as herein
25 required:

26
27 | 1. Photo documentation of hazardous tree by Property owner is required prior
28 to removal and shall be submitted to the County Manager or designee.

29
30 | 2. Replacement requirements herein required apply to any tree or group of trees
31 deemed hazardous and removed.

32
33 | 3. If the tree, due to immediate danger, is removed prior to obtaining written
34 authorization, a letter and photo documentation proving that there was immediate
35 danger shall be submitted to the County Manager or designee within 15 days after
36 removal.

37
38
39 | G. ~~Greenbelt Exemption. Any tree that is in a documented Lake County designated~~
40 ~~Greenbelt is exempt from the tree removal requirements.~~

41
42 | GH. Agriculture and Silviculture subject to the following provisions:

43
44 | 1. Trees located on Land zoned agriculture ("A, RA or R-1"), taxed and used for
45 bona fide agricultural purposes, such as field crops, citrus, nurseries, forest crops,
46 animal husbandry, or greenhouses, except trees removed in order to construct

1 improvements not reasonably related to bona fide agricultural and silvicultural
2 purposes regardless of when or by whom construction is planned, are exempt
3 from the provisions of Subsection 9.02.03.

4
5 ~~2. Trees located on Land zoned Ranchette District ("RA") or Rural Residential ("R-~~
6 ~~1") are also exempt from the provisions of Subsection 9.02.03 for those~~
7 ~~agricultural uses that are allowed within these zoning districts.~~

8
9 23. Stands of Pine (*Pinus spp.*) planted or occurring naturally which would be used in
10 a silvicultural activity and are subject to compliance with the most current edition
11 of the Florida Department of Agriculture and Consumer Services silvicultural best
12 management practices (BMP's) described in Silviculture Best Management
13 Practices published by the Florida Department of Agriculture and Consumer
14 Services (1993 edition). This publication is hereby adopted and included by
15 reference herein. A copy of such publication is available from the County
16 Manager or designee.

17
18 3. To be recognized as a Silviculture or viable forestry operation, the removal of the
19 trees shall be part of a bona-fide agricultural operation
20 a. Part of a bona-fide agricultural operation.

21
22 H. Mining operations that have an approved Lake County Mining Site Plan and
23 Operating Permit. Mining operations shall comply with all applicable landscape
24 buffering, internal parking and building requirements as set by this Code.

25 26 **9.02.05 Criteria for Issuance of Tree Removal Permit.**

27
28 A. A tree removal Permit Shall be issued when one (1) or more of the following
29 circumstances exist:

- 30
31 1. Street opening. The location of a tree restricts the opening of a street or right-of-
32 way. Streets and rights-of-way shall be located to minimize the loss of trees,
33 especially specimen and historic trees;
34
35 2. Utilities and drainage. The location of the tree restricts the construction of utility
36 lines or drainage facilities. Utility lines and drainage facilities shall be located to
37 minimize the loss of trees, especially specimen and historic trees;
38
39 3. Property access. The location of the tree prevents restricts access to the Property;
40 Exit and entry shall be located to minimize the loss of trees, especially specimen
41 and historic trees;
42
43 4. ~~Property use.~~ The location of the tree restricts use of the property consistent with
44 all other County and state codes, statutes, ordinances, and resolutions, and site
45 location modifications are not feasible or reasonable; and which a variance would
46 otherwise have to be granted;

1
2 | 5. _____ Hazards. The tree constitutes a potential hazard to life or Property that cannot be
3 mitigated without removing the tree;

4
5 | 6. _____ Poor tree health. The tree is dying or dead so that its restoration to sound
6 condition is not practical, or it has a disease which can be expected to be
7 transmitted to other trees and to endanger their health;

8
9 | 7. _____ Thinning of trees. In order to increase light and air circulation for the purpose of
10 improving poor health conditions of a group of trees or preventing disease of a
11 group of trees, the selective removal of up to twenty-five (25) percent of the
12 group of trees may be Permitted. Silviculture best management practices (BMP's)
13 described in the Silviculture Best Management Practices published by the Florida
14 Department of Agriculture and Consumer Services (1993) Shall apply.

