



**PLANNING COMMISSION
ZEPHYRHILLS, FLORIDA**

**Tuesday, April 15, 2025
6:00 PM**

**Zephyrhills
City Hall**

**Council
Chambers**

Call to Order-Mayor Monson
Roll Call-Carlos Maldonado
Invocation-Beth Aker

1. CONSENT ITEMS

1.1 **Planning Commission Meeting Minutes March 18th, 2025.**

1. PC Meeting Minutes 3-18-25 (1)

2. BUSINESS ITEMS

3. OTHER ITEMS

3.1 **Landscape/Tree Ordinance LDC section 7.06.00**

1. PART 7.06.00. LANDSCAPING
2. LDC safety harbor Tree Ordinance

ADJOURN

*** PLEASE NOTE: This is a Public Meeting. Should any interested party seek to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S. 286.0105. If you are a person with a disability which requires reasonable accommodation in order to participate in this meeting, please contact the City Clerk at 813/780-0000 at least 48 hours prior to the public hearing. A.D.A. and F.S. 286.26.**



**Planning Commission Meeting Minutes
March 18th, 2025, at 6pm**

I. Call to Order-Mayor Monson

A regular Planning Commission meeting was called to order by Mayor Monson at 6:00 PM in Council Chambers of City Hall at 5335 8th Street, Zephyrhills.

II. Roll Call-Carlos Maldonado

Commission members present: Mayor Monson, Dr. Randy Stovall, David Armstrong (arrived after roll call at 6:07 PM), Thomas Vanater (arrived after roll call at 6:05 PM), Tracy Sullivan (Absent), Beth Aker, Dr. Christa Remington, Ellen Taylor (arrived after roll call at 6:12 PM), Clyde Bracknell.

III. Invocation-Beth Aker

IV. Pledge of Allegiance

1.Consent Items-February 18, 2025, Planning Commission Minutes.

Minutes were motioned for approval by all board members.

2.Business Items

No business items were on the agenda

3.Other Items

3.1 Indoor storage/outdoor storage code recommendations review.

The discussion was led by The Planning Director Todd Vandenberg; the topic was regarding storage code recommendations changes. A brief history on the expired moratorium on indoor, recreational, and vehicle storage facilities was discussed. Now that the moratorium has expired recommendations for updating the land development code could take place. The intent for the meeting is to review and assess the three types of storage uses and determine from a use and standards if changes should be proposed. Also, a change in the zoning use table will be proposed. A map showing the existing warehouses within the city was displayed. The south end of town off Chancey Rd has a proposed one under an existing PUD, South Ave by Airport Rd has an existing one, South of Daughtery Rd there is an existing 2 story one, North side in Zephyr Commons there is one that has been existing for a while now, and North-West of Pretty Pond and 301 has one that is towards the back of the



property that was built a few years ago. A comment made by the director was that in the past prior to the moratorium there has been lots of interest in storage facilities that want to develop within the city. The allowable zoning where mini storages are allowed was amended in 2021 ordinance-1431 and in 2022 amended the storage ordinance for the city and the large retail design standards were added. Existing mini warehouse standards code was reviewed Sec 7.09.16. A change that was proposed by the director was section (A) indoor storage/mini warehouses shall not be allowed on individual lots/parcels and may be allowed as part of a mixed-use development and oriented in the rear and not abutting public rights of way or be vertically integrated into a mixed-use building. Projects integrated into a mixed-use building may be allowed on an individual lot/parcel. A self-storage facility example picture from manatee county was displayed and the design could be considered as an allowed storage facility with the new updated code. The facility displayed had parking below ground level, with mixed use of office space and storage sections. Additional proposed changes for the storage facilities being proposed will require a buffer zone, and having facilities with limited visibility towards the back of the property for indoor storage with vehicle storage via Section M on the land development code. Outdoor storage land development code was discussed and the proposed changes were: Storage for more than 3 consecutive days of any product, materials, equipment, appliances, personal property of any kind and materials that are a byproduct of a permitted use on an unenclosed and/or uncovered area including laydown areas, Outdoor storage may only be considered as an accessory / ancillary use to a primary use, Outdoor storage may not be allowed as a primary / stand-alone use, Outdoor storage / laydown areas shall require improved access from the right(s) of way, screening / buffer / irrigation. Recreational vehicle storage proposed changes to the land development code were: Recreational vehicle storage: motorhomes, boats, camping trailers, truck trailers and other equipment, All stored vehicles must be in proper working order, Perimeter landscape buffer / irrigation with screening is required, RV storage areas shall require improved access from the right(s) of way, screening / buffer / irrigation, A minimum percentage of 25% of the RV storage spaces shall be covered with a permanent cover. Some comments from the board were regarding the allowed use being in LI (Light Industrial) and the LI zoning left in the city should be left for manufacturing companies preferably. Some comments made were regarding whether the market could have a use for them considering the residential properties within the city that were designed with smaller lots and not having the capacity to store properly on the property. Questions regarding the warehouses in the Industrial district being considered the same as the storage facilities, but due to the use of one just storing items and the other being used



for manufacturing purposes, they will not be considered the same. Also, with the new proposed design standards and limited visibility should help make the future storage facilities more aesthetically pleasing. Comments mentioned by the mayor were the variety of storage facilities available within the city and it's understandable that some homeowners who aren't allowed to have extra storage or sheds on their property will be required to use a storage facility. Also preserving the LI (Light Industrial) district for use that will produce more job opportunities. The use table LDC 2.02.01 had a proposed change where they are currently permitted by right in LI (Light Industrial) will no longer be allowed, However Section 2.01.03.18 last paragraph on the code has a proposed change for LI stored materials stating; The total gross area covered by stored materials shall not exceed 25 percent of the land are of the site upon which the activity is conducted. A conditional use may be applied for consideration ratio of stored materials that exceed 25 percent of the land area. C-1 and C-2 will allow them only under a conditional use review. Recreational vehicle storage allowed them in LI under conditional use review but will no longer permit them, they will remain under C-3 zoning via a conditional review. The majority of the planning commission members were in agreement with the proposed changes to the code for all categories of storage facilities and had no negative feedback. The next process will be to move the item to the City Council meeting for approval.

Recommendation: A motion was made for the proposed text amendment and proposed zoning use table amendment changes were recommended approval with the corrections made on Sec 7.09.16 line (M) changing the part that says no visibility to limited visibility. Approval was motioned first by Beth Aker and seconded by Christa Remington, all members approved.

STAFF REPORT

To: Planning Commission
From: Planning Department
RE: Landscape/Tree Ordinance LDC section 7.06.00
Date: April 15, 2025

I. BACKGROUND & INFORMATION

A. History | Application Summary:

Staff are initiating a re-write of the City's Tree / Landscaping ordinance that is located in the Land Development Code (Part 7.06.00). City administration asked Staff to look into an assessment of our tree code, which led to Staff performing due diligence on the City's current Code and identifying sections that were in need of review / changes. Staff looked at codes from other communities, considered changes to our current code and also spoke with consultants for recommendations from communities with quality tree ordinance codes. Initially, Staff considered continuing with our current code and making amendments to address identified issues. Some of the key issues that have been identified to review include: tree removal / quantities, enforcement, water conservation, tree mitigation / replanting. In speaking with our consultants, the City of Safety Harbor was recommended as a quality code that has been worked on over the past couple decades with periodic updates to remain current. A copy of the City of Safety Harbor Code is included in the packet as an attachment for review (Please take the time to review prior to the Planning Commission meeting and see the summary points below). Part 7.06.00 is the City's existing code and is also attached.

B. One question to be determined is, should a tree removal permit be required for residential lots? Currently, the City does not require a permit for residential lots, whereas the Safety Harbor code requires everyone to obtain a permit unless they fall under the exemption criteria.

II. DATA & ANALYSIS

Staff have conducted a review of the Safety Harbor code and provides the following general observations with the section numbers as a reference to locate. Some of the summaries include a reference that a slide will be provided at the meeting:

- 1.) 153.05(C) - requires a trees survey for development with one of the requirements including the canopy drip line (helpful if you truly want to protect a tree - don't work within the drip line area of the tree - *the City's current code doesn't require this and arborist will say protecting the dripline of a protected tree is essential to the preservation of the tree*);
- 2.) Also a tree condition report is required for every tree surveyed (language is stronger);
- 3.) Sect also requires a statement as to why trees need to be removed versus just an inventory of the trees, size, type and condition - *Agree that justification should be provided for the requested tree removal*);
- 4.) 153.05 - Tree removal permit criteria (*review this section - we will provide a slide summarizing this section*) *Good / clear submittal requirements, fees - different for residential versus non-residential; Arborist provides a tree condition railing as defined in this section of the code*);
- 5.) 153.07 - Nice tree replacement ratio table including increasing rates (*for larger trees - will do a slide summarizing*) Tree removal permit only good for 3 months otherwise you have to re-apply);
- 6.) Sect. 153.07 (D 1 - 8) provides tree replacement ratio based on DBH inch of protected tree

removed or where a suitable location on subject site is not suitable a fee in lieu can be paid (See subsections 1 -8 in this section);

7.) Sect.153.10 -& 153.16 - Pretty good enforcement section;

8.) Sect.153.12 - Specific sect for grand trees and the arborist has to conduct a conditions score.

Grand tree types are listed and a minimum trunk DBH of a minimum of 26". To be classified as a grand tree it must have a condition rating of 3.5 or greater and meet a point total that grand trees are scored by - summarized in this section (See Slide);

9.) Safety Harbor has a dedicated arborist whereas the Zephyrhills does not but we do have consultants that do have arborists on their team to perform reviews. There is also an increased mitigation / replacement ration for grand trees (*Sect.153.15 - Slide*)

10.) Table X-1 - showing all the approved species list for shade and accent trees;

10.) Sect. 154.03 - Minimum tree planting table based on lot size / acreage. Table provides the number of shade trees required per lot based on the lot size and also a standard for all other types of development (*maybe a little aggressive - see slide*);

11.) Sect. 154.04 Simple to read Parking lot and required buffer strips along different types of roadways - *See slide*)

12.) Sect. 154.05 Screening between incompatible uses section - (*Provides a nice alternative with different options on how screening can be achieved - see slide*)

12.) Sect. 154.06 - Open space and preservation of native vegetation section is nice and specific techniques (D) are required for preservation of trees and native vegetation - See slide);

13.) 154.07 - Water conservation techniques - Good section to assist the Zephyrhills with our water shortages with water conservation landscape plan requirements;

14.) 154.08 - Maintenance and enforcement - I like this section: The property owner shall be solely responsible for the continued maintenance of all landscape areas in accordance with the approved plan so as to present a healthy, neat, and orderly appearance, and all landscaped areas are to be kept free from refuse and debris. For required landscape areas which die from lack of maintenance, disease or other natural occurrence, the City shall require re-landscaping. This shall be applicable to all required landscaping, whether installed under the terms of this Code or a previous ordinance. Failure to take such corrective action shall constitute a violation of this Code and may be enforced by any legal means available.

What they don't have is a section that dictates looking at number of trees per acre and they % allowed to be removed but I think this code covers the issue and maybe as we have become more of a built environment maybe that old table in current code isn't necessary??

III. RECOMMENDATION

A. Staff is presenting the City of Safety Harbor Tree Ordinance for review / discussion.

PART 7.06.00. LANDSCAPING

Sec. 7.06.01. Content and purpose.

- (A) *Generally.* This part is intended to protect trees and their canopies, wetlands and natural resources by regulating the removing of trees, site clearing, landscaping, tree planting and irrigation in the city. This part is also designed to promote the maintenance of native plant species and the removal of exotic and nuisance species.
- (B) *Applicability.* The provisions of this part shall apply to all buildings, development, improvements and land within the limits of the city, (both new residential and commercial development) unless expressly exempted by law. For existing projects, improvements made that are over 51 percent of the existing cost of the appraised property, shall also trigger the use of these guidelines. Note: Under no circumstances are these provisions to be used for the development (new or the improvement) of single or double residential lots.
- (C) *Administrative authority.* The provisions of this part shall be administered and enforced by the official. For purposes of administration of the provisions of this part, the official's designee shall be the Building Official.
- (D) *Conflicts.* If the provisions of this part conflict with other ordinances or regulations, the more stringent limitation or requirement shall govern.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.02. Characteristics of protected trees and grand trees.

- (A) *Protected trees.* Protected trees have the following characteristics:
 - (1) Twenty-four inches or greater diameter (d.b.h.); and
 - (2) All cypress trees.
 - (a) For protected trees that are six to 23 inches in caliper, the replacement rate shall be one tree for every two protected trees removed.
 - (b) For protected trees that are 24 inches in caliper or greater, the replacement rate shall be two trees for every one protected tree removed (on an inch per inch basis).
 - (c) A certified arborist will be used on projects to determine the health and designation of a tree as protected or grand. When a tree is determined not to be a grand tree, it shall be considered a protected tree if it otherwise meets the requirements of this chapter.
- (B) *Grand trees.* Grand trees have the characteristics set forth in Schedule A.
 - (1) Replacement rate for a grand tree shall be double the size, on a caliper inch by caliper inch removed. While more than one tree may be used to replace the necessary number of caliper inches equal to the removed grand tree, the minimum replacement tree size that shall be used for each tree is at least four inches in caliper.

Schedule A. Species and Circumference

Species	Minimum Circumference
Cypress (Taxodium spp.)	120

Elm (<i>Ulmus</i> spp.)	120
Holly (<i>Ilex</i> spp.)	85
Magnolia (<i>Magnolia</i> spp.)	108
Maple (<i>Acer</i> spp.)	108
Oak (<i>Quercus</i> spp.)	108
Pine (exception: Australian Pine)	108
Red Cedar (<i>Juniperus</i> spp.)	120
Sweet Gum (<i>Liquidambar styraciflua</i>)	120
Sycamore (<i>Platanus occidentalis</i>)	120

- (2) The Director may include additional species by providing standards similar to those in Schedule A above. In determining whether a tree has the requisite circumference to be a grand tree, tree circumference shall be measured at 4½ feet above grade (d.b.h.) and all measurements shall be to the nearest whole inch (round up). The Director shall determine and verify all measurements on trees for grand tree designation.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.02.01. Exemptions for certain trees.

Exempt trees include the following:

- (A) *Broussonetia papyrifera* (male Mulberry);
- (B) *Casuarinas* sp. (Australian Pine);
- (C) *Citrus* spp.;
- (D) *Camphor* spp.;
- (E) *Enterolobium contortisiliquum* (Ear Tree);
- (F) *Eucalyptus* spp. (Eucalyptus Tree);
- (G) *Melaleuca quinquenervia* (punk tree);
- (H) *Melia azedarach* (China berry);
- (I) *Prunus caroliniana* (Cherry Laurel);
- (J) *Schinus terebinthifolius* (Brazilian Pepper);
- (K) *Auracaria wrightii* (Monkey Puzzle);
- (L) *Grevillea robusta* (Silk Oak Tree);
- (M) *Albizia* spp. (Mimosa, Woman's Tongue);
- (N) *Syagres romanzoffiana* (Queen Palm);
- (O) *Prunus serotina* (Wild Cherry); and
- (P) *Sapium sebiferum* (Chinese Tallow).

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.03. Landscape plan.

- (A) *General.* Prior to the approval of any site plan, "landscape plans" for the entire parcel and as specified below, shall be submitted, reviewed, revised and approved by the SPR Committee.
- (B) *Nature of required plan.* A landscape plan shall be prepared and/or approved by a registered landscape architect as authorized by F.S. Ch. 481, as amended. The landscape plan shall include sufficient information to determine whether the proposed landscaping is in compliance with the standards and other requirements of this part. The landscape plans shall be submitted as a part of the site plans. Submitted landscape plans shall be drawn at a readable scale and shall include the following:
- (1) The name, address and telephone number of the owner of the property for which the landscape plan is required;
 - (2) The name, address and telephone number of the landscape architect preparing the landscape plan;
 - (3) The location of the property including the legal description, section, township, range and street address, if known;
 - (4) The location of all existing and proposed structures, all landscape improvements (i.e.: berms, walls, fences, screens, sculptures, fountains, street furnishings, lights, paved areas) parking areas, vehicular use areas and other site improvements;
 - (5) The location of all in-ground, above ground and overhead utilities and irrigation, including structures, sizing, height and types. Use Appendix D for any trees proposed under power lines;
 - (6) General notes and specifications including mulching requirements, instructions for the installation, fertilization and maintenance of all plant materials;
 - (7) A separate tree survey sheet depicting all existing trees on site including those to be removed and trees to be protected and methodology for protection. The tree survey should delineate the following, at a minimum, the location of all existing trees including a palm, pine or oak designation, caliper in inches of each tree six inches d.b.h. or greater, the location of the trunk of the tree and the width of the drip line (canopy). Note: To depict the dripline of the tree one additional spot other than the trunk shot shall be required and an assumed even circumference for the tree will be inferred for that additional spot. Wooded or conservation areas can have the trees on the outer edge of the area surveyed only utilizing two spots for each to avoid mapping of interior trees;
 - (8) A copy of the county soils map depicting the proposed development site and the existing soils will be required and is to be submitted to the city with the landscape plans. If the soils are found to be of poor quality for vegetative growth per the soils map, the soils are to be tested (see division (B)(12) of this section) and amended per the recommendations of the report. Poor drainage condition details shall be included in the landscape plans (See Appendix F for a typical tree planting detail);
 - (9) While it is not required, utilize to the extent possible environmentally sustainable principles and practices, which include "Xeriscape" principles (See § 22);
 - (10) A plant list that provides the scientific and common names, sizes (i.e.: caliper), quantity, special requirements and location of all plant materials existing and proposed and proposed turf grass type that will be utilized to meet the minimum landscaping requirements;
 - (11) Planting and installation details, as needed, to ensure conformance with all required standards, including tree protection and erosion control.
 - (12) If the soils are found to be of poor quality for vegetative growth according to the county soil map, a soils testing report for the existing soil of the proposed site will be required and is to be submitted to

the city with the landscape plans. The applicant is to work with the local extension agency or independent testing lab to have the existing soil tested and to acquire the report from the testing agency. The following soil information will be requested of the testing agency and included in the report: pH, soluble salts and percentage of sand, silt, clay and organic matter. Soil should be adjusted to meet a pH range of 6.0 to 7.0. Topsoil should fall within the following ranges: sand, 25 percent—53 percent, silt 28 percent—50 percent, clay eight percent—27 percent. Organic matter shall not be less than five percent (Note: as determined by loss on ignition of moisture-free samples dried at 65°C). Per request, the city will provide the contact information for soils testing agencies as a part of the pre-application meeting. The applicant is to amend the existing soil per the recommendations of the soils report to provide for the viability and long-term health of the vegetation being proposed in the landscape plans;

- (13) Information necessary to evaluate compliance with provisions of this part;
- (14) Prior to submitting the landscape plan set for review, the applicant will be required to meet with staff to discuss the proposed project and the applicable landscape requirements in a pre-submittal application meeting;
- (15) A landscape maintenance plan and schedule will be submitted as a part of the landscape plans. As a minimum this information will include scheduling and information on watering, fertilizing, herbicide/pesticide applications, trimming/edging, maintenance and mowing cycle;
- (16) Each landscape plan shall provide that the requested development shall commence within six months from the date of issuance of the permit. Applicant is required to submit in writing for review and approval by the Director should an extension to this time limit be warranted. It is the responsibility of the applicant to apply for the extension and the city is not responsible for notification of an expired permit; and
- (17) In addition to the owner's contact information, the applicant must supply the city with the selected landscape contractor's contact name, phone number and fax number so the city will know who to contact regarding any issues that may arise. Contact information is to be supplied to the city as soon as he or she is hired. A separate application for the landscape plans is not required.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.03.01. Landscape installation.

- (A) All plant material shall be grade Florida No. 1 or better pursuant to the Florida Department of Agriculture Grades and Standards for Nursery Plants, which is incorporated herein as reference.
- (B) Installed trees and plants shall be grouped together into landscape plant zones according to water and cultural (soil, climate and light) requirements.
- (C) In accordance with the irrigation standards set forth in this part in § 14, a maximum of 50 percent of the plant material used, other than trees, may be drought tolerant. Native species, suitable for growth in the city, should be encouraged. Appendix B of this part, "A Partial List of Native Plant Materials", which references additional sources, may be used for native plant identification.
- (D) The use of plant species listed in Appendix C, "Florida Exotic Pest Plant Council's List of Invasive Species", is prohibited.
- (E) All landscaping shall be installed in accordance with industry accepted landscape practices.

