

**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. Increasing the standard height, caliper and size of required vegetation;
5. 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.
6. Banning St. Augustine sod for new construction.
7. Proposing certain limitations to the type of irrigation zones; high, medium and low water use zones.
8. Proposing more landscape islands in parking lots; requiring landscape islands for every ten rather than fifteen parking spaces; and
9. Requiring a certain number of trees based upon square feet of lot.

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;**



- g. Recycles organic material
- h. Reduces Storm Water Runoff
- i. Protects the Waterfront

\* \* \*

Visibility Triangle. The Areas of property on both sides of an 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.

\* \* \*

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

**9.01.00 Landscaping Standards.**

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

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

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

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

~~1)A. Applicability. It shall be unlawful for any person to clear, develop or increase the developed Area of any Lot, Parcel, Plot or Tract of Land unless in compliance with the terms of this Section 9.01.00 and Section 9.02.00, or unless otherwise exempted by these regulations this Section.~~

1 B. Additions to Existing Development. ~~As a condition of approval for such addition,~~  
2 ~~the owner shall comply with the requirements of this Section should any addition~~  
3 ~~made to a Structure and/or parking Area existing as of the effective date of this~~  
4 ~~Section which exceeds a twenty-five (25) percent increase in the size of the~~  
5 ~~existing Structure and/or parking area.~~ Lots with existing development shall be  
6 brought into compliance as a condition of development approval issued for  
7 Substantial Improvement, accessory structures, and increases in impervious area  
8 or parking pursuant to the following criteria:

- 9
- 10 1. Any Substantial Improvement shall comply with Sections 9.01.00 and  
11 9.02.00;
  - 12 2. Any additional structure or addition to an existing structure greater than 4,000  
13 cumulative square feet shall require all landscaping to be brought into  
14 compliance with Sections 9.01.00 and 9.02.00;
  - 15 3. Any additional structure or addition to an existing structure exceeding a  
16 twenty-five (25) percent cumulative increase to the impervious surface area of  
17 the structure(s) on the Lot shall require that all landscaping be brought into  
18 compliance with Sections 9.01.00 and 9.02.00. Less than twenty-five (25)  
19 percent cumulative increase to the impervious surface area of the structure(s)  
20 on the Lot shall only be responsible for buffering the new structure(s); or  
21 4. Any cumulative increase in required parking or vehicular use area of twenty-  
22 five (25) percent or greater shall require that all landscaping be brought into  
23 compliance with Sections 9.01.00 and 9.02.00. Any cumulative increase in  
24 required parking or vehicular use area less than twenty-five (25) percent shall  
25 only be responsible for buffering the new parking or vehicular use area.

26

27 C. It shall be the responsibility of the newly approved use or development to provide  
28 all landscape and buffering as required by this section prior to occupation or  
29 operation.

30

31 Section 9.01.02A Prohibition, Separate Violations and Revegetation.

32 A. Separate Violations. Each tree damaged or destroyed without a permit required under  
33 Section 9.01.00 or Section 9.02.00 shall be considered a separate violation punishable as  
34 provided by law and also listed by these sections. Determinations of the number of  
35 cleared trees shall be based on best available data that may include surveys of adjacent  
36 property or aerial photographs taken prior to clearing.

37

38 B. Re-vegetation Required. If a property has not been developed within six (6) months of  
39 receiving development approval, re-vegetation shall be required.

40

41

42 **9.01.03 General Requirements**

43

44 A. Landscaping. All ground surface Areas of any Lot, Plot, Tract or Parcel of Land,  
45 however designated, must maintain Landscaped Areas to eliminate Erosion,  
46 reduce the generation of dust particles and other windborne particles, provide  
47 aesthetic relief, and further the objectives of this Section.

- 1  
2 B. *Monoculture.* In order to guard against disease susceptibility,  
3 a. If ten (10) or more canopy trees are required then a minimum two (2)  
4 species shall be required; a maximum of sixty-five percent (65%) shall be  
5 any one species.  
6 b. If thirty (30) or more canopy trees are required then a minimum three (3)  
7 species shall be required; a maximum of seventy-five percent (75%) shall  
8 be any one species.  
9 c. If fifty (50) or more canopy trees are required, then a minimum four (4)  
10 species shall be required; a maximum of eighty-five percent (85%) shall  
11 be any one species.  
12 d. *Shrub Diversity:* For all required shrubs in the landscape plan, the  
13 developer shall meet the following diversity requirements:  
14 i. For Plans requiring 350-699 shrubs, then a minimum of two (2)  
15 different species shall be used with a maximum of seventy percent  
16 (70%) for any one species.  
17 ii. For Plans requiring 700-999 shrubs, then a minimum of three (3)  
18 different species shall be used with a maximum of ~~twenty~~eighty  
19 percent (80%) for any one species.  
20 iii. For Plans requiring 1,000 shrubs or more, then a minimum of four  
21 (4) different species shall be used with a maximum ~~minimum~~ of  
22 ~~fifte~~eighty-five percent (~~1~~85%) for any one species.  
23 e. The County Manager or designee may ~~Permit~~ allow exceptions to this  
24 subsection where trees are used as a design element such as Bosques or  
25 Allees or based on Landscape design intent including but not limited to  
26 shrubs massed for the purposes of creating a unifying effect for color,  
27 texture, and shape or erosion control.

28  
29 C. *Plant Substitutions:* The Applicant may make plant substitutions from any  
30 approved plan with approved plants that are on the Lake County approved plant  
31 list or designated as Florida Friendly with approval by the County Manager or  
32 designee as follows:

- 33 1. Significant changes require the resubmittal of a Landscape Plan and the  
34 appropriate fee. If any other changes have taken place that affects the  
35 landscape redesign, then a site plan amendment shall be needed. Significant  
36 changes are considered when a buffer is relocated or if five (5) percent or  
37 more of the percentage of the landscape is changed in any one site.  
38 2. Minor changes may be allowed to an approved Landscape Plan as follows:  
39 changing ten (10) or fewer trees, moving a buffer less than twenty (20) feet or  
40 making other minor plant changes with written permission from the County  
41 Manager or designee.

42  
43 D. *Installation.* All Landscaping Shall be installed according to "Selecting and  
44 Planting Trees and Shrubs," published by the University of Florida/Florida  
45 Cooperative Extension Service (Institute of Food and Agricultural Sciences,  
46 Circular 858, ~~October 2003 June 1990~~ and subsequent editions) and by

1 “WaterStar Florida Landscaping” published by the St. Johns River Water  
2 Management District and which describes the principles of “right plant, right  
3 place”. These publications ~~are~~ hereby adopted and included by reference herein.  
4 A copy of this publication is available from the County Manager or designee.  
5

6 E. Maintenance. The owner of a Property- Shall be responsible for the maintenance  
7 of all Landscaping so as to present a neat, healthy, and orderly appearance free of  
8 refuse and debris. All required Landscaping, pursuant to Site Plan approval, Shall  
9 be maintained in perpetuity. All required Landscaped Areas Shall contain an  
10 automatic irrigation system in accordance with Subsection 9.01.03(I), except for  
11 WaterWise landscapes and/or Florida Friendly Xeriscape Landscapes per Section  
12 9.01.03, ~~and~~ as approved by the County Manager or designee.  
13

14 F. Pruning. Vegetation and trees required by these regulations shall only be pruned  
15 to maintain health and vigor. Pruning shall be in accordance with Standard  
16 Practice for Trees, Shrubs and Other Woody Plant Maintenance, ANSI 300 of the  
17 National Tree Care Association. Trees shall not be severely pruned in order to  
18 permanently maintain growth at a reduced height or spread. A tree’s natural  
19 growth habit shall be considered in advance of conflicts which might arise (i.e.  
20 view, signage, lighting and similar conflicts). Excessive pruning (hat racking,  
21 topping, etc.) Shall be considered tree abuse and a violation of these regulations.  
22 These regulations apply to newly installed trees as well as established trees.  
23

24 G. Staking. Staking may be required and will be determined on a site-by-site basis.  
25 All staking shall be in accordance with "Selecting and Planting Trees and  
26 Shrubs," published by the University of Florida/Florida Cooperative Extension  
27 Service (Institute of Food and Agricultural Sciences, Circular 858, June 1990 and  
28 subsequent editions).  
29

30 H. Plant Materials  
31

32 1. Quality. Plant materials used in conformance with the provisions of this Section  
33 Shall conform to the standards for Florida No. 1 or better as given in  
34 Grades and Standards for Nursery Plants, State of Florida, Department of  
35 Agriculture and Consumer Services, Tallahassee (97T-05, second edition,  
36 February 1998), which is hereby adopted and included by reference  
37 herein. A copy of such publication is available from the County Manager  
38 or designee. All plant material shall be planted in suitable soil ~~or soil that~~  
39 ~~has been amended~~ to Permit its survival.  
40

41 2. Native Plants. A minimum of fifty percent (50%) of the required trees and shrubs  
42 shall be native species suitable for the site. This requirement shall increase  
43 to 75% two (2) years after the adoption of this section. Landscaping  
44 installed in addition to this requirement is not subject to this provision.  
45 ~~The preservation and Use of native material is encouraged and~~  
46 ~~recommended.~~

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2 3. *Canopy Trees.* To meet the minimum requirements, trees planted under  
3 this Section Shall be a minimum of two and one-half (2.5) caliper inches  
4 and in a thirty (30) fifteen (15) gallon container or greater. Equivalent ball  
5 and burlap trees may be used but container trees shall be preferred. The  
6 minimum height of trees is eight (8) feet and the minimum spread is four  
7 (4) feet. Trees planted voluntarily may be of any size. ~~Palms are measured~~  
8 ~~by height of clear trunk. The minimum size for palms is four (4) feet of~~  
9 ~~clear trunk for tree form palms or five (5) feet from the ground surface to~~  
10 ~~the apical bud for shrub form palms.~~ A list of recommended Landscaping  
11 trees is provided in ~~Recommended Plants~~ The Plant List for Lake  
12 County, Subsection 9.01.10.B. New tree calipers shall be measured six  
13 inch (6") above grade for trees that are under four inch (4") caliper and  
14 measured twelve inch (12") above grade for trees that are larger than four  
15 inch (4") tree caliper. Existing tree calipers are measured at Diameter at  
16 Breast Height (DBH) or fifty four inch (54) height from grade.  
17

- Additional Tree Credits for new Canopy Trees planted:
- i. Minimum 2.5-inch Caliper x 8-foot Height x 4-foot Spread = 1 Canopy Tree Credit
  - ii. Minimum 4-inch Caliper x 12-foot Height x 5-foot Spread = 2 Canopy Tree Credits
  - iii. Minimum 6-inch Caliper x 14-foot Height x 6-foot Spread = 3 Canopy Tree Credits

18  
19 7.4. Ornamental trees. Ornamental trees set forth in The Recommended Plants  
20 Plant List for Lake County -Shall be used as ornamental or accent trees  
21 when required, and may be used in place of canopy trees in situations  
22 where height restrictions or root zone intrusion issues are shown to be a  
23 concern , such as under power lines. In the case of ornamental trees being  
24 used in place of canopy trees, then a two to one ratio (2:1) ratio shall be  
25 required. -Ornamental trees shall be a minimum of two (2) inches in  
26 caliper and a thirty (30) gallon container size, or greater. The minimum  
27 height of an ornamental tree is eight (8) feet and the minimum spread is  
28 four (4) feet. For multi-trunk trees, trunks shall have an average  
29 cumulative caliper of two (2) inches.  
30

- Tree Credits for new Ornamental trees planted:
- i. Minimum 2-inch Caliper x 8-foot Height x 4-feet Spread = 1 Ornamental Tree Credit
  - ii. Minimum 3-inch Caliper x 10-foot Height x 5-feet Spread = 2 Ornamental Tree Credits
  - iii. Minimum 4-inch Caliper x 14-foot Height x 6-feet Spread = 3 Ornamental Tree Credits

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

1 the minimum requirements. In no case shall the total number of trees  
2 palms of all species combined from The Plant List for Lake County  
3 ~~Subsection 9.01.10.C~~ account for more than twenty-five (205) percent of  
4 the required Landscape trees. The minimum size of palms is four (4) feet  
5 of clear trunk for tree form palms. If Palm trees are used in lieu of canopy  
6 trees the following ratios shall apply:

7  
8 5-a) Two (2) palm trees count as one (1) canopy tree unless it is a large  
9 specimen palm tree such as Medjool or Date Palms which may be  
10 counted as one (1) palm tree to one (1) canopy tree.

11 b) Palm trees shall not exceed twenty percent (20%) of the required  
12 canopy tree requirement.

13  
14  
15 6. *Shrubs.* The shrubs listed in The Plant List for Lake County shall be used for all  
16 visual screens that are required pursuant to the provisions of this Section  
17 and shall be planted on ~~the~~ minimum centers listed in The Plant List for  
18 Lake County. The minimum installed height of shrubs shall be twenty-  
19 four (24) inches in height by eighteen (18) inches spread table. The  
20 County Manager or designee may permit exceptions to the minimum  
21 centers, based on Landscape design intent including but not limited to  
22 massing for color, texture, and effect or Erosion control. The following  
23 standard applies:

24  
25 a) In Type A, B, or C landscape buffer, shrubs Shall be a minimum of  
26 two (2) feet tall at the time of planting and in a minimum of a three (3)  
27 gallon container. Shrubs planted to fulfill the requirements of the Type  
28 A, B, or C Buffer Shall be able to obtain a height of three (3) feet  
29 within twelve (12) months of planting under normal growing  
30 conditions.

31 B-b) In Type D and E landscape buffer, a minimum height of three (3)  
32 feet tall shall be required at the time of planting and in a minimum of a  
33 five (5) gallon container. Their spread shall be appropriate for their  
34 size and species. Small or shrub-form palms shall be a minimum of  
35 three (3) feet from the ground surface to the apical bud. Shrubs  
36 planted to fulfill the requirement of a Type D and E buffer shall be  
37 able to obtain a height of four (4) feet in twelve (12) months and be  
38 maintained at a height of at least five (5) feet.

39  
40 7. *Lawn Grass.* ~~Grass Areas Shall be planted in species normally grown as~~  
41 ~~permanent lawns in the vicinity of the County.~~ Grass Areas may be  
42 sodded, plugged, sprigged, or seeded and shall provide complete coverage  
43 planted to industry standards. ~~Drought-tolerant species are outlined in~~  
44 ~~Subsection 9.01.10.E.~~ Complete coverage Shall mean that, once  
45 established, not more than ten (10) square feet cumulative of bare ground  
46 per one-quarter (1/4) acre of grass Area are exposed. Nothing herein shall

1 | be construed to prevent a landowner from converting lawn grass areas to  
2 | Florida Friendly landscapes that require less water.

3 |  
4 | 8. *Slopes.* Solid sod shall be used on slopes greater than fifteen (15) percent.  
5 | ~~Complete coverage shall mean that not more than ten (10) square feet~~  
6 | ~~cumulative of bare ground per one quarter (1/4) acre of grass Area are~~  
7 | ~~exposed.~~

8 |  
9 | 9. All Landscape material Shall be suited to soil and climate conditions of the  
10 | siteCentral Florida in order to conserve water.

11 |  
12 | ~~1011.~~ *Synthetic Lawns and Plants.* Synthetic or artificial turf and plants  
13 | Shall be prohibited from Use in lieu of required Landscape material.

14 |  
15 | 110. *Architectural Planters.* The Use of permanent or moveable architectural planters  
16 | may be permitted in fulfillment of Landscape requirements upon approval  
17 | of the County Manager or designee. The planters shall be adequately sized  
18 | for palms, ~~or~~ ornamental trees and shrubs, shall not cause the roots to bind  
19 | and shall permit water to drain through the base of the planter. The base of  
20 | the planter shall be wide enough that it does not blow over in mild to  
21 | moderate winds. Required Canopy trees are prohibited from being planted  
22 | in moveable planters.

23 |  
24 | ~~121.10.~~ *Existing Trees.* Existing trees may be counted for tree requirements in  
25 | Section 9.01.00 ~~and 9.02.00~~ pursuant to the following criteria:

26 |  
27 | a.        The tree shall be in very good health and free of pests, disease, or  
28 | injury.

29 |  
30 | b. The tree can be deciduous, coniferous, or evergreen, but no more than  
31 | twenty (20) percent of the existing native palm species Shall count  
32 | toward the tree requirement. ~~One (1) native palm Shall count as~~  
33 | ~~one (1) tree.~~

34 |  
35 | c. The minimum size of an existing canopy tree to count toward a tree  
36 | requirement is two (2) inches diameter at breast height (DBH) with  
37 | a minimum height of ~~eight-(8) -feet~~, and a minimum spread of  
38 | four (4) feet for trees and four (4') feet of clear trunk (tree-form).  
39 | The trees used for tree credits shall be on The Plant List for Lake  
40 | County.

41 |  
42 |        d. The tree Shall not be a prohibited species ~~as outlined in~~  
43 | Subsection 9.02.02.B.1.

44 |  
45 | e. The tree may count toward the replacement requirements for the Lake  
46 | County Tree Removal Permit ~~or~~ required Landscaping for Site

Plan or Residential development. To count for buffering or interior landscape requirements; the existing tree must be located within the appropriate corresponding area. The tree shall not count toward both requirements simultaneously.

f. The caliper of the existing tree shall count toward required trees as follows Tree credits given for existing qualifying canopy trees:

|  |   |
|--|---|
| <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>  |

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

| <u>Caliper of Existing Tree</u> | <u>Number of Trees Credited</u> |
|---------------------------------|---------------------------------|
| <u>2-6</u>                      | <u>1</u>                        |
| <u>7-12</u>                     | <u>2</u>                        |
| <u>13-18</u>                    | <u>3</u>                        |
| <u>19-24</u>                    | <u>4</u>                        |
| <u>25-30</u>                    | <u>5</u>                        |
| <u>36-41</u>                    | <u>6</u>                        |
| <u>42 and greater</u>           | <u>7</u>                        |

I. Irrigation.

1 | 1. ~~For a~~In all required landscaped areas, irrigation shall be used ~~in order if necessary~~  
2 | in order to establish and maintain ~~the health~~optimal growth of plant material. An  
3 | irrigation plan shall be required for site plan or plat approval. Individual single-  
4 | family lots are exempt from the irrigation plan requirement. Temporary irrigation  
5 | may be utilized, if approved by the County Manager or designee. Installed  
6 | irrigation shall be noted on the landscape plan as; "All ~~required-irrigated~~  
7 | landscape areas ~~materials shall be irrigated with use~~ an automatic irrigation  
8 | system with a rain sensor shut off". The irrigation system shall be in compliance  
9 | with The Florida Building Code and 373.62 F.S. for rain sensor shut-off devices.  
10 | Micro-irrigation may be utilized to conserve water resources provided it is in  
11 | compliance with the Florida Building Code.

12 |  
13 | a. Irrigation shall be limited as required by the applicable Water Management  
14 | District.

15 |  
16 | b. Watering for new landscapes shall comply with the applicable Water  
17 | Management District Guidelines.