15
16 | B. _____ The tree removal Permit, when issued, Shall specifically identify which trees Shall be
17 Permitted to be removed. Each tree Permitted for removal Shall be physically marked
18 with an "X" using brightly colored paint or surveyor's tape, or if a group of trees are
19 Permitted for removal, the outside perimeter trees of the group may be designated with
20 brightly-colored rope or tape in lieu of each tree. Such Permit Shall automatically expire
21 twelve (12) months after issuance. Trees not removed during the life of the Permit may
22 not be removed without the issuance of a new Permit based upon a new application.

23
24 | C. _____ Removal not required. Tree removal Permits merely authorize the removal of trees
25 specified therein. Nothing in this Section Shall be construed to require the removal of
26 such trees by the Permittee, except the prohibited trees as required in subsection 9.01.11.

27
28
29 9.02.06 Replacement Requirements

30
31 A1. Amount of replacement. At least thirty-three (33) percent of the total number of
32 trees caliper inches measured in caliper inches at diameter breast height (DBH) of
33 of qualifying trees (3" DBH caliper or larger on the protected tree list)
34 ~~trees Permitted for removal~~ pursuant to any one (1) Permit shall be replaced
35 onsite by the Permittee. (For trees that are not designated historic or specimen.)
36 ~~Removed historic and specimen trees shall replace fifty~~ At least fifty percent
37 (50%) of the total number of specimen and historic trees measured in caliper
38 inches of the DBH pursuant to any one (1) Permit shall be replaced onsite by the
39 Permittee. caliper inches removed. More than one tree may be used to replace a
40 tree or trees that are removed, but the minimum caliper of the replacement canopy
41 trees shall be no less than two and one half (2-1/2") inches and one and one half
42 two inches (2") for ornamental trees.

43 1. Minimum of seventy-five percent (75%) of the
44 replacement trees shall be canopy trees. The
45 replacement canopy trees shall meet the minimum size
46 requirements as listed within this section.

2. Twenty-five (25%) maximum of the replacement trees shall be ornamental trees, or those trees that have an installed caliper of one and one half (1 1/2) inches.
3. Palm trees and pine trees may be used but shall not exceed four inches credit given as replacement regardless of their installed size. Pine trees will be given credit based on their installed size and shall not exceed four inches credit given per tree.

B. Tree Sampling Method: Sites that are over 5 acres may perform sample plots and extrapolate tree calipers **to be removed** as follows:

- 1) Minimum of 5 acres impacted by development shall be surveyed by accounting for all qualifying trees to be removed within the first 5 acres. After the first 5 acres for development the developer may sample survey qualifying trees to be removed with sample plots. The sample plots shall be a minimum area of twenty percent (20%) of the remaining part of the developed part of the site to be developed or twenty percent (20%) of for each vegetative community within the remaining part of the site to be developed; project; whichever yields the is greater number of trees. Each of the sample survey plots shall be a minimum of one-hundred feet by one-hundred feet (100' x 100') in size and shall conform to current forestry practices.
- 2) The tree survey sample plots shall be conducted by a qualified professional: such as a landscape architect, arborist or forester, environmental scientist, or other professional that is certified and acceptable to Lake County. A tree survey report detailing all findings, including the number and caliper of trees surveyed, the size and location of vegetative communities, estimates of total tree coverage based on survey plots, and the size and location of specimen trees, shall be prepared and submitted to the County as part of the site plan review process. The means and methods of the tree survey shall be clearly detailed in the written report provided to Lake County.
- 3) Lake County reserves the right to require ask for more detailed tree sampling should shall the County designee feel that the information provided is insufficient or that site-specific considerations warrant additional information.
- 4) The locations of all specimen and historic trees proposed for removal shall be located on a site plan.
- 5) Qualifying trees that are sampled shall be a minimum of three inch (3") DBH Caliper. unless the trees are part of a wetland, xeric pine or xeric oak community in which case trees 2" DBH and larger will be counted as part of the tree sampling.