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- (F) Existing plant material may be used to meet the buffering and landscaping requirements of this section provided there is no reduction in the required percentage of landscaped area or reduction in the number of required trees or shrubs. If existing plant materials are retained, the following standards shall apply:
- (1) All new development shall retain existing plant materials to the maximum extent possible unless storm water management design, necessary grade changes, required infrastructure or approved construction footprints necessitate their removal. Areas of retained plant materials may be preserved in their entirety with all trees, understory and groundcover left intact and undisturbed provided that prohibited plant materials as identified in Appendix D, which may be amended from time to time by the city, are removed; and
 - (2) The protection of existing plant materials shall conform to the tree protection detail found in Appendix E of the ordinance codified herein.
- (G) All height requirements shall be based on the finished grade of the landscaped area.
- (H) New plant material shall meet the following criteria:
- (1) All shade trees used to satisfy landscaping requirements shall have a three-inch caliper trunk, shall be containerized or shall be a transplant using a tree spade and shall be a minimum of ten feet in height at the time of installation. All required shade trees shall be a species having an average mature spread of greater than 20 feet when grown in the city. Where interference with overhead utility lines is probable, understory trees shall be planted with a maximum spacing of 20 feet on center (see Appendix D for trees to be planted under power lines);
 - (2) All proposed multi-trunk trees shall have no less than three trunks and no less than one inch caliper size per trunk and shall be a minimum of six feet in height at the time of installation;
 - (3) Palm trees may be substituted for shade trees at a rate of three palm trees, grouped together, per one shade tree. Palm trees may be substituted for up to 30 percent of the required shade trees. Palms must have a minimum of ten feet of clear trunk at the time of installation;
 - (4) When used as a hedge, shrubs, grown in two-gallon containers, shall be a minimum of 18 inches in height at the time of installation. Shrubs shall be spaced a maximum of 36 inches on center. Where required to visually screen, evergreen shrubs shall be planted in staggered double rows and maintained so as to form a continuous, unbroken, solid visual screen within one year from the time of planting;
 - (5) Ground cover shall be installed to provide a finished appearance and adequate coverage within 90 days, so as to suppress fugitive dust; and
 - (6) Sod shall be used in lieu of seeding for grassed areas. The acceptable sod types are Bahia for retention areas and St. Augustine (i.e. Flortam, Seville and the like) for all other grassed areas.
- (I) Mulch shall be used in conjunction with living plant materials so as to cover exposed soil. Mulch shall be installed to a minimum depth of three inches. Mulch type should be specified on the plans. The mulch should not be placed directly against the plant stem or tree trunk. Mulch shall not be required for annual beds. Stone or gravel may be used to cover a maximum of 20 percent of the landscaped area.
- (J) All required landscape materials shall be installed using planting soil of a type appropriate to the individual plant material and the soil conditions in which the planting is occurring. Soil amendments based upon the recommendation of the soil analysis report are required prior to installation of any landscape materials. Proof of soil amendments necessary to provide adequate soil growing medium shall be provided in booklet format as a part of the submitted plans.
- (K) No one plant species of trees, shrubs or groundcover, excluding turf grass, shall constitute more than 50 percent of any landscape plan.

- (L) All portions of a parcel upon which development has commenced, but not continued for a period of 30 days shall be planted with a temporary grass species or ground cover to prevent erosion and enhance soil stabilization. Adequate coverage to suppress fugitive dust shall be achieved within 45 days.
- (M) Any disturbances made during construction to the existing city's right-of-way will require the contractor to provide such amendments to return the right-of-way to its preconstruction condition. This may include, but is not limited to, repairing and regrading site and replacement of damaged vegetation including sod.
- (N) The project landscape architect shall conduct a final field inspection of the landscape. A certificate of compliance with the requirements of this section shall be provided to the city and the property owner and an "as built" drawing of the landscape shall be provided to the property owner prior to obtaining the certificate of occupancy.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.03.02. Failure to obtain a permit.

- (A) Whenever a violation(s) of this part occurs or exists or has occurred or existed, any person individual, entity or otherwise, who has legal, beneficial or equitable interest in the facility or instrumentality causing or contributing to the violation(s) and any person individual, entity or otherwise, who has legal, beneficial or equitable interest in the real property upon which the violation(s) occurs or exists or has occurred or exited, shall be liable for the violation(s).
- (B) Any person who shall commence any work without first obtaining a permit therefor shall, if subsequently permitted to obtain a permit, pay triple the permit fee prescribed for the work. The payment of a triple fee shall not preclude nor be deemed a substitute for prosecution for commencing work without first obtaining a permit.
- (C) The removal of a grand tree or protected tree without a permit is deemed to be an irreparable and irreversible violation. A fine of \$5,000.00 will be imposed for the removal of a grand tree or protected tree without a permit. Fines collected will go to the Parks Department Tree Trust Fund.
- (D) In addition, any person removing a grand tree or protected tree without a permit shall be required to replace the grand tree or protected tree with one or more recommended tree(s) on the same parcel (or on adjacent right-of-way). The number and size of the replacement tree(s) required to be planted shall be double the size, on an inch-by-inch basis, the size (dbh) of the grand tree or protected tree(s) that were removed without a permit. If it is not possible to relocate or replace a grand tree or protected tree with recommended tree(s) on the same (or in adjacent right(s)-of-way), then a contribution shall be made to the Parks Department Tree Trust Fund.
- (E) In lieu of tree replacement on the subject property, the applicant, at the city's option, may replant approved trees on city-owned property or contribute a per tree monetary fee as follows. Fees collected in lieu of replacement shall be placed by the city into the Parks Department Tree Trust Fund for use of tree replacement, use of a trained horticulturalist or arborist, educational purposes regarding trees and/or the enforcement or for the advancement of this part. The fees are hereby established as follows:

10" DBH	\$50.00 per inch removed.
Greater than 10" to less than 20" DBH	\$100.00 per inch removed.
20" to less than 30" DBH	\$125.00 per inch removed.
30" and greater DBH	\$150.00 per inch removed.

- (F) It shall be unlawful for any person, during the development of any project or during the construction of any structures or the improvement of any property, to place solvents, material, machinery or temporary soil

deposits within the dripline of any tree. During construction, improvement or development of the property, the owner or his or her agent(s), shall be required to place visible, physical barriers around all trees designated for retention and these protective structures, where required, shall remain until such time as they are authorized to be removed by the Director or issuance of final certificate of occupancy. Protective structures shall be provided as detailed in Appendix E of this document.

(G) Exceptions.

- (1) Where extenuating circumstances justify, the Director may allow an extension of time for the permit to be obtained in excess of three business days.
- (2) For just cause and in cases involving extreme circumstances and unusual hardship, the Director may waive the triple permit fee (three times the permit fee).

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.04. Tree removal guidelines.

In conjunction with any development, building or land clearing, a percentage of trees as defined herein, may be removed in accordance with the following table. Removal of any trees over these guideline percentages may require replacement at a rate of double the inch-per-inch basis or financial contribution to the Parks Department Tree Trust Fund. The waiving of the percentages detailed in these guidelines is at the discretion of the Director.

Average Number of Trees per Acre of Development (6" in caliper or larger)	Percentage Allowed to be Removed
Above 40	50%
20 to 40	30%
10 to 19	10%
Under 10	None, unless the trunk at breast height is within 8 feet of a proposed structure or improvement such as a road, utility line and the like or if the developer agrees to replace any trees removed in accordance with the terms of this part.

Sec. 7.06.04.01. Landscape buffering and screening.

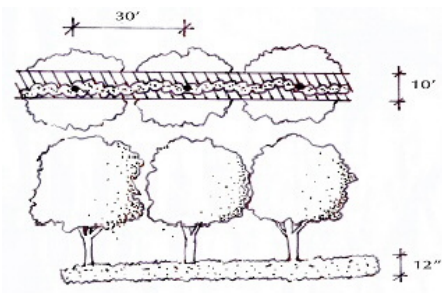
- (A) The buffering and screening requirements of this section shall apply to all new development except single and two family lots not part of an approved overall development plan.
- (B) All portions of each site, which are not devoted to buildings, sidewalks, paving or special landscape features shall be grassed.
- (C) Buffer types.

	Subject Property's District or Use	Adjacent District or Use							
		1	2	3	4	5	6	7	8
1	Agricultural districts	—	—	—	—	—	—	—	—
2	Commercial districts	A	A	A	A	D	B	C	C
3	Professional office districts	A	A	A	A	D	B	C	C
4	Industrial districts	B	B	B	B	D	B	C	C
5	Public rights-of-way	—	D	D	D	—	*	D	D

6	Service stations convenience stores gas stations	B	B	B	B	*	B	C	C
7	Class I mining operations	C	C	C	C	D	C	C	C
8	Residential districts	A	B	B	C	D	C	C	A
*Refer to § 12(B)(5) of this part for specific right-of-way buffer requirements for automotive service stations and convenience stores with gas pumps.									

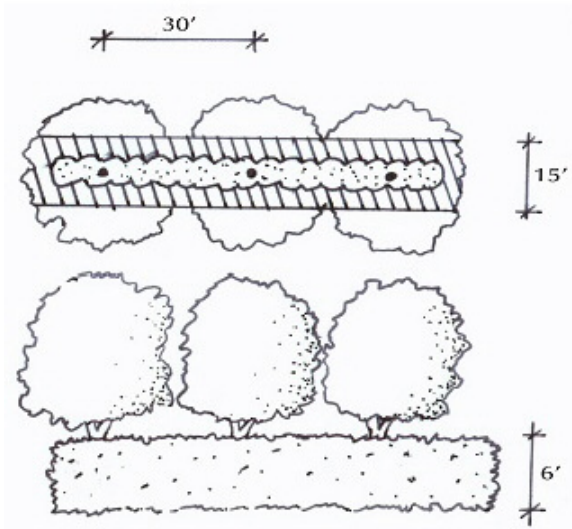
- (1) *Type A buffer.* A ten-foot wide buffer with a single row of shade trees spaced a maximum of 50 feet on center and a continuous row of evergreen shrubs with a minimum height of 18 inches at installation with a maximum spacing of 36 inches on center.

Type A Buffer



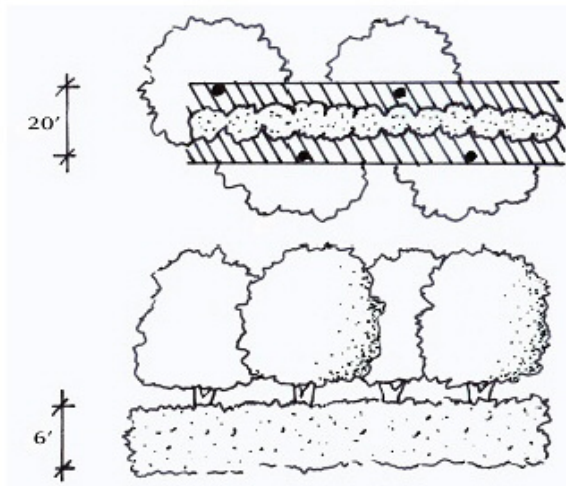
- (2) *Type B buffer.*
- (a) A 15-foot wide buffer planted with a single row of shade trees having a maximum spacing of 50 feet on center. A visual screen designed to be 80 percent opaque within one year and a minimum of six feet in height at installation shall also be provided with this buffer. The screen may include an opaque fence, wall, hedge, berm or any combination thereof. Wooden fences shall be prohibited. Walls and fences shall not exceed eight feet in height. Shrubs that are used to provide a visual screen shall be spaced a maximum of five feet on center.
- (b) For interior lots within a platted industrial park, the minimal type B landscape buffer may be reduced to five feet to fit within the minimum ten-foot wide setbacks. All planning and screening requirements of this section shall remain the same.

Type B Buffer



- (3) *Type C buffer.* A 20-foot wide buffer planted with two staggered rows of shade trees with a maximum spacing of 50 feet on center (Note: See the drawing below. There is to be 100 feet between trees in the same row, but the two rows are to be staggered such that the second row of trees is to be placed halfway (50 feet) between the trees of the top row). A visual screen designed to be 80 percent opaque within one year and a minimum of six feet in height at installation shall also be provided within the buffer. The screen may include an opaque fence, wall, hedge, berm or any combination thereof. Wooden fences shall be prohibited. Walls and fences shall not exceed eight feet in height. Shrubs that are used to provide a visual screen shall be placed a maximum of five feet on center.

Type C Buffer



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- (4) *Type D buffer (right-of-way buffer)*. This landscape buffer shall be required adjacent to any road right-of-way external to the development project and adjacent to any access roads internal to a commercial development.
- (a) The minimum width of the right-of-way buffer shall vary according to the ultimate width of the abutting right-of-way as indicated below:
1. A right-of-way width from zero to 99 feet wide requires a minimum ten-foot wide buffer:
 2. A right-of-way width of 100 feet or more requires a minimum 15-foot wide buffer; and
 3. Developments of 15 acres or more require a minimum 20-foot wide buffer regardless of the width of the right-of-way.
- (b) Shade trees shall be planted with a maximum spacing of 50 feet on center. Palms may be substituted for up to 30 percent of the required shade trees and shall be planted in clusters with a minimum of three palms per cluster with a maximum spacing of eight feet on center. A maximum distance of 50 feet shall be maintained between all types of tree plantings. The remainder of the buffer shall be landscaped with shrubs, at a minimum rate of five shrubs per tree or palms, ground cover and sod.
- (c) No more than 50 percent of the required landscape area may be grassed, with the balance shall be landscaped in shrubs and ground covers. Note: This requirement will be reviewed on a case by case basis and a special exception can be submitted for those sites that cannot meet this requirement.
- (d) A masonry wall, not to exceed eight feet in height, may be located within a required Type D buffer (right-of-way buffer) to separate a residential development from an arterial or collector road. Landscaping shall be provided along the right-of-way side closest to the wall. Shrubs shall be planted at a minimum rate of 40 shrubs for every 100 lineal feet of wall or fraction thereof. The shrubs may be planted in groupings or in a row. Where possible, sidewalks located adjacent to the masonry wall shall be separated from the masonry wall by a single row of trees, spaced 50 feet on center. The trees shall be planted to provide shade along the sidewalk. Palms may be substituted for trees at a rate of three palm trees, grouped together, per one tree. Palms may be substituted for up to 30 percent of the required trees. Vines and groundcover may also be incorporated into the landscaping. It is not the intent of this requirement to obscure from view decorative elements such as emblems, tile molding and wrought iron.
- (5) *Automotive service stations and convenience stores with gas pumps buffer*. Automotive service stations and convenience stores with gas pumps shall be buffered from surrounding uses.
- (a) Right-of-way buffer landscaping:
1. A landscape buffer, a minimum of 15 feet in width, shall be required between the public right-of-way and the development project.
 2. Shade trees shall be planted in a single row with a maximum spacing of 50 feet on center. Palms may be substituted for up to 30 percent of the required shade trees and shall be planted in clusters with a minimum of three palms per cluster with a maximum spacing of eight feet on center. A maximum of 50 feet shall be maintained between all types of tree clusters.
 3. All portions of each site, which are not devoted to buildings, sidewalks, paving or special landscape features, shall be sodded. However, no more than 50 percent of the required landscape area may be sodded, the balance shall be landscaped in shrubs and ground covers.

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4. Refer to division (C) of this section for all buffering requirements from adjacent property.
- (6) *Vehicle use area (VUA)*. A minimum of ten percent of the VUA is to be landscaped with one shade tree per 200 square feet of VUA. The landscape requirements for the VUA consist of one landscaped island per a maximum of ten parking spaces. Each island is to be eight feet wide by 20 feet long and will contain one shade tree with either shrubs or ground cover beneath the tree.
- (7) *Foundation planting*. Foundation plantings are to include one understory tree per 20 feet of building lineal feet and shrubs and ground cover to fill in the remaining foundation planting area.
- (8) *Sidewalks and the like*. Sidewalks and other impervious areas shall not occupy any part of a required A, B, C or D buffer, except when:
- (a) Driveways and sidewalks are constructed perpendicular to the buffer and provide direct access to the parcel or adjacent parcels; and/or
- (b) A meandering sidewalk, bike trail or nature trail is provided within the buffer and the buffer width is increased by the equivalent sidewalk or trail width.
- (9) *Service function areas*. Areas of nonresidential development that are utilized as loading areas or docks, outdoor storage, trash collection, mechanical equipment, trash compaction, recycling or other service functions shall be screened and out of view from adjacent properties at ground level and from public rights-of-way by a masonry wall a minimum of six feet in height. Industrial parks shall be exempt from the requirements of this section.
- (10) *Retention areas*.
- (a) All human-made dry and wet retention areas that are within 20 feet of the public right-of-way or located within a required buffer shall be landscaped. If the retention area is within 20 feet of a public right-of-way and runs parallel to the public right-of-way, then a Type D buffer will be used and a Type A buffer will be used on the remaining sides of the retention area. Retention ponds may contain special site features, such as fountains and reflecting pools. Existing natural vegetation may be used in lieu of new plantings.
- (b) Retention/detention ponds and swales shall be permitted within a required buffer provided they are consistent with the following criteria:
- Retention/detention ponds and swales shall not exceed 50 percent of the square footage of any required side, rear or front yard landscape buffer except where existing native vegetation is retained at natural grade;
 - Retention/detention ponds and swales shall not exceed, at any location within the required buffer, 70 percent of the required buffer width;
 - To reduce soil erosion and visually soften the edge of the water, trees shall be planted along the banks of the pond/retention area at a minimum rate of one tree per 50 lineal feet of pond bank; and
 - The banks of dry retention areas shall be sodded to the pond bottom. Wet retention areas shall be sodded to the high water line. Bahia grass may be used or planted in retention/detention areas, drainage areas and wetland setback and mitigation areas.
- (c) Storm water retention/detention areas with slopes that require fencing by Southwest Florida Water Management District requirements shall be enclosed with a transparent six-foot decorative metal or vinyl coated chain link fence. Unfinished, galvanized chain link fencing shall not be permitted.

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- (d) All retention ponds that require fencing will also require a Type A buffer on the outside of the fence.

- (11) *Clear site triangles.* Where a driveway/accessway intersects a road right-of-way or where two public road rights-of-way intersect, vegetation, structures and non-vegetative visual screens shall not be located as to interfere with the clear site triangle, as defined in the city's Land Development Code.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.04.02. Plant substitutions.

- (A) Due to occasional plant availability problems, approved landscape plans may require minor revisions. Minor revisions to planting plans can be submitted for staff-level review if there is no reduction in the quality of plant material or no significant change in size or location of plant materials and if the revised plant material are of the same general category (i.e. shade, ornamental or evergreen trees) and have the same general design characteristics (i.e. mature height, crown spread) as the materials being replaced. Revised plant material must also be compatible with the area to ensure healthy tree growth.
- (B) If these criteria are not fulfilled, changes to the approved plans must be resubmitted and reviewed again.
- (C) A revised landscape plan that depicts the proposed plant substitutions with supporting text explaining the need for the change in plant material and a list of the original plant material and the proposed plant substitutions will be submitted for review by staff. While a special exception will not be required for minor revisions, staff reserves the right to require a special exception should they determines the proposed changes warrant it.

(Ord. 922-05, passed 6-13-2005; Ord. 1368-18, passed 8-27-2018)

Sec. 7.06.04.03. Irrigation design standards.

- (A) In-ground irrigation systems shall be utilized for new development including commercial development and single- and multi-family lots. Irrigation shall be provided for all proposed landscape material.
- (B) The Florida Irrigation Society (FIS) standards, which are incorporated herein by reference, should be used for all irrigation design and installation procedures, except where the requirements of this part supersede the FIS standards.
- (C) An irrigation site plan, drawn at a readable scale, shall be submitted illustrating the proposed irrigation zones, delineating micro-irrigation zones and areas utilizing all other irrigation techniques. The plan should indicate the irrigation water source. Existing development with newly irrigated landscape and turf areas shall not be required to submit an irrigation plan.
- (D) Where available, reclaimed wastewater shall be used for landscape irrigation and shall comply with the requirements of this section.
- (E) The irrigation system shall be designed to accommodate separate landscape plant zones based on differing water requirements. Turf areas shall be on separate irrigation zones from other landscape plant zones.
- (F) Sprinkler spacing shall not exceed 55 percent of the sprinklers' diameter of coverage.
- (G) Sprays and rotors shall have matching application rates within each irrigation zone. Sprays and rotors shall not be combined on the same irrigation zone.