18 |  
19 | 2. In order to conserve potable Groundwater, Brightwater, Reclaimed water,  
20 | reclaimed water, and Rainwater from cistern collection are recommended as  
21 | primary irrigation sources. storm water ponds and cistern collection may be  
22 | utilized for irrigation water if the water quality will meet the needs of the  
23 | landscape. Any reuse irrigation water or storm water used for irrigation shall be  
24 | marked with appropriate signage to let the public know about the non-potable  
25 | nature of the water source in conformance with the Florida Building Code. Purple  
26 | pipe and irrigation heads shall be used in conformance with the Florida Building  
27 | Code. Developments seeking to use water from retention ponds or natural lakes  
28 | shall comply with all requirements of the appropriate Water Management District.  
29 | Or regionally applicable water management authority.

30 |  
31 | 3. Automatic irrigation systems shall comply with the following:  
32 | An automated irrigation system is required for Commercial buildings with over  
33 | one thousand (1,000) square feet of Landscape area, and shall be:

34 |  
35 | a. Use zones to reflect different levels of water usage. For the most efficient  
36 | Use of irrigation, plants with similar water Use requirements ~~should~~shall  
37 | be grouped together: ~~such as low with medium water requirements or~~  
38 | ~~medium with high water requirements.~~ Turf and shrub beds shall be on a  
39 | separate zone.

40 |  
41 | b. ~~Be on~~Use a 24-hour automatic timer with a Backflow Prevention Device.

42 |  
43 | c. Keyed to topography and soil type as to avoid runoff and promote optimal  
44 | percolation.

1 d. Have a rain sensor per Section 373.62 of the Florida Statutes and shall be  
2 required to restrict the irrigation system from operating when adequate  
3 rainfall has occurred. soil is saturated.  
4

5 4. In situations where irrigation is not required in small commercial or Community  
6 Facility Districts such as ~~billboards~~, communication towers, or antennae array  
7 areas, drought-tolerant species of ~~turfgrass~~ shall be used. ~~in remote Commercial~~  
8 ~~installation.~~ Refer to ~~Subsection 9.01.10.F~~ The Plant List for Lake County for  
9 types of low water use turfgrass.

10  
11 5. When a permanent system is not required, a temporary system is allowed and  
12 encouraged for establishment of Landscape material.  
13

14 6. Pop-up irrigation heads shall be no shorter than six (6) inches when fully  
15 extended for turf grass irrigation.  
16

17 7. Landscaped Areas that are irrigated shall not be less than five (5) feet in width.  
18 Areas less than five (5) feet in width shall incorporate micro-irrigation.  
19  
20

21 J. ~~Voluntary Mandatory Waterwise or Florida Friendly Landscape Measures. Site Appropriate~~  
22 Plants ~~Voluntary Xeriscaping Measures.~~ The purpose of this Subsection is to establish

23 minimum standards for the development, installation, and maintenance of Landscaped  
24 Areas on a Site with water Use efficiency as a goal without inhibiting the Use of creative  
25 Landscape design. Waterwise and Florida Friendly landscaping, promotes encourages  
26 specific water conservation measures including the re-establishment of native plant  
27 communities, the Use of Site specific plant materials, and the Use of native vegetation.  
28 The intent of this Subsection is to recognize the need for the protection of groundwater as  
29 a Natural Resource through the application of enhanced Landscape practices, that water-  
30 efficient Landscaping maximizes the conservation of water by using Site  
31 ~~appropriate~~ adapted plants and efficient watering methods that will generally result in a  
32 reduction of irrigation requirements, costs, energy and maintenance. Irrigation should  
33 endeavor to shall follow Florida Irrigation Society standards and Florida WaterStar  
34 standards maintained by the St. Johns Water Management District and comply with the  
35 Florida Building Code.  
36  
37

38 1. Applicants for Site Plan approval for development, redevelopment, and rehabilitation of  
39 all Parcels within unincorporated Lake County shall follow the  
40 requirements guidelines of this Subsection.  
41

42 2. In addition to the Landscape plan approval in Subsection 9.01.067.A, the  
43 following items will be required as a part of the site plan submittal to ensure that  
44 ~~when~~ water-efficient and water wise principles are used.  
45

46 a. Illustrate and label the water Zone requirements. The water use zones shall  
47 be graphically shown and their areas quantified in square feet or acres and

relative percentages shown on the irrigation plan. See Section 9.01.03.J.(3)(E.1 through 3)

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

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

d. ~~Provide a maintenance schedule and management plan.~~ Irrigation Plan in accordance with site requirements.

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

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

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

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

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

~~a. b. Soil Analysis.improvement. The existing soils on the Site should~~ shall be analyzed to help determine the appropriate plant types for the site. ~~The soils should~~ shall be enhanced if needed to give the soils more moisture retention capabilities

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

1 | c. d. *Limit irrigated lawn areas.* The use, type, and location of lawn Area in the  
2 | Landscape Shall be selected in a planned manner and not used as a fill-in  
3 | material. Low water use grasses such as Bahia are encouraged to cover areas  
4 | reserved for turf. Since most lawn varieties used in the Landscape require  
5 | supplemental watering more frequently than other types of Landscape plants,  
6 | turf shall be placed so that it can be irrigated separately. Bahia grass, Zoysia  
7 | Grass or other drought tolerant turf, shall be used. St. Augustine grass shall  
8 | not be permitted for new construction and lawn replacement in excess of fifty  
9 | percent (50%) of existing lawn areas.

10 |  
11 | d. e. *Low water use plants.* Landscape Plants ~~should~~shall be selected based on  
12 | appropriateness the plant's adaptability to the site considering conditions such  
13 | as soil type, moisture and sunlight using the principle of “right plant-right  
14 | place.”, desired effect, color, texture, and mature size. The Landscape ~~should~~  
15 | ~~be designed to give the desired aesthetic effect and~~ plants ~~should~~shall be  
16 | grouped in accordance with their respective water needs. ~~The Use of native~~  
17 | ~~plants is encouraged whenever possible.~~ A list of ~~recommended low water~~  
18 | ~~use plants material~~ is contained listed in The Plant List for Lake County.

19 |  
20 | e. f. *Efficient and well designed irrigation.* The irrigation system shall be  
21 | designed to correlate to the water Use plant zones established in the  
22 | Landscape design. The following criteria for irrigating the Site ~~should~~shall be  
23 | used in the design of the system. Golf Course Fairways and Greens,  
24 | greenhouses, landscape nurseries, retail nurseries and agricultural production  
25 | systems are exempt from meeting these requirements. Landscape production  
26 | and retail centers shall comply with the watering restrictions for any landscape  
27 | that is required as a part of landscape buffering, parking or other required  
28 | landscape not related to the production or selling of landscape material on site.

29 |  
30 |  
31 | 1. *High Water Use Zones.* Plant material that is associated with moist  
32 | soils and require supplemental water in addition to natural rainfall  
33 | to survive. Generally, watering is limited to twice a week or as  
34 | determined by the appropriate Water Management District.  
35 | Watering shall not exceed three quarter (3/4”) of an inch of water  
36 | per application. The High Water Use Zone plant material shall be  
37 | limited to less than twenty (20%) percent of the total Landscaped  
38 | Area of the site. This high water use zone includes turf areas and  
39 | annual beds.

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

44 |  
45 | 2. *Moderate water Use zones.* Plant material that can survive on  
46 | natural rainfall with supplemental water during seasonal dry

1 periods. Forty percent (40%) maximum of the landscape area shall  
2 be of the moderate water use zone. Generally, watering will not  
3 exceed once per week with a maximum of three quarter (3/4") of  
4 an inch per week.

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

- 10  
11 3. Low Water Use Zone. Plant material that can survive on natural  
12 rainfall with low supplemental water. Forty percent (40%)  
13 minimum of the landscape area shall be of the Low Water Use  
14 Zone. Generally, watering will not exceed once every two weeks  
15 with a maximum of three quarter (3/4") of an inch per application.  
16 This zone is also characterized by low flow irrigation heads or  
17 micro-irrigation systems.

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

- 22  
23 4. Rain sensor devices shall be required on all automatic irrigation  
24 systems to avoid irrigation during periods of sufficient rainfall.

- 25  
26 5. The irrigation system shall be designed to minimize irrigation  
27 overthrow onto impervious surfaces and to ~~avoid~~negate any  
28 ponding effects.

- 29  
30 6. Minimum size canopy trees requiring irrigation prior to becoming  
31 established shall use tree bubblers or micro-irrigation on a separate zone.  
32 Hand watering or a temporary irrigation system may be allowed providing  
33 sufficient water is provided to ensure the plants become established in  
34 perpetuity. Temporary irrigation lines shall be covered by mulch or buried.

35  
36  
37 Fg. Appropriate maintenance. Proper maintenance will preserve and  
38 enhance the quality of the Landscape. Included in the maintenance  
39 schedule should be the time periods for the following: the checking,  
40 adjusting, and repairing of the irrigation system, resetting of the  
41 irrigation schedule according to the season, remulching, fertilizing,  
42 weeding, and pruning. Use of high amounts of fertilizer and pesticides is  
43 discouraged.

44  
45  
46 **9.01.04 Landscape Requirements:**

A. All Lots, Plots, Tracts or Parcels of Land Shall maintain Landscaping in Areas- subject to site plan approval. specifically authorized as a developed area. The This includes developed Areaareas, includes open space, and water retention areas. Areas that have not been affected by Development and are illustrated on the Site plan, including clearing, grading, grubbing, or construction of Landscape or structural elements, are exempt from requirements of this Subsection

B. GeneralRequired Landscape Requirements: ing

1. Buffer requirements. Landscape buffering shall be required between all developments as determined by the zoning table below. Single-Family residential subdivisions of less than ten (10) lots or a single-family lot that is not part of a platted subdivision, shall be exempt, except where the number of lots, or density, is three (3) times or greater than that of the adjacent residential lot.

2. Calculation of buffer requirements. Between adjacent development parcels, the following Landscape plant materials Shall be required for the different Buffer types and width options per one hundred (100) linear feet of buffer length. Buffer lengths shall be determined to the nearest tenth and then multiplied by the number of plants required. For example, a three hundred and thirty foot buffer would be as follows for buffer A: 3.3 x 3 Canopy Trees = 9.9 Canopy trees required. For plants required standard math rounding will be used. For example, if 3.5 Canopy Trees are required per the multiplier, then that number would be rounded to four (4) Canopy Trees required. ~~(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**

**Landscape Buffers between Zoning Types**

\*Indicates that no landscape buffer is required.

|                 | A <del>FF</del> | RA             | AR             | R1             | R2             | R3             | R4             | R5             | R6             | R7             | RP | RMRP           | RM             | C1 | C2 | CP | LM            | HM            | MP            | CFD | R<br>V | PUD |
|-----------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----|----------------|----------------|----|----|----|---------------|---------------|---------------|-----|--------|-----|
| A <del>FF</del> | *               | *              | *              | *              | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | D             | D             | D             | A   | B      | B   |
| RA              | *               | *              | *              | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | D             | D             | D             | A   | B      | B   |
| AR              | *               | *              | *              | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | D             | D             | D             | A   | B      | B   |
| R1              | *               | <del>A</del> * | <del>A</del> * | *              | *              | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> * | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |
| R2              | *               | <del>A</del> * | <del>A</del> * | *              | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |
| R3              | *               | <del>A</del> * | <del>A</del> * | <del>A</del> * | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |
| R4              | *               | <del>A</del> * | <del>A</del> * | <del>A</del> * | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | C  | C  | C  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |
| R5              | *               | <del>A</del> * | <del>A</del> * | <del>A</del> * | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | B  | B  | B  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |
| R6              | *               | <del>A</del> * | <del>A</del> * | <del>A</del> * | *              | *              | *              | *              | *              | *              | A  | <del>*</del> A | <del>A</del> * | B  | B  | B  | <del>ED</del> | <del>ED</del> | <del>ED</del> | A   | B      | B   |

|      |                |                |                |                           |                           |                           |                           |                           |                           |                           |                           |                           |                           |   |   |   |               |               |               |   |   |   |
|------|----------------|----------------|----------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|---|---|---------------|---------------|---------------|---|---|---|
| R7   | *              | <del>A</del> * | <del>A</del> * | <del>A</del> *            | *                         | *                         | *                         | *                         | *                         | *                         | A                         | <del>A</del> *            | <del>A</del> *            | B | B | B | <del>ED</del> | <del>ED</del> | <del>ED</del> | A | B | B |
| RP   | A              | <del>A</del> * | <del>A</del> * | <del>A</del> *            | A                         | A                         | A                         | A                         | A                         | A                         | A                         | <del>A</del> *            | <del>A</del> *            | B | B | B | <del>ED</del> | <del>ED</del> | <del>ED</del> | A | A | B |
| RMRP | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | B | B | B | <del>ED</del> | <del>ED</del> | <del>ED</del> | A | A | B |
| RM   | <del>A</del> * | <del>A</del> * | <del>A</del> * | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | <del>A</del> *            | C | C | C | <del>ED</del> | <del>ED</del> | <del>ED</del> | A | B | B |
| C1   | C              | C              | C              | C                         | C                         | C                         | C                         | C                         | B                         | B                         | B                         | B                         | B                         | B | B | B | <del>EB</del> | <del>EB</del> | <del>EB</del> | B | B | B |
| C2   | C              | C              | C              | C                         | C                         | C                         | C                         | C                         | B                         | B                         | B                         | B                         | B                         | B | B | B | B             | B             | B             | B | B | B |
| CP   | C              | C              | C              | C                         | C                         | C                         | C                         | C                         | B                         | B                         | B                         | B                         | B                         | B | B | B | B             | B             | B             | B | B | B |
| LM   | D              | D              | D              | <del>E</del> <del>D</del> | B | B | B | B             | B             | B             | C | D | B |
| HM   | D              | D              | D              | <del>E</del> <del>D</del> | B | B | B | B             | B             | B             | C | D | B |
| MP   | D              | D              | D              | <del>E</del> <del>D</del> | 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                         | B                         | B                         | 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 |

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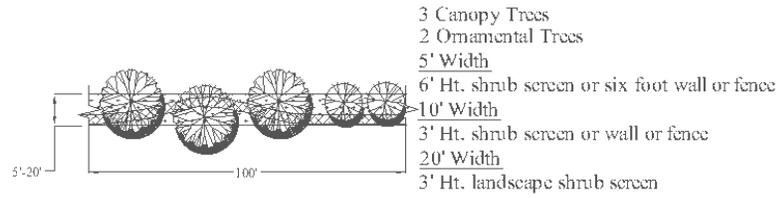
**Table 9.01.04  
Land Use Buffer Area Requirements**

| <b><u>Buffer Area Type</u></b><br><b><u>(See Table 9.01.04.B.2.A)</u></b> | <b><u>Width Options</u></b><br><b><u>(All options available unless restricted)</u></b> | <b><u>Landscape/Hardscape Requirements</u></b><br><b><u>(per 100 linear feet of Buffer Area)<sup>1</sup></u></b>  |
|---|--|---|
| <b><u>A</u></b>   | <u>20 Feet</u>   | <ul style="list-style-type: none"> <li>• <u>Three (3) canopy trees;</u></li> <li>• <u>Two (2) ornamental trees; and</u></li> <li>• <u>Two (2) foot high hedge.</u></li> </ul>   |
|   | <u>15 Feet</u>   | <ul style="list-style-type: none"> <li>• <u>Three (3) canopy trees;</u></li> <li>• <u>Two (2) ornamental trees; and</u></li> <li>• <u>Two (2) foot high hedge and a four (4) foot high wall or fence.</u></li> </ul>          |
|   | <u>10 Feet</u>   | <ul style="list-style-type: none"> <li>• <u>Three (3) canopy trees;</u></li> <li>• <u>Two (2) ornamental trees; and</u></li> <li>• <u>Two (2) foot high hedge and six (6) foot high wall or fence.</u></li> </ul>             |
| <b><u>B</u></b>   | <u>20 Feet</u>   | <ul style="list-style-type: none"> <li>• <u>Four (4) canopy trees;</u></li> <li>• <u>Three (3) ornamental trees; and</u></li> <li>• <u>Two (2) foot high hedge.</u></li> </ul>  |
|   | <u>15 Feet</u>   | <ul style="list-style-type: none"> <li>• <u>Four (4) canopy trees;</u></li> <li>• <u>Three (3) ornamental trees; and</u></li> <li>• <u>Two (2) foot high hedge and a minimum four (4) foot high wall or fence.</u></li> </ul> |

|          |                 |   |
|----------|-----------------|---|
|          | <u>10 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Four (4) canopy trees;</u></li> <li>• <u>Three (3) ornamental trees;</u></li> <li>• <u>Two (2) foot high landscape shrub screen; and</u></li> <li>• <u>Six (6) foot solid wall or fence.</u></li> </ul>   |
| <u>C</u> | <u>50 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Five (5) canopy trees;</u></li> <li>• <u>Four (4) ornamental trees; and</u></li> <li>• <u>Two rows of hedges two (2) feet high.</u></li> </ul>  |
|          | <u>25 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Five (5) canopy trees;</u></li> <li>• <u>Four (4) ornamental trees;</u></li> <li>• <u>Two rows of hedges two (2) feet high;</u></li> <li>• <u>six (6) foot high wall or fence; and</u></li> <li>• <u>300 SF of landscape groundcover other than turf shall be provided.</u></li> </ul>                                |
|          | <u>15 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Five (5) canopy trees;</u></li> <li>• <u>Four (4) ornamental trees;</u></li> <li>• <u>Two rows of hedges two (2) feet high;</u></li> <li>• <u>Eight (8) foot solid wall or fence; and</u></li> <li>• <u>300 SF of landscape groundcover other than turf shall be provided.</u></li> </ul>                             |
| <u>D</u> | <u>100 Feet</u> | <ul style="list-style-type: none"> <li>• <u>Six (6) canopy trees;</u></li> <li>• <u>Five (5) ornamental trees;</u></li> <li>• <u>Two rows of hedges four (4) feet high;</u></li> <li>• <u>Three (3) foot high berm; and</u></li> <li>• <u>300 SF of landscape groundcover other than turf.</u></li> </ul>   |
|          | <u>50 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Six (6) canopy trees;</u></li> <li>• <u>Five (5) ornamental trees;</u></li> <li>• <u>Two (2) rows of hedges four (4) feet high;</u></li> <li>• <u>Six (6) foot wall or berm or a combination thereof;</u></li> <li>• <u>300 SF of landscape groundcover other than turf is required shall be provided.</u></li> </ul> |
| <u>E</u> | <u>50 Feet</u>  | <ul style="list-style-type: none"> <li>• <u>Ten (10) canopy trees;</u></li> <li>• <u>Eight (8) ornamental trees;</u></li> <li>• <u>Two rows of hedges four (4) feet high; and</u></li> <li>• <u>Four (4) foot high berm.</u></li> </ul>   |

1 <sup>1</sup> Commercial and office uses are not required to have a wall along frontage roads.