C. Site plan projects.

- 1 | 1. Replacement trees shall be planted prior to issuance of the certificate of
2 | occupancy. For unfinished projects, a performance bond or letter of credit shall
3 | be provided in the amount of 110% of the cost of the unfinished landscape
4 | improvement and shall be filed with the County. Unfinished landscaping shall be
5 | installed within 12 months of issuance of the Certificate of Occupancy.
6 |
- 7 | 2. Replacement trees shall be located onsite or an approved offsite location as
8 | provided in subsection 9.02.06.K(1) and (2). in areas approved by the County
9 | Manager or designee as a condition of the tree removal Permit. These areas may
10 | include, but are not limited to, open space areas, areas adjacent to stormwater
11 | management facilities, Landscaped Buffer areas, and entrances to the project Area
12 | (when visibility for vehicular and pedestrian traffic would not be hindered).
13 |
- 14 | 3. Subdivisions.
15 |
- 16 | a. Replacement trees shall be planted in accordance with either, or both, of the
17 | following:
18 |
- 19 | 1. Prior to issuance of the certificate of occupancy for each individual
20 | Structure on a Lot; or
21 |
- 22 | 2. At the time of submission of the performance bond required pursuant to
23 | Section 14.08.00 of the Lake County Land Development Regulations.
24 |
- 25 | b. When the certificate of occupancy method is used pursuant to Subsection
26 | 9.02.05.(D).3.a.1 above, the required number of replacement trees shall be
27 | equally equitably distributed on each Lot within the subdivision in
28 | accordance with Subsection 9.01.04 above.
29 |
- 30 | c. When the performance bond method is used, pursuant to Subsection
31 | 9.02.05.D.31.b.a.2 above, the replacement trees shall be located onsite in
32 | Areas approved by the County Manager or designee as a condition of the
33 | tree removal Permit. These areas may include, but are not limited to, open
34 | space Areas areas, in PUD's, Areas adjacent to stormwater management
35 | facilities Buffer areas, and entrances to the project Area (when visibility
36 | for vehicular and pedestrian traffic would not be hindered). The Permittee
37 | shall demonstrate the availability of water to maintain the trees through
38 | water trucks, wells, central system, or other methods until established.
39 |
- 40 | d. When both the certificate of occupancy and performance bond methods
41 | are used, the applicable proportions of replacement trees determined from
42 | each method shall be indicated on the tree removal Permit.
43 |
- 44 | D. Landscape credit. The replacement trees may be used to meet the requirements of
45 | the Landscape standards set out in Section 9.01.00.
46 |

1 | E5. Replacement maintenance. The replacement trees shall be maintained in good
2 | condition ~~for one (1) year during~~ in perpetuity ~~and which~~ the Property owner
3 | pursuant to Subsection 9.02.06 shall guarantee survival.

4 |
5 | F6. Restriction on Use of palm trees. ~~Protected p~~ Palm trees shall not account for more
6 | than twenty percent ~~one quarter (1/4)(20%), or twenty five (25) percent~~ of the
7 | required replacement trees. More palms may be planted but shall not count for the
8 | required replacement trees.

9 |
10 | G7. Replacement credit. The Permittee may choose and is encouraged to retain some
11 | of the trees Permitted for removal in lieu of replacement. The trees to be retained
12 | may be selected totally at the discretion of the Permittee except for those trees
13 | required to be removed by other ordinances, regulations, or statutes. ~~The number~~
14 | ~~of trees retained Shall be credited toward meeting the above thirty three (33)~~
15 | ~~percent replacement requirement~~ The retained trees may count for required
16 | landscape provided the trees and landscape material is in good health and meet
17 | the minimum trees sizes..