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- (H) All irrigation systems shall be designed to avoid overspray, runoff or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways, structures or water features. Narrow areas (four feet wide or less) shall be irrigated with micro-irrigation only.
 - (I) Irrigation control equipment shall include an operable and functioning automatic irrigation controller having program flexibility such as repeat cycles and multiple program capabilities. Automatic irrigation controller(s) shall have a battery back-up to retain the irrigation programs. Automatic control systems shall be equipped with operable and functioning rain and wind sensor devices. These devices shall be placed in areas where they can be exposed to natural rainfall and winds. As the technology improves, moisture sensing devices to cut-off irrigation when ground conditions do not warrant watering are encouraged.
 - (J) The irrigation system shall be maintained and managed to ensure efficient water use and to prevent wasteful practices. These include, but are not limited to, resetting the automatic controller according to season, cleaning irrigation filters, testing the rain and wind sensors, monitoring, adjusting and repairing the irrigation equipment to ensure the efficiency of the system is maintained, replenishing mulch, utilizing turf and landscape best management practices, including plant pruning and cutting grass around sprinkler heads.
 - (K) A registered landscape architect or irrigation contractor shall conduct a final field inspection of the irrigation system. A certificate of compliance with the requirements of this article shall be provided to the city and the property owner and an "as built" drawing of the irrigation system shall be provided to the property owner and city prior to obtaining the certificate of occupancy.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.04.04. Approval process.

Landscape plans will be required in conjunction with a site plan. Approval of the landscape plan will be governed by the procedures established for a site plan in the city's Land Development Plan. The city reserves the right to hold-up the certificate of occupancy until such time as the site plan meets the city's approval.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.04.05. Reserved.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.04.06. Enforcement.

- (A) The contractor is responsible for overseeing the installation and maintenance of required plants per the approved landscape plan and for a one year guarantee on all required plant material; if any required plant material dies within the first year, the contractor must replace it/them.
- (B) The city and the contractor must meet on site upon completion of the landscape installation for an inspection. The contractor must contact the city to establish the inspection time.
- (C) The City Inspector has the right to reject the plant material if it does not meet this part and to hold the certificate of occupancy until all required plants are properly installed to the Inspector's satisfaction.
- (D) Failure to replace dead and diseased plants will be a violation of this part.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05. Landscape maintenance.

- (A) All landscaping, including those areas located in the public right-of-way as approved through the applicable development review process, shall be maintained by an entity other than the city.
- (B) The landscape maintenance plan and schedule submitted as a part of the ordinance will be utilized to direct the on-going maintenance of the landscaping and irrigation.
- (C) All required landscaping shall be maintained in a healthy condition in perpetuity as per the approved landscape plan.
- (D) All installed landscaping shall be neat and orderly in appearance and kept free of refuse, debris, disease, pests and weeds and shall be fertilized and irrigated to maintain plants in a healthy condition.
- (E) On-going maintenance to prevent the establishment of prohibited exotic species is required.
- (F) Any plant materials of any type and kind required by these regulations shall be replaced within 30 days of their demise and/or removal.
- (G) Paving, treating or covering a required landscaped area in any way that renders it impervious is prohibited.
- (H) Parking of vehicles shall not be permitted in required landscaped areas.
- (I) It shall be the responsibility of the owner to remove any dead, diseased or dangerous trees or shrubs or parts thereof, which overhang or interfere with traffic control devices or public sidewalks.
- (J) All pruning should be accomplished according to horticultural standards. Trees should be pruned only as necessary to promote good health. Trees may be periodically pruned or thinned in order to reduce leaf mass in preparation for tropical storms. All pruning shall be accomplished by a certified arborist in accordance with National Arborists Standards.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.01. Reserved.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.02. Reserved.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.03. Reserved.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.04. Xeriscape principles.

It is the intent of this part to assist the town in achieving water conservation through proper plant selection, installation and maintenance practices. The following xeriscape principles will serve as the primary means of achieving water conservation:

- (A) Appropriate planning and design;
- (B) Limiting turf to locations where it provides functional benefits;

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- (C) Efficient in-ground irrigation systems;
 - (D) Use of soil amendments to increase the water holding capacity of the soil;
 - (E) Use of mulches where appropriate;
 - (F) Use of drought-tolerant plants; and
 - (G) Appropriate and timely maintenance.
- (Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.05. Special exception.

- (A) A special exception to the landscape ordinance can be filed when one or more of the following conditions apply:
 - (1) The site(s) involve space limitations or unusually shaped parcels;
 - (2) Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical;
 - (3) Due to a change of use of an existing site, the required buffer is larger than can be provided; and/or
 - (4) Safety considerations are involved.
- (B) A "justification statement" must be submitted as a part of the special exception request. In this statement the applicant must describe which of the requirements set forth in the ordinance codified hererin will be met with modifications, which project conditions justify the use of alternatives and how the proposed measures equal or exceed normal compliance.
- (C) The city staff will review the special exception and can recommend approval, approval with conditions or denial of the petition to the Planning Director. Based upon the recommendation and additional review, the Planning Director will make the final decision on the special exception petition.

(Ord. 922-05, passed 6-13-2005)

Sec. 7.06.05.06. Appeals process.

Appeals shall be provided by part 11.17.00 of the city's Land Development Code.

Appendix A. Recommended Tree List

Note: A * denotes genera containing some species native to Central Florida

- *Ash (Fraxinus spp.)
- *Bay Tree (Persea spp.)
- Bottlebrush (Callistemon spp.)
- Chinese Fan Palm (Livistona chinensis)
- Crepe Myrtle (Lagerstoemia indica)
- *Cypress (Taxodium spp.)
- Date Palm (Phoenix spp.)
- *Dogwood (Cornus spp.)

- *Elm (Ulmus spp.)
 - European Fan Palm (Chamoerops humilis)
 - *Holly (Ilex spp.)
 - *Hornbeam (Carpinus spp.)
 - Jerusalem Thorn (Parkinsonia aculeate)
 - *Loblolly Bay (Gorgonia lasianthus)
 - *Magnolia (Magnolia spp.)
 - *Maple (Acer spp.)
 - *Needle Palm (Rhapidophyllum hystrix)
 - *Oak (Quercus spp.)
 - *Pine, except Austrian Pine (Pinus spp.)
 - Podocarpus (Podocarpus spp.)
 - *Redbud (Cercis canadensis)
 - *Red Cedar (Juniperus spp.)
 - *River Birch (Betula nigra)
 - *Sabal/Cabbage Palm (Sabal palmetto)
 - *Sweet Gum (Liquidambar styraciflua)
 - *Washington Palm (Washingtonia robusta)
 - *Wax Myrtle (Myrica cerifera)
 - *Willow (Salix spp.)
- (Ord. 922-05, passed 6-13-2005)

Appendix B. Pasco County - Native Plant Materials
(information provided from the Florida Native Plant Society - County Search-Webpage)

Key:

- FN - fern, TS - small tree, TL - large tree, WF - wildflower, GC - groundcover, GR - grass, SH - shrub, VN - vine, AQ - aquatic
- w - does well in moist places, W - requires moist places, naturally a wetland species
- A - aquatic, good for planting in an area that is typically flooded such as a pond
- d - relatively drought tolerant, may need supplemental moisture during very dry periods, D - very drought tolerant
- s - some salt tolerance, S - high salt tolerance
- B - butterfly plant (larval food or nectar source)
- L - provides food or good cover for wildlife <BR

Species	Form	Wet Tolerance	Dry Tolerance	Salt Tolerance	Butterfly Plant	Wildlife Plant	Photo	More Info
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Acacia farnesiana sweet acacia	TS		D	S	B	L	USF Herbarium	Institute for Regional Conservation
Acer rubrum red maple	TL	W				L	USF Herbarium	US Forest Service fact sheet
Acrostichum danaeifolium giant leather fern	FN	W		S		L	USF Herbarium	Institute for Regional Conservation
Adiantum capillus-veneris Venus maidenhair fern	FN						USF Herbarium	
Aletris lutea yellow colic-root	WF	W					USF Herbarium	Institute for Regional Conservation
Allium canadense wild onion, meadow garlic	WF	W					USF Herbarium	
Amorpha fruticosa false indigo-blush, bastard-indigo	SH	W					USF Herbarium	Institute for Regional Conservation
Amorpha herbacea cluster/spike indigo-bush	WF						USF Herbarium	
Amsonia ciliata slimpod, bluestar, blue dogbane	WF						USF Herbarium	
Andropogon brachystachyus short-spike bluestem	GR	W					UF Herbarium	Institute for Regional Conservation
Andropogon glomeratus bushy bluestem	GR	W					USF Herbarium	Institute for Regional Conservation
Andropogon virginicus broomsedge bluestem	GR	W						Institute for Regional Conservation

Apios americana American groundnut	VN	W					USF Herbarium	Institute for Regional Conservation
Aralia spinosa devil's- walkingstick	SH			S	B		USF Herbarium	Dave's Garden
Arisaema triphyllum jack- in-the-pulpit	WF	W					USF Herbarium	
Aristida spiciformis bottlebrush grass	GR	W					USF Herbarium	
Aristida stricta var. beyrichiana wiregrass	GR	W	D				USF Herbarium	Institute for Regional Conservation
Asclepias humistrata sandhill milkweed	WF		D		B		USF Herbarium	
Asclepias perennis aquatic milkweed	WF	W			B		USF Herbarium	
Asclepias tuberosa butterflyweed	WF		D	S	B		USF Herbarium	Institute for Regional Conservation
Asimina obovata flag pawpaw	SH		D			L	USF Herbarium	Archbold Biological Station
Asimina pygmaea dwarf pawpaw	TS					L	USF Herbarium	
Asplenium platyneuron ebony spleenwort	FN	W	D				USF Herbarium	
Baccharis halimifolia groundsel bush	SH	W	D	S			USF Herbarium	Hernando Chapter
Bacopa caroliniana blue waterhyssop	GC	W			B		USF Herbarium	Institute for Regional Conservation
Baptisia lecontii wild indigo	WF						USF Herbarium	

Bejaria racemosa tarflower	SH	W	D				USF Herbarium	Institute for Regional Conservation
Berlandiera subacaulis common greeneyes, Florida greeneyes	WF		D				USF Herbarium	Institute for Regional Conservation
Blechnum serrulatum swamp fern	FN	W				L	USF Herbarium	Institute for Regional Conservation
Boehmeria cylindrica small-spike false-nettle	WF	W			B		USF Herbarium	Institute for Regional Conservation
Callicarpa americana beautyberry	SH	W	D	S		L	USF Herbarium	Hernando Chapter
Campsis radicans trumpet-vine	VN	W	D	S			USF Herbarium	Floridata.com
Canna flaccida golden canna	WF	W			B		USF Herbarium	Institute for Regional Conservation
Carphephorus corymbosus costal-plain chaffhead	WF		D		B		USF Herbarium	Institute for Regional Conservation
Carphephorus odoratissimus vanilla-plant, deer's tongue	WF	W	D		B		USF Herbarium	
Carphephorus paniculatus deer tongue, hairy trilisa	WF	W	D		B		USF Herbarium	Institute for Regional Conservation
Carpinus caroliniana hornbeam	TS	W				L	USF Herbarium	US Forest Service fact sheet
Celtis laevigata hackberry, sugarberry	TL	W			B		USF Herbarium	Institute for Regional Conservation

Cephalanthus occidentalis buttonbush	SH	W			B		USF Herbarium	Institute for Regional Conservation
Cercis canadensis redbud	TS		D		B		USF Herbarium	US Forest Service fact sheet
Chamaecrista fasciculata sleeping plant, partridge-pea	WF		D		B	L	USF Herbarium	Institute for Regional Conservation
Chiococca alba snowberry	SH	W	D	S			USF Herbarium	Institute for Regional Conservation
Chionanthus virginicus fringe tree	TS	W				L	USF Herbarium	US Forest Service fact sheet
Chrysopsis gossypina hairy goldenaster	WF		D	S			USF Herbarium	
Chrysopsis scabrella rough- leaf goldenaster	WF		D	S			USF Herbarium	Institute for Regional Conservation
Chrysopsis subulata leafy goldenaster	WF		D	S			USF Herbarium	
Cladium jamaicense saw- grass	GR	W		S			USF Herbarium	Institute for Regional Conservation
Clematis baldwinii pine- hyacinth	WF	W					USF Herbarium	Institute for Regional Conservation
Clematis catesbyana virgin's-bower	WF						USF Herbarium	
Clematis virginiana Virginia virgin's- bower	VN						USF Herbarium	
Commelina erecta sandhill dayflower	WF		D				USF Herbarium	Institute for Regional Conservation
Conocarpus erectus buttonwood	TS	W	D	S			USF Herbarium	Institute for Regional Conservation

Conoclinium coelestinum mistflower	WF	W			B		USF Herbarium	Institute for Regional Conservation
Coreopsis floridana Florida tickseed	WF	W					USF Herbarium	
Coreopsis leavenworthii Leavenworth's tickseed	WF	W			B		USF Herbarium	Institute for Regional Conservation
Cornus florida flowering dogwood	TS	W	D			L	USF Herbarium	UF Extention Service (EDIS)
Cornus foemina stiff cornel, swamp dogwood	TS	W			B	L	USF Herbarium	Institute for Regional Conservation
Crataegus marshallii parsley hawthorn	TS	W				L	USF Herbarium	
Crinum americanum string lily, swamp lily	WF	W		S			USF Herbarium	Institute for Regional Conservation
Dalea carnea hammock prairie-clover	WF	W	D		B		USF Herbarium	Institute for Regional Conservation
Dalea feayi prairie-clover	WF		D		B		USF Herbarium	
Dalea pinnata summer farewell	WF		D		B		USF Herbarium	
Diospyros virginiana persimmon	TS	W	D			L	USF Herbarium	Institute for Regional Conservation
Doellingeria reticulata white- top aster	WF						USF Herbarium	
Dryopteris ludoviciana southern wood fern	FN	W					USF Herbarium	
Dyschoriste oblongifolia twinflower,	GC	W	D		B		USF Herbarium	Institute for Regional Conservation

oblongleaf twinflower								
Eragrostis elliottii Elliott's lovegrass	GR	W	D	S		L		Institute for Regional Conservation
Eragrostis spectabilis purple lovegrass	GR	W	D			L	USF Herbarium	Hernando Chapter
Erigonum tomentosum wild buckwheat	WF		D		B		USF Herbarium	
Eryngium yuccifolium button snakeroot	WF	W					USF Herbarium	Institute for Regional Conservation
Erythrina herbacea coralbean, Cherokee bean	SH		D	S	B	L	USF Herbarium	Hernando Chapter
Eugenia axillaris white stopper	SH		D	S			USF Herbarium	Institute for Regional Conservation
Euonymus americanus American strawberry-blush	SH	W					USF Herbarium	Floridata.com
Eustoma exaltatum seaside gentian	WF	W		S			USF Herbarium	Institute for Regional Conservation
Flaveria linearis yellowtop	WF	W	D	S	B		USF Herbarium	Institute for Regional Conservation
Forestiera segregata Florida privet	SH	W	D	S	B	L	USF Herbarium	Institute for Regional Conservation
Fraxinus caroliniana water ash	TS	W			B		USF Herbarium	Institute for Regional Conservation
Gaillardia pulchella blanket-flower, gaillardia	WF		D	S	B		USF Herbarium	

Gaberia heterophylla garberia	SH		D	S	B	L	USF Herbarium	
Gelsemium sempervirens yellow jessamine, Carolina jessamine	VN	W	D		B		USF Herbarium	
Gordonia lasianthus loblolly-bay	TL	W				L	USF Herbarium	Institute for Regional Conservation
Habenaria repens water-spider rein orchid	WF	W					USF Herbarium	OrchidWeb
Helenium amarum pasture sneezeweed	WF	W					USF Herbarium	
Helenium flexuosum winged sneezeweed	WF	W	D				USF Herbarium	
Helenium pinnatifidum southeastern sneezeweed	WF	W					USF Herbarium	Institute for Regional Conservation
Helianthus angustifolius swamp sunflower; narrow-leaved sunflower	WF	W			B	L	USF Herbarium	
Heliotropium curassavicum seaside heliotrope	WF	W		S	B		USF Herbarium	
Heliotropium polyphyllum pineland heliotrope	WF	W	D	S	B		USF Herbarium	Institute for Regional Conservation
Hibiscus coccineus scarlet hibiscus	WF	W				L	USF Herbarium	Floridata.com

Hypericum brachyphyllum coastalplain St. John's-wort	SH	W		S			USF Herbarium	Institute for Regional Conservation
Hypericum hypericoides St. Andrew's-cross	WF	W	D				USF Herbarium	Institute for Regional Conservation
Hypericum myrtifolium myrtle-leaf St. John's-wort	WF	W					USF Herbarium	Institute for Regional Conservation
Hypericum reductum matted sandweed	WF		D				USF Herbarium	Institute for Regional Conservation
Hypericum tetrapetalum four-petal St. Peter's-wort	WF	W					USF Herbarium	Institute for Regional Conservation
Ilex ambigua Carolina holly, sand holly	TS		D			L	USF Herbarium	
Ilex cassine dahoon holly	TS	W	D		B	L	USF Herbarium	Institute for Regional Conservation
Ilex glabra inkberry, gallberry	SH	W	D	S		L	USF Herbarium	Institute for Regional Conservation
Ilex opaca American holly	TL		D			L	USF Herbarium	US Forest Service fact sheet
Ilex vomitoria yaupon holly	TS	W	D	S		L	USF Herbarium	FDEP
Ipomoea cordatotriloba tievine	VN	W					USF Herbarium	
Ipomoea hederifolia scarlet morningglory	VN		D		B		USF Herbarium	Institute for Regional Conservation
Ipomoea imperati beach morningglory	VN		D	S			USF Herbarium	Institute for Regional Conservation

Ipomoea pescaprae subsp. brasiliensis railroadvine, lavender goatfoot morning-glory	GC		D	S			USF Herbarium	Institute for Regional Conservation
Ipomoea sagittata glades morning-glory	VN	W					USF Herbarium	Institute for Regional Conservation
Ipomopsis rubra standing-cypress	VN		D				USF Herbarium	
Iris hexagona prairie iris	WF	W					USF Herbarium	Institute for Regional Conservation
Itea virginica Virginia-willow	SH	W					USF Herbarium	Institute for Regional Conservation
Iva frutescens bigleaf marsh- elder	WF	W	D	S			USF Herbarium	Institute for Regional Conservation
Juncus effusus soft rush	GR	W		S			USF Herbarium	Institute for Regional Conservation
Juniperus virginiana eastern red cedar	TL		D	S		L	USF Herbarium	Institute for Regional Conservation
Justicia angus Everglades water-willow, pineland water- willow	WF	W					USF Herbarium	Institute for Regional Conservation
Kosteletzkya virginica saltmarsh mallow	SH	W					USF Herbarium	Institute for Regional Conservation
Lachnanthes carolina redroot	WF	W	D		B		USF Herbarium	Institute for Regional Conservation
Laguncularia racemosa white mangorve	TS	W		S			USF Herbarium	Institute for Regional Conservation

Liatris elegans blazing-star	WF		D		B		USF Herbarium	
Liatris garberi Garber's blazing- star	WF	W	D		B		USF Herbarium	Institute for Regional Conservation
Liatris gracilis slender blazing- star	WF	W			B		USF Herbarium	Institute for Regional Conservation
Liatris graminifolia blazing-star	WF				B			
Liatris pauciflora blazing-star	WF		D		B		USF Herbarium	
Liatris spicata spiked blazing- star	WF	W	D		B		USF Herbarium	Institute for Regional Conservation
Liatris tenuifolia blazing-star	WF		D		B		USF Herbarium	Institute for Regional Conservation
Licania michauxii gopher-apple	GC		D	S	B	L	USF Herbarium	Hernando Chapter
Lilium catesbaei pine lily	WF	W					USF Herbarium	Institute for Regional Conservation
Liquidambar styraciflua sweetgum	TL	W	D				USF Herbarium	US Forest Service fact sheet
Liriodendron tulipifera tulip- tree, yellow- poplar	TL	W					USF Herbarium	US Forest Service fact sheet
Lobelia cardinalis cardinal flower	WF	W			B	L	USF Herbarium	Floridata.com
Lonicera sempervirens coral honeysuckle	VN		D		B	L	USF Herbarium	
Lupinus diffusus sky blue lupine	WF		D	S	B		USF Herbarium	
Lycium carolinianum Christmasberry	SH	W	D	S			USF Herbarium	Hernando Chapter