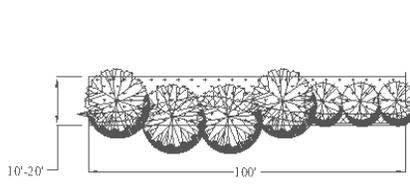
2



- 3 Canopy Trees
- 2 Ornamental Trees
- 5' Width
- 6' Ht. shrub screen or six foot wall or fence
- 10' Width
- 3' Ht. shrub screen or wall or fence
- 20' Width
- 3' Ht. landscape shrub screen

**Buffer A**

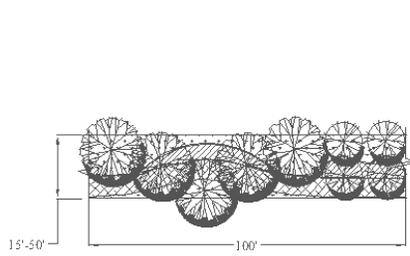
Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.



- 4 Canopy Trees
- 3 Ornamental Trees
- 10' Width
- 3' Ht. shrub screen plus six foot wall or fence
- 15' Width
- 3' Ht. shrub screen or same height wall or fence
- 20' Width
- 3' Ht. landscape shrub screen

**Buffer B**

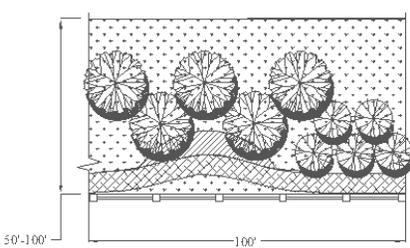
Layout is schematic - owner is free to adjust design as needed to meet the minimum requirements.



- 5 Canopy Trees
- 4 Ornamental Trees
- Double row of 3' ht. landscape shrub screen
- An additional 300 s.f. of groundcover other than turf
- 15' Width
- 8' Ht. wall or fence
- 25' Width
- 6' Ht. wall or fence
- 50' Width
- No additional requirements

**Buffer C**

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

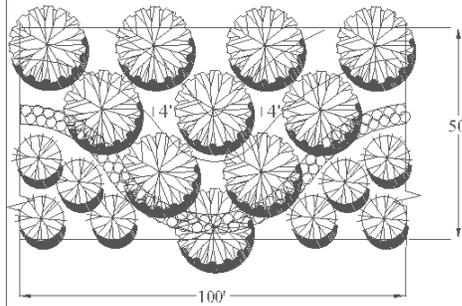


- 6 Canopy Trees
- 5 Ornamental Trees
- Double row of 3' ht. landscape shrub screen
- An additional 300 s.f. of groundcover other than turf
- 50' Width
- Optional 3' Ht. berm
- 6' Ht. wall or fence
- 100' Width
- No additional requirements

**Buffer D**

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

### **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) "One-sided" wood fences shall be installed with wood posts to the inside of the property that is installing the fence.
- 2) The landscape material shall be maintained in perpetuity.
- 3) Separately platted or phased developments will require a landscape buffer pursuant to the Zoning Buffer requirements.
- 4) Allowed wall types include Exterior Insulation Finish Systems (EIFS) 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 three (3) feet or less include ornamental metal, opaque wood or other similar material. For fences or screens six (6) feet or taller an opaque material shall be used. Chain link fencing may not be used to meet this requirement. areas Chain link fencing may be allowed around utility areas and towers as allowed by the Lake County Code.
- 5) Required canopy trees shall generally be spaced 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. Spacing of tree groupings shall not exceed 150-feet.
- 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.

*Table 9.01.04.B.2.a: Landscape Plants for Required Buffers Between Lots and Rights of Way*

| 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 |

~~\*Ornamental Trees are optional and in addition to the minimum number of canopy trees for Buffer types "A" and "B" only.~~

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

~~\*Indicates that no Landscape Buffer is required.~~

7) The Any parcel developed adjacent to a public right-of-way Parcel shall have a Landscape Buffer along its right-of-way that reflects the landscape requirements of the zoning category across the road/street or a Type A landscape buffer, whichever is greater, unless the Parcel is located along the Arterials in Subsection 9.01.04.2.a. Then, the minimum Buffer Shall be 20', unless the "D" category Buffer is greater. A Type C Landscape Buffer is required for parcels along a SR 50, US 27, US 192 and US 441. Single family lots in the A, AR, RA zoning districts, not within a platted subdivision, shall be exempt from this requirement. Additional requirements:

a. Seventy-five percent (75%) of the required landscape buffer shall be located on the right-of-way side of any required fencing, walls or any other screening structures.

1 In addition, at least one row of required screening shrubs shall be located on the  
2 right-of-way side of any screen, wall or other screening structures.

3 b. Any wall, fence or other screening structure built along a public right-of-way for  
4 property which requires a landscape plan shall consist of harmonious screening  
5 material that has a consistent and uniform texture, color and pattern along all major  
6 roadways.

7  
8 8) One (1) Landscape Buffer is required between similar zoned adjacent Parcels in a tract of  
9 land that is master planned as one development. If commercial parcels are part of a  
10 master planned commercial center or mixed use Planned Unit Development (PUD) the  
11 adjacent lots may share the installation with each providing fifty percent (50%) of the  
12 required minimum buffer. Individually developed commercial sites, not part of a master  
13 planned commercial center, shall install full buffers. The Parcel that has the more  
14 intensive Land Uses Shall be responsible for installing the Landscape Buffer.

15  
16 9) For commercial, industrial, PUD, single-family subdivisions and multi-family  
17 subdivisions, <sup>[bs1]</sup>all areas set aside as pervious area, shall have ten (10) Canopy trees per  
18 acre minimum. Some parts of the site may be left as open space but the total number of  
19 trees shall average 10 canopy trees per acre for pervious areas. Other landscape  
20 requirements may be used to meet this requirement such as required landscape buffering  
21 and canopy trees required around retention ponds. This requirement does not apply to the  
22 yards of a single-family home, whose tree requirements are listed in Section 9.01.05  
23 below. Permanent water bodies, wetlands and wet retention ponds shall be excluded in  
24 calculating the amount of pervious area requiring ten (10) canopy trees per acre.

25  
26 10) Subdivisions greater than ten (10) lots, shall place the required landscape buffers ~~shall in~~  
27 a separate tract or easement that is maintained by a homeowners association.

28  
29 11) Within single-family and multi-family residential developments, a buffer shall be  
30 provided along all external roadways to reduce noise generated by traffic and create a  
31 visual barrier. Unless otherwise noted, the buffer shall be as required by the adjacent  
32 land use or a Type A buffer at a minimum, whichever is greater. If the road is an arterial  
33 road then the buffer shall be a Type C buffer at a minimum.

34  
35 12) Existing native or non-invasive trees and vegetation may be retained and used to meet  
36 landscape buffering requirements. The existing material must be located and called out  
37 on the Landscape Plan and shall meet the minimum sizes ~~listed under~~ required for trees  
38 and shrubs to be utilized.

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42 ~~a. A minimum twenty (20) foot wide Buffer is required along the following rights-~~  
43 ~~of-way:~~

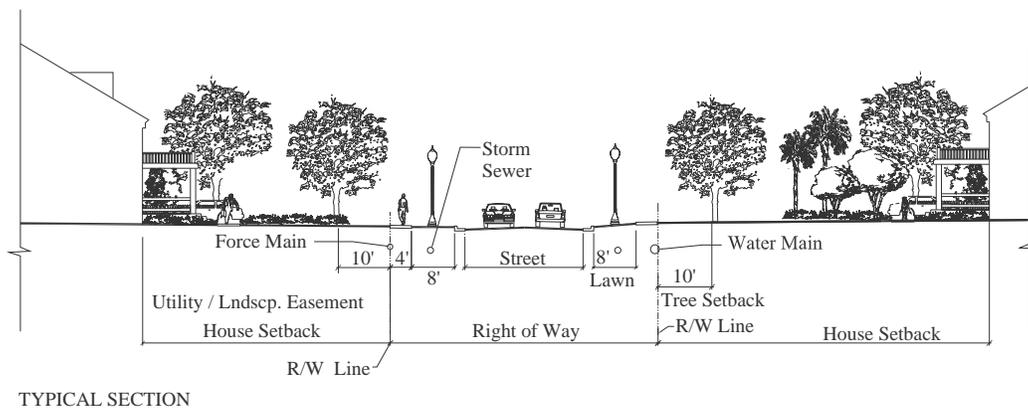
44  
45 ~~1. All existing Arterial Roads.~~

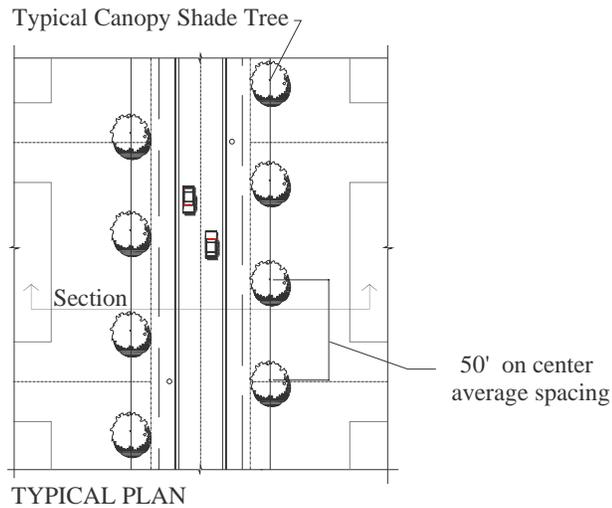
2. Any new major Arterial construction.

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

13) All single family and multi-family developments shall provide internal canopy tree lined roads. Street trees shall be selected from the canopy tree list, as listed in the Plant List for Lake County, at an average spacing of 50-feet on center spacing along both side of roads. The canopy trees required for residential lots may also be used as required street trees as long as they are no more than twenty feet away from the right-of-way line unless prohibited by an easement.

14) Canopy trees shall be planted a minimum of ten (10) feet and maximum of twenty (20) feet outside the right-of-way (R.O.W.) with an alternating pattern on each side of the road. When the proposed development is only on one side of the road then street trees shall be required for that side of the road. Developers may plant trees in the right of way or within ten (10) feet of the right of way, with permission from the Lake County Department of Public Works. Any tree planted within the R.O.W. shall comply with the latest F.D.O.T. Green Book Standards Canopy trees shall be planted a minimum of eight (8) feet distance from public sidewalks. The following zoning classification shall be exempt from providing street trees as listed by this paragraph only: A, RA, AR, R-1 [for lots less than one (1) acre], RV, and RMRP.





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~~15) e.~~ Landscape materials within Buffers along all rights-of-way 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 from the plant lists in Subsection 9.01.10.C & D Plant List for Lake County. The placement of Landscape materials within Landscape Buffers Shall have a rational relationship to the existing patterns and densities of adjoining Areas which have been designed or preserved. Arrangements shall replicate natural conditions and shall not be linear unless dimensional limitations necessitate such an arrangement or linear arrangement is part of a formal Landscape directly related to the architecture of the building(s) or are part of a formal street tree landscape as described in subsection #14 above. ~~Landscape materials Shall be clustered into groupings that simulate a natural, rather than man-made appearance.~~

~~16) f.~~ When cross access is required, the landscape buffer shall terminate at the pavement's edge or the edge of the easement.

17) Individual Trees Planting Requirement

- a. ~~Unless specified by the Landscape Buffer requirements in Table 9.03.04.B, a minimum, three (3) canopy trees or five (5) understory or ornamental trees shall be provided within the Landscaped Buffer for every one hundred (100) feet of public right-of-way. A combination of two (2)~~

canopy and three (3) understory or three (3) canopy and two (2) understory may be used to fulfill this requirement.

a. ~~b.~~ Generally, ~~understory~~ornamental trees shall be spaced a minimum ~~twelve~~twenty (2012) feet apart and canopy trees a minimum of twenty (20')~~maximum forty (40)~~ feet apart. ~~However, clusters of trees and non-linear alignments within the Landscaped Buffer may be used to meet the above requirement.~~ Adequate spacing shall be maintained to protect and allow for the growth of the root systems and canopy of each tree. Special precautions shall be taken ~~in to~~ not locating~~locate~~ canopy trees under or near utility easements.

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

**Table 9.01.04.B: Landscape Buffers between Zoning Types Moved above**

~~cd.~~ No ~~understory~~ornamental or canopy tree shall be planted within a the Visibility Triangle.

~~de.~~ No Certificate of Occupancy Shall be issued by the County Manager or designee on the types of construction indicated below unless the underlying Parcel has the following minimum number of protected trees in Subsection 9.02.02.:

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

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

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

3. ~~One (1) of the required trees Shall be planted within ten (10) feet Landward of the right of way for Lots less than or equal to one-half (1/2) acre.~~

2:18) ~~4.~~ Individual Shrubs Planting Requirements.

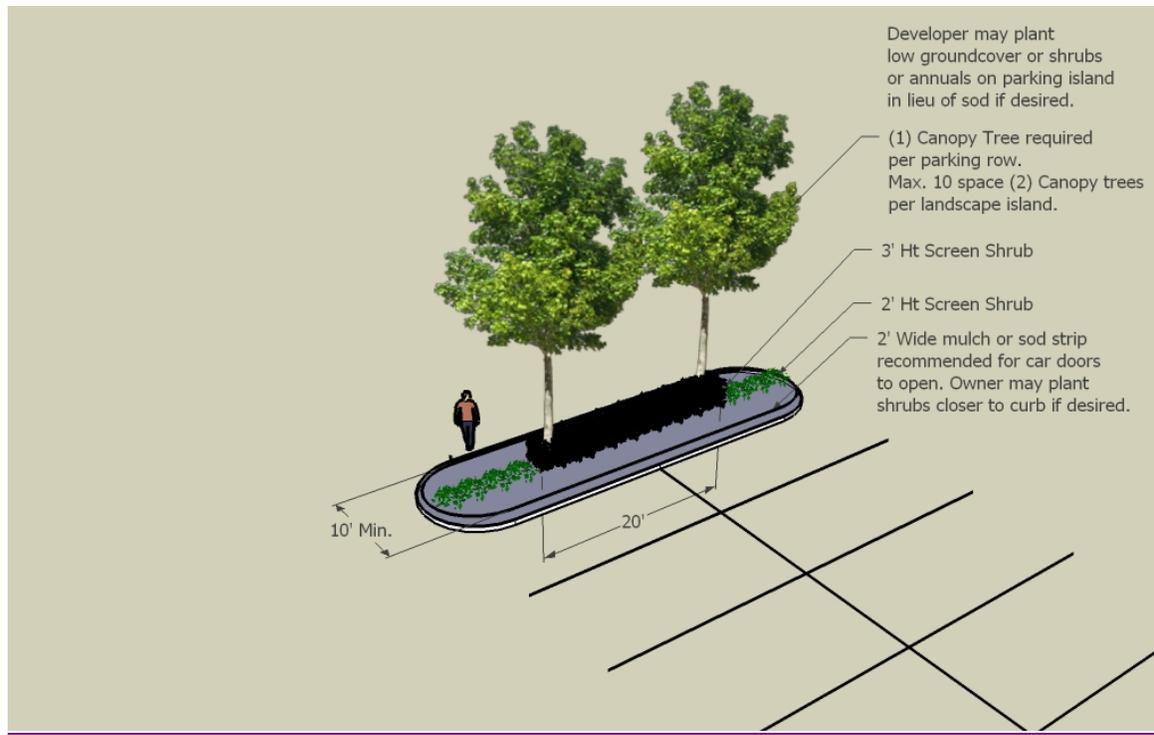
- 1 a. A visual screen Shall include shrubs or berm(s) with shrubs. The shrubs  
2 shall have an average height at time of planting of at least ~~three (3) gallon~~  
3 ~~or two to two and one half (2 1/2)~~ feet or greater planted at the minimum  
4 centers provided in Plant List for Lake County. Their spread ~~should~~shall  
5 be appropriate for size and species. They shall be able to obtain a height of  
6 three (3) feet within twelve (12) months of planting under normal growing  
7 conditions.  
8
- 9 b. The shrubs with or without berm(s) shall be located within the Landscaped  
10 Buffer between the planting Areas of the required trees.  
11

12 C. Internal Landscaping in Parking areas and other Site Areas  
13

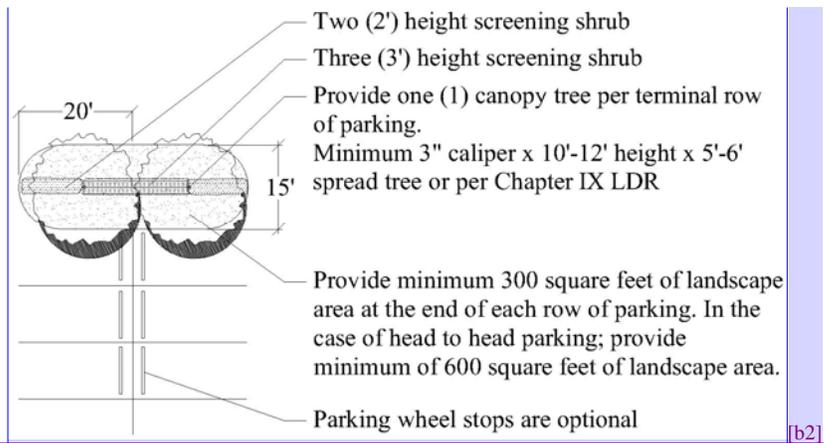
14 1. *Generally.* All ground surface Areas used on commercial, institutional,  
15 community facility, industrial, condominium, recreational vehicle parks,  
16 or multifamily sites shall have internal Landscaping to provide visual and  
17 climatic relief from broad expanses of pavement and channelize and  
18 define logical Areas for pedestrian and vehicular circulation. The  
19 following special landscaping requirements apply to commercial,  
20 institutional, community facility, industrial, condominium, recreational  
21 vehicle parks and multifamily sites.  
22

23 2. *Interior Parking Areas.*  
24 Landscape Islands shall be provided within parking areas, except parking  
25 garages, as described below to prevent excessively long, contiguous runs  
26 of parking spaces. These Areas Shall use curbs, wheel stops, bollards or  
27 other control measure to prevent encroachment or damage to trees and  
28 vegetation.  
29

30 Typical Terminal Landscape Island – Perspective View



**Typical Terminal Landscape Island – Plan View**

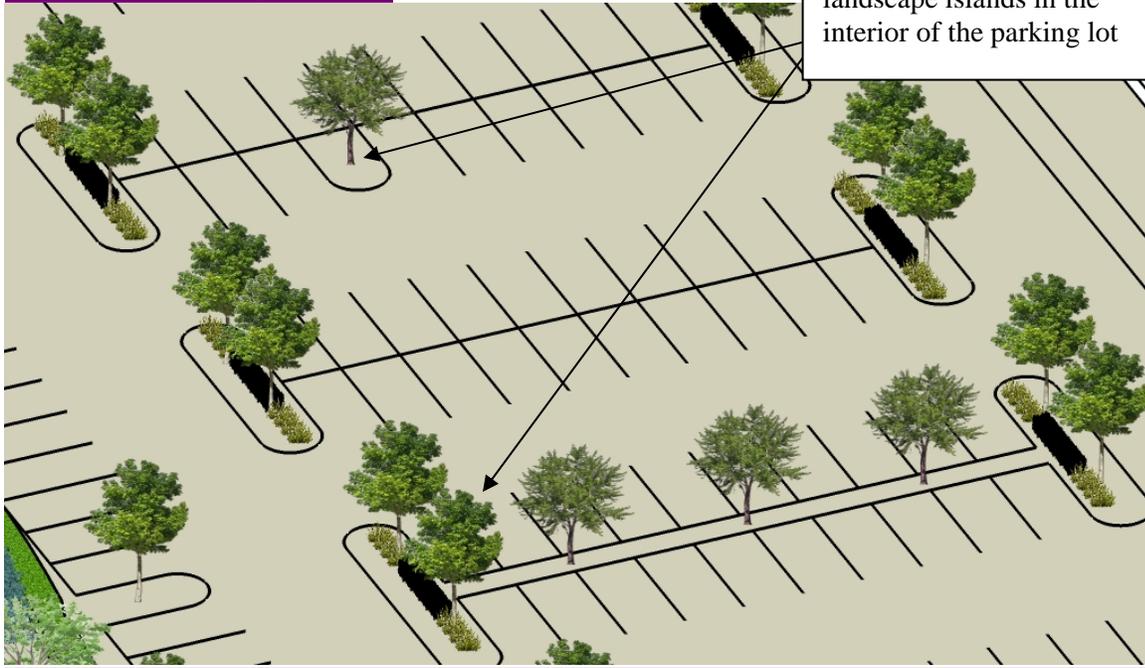


**a. Single-Row Terminal Landscape Islands**

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 twelve (12) feet, shall be provided at each end of a single-row parking bay.