18 |
19 | H8. Replacement exception. These replacement requirements shall not apply to any
20 | Permit for the removal of less than three (3) trees or total ten (10") caliper inches
21 | removed, whichever is greater for one site. ~~The removal of four (4) trees requires~~
22 | ~~one (1) replacement tree.~~

23 |
24 | I9. Replacement size. A replacement tree shall be an approved tree at least two and
25 | one half (2-1/2") inch caliper for canopy trees and ~~one and one half~~ two inch
26 | caliper (2") for ornamental trees. ~~two to two and one half (2-2 1/2)~~, Florida
27 | number 1 grade or better. Ornamental trees may not exceed twenty-five percent
28 | (25%) of the total caliper replacement inches required.

29 |
30 | J10. Minimum tree requirements. These replacement requirements ~~may~~ shall apply in
31 | addition to all the minimum tree requirements set out in Subsections 9.01.03⁴
32 | through 9.01.06.

33 |
34 |
35 | K. If replacement cannot be made on the subject property, the owner and or applicant
36 | may:

- 37 |
38 | 1. Mitigate with replacement of the required trees on a designated recipient
39 | property within Lake County. The recipient property shall be acceptable
40 | to the County and shall be suitable to accept the replacement trees.
41 | Mitigated replacement trees shall not count toward meeting minimum
42 | requirement of the recipient site for development purposes. Mitigated
43 | replacement trees shall not be exempt forfrom the tree removal and
44 | replacement requirements if the recipient property is subsequently cleared
45 | at a later date, regardless of the size of the tree(s) at the time of clearing.
46 | The request to utilize this option shall be submitted to the County Manager
47 | or designee in writing and shall include the following justifications and

1 information:

2
3 a. **Explanation why the trees cannot be replaced on site.**

4
5 b. **A legal description and a copy of the property record information**
6 **from the Lake County Property Appraiser for the proposed**
7 **recipient site.**

8
9 c. **An Affidavit from the owner of the recipient site agreeing to the**
10 **terms of accepting the mitigated trees as listed above. A**
11 **conservation easement or similar legally-binding instrument**
12 **approved by the County shall be required to ensure that mitigation**
13 **trees planted at the recipient site will be protected and maintained**
14 **in perpetuity.**

15
16 2. The owner and or applicant may make a contribution to the **“Pollution**
17 **Recovery Trust Fund”**, **“Tree mitigation fund”** or other Lake County
18 **environmental fund in lieu of planting the replacement trees as an option**
19 **of “last resort”**. The amount of the contribution **shall** be equal to the
20 **estimated cost of the replacement trees and the cost of installation of the**
21 **trees—shall** as determined by Lake County in a separate Fee Schedule.
22 **Documentation shall:**

23
24 a. **Explain why the trees cannot be replaced on site.**

25
26 b. **Explain why the replacement trees cannot be mitigated by**
27 **replacement on an alternative recipient site.**

28
29 c. **Contain original estimates with the name, address, contact name**
30 **and contact phone number of the landscape nurseries, tree farms or**
31 **landscape contractors.**

32
33 **A minimum of twenty-five (25%) of the removed trees requiring mitigation**
34 **shall be replaced on the property as approved by the County Manager or**
35 **designee.**

36
37 **9.02.06 Guarantee of Survival.**

38
39 A. The Property owner Shall guarantee survival of the following trees in perpetuity ~~for one~~
40 ~~(1) year~~ from completion of Permitted construction:

41
42 1. Any **exempt** tree that has not been removed;

43
44 2. All trees that are retained or replaced pursuant to Subsections 9.01.03, **9.02.02 and**
45 **9.02.06, E and 9.02.05.D.**

1 | 3. In the event any tree planted pursuant to the approved Landscape plan dies within one
2 | (1) year of planting, ~~the~~ replacement tree shall be planted to fulfill the remaining
3 | period of the original tree's guarantee year.
4 |