Lyonia ferruginea rusty lyonia	SH		D		B	L	USF Herbarium	
Lyonia lucida fetterbush, shiny lyonia	SH	W	D	S		L	USF Herbarium	Institute for Regional Conservation
Lythrum alatum var. lanceolatum loosestrife	WF	W					USF Herbarium	
Magnolia grandiflora southern magnolia	TL		D			L	USF Herbarium	US Forest Service fact sheet
Magnolia virginiana sweet-bay	TL	W			B	L	USF Herbarium	Institute for Regional Conservation
Melanthera nivea snow squarestem	WF	W			B		USF Herbarium	Institute for Regional Conservation
Mimosa strigillosa herbaceous mimosa	GC	W	D		B		USF Herbarium	
Mitchella repens partridge berry	GC	W	D			L	USF Herbarium	Connecticut Botanical Society
Monarda punctata dotted horsemint	WF		D	S	B	L	USF Herbarium	Institute for Regional Conservation
Morus rubra red mulberry	TL	W				L	USF Herbarium	Hernando Chapter
Muhlenbergia capillaris hairgrass	GR	W	D	S		L	USF Herbarium	Institute for Regional Conservation
Myrica cerifera wax myrtle	SH	W	D	S	B	L	USF Herbarium	Hernando Chapter
Nephrolepis exaltata wild Boston fern	FN	W					USF Herbarium	Floridata.com
Nuphar advena cowlily, spatterdock	AQ	A					USF Herbarium	
Nymphaea mexicana yellow water-lily	AQ	A					USF Herbarium	

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Nymphaea odorata white water-lily	AQ	A					USF Herbarium	Floridata.com
Nymphoides aquatica floating hearts	AQ	A					USF Herbarium	
Oplismenus hirtellus bristle basketgrass	GR						USF Herbarium	
Opuntia humifusa prickly-pear cactus	WF		D				USF Herbarium	Institute for Regional Conservation
Opuntia stricta erect prickly-pear cactus	WF		D	S			USF Herbarium	
Osmunda cinnamomea cinnamon fern	FN	W				L	USF Herbarium	
Osmunda regalis var. spectabilis royal fern	FN	W				L	USF Herbarium	
Palafoxia feayi palafox	SH		D				USF Herbarium	
palafoxia integrifolia many-wings	WF		D				USF Herbarium	
Parthenocissus quinquefolia woodbine, Virginia creeper	VN	W	D				USF Herbarium	Institute for Regional Conservation
Paspalum vaginatum seashore paspalum	GR	W	D					UF - info
Passiflora incarnata passion vine	VN		D	S	B	L	USF Herbarium	Hernando Chapter
Passiflora suberosa corky passion-flower	VN		D	S	B	L	USF Herbarium	Hernando Chapter
Peltandra virginica green arum	AQ	A					USF Herbarium	

Penstemon multiflorus mayflower beardtongue	WF		D		B		USF Herbarium	
Persea borbonia red bay	TL	W	D	S	B	L	USF Herbarium	US Forest Service fact sheet
Persea humilis scrub bay	TS		D	S	B	L	USF Herbarium	
Persea palustris swamp bay	TS	W			B	L	USF Herbarium	
Phoebanthus grandiflorus phoebanthus	WF		D		B		USF Herbarium	
Photinia pyrifolia red chokeberry	SH	W					USF Herbarium	
Phyla nodiflora frogfruit	GC	W	D	S	B		USF Herbarium	
Piloblephis rigida pennyroyal	WF		D		B		USF Herbarium	
Pinus clausa sand pine	TL		D	S		L	USF Herbarium	Hernando Chapter
Pinus elliottii slash pine	TL	W	D	S		L	Biological Research Assoc.	Hernando Chapter
Pinus palustris longleaf pine	TL		D		B	L	USF Herbarium	Hernando Chapter
Pityopsis graminifolia silk- grass	WF		D		B		USF Herbarium	
Poinsettia cyathophora painted-leaf	WF		D				USF Herbarium	
Pontederia cordata pickerelweed	AQ	A			B	L	USF Herbarium	Hernando Chapter
Prunus caroliniana cherry-laurel, laurel cherry	TS		D		B	L	USF Herbarium	US Forest Service fact sheet
Prunus serotina black cherry	TL		D		B	L	USF Herbarium	US Forest Service fact sheet

Prunus umbellata hog plum, flatwoods plum	TS		D		B	L	USF Herbarium	
Psychotria nervosa shiny-leaf wild-coffee	SH	W	D	S	B	L	USF Herbarium	Institute for Regional Conservation
Psychotria sulzeri dull-leaf wild-coffee	SH	W				L	USF Herbarium	
Ptelea trifoliata water-shed, wafer-ash	TS		D				USF Herbarium	US Forest Service fact sheet
Pteridium aquilinum bracken fern	FN		D	S			USF Herbarium	
Quercus champanii Chapman's oak	TS		D	S		L	USF Herbarium	
Quercus geminata sand live oak	TS		D	S		L	USF Herbarium	NC State University
Quercus incana bluejack oak	TL		D			L	USF Herbarium	
Quercus laevis turkey oak	TL		D			L	USF Herbarium	
Quercus laurifolia laurel oak	TL	W	S	A		L	USF Herbarium	UF Extention Service (EDIS)
Quercus michauxii basket oak, swamp chestnut oak, cow oak	TL	S				L	USF Herbarium	Floridata.com
Quercus myrtifolia myrtle oak	TS		D			L	USF Herbarium	
Quercus virginiana live oak	TL	S	D	S	B	L	USF Herbarium	Institute for Regional Conservation
Rapanea punctata myrsine	SH	S	D	S			USF Herbarium	Institute for Regional Conservation

Rhapidophyllum hystrix needle palm	SH	S				L	USF Herbarium	Hernando Chapter
Rhexia cubensis meadow-beauty	WF	W					USF Herbarium	
Rhexia mariana pale meadow-beauty	WF	W					USF Herbarium	
Rhizophora mangle red mangrove	TS	W		S			USF Herbarium	
Rhus copallinum winged sumac	SH		D				USF Herbarium	US Forest service act sheet
Rhynchospora colorata fineleaf whitetop sedge	WF	W					USF Herbarium	Institute for Regional Conservation
Rivina humilis rouge plant	SH		D	S	B	L	USF Herbarium	Institute for Regional Conservation
Rudbeckia hirta blackeyed-susan	WF					L	USF Herbarium	
Ruellia caroliniensis Carolina wildpetunia	WF	W	D		B		USF Herbarium	
Sabal minor dwarf palmetto	SH	W		S		L	USF Herbarium	Hernando Chapter
Sabal palmetto cabbage palm	TL	W	D			L	USF Herbarium	Hernando Chapter
Sabatia bartramii Bartram's marsh-pink	WF	W		S			USF Herbarium	
Sagittaria lancifolia lance-leaved arrowhead	AQ	A				L	USF Herbarium	
Sagittaria latifolia wapato, common arrowhead	AQ	A				L	USF Herbarium	Connecticut Botanical Society
Salvia coccinea scarlet sage, tropical sage	WF		D	S	B		USF Herbarium	Floridata.com

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Salvia lyrata lyre-leaved sage	WF	W	D		B		USF Herbarium	Floridata.com
Sambucus nigra var. canadensis elderberry	SH	W				L	USF Herbarium	Institute for Regional Conservation
Sapindus saponaria wingleaf soapberry	SH		D	S			USF Herbarium	
Saururus cernuus lizard's- tail	AQ	W					USF Herbarium	
Scirpus cyperinus woolgrass	GR	W				L	USF Herbarium	
Scutellaria integrifolia rough skullcap	WF	W					USF Herbarium	
Senna ligustrina privet senna	SH	W	D		B		USF Herbarium	
Serenoa repens saw palmetto	SH	W	D	S	B	L	USF Herbarium	Hernando Chapter
Sesuvium portulacastrum sea-purslane	GC	W		S			USF Herbarium	
Sideroxylon reclinatum smooth buckthorn	TS	W	D	S		L	USF Herbarium	Palmetto Article - C. Hugel
Sideroxylon tenax buckthorn	TS		D	S		L	USF Herbarium	Palmetto Article - C. Hugel
Silphium asterisus starry rosinweed	WF		D				USF Herbarium	
Silphium compositum kidneyleaf rosinweed	WF		D				USF Herbarium	
Sisyrinchium angustifolium pointed blue- eyed-grass	GC	W	D	S	B		USF Herbarium	

Solidago fistulosa hollow goldenrod	WF	W		S	B		USF Herbarium	
Solidago odora var. chapmanii sweet goldenrod	WF	W			B		USF Herbarium	
Solidago sempervirens seaside goldenrod	WF	W	D	S	B		USF Herbarium	
Sophora tomentosa var. truncata yellow necklacepod	SH	W	D	S	B	L	USF Herbarium	
Sorghastrum secundum lopsided Indiangrass	GR	W	D	S			USF Herbarium	
Spartina alterniflora saltmarsh cordgrass	GR	W	D	S		L	USF Herbarium	
Spartina bakeri sand cordgrass	GR	W		S		L	USF Herbarium	
Spartina patens marshhay cordgrass	GR	W		S		L		
Sporobolus junceus pineywoods dropseed	GR		D					
Symphyotrichum adnatum scaleleaf aster	WF				B		USF Herbarium	Institute for Regional Conservation
Symphyotrichum carolinianum climbing aster	VN	W			B		USF Herbarium	Institute for Regional Conservation
Symphyotrichum dumosum bush aster	WF	W					USF Herbarium	
Symphyotrichum elliotii Elliott's aster	WF	W			B		USF Herbarium	Institute for Regional Conservation

Taxodium ascendens pond cypress	TL	W	D	S		L	Biological Research Assoc.	US Forest Service fact sheet
Taxodium distichum bald cypress	TL	W	D			L	USF Herbarium	US Forest Service fact sheet
Teucrium canadense wood-sage	WF	W		S			USF Herbarium	
Thalia geniculata alligator flag	AQ	A				L	USF Herbarium	
Thelypteris kunthii widespread maiden fern	FN	W				L	USF Herbarium	Institute for Regional Conservation
Tilia americana var. caroliniana American basswood	TL	W			B		USF Herbarium	US Forest Service fact sheet
Tradescantia ohiensis Ohio spiderwort	WF	W	D				USF Herbarium	
Triadenum virginicum marsh St. John's-wort	WF	W					USF Herbarium	
Trichostema dichotomum forked bluecurls	WF		D		B		USF Herbarium	Institute for Regional Conservation
Tripsacum dactyloides eastern gamagrass, Fakahatchee grass	GR	W		S		L	USF Herbarium	Hernando Chapter
Ulmus alata winged elm	TL	W	D		B	L	Biological Research Assoc.	US Forest Service fact sheet
Ulmus americana American elm	TL	W	D		B		USF Herbarium	US Forest Service fact sheet
Uniola paniculata sea oats	GR		D	S			USF Herbarium	

Vaccinium arboreum sparkleberry	TS		D	S	B	L	USF Herbarium	
Vaccinium corymbosum highbush blueberry	SH	W				L	USF Herbarium	Hernando Chapter
Vaccinium darrowii Darrow's blueberry	SH	W	D			L	USF Herbarium	
Vaccinium myrsinites shiny blueberry	SH		D		B	L	USF Herbarium	
Vaccinium stamineum deerberry	SH					L	USF Herbarium	
Verbena tampensis Tampa vervain	WF		D		B		USF Herbarium	
Verbesina virginica frostweed	WF	W	D	S	B		USF Herbarium	
Vernonia angustifolia narrow-leaf ironweed	WF		D		B		USF Herbarium	
Vernonia gigantea tall ironweed	WF	W			B		USF Herbarium	
Viburnum nudum possum haw	SH	W					USF Herbarium	Florida DEP
Viburnum obovatum small viburnum	SH	W	D		B	L	USF Herbarium	Florida DEP
Viburnum rufidulum southern black haw	SH						USF Herbarium	Florida DEP
Viola lanceolata long-leaf violet	WF	W					USF Herbarium	
Viola sororia violet	WF	W					USF Herbarium	

Woodwardia areolata netted chain fern	FN	W				L	USF Herbarium	
Woodwardia virginica chain fern	FN	W					USF Herbarium	
Ximenia americana tallowwood	SH		D	S		L	USF Herbarium	Hernando Chapter
Yucca filamentosa Adam's needle	WF		D	S	B		USF Herbarium	
Zamia pumila arrowroot, coontie	GC		D	S	B		Biological Research Assoc.	
Zanthoxylum clava-herculis Hercules-club	TS	W	D	S	B	L	USF Herbarium	
Zanthoxylum fagara wild lime	TS		D	S	B		USF Herbarium	Institute for Regional Conservation
Zephyranthes atamasca var. treatiae Treat's zephyrlily		W					USF Herbarium	
Zephyranthes simpsonii Simpson's zephyrlily	WF	W	D				USF Herbarium	

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Appendix C. Florida Exotic Pest Plant Council's List of Invasive Species for Central Florida
(Prohibited Plants for Landscape Plan)

Scientific Name	Common Name	EPPC Cat.	Gov. List	Reg. Dist.
Abrus precatorius	rosary pea	I		C, S
Albizia julibrissin	mimosa, silk tree	I		N, C
Albizia lebeck	woman's tongue	I		C, S
Ardisia crenata (= A. crenulata)	coral ardisia	I		N, C
Asparagus densiflorus	asparagus-fern	I		C, S
Bauhinia variegata	orchid tree	I		C, S
Bischofia javanica	bischofia	I		C, S

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<i>Casuarina equisetifolia</i>	Australian pine	I	P	N, C, S
<i>Casuarina glauca</i>	suckering Australian pine	I	P	C, S
<i>Cinnamomum camphora</i>	camphor-tree	I		N, C, S
<i>Colocasia esculenta</i>	wild taro	I		N, C, S
<i>Cupaniopsis anacardioides</i>	carrotwood	I	N	C, S
<i>Dioscorea alata</i>	winged yam	I	N	N, C, S
<i>Dioscorea bulbifera</i>	air-potato	I	N	N, C, S
<i>Eichhornia crassipes</i>	water-hyacinth	I	P	N, C, S
<i>Eugenia uniflora</i>	Surinam cherry	I		C, S
<i>Ficus microcarpa</i> (F. nitida and F. retusa var. nitida misapplied)	laurel fig	I		C, S
<i>Hydrilla verticillata</i>	hydrilla	I	P, U	N, C, S
<i>Hygrophila polysperma</i>	green hygro	I	P, U	N, C, S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	I		C, S
<i>Imperata cylindrica</i> (I. brasiliensis misapplied)	cogon grass	I	N, U	N, C, S
<i>Ipomoea aquatica</i>	waterspinach	I	P, U	C
<i>Jasminum dichotomum</i>	Gold Coast jasmine	I		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine	I		C, S
<i>Lantana camara</i>	lantana, shrub verbena	I		N, C, S
<i>Ligustrum lucidum</i>	glossy privet	I		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		N, C, S
<i>Lonicera japonica</i>	Japanese honeysuckle	I		N, C, S
<i>Lygodium japonicum</i>	Japanese climbing fern	I	N	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	I	N	C, S
<i>Macfadyena unguis-cati</i>	cat's claw vine	I		N, C, S
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	P, N, U	C, S
<i>Melia azedarach</i>	Chinaberry	I		N, C, S
<i>Mimosa pigra</i>	catclaw mimosa	I	P, N, U	C, S
<i>Nephrolepis cordifolia</i>	sword fern	I		N, C, S
<i>Nephrolepis multiflora</i>	Asian sword fern	I		C, S
<i>Paederia foetida</i>	skunk vine	I	N	N, C, S
<i>Panicum repens</i>	torpedo grass	I		N, C, S
<i>Pennisetum purpureum</i>	Napier grass	I		C, S
<i>Pistia stratiotes</i>	waterlettuce	I	P	N, C, S

Psidium cattleianum (=P. littorale)	strawberry guava	I		C, S
Psidium guajava	guava	I		C, S
Pueraria montana (=P. lobata)	kudzu	I	N, U	N, C, S
Rhodomyrtus tomentosa	downy rose-myrtle	I	N	C, S
Ruellia brittoniana (may also be referred to R. tweediana)	Mexican petunia	I		N, C, S
Sapium sebiferum	popcorn tree, Chinese tallow tree	I	N	N, C, S
Scaevola sericea (=Scaevola taccada var. sericea, S. frutescens)	scaevola, half-flower, beach naupaka	I		C, S
Schefflera actinophylla (=Brassaia actinophylla)	schefflera, Queensland umbrella tree	I		C, S
Schinus terebinthifolius	Brazilian pepper	I	P, N	N, C, S
Senna pendula (=Cassia coluteoides)	climbing cassia, Christmas cassia, Christmas senna	I		C, S
Solanum tampicense (=S. houstonii)	wetland night shade, aquatic soda apple	I	N, U	C, S
Solanum viarum	tropical soda apple	I	N, U	N, C, S
Syngonium podophyllum	arrowhead vine	I		C, S
Syzygium cumini	jambolan, Java plum	I		C, S
Thespesia populnea	seaside mahoe	I		C, S
Tradescantia fluminensis	white-flowered wandering jew	I		N, C
Urochloa mutica (= Brachiaria mutica)	Pará grass	I		C, S

(Ord. 922-05, passed 6-13-2005)

Appendix D. Recommended Trees for Power Line Planting

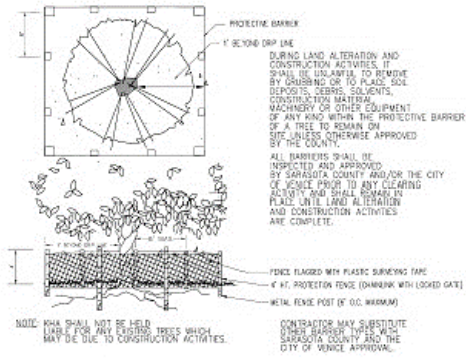
Crepe Myrtle (*Lagerstroemia indica*)
 Bottlebrush (*Callistemon* spp.)
 Jerusalem Thorn (*Parkinsonia aculeata*)
 Wax Myrtle (*Myrica cerifera*)
 Chickasaw Plum (*Prunus angustifolia*)
 Redbud (*Cercis canadensis*)
 Yaupon Holly (*Ilex vomitoria*)

(Ord. 922-05, passed 6-13-2005)

Appendix E: Tree Protection Detail

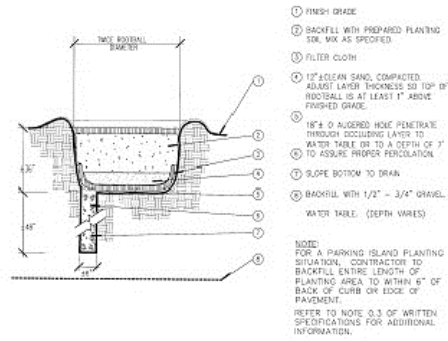
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Appendix F: Poor Drainage Condition Detail



(Ord. 922-05, passed 6-13-2005)

City of Safety Harbor Grand Tree Ordinance

Where can I find the city’s tree ordinance?

The regulations pertaining to Protected Trees is in [Section 153](#) of the city Land Development Code. The regulations pertaining to Grand Trees are in Section 153.12 of the Land Development Code.

What is a Grand Tree?

To be considered for Grand Tree status, a tree must have a minimum DBH (diameter at breast height) of 26-inches, a condition rating of at least 3.5, and meet the point requirements for the species. The following table details the point requirement each species of tree must meet to be considered a Grand Tree.

Table 1.0
(Per Section 153.13 of Land Development Code)

SPECIES	MINIMUM TOTAL POINTS TO QUALIFY FOR GRAND TREE STATUS
Live Oak (<i>Quercus virginiana</i>)	145
Sand Live Oak (<i>Quercus geminata</i>)	145
Southern Magnolia (<i>Magnolia grandiflora</i>)	120
Sweetbay (<i>Magnolia virginiana</i>)	120
Bald Cypress (<i>Taxodium distichum</i>)	115
Pignut Hickory (<i>Carya glabra</i>)	130
Southern Red Cedar (<i>Juniperus silicicola</i>)	115
American Elm (<i>Ulmus americana</i>)	130
Longleaf Pine (<i>Pinus palustris</i>)	115
Slash Pine (<i>Pinus elliottii</i>) (including variety 'densa')	115

How are Grand Tree points calculated?

Grand Tree points are obtained by adding the DBH, crown height, average crown spread, and the condition rating. If the potential Grand Tree meets the minimum points required for the species, the tree has reached Grand Tree status. The [Grand Tree Qualifying](#) form is used to determine if a tree meets Grand Tree status. This form, or a [No Grand Tree Removal](#) form are required for all building permits.