1 Each single-row terminal landscape island shall contain at least  
2 one (1) canopy tree. **Required maximum two (2) foot high**  
3 **screening shrubs shall be utilized the entire length of the landscape**  
4 **island, or as limited by sight distances.**

5  
6 **Terminal Landscape Islands**



Provide minimum 300 SF  
landscape islands in the  
interior of the parking lot

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10 **b. Double-Row Terminal Landscape Islands**

11 A double-row parking bay with head-to-head parking shall not  
12 contain more than twenty (20) contiguous parking spaces in a 2x10  
13 configuration or extend more than one-hundred and twenty (120),  
14 whichever is more restrictive. One double-row terminal landscape  
15 island, with a minimum pervious area of six hundred (600) square  
16 feet and a minimum width of twelve (12) feet, shall be provided at  
17 each end of a double-row parking bay. Each double-row terminal  
18 landscape island shall contain at least two (2) canopy trees.  
19 Required maximum two (2) foot high screening shrubs shall be  
20 utilized the entire length of the landscape island, or as limited by  
21 sight distances.

22  
23 **c. Intermediate Landscape Islands**

24 Additional interior landscape islands, known as an intermediate  
25 landscapes islands, shall be required within parking lots having  
26 eighty (80) or more parking spaces. An intermediate landscape  
27 island shall be provided for any parking lot with eighty (80) or  
28 more parking spaces, and an additional intermediate landscape  
29 island shall be provided for every additional twenty (20) parking

spaces in excess of eighty (80). Each intermediate landscape island shall have a minimum pervious area of three hundred (300) square feet and a minimum width of twelve (12) feet, and each intermediate landscape island shall contain at least one (1) canopy tree. Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances. Alternatively a minimum seven (7) foot wide landscape strip may be provided between head-to-head parking, which may count as the required intermediate landscape island for every three hundred square feet (300) of impervious area provided. If a landscape strip is used, ornamental landscape trees and shrubs shall be planted within the landscape strip on minimum thirty (30) foot centers.

### Intermediate Landscape Islands in Parking Lots



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

b. One landscaped area, a minimum of 300 shall be provided Unless specifically designated as open space or green area, all designated, planted and permanently maintained Landscaped Areas Shall have at least one (1) tree two (2) inches caliper and fifteen (15) gallon container or greater at time of planting for every two hundred (200) square feet. The minimum size of the tree is eight (8) feet in height with a spread of four (4) feet. These

1 Areas Shall have curbing, wheel stops, bollards or other control measure  
2 to prevent vehicles from driving near or under the trees.  
3

4 e.e. *Parking Lot Trees and Substitutions*

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

13 f.f. *Perimeter Trees and Spacing*

14 Canopy trees shall be planted an average of fifty (50) foot centers around  
15 the total perimeter of the parking lot and all vehicular service areas.  
16 Clustering may be utilized but spacing shall not exceed one-hundred and  
17 fifty (150) foot spacing. The canopy trees shall be planted between eight  
18 feet (8) and thirty (30) feet from the edge of pavement. Canopy trees  
19 within the landscape buffers may be used if they fall within thirty (30) feet  
20 from the edge of paving or vehicular service area.  
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24 **Perimeter Trees and Spacing**

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



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1 g. Building Landscapes. Landscape areas shall be planted with trees,  
2 shrubs or groundcover, other than sod. The footprint areas below uses are  
3 determined by calculating the square footage of the first floor of all  
4 buildings, footprint including both primary and secondary structures.  
5 Minimum shrub spacing shall not exceed three (3) foot on center and a  
6 minimum three (3) gallon shrub shall be used. One (1) canopy tree or  
7 three (3) ornamental trees shall be required in addition to any other tree  
8 requirements for every three hundred and fifty (350) square feet of  
9 required building landscape area, including but not limited to required  
10 landscape islands within parking areas, required street trees, minimum  
11 canopy trees required for residential lots described in Section 9.01.05 and  
12 required trees surrounding retention areas. The following, however, may  
13 be credited toward the minimum requirement for ten (10) canopy trees per  
14 acre within a development site.

- 15 1) Residential development = Thirty-five percent (35%) of the  
16 first floor footprint. This requirement shall not require a  
17 landscape plan to be submitted for a single-family residential  
18 plan; however a note shall be placed on the development site  
19 plan or landscape plan stating that a non-turf landscape area  
20 shall be provided.
- 21 2) Commercial, Retail and Restaurant = Twenty five percent  
22 (25%) of the first floor footprint.
- 23 3) Office = Thirty percent (30%) of the first floor footprint
- 24 4) Mixed Use Buildings = Twenty five (25%) of the first floor  
25 footprint

26  
27  
28 Commercial, institutional, and multi-family buildings shall have a 3-feet  
29 wide landscape area around a minimum of forty (40) percent of the total  
30 building perimeter. Landscape perimeter shall occur adjacent to or within  
31 twenty-five (25) feet of the building perimeter walls. Breaks are allowed  
32 for accessways, plazas or other building design features.

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35 h. Pervious Parking. -Parking spaces provided in excess of the minimum  
36 required shall be constructed of pervious materials, including grassed  
37 parking areas. Additional pervious parking may be provided, if not  
38 otherwise prohibited by other provisions of the Lake County Code, in the  
39 following areas:

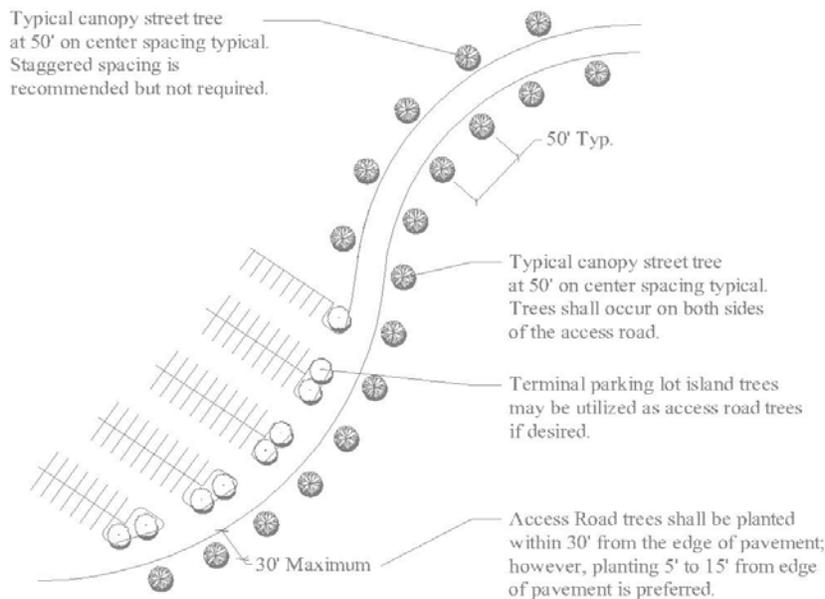
- 40 A-1) Adjacent to parking lot landscape islands to allow for the  
41 percolation of water and the exchange of oxygen for the tree  
42 roots.
- 43 B-2) Grass paving or turf block areas may be utilized in low  
44 impact areas or infrequent use areas such as churches or the  
45 outlaying parking areas of malls or other shopping areas.

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i. Internal Access Roads

Site plans and plats having an internal access road shall be required to plant an average of one (1) canopy tree on each side of the road for every 50 feet of the road deemed an internal access road for both sides of the roadway. An internal access road is a collector road that occurs within any development either at the perimeter or internal to the development. Parking lot island trees may be used to meet this requirement if they fall within thirty (30) feet from the edge of the pavement along the internal access road.

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.

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12 [b3]

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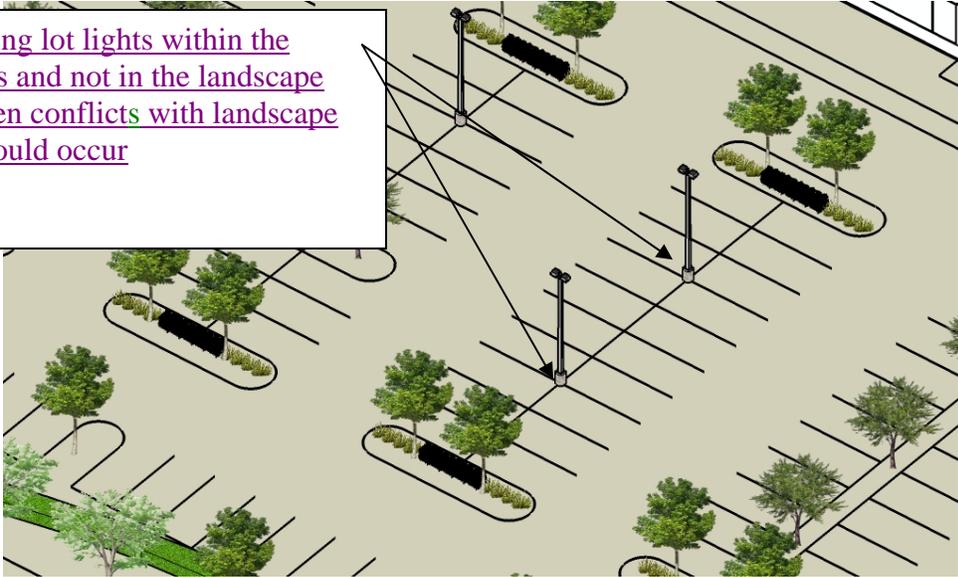
j. Accommodations for lighting and other features

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

Parking Lot Light Placement Picture

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Place Parking lot lights within the parking lots and not in the landscape islands when conflicts with landscape material would occur



k. Rain Gardens

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

Rain Garden Photo Example



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3. *Maximum number of continuous parking spaces.* Landscaping Areas with a minimum width of ten (10) feet and a minimum total Area of two hundred (200) square feet shall be provided to break up excessively long, continuous runs of parking spaces. A parking bay shall not contain more than fifteen (15) continuous parking spaces or extend more than one hundred sixty (160) feet, whichever is

1 more restrictive, without being broken up by a landscaped. These Landscaped  
2 Areas must have one (1) tree

3  
4 ~~4. Termination of parking rows. Each row of interior parking spaces which contains~~  
5 ~~more than 15 continuous parking spaces or extend more than 160 feet, which ever~~  
6 ~~is more restrictive, shall be terminated at each end by a Landscaping Area which~~  
7 ~~shall be a minimum of two hundred (200) square feet shall~~

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9  
10 **Figure 14—Landscaped parking island at end of rows.**

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13 ~~45. Curbing or wheel stops. All interior Landscaping Area Shall be curbed or~~  
14 ~~provided with wheel stops to prevent vehicular encroachment, as appropriate.~~

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

18  
19 ~~3. Guardhouses. An area greater than or equal to fifty percent (50%) of the footprint~~  
20 ~~of any guardhouse shall be landscaped immediately adjacent to the guardhouse to~~  
21 ~~create an aesthetic landscape. If the guardhouse is located within the roadway~~  
22 ~~median, the required landscaping shall also be planted in the median. Clear zones~~  
23 ~~and clear sight lines must be maintained for any landscape within the road right of~~  
24 ~~way. The clear zone shall consist of an area between two--feet (2') and eight--feet~~  
25 ~~(8') height from the road elevation. The landscape area shall consist of shrubs,~~  
26 ~~perennials and trees. Sod or other ornamental landscaping may be utilized in the~~  
27 ~~remaining area around the guardhouse as long as 50% of the guardhouse has been~~  
28 ~~landscaped as described.~~

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30 ~~4. Vehicular Gates and associated security walls~~

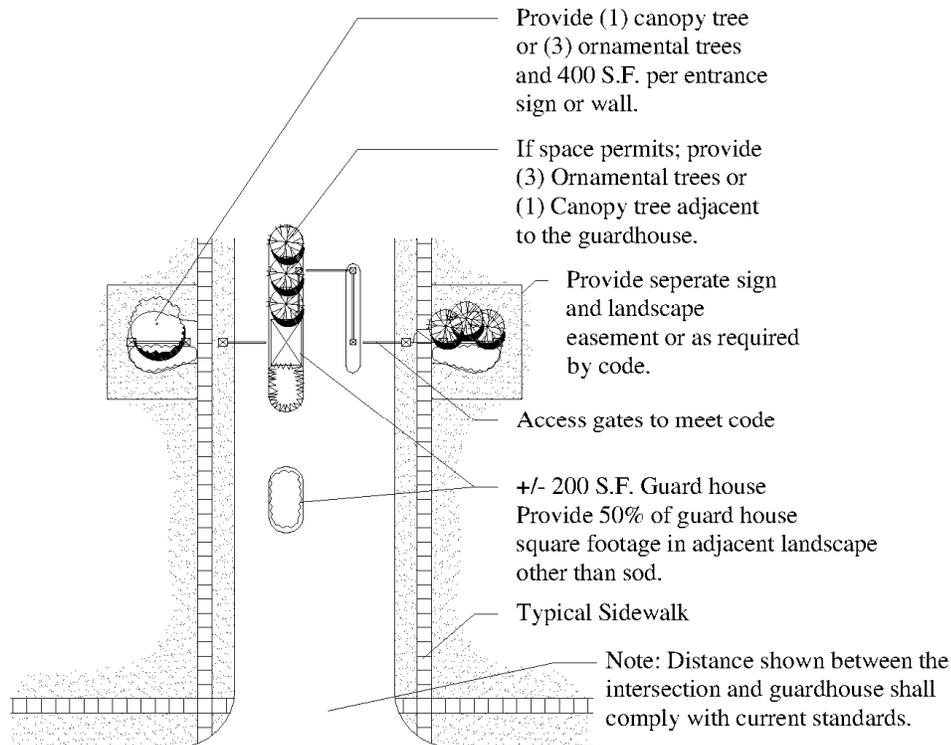
31 ~~Landscaping shall be required on the entrance side of gates and walls as follows;.~~

32 ~~a) A minimum of 400 square feet of landscape area shall be provided on~~  
33 ~~each side of an entrance road (800 square feet total) to a neighborhood or~~  
34 ~~commercial area.~~

35 ~~b) Within each entrance area of 400 square feet; one canopy tree or three~~  
36 ~~ornamental trees shall be provided.~~

37 ~~c) The landscape area shall have shrubs, perennials, vines or other~~  
38 ~~ornamental plantings other than sod. If a utility easement or other~~  
39 ~~restrictive condition restricts the use of trees then the tree portion of this~~  
40 ~~requirement may be waived or limited by the County Manager or~~  
41 ~~designee.~~

42 ~~d) Please see Guardhouse and Security Gate Landscape Requirements~~  
43 ~~picture below for additional landscape requirements.~~



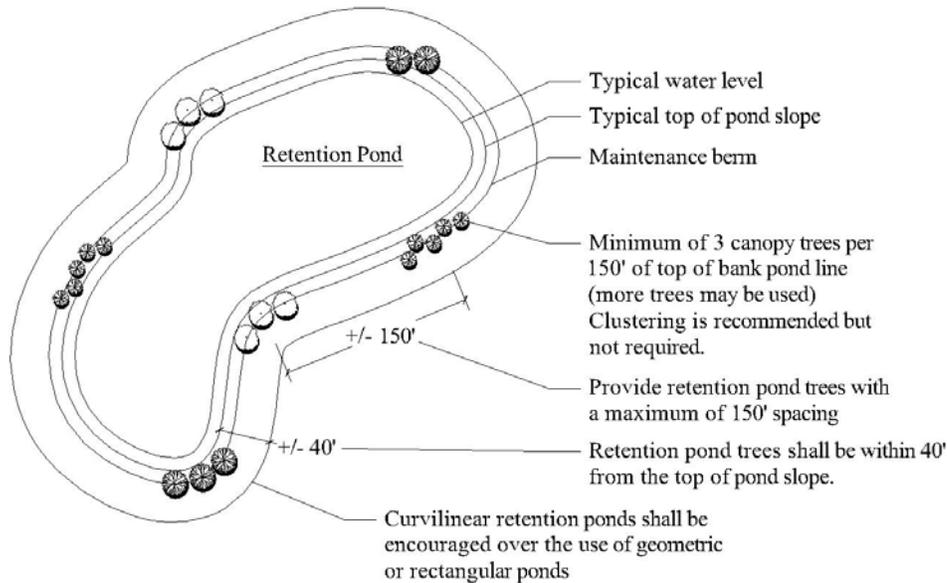
**Guardhouse and Security Gate  
Landscape Requirements**

[b4]

**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 outside of single-family residential lots. Lake edge and retention pond plantings shall be selected from The Plant List for Lake County for lake edge and retention ponds.

## Typical Plantings Required at retention ponds



### Notes:

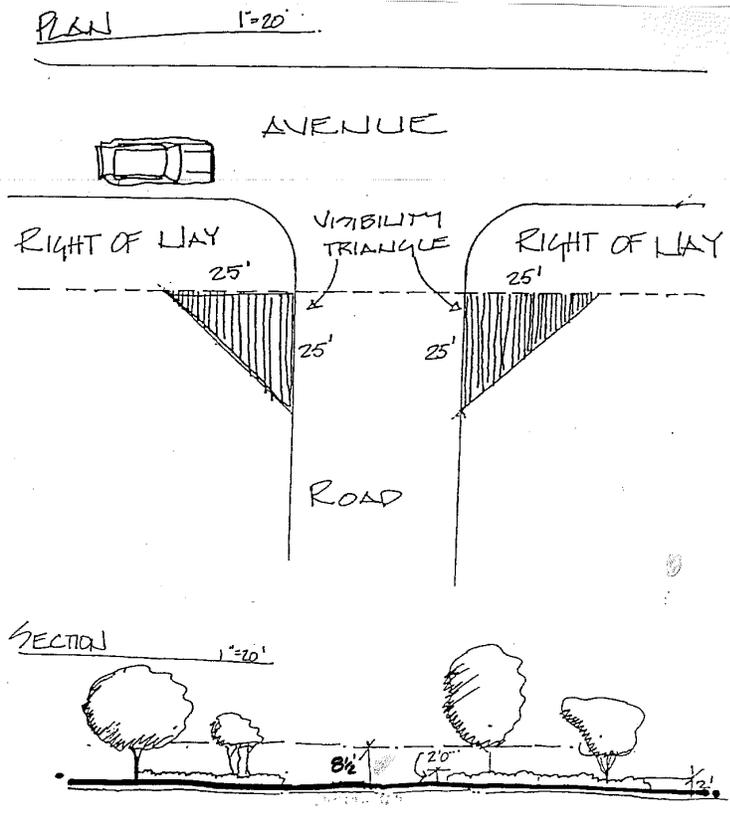
- 1) Tree requirements are for retention ponds and do not apply to any existing wetland that are protected under other ordinances.
- 2) Proposed or existing canopy trees meeting the minimum canopy tree size may be used to meet the 10 canopy trees required per acre for non-residential land use. The required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

**Figure 13 – Intersection Visibility**

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E. Natural Vegetation Preservation Credit.