5 | B. The County Manager or designee may conduct periodic inspections of the site. It is the
6 | responsibility of the Permittee to ensure that all provisions of Section 9.02.00 are met.
7 |

8 | **9.02.07 Voluntary Planting.** 9 |

10 | This Section Shall not be interpreted to restrict, regulate, or limit the voluntary planting
11 | of any protected tree in Lake County. Any size tree may be voluntarily planted. The
12 | provisions of this Section govern only the planting of trees that are required to be planted
13 | or retained under this Section.
14 |

15 | **9.02.08 Historic Trees.** 16 |

17 |
18 | A. *Purpose.* It is the purpose of this Subsection to acknowledge the existence of certain
19 | trees that portray a notable historical association or significance to Lake County, and to
20 | protect such trees through their designation as historic trees and by requiring compliance
21 | with the protection measures set out in Subsection 9.01.10.A. Designation of historic
22 | trees by the Lake County Board of County Commissioners Shall be in accordance with
23 | the standards and procedures in this Subsection.
24 |

25 |
26 | B. *Application procedures.*
27 |

28 | 1. Applications may be initiated by:

29 |
30 | a. Owners of the Property;

31 |
32 | b. Developers as part of their Development plan; or

33 |
34 | c. The County ~~Manager or designee~~ as part ~~of a County review~~ of a tree removal
35 | Permit application, ~~a Development Plan~~ or a County tree-protection planning
36 | program.
37 |

38 | 2. Applications on forms provided by the County Manager or designee Shall be
39 | completed and submitted to the County Manager or designee.
40 |

41 | 3. Completed applications shall be provided to the Lake County Historical Society
42 | with a request for review and written recommendation for approval or denial.
43 |

44 | C. *Historical Society Recommendation.* The Lake County Historic Society or the State
45 | Historic Preservation Officer of Florida or their designee may recommend approval of the
46 | designation of a historic tree for a tree that is considered to have a notable historical

1 interest and value to the County due to its historical association or significance. The Lake
2 County Historic Society or the State Historic Preservation Officer of Florida or their
3 | designee may recommend denial or approval; **however, that recommendation**, or the lack
4 of any recommendation, does not preclude the County from denying or approving an
5 application.

6
7 D. *Designation Procedure.*

- 8
9 1. Upon review and approval by the County Manager or designee, the application
10 | Shall be scheduled for a public hearing before the Board **of County**
11 | **Commissioners** at a regularly scheduled Board meeting.
12
13 2. The Lake County Board of County Commissioners Shall approve or deny the
14 request. Approval by the Board Shall be in the form of a resolution.
15
16 3. Any tree designated a historic tree Shall be protected by the Property owner. At a
17 minimum, compliance with the protection standards set out in Subsection
18 9.01.10.A Shall be required.
19

20 **9.02.09 Specimen Trees.**

21
22 A. *Purpose.* It is the purpose of this Subsection to acknowledge the existence of certain trees
23 within the County that are rare or unique due to factors such as age, size, or type,
24 and to protect such trees through their designation as specimen trees and by
25 requiring compliance with the protection measures set out in Subsection
26 9.01.10.A. Designation of specimen trees by the Board Shall be in accordance
27 with the standards and procedures in this Subsection.
28

29 | B. *Designation Standards.* At least one (1) of the following standards shall apply in order
30 for a tree to be designated a specimen tree:

- 31
32 1. *Size.* Trees with a thirty (30) inch caliper or greater, or a circumference of eight
33 (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54)
34 inches from the surface of the ground
35
36 2. *Age.* Trees that are determined to be at least one hundred (100) years old, or to be
37 at approximate half-life maturity and are in good health.
38
39 | 3. *Form.* Trees that are determined to have a unique form or shape, due to
40 geography, climate, environmental or natural growth habitat conditions, and are in
41 good health.
42
43 4. *Ecological Value.* Trees that are determined to have an ecological value to the
44 County in terms of soil or water conservation and management, wildlife habitat,
45 or endemic native flora habitat, and are in good health.
46