Can a Grand Tree be removed?

A [Tree Removal Permit](#) is required to remove a Protected Tree or Grand Tree in the City of Safety Harbor. To be removed, a Grand Tree must:

- Pose a safety hazard to pedestrians, buildings, vehicle traffic, or are within the visibility triangle OR
- Threaten to cause disruption of public services or utility services OR

- Be removed in order to construct improvements that are proposed as a result of:
 - Need for access immediately around the proposed structure for construction equipment OR
 - Need for access to the building site for construction equipment OR
 - Essential grade changes; surface water drainage and utility installations OR
 - Location of the primary building pad, primary foundation line, swimming pool, patio pad, or that portion of the driveway within the path of the garage or carport entrance, and these structures cannot be relocated OR
- Staff finds it to be in the best interest of the general public’s health, safety, and welfare that the tree be removed.
- The application fee for a grand tree removal permit is \$25 for a residential parcel and \$100.00 for all other parcels.

What if the Grand Tree is hazardous?

Hazardous trees, regardless of their trunk diameter cannot attain Grand Tree status as they would not meet the condition rating requirement. Only trees with a condition rating of 3.5 or higher can attain Grand Tree status.

Is a permit required to prune a Grand Tree?

No permit is required to prune a Grand Tree; however, a [Grand Tree Pruning Affidavit](#) is required to prune any limb on a Grand Tree that is 6-inches or more in diameter (measured at the base of the limb). The Grand Tree Pruning Affidavit must be completed by an Arborist certified by the International Society of Arboriculture. Homeowners can prune limbs less than 6-inches in diameter without submitting a pruning affidavit.

What are the replacement requirements for Grand Trees?

When a grand tree is approved for removal, the tree shall be replaced with new tree plantings. Where a suitable location for replanting on the property is not available, a fee in lieu should be paid as specified in code section 153.07(D)(1) plus a flat fee payment into the city tree bank. The flat fee is \$1500 for homesteaded properties and \$3000 for all other properties.. Mitigation can be a combination of planting replacement trees and payment of the inch per inch removal fee The table below shows the number of replants required for Grand Tree removals.

GRAND TREE REPLACEMENT RATIO TABLE	
TRUNK DIAMETER (DBH)	REPLACEMENT RATIO
26"-40"	3:1
41"-50"	4:1
51" OR GREATER	5:1

- (5) Where the applicant's property is within the subdivision or industrial park which meets the following criteria:
- (a) At least 80% of the lots or the properties in the subdivision or industrial park are built on; and
 - (b) At least 80% of the lots or the properties in the subdivision or industrial park that are built on or have no sidewalks; and
 - (c) The construction of sidewalks in the subdivision or industrial park is not included in the City's five-year capital improvements program; and
 - (d) The boundaries of in a subdivision or industrial park for purposes of this section shall be determined by the approved site plan or plat for the subdivision or industrial park.
- (6) The property is served by an alternative pedestrian system.
- (C) All requests for the waiver of sidewalk construction shall include written public notice in accordance with the requirements of [Section 225.00](#) of this Code.
- (D) Sidewalk waivers are subject to a fee-in-lieu. The fee-in-lieu shall be calculated by multiplying the linear feet of the street frontage where a sidewalk waiver was approved by \$50.00, excluding the width of the driveway. Sidewalk fee-in-lieu payments are due within five (5) business days of City Commission approval of the sidewalk waiver. Fees collected in lieu of a sidewalk shall be placed in a fund established as the "City Sidewalk Bank" and shall be used for new sidewalk construction within the City.

(Ord. No. 2012-09, § 6, 5-21-2012; Ord. No. 2019-20, § 4, 1-21-2020 ; Ord. No. 2021-02, § 4, 6-21-2021)

153.00 - Tree protection and preservation. :

modified

- (A) The purpose of this [Section 153.00](#) et seq. together with [Section 154.00](#) et seq. is to establish regulations in the City that will have the effect of protecting, promoting and maintaining a healthy, diverse and mature canopy of native and naturalized hardwood and evergreen tree species. Trees preserve the ecological balance of the environment, control erosion, sedimentation and stormwater runoff, provide shade, reduce heat and glare, reduce flooding, enhance property values and aesthetics, abate noise pollution, and buffer incompatible land uses.
- (B) The intent of this [Section 153.00](#) et seq. and [Section 154.00](#) et seq. is to protect the general health, safety, and welfare of the citizens of Safety Harbor by establishing minimum standards for the protection and preservation of trees, ensure the adequacy of tree numbers, preserve

the canopy, encourage the planting of new trees, the protection of natural plant communities, and the installation and continued maintenance of landscaping within the City in order to:

- (1) Improve the aesthetic appearance of commercial, governmental, industrial, and residential areas through the incorporation of landscaping into development in ways that harmonize and enhance the natural and manmade environment;
 - (2) Improve environmental quality by recognizing the numerous beneficial effects of tree protection and preservation, and landscaping upon the environment, including:
 - (a) Improving air and water quality through such natural processes as photosynthesis and mineral uptake;
 - (b) Maintaining permeable land areas essential to surface water management and aquifer recharge, including reduction in stormwater runoff;
 - (c) Reducing and reversing air, noise, heat and chemical pollution, including the removal of atmospheric carbon dioxide, through the biological filtering capacities of trees and other vegetation;
 - (d) Promoting energy conservation through the creation of shade, thereby reducing heat gain in or on buildings or paved areas;
 - (e) Reducing the temperature of the microclimate through the process of evapotranspiration; and
 - (f) Encouraging the conservation of water through the use of site specific plants, various planting and maintenance techniques, and efficient watering systems.
 - (3) Provide direct and important physical and psychological benefits to human beings through the use of landscaping to reduce noise and glare, and to break up the monotony and soften the harsher aspects of urban development;
 - (4) Establish procedures and standards for the administration and enforcement of these sections;
 - (5) Promote the creative site development concepts in order to promote water and energy conservation;
 - (6) Preserve existing natural trees and vegetation and incorporate native plants, plant communities and ecosystems into landscape design where possible; and
 - (7) Promote landscaping methods that provide for the preservation of existing plant communities, re-establishment of native plant communities, use of site specific plant materials, use of pervious paving materials and other xeriscape concepts in order to promote water conservation.
- (C) It shall be unlawful to cut down, damage, poison, or in any other manner, destroy or cause to be destroyed any trees, except in accordance with the provisions of Sections [153.00](#) et seq.

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~~Ord. No. 2015-03, § 1, 3-16-2015~~ Ord. No. 2015-03, adopted March 16, 2015, repealed Section 153.00, which consisted of sections 153.00—153.11, in its entirety to read as herein set out. Former Section 153.00 pertained to similar subject matter and derived from the original Land Development Document codified herein.

153.01 Definitions.

For the purpose of this [Section 153.00](#) et seq. and [Section 154.00](#) et seq. the following definitions shall apply:

- (A) *Approved Arborist* means a trained professional knowledgeable and equipped to provide proper tree care, including pruning, planning and other functions to maintain tree health, who is certified by the International Society of Arboriculture (ISA) or the American Society of Consulting Arborists (ASCA).
- (B) *City Staff* means the Community Development Director or his or her designee.
- (C) *City Tree Bank* means funds accrued from fines and mitigation payments made to the City under the terms of Sections 153.05 and 153.07.
- (D) *Clear Trunk* is the measurement from the ground to the area where the live fronds emerge from the trunk of a palm tree.
- (E) *Critical Root Zone* is the area under the tree that the trees crown extends to, the edge of the trees dripline.
- (F) *Crown* means the main mass of branching or foliage of a tree.
- (G) *Dead Tree* means a tree with no foliage.
- (H) *Development Permit* means any building permit or site plan approval authorizing the construction of any new parking space, the expansion of the gross floor area of a building, the alteration or enlargement of a building envelope, or the alteration of a site configuration through site redesign (right-of-way clearing, easement clearing, mining, borrow pit or lake construction, etc.) or other changes (including grubbing).
- (I) *Diameter Breast Height ("DBH")* means the diameter, in inches, of a tree measured at 4.5 feet above the existing grade. If the tree forks between four and one-half and two feet above ground level, DBH is measured below the swell resulting from the fork. Trunks that fork below two feet shall be considered multi-trunk trees. DBH for multi-trunk trees shall be determined by measuring each trunk immediately above the fork and adding the total diameters of the four largest trunks.
- (J) *Drip Line* means the perpendicular line that extends downward from the outermost tips of the tree branches to the ground.
- (K)

Ecosystem means a characteristic assemblage of plant and animal life with a specific physical environment, and all interactions among species and between species and their environment.

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- (L) *Excessive Pruning* means the pruning or removal of more than twenty-five percent (25%) of the live crown (live branches) of a tree in any one year.
- (M) *Grubbing* means the excavation or removal of any type of rooted vegetation from land by digging, raking, dragging or otherwise disturbing the roots of such vegetation and the soil in which such roots are located.
- (N) *Hazardous Tree* means a tree with uncorrectable defects in the overall health or structure of the tree severe enough to pose present danger to people or buildings under normal conditions as determined by an Approved Arborist.
- (O) *Multi-Trunk Tree* means any self-supporting woody plant reaching a minimum height of 15 feet having two or more distinct trunks originating below breast height (4½ feet above grade) and growing from a single root mass.
- (P) *New parking lot*: The construction or addition of three (3) or more parking stalls for uses other than single family or duplex dwellings.
- (Q) *No Tree Verification* means a signed notarized statement by a property owner, or his agent, stating that no trees exist upon the property.
- (R) *No Tree Removal Verification* means a signed notarized statement by the property owner, or his agent, upon application for a Development Permit certifying that although protected trees exist on the property for which Development Permit is sought, removal of the protected trees is not required for construction purposes.
- (S) *Plant Community* means a natural association of plants that are dominated by one or more prominent species, or a characteristic physical attribute.
- (T) *Protective Barrier* means a physical structure limiting access to a protected area, composed of suitable materials which assures compliance with the intent of [Section 153.00](#) et seq. of this Code and meets the requirements of the City tree barricade detail.
- (U) *Protected Tree* means any living native shade tree set forth on the table below having a DBH of 4 inches or greater or Sabal Palm/Cabbage Palm (Sabal Palmetto), or Paurotis Palm with a clear trunk of five (5) feet or more. Protected Tree does not include any tree that is specifically excluded from protection herein or is a Dead Tree.

Table: Protected Tree

Table Legend:

Species: Includes the plant's botanical name followed by the common name.

Use: Describes whether a tree is a shade tree (ST) or an accent (A) tree. A shrub shall be considered a large shrub (LS) if it has a mature height of five (5) feet or greater. A shrub shall be considered a small screening shrub (S) if it has a mature height of less than five (5) feet.

Soil: Xeric (X) is characterized by soils with coarse texture such as sandy soils and soils with good drainage. Xeric soils are typically infertile. Mesic (M) soils are medium textured loamy soils with a mixture of sand, silt and clay particles. They have average fertility and drainage. Hydric (H) soils are dominated by fine-textured clay particles, have poor drainage (retain water) and high fertility. It is important to match the tree to its soil type.

Drought: Drought refers to a tree's ability to survive drought periods. A tree with a high drought tolerance can survive extended drought periods. However, even the most drought tolerant plants should receive irrigation in urban areas.

pH: Soil pH is a measure of a soil's acidity (AC) or alkalinity (AL). The pH scale ranges from 0—14 with 7.0 being neutral and measurements below 7.0 acidic soil and above 7.0 alkaline. Most trees prefer acidic soils but some grow well in soils that are slightly alkaline (SA).


Light: Light describes a tree's light needs. Some trees prefer full sun and will only flower in full sun (SUN) while other trees either need partial shade (PS) or full shade (SH).

Salt: Salt refers to a tree's ability to withstand aerosol salt spray. Some trees grow in areas of direct salt spray while other trees can only tolerate minimal salt in the air.

 EXPAND

Scientific Name	Common Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Acer rubrum and cultivars</i>	Red Maple	Yes	ST	M-H	MOD	AC	SUN/PS	LOW
<i>Acer saccharinum</i>	Silver Maple	Yes	ST	M-H	MOD	AC	SUN/PS	LOW
<i>Acoelorrhaphe wrightii</i>	Paurotis Palm	Yes	A	M-H	MOD	AC	SUN	MOD
<i>Carya glabra</i>	Pignut Hickory	Yes	ST	X-M	HIGH	AC-S SA	SUN/PS	MOD

Safety Harbor, FL Municipal Code Codification	Common Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Carya illinoensis</i>	Pecan	Yes	ST	X-M	HIGH	AC-AL	SUN/PS	LOW
<i>Celtis laevigata</i>	Sugarberry	Yes	ST	M-H	HIGH	AC-AL	SUN/PS	HIGH
<i>Diospyros virginiana</i>	Persimmon, Common Persimmon	Yes	ST	M	HIGH	AC-AL	SUN	HIGH
<i>Ilex x attenuata</i>	Eagleston Holly	Yes	ST	M-H	MOD	AC-SA	SUN/PS/SH	MOD
<i>Ilex opaca</i>	American Holly	Yes	ST	M	HIGH	AC-SA	SUN/PS/SH	HIGH
<i>Juniperus silicicola</i> or <i>virginiana</i> Cultivars	Southern Redcedar, Eastern Redcedar	Yes	ST-A	X-M	HIGH	AC-AL	SUN/PS	HIGH
<i>Liquidambar styraciflua</i>	Sweetgum	Yes	ST	M-H	MOD	AC-SA	SUN/PS	MOD
<i>Magnolia grandiflora</i> Cultivars	Southern Magnolia, Magnolia	Yes	ST-A	X-M	MOD	AC-SA	SUN/PS	HIGH
<i>Magnolia virginiana</i>	Sweetbay, Swamp Magnolia	Yes	ST	H	LOW	AC	SUN/PS	LOW
<i>Nyssa sylvatica</i>	Blackgum, Black Tupelo	Yes	ST	M-H	HIGH	AC	SUN/PS	MOD
<i>Pinus elliottii</i>	Slash Pine	Yes	ST	X-M	HIGH	AC-SA	SUN/PS	HIGH

Safety Harbor, FL	Common Name	Native	Use	Soil	Drought	pH	Light	Salt
 Municode Codification								
<i>Pinus palustris</i>	Longleaf Pine	Yes	ST	X-M	HIGH	AC-SA	SUN	HIGH
<i>Pinus taeda</i>	Loblolly Pine	Yes	ST	M	MOD	AC	SUN	MOD
<i>Platanus occidentalis</i>	Sycamore	Yes	ST	M-H	MOD	AC-AL	SUN	MOD
<i>Quercus austrina</i>	Bluff Oak	Yes	ST	M-H	MOD	AC	FS/PS	MOD
<i>Quercus geminata</i>	Sand Live Oak	Yes	ST	X-M	HIGH	AC	FS/PS	LOW
<i>Quercus incana</i>	Bluejack Oak	Yes	ST	X-M	HIGH	AC	FS/PS	MOD
<i>Quercus laurifolia</i>	Laurel Oak, Diamond Leaf Oak	Yes	ST	M-H	MOD	AC-SA	FS/PS	LOW
<i>Quercus laevis</i>	Turkey Oak	Yes	ST	X	HIGH	AC	FS	LOW
<i>Quercus lyrata</i>	Overcup Oak	Yes	ST	M-H	MOD	AC	FS/PS	MOD
<i>Quercus michauxii</i>	Swamp Chestnut Oak	Yes	ST	M-H	MOD	AC	FS/PS	MOD
<i>Quercus myrtifolia</i>	Myrtle Oak	Yes	ST	X-M	HIGH	AC	FS/PS	MOD
<i>Quercus nigra</i>	Water Oak	Yes	ST	M-H	MOD	AC-SA	SUN/PS	LOW
<i>Quercus shumardii</i>	Shumard Oak	Yes	ST	M-H	MOD	AC-AL	SUN/PS	MOD
<i>Quercus virginiana</i> Cultivars	Live Oak	Yes	ST	X-M	HIGH	AC-AL	SUN/PS	HIGH

Safety Harbor, FL Municipal Code	Common Name	Native	Use	Soil	Drought	pH	Light	Salt
 Municode Codification <i>Taxodium ascendens</i>	Pond Cypress	Yes	ST	H	HIGH	AC-SA	SUN/PS	MOD
<i>Taxodium distichum</i>	Baldcypress	Yes	ST	M-H	MOD	AC-SA	SUN/PS	MOD
<i>Ulmus alata</i>	Winged Elm	Yes	ST	M-H	HIGH	AC-AL	SUN/PS	MOD
<i>Ulmus Americana</i>	American Elm	Yes	ST	M-H	HIGH	AC-AL	SUN/PS	MOD
<i>Ulmus parifolia and cultivars</i>	Lacebark Elm	No	ST	M	MOD	AC-AL	SUN/PS	MOD

- (V) *Pruning* means the horticultural practice involving the selective removal of parts of a tree such as branches, buds, or roots, and shall include trimming of trees.
- (W) *Remove or Effective Removal* means to cut down, damage, top, poison, replace, replant, or effectively remove through excessive injury, or in any manner destroy or cause to be destroyed any living Protected Tree.
- (X) *Screening* means a visual buffer erected between potential incompatible uses utilized to shield or obscure for the purpose of reducing the impact of noise, dust, glare and visual pollution. The screen may consist of walls, fences, and berms of densely planted vegetation.
- (Y) *Shade Tree* means a hardwood tree that reaches a minimum height of twenty-five (25) feet at maturity, provides relief from direct sunlight for at least six (6) months each year and is included in Protected Tree table.
- (Z) *Shrub* means a woody plant that usually remains low and produces shoots or trunks from the base; it is not usually tree-like nor single-stemmed.
- (AA) *Top or Topping* means the removal of any portion of one or more major vertical tree branches or the removal of more than one-third (1/3) of the tree's leaf canopy.
- (BB)

Tree means any erect standing woody plant together with its root system of a species which normally attains a minimum overall height at maturity of at least 15 feet, including all Mangroves, Sabal Palms, Cabbage Palms, Sabal Palmetto, and that is located within the City's jurisdiction.

- (CC) *Tree Condition Rating* means the City Arborist's assessment of the tree's overall structure and systemic health which takes into account the species, appearance, and unique features of the tree as set forth in this Article.
- (DD) *Tree Removal* means any act which causes a tree to die within a period of 2 years; such acts include, but are not limited to, cutting, inflicting damage upon a root system by machinery, storage of materials, or soil compaction, changing of the natural grade above or below a root system or around the trunk, inflicting damage on a tree, permitting infection or pest infestation, excessive pruning, or paving with concrete, asphalt or other impervious material within such proximity as to be harmful to a tree as determined by an Approved Arborist.
- (EE) *Tree Removal Permit* means a permit issued by the City allowing the permit holder to remove the trees described therein.
- (FF) *Tree Removal Permit Application* means the application submitted to the City to obtain a Tree Removal Permit. The application shall be in the form prescribed by the City.

(Ord. No. 2016-10, § 1, 6-6-2016; Ord. No. 2018-13, § 2, 8-20-2018)

Editor's note— See editor's note following Section 153.00.

153.02 Maintenance and pruning of protected trees for all properties within the city.

- (A) Owners of private property shall be responsible for the maintenance of trees on their private property and in abutting rights-of-way. Where support staking and guying of vegetation is provided at the time of installation, the stakes and guys shall be removed no later than one year after installation to prevent damage to the vegetation. Owners of private property who are responsible for the maintenance of trees on private property and in abutting rights-of-way shall not be required to pay any permitting or replacement fees if the owner can prove by substantial competent evidence the tree was fatally damaged by any public utility company.
- (B) All trees shall be maintained free from physical damage or injury, including damage or injury arising from lack of water, chemical exposure, insects, disease, blight or other cause. Exceptions regarding damage due to lack of water shall be made when water consumption is limited by emergency orders or declarations by state or local agencies.
- (C) Except for storm mitigation for those tree species listed as exempt, or following a declared state of emergency in which trees become damaged in such a way that topping or excessive pruning by or at the direction of a governmental agency becomes necessary, it shall be unlawful for any person to cut down, damage, top, poison or in any manner destroy or cause

to be destroyed any protected tree regardless of condition with a DBH of 4 inches or more without a Tree Removal Permit. Not more than twenty-five percent (25%) of the tree canopy shall be trimmed or pruned in any year, except for the purpose of removing dead limbs. There shall be no topping of any Protected Trees. Protected Trees destroyed by improper pruning shall be replaced with the same species minimum two-inch DBH based on the Tree Replacement Ratio in [subsection] 153.07(D).