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

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

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

6 |  
7 | **9.01.05 Canopy Tree Requirements for Single-Family Residential, including Duplexes,**  
8 | **(including mobile homes), Condominium, Institutional and Public Facility Areas.**  
9 |

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

16 |  
17 | 1. A minimum of two (2) canopy trees for Lots 6,000 square feet or less.

18 |  
19 | 2. A minimum of three (3) canopy trees for Lots between 6,001 and 10,000 square  
20 | feet.

21 |  
22 | 3. A minimum of ~~five~~ four (4) canopy trees for Lots ~~greater than~~ between 10,001  
23 | square feet to 15,000 square feet. ~~Three (3) trees for each additional acre in excess of~~  
24 | ~~one (1) acre, with a maximum number of trees not to exceed fifteen (15) for the total~~  
25 | ~~acreage;~~

26 |  
27 | 4. A minimum of five (5) canopy trees for Lots between 15,001 square feet to 43,560  
28 | square feet (1 Acre).

29 |  
30 | 5. A minimum of eight (8) canopy trees for lots between one (1) acre and 2 acres.

31 |  
32 | 6. A minimum of eleven (11) canopy trees for lots between 87,121 square feet and  
33 | 130,680 square feet (3 acres).

34 |  
35 | 7. A minimum of fifteen (15) canopy trees for lots between three (3) acres and five (5)  
36 | acres.

37 |  
38 | 8. A minimum of twenty-five (25) trees for lots five (5) acres or greater.

39 |  
40 | B. Existing trees greater than three (3) inches in diameter shall be preserved unless within  
41 | the building footprint for the residence, infrastructure or required for access. Stem wall  
42 | construction shall be used where necessary to achieve this requirement.

43 |  
44 | C. 4. Existing trees may be used to meet the provisions in Subsection 9.01.05 ~~4.B.2.~~ Trees  
45 | shall be in very good health and maintained in good condition in

1 perpetuity for one (1) year during which survival is guaranteed by the  
2 Property owner, pursuant to Subsection 9.02.06;  
3

4 D. ~~5.~~ One (1) or more of the required trees shall be planted within ten (10) feet Landward of  
5 the right-of-way for residential Lots less than or equal to one-half (1/2)  
6 acre. More canopy trees may need to be planted outside but parallel to the  
7 road right of way based on the street tree requirements as listed in  
8 9.01.04.B.14  
9

10 BE. For single-family Lots within a new subdivision, additional trees may be required  
11 pursuant to the replacement requirements in Subsection 9.02.05.D. ~~In such cases, the~~  
12 ~~required number of replacement trees shall be divided by the number of Lots approved for~~  
13 ~~the subdivision. The resulting number shall be added to the minimum tree requirements~~  
14 ~~for each Lot as set out in Subsection 9.01.05.A above. The number of trees required shall~~  
15 ~~be indicated or noted on the Landscape or, -Site or Plot Plan.~~

16  
17 CF. All protected trees listed in The Plant List for Lake County, -Subsection 9.02.02.A are  
18 prohibited from being removed from single-family Residential Lots of any size without  
19 an approved tree removal Permit.  
20

- 21 1. The replacement requirements of Subsections 9.02.03 and 9.02.04 shall apply  
22 here.
- 23  
24 2. ~~Systematic clearing of a single family Residential Lot is prohibited. In addition to~~  
25 ~~the preservation of Protected Trees, g~~Groups of trees smaller than three four -(3 4)  
26 inches caliper are encouraged to be preserved.  
27

28 G. Single-family residences shall be located to avoid removing or damaging protected trees  
29 to the maximum extent possible.  
30

### 31 **9.01.06 Plan Approval.**

32 A. An appropriate Landscape Plan shall be submitted to the County Manager or designee at  
33 the time an application for Site Plan or Development approval is submitted.  
34

- 35 1. The Landscape plan shall be prepared by a Landscape architect if the following  
36 apply:  
37
    - 38 a. Single-Family or multi-family residential development in excess of ten (10)  
39 dwelling units; or Single family Residential Development over ten (10) one  
40 hundred (100) acres or a multi-family Development over five (5) fifteen  
41 (15) acres; or
    - 42  
43 b. Commercial, industrial, community facility projects ~~exceeding a Parcel~~  
44 ~~size of one-half (1/2) acre or twenty one thousand seven hundred and~~  
45 ~~eighty (21,780) square feet.~~
- 46

1 2. If the Landscape plan is prepared by a Landscape architect, it shall be signed,  
2 dated, and sealed by a Landscape architect registered pursuant to the provisions of  
3 Chapter 481, Florida Statutes, Part II.  
4

5 B. The Landscape and irrigation plans shall be drawn at an appropriate scale (generally  
6 drawn at twenty (20) or thirty (30) scale or a scale that is legible) and shall include:  
7

8  
9 1. All property line dimensions, north arrows, scale distances, and plan information  
10 required by the Site Plan review process. All easements shall be shown and  
11 labeled, all existing and proposed structures and address of the owners and plan  
12 preparers, label topographic contours and spot elevations.  
13

14 2. Delineation of proposed parking spaces, other vehicular areas, access drives,  
15 aisles;  
16

17 3. A detailed plan, illustrating ~~an~~ the automatic irrigation system shall be installed  
18 provided to that Shall meet the requirements of Subsection 9.01.03.~~IF~~, prior to  
19 issuance of a Certificate of Occupancy. Water Use Zones shall be shown and  
20 labeled as part of the landscape plan submittal. The Water Use Zones may be  
21 indicated on the landscape plan if legible or a separate plan may be submitted;  
22

23 4. Designation by common and botanical (scientific) name, including applicable cultivar  
24 name, and location of plant material to be installed or preserved in accordance  
25 with the requirements of this Section;  
26

27 5. Location of buildings; location of internal and external streets, location of existing and  
28 proposed utilities.  
29

30 6. Use or zoning classification of adjacent properties;  
31

32 7. Pertinent features on adjacent properties, including buildings and landscaping near  
33 the property line and natural or man-made features that may continue into or through  
34 the subject site;  
35

36 8. Location of natural and manmade features onsite that affect the location of  
37 landscaping, such as wetlands, water bodies, retention and open space.  
38

39 9. Statement that the owner shall install the landscape according to the landscape plan  
40 and maintain the landscape according to the Landscape Plan.  
41

42 10. A tabulation of all information necessary for evaluation of the plan, including gross  
43 and net acreage, Area in square feet of paved-impervious areas; and other information  
44 that may be reasonably required to determine that the plan will meet requirements of  
45 this Section. A table with the required buffer type(s), width and number of required  
46 trees shall be provided for each buffer.

1  
2 11. Location of preserved trees or clusters of trees may be used to count as landscape  
3 credit with the species and DBH Caliper called out or a note stating that a group of  
4 trees will meet the minimum size canopy or ornamental trees.

5  
6 12. A tree removal matrix shall be shown, if applicable, on the Landscape Plan or Tree  
7 Removal Plan depicting how the removed trees will be mitigated. Removed trees that  
8 are required to be mitigated shall be shown on the Landscape Plan or Tree Removal  
9 Plan with location, DBH caliper size and species type.

10  
11 C. Individual single-family and duplex (two-family) Residential Property Shall be exempted  
12 from having a Landscape architect sign and seal Landscape and irrigation plans.

13  
14  
15 **9.01.07 Reserved.**

16  
17  
18 **9.01.08 Certificate Of Occupancy.**

19  
20 A. No certificate of occupancy shall be issued by the County Building Department until the  
21 requirements of this Section are met, except as provided in (B) below.

22  
23 B. The ~~County Manager or designee~~ Lake County Building Official can issue a Certificate  
24 of Occupancy if the requirements of this Section are not met, provided the developer or  
25 owner submits a performance bond to the County Manager or designee in the amount of  
26 one hundred and ten (110) percent of the costs to bring the Property into compliance with  
27 the requirements of this Section. The required landscaping shall be installed no later than  
28 one (1) year after issuance of the Certificate of Occupancy. The developer or owner Shall  
29 pay reinspection fees for subsequent reinspections of the Property.

30  
31  
32 **9.01.09 Administration and Enforcement.**

33  
34 A. The County Manager or designee shall be charged with the duty of administering the  
35 provisions of this section and securing compliance therewith. In furtherance of this  
36 responsibility, the County Manager or designee shall:

37  
38 1. ~~Make such Perform~~ inspections as may be necessary to carry out the purposes and  
39 intent of this section.

40  
41 2. Site conditions may prohibit the owner or developer from complying with the  
42 requirements of this section. The County Manager or designee may use discretion and  
43 waive and/or alter certain requirements based on site conditions relating to location, size  
44 or plant type up to 20% of the requirement while maintaining the intent of this  
45 section ~~Subsections 9.01.01.A&B, 9.01.01A d, and 9.02.01.~~

1 | 3. Enforce code requirements through fines or other punitive action consistent with State  
2 | and Lake County regulations.

3 |  
4 | **9.01.10 Tree Protection Standards During Construction ~~and Tables.~~**

5 |  
6 | A. ~~Lake County~~ *Tree Protection Standards.*

7 |  
8 | 1. The protection measures described in this Subsection are based on those in the  
9 | Tree City USA Bulletins published by The National Arbor Day Foundation: How  
10 | to Save Trees During Construction (No. 8, 1998), A Systematic Approach to  
11 | Building with Trees (No. 20, 1998), and How to Protect Trees During  
12 | Underground Work (No. 35, 1998). These publications are hereby adopted and  
13 | included by reference herein. Copies of such publications are available from the  
14 | County Manager or designee. These publications ~~should~~shall be used to  
15 | supplement the required protection measures. They also provide information on  
16 | the economic value of trees to developments and their incorporation into designs  
17 | as well as guidelines on professional tree care, tree planting and tree transplanting.

18 |  
19 | 2. ~~The applicable protection measures in~~ This Subsection Shall be implemented  
20 | apply to all protected trees, specimen trees or historic trees for. All trees shall be  
21 | retained or replaced pursuant to Sections 9.01 and 9.02.

22 |  
23 | ~~a. Any exempt tree that will not be removed; and~~

24 |  
25 | ~~b. Any non-exempt tree that has not been Permitted for removal; and~~

26 |  
27 | ~~c. All trees that are retained or replaced pursuant to Subsection 9.02.05.D of~~  
28 | ~~the Lake County Land Development Regulations~~

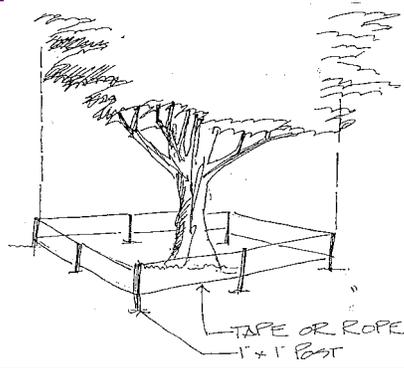
29 |  
30 | 3. It shall be unlawful for any person, during the construction of any Structures or  
31 | other improvements, to place solvents, materials, construction machinery or  
32 | temporary soil deposits within the drip line of any protected tree. This includes  
33 | soil that is placed in the drip-line permanently for the purpose of a grade change,  
34 | unless the grade is changed according to the standards described in Subsection  
35 | 9.01.10.A.6.a & b below.

36 |  
37 | 4. Avoiding mechanical injuries. In order to protect against mechanical injuries to  
38 | roots, trunks and branches, and injuries by chemical poisoning, grade changes,  
39 | excavations, paving, and attachments or wires, the applicable protection measures  
40 | set out below Shall be implemented prior to commencement of Permitted  
41 | construction.

42 |  
43 | a. A protective barrier (~~Illustration Subsection 9.01.10.H.3~~See Figure 3) shall  
44 | be placed around all protected trees prior to any Land preparation or  
45 | construction of Structures or other improvements in accordance with the  
46 | following measures:

- 1
- 2 | 1. Posts shall be placed at points not closer than at the natural drip-
- 3 | line of the tree unless the Structure or improvement has been
- 4 | permitted by the County Manager or designee through the
- 5 | Development Review Staff process or special staff review to be
- 6 | erected within the drip-line of the tree with a wide canopy. The
- 7 | Structure or improvement may be placed within the drip-line of the
- 8 | tree only if the tree has been root pruned, as supervised by a
- 9 | licensed Landscape architect or arborist certified by the
- 10 | International Society of Arboriculture. For palm trees, the posts
- 11 | shall be placed at points not closer than six (6) feet from the trunk.
- 12
- 13 | 2. The posts shall be connected with clearly visible plastic tape or
- 14 | ribbon, or rope

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



- 18
- 19
- 20 | b. With the exception of identification ribbons, No attachments, wires,
  - 21 | signs, nails, or Permits Shall be fastened to a protected tree other than
  - 22 | supportive wires if applicable which Shall be attached in compliance with
  - 23 | the guidelines set forth in the Tree City USA Bulletins published by The
  - 24 | National Arbor Day Foundation: How to Save Trees During Construction
  - 25 | (No. 8, 1998), A Systematic Approach to Building with Trees (No. 20,
  - 26 | 1998), and How to Protect Trees During Underground Work (No. 35,
  - 27 | 1998).
  - 28
  - 29 | c. No equipment, construction materials or debris of any kind shall be placed
  - 30 | within a protective barrier.
  - 31
  - 32 | d. Landscaping activities within the bounds of the protective barrier (before and
  - 33 | after it is removed) shall be accomplished with light machinery (such as,
  - 34 | aerators and mowers) or manual labor. No grubbing, root rakes or similar
  - 35 | activities are permitted.
  - 36

1 e. In lieu of constructing the barriers required above in Subsection  
2 [9.10.10.A.4.a.1](#) above large Areas containing protected trees where no  
3 Land preparation or other Development activities of any kind will occur  
4 may be designated on a tree removal application. The designated Area  
5 Shall be protected by placing stakes a maximum of twenty-five (25) feet  
6 apart along the outside perimeter of the Area and tying clearly visible  
7 plastic tape or ribbon, or rope, from stake to stake. The perimeter line shall  
8 be outside of the drip line of any protected tree within the designated area.  
9

10 f. Protective barriers and perimeter lines shall remain in place until all construction  
11 activity is terminated, except for Landscaping.  
12

13 5. Avoiding injuries due to chemical poisoning  
14

15 a. No fuel, paint, solvent, oil, thinner, asphalt, cement, grout or any other  
16 construction chemical or other material or tools of any kind Shall be  
17 stored, or allowed in any manner to enter, within a protective barrier or  
18 perimeter line during the construction process.  
19

20 b. No equipment shall be cleaned within a protective barrier or perimeter line.  
21

22 6. Avoiding tree injury due to grade changesroot impacts.  
23

24 Because construction within the drip line, such as changes in grade and  
25 installation of underground utilities, changes in soil grade within the drip line of a  
26 protected tree commonly cause extensive root damage or death of the a tree,  
27 within one (1) to two (2) years, grade changes construction Shall not be made  
28 permitted within the drip line unless the following protective measures are taken  
29 and supervised by a licensed landscape architect or arborist certified by the  
30 International Society of Arboriculture to ensure the health of the tree.:  
31

32 a. Raising the Grade.  
33

34 1. Preparing the ground.  
35

36 a. Within the drip line, existing sod, vegetation and leaf litter  
37 shall be removed and the soil loosened without injuring the  
38 roots.  
39

40 b. The Area within the drip line shall be properly fertilized to  
41 improve the vigor and growth of the roots.  
42

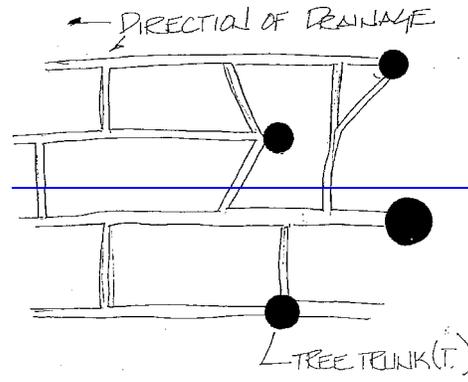
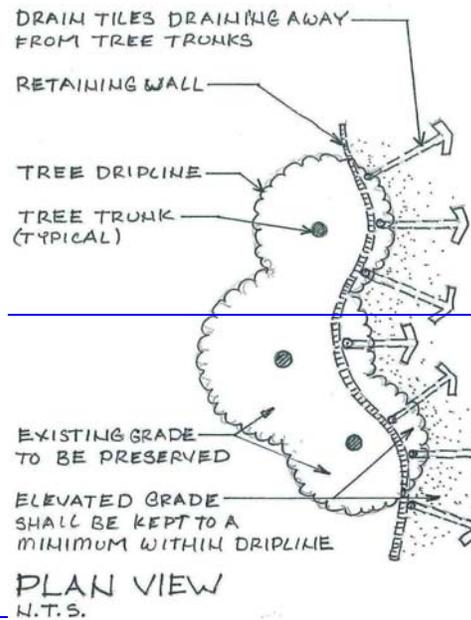
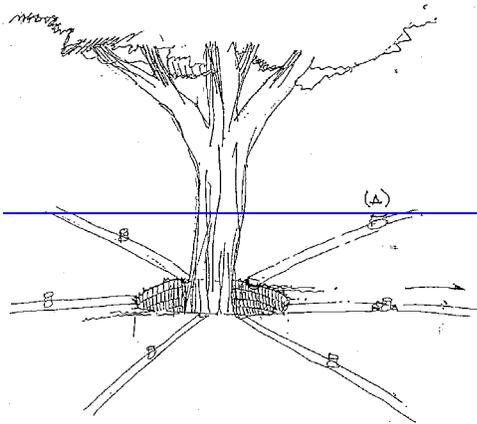
43 2. Installing tile drains.  
44

45 a. Porous, four (4) inch agriculture drain tiles or perforated  
46 piping shall be laid over the soil to drain liquids away from

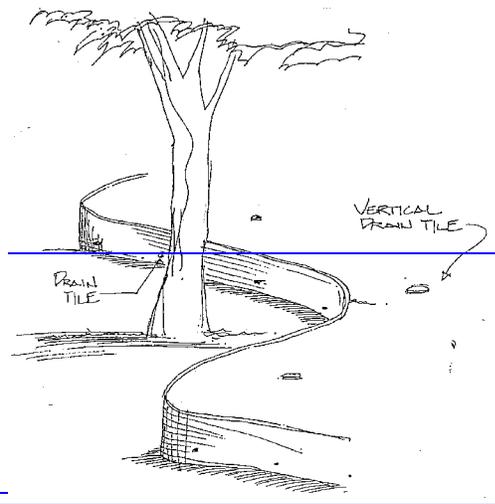
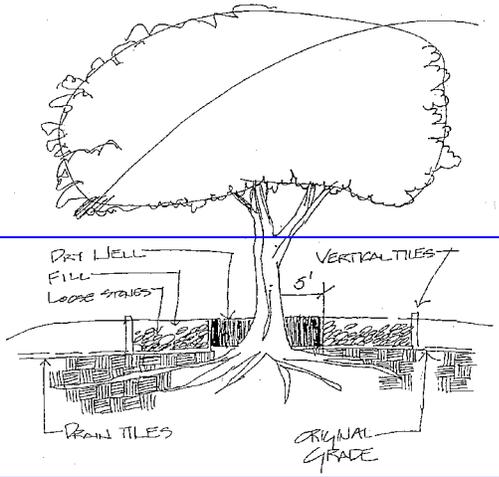
1 the trunk. A drop of at least one eighth (1/8) inch per foot  
2 shall be provided. The drain field shall be designed to  
3 provide adequate drainage of the existing configuration of  
4 the trees. (Illustration in Subsection 9.01.10.A.H.64-5).  
5

6 b. The number of drains shall depend upon the soil material;  
7 lighter sandy soils and porous gravelly material require  
8 fewer drains than heavy non-porous soils.  
9

10 c. Installing vertical tiles along the system shall provide  
11 aeration. The vertical tiles shall be filled with gravel and  
12 capped with a heavy duty mesh to keep out trash and  
13 debris.  
14  
15  
16



1



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7

3. Dry well construction (Illustration in Subsection 9.01.10.6).

8

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 radius diameter well. For slow growing mature trees, a space of twelve (12) to eighteen (18) inches shall be provided between the trunk and the side of the well at every point.