- 1 5. *Rarity.* Trees that are determined to be non-indigenous, rare, or unique to the
2 County, and are in good health. Prohibited trees, as listed in Subsection
3 9.02.10.1.02-B, are excluded from designation as a Specimen tree.
4

5 C. *Application Procedures.*

- 6
7 1. Applications may be initiated by:
8
9 a. Owners of the ~~own~~ Property; or
10
11 b. Developers as part of their Development plan; or
12
13 c. The County Manager or designee as part of the County review of a tree
14 removal Permit application, ~~or~~ a Development plan or a County tree
15 protection planning program.
16
17 2. Applications on forms provided by the County Manager or designee shall be
18 completed and submitted to the County Manager or designee.
19
20 3. The County Manager or designee may request assistance from the Lake County
21 Forester, State Division of Forestry, in determining compliance with any of the
22 designation standards.
23

24 D. Mandatory Recognition of Specimen Trees

25
26 Any non-prohibited trees with thirty inch (30) caliper or greater, or a circumference of
27 eight (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54)
28 inches from the surface of the ground shall be recognized as a Specimen Tree. The
29 applicant shall identify the location, number and size of all specimen trees on the required
30 tree survey submitted to the County for site plan review. In addition, the County as part
31 of a tree protection planning program may identify Specimen Trees that are found to meet
32 this criteria.
33

34 ~~E.D.~~ *Approval.*

35
36 1. Any non-prohibited tree satisfying one or more of the size criteria in subsection
37 9.02.09B(1) shall be recognized and recorded as a Specimen Tree by the County
38 Manager or designee, without approval by the Board of County Commissioners.
39

40 2.1. A request for designation of specimen tree Upon review and approval by the County
41 Manager or designee, any tree that has been submitted for consideration as a
42 Specimen Tree and does not automatically qualify because of size shall be scheduled
43 for a public hearing before the Board of County Commissioners at a regularly
44 scheduled Board meeting.
45

1 | 3.2.The Board Shall approve or deny the request. Approval by the Board Shall be in the
2 | form of a resolution.
3 |

4 | 43. Any tree designated a specimen tree shall be protected by the Property owner. At a
5 | minimum, compliance with the protection standards set out in Subsection 9.01.10.A
6 | shall be required.
7 |

8 | * * *
9 |

10 |
11 | **Section 4. Severability.** If any section, subsection, sentence, clause, phrase, word or
12 | provision of this ordinance is for any reason held invalid or unconstitutional by any court of
13 | competent jurisdiction, whether for substantive, procedural, or any other reason, such portion
14 | shall be deemed a separate, distinct and independent provision, and such holding shall not affect
15 | the validity of the remaining portions of this ordinance.
16 |

17 | **Section 5. Inclusion in the Code.** It is the intention of the Board and it is
18 | hereby provided that the provisions of this ordinance shall be made a part of the Lake County
19 | Code; that the sections of this ordinance may be renumbered or relettered to accomplish such
20 | intention; and that the word "ordinance" may be changed to "section", "article", or other
21 | appropriate designation.
22 |

23 | **Section 6. Effective Date.** This Ordinance shall become effective as provided for by
24 | law.
25 |

26 | Enacted this ____ day of _____, 2008.
27 |

28 | Filed with the Secretary of State _____ 2008.
29 |

30 | Effective _____.
31 |

32 |
33 | ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

34 |
35 |
36 | _____
37 | Neil Kelly, ~~Interim~~ Clerk of the
38 | Board of County Commissioners
39 | of Lake County, Florida
40 |

Welton G. Cadwell, Chairman
This ____ day of _____, 2008.

41 | Approved as to form and legality:
42 |
43 |
44 | _____
45 | Sanford A. Minkoff
46 | County Attorney
47 |