- (D) It is unlawful for a property owner to allow any tree or tree branch that is in such diseased or dead condition so as to be in danger of falling upon any right-of-way or the property of another.
- (E) It shall be unlawful to directly or indirectly dispose of tree trimmings in the right-of-way, onto the property of another, upon any street or alley, or into waters within the City, the municipal storm sewer system, and/or Tampa Bay. This Subsection shall not be construed to prohibit the placement of tree trimmings in the right-of-way as a temporary measure awaiting collection as otherwise provided in this Code or the Safety Harbor City Code. This subsection shall not be construed to prohibit the use of mulching lawn equipment.
- (F) Any individual or entity performing Pruning or other tree maintenance activities for hire shall conform to industry techniques as specified by the American National Standards Institute (ANSI) A300: Tree, Shrub and other Woody Plant Maintenance Standard Practices Part 1—10. Flush cuts (pruning cuts that remove the branch collar) and stub cuts (pruning that leaves a limb stub) are improper pruning techniques and are prohibited.
- (G) No palm frond shall be removed from a palm that emanates from the trunk at or above a 90-degree angle that is perpendicular to the trunk unless the frond is dead or severely chlorotic. Where a frond is touching an energized wire, blocking a sign or creating a safety hazard, fronds may be removed outside of this configuration.
- (H) Any individual or entity performing Pruning or other tree maintenance activities for hire shall conform to the current safety standards as defined in ANSI Z133.1 2006, as may be amended and shall have a Best Management Practices (BMP) certificate issued by Pinellas County.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016; Ord. No. 2021-18, § 3, 12-20-2021)

Editor's note— See editor's note following Section 153.00.

153.03 Exemptions.

The provisions of [Section 153.00](#) et seq. shall not apply to the following:

- (A) Trees under 4 inches DBH, except and unless the tree is a replacement tree under Section 153.06(E);
- (B) Pruning of trees as normal maintenance, provided such pruning does not result in excessive pruning, mutilation, death, or removal of the tree or otherwise violates Section 153.02(C) herein;



(C) Due to their status as exotic species or invasive species, any trees listed on the Florida Exotic Pest Plant Council most recent Invasive Plant List I and II are not protected tree species; and

(D) Pruning following a declared state of emergency or storm in which trees become damaged in such a way that topping or excessive pruning becomes necessary by or at the direction of a governmental agency.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016)

Editor's note— See editor's note following Section 153.00.

153.04 Removal of exotic invasive plant species.

- (A) It shall be unlawful to plant or cause to be planted within the City limits the following exotic and nuisance plant species: Brazilian Pepper tree (*Schinus terebinthifolius*), Punk tree (*Melaleuca quinquenervia*), Australian pine tree (*Casuarina equisetifolia*), Chinese Tallow (*Sapium sebiferum*).
- (B) During the site construction process all invasive exotic plants as listed below 'List of Target Invasive Exotic Plant Species' shall be removed. After the issuance of the certificate of occupancy, the property owner shall control re-growth of invasive exotic plants in perpetuity.

List of Target Exotic Invasive Plant Species

- Australian pine (*Casuarina spp.*)
- Air Potato (*Dioscorea bulbifera*)
- Brazilian pepper (*Schinus terebinthifolius*)
- Carrotwood (*Cupaniopsis anacardiopsis*)
- Caster bean (*Ricinus communis*)
- Chinaberry (*Melia azedarach*)
- Chinese tallow (*Sapium sebiferum*)
- Laurel fig (*Ficus retusa 'nitida'*)
- Punk (*Melaleuca quinquenervia*)
- Ceaser's Weed (*Urena lobata*)

(C) For those platted lots that are less than ½ acre in size where a Tree Removal Permit is issued, the owner or applicant shall remove all existing Brazilian Pepper (*Schinus terebinthifolius*) trees from the lot and remove to the extent practicable any existing air potato vines (*Dioscorea bulbifera*).

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016)

Editor's note— See editor's note following Section 153.00.

➡ Municipal Code Ordinance 153.05. Pursuant to Section 153.03, it shall be unlawful for any person to cause any Protected Tree to be Removed without first obtaining a Tree Removal Permit.

(B) Any person wishing to obtain a Tree Removal Permit to Remove a Protected Tree shall submit a written Tree Removal Permit Application to the City in the form approved by the City Manager accompanied by a Tree Removal Permit Application fee of \$25.00 for residential parcels and \$100.00 for all other parcels, and pay any replacement fees required by Section 153.07.

(C) Where a Development Permit is required, the Tree Removal Permit Application shall contain the following minimum information:

(1) A tree survey reviewed and approved by a certified Arborist showing the following:

- (a) The shape and dimensions of the lot or parcel;
- (b) The location of existing structures and improvements;
- (c) The location and DBH of all trees on site and within 25' of the property line, identified by botanical or common name;
- (d) The location of the canopy drip line;
- (e) Any proposed tree removal and replacement program;
- (f) Tree Condition Rating for Protected Trees assigned by the City Arborist in accordance with subsection 153.05(3) below;
- (g) Any additional information deemed necessary by the City Manager, or his designee; and

(2) A statement as to why the tree(s) are proposed to be removed.

(3) The Tree Condition Rating shall be assigned by the City Arborist in accordance with the City's tree condition rating guide maintained by the City Arborist and shall range from a low of 0.0 to a maximum of 6.0, with 0 being a Dead Tree and 6.0 being a specimen tree. Increments of 0.5 shall be used to increase accuracy. In determining the Tree Condition Rating, the City Arborist shall consider the following:

- (a) Elements of structure: The presence of cavities; decayed wood; split, cracked, or rubbing branches; branch arrangements and attachments; evenly spaced scaffold branches as opposed to several branches emanating from the same area of the trunk; codominant stems as opposed to single leader trunk; and presence of branch ridge as opposed to included bark.
- (b) Elements of systemic health related to the trees overall energy system measured by net photosynthesis as opposed to respiration including the following indicators of healthy systemic systems: live crown ratio (the percentage live crown a tree has

relative to its height), crown density (density of foliage), and tip growth (foliated branch tips and shoot elongation).

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- (D) Where a site plan application is required under Section 229 of this Code, the applicant shall follow the procedures set forth therein.
- (E) City Staff shall have the authority to withhold issuance of Tree Removal Permit Application where a Development Permit is required until site plan approval has been granted.
- (F) Prior to the issuance of a Tree Removal Permit, City Staff shall conduct an on-site inspection.
- (G) Prior to the removal of any tree(s), City Staff shall inspect the site in accordance with the requirements of Section 153.08.
- (H) The tree removal permit must be displayed on site.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016; Ord. No. 2018-13, § 3, 8-20-2018)

Editor's note— See editor's note following Section 153.00.

153.06 Permit criteria.

- (A) In reviewing a Tree Removal Permit Application, City Staff shall approve a Tree Removal Permit only when one or more of the following criteria are met:
 - (1) The Protected Tree(s) to be removed pose a safety hazard to pedestrians or vehicular traffic, threaten to cause disruption of public services or utility services, pose a safety hazard to persons or buildings or are within the visibility triangle;
 - (2) The Protected Tree(s) to be Removed are weakened by age, fire or other injury or are in major decline, have a fatal and communicable disease, a fatal and communicable insect infestation, or have a defective structure that is a hazard; or
 - (3) The Protected Trees to be Removed must be Removed in order to construct improvements that are proposed as a result of:
 - (a) Need for access immediately around the proposed structure for construction equipment;
 - (b) Need for access to the building site for construction equipment;
 - (c) Essential grade changes;
 - (d) Surface water drainage and utility installations; or
 - (e) Location of primary building pad, primary foundation line, swimming pool, patio pad, or that portion of the driveway within the path of the garage or carport entrance, and these structures cannot be relocated.
- (B) City Staff may deny a Tree Removal Permit even if one of the above factors is met where there is a need for visual screening between incompatible uses as identified in [Section 154.00](#) et seq.

(C) City Staff, upon a determination that Tree Removal Permit Application is to be denied, shall state the basis for such denial specifically and shall notify the applicant in writing of the criteria upon which the denial is predicated.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016)

Editor's note— See editor's note following Section 153.00.


153.07 Permit conditions.

- (A) As a condition of granting the Tree Removal Permit, City Staff shall require the replacement of the tree(s) to be removed as outlined in Section (D)(1) below.
- (B) The replacement tree(s) shall be a Protected Tree and shall meet the requirements of Sections 154.02(A) and (B).
- (C) Any and all Tree Removal Permits, issued by the City shall expire within three (3) months of the Tree Removal Permit issue date. Any Tree Removal after the expiration of a Tree Removal Permit requires a new Tree Removal Permit Application and new Tree Removal Permit under the terms of [Section 153.00](#) et seq. If a new Tree Removal Permit is not obtained, Tree Removal conducted pursuant to an expired Tree Removal Permit shall be subject to the penalties in Section 153.10.
- (D) Except as specifically provided in this Section, all Protected Trees Removed pursuant to a Tree Removal Permit shall be replaced as follows: Tree Replacement Ratio based on the DBH inch of Protected Tree Removed or, where a suitable location for replanting on the property is not available, a fee in lieu thereof shall be paid in the amount calculated pursuant to subsections (1) through (8) below. Replacement trees shall be of a size as outlined in Section 154.02(A) and (B). Payments into the tree fund are due at time of tree removal permit issuance. Replacement trees for sites that are not associated with a building permit for new development are required to be planted within three months of tree removal permit issuance. Replacement trees for sites that are associated with a building permit for new development are required to be planted prior to the issuances of a Certificate of Occupancy. If replacement trees are installed on developed properties, the applicant shall guarantee the survival of the replacement trees and a follow-up, on-site inspection by City Staff at yearly intervals for two (2) years after planting may be conducted to ensure compliance. All replacement trees shall be regulated as Protected Trees regardless of whether they are less than four (4) inches at DBH. Replacement Trees shall be planted within three (3) months of the issuance of the Tree Removal Permit.

Failure to comply with these provisions will subject the applicant to penalties under this Section 153.10 and all applicable civil penalties as well as replanting and additional monitoring of replacement trees if necessary. Fees collected in lieu of replacement shall be placed in a fund established as the "City Tree Bank." Such fees are established as follows:

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 EXPAND

 #	Municode Codification Species	DBH	Replacement Cost Per Inch	Total Cost	Total Replacement Trees
1.	Live Oak	44"	\$50.00	\$2,200.00	5
2.	Live Oak	41"	\$50.00	\$2,050.00	5
3.	Laurel Oak	14"	\$20.00	\$280.00	2
4.	Laurel Oak	8"	\$10.00	\$80.00	1
5.	Laurel Oak	7"	\$10.00	\$70.00	1
				\$4,680.00	14

A suitable location is found to replace ten (10) protected trees on-site, leaving four trees for the replacement fund. The average cost per trees being removed for this site is \$936. The property owner will pay \$3,744 to replace four trees.

Example of a property without a Homestead Exemption for Ad Valorem Tax Purposes: A property owner receives a permit to remove five protected trees as listed below:

 EXPAND

#	Species	DBH	Replacement Cost Per Inch	Total Cost	Replacement Trees
1.	Live Oak	44"	\$100.00	\$4,400.00	5
2.	Live Oak	41"	\$100.00	\$4,100.00	5
3.	Laurel Oak	14"	\$40.00	\$560.00	2
4.	Laurel Oak	8"	\$20.00	\$160.00	1
5.	Laurel Oak	7"	\$20.00	\$140.00	1

DBH Tree Removed	Tree Replacement Ratio	Inch per Inch Tree Replacement Fee for Properties with Homestead Exemption for Ad Valorem Tax Purposes	Inch per Inch Tree Replacement Fee for all Other Properties
4 inches to less than 10 inches	1:1	\$10.00	\$20.00
10 inches to less than 20 inches	2:1	<u>20.00</u>	<u>40.00</u>
20 inches to less than 30 inches	3:1	30.00	<u>60.00</u>
30 inches to less than 40 inches	4:1	<u>40.00</u>	<u>80.00</u>
40 inches and greater	5:1	50.00	<u>100.00</u>

(2) Except as provided in Section 153.07(D)(3), where a property cannot replace the number of trees based on the Tree Replacement Ratio, the property owner will pay the Inch per Inch Tree Replacement Fee for the difference of inches not replaced. Where a partial Tree Replacement Ratio was reached, the Inch Per Inch Tree Replacement Fee will be prorated by the same percentage of Tree Replacement Ratio reached. For site plan applications where an Inch per Inch Tree Replacement Fee is being paid, the Inch per Inch Tree Replacement Fee shall be based on the average value of the total Protected Trees on the site pursuant to Section 153.07(D)(1) with a condition rating of 2.5 or higher that are being Removed, multiplied by the number of Protected Trees that are not being replaced on site.

Example of a property with a Homestead Exemption for Ad Valorem Tax Purposes: A property owner receives a permit to remove five protected trees as listed below:

Safety Harbor, FL Municode Codification	Species	DBH	Replacement Cost Per Inch	Total Cost	Replacement Trees
				\$9,360.00	14

A suitable location is found to replace ten (10) protected trees on-site, leaving four trees for the replacement fund. The average cost per trees being removed for this site is \$1,872. The property owner will pay \$7,488 to replace four trees.

- (3) A property owner who receives a homestead exemption the first year eligible for homestead exemption, may provide proof of homestead exemption to the City and receive a rebate for the difference in the Tree Replacement Fee paid at the time of the Tree Removal Permit and the Tree Replacement Fee for properties with a homestead exemption. Such rebate shall only be available if the Tree Removal Permit was issued to the same property owner who later obtains and provides proof of a homestead exemption.
- (4) Where the Protected Tree is a Live Oak measuring 26 inches or greater in DBH and is not Removed pursuant to Section 153.06(A)(1) or (2); there shall be no pro rata reduction in the Inch Per Inch Replacement Fee as described in 153.07(D)(2) and the full Tree Replacement Ratio shall be achieved or else the full Tree Replacement Fee shall be paid.
- (5) Where the tree is a Sabal Palmetto (Cabbage Palm or Sabal Palm), it shall be replaced with another Sabal Palm with five (5) feet of clear trunk or more or one protected replacement tree, or, in lieu of replacement, a fee of \$10.00 per DBH inch removed shall be collected. A protected shade tree shall not be replaced with a sabal palm.
- (6) When a Tree Removal Permit is approved for a Hazardous Tree and the number of existing healthy trees meet the minimum shade tree requirements specified in Sec. 154.03, no trees will be required to be planted and the replant requirement shall be waived, with a flat fee of \$100.00 per tree. In lieu of the \$100.00 flat fee, a minimum two-inch Protected Tree may be planted on the property.
- (7) Where the Protected Tree to be Removed is part of a site plan for new development, on a lot larger than 1 acre in size, that preserves at least 30 percent of existing Protected Trees on site having a DBH of 20 inches or greater and where each finished parcel meets the minimum tree requirements established by Section 154.03 of this Code, the Inch Per Inch Replacement Fee shall be waived.

(E)

Donated Trees—When a tree or trees are to be Removed pursuant to a Tree Removal Permit, the City may accept, as a donation, such trees for replanting on City property or for temporary planting at a tree farm for future City use. If such donation is accepted by the City, the property owner will pay a fee to cover the cost of relocation and care of said trees. The property owner will be credited DBH inch for DBH inch against the replacement requirements prescribed in this Section 153.07.

- (F) The City Tree Bank Funds will be used by the City for one of the following purposes:
- (1) To purchase trees for use on city property or for use in a City sponsored reforestation program within the City limits;
 - (2) For the payment of fees by the City to a landscape professional or certified arborist for educating City Staff or the general public with regard to tree protection and preservation; or
 - (3) For such other services or programs deemed by the City Manager to further the intent of [Section 153.00](#) et seq.

Notwithstanding the foregoing, no more than 50% of fees collected in lieu of tree replacement shall be used for anything other than the purchase of trees for use on City property, or for the use in a City sponsored reforestation program.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2015-09, § 1, 5-4-2015; Ord. No. 2016-10, § 1, 6-6-2016; Ord. No. 2018-13, § 4; 8-20-2018; Ord. No. 2021-18, § 4, 12-20-2021)

Editor's note— See editor's note following Section 153.00.

153.08 Tree protection during construction.

All development and redevelopment on parcels shall comply with the following tree protection requirements:

- (A) It shall be unlawful for any person in the construction of any structures or other improvements to place solvents, material, construction machinery, or temporary soil deposits within the Critical Root Zone.
- (B) Before any development activity begins, a Tree Removal Permit shall be required and a Protective Barrier shall be erected by the developer around all Protected Trees on site and, if the adjacent property owner consent, off site Protect Trees within twenty-five (25) feet of the property line, and other protected environmental areas during site clearing to create a protective radius and shall remain in place until land alteration, site clearing and construction activities are complete. The Protective Barrier shall remain until such time as they are authorized to be removed by City Staff or until the issuance of a final Certificate of Occupancy. A fine of up to \$250.00 per day shall be assessed to the property owner

and/or contractor of record for trees without a Protective Barrier or when existing Protective Barriers have been knocked down or removed or when unauthorized materials have been placed within the Protective Barrier.

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Municode Codification

- (C) Installation of artificial barriers such as protective barricades, fences, posts or walls shall not destroy or irreversibly harm the root system of Protected Trees. Footers for walls shall end at the point where larger roots are encountered, and the roots shall be bridged. Post holes and trenches located close to Protected Trees shall be adjusted to avoid damage to major roots.
- (D) In addition to the above requirements, during construction, no attachments or wires shall be attached to any Protected Tree.
- (E) All roots to be removed during the site clearing phase shall be severed clean at the perimeter of the designated protective radius.
- (F) A five-inch layer of mulch shall be applied over the surface of exposed roots of Protected Trees during the site clearing phase.
- (G) A protective dry well and drainage/aeration system shall be provided where Protected Trees will be adversely affected by raising the grade.
- (H) A protective retaining wall shall be constructed at the perimeter of the protective radius around a Protected Tree where the Protected Tree will be adversely affected by lowering the grade.
- (I) All pruning of Protected Trees during development shall be supervised by an Approved Arborist.
- (J) The City shall require the submittal of a tree preservation plan for all protected trees on property and within twenty-five (25) feet of the property prepared by an approved arborist prior to commencement of construction. The tree preservation plan shall describe how the construction impacts will be mitigated.
- (K) When a utility must cross a Critical Root Zone of a Protected Tree in good health, directional boring or tunneling shall be required to avoid the tree roots. Sewer lines may be exempted from this requirement, if the functionality of the line will be diminished as a result of this requirement.
- (L) If new construction necessitates the Pruning or Removal of an off-site tree either in the right of way or on adjacent property and the owner of the adjacent property consents, the owner of the property under construction shall be responsible for all costs (including, but not limited to, permitting and contractor costs) associated with the Pruning or Removal of the off-site tree.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016; Ord. No. 2021-18, § 5, 12-20-2021)

Editor's note— See editor's note following Section 153.00.

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153.09 Relationship to building permit.
Municode Codification

- (A) No building permit shall be issued without an approved Tree Removal Permit or one of the following verifications:
 - (1) If there are no Protected Trees on the property, an applicant for building permit shall submit a notarized statement of No Tree Removal Verification.
 - (2) If all Protected Trees that exist on the property will not be removed, an applicant for building permit shall submit a notarized statement of No Tree Removal Verification.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016)

Editor's note— See editor's note following Section 153.00.

153.10 Enforcement.

- (A) City Staff has the authority to withhold the final Certificate of Occupancy if the provisions set forth in [Section 153.00](#) et seq., including conditions of any Tree Removal Permits issued, have not been complied with.
- (B) Whenever City Staff determines that a violation of [Section 153.00](#) et seq. has occurred, City Staff shall cause such violations to be corrected by complying with the following procedure:
 - (1) Written Notice: Immediately issue written notice in the manner specified in Section 162.12, Florida Statutes, as may be amended, to the alleged violator stating the nature and location of the violation and specifying what remedial steps are necessary to bring the project into compliance. Such person shall immediately commence the recommended remedial action and shall have two (2) working days after receipt of said notice, or such longer time as may be allowed by the City Staff, to complete the remedial action set forth in said notice.
 - (2) Remedial Work and Stop Work Orders: If a subsequent violation occurs during the 2 working days, or if remedial work specified in the notice of violation is not completed within the time allowed, or if clearing, development of land, or any site alteration is occurring without a required Tree Removal Permit, City Staff shall issue a Stop Work Order immediately. Said Stop Work Order shall contain the grounds for its issuance, and shall set forth the nature of the violation. The Stop Work Order shall be directed not only to the person owning the land upon which the violation is occurring, but also shall be directed to the person or firm actually performing the physical labors of the development activity, directing him to cease and desist all or any portion of the work upon all or any geographical portion of the project, whichever is greater, except such remedial work as is deemed necessary to bring the violation into compliance.