9

10

11

12

13

14

15

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.

16

17

18

19

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.

20

21

22

23

d. Gratings or barriers shall be used around openings that are large enough to present a hazard to pedestrians.

24

25

26

e. Open wells (Illustration in Subsection 9.01.10.H.7) shall be cleaned regularly to remove sediment, leaves, and debris that might interfere with the free passage of air.

27

28

29

30

4. Filling (Illustration in Subsection 9.01.10.H.6).

31

32

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

33

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

25  
26 c. ~~Terracing and retaining wall. The Area within the drip line  
27 is left at the original grade by the combined Use of  
28 terracing and dry retaining wall.~~

29  
30 ~~2. Precaution. In addition to the above, the following precaution shall  
31 be taken when lowering the grade around a protected tree:~~

32  
33 ~~Roots Shall be cut cleanly and retrimmed after excavation using  
34 equipment such as axes, shovels, chainsaws, and other similar root  
35 pruning instruments. No bulldozers, root rakes, or other such  
36 equipment shall be used.~~

37  
38 a. ~~Minor Changes in Grade. When the change in grade is  
39 minor, two (2) inch to four (4) inch maximum, protective  
40 measures may be taken as shown in Subsection  
41 9.01.10.H.10 in lieu of the above requirements.~~

42  
43 b. ~~The County Manager or designee shall approve the Use of  
44 these methods where their Use will not endanger the health  
45 of the protected tree.~~

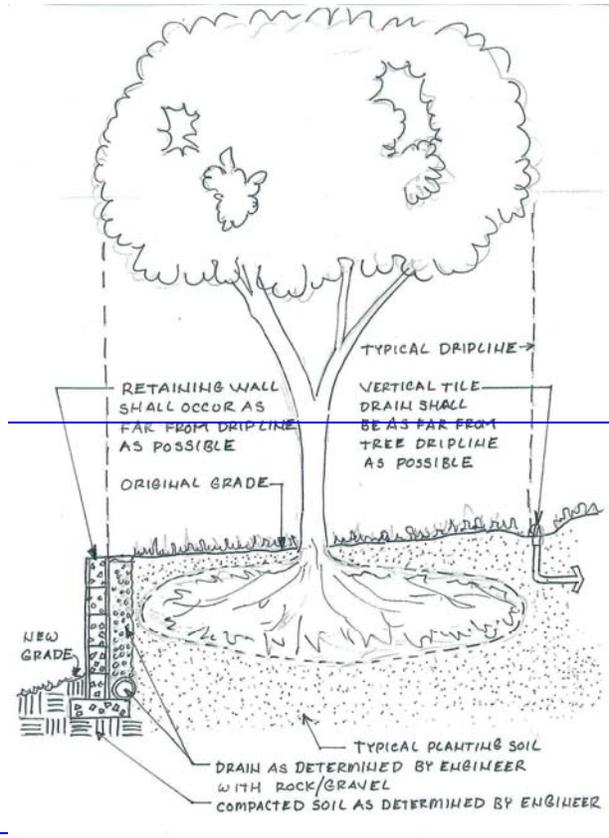
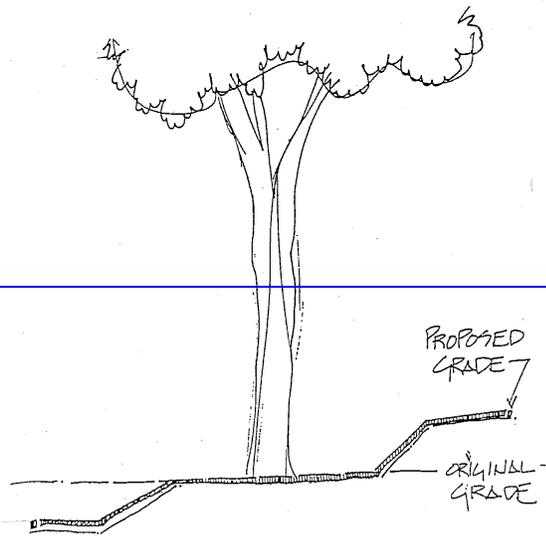
1 ~~7. Avoiding injuries due to excavations.~~

2  
3 ~~a. To avoid damage to protected trees, water, sewer, and other utility lines~~  
4 ~~should be routed around the drip lines.~~

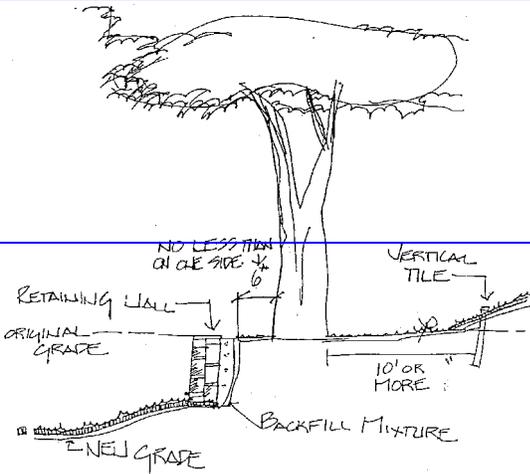
5  
6 ~~b. If a utility line cannot reasonably be routed around the drip line the utility line~~  
7 ~~shall be tunneled beneath the Area within the drip line. The tunnel shall be~~  
8 ~~offset to one (1) side of the trunk to prevent damage to the main taproots.~~  
9 ~~(Illustration in Subsection 9.01.10.H.11).~~

10  
11 87. Avoiding injuries ~~by due to~~ paving within the drip line, if approved by the County  
12 Manager or designee. Paving may be placed within the drip line ~~but outside the~~  
13 ~~tree protection Zone of a protected tree~~, so long as no damage is inflicted to the  
14 tree by grade change, compaction of soil, or any other cause, ~~if approved by the~~  
15 ~~County Manager or designee.~~

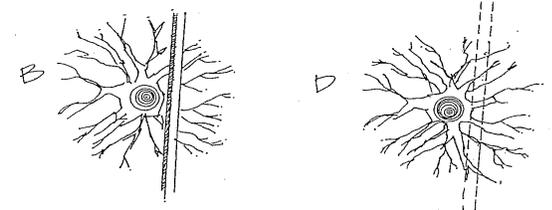
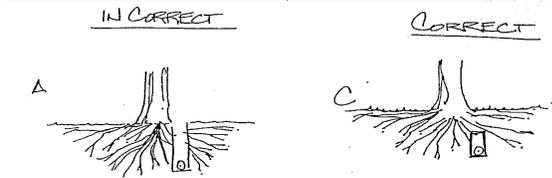
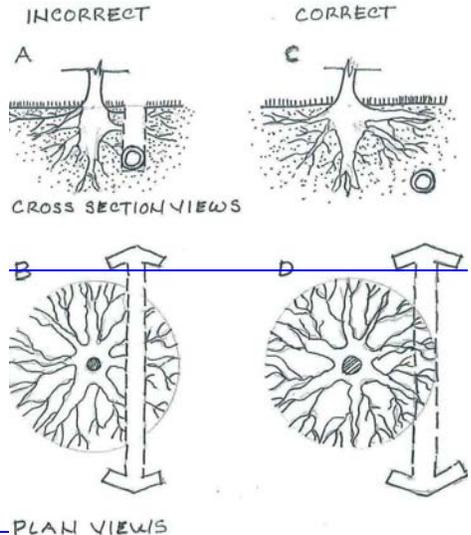
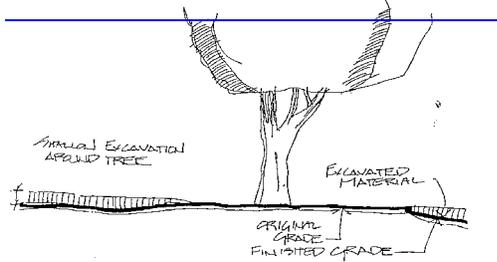
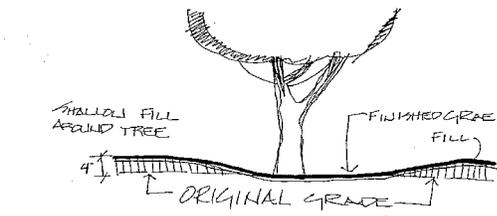
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B. Table 1. List of recommended Landscaping trees.

| Understory Trees    |                             |
|---------------------|-----------------------------|
| Common Name         | Botanical Name              |
| 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 | Viburnum obovatum                 |
| Flowering dogwood | Cornus florida (partial sun only) |
| Wax myrtle        | Myrica cerifera                   |
| Fringe tree       | Chionanthus virginica             |
| Yaupon holly      | Hex vomitoria                     |
| Loblolly bay      | Gordonia lasianthus               |

1  
2

|                |                                  |
|----------------|----------------------------------|
| Canopy Trees   |                                  |
| Common Name    | Botanical Name                   |
| American elm   | Ulmus americana                  |
| American holly | Hex 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  | Hex attenuata                    |
| Savannah holly | Hex opaca x attenuata "Savannah" |
| Persimmon      | Diospyros virginiana             |
| Slash pine     | Pinus elliotii                   |
| Red bay        | Persea borbonia                  |

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

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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                    | Trachycarpus fortunei   |
| European fan palm                | C. humilis              |
| Pindo palm                       | Butra capitata          |

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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       | Abelia spp.         | 2.0                      |
| Pampas grass        | Cortaderia selloana | 4.0                      |
| Allamanda, Pineland | Angadenia berterii  | 2.5                      |
| Pineapple guava     | Feijoa sellowiana   | 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         | <i>Viburnum hybrids</i>        | 3.0     |
| Chinese juniper  | <i>Juniperus chinensis</i>     | 3.0     |
| Silverthorn      | <i>Elaeagnus philippensis</i>  | 3.0     |
| Podocarpus       | <i>Podocarpus macrophyllus</i> | 2.0     |
| Holly            | <i>Hex spp.</i>                | 2.0–3.0 |
| Indian hawthorne | <i>Raphiolepis indica</i>      | 2.5     |

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E. Table 4: List of Recommended Lawn Grass

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

F. Table 5: List of Recommended Xeriscape Plants

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 | ++                |

| Understory 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>Hex x attenuata</i>       | +++               |
| *Yaupon holly       | <i>Hex 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>  | +++               |
| Windmill palm       | <i>Trachycarpus fortunei</i> | +++               |

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| Shrubs         |                            |                   |
|----------------|----------------------------|-------------------|
| Common Name    | Botanical Name             | Drought Tolerance |
| Japanese anise | <i>Illicium anisatum</i>   | ++                |
| *Florida anise | <i>Illicium floridavum</i> | ++                |

|                     |                                     |     |
|---------------------|-------------------------------------|-----|
| *Beautyberry        | <i>Callicarpa americana</i>         | +++ |
| Butterfly bush      | <i>Buddlea davidii</i> spp.         | +++ |
| Japanese camellia   | <i>Camellia japonica</i>            | ++  |
| Sasanqua camellia   | <i>Camellia sasanqua</i>            | ++  |
| Cape honeysuckle    | <i>Tecomaria capensis</i>           | ++  |
| Croton              | <i>Codiaeum variegatum</i>          | +++ |
| Firecracker plant   | <i>Crossandra infundibuliformis</i> | +++ |
| Firethorn           | <i>Crataegus</i> spp.               | +++ |
| *Florida privet     | <i>Forestiera segregata</i>         | +++ |
| *Gallberry          | <i>Hex coriacea</i>                 | +++ |
| Chinese holly       | <i>Hex chinensis</i>                | +++ |
| Japanese holly      | <i>Hex japonica</i>                 | ++  |
| *Schillings holly   | <i>Hex x 'Schilling'</i>            | +++ |
| Indian hawthorn     | <i>Raphiolepis indica</i>           | +++ |
| Japanese boxwood    | <i>Buxus sempervirens</i>           | +++ |
| Juniper family      | <i>Juniperus</i> spp.               | +++ |
| Leatherleaf mahonia | <i>Mahonia bealei</i>               | ++  |
| Natal plum          | <i>Carissa macrocarpa</i>           | +++ |
| Orange jasmine      | <i>Murraya paniculata</i>           | ++  |
| *Saw palmetto       | <i>Serenoa repens</i>               | +++ |
| Pampas grass        | <i>Cortaderia selloana</i>          | +++ |
| Pineapple guava     | <i>Psidium L.</i> spp.              | +++ |

|                       |                                   |     |
|-----------------------|-----------------------------------|-----|
| Pittosporum family    | Pittosporum spp.                  | ++  |
| Maki podocarpus       | Podocarpus macrophyllus<br>'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<br>or S. atlanticum  | ++                |
| *Coontie         | Zamia pumila                                    | ++                |
| *Crinum lily     | Crinum amabile 'Purple Leaf'<br>or C. asiaticum | ++                |

|                     |                                 |     |
|---------------------|---------------------------------|-----|
| Dwarf nandina       | Nandina domestica<br>'compacta' | ++  |
| *Gopher apple       | Liciana michauxii               | ++  |
| Holly fern          | Crytomium falcatum              | ++  |
| Algerian ivy        | Hedera canariensis              | ++  |
| English ivy         | Hedera helix                    | ++  |
| Confederate jasmine | Trachelospermum<br>jasminoides  | +++ |
| Creeping juniper(s) | Juniperus spp.                  | +++ |
| Liriope             | Liriope muscari                 | +++ |
| Mondo grass         | Ophiopogon japonicus            | +++ |
| *Cord grass         | Spartina spp.                   | +++ |
| Society garlic      | Tulbaghia violacea              | +++ |
| *Wiregrass          | Aristida stricta                | ++  |

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|                        |                          |                   |
|------------------------|--------------------------|-------------------|
| Annuals and Perennials |                          |                   |
| Common Name            | Botanical Name           | Drought Tolerance |
| Aloe                   | Aloe vera                | +++               |
| *Blanket flower        | Gallardia grandiflora    | +++               |
| Daylilly               | Hermocallis spp.         | ++                |
| False heather          | Cuphea hyssopifolia spp. | ++                |
| Kalanehoe              | Kalanehoe spp.           | +++               |
| Perwinkle              | Catharanthus roseus      | +++               |
| Moss rose              | Portulaca grandiflora    | +++               |

|           |                       |     |
|-----------|-----------------------|-----|
| Innocence | Hedyotis spp.         | ++  |
| Sun-rose  | Helianthemum spp.     | ++  |
| Piriqueta | Piriqueta caroliniana | ++  |
| Stylisma  | Stylisma patens       | ++  |
| Pentas    | Penta spp.            | +++ |

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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      | Quercus myrtlefolia                                     |
| Scrub oak       | Quercus inopina   |
| Saw palmetto    | Serona repens   |
| Chapman's oak   | Quercus chapmanii                                       |
| Dwarf red bay   | Persea borbonia humilis                                 |
| Bluejack oak    | Quercus incana  |
| Live oak        | Quercus virginiana                                      |
| Dwarf live oak  | Quercus minima  |
| Ground oak      | Licania michauxii                                       |
| Scrub hickory   | Carya floridana   |
| Scrub holly     | Ilex opaca var. arenicola                               |
| Scrub palmetto  | Sabal etonia  |
| Scrub plum      | Prunus geniculata (Endangered/endemic to scrub habitat) |

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

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|                               |                       |
|-------------------------------|-----------------------|
| <b>Annuals and Perennials</b> |                       |
| <b>Common Name</b>            | <b>Botanical Name</b> |
| 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   |

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**9.01.11 B. Prohibited Plant Species.** The control and elimination of invasive, non-native plant species helps 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 not be voluntarily planted.~~

1. The Plant List for Lake County shall contain the list of prohibited vegetation. Prohibited plant species shall not be planted or counted toward minimum tree or vegetation requirements. vegetation shall not be planted. 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.
2. Removal of these trees from a commercial, industrial, community facility, or multi-family Site that is being developed prohibited plant species 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.~~ Prohibited vegetation shall not be removed from wetlands or natural water bodies that are regulated or protected by the Water Management Districts or other regulatory agency without an approval for invasive exotic plant removal.
3. Prohibited vegetation shall be listed in the Plant List for Lake County based on the following sources:

- a) Florida Exotic Pest Plant Council *Category I & II Prohibited Plants*.
- ~~b) Center for Aquatic and Invasive Plants, University of Florida, IFAS.~~

**9.02.00 Protected Trees.**

**9.02.01 Purpose.** ~~The purpose of this Section 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.~~

1. 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 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.