(C) Subsection (B) above shall be supplemental and shall not prohibit the City from enforcing Section 153.00 et seq. by any other legal procedure including, but not limited to, the procedure provided by Chapter 2, Article III, Sections 2.10.01 through 2.10.11 of the Safety Harbor City Code, and/or Chapter 162, Florida Statutes.

(D) For the Removal of any Protected Tree in violation of this Code, City Staff shall ensure that the proper permitting procedure is henceforth followed, and the property owner shall be charged four (4) times the Tree Removal Permit fee specified in Section 153.05(B) and Tree Replacement Fee specified in Sec. 153.07(D)(1).

(E) In addition to all other available remedies, any individual or entity for hire that Removes any Protected Tree in violation of this Code shall be subject to a progressive fine as listed below:
First offense: \$1,000.00 fine and a three-month suspension on submitting Tree Removal Permit Applications.

Second offense: \$2,000.00 fine and a six-month suspension on submitting Tree Removal Permit Applications.

Third and all future offenses: \$3,000.00 fine and one-year suspension on submitting Tree Removal Permit Applications.

All fines must be paid prior to the approval of any future Tree Removal Permits.

(F) Any individual or entity for hire that improperly prunes a cabbage palm within a commercial or multi-family development shall be subject to a fine of \$100.00 per tree.

(G) In any prosecution for the removal of a Protected Tree without a Tree Removal Permit, each tree so removed will constitute a separate offense, and mitigation shall be required per Section 153.07.

(H) In addition to other remedies and notwithstanding the existence of an adequate remedy at law, the City may seek injunctive relief in the Circuit Court to enforce the provisions of this section.

(I) All fines are due within three (3) months of the date of the violation letter or, if appealed, within thirty (30) days of the final order on the appeal.

(J) All fines for the Removal of Protected Trees in violation of this Code shall constitute a lien upon the premises served if the fines remain unpaid fifteen (15) days beyond due date. The City Clerk may file with the Clerk of the Circuit Court of the County a Claim of Lien. The Claim of Lien shall contain the legal description of the premises served, the amount of the fines, plus administrative fees, penalties, and attorney's fees. All recorded fines shall bear interest at the current judgment rate.

Editor's note— See editor's note following Section 153.00.

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153.11 Appeals
Municode Codification

Any applicant for a Tree Removal Permit adversely affected by a decision of City Staff in the application or interpretation of any of the provisions of Sections [153.00](#) et seq., with the exception of Section 153.10, may appeal the decision to the City Commission by filing notice of their appeal with the City Manager within sixty (60) days of the date the decision is rendered. The notice of appeal shall state the basis for the appeal and all pertinent facts surrounding the appeal.

(Ord. No. 2015-03, § 1, 3-16-2015; Ord. No. 2016-10, § 1, 6-6-2016)

Editor's note— See editor's note following Section 153.00.

153.12 Grand trees.

- (A) *Intent:* The City Commission finds that Grand Trees as defined herein increase the value of properties where they grow and provide superior aesthetic and ecological benefits to these properties and the surrounding community and as such are a valuable natural resource that enhance the quality of life and the general welfare of the citizens of Safety Harbor. It is the intent of the City Commission to encourage the protection of the maximum number of Grand Trees within the City by regulating the performance of activities that may adversely impact the condition of a Grand Tree or cause its unwarranted removal.
- (B) *Applicability:* Any site where new construction is proposed, or land alteration is to occur is required to have each tree that meets the minimum requirements of species and trunk diameter for a Grand Tree graded by an Approved Arborist for overall condition and scored for total points to determine if the tree is a Grand Tree. The grand tree scoring worksheets shall be maintained by the City Arborist. The calculations for all trees meeting the species and trunk diameter requirements for a Grand Tree must be provide even if the tree does not have the requisite condition rating or total points to attain Grand Tree status. The calculations are due at the time of first submittal for projects requirement site plan approval. For projects not requiring site plan approval, the calculations are due at the time the application is made for a land alteration permit or building permit. The City retains the right to reject Grand Tree assessments that are incomplete or do not adhere to current industry standards for tree assessment.


([Ord. No. 2021-18](#), § 8, 12-20-2021)

153.13 Evaluation of grand tree status.

- (A)


To achieve the designation of a Grand Tree a tree must meet the minimum qualifications defined below.

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 (1) The following tree species shall be considered for Grand Tree Status:

- a) Live Oak (*Quercus virginiana*)
 - b) Sand live oak (*Quercus genminata*)
 - c) Southern magnolia (*Magnolia grandiflora*)
 - d) Sweetbay (*Magnolia virginiana*)
 - e) Bald cypress (*Taxodium distichum*)
 - f) Pignut hickory (*Carya glabra*)
 - g) American elm (*Ulmus americana*)
 - h) Southern red cedar (*Juniperus silicicola*)
 - i) Longleaf pine (*Pinus palustris*)
 - j) Slash pine (*Pinus elliottii*)
- (2) The tree must have a minimum trunk DBH of at least 26 inches to be a candidate for Grand Tree status.
- (3) The tree must have a condition rating of 3.5 or greater, as established in Section 153.05(C) (3).
- (4) The tree must accumulate the number of points based on the Grand Tree Worksheet and summarized below:
- a) Measure the tree's trunk diameter in inches at DBH.
 - b) Measure in feet the widest cross section of the tree's crown as projected vertically down to the ground and the narrowest cross section of the crown projected vertically down to the ground. Add the total feet for both measurements and divide by two to get the average crown spread expressed in feet.
 - c) Measure the highest point of the crown using an altimeter, clinometer or other measuring device that will give an accurate measurement in feet of the highest point of the tree's crown.
 - d) Add the numbers for inches of trunk diameter, feet of the average crown spread, feet for the total height of the tree and add the condition rating and if the point totals equal or exceed the minimum number of total points for the species as defined in the following table, the tree is a grand tree.

 EXPAND

Safety Harbor, FL  Municode Codification	Minimum Total Points for Grand Tree Status
Live Oak (<i>Quercus virginiana</i>)	145
Sand live oak (<i>Quercus genminata</i>)	145
Southern magnolia (<i>Magnolia grandiflora</i>)	120
Sweetbay (<i>Magnolia virginiana</i>)	120
Bald cypress (<i>Taxodium distichum</i>)	115
Pignut hickory (<i>Carya glabra</i>)	130
American elm (<i>Ulmus americana</i>)	130
Southern red cedar (<i>Juniperus silicicola</i>)	115
Longleaf pine (<i>Pinus palustris</i>)	115
Slash pine (<i>Pinus elliottii</i>)	115

(Ord. No. 2021-18, § 9, 12-20-2021)


153.14 Permit required.

- (A) Unless exempt pursuant to 153.03, it shall be unlawful for any person to cause any Grand Tree to be removed without first obtaining a Grand Tree Removal Permit.
- (B) Any person wishing to obtain a Grand Tree Removal Permit to remove a Grand Tree shall submit a written Tree Removal Permit Application to the City in the form approved by the City Manager accompanied by a Tree Removal Application Fee of \$25.00 for residential parcels and \$100.00 for all other parcels, and pay any replacement fees required by Section 153.15(C). The application shall include the following information:
 - (1) A site plan drawn to a minimum scale of 1" = 20 feet, of showing the parcels and lots, existing and proposed grades, all proposed structures including buildings, vehicular use areas, walkways, overhead and underground utilities, retention ponds, swales and any other structures on the property.

(2)

All Grand Trees shall be identified on the survey as "GT". Trees proposed for removal shall be identified.

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- (3) A tree inventory listing each Grand Tree by size (DBH), species (botanical and common name).
 - (4) A Grand Tree Worksheet for each grand tree.
 - (5) An explanation as to how the proposed Grand Tree Removal meets the criteria in Section 154.14(C) for each tree proposed to be removed.
- (C) The application shall be field checked by the City Arborist or by an approved arborist hired by the city to determine if the tree(s) proposed for removal achieve the designation of a Grand Tree as defined in Section 153.13. A Grand Tree may be removed from a site when one or more of the following criteria are met:
- (1) The Grand Tree(s) to be removed pose a safety hazard to pedestrians or vehicular traffic, threaten to cause disruption of public services or utility services, pose a safety hazard to persons or buildings or are within the visibility triangle;
 - (2) The Grand Trees to be Removed must be Removed in order to construct improvements that are proposed as a result of:
 - (a) Need for access immediately around the proposed structure for construction equipment;
 - (b) Need for access to the building site for construction equipment;
 - (c) Essential grade changes;
 - (d) Surface water drainage and utility installations; or
 - (e) Location of primary building pad, primary foundation line, swimming pool, patio pad, or that portion of the driveway within the path of the garage or carport entrance, and these structures cannot be relocated.
 - (3) Staff finds it to be in the interest of the general public's health, safety and welfare that the tree be removed.
- (D) The City Arborist shall review the Grand Tree Removal Permit application and provide the applicant with written notification of the city's approval or denial of the permit application for each tree requested for removal within 21 calendar days of receipt of the completed permit application. Upon the determination that a tree(s) being requested for removal on a Grand Tree Removal Permit application is to be denied, the City Manager shall state the basis for such a denial citing the specific criteria for removal as enumerated herein and shall notify the applicant. in writing, of their right to appeal the decision.
- (E) An approved Grand Tree Removal permit shall be valid for a period of one hundred eighty (180) days from the issuance date. If the tree(s) has not been removed by the end of the one hundred eighty-day period, then the existing permit shall expire and a new application must

be filed if the applicant still desires to remove the tree(s). The City will have the option to re-inspect the tree(s) to determine if the tree(s) still warrant removal based on the current criteria in [Section 153.00](#). et seq. or the City can choose to approve the new permit request based on the former decision to grant the permit.

- (F) If a Grand Tree is located at a site that will be impacted by development related activities, but the activities will not necessitate the removal of the Grand Tree, then a No Grand Tree Removal Verification Form must be completed. The trees identified on the form shall be provided protection e.g., tree barricades. as provided herein.

(Ord. No. 2021-18, § 10, 12-20-2021)

153.15 Mitigation standards for removal of a grand tree.

- (A) When a Grand Tree is approved for removal, the tree shall be replaced with new tree plantings per the following replacement ratios:

 EXPAND

Trunk diameter (DBH) removed	Replacement Ratio
26"—40"	3:1
41"—50"	4:1
51" or greater	5:1

- (B) The replacement trees shall be of a species from the list in Section 153.13(A)(4)(D) and be Florida Grade #1 or better as defined in the Florida Division of Plant Industry's Florida Grades and Standards for Nursery Stock. If replacement trees are installed, the applicant shall guarantee the survival of the replacement trees for a period of two years after inspection and approval by the City. The trees must be maintained in a healthy growing condition, or the applicant shall continue to plant new trees at the location until the required numbers of replacement trees are established. Failure to comply with these provisions will subject the applicant to civil remedy penalties as defined in Section 153.10. Where a suitable location for replanting on the property is not available, a fee in lieu thereof shall be paid. Payments into the tree fund are due at time of tree removal permit issuance. Replacement trees for sites that are not associated with a building permit for new development are required to be planted within three months of tree removal permit issuance. Replacement trees for sites that are associated with a building permit for new development are required to be planted prior to the issuance of a Certificate of Occupancy. A combination of new tree plantings and payment to the tree bank is acceptable.

Fees collected in lieu of replacement shall be placed in the "City Tree Bank" as described in Section 153.07(D).

Grand Tree removals shall be subject to the Inch Per Inch Tree Removal fees in Section 153.07(D). In addition, a flat fee shall be paid into the "City Tree Bank" of \$1,500 for properties with a homestead exemption and \$3,000 for all other properties.

- (C) Failure to comply with these provisions will subject the applicant to penalties under this Section 153.10 and all applicable civil penalties as well as replanting and additional monitoring of replacement trees if necessary.

(Ord. No. 2021-18 , § 11, 12-20-2021)

153.16 Prohibited acts, penalties, civil remedy.

- (A) It shall be unlawful for any person, without having first obtained a permit as provided herein, to remove, cut down, damage, poison, effectively remove through excessive injury, or to cause to be removed, cut down, damaged, poisoned or effectively removed through excessive injury any Grand Tree and it shall be unlawful for any person to damage or cause to be damaged a Grand Tree by performing improper maintenance to a Grand Tree as defined herein. Any person(s) found guilty of such actions will be liable for the penalties provided in subsection (B), or for such other fines or penalties as provided by law.
- (B) The city may seek through civil action a civil penalty from any person who removes or effectively removes or causes to be removed a Grand Tree without first obtaining a permit or who damages a Grand Tree as described in Section 153.05(A), above. The person shall pay to the City a civil penalty equal to the total value of the tree(s) illegally removed or damaged. The value shall be determined according to the appraisal methodologies as established in the Council of Tree and Landscape Appraisers' current edition of the Guide For Plant Appraisal, edited, published and copyrighted by the International Society of Arboriculture. This remedy is supplemental to any other remedies or enforcement actions the City may have to enforce the provisions of [Section 153.00](#), et seq.

(Ord. No. 2021-18 , § 12, 12-20-2021)

153.17 - Grand tree maintenance and tree preservation plans. :

- (A) Any maintenance performed on a Grand Tree shall be subject to the minimum standards of Section 153.02. When the critical root zone of a grand tree will be disturbed affected roots must be severed by clean pruning cuts at the point where construction impacts the roots. Roots can be pruned by utilizing a root-pruning machine designed for this purpose or by hand digging a trench and pruning roots with a pruning saw, chain saw, or other equipment designed for tree pruning. Roots located within the critical root zone that will be impacted by construction, must be pruned to a depth of 18 inches below the existing grade or to the depth of disturbance if less than 18 inches from the existing grade.

(B)

Any activities that will impact the critical root zone of a Grand Tree such as excavations for utilities or irrigation lines, open trenching, grubbing of rooted vegetation, addition of fill material, heavy equipment traversing over the critical root zone, or any and all other activities that will impact the critical root zone must be performed under the direct supervision of a Certified Arborist.

- (C) Prior to conducting maintenance on limbs of a Grand Tree that measure 6 inches or more in diameter measured at the base of the limb, a Certified Arborist shall submit an affidavit detailing any work of an arboricultural nature that will be performed on the tree.
- (D) All development or redevelopment on parcels where a Grand Tree is located shall comply with the tree protection during construction requirements of Section 153.08.
- (E) Any violations of Section 153.12 through [153.17](#) shall be subject to the penalties and civil remedy provisions set forth in Section 153.16.

([Ord. No. 2021-18](#), § 13, 12-20-2021)

154.00 - Landscaping and screening.

- (A) No site plan approval shall be issued unless a landscape plan has been approved in accordance with the requirements of Sections [154.00](#) through 154.07.
- (B) Landscape plans shall be prepared by landscape architects registered in accordance with the requirements of Chapter 481, Part II, Florida Statutes or persons otherwise exempt thereunder and shall include the following minimum information:
 - (1) The necessary drainage information required by the City Engineer.
 - (2) The existing and proposed parking spaces, access aisles, driveways, and other vehicular use areas, including their surface construction material.
 - (3) The location, height, use and gross floor area of all buildings to be serviced.
 - (4) The location of water sources and type of irrigation proposed.
 - (5) The size, type, spacing, location, and open space calculations of all proposed and existing landscaping.
- (C) All required landscaping shall be maintained by a one hundred percent (100%) automatic irrigation system. Such systems shall be equipped with a rain gauge trip switch which will not allow irrigation during a rain event, and shall utilize drip irrigation where appropriate in accordance with Section 154.06. Hose bibs may be approved as an alternative by the Community Development Director where deemed appropriate, if located within fifty (50) feet of all required landscaping.

(Ord. No. 2015-04, § 1, 3-16-2015)

154.01 Reserved for future use.

154.02 Plant material.

- (A) All trees shall have a minimum of two-inch trunk diameter measured six (6) inches above grade, a minimum crown of four (4) feet, minimum height of eight (8) feet upon planting, and a minimum nursery grade of Florida #1 or better according to current edition of *Grades and Standards for Nursery Plants*, published by the Florida Department of Agriculture and Consumer Services Division of Plant Industry. Trees shall be selected from the approved species listed in Tables X-1 or X-2 unless alternative planting material is authorized by the Community Development Director. No more than twenty-five (25) percent of new required trees shall be of a single species of tree or palms. Existing trees which are preserved and new trees which are provided in excess of the required number of trees shall not be subject to this limitation. Plant material should be selected based on its compatibility with current and anticipated site conditions. Priority should be given to native species.

LEGEND:

Species: Includes the plant's Scientific Name followed by the Botanical Name.

Native: Classifies whether a tree or shrub is native to Pinellas County or North or Central Florida (YES) or is exotic (NO) meaning not native to North America.

Use: Describes whether a tree is a shade tree (ST) or an accent (A) tree. A shrub shall be considered a large shrub (LS) if it has a mature height of five (5) feet or greater. A shrub shall be considered a small screening shrub (S) if it has a mature height of less than five (5) feet.

Soil: Xeric (X) is characterized by soils with coarse texture such as sandy soils and soils with good drainage. Xeric soils are typically infertile. Mesic (M) soils are medium textured loamy soils with a mixture of sand, silt and clay particles. They have average fertility and drainage. Hydric (H) soils are dominated by fine-textured clay particles, have poor drainage (retain water) and high fertility. It is important to match the tree to its soil type.

Drought: Drought refers to a tree's ability to survive drought periods. A tree with a high drought tolerance can survive extended drought periods. However, even the most drought tolerant plants should receive irrigation in urban areas.

pH: Soil pH is a measure of a soil's acidity (AC) or alkalinity (AL). The pH scale ranges from 0—14 with 7.0 being neutral and measurements below 7.0 acidic soil and above 7.0 alkaline. Most trees prefer acidic soils but some grow well in soils that are slightly alkaline (SA).

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 Light: Light describes a tree's light needs. Some trees prefer full sun and will only flower in full sun (SUN) while other trees either need partial shade (PS) or full shade (SH).
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Salt: Salt refers to a tree's ability to withstand aerosol salt spray. Some trees grow in areas of direct salt spray while other trees can only tolerate minimal salt in the air.

 EXPAND

TABLE X-1: APPROVED SPECIES LIST FOR SHADE AND ACCENT TREES

* Indicates Protected Tree under [Section 153.00](#) et seq.

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Acacia farnesiana</i>	Sweet Acacia, Huisache	YES	A	X-M	HIGH	AC- AL	SUN	MOD
<i>Acer rubrum</i> *	Red Maple*	YES	ST	M-H	MOD	AC	SUN/PS	LOW
<i>Callistemon citrinus</i>	Bottlebrush, Red Bottlebrush	NP	A	X-M	HIGH	AC- AL	SUN	MOD
<i>Callistemon viminalis</i>	Weeping Bottlebrush	NO	A	X-M	MOD	AC- SA	SUN	MOD
<i>Carya glabra</i> *	Pignut Hickory*	YES	ST	X-M	HIGH	AC- SA	SUN/PS	MOD
<i>Carya illinoensis</i> *	Pecan*	YES	ST	X-M	HIGH	AC- AL	SUN/PS	LOW
<i>Celtis laevigata</i> *	Sugarberry*	YES	ST	M-H	HIGH	AC- AL	SUN/PS	HIGH
<i>Diospyros virginiana</i> *	Persimmon, Common Persimmon*	YES	ST	M	HIGH	AC- AL	SUN/PS	HIGH
<i>Elaeocarpus decipiens</i>	Japanese Blueberry	No	A	All	Mod	AC- AL	SN-PS	Unk.

Safety: APPROVED SPECIES LIST FOR SHADE AND ACCENT TREES

Indicates Potential Tree under [Section 153.00](#) et seq.