**9.02.02 Protected Trees Protection.**

A. Designation of Protected Trees. All trees native to Florida or Florida-Friendly, including, but not limited to, ~~the types of trees set forth below are those identified within *The Plant List for Lake County*, protected three (3) inches or larger in diameter at breast height,~~ shall be considered Protected Trees. Prohibited trees shall not be considered Protected Trees. ~~The protected palm trees listed below may not be used for more than twenty-five (25) percent of the replacement trees required pursuant to Subsections 9.01.03.E.4. These trees require an approved Lake County Tree Removal Permit for removal. Subsection 9.02.089 specifically addresses the designation of Specimen trees~~

**Table Inset:**

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| <b>CEDAR</b>                        |                                     |
| <del>(1) Atlantic White Cedar</del> | <del>(Chamaecyparis thyoides)</del> |
| <b>CYPRESS</b>                      |                                     |
| <del>(2) Bald Cypress</del>         | <del>(Taxodium distichum)</del>     |

|  |                                 |
|--|---------------------------------|
| (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                 | ( <i>Quercus virginiana</i> )     |
| (21) Myrtle Oak               | ( <i>Quercus myrtifolia</i> )     |
| (22) Post Oak                 | ( <i>Quercus stellata</i> )       |
| (23) Sand Live Oak            | ( <i>Quercus geminata</i> )       |
| (24) Turkey Oak               | ( <i>Quercus laevis</i> )         |
| (25) Water Oak                | ( <i>Quercus nigra</i> )          |
| PALM                          |                                   |
| (26) Sabal Palm; Cabbage Palm | ( <i>Sabal palmetto</i> )         |
| (27) Silver Palm              | ( <i>Coccothrinax argentata</i> ) |
| PINE                          |                                   |
| (28) Loblolly Pine            | ( <i>Pinus taeda</i> )            |
| (29) Longleaf Pine            | ( <i>Pinus palustris</i> )        |
| (30) Pond Pine                | ( <i>Pinus serotina</i> Mich.)    |
| (31) Sand Pine                | ( <i>Pinus clausa</i> )           |
| (32) Slash Pine               | ( <i>Pinus elliottii</i> )        |
| RED CEDAR                     |                                   |
| (33) Southern Red Cedar       | ( <i>Juniperus silicicola</i> )   |
| OTHERS                        |                                   |
| (34) Basswood                 | ( <i>Tilia americana</i> )        |
| (35) Blackgum                 | ( <i>Nyssa sylvatica</i> )        |

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

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B. Protected Trees require a Lake County Tree Removal Permit for removal.

C. Historic and Specimen trees shall be considered Protected Trees.

~~B. Prohibited Species. The control and elimination of invasive, nonnative species shall protect the natural vegetative communities existing within Lake County. The trees set~~

1                   forth below are prohibited from being counted toward the required number of trees, as  
2                   replacements to removed trees, and shall not be voluntarily planted.

3  
4                   1.       These trees are prohibited from being planted or counted toward minimum tree  
5                   requirements. These trees do not require an approved Lake County Tree Removal  
6                   Permit for removal.

7  
8                   **TABLE INSET:**

|      |                            |                              |
|------|----------------------------|------------------------------|
| (1)  | Australian Pine            | (Casuarina spp.)             |
| (2)  | Melaleuca                  | (Melaleuca quinquenervia)    |
| (3)  | Chinaberry                 | (Melia azedarach)            |
| (4)  | Ear Tree                   | (Enterlobium<br>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)          |

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11                   2.       Removal of these trees from a commercial, industrial, community facility, or multi-  
12                   family Site that is being developed shall be completed as a requirement for approval of the final

1 | ~~Permit inspection and prior to issuance of a certificate of occupancy. Single family residences of~~  
2 | ~~new construction are not exempt from this requirement.~~

3 |  
4 | **9.02.03 Removal of Trees Requiring ~~a Permit~~ from Lake County.**

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

7 |  
8 | A. It shall be unlawful and a violation of this Section to clear, kill or remove a protected tree  
9 | by any method without first submitting a Permit application and fee and securing a tree  
10 | removal Permit in accordance with Section 14.14.04 of the Land Development  
11 | Regulations ~~from the County Manager or designee~~. If protected trees are removed  
12 | intentionally or unintentionally without a Permit, then the real Property owner shall take  
13 | the following remedial actions:

14 |  
15 | 1. ~~Restore the Property consistent with a restoration and monitoring plan submitted~~  
16 | ~~by the real Property owner and approved by the County Manager or designee. A~~  
17 | ~~restoration plan must be prepared and submitted within 30 days by the property~~  
18 | ~~owner, developer, contractor, or agent for approval by the County Manager or~~  
19 | ~~designee. All trees and vegetation shown on the approved site restoration plan~~  
20 | ~~must be installed on the property and the site grade restored.~~

21 |  
22 | 2. The restoration plan shall include tree replacement in accordance with the  
23 | following standards:

24 |  
25 | a. Each replacement canopy tree shall be a minimum ~~two and one-half three~~  
26 | ~~(2.53)~~ inches caliper, eight (8) feet height x four (4) feet -spread in a  
27 | minimum thirty (30) gallon container. Each ornamental tree shall be a  
28 | minimum two inch (2) caliper x eight (8<sup>2</sup>) foot height x four feet (4<sup>2</sup>) feet  
29 | spread minimum. Required ornamental tree credits shall not exceed twenty  
30 | (20) percent of the total caliper inches of required replacement.

31 |  
32 | b. The total caliper of all the replacement trees shall be 1:1 (100%) equal of  
33 | the total caliper of the trees removed or damaged for those trees that are  
34 | not historic or specimen trees.

35 |  
36 | c. The total caliper of all the replacement trees shall be 1:1.25 (125%) the total  
37 | caliper of the trees removed or damaged for those trees that are historic or  
38 | specimen trees.

39 |  
40 | ~~3. Removal of a Historical tree, as defined in this section and 9.02.09 requires~~  
41 | ~~approval by the Lake County Board of County Commissioners~~

42 |  
43 | 3. If a restoration plan is not submitted within thirty (30) days it shall be a code  
44 | violation. Remediation shall include restoration as specified above.

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

5  
6 a. Subdivision construction plan;

7  
8 b. PUD ~~or MUQD~~ final Development plan;

9  
10 ~~c. MUQD final Development plan;~~

11  
12 ~~cd.~~ Final Master Site plan;

13  
14 ~~de.~~ Master park plan; (only applicable within parks); ~~or~~

15  
16 ~~ef.~~ Building Permit.

17  
18 ~~f.~~ Lot grading / site alteration plan submitted as part of a Master Site Plan.

19  
20 ~~g.~~ Landowners wishing to clear their property for Agricultural Purposes shall first  
21 seek zoning approval if needed. These cases shall be reviewed on a case by case  
22 basis and shall comply with other provisions of the Lake County Land  
23 Development Code.

24  
25 C. Approval of a preliminary plat Development plan does not authorize approval for the  
26 removal of trees ~~or other vegetation.~~ A separate Lake County Tree Removal Permit is  
27 required by the Landowner.

28  
29 D. If trees have been ~~approved for removal in the aforementioned plans in Subsections~~  
30 ~~9.02.03.B.(a)–(f),~~ removed with required approvals and pursuant to the requirements of  
31 this section, and the subject Property has not been developed within twelve (12) months  
32 of approval of the Development Order, then the Property owner shall submit an interim  
33 Landscape plan within thirty (30) days to the County Manager or designee for partial  
34 revegetation ~~revegetating~~ the subject Property, which shall provide for:

35  
36 a. A stabilizing vegetative groundcover of grasses, forbs, or legumes;

37  
38 b. Canopy and understoryornamental trees at half the required number for the  
39 approved development, which is equal to five three (53) canopy trees per acre.  
40 The trees may be grouped together, subject to County approval and provided that  
41 distribution occurs across the property; and

42  
43 c. Masses of Landscape shrubs to complement the canopy and understoryornamental trees,  
44 subject to County approval.

1 d. If the Interim landscape plan is not submitted within thirty (30) days, the County shall be  
2 authorized to perform a complete assessment of site conditions, collect a fee from  
3 the property owner necessary to pay for the purchase, installation, and  
4 maintenance of trees pursuant to parts (a) through (c) above, and perform the  
5 forementioned revegetation.

6  
7 E. Tree Removal Permits.

8  
9 1. Application for Permit. An application for tree removal shall be filed on official  
10 forms provided by the County Manager or designee. Completed applications shall be  
11 returned to the Department of Growth Management along with the appropriate Permit  
12 fee as set by resolution of the Board of County Commissioners.

13  
14 2. Removal of a Historical tree or Specimen tree, as defined in this section and  
15 subsections 9.02.08 and 9.02.09 requires approval by the Lake County Board of  
16 County Commissioners

17  
18 F. In order to clear property for agricultural purposes the property- must have necessary  
19 zoning and the owner must demonstrate that the property is being used for a bona fide  
20 agricultural operation pursuant to State and County requirements. shall first seek zoning  
21 approval if needed.

22  
23 ~~F. Tree Protection in Rural Village. When the removal of trees are associated with a~~  
24 ~~Development project in a Rural Village, a tree removal Permit Shall be~~  
25 ~~required. Removal of trees Shall not commence until the final Development~~  
26 ~~approval has been authorized. Regulation of tree removal Shall be as~~  
27 ~~follows:~~

28  
29 ~~a. Tree removal Permits authorize, but do not require, removal of trees specified~~  
30 ~~herein. At least twenty five (25) percent of the total number of trees Permitted for~~  
31 ~~removal pursuant to any one (1) Permit Shall be replaced on-site by the~~  
32 ~~Permittee.~~

33  
34 ~~b. Trees that are prohibited as replacement to removed trees are:~~

35  
36  
37

|                |                                 |                                     |
|----------------|---------------------------------|-------------------------------------|
| <del>(1)</del> | <del>Australian Pine</del>      | <del>(Casuarina species)</del>      |
| <del>(2)</del> | <del>Cajeput or Punk Tree</del> | <del>(Melaluca quinquenervia)</del> |
| <del>(3)</del> | <del>Chinaberry</del>           | <del>(Melia azedareh)</del>         |

|     |                    |                                   |
|-----|--------------------|-----------------------------------|
| (4) | Ear Tree           | <i>(Enterlobium cyclocarpum)</i>  |
| (5) | Eucalyptus species | <i>(Eucalyptus spp.)</i>          |
| (6) | Brazilian Pepper   | <i>(Schinus terebinthifolius)</i> |
| (7) | Paper Mulberry     | <i>(Broussonetia papyrifera)</i>  |
| (8) | Silk-Oak           | <i>(Grevillea robusta)</i>        |

~~e. — Replacement size. A replacement tree shall be an approved tree at least one (1) inch DBH, Florida number 1 grade or better.~~

~~d. — Exceptions to the requirements of this policy shall be allowed for the following:~~

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

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

~~(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.**

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

1. A. — Prohibited trees listed in The Plant List for Lake County 9.02.02.B, or citrus or non-native fruit trees of any species.

1  
2 2. B. Trees located within new or existing recorded or prescriptive public road or  
3 drainage rights-of-way and easements that are to be removed as part of a Board  
4 approved project. However, all protected trees that are removed under this exemption  
5 shall be relocated or replaced pursuant to Section 9.02.06 Replacement Requirements,  
6 either A notice of all such activities shall be submitted to the County Manager or  
7 designee within ten (10) working days prior to the activity, within the project Site or  
8 at a public Offsite location (e.g., other right of way, parks, governmental buildings,  
9 or tree farms). All replacement canopy trees shall be at least two to two and one-half  
10 (2-2-1/2") inch caliper, Florida number 1 grade or better.

11  
12 ~~\_\_\_\_\_C. For the purposes of this exemption, trees located within new rights of ways along~~  
13 ~~existing roads which are to be removed as part of a Board approved project shall also~~  
14 ~~be exempt from the Permitting requirements of this Section provided:~~

15  
16 ~~\_\_\_\_\_1. The rights of way are necessary to meet minimum County width standards, up~~  
17 ~~to a total right of way width of eighty (80) feet;~~

18  
19 ~~\_\_\_\_\_2. The existing number of roadway lanes will not be increased;~~

20  
21 ~~\_\_\_\_\_3. A notice of all such activities is submitted to the County Manager or designee~~  
22 ~~within ten (10) working days prior to the activity; and~~

23  
24 ~~\_\_\_\_\_4. The trees removed are relocated or replaced as required~~  
25 ~~below/above.~~

26  
27 3. \_\_\_\_\_D. Trees less than ~~four (4)~~ three (3) inches caliper measured at  
28 diameter breast height (DBH), unless a wetland tree or a tree that is part of a Sand  
29 Pine or Xeric Oak Scrub community as listed in The Plant List of Lake County. Sand  
30 Pine and Xeric Oak Scrub community trees less than two (2) inch caliper are exempt.  
31 Trees that are required for landscape buffering, parking, interior areas, single-family  
32 residential lots or any other requirements of this Landscape Code shall not be exempt.  
33 , unless a wetland tree or a tree that is part of a Sand Pine (Scrub) or Xeric Oak  
34 community as listed in Subsection 9.01.10.B. 1-3G. Xeric (Sand) Pine and Xeric Oak  
35 community's trees less than 2" caliper are exempt from this requirement.

36  
37 ~~\_\_\_\_\_E. Trees of three inches diameter breast height (DBH) or smaller any size existing on Lots~~  
38 ~~of one (1) acre or less upon which one (1) or more single-family or duplex dwellings~~  
39 ~~exist unless such trees:~~

40  
41 ~~\_\_\_\_\_1. Are being cleared in order to construct a second residence on the Property, or~~  
42 ~~Development associated with a Commercial or industrial Structure regardless of~~  
43 ~~when or by whom construction is planned; or association with development or a~~  
44 ~~building permit.~~

2. ~~Are trees planted to fulfill the tree replacement requirements set out in Subsection 9.02.05(D); or~~

3. ~~Are trees planted to fulfill the minimum tree requirements set out in Subsection 9.01.04; or~~

4. ~~Are wetland trees or protected trees that are part of a Sand Pine (Scrub) or Xeric Oak community as listed in Subsection 9.01.10.~~

FB. Hazardous trees. If any tree is determined to be in a hazardous or dangerous condition so as to endanger the public health, safety or welfare, ~~or safety~~, and requires immediate removal ~~without delay, written~~ authorization may be given by the County Manager or designee pursuant to the following procedures: ~~and the trees removed without obtaining a written Permit as herein required:~~

1. Photo documentation of the hazardous tree(s) by Property owner is required prior to removal and shall be submitted to the County Manager or designee.

2. Replacement requirements herein required apply to any tree or group of trees ~~deemed hazardous and~~ removed.

3. If the tree, due to immediate danger, is removed prior to obtaining written authorization, a letter and photo documentation demonstrating the immediate danger, shall be submitted to the County Manager or designee within fifteen (15) days of the removal.

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

GCH. Agricultural Exemptions. The removal of trees for Agriculture and Silviculture purposes are exempt subject to the following provisions;

1. Trees located on Land zoned agriculture ("A, ~~RA or R-1~~"), taxed and used for bona fide agricultural purposes, such as field crops, citrus, nurseries, forest crops, animal husbandry, or greenhouses, except trees removed in order to construct improvements not reasonably related to bona fide agricultural and silvicultural purposes regardless of when or by whom construction is planned, are exempt from the provisions of Subsection 9.02.03.

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

23. Stands of Pine (*Pinus spp.*) planted or occurring naturally which would be used in a silvicultural activity ~~and~~ are subject to compliance with the most current edition

1 | of the Florida Department of Agriculture and Consumer Services silvicultural best  
2 | management practices (BMP's) described in Silviculture Best Management  
3 | Practices published by the Florida Department of Agriculture and Consumer  
4 | Services (~~1993 edition~~). This publication is hereby adopted and included by  
5 | reference herein. A copy of such publication is available from the County  
6 | Manager or designee.

7 |  
8 | 3. To be recognized as a Silviculture or viable forestry operation, the removal of the  
9 | trees shall be part of a bona-fide agricultural operation.

10 |  
11 |  
12 | **9.02.05 Criteria for Issuance of Tree Removal Permit.**

13 |  
14 | A. A tree removal Permit ~~Shall~~ May be issued when one (1) or more of the following  
15 | circumstances exist:

- 16 |  
17 | 1. Street opening. The location of a tree restricts the opening of a street or right-of-  
18 | way. Streets and rights-of-way shall be located to minimize the loss of trees,  
19 | especially historic, specimen and heritage trees;
- 20 |  
21 | 2. Utilities and drainage. The location of the tree restricts the construction of utility  
22 | lines or drainage facilities. Utility lines and drainage facilities shall be located to  
23 | minimize the loss of trees, especially historic, specimen and heritage trees;
- 24 |  
25 | 3. Property access. The location of the tree ~~prevents~~ ~~restricts~~ access to the Property;  
26 | Exit and entry shall be located to minimize the loss of trees, especially specimen  
27 | and historic trees;
- 28 |  
29 | 4. Property use. The location of the tree restricts use of the property consistent with  
30 | all other County and state codes, statutes, ordinances, and resolutions, and site  
31 | location modifications are not feasible or reasonable; ~~and which a variance would~~  
32 | ~~otherwise have to be granted;~~
- 33 |  
34 | 5. Hazards. The tree constitutes a potential hazard to life or Property that cannot be  
35 | mitigated without removing the tree;
- 36 |  
37 | 6. Poor tree health. The tree is dying or dead so that its restoration to sound  
38 | condition is not practical, or it has a disease which can be expected to be  
39 | transmitted to other trees and to endanger their health;
- 40 |  
41 | 7. Thinning of trees. For non-Bona fide silviculture operations, thinning of trees in  
42 | order to increase light and air circulation for the purpose of improving ~~poor~~ health  
43 | conditions, ~~of a group of trees~~ or to preventing disease, of a group of trees, the  
44 | selective removal of up to twenty-five (25) percent of the group of trees may be  
45 | Permitted. Thinning shall include any removal of trees from the lot and shall not  
46 | exceed the maximum clearing allowed in this section. Thinning shall follow

~~Silviculture~~ Best Management Practices (BMP's) published by a government agency or the National Tree Care Industry Association ~~described in the Silviculture Best Management Practices published by the Florida Department of Agriculture and Consumer Services (1993)~~ shall apply.

- B.        The tree removal Permit, when issued, Shall specifically identify which trees Shall be Permitted to be removed. Each tree Permitted for removal Shall be physically marked with an "X" using brightly colored paint or surveyor's tape, or if a group of trees are Permitted for removal, the outside perimeter trees of the group may be designated with brightly-colored rope or tape in lieu of each tree. Such Permit Shall automatically expire twelve (12) months after issuance. Trees not removed during the life of the Permit may not be removed without the issuance of a new Permit based upon a new application.
- C.        Removal not required. Tree removal Permits merely authorize the removal of trees specified therein. Nothing in this Section Shall be construed to require the removal of such trees by the Permittee, except the prohibited trees as required in subsection 9.01.11.

#### 9.02.06 Replacement Requirements

- A±. Amount of replacement. At least thirty-three (33) percent of the total number of trees caliper inches measured in caliper inches at diameter breast height (DBH) of for qualifying trees, as listed in the Protected Tree List within the Plant List for Lake County, trees Permitted for removal pursuant to any one (1) Permit shall be replaced onsite by the Permittee. For trees that are not designated historic or specimen. Removed historic and specimen trees shall replace fifty Fifty percent (50%) of the total caliper inches of specimen trees pursuant to any one (1) Permit shall be replaced onsite by the Permittee. caliper inches removed One-hundred percent (100%) of the total caliper inches of Heritage and Historic Trees pursuant to any one (1) Permit shall be replaced onsite by the Permittee. More than one (1) tree may be used to replace a tree or trees that are removed, but the minimum caliper of the replacement canopy trees shall be no less than two and one half (2.5) inches and two (2) inches for replacement ornamental trees.
- 1) Minimum of seventy-five percent (75%) of the replacement trees shall be canopy trees. The replacement canopy trees shall meet the minimum size requirements as listed within this section.
  - 2) Twenty-five (25%) maximum of the replacement trees may be ornamental trees.
  - 3) Palm trees and pine trees may be used but shall not exceed four (4) inches credit per tree 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 fifty (50) acres may perform sample plots and extrapolate tree calipers to be removed as follows:

- 1) Minimum of fifty (50) acres impacted by development shall be surveyed by accounting for all qualifying trees to be removed within the first fifty (50) acres. After the first fifty (50) 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 site to be developed and twenty percent (20%) of each vegetative community within the remaining part of the site to be developed. 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, landscape architect, arborist or forester, 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 more detailed tree sampling if the County Manager or designee determines that the information provided is insufficient or that site-specific considerations warrant additional information.
- 4) The locations of all historic, specimen and heritage trees protected or 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 sand~~ pine or xeric oak ~~scrub~~ community in which case trees two (2) inches DBH and larger will be counted as part of the tree sampling.

C. Site plan projects.

1. Replacement trees shall be planted prior to issuance of the certificate of occupancy. For unfinished projects, a performance bond or letter of credit shall be provided in the amount of 110% of the cost of the unfinished landscape improvement and shall be filed with the County. Unfinished landscaping shall be installed within 12 months of issuance of the Certificate of Occupancy.
2. Replacement trees shall be located onsite or an approved offsite location as provided in subsection 9.02.06.K(1) and (2). in areas approved by the County Manager or designee as a condition of the tree removal Permit. These areas may include, but are not limited to: open space areas, areas adjacent to stormwater management facilities, Landscaped Buffer areas, and entrances ~~to the project Area (when visibility for vehicular and pedestrian traffic would not be hindered).~~

1           3.     Subdivisions.

2  
3     a. Replacement trees shall be planted in accordance with either, or both, of the  
4         following:

5  
6             1. Prior to issuance of the certificate of occupancy for each individual  
7                 Structure on a Lot; or

8  
9             2. At the time of submission of the performance bond required pursuant to  
10                 Section 14.08.00 of the Lake County Land Development Regulations.

11  
12     b. ~~When the certificate of occupancy method is used, pursuant to Subsection~~  
13         ~~9.02.05.(D).3.a.1 above~~, the required number of replacement trees shall be  
14         ~~equally equitably~~ distributed ~~on each Lot~~ within the subdivision in  
15         accordance with Subsection 9.01.04 above.

16  
17     c.     When the performance bond method is used, ~~pursuant to Subsection~~  
18         ~~9.02.05.D.31.b.a.2 above~~, the replacement trees shall be located onsite in  
19         Areas approved by the County Manager or designee as a condition of the  
20         tree removal Permit. These areas may include, but are not limited to, open  
21         space ~~Areas~~, ~~in PUD's~~, ~~Areas~~ adjacent to stormwater management  
22         facilities Buffer areas, and entrances ~~to the project Area (when visibility~~  
23         ~~for vehicular and pedestrian traffic would not be hindered)~~. The Permittee  
24         shall demonstrate the availability of water to maintain the trees through  
25         water trucks, wells, central system, or other methods until established.

26  
27     d.     When both the certificate of occupancy and performance bond methods  
28         are used, the applicable proportions of replacement trees determined from  
29         each method shall be indicated on the tree removal Permit.

30  
31     D.     Landscape credit. The replacement trees may be used to meet the requirements of  
32         the Landscape standards set out in Section 9.01.00.

33  
34     E5.     Replacement maintenance. The replacement trees shall be maintained in good  
35         condition ~~for one (1) year during in perpetuity and which~~ the Property owner  
36         ~~pursuant to Subsection 9.02.06 shall~~ guarantees survival.

37  
38     F6.     Restriction on Use of palm trees. ~~Protected p~~Palm trees shall not account for more  
39         than twenty (20) percent ~~one-quarter (1/4), or twenty-five (25) percent~~ of the  
40         required replacement trees.

41  
42     G7.     Replacement credit. The Permittee may choose and is encouraged to retain some  
43         of the trees Permitted for removal in lieu of replacement. The trees to be retained  
44         may be selected totally at the discretion of the Permittee except for those trees  
45         required to be removed by other ordinances, regulations, or statutes. ~~The number~~  
46         ~~of trees retained Shall be credited toward meeting the above thirty three (33)~~

1 percent replacement requirement. The retained trees may count for required  
2 landscape provided the trees and landscape material is in good health and meet  
3 the minimum trees sizes.

4  
5 ~~H8. Replacement exception. These replacement requirements shall not apply to any~~  
6 ~~Permit for the removal of less than three (3) trees. The removal of four (4) trees~~  
7 ~~requires one (1) replacement tree.~~

8  
9 H9. Replacement size. A replacement tree shall be an approved tree at least two and  
10 one half (2-1/2") inch caliper for canopy trees and two (2) inch caliper for  
11 ornamental trees. two to two and one half (2-2 1/2), Florida Number 1 Grade or  
12 better. Ornamental trees may not exceed twenty-five (25) percent of the total  
13 caliper replacement inches required.

14  
15 H10. Minimum tree requirements. These replacement requirements may shall apply in  
16 addition to all the minimum tree requirements set out in Subsections 9.01.034  
17 through 9.01.06.

18  
19 J. If replacement cannot be made on the subject property, the owner and or  
20 applicant may be allowed to:

21  
22 1. Mitigate with replacement of the required trees on a designated recipient  
23 conservation or park property within Lake County. The recipient property  
24 shall be acceptable to the County and shall be suitable for the replacement  
25 trees. Mitigated replacement trees shall not count toward meeting  
26 minimum requirement of the recipient site for development purposes. The  
27 request to utilize this option shall be submitted to the County Manager or  
28 designee in writing and shall include the following justifications and  
29 information:

30  
31 a. Explanation why the trees cannot be replaced on site.

32  
33 b. A legal description and a copy of the property record information  
34 from the Lake County Property Appraiser for the proposed  
35 recipient site.

36  
37 c. An Affidavit from the owner of the recipient site agreeing to the  
38 terms of accepting the mitigated trees as listed above. A  
39 conservation easement or similar legally-binding instrument  
40 approved by the County shall be required to ensure that mitigation  
41 trees planted at the recipient site will be protected and maintained  
42 in perpetuity.

43  
44 2. A contribution to a Tree Mitigation Fund used solely for the restoration of  
45 trees on public park or conservation lands in lieu of planting replacement  
46 trees onsite, subject to approval of the County manager or designee as the  
47 option of last resort under the following conditions:

- 1
- 2 1. No suitable land is available onsite.
- 3 2. The available land is not suitable for restoration.
- 4 3. Planting would require clearing or removal of non-invasive vegetation to
- 5 install the required trees.
- 6 4. The payment to the Tree Mitigation Fund is only for the portion of the
- 7 required replacement trees that cannot be planted onsite.
- 8

9 The applicant shall submit the following documentation as part of any request to  
10 contribute funds in lieu:

- 11 a. Explanation of why the trees cannot be replaced onsite
- 12 demonstrating conditions (1) through (4) above.
- 13
- 14 b. Explanation of why the replacement trees cannot be mitigated by
- 15 replacement on an alternative recipient site.
- 16
- 17 c. Payments shall include a minimum of three (3) original estimates for
- 18 the cost of the replacement trees plus the cost of installation and
- 19 maintenance for one (1) year. The estimates shall contain the name,
- 20 address, contact name and contact phone number of the licensed
- 21 landscape nurseries, tree farms or landscape contractor. The amount of
- 22 the contribution shall be equal to three (3) times the average of the
- 23 estimates.
- 24

#### 25

26 **9.02.06-07 Guarantee of Survival.**

27

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

30

31 1. ~~Any exempt tree that has not been removed;~~

32

33 21. All trees that are retained or replaced pursuant to Subsections 9.01.03, 9.02.02 and  
34 9.02.06 .E and 9.02.05.D.

35

36 32. In the event any tree planted pursuant to the approved Landscape plan dies within  
37 one (1) year of planting, ~~the~~ replacement tree Shall be planted and survive one  
38 (1) year from the time of replanting-planted to fulfill the remaining period of the  
39 original tree's guarantee year.

40

41 B. The County Manager or designee may conduct periodic inspections of the site. It is the  
42 responsibility of the Permittee-property owner to ensure that all provisions of Section  
43 9.02.00 are met.

#### 44

45 **9.02.07 Voluntary Planting.**

1 This Section Shall not be interpreted to restrict, regulate, or limit the voluntary planting  
2 of any protected tree in Lake County. Any size tree may be voluntarily planted. The  
3 provisions of this Section govern only the planting of trees that are required to be planted  
4 or retained under this Section.  
5

6 |  
7 **9.02.08 Historic Trees.**  
8

9 | A. Purpose. It is the purpose of this Subsection to acknowledge the existence of certain  
10 trees that portray a notable historical association or significance to Lake County, and to  
11 protect such trees through their designation as historic trees and by requiring compliance  
12 with the protection measures set out in Subsection 9.01.10.A. Designation of historic  
13 trees by the Lake County Board of County Commissioners Shall be in accordance with  
14 the standards and procedures in this Subsection.  
15

16 |  
17 |  
18 | B. Application procedures.  
19

20 | 1. Applications may be initiated by:  
21

22 | a. Owners of the Property;  
23

24 | b. Developers as part of their Development plan; or  
25

26 | c. The County ~~Manager or designee~~ as part ~~of a County review~~ of a tree  
27 removal Permit application, a Development Plan or a County tree-protection  
28 planning program.  
29

30 | 2. Applications on forms provided by the County Manager or designee Shall be  
31 completed and submitted to the County Manager or designee.  
32

33 | 3. Completed applications shall be provided to the Lake County Historical Society  
34 with a request for review and written recommendation for approval or denial.  
35

36 | C. Historical Society Recommendation. The Lake County Historic Society or the State  
37 Historic Preservation Officer of Florida or their designee may recommend approval of the  
38 designation of a historic tree for a tree that is considered to have a notable historical  
39 interest and value to the County due to its historical association or significance. The Lake  
40 County Historic Society or the State Historic Preservation Officer of Florida or their  
41 designee may recommend denial or approval; however, that recommendation, or the lack  
42 of any recommendation, does not preclude the County from denying or approving an  
43 application.  
44

45 | D. Designation Procedure and Protection.  
46

- 1           1.       Upon review and approval by the County Manager or designee, the application  
2           Shall be scheduled for a public hearing before the Board of County  
3           Commissioners at a regularly scheduled Board meeting.  
4
- 5           2.       The Lake County Board of County Commissioners Shall approve or deny the  
6           request. Approval by the Board Shall be in the form of a resolution.  
7
- 8           3.       ~~Any~~ tree designated as a Historic Tree Shall be protected by the Property owner to  
9           ensure its long-term health, unless an exemption is granted by the Board of  
10          County Commissioners. At a minimum, compliance with the protection standards  
11          set out in Subsection 9.01.10.A Shall be required.  
12

### 13 **9.02.09 Specimen Trees.**

- 15 A.       *Purpose.* It is the purpose of this Subsection to acknowledge the existence of certain trees  
16           within the County that are rare or unique due to factors such as age, size, or type,  
17           and to protect such trees through their designation as specimen trees ~~and by~~  
18           ~~requiring compliance with the protection measures set out in Subsection~~  
19           9.01.10.A. Designation of specimen trees by the Board Shall be in accordance  
20           with the standards and procedures in this Subsection.  
21
- 22 B.       *Designation Standards.* At least one (1) of the following standards shall apply in order  
23           for a tree to be designated a specimen tree:  
24
  - 25 1.       *Size.* Trees with a thirty (30) inch caliper or greater, or a circumference of eight  
26           (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54)  
27           inches from the surface of the ground.  
28
  - 29 2.       *Age.* Trees that are determined to be at least one hundred (100) years old, or to be  
30           at approximate half-life maturity and are in good health.  
31
  - 32 3.       *Form.* Trees that are determined to have a unique form or shape, due to geography,  
33           climate, environmental or natural growth habitat conditions, and are in good  
34           health.  
35
  - 36 4.       *Ecological Value.* Trees that are determined to have an ecological value to the  
37           County in terms of soil or water conservation and management, wildlife habitat,  
38           or endemic native flora habitat, and are in good health.  
39
  - 40 5.       *Rarity.* Trees that are determined to be non-indigenous, rare, or unique to the  
41           County, and are in good health.  
42
  - 43 6.       Prohibited Trees, as listed in Subsection 9.02.10.I.02.B, are excluded from  
44           designation as a Specimen Tree.  
45
- 46 C.       *Application Procedures.*

- 1
- 2 1. Applications may be initiated by:
  - 3
  - 4 a. Owners of the ~~own~~ Property; or
  - 5
  - 6 b. Developers as part of their Development plan.; ~~or~~
  - 7
  - 8 ~~c. The County Manager or designee as part of the County review of a tree~~
  - 9 ~~removal Permit application, or a Development plan~~
  - 10
  - 11 2. Applications on forms provided by the County Manager or designee shall be
  - 12 completed and submitted to the County Manager or designee.
  - 13
  - 14 3. The County Manager or designee may request assistance from the Lake County
  - 15 Forester, State Division of Forestry, in determining compliance with any of the
  - 16 designation standards.
  - 17

18 D. Mandatory Recognition of Specimen Trees

19

20 Any non-prohibited trees with thirty inch (30) caliper or greater, or a circumference of

21 eight (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54)

22 inches from the surface of the ground shall be recognized as a Specimen Tree without

23 application. The applicant shall identify the location, number and size of all specimen

24 trees on the required tree survey submitted to the County for site plan or plat review. In

25 addition, the County may identify Specimen Trees that are found to meet this criterion.

26

27 ED. Approval and Protection.

- 28
- 29 1. Any non-prohibited tree satisfying one or more of the size criteria in subsection (D)
- 30 above shall be recognized and recorded as a Specimen Tree by the County Manager
- 31 or designee, without approval by the Board of County Commissioners.
- 32
- 33 2.1. A request for designation of specimen tree Upon review and approval by the County
- 34 Manager or designee, any tree that has been submitted for consideration as a
- 35 Specimen Tree and does not automatically qualify because of size shall be scheduled
- 36 for a public hearing before the Board of County Commissioners at a regularly
- 37 scheduled Board meeting.
- 38
- 39 3.2. The Board Shall approve or deny the request. Approval by the Board Shall be in the
- 40 form of a resolution.
- 41
- 42 3. The Property owner shall be encouraged to protect Any any tree designated as a
- 43 specimen tree shall be protected by the Property owner to ensure its long-term health.
- 44 At a minimum, compliance with the protection standards set out in Subsection
- 45 9.01.10.A shall be required.
- 46

1  
2  
3 **9.02.10 Heritage Trees.**  
4

5 A. Purpose. It is the purpose of this Subsection to acknowledge the existence of certain trees  
6 within the County that are significant or unique due to factors such as age, size, or  
7 type, and to protect such trees through their designation as heritage trees.  
8 Designation of heritage trees by the Board Shall be in accordance with the  
9 standards and procedures in this Subsection.

10  
11 B. Designation Standards. At least one (1) of the following standards shall apply in order  
12 for a tree to be designated a specimen tree:

13  
14 1. Size. Trees with a forty (40) inch caliper or greater, or a circumference of ten (10)  
15 feet or greater, singly or with a combined trunk, measured at fifty-four  
16 (54) inches from the surface of the ground.

17  
18 2. Age. Trees that are determined to be at least one hundred (100) years old, or to be  
19 at approximate half-life maturity and are in good health.

20  
21 3. Form. Trees that are determined to have a unique form or shape, due to  
22 geography, climate, environmental or natural growth habitat conditions,  
23 and are in good health.

24  
25 4. Ecological Value. Trees that are determined to have an ecological value to the  
26 County in terms of soil or water conservation and management, wildlife  
27 habitat, or endemic native flora habitat, and are in good health.

28  
29 5. Rarity. Trees that are determined to be non-indigenous, rare, or unique to the  
30 County, and are in good health.

31  
32 6. Prohibited Trees are excluded from designation as a Heritage Tree.

33  
34 C. Application Procedures.

35  
36 1. Applications may be initiated by:

37  
38 a. Owners of the Property; or

39  
40 b. Developers as part of their Development plan.;

41  
42 2. Applications on forms provided by the County Manager or designee shall be  
43 completed and submitted to the County Manager or designee.  
44

1                   3. The County Manager or designee may request assistance from the Lake  
2                   County Forester, State Division of Forestry, in determining compliance  
3                   with any of the designation standards.  
4

5 D. *Mandatory Recognition of Heritage Trees*  
6

7                   Any non-prohibited trees with forty (40) inch caliper or greater, or a circumference of ten  
8                   (10) feet or greater, singly or with a combined trunk, measured at fifty-four (54) inches  
9                   from the surface of the ground shall be recognized as a Heritage Tree without application.  
10                  The applicant shall identify the location, number and size of all Heritage Trees on the  
11                  required tree survey submitted to the County for site plan or plat review. In addition, the  
12                  County may identify Heritage Trees that are found to meet this criterion.  
13

14 E. *Approval and Protection.*  
15

16 1. Any non-prohibited tree satisfying one or more of the size criteria Subsection (D) above  
17                  shall be recognized and recorded as a Heritage Tree by the County Manager or designee,  
18                  without approval by the Board of County Commissioners.  
19

20 2. Upon review and approval by the County Manager or designee, any tree that has been  
21                  submitted for consideration as a Heritage Tree and does not automatically qualify  
22                  because of size shall be scheduled for a public hearing before the Board of County  
23                  Commissioners. The Board Shall approve or deny the request. Approval by the Board  
24                  Shall be in the form of a resolution.  
25

26 3. Removal of Heritage Trees shall be prohibited. The Property owner shall protect any tree  
27                  designated as a Heritage Tree to ensure its long-term health. Any variance to this  
28                  provision shall require approval of the Board of Adjustment.  
29

30  
31                                   \* \* \*  
32  
33

34                  **Section 4. Severability.** If any section, subsection, sentence, clause, phrase, word or  
35 provision of this ordinance is for any reason held invalid or unconstitutional by any court of  
36 competent jurisdiction, whether for substantive, procedural, or any other reason, such portion  
37 shall be deemed a separate, distinct and independent provision, and such holding shall not affect  
38 the validity of the remaining portions of this ordinance.  
39

40                  **Section 5. Inclusion in the Code.** It is the intention of the Board and it is  
41 hereby provided that the provisions of this ordinance shall be made a part of the Lake County  
42 Code; that the sections of this ordinance may be renumbered or relettered to accomplish such  
43 intention; and that the word "ordinance" may be changed to "section", "article", or other  
44 appropriate designation.  
45

1        **Section 6. Effective Date.** This Ordinance shall become effective as provided for by  
2 law.

3  
4        Enacted this \_\_\_\_ day of \_\_\_\_\_, 2008.

5  
6        Filed with the Secretary of State \_\_\_\_\_2008.

7  
8        Effective \_\_\_\_\_.

9  
10  
11 ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

12  
13  
14  
15 | \_\_\_\_\_  
16 Neil Kelly, -County Clerk of  
17 of Lake County, Florida

\_\_\_\_\_   
Welton G. Cadwell, Chairman  
This \_\_\_\_ day of \_\_\_\_\_, 2008.

18 Approved as to form and legality:

19  
20  
21  
22 \_\_\_\_\_  
23 Sanford A. Minkoff  
24 County Attorney