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Eriobotrya japonica</i>	Loquat	NO	ST	X-M	MOD	AC-AL	SUN/PS	MOD
<i>Ilex cassine</i> *	Dahoon Holly*	YES	ST	M-H	MOD	AC-SA	SUN/PS/SH	MOD
<i>Ilex cornuta</i> "Burfordii"	Burford Holly	NO	A	M	HIGH	AC-AL	SUN/PS	MOD
<i>Ilex opaca</i> *	American Holly*	YES	ST	M	HIGH	AC-SA	SUN/P/SHS	HIGH
<i>Ilex vomitoria</i> Cultivars	Yaupon Holly, Tree Yaupon, Weeping Yaupon Holly	YES	A	X-M	HIGH	AC-AL	SUN/PS/SH	HIGH
<i>Juniperus silicicola</i> or <i>virginiana</i> Cultivars*	Southern Redcedar, Eastern Redcedar*	YES	ST-A	X-M	HIGH	AC-AL	SUN/PS	HIGH
<i>Lagerstroemia indica</i> Cultivars	Crape Myrtle	No	A	X-M	HIGH	AC-AL	SUN	MOD
<i>Ligustrum japonicum</i>	Japanese Privet, Wax Privet, Wax- Leaf Privet	NO	A	X-M	HIGH	AC-SA	SUN/PS	MOD
<i>Liquidambar styraciflua</i> *	Sweetgum*	YES	ST	M-H	MOD	AC-SA	SUN/PS	MOD

Society: APPROVED SPECIES LIST FOR SHADE AND ACCENT TREES

Indicates Potential Tree under [Section 153.00](#) et seq.

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Magnolia grandiflora</i> Cultivars*	Southern Magnolia, Magnolia*	YES	ST-A	X-M	MOD	AC-SA	SUN/PS	HIGH
<i>Magnolia virginiana</i> *	Sweetbay, Swamp Magnolia*	YES	ST	H	LOW	AC	SUN/PS	LOW
<i>Myrica cerifera</i>	Wax Myrtle	YES	A	X-M	MOD	AC-AL	SUN/PS	HIGH
<i>Nerium oleander</i> Cultivars	Oleander	NO	A	X-M	HIGH	AC-AL	SUN/PS	MOD
<i>Nyssa sylvatica</i> *	Blackgum, Black Tupelo*	YES	ST	M-H	HIG	AC	SUN/PS	MOD
<i>Peltophorum pterocarpum</i>	Yellow Poinciana	NO	ST	M	HIGH	AC-AL	SUN	LOW
<i>Pinus elliotii</i> *	Slash Pine*	YES	ST	X-M	HIGH	AC-SA	SUN/PS	HIGH
<i>Pinus palustris</i> *	Longleaf Pine*	YES	ST	X-M	HIGH	AC-SA	SUN	HIGH
<i>Pinus taeda</i> *	Loblolly Pine*	YES	ST	M	MOD	AC	SUN	MOD
<i>Platanus occidentalis</i> *	Sycamore*	YES	ST	M-H	MOD	AC-AL	SUN	MOD
<i>Podocarpus macrophyllus</i>	Podocarpus Tree, Yew, Japanese Yew	NO	A	X-M	HIGH	AC-AL	SUN/PS	HIGH

Safety: APPROVED SPECIES LIST FOR SHADE AND ACCENT TREES

Indicates Protected Tree under [Section 153.00](#) et seq.

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Prunus angustifolia</i>	Chickasaw Plum	YES	A	X-M	HIGH	AC-AL	SUN/PS	LOW
<i>Prunus caroliniana</i>	Cherry Laurel	YES	A	X-M	HIGH	AC-SA	SUN/PS	MOD
<i>Quercus geminata</i>	Sand Live Oak	YES	ST	X-M	HIGH	AC	FS/PS	LOW
<i>Quercus laurifolia</i>	Laurel Oak, Diamond Leaf Oak	YES	ST	M-H	MOD	AC-SA	FS/PS	LOW
<i>Quercus laevis</i>	Turkey Oak	YES	ST	X	HIGH	AC	FS	LOW
<i>Quercus nigra</i>	Water Oak	YES	ST	M-H	MOD	AC-SA	SUN/PS	LOW
<i>Quercus virginiana</i> Cultivars*	Live Oak*	YES	ST	X-M	HIGH	AC-AL	SUN/PS	HIGH
<i>Raphiolepis umbellata</i>	Round-Leaf Hawthorn, Yedda Hawthorn	NO	A	X-M	MOD	AC-AL	SUN/PS	MOD
<i>Taxodium ascendens</i> *	Pond Cypress*	YES	ST	H	HIGH	AC-SA	SUN/PS	MOD
<i>Taxodium distichum</i> *	Bladcypress*	YES	ST	M-H	MOD	AC-SA	SUN/PS	MOD
<i>Ulmus alata</i>	Winged Elm	YES	ST	M-H	HIGH	AC-AL	SUN/PS	MOD

Safety: APPROVED SPECIES LIST FOR SHADE AND ACCENT TREES

Indicates Protected Tree under [Section 153.00](#) et seq.

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Ulmus Americana*</i>	American Elm*	YES	ST	M-H	HIGH	AC-AL	SUN/PS	MOD
<i>Ulmus Americana var. floridana</i>	Florida Elm	YES	ST	M-H	MOD	AC-AL	SUN/PS	MOD
<i>Ulmus parvifolia</i> Cultivars	Chinese Elm	NO	ST	X-M	HIGH	AC-AL	SUN/PS	MOD
<i>Viburnum obovatum</i>	Walter's Viburnum, Blackhaw	YES	A	M	HIGH	AC-AL	PS	LOW

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TABLE X-2: APPROVED SPECIES LIST FOR PALM TREES

Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Acoelorrhaphe wrightii</i>	Paurotis Palm	NO	A	M-H	MOD	AC-SA	SUN/PS	LOW
<i>Bismarckia nobilis</i>	Bismarck Palm	NO	A	M	HIGH	AC-SA	SUN/PS	MOD
<i>Butia capitata</i>	Pindo Palm	NO	A	X-M	HIGH	AC-SA	SUN/PS	HIGH

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Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Chrysalidocarpus lutescens</i>	Areca Palm, Yellow Butterfly Palm, Bamboo Palm	NO	A	M-H	MOD	AC- SA	SUN/PS/SH	MOD
<i>Livistona chinensis</i>	Chinese Fan Palm, Fountain Palm	NO	A	X-M	HIGH	AC- AL	SUN/PS	MOD
<i>Phoenix canariensis</i>	Canary Island Date Palm	NO	A	X-M	HIGH	AC- SA	SUN	MOD
<i>Phoenix dactylifera</i>	Date Palm	NO	A	X-M	HIGH	AC- SA	SUN	HIGH
<i>Phoenix reclinata</i>	Senegal Date Palm	NO	A	X-M	MOD	AC- AL	SUN/PS	MOD
<i>Phoenix robellini</i>	Pygmy Date Palm	NO	A	X-M	MOD	AC- SA	SUN/PS	LOW
<i>Sabal palmetto</i>	Sabal Palm, Cabbage Palm	YES	A	X-H	HIGH	AC- AL	SUN/PS/SH	HIGH

(B) Trees shall be separated from buildings, overhead utility lines, and sidewalks as follows:

(1) *Shade Trees.*

- (a) The main trunks of new shade trees shall be set back at least twenty (20) feet from overhead utility lines and buildings.
- (b) The main trunks of new shade trees shall be set back at least five (5) feet from the nearest edge of an existing sidewalk.
- (c) New paving shall be setback a minimum of ten (10) feet from the main trunk of existing shade trees that are retained.

(2)

Accent Trees. The main trunks of new accent trees shall be set back ten (10) feet from buildings.

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(3) **Palms.** The trunks of palms with small crowns, having a crown diameter of 12 feet or less, shall be set back at least five (5) feet from overhead utility lines and buildings. The trunks of palms with large spreading crowns, having a crown diameter of greater than 12 feet, shall be set back at least fifteen (15) feet from overhead utility lines and buildings, as approved by the City.

(C) All shrubs shall be Florida #1 grade or better. Hedges, where required, shall form a continuous, unbroken, solid visual screen within one (1) year of planting, being maintained thereafter to specification. Shrubs shall be selected from the approved species listed in Table X-3 unless alternative planting material is authorized by the Community Development Director.

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Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Buxus microphylla</i>	Boxwood	NO	S	X-M	MOD	AC-SA	SUN/PS	LOW
<i>Camellia japonica</i>	Camellia	NO	LS	M	MOD	AC-SA	PS	LOW
<i>Carissa grandiflora</i>	Natal Plum, Common Carissa	NO	LS	X-M	HIGH	AC-AL	PS	HIGH
<i>Carissa macrocarpa</i>	Dwarf Natal Plum	NO	S	X-M	HIGH	AC-AL	PS	HIGH
<i>Coccoloba uvifera</i>	Seagrape	YES	LS	X-M	HIGH	AC-AL	SUN/PS	HIGH
<i>Elaeagnus pungens</i>	Silverthorn, Throny Elaeagnus	NO	LS	X-M	HIGH	AC-AL	SUN/PS	HIGH

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Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Feijoa sellowiana</i>	Feijoa, Pineapple Guava	NO	LS	X-M	HIGH	AC-SA	SUN/PS	HIGH
<i>Forestiera segregata</i>	Florida Privet, Ink Bush	YES	LS	M	HIGH	AC-AL	SUN/PS	MOD
<i>Hamelia patens</i>	Firebush, Scarletbush	YES	LS	X-M	MOD	AC-AL	SUN/SH	LOW
<i>Hibiscus rosa-sinensis</i> Cultivars	Chinese Hibiscus, Hibiscus, Tropical Hibiscus	NO	LS	M	MOD	AC-SA	PS	LOW
<i>Ilex cornuta</i> Cultivars	Chinese Holly, Burford Holly, Carissa Holly, Dwarf Chinese Holly, etc.	NO	LS-S	X-H	MOD	AC-SA	SUN/PS	MOD/LOW
<i>Ilex vomitoria</i> Cultivaris	Yaupon Holly, Dwarf Yaupon	YES	LS-S	X-M	HIGH	AC-SA	SUN/PS	HIGH
<i>Illicium floridanum</i>	Red Anise, Florida Anise	YES	LS	M	MOD	AC-SA	PS/SH	LOW
<i>Illicium parviflorum</i>	Yellow Anise, Florida Anise	YES	LS	M	MOD	AC-SA	PS/SH	LOW
<i>Ixora coccinea</i>	Ixora	NO	LS	X-M	MOD	AC-SA	SUN/PS	MOD
<i>Jasminum multiflorum</i>	Downy Jasmine, Star Jasmine	NO	LS	X-M	MOD	AC-AL	SUN/PS	LOW

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Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Juniperus chinensis</i> Cultivars	Torulosa Juniper, Blue Vase Juniper, Parsonii Juniper, etc.	NO	LS-S	X-M	HIGH	AC-AL	SUN/PS	HIGH/MOD
<i>Ligustrum japonica</i>	Japanese Privet, Wax Privet, Wax-Leaf Privet	NO	LS	X-M	HIGH	AC-SA	SUN/PS	MOD
<i>Nandina domestica</i> Cultivars	Heavenly Bamboo, Scared Bamboo	NO	S	M	MOD	AC-SA	SUN/PS	LOW
<i>Nerium oleander</i> Cultivars	Oleander, Dwarf Oleander	NO	LS-S	X-M	HIGH	AC-AL	SUN/PS	MOD
<i>Philodendron selloum</i>	Selloum	NO	LS	M	MOD	AC-SA	PS/SH	LOW
<i>Philodendron x</i>	"Xanadu"	NO	S	M	MOD	AC-SA	SH	LOW
<i>Pittosporum tobira</i> Cultivars	Pittosporum, Japanese Pittosporum, Varigated Pittosporum, Wheeler's Dwarf Pittosporum	NO	LS-S	X-M	HIGH	AC-AL	PS	MOD
<i>Plumbago auriculata</i>	Plumbago, Sky Flower, Cape Plumbago	NO	LS	X-M	MOD	AC-SA	SUN/PS	LOW

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Scientific Name	Botanical Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Podocarpus macrophyllus</i>	Podocarpus, Yew, Japanese Yew	NO	LS	X-M	HIGH	AC- AL	SUN/PS	HIGH
<i>Raphiolepis indica</i>	Indian Hawthorn	NO	S	X-M	HIGH	AC- AL	PS	MOD
<i>Russelia equisetiformis</i>	Firecracker Plant	NO	S	X-M	HIGH	AC- AL	SUN	HIGH
<i>Schefflera Arboricola</i>	Schefflera, Dwarf Schefflera	NO	S	X-M	HIGH	AC- SA	SUN/PS	MOD
<i>Serenoa repens</i>	Saw Palmetto, Silver Saw Palmetto	YES	LS	X-M	HIGH	AC- AL	SUN/PS	HIGH
<i>Ternstroemia gymnanthera</i>	Cleyera, Japanese Ternstroemia	NO	LS	X-M	MOD	AC- SA	PS/SH	LOW
<i>Viburnum odoratissimum</i>	Sweet Viburnum	NO	LS	X-M	HIGH	AC- AL	SUN/PS	LOW
<i>Viburnum suspensum</i>	Sandankwa Viburnum	NO	LS	M	LOW	AC- AL	PS	LOW
<i>Zamia Floridana</i>	Coonite	YES	S	X-M	HIGH	AC- AL	PS	HIGH

(D) All screening material shall have a minimum height of thirty-four inches (34") with a seven (7) gallon container upon planting, being Florida #1 grade or better. The material shall form a continuous, unbroken, solid visual screen within one (1) year of planting, being maintained

thereafter to specification. The screening material shall be a large shrub selected from Table X-3, Safety Harbor, FL Approved Species List for Shrubs, unless alternative planting material is authorized by the Community Development Director.

(E) Ground covers shall achieve one hundred (100) percent coverage within twelve (12) months of installation.

(Ord. No. 2015-04, § 3, 3-16-2015; Ord. No. 2021-18, § 6, 12-20-2021)

154.03 Minimum tree requirements.

- (A) In residential, commercial or industrial areas, the standards in this section shall be met prior to the issuance of a Certificate of Occupancy for new construction and prior to the approval of a final inspection for any property improvement that requires a site plan amendment in excess of 50 percent of the property's value as shown on the records of the property appraiser.
- (B) A minimum number of shade trees shall be required based on development type and area. The minimum number of shade trees shall be as shown below, unless a greater number of trees are required to meet the screening, off-street vehicle use area landscaping or other landscaping requirements in other sections of the code. Within the Community Redevelopment District (CRD) except the Traditional Neighborhood Development-1 and Traditional Neighborhood-2 districts, should site conditions or spatial requirements for shade trees conflict, the minimum number of shade trees may be substituted at a ratio of 3:1 with accent trees, approved native palm trees, or another comparable native landscaping plan approved by the Community Development Director.

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Development Type	Number of Shade Trees per Lot or Development
Single-Family	
>1 acre (43,560 sq. ft.)	6 per gross acre
> $\frac{3}{4}$ acre (32,760 sq. ft.)—1 acre (43,560 sq. ft.)	5
> $\frac{1}{2}$ acre (21,780 sq. ft.)— $\frac{3}{4}$ acre (32,760 sq. ft.)	4
> $\frac{1}{4}$ acre (10,890 sq. ft.)— $\frac{1}{2}$ acre (21,780 sq. ft.)	3

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>5,000—10,890 sq. ft.	2
5,000 sq. ft. or less	1
All other development	6 per gross acre*


* If the site is less than an acre, the minimum tree requirement will be proportionate to the site acreage.

- (C) Unless otherwise specifically stated elsewhere in this Code, any healthy Protected Tree left in good growing condition on the site may be counted toward these minimum numbers.
- (D) On a lot or property which contains an approved retention/detention pond, the requirements of this section shall be lessened by the area of such pond to be measured from the top of the bank.
- (E) Unless City Staff recommends otherwise based on proximity of a proposed tree to overhead power lines or other obstructions, all required trees will be of the shade/canopy type and will in accordance with the standards and specifications of Section 154.02(A).
- (F) The minimum tree planting requirements set forth in this section shall be integrated with the requirements of Section 153.07.
- (G) The requirements of this section shall be further lessened at the direction of the Community Development Director where public easements are incorporated into a private parcel of land.

(Ord. No. 2015-04, § 4, 3-16-2015; Ord. No. 2016-10, § 2, 6-6-2016)

154.04 Parking lot landscaping.

- (A) *[Visual relief required.]* Parking lot landscaping is required to provide visual relief from building mass and paved areas; eliminate or minimize potential nuisances such as dirt, litter, noise, and glare; reduce adverse impacts of noise, odor, or danger from fires; and to assist in reducing air pollution hazards. The provisions of this Section shall apply to an off-street parking area or other vehicular use area for which site plan approval is required.
- (B) *Perimeter Landscaping.* On any parcel providing an off-street parking area or other vehicular use area, the following perimeter landscaping is required:
 - (1) A minimum five-foot wide landscape buffer strip shall be provided with an average buffer width as follows:


 Municode Codification REQUIRED BUFFER STRIP	AVERAGE WIDTH IN FEET ⁽¹⁾
Adjacent to Public Right-of-Way:	
Alley or local street	5
Collector street or minor arterial roadway	10
Major arterial roadway	15
Designated scenic/noncommercial corridor	20
Adjacent to interior property line	5
Adjacent to property zoned or currently used primarily for residential or institutional purpose ⁽²⁾	10

⁽¹⁾ To be measured as the distance between the nearest boundary of the abutting right-of-way and the off-street parking area in the front and measured at right angles to the interior property lines. A reduction in buffer strip width of up to 50 percent may be permitted by the City Commission where there is a landscaped parkway of no less than ten (10) feet between a sidewalk and the curb or edge of pavement or the subject of the site plan application involves the adaptive re-use of an existing building with a legal nonconforming parking area.

⁽²⁾ The required ten-foot wide buffer strip may be reduced to five (5) feet in width when substituted by a six-foot high opaque, decorative fence, wall, or similar structure and planted with one shrub or vine every five (5) linear feet along with one (1) shade tree every twenty-five (25) linear feet or fraction thereof. If a wall is used, it must be constructed with a lintel on grade to protect the tree's root system and be set back a minimum of two (2) feet from the edge of any sidewalk. The remaining areas shall be surfaced with grass or other acceptable ground cover.

(2) The landscape buffer strip shall contain a screening device of at least two (2) feet in height and no greater than three (3) feet in height along the entire length of the landscape buffer strip that is adjacent to a public right-of-way. For landscape buffer strips that abut a local or collector street, a continuous hedge using small shrubs placed no more than thirty (30) inches on center may be used as a screening device. For landscape buffer strips that abut a minor or major arterial roadway a frontage wall or landscape berm shall be used as a screening device along the entire buffer length exclusive of permitted driveways, pedestrian openings, or any significant natural feature to be retained. Frontage walls shall

be a minimum of two (2) feet from any sidewalk. Frontage walls shall be constructed of stone, brick, or stucco with a decorative finish and muted color that blends in with the landscape design.

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- (3) If a frontage wall is used, an average of one (1) shrub or vine shall be planted every five (5) feet, but such plants need not be spaced evenly five (5) feet apart. Such shrubs or vines shall be planted along the street side of such barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier.
 - (4) A landscape buffer strip that is adjacent to a public right-of-way shall contain one (1) shade tree for every forty (40) feet of frontage except for properties adjacent to a Scenic/Non-Commercial corridor where the standard shall be no less than one (1) shade tree for every thirty-five (35) feet of frontage. Shade trees shall be spaced at least thirty-five (35) feet on center from another shade tree. If the TRC determines that the required number of shade trees cannot be accommodated because of an existing or potential future growth conflict, the applicant may substitute three accent trees or palm trees for every shade tree that is required.
 - (5) The minimum number of trees in required landscape buffer strips adjacent to an interior property line shall be one (1) Protected Tree for each fifty (50) linear feet or fraction thereof or one (1) accent tree for each fifteen (15) linear feet or fraction thereof.
 - (6) Where a new parking lot abuts land zoned or used for residential or institutional purposes, the screening requirements listed under Section 154.04 shall apply.
 - (7) The remainder of the required landscape area shall be landscaped with grass, ground cover, or other approved landscape treatment.
 - (8) A maximum of twenty-five (25) percent of the width of a required buffer may be used for stormwater retention/detention provided the required composition of the buffer is maintained.
- (C) *[New parking lots.]* New parking lots containing ten (10) or more spaces shall be designed in such a manner as to divide and break up the expanse of paving at strategic points to guide traffic flow and direction as follows:
- (1) *Terminal Islands.* Each row of parking spaces shall end in a terminal landscaped island that measures a minimum of eight (8) feet in width from back of curb to back of curb, and spans the length of the adjacent parking space.
 - (2) *Interior Islands.* An interior island measuring at least eight (8) feet in width from back of curb to back of curb and spanning the entire length of the adjacent parking space shall be provided for each ten (10) parking spaces. The required area of interior islands may be added to terminal islands or combined with other interior islands to form larger planting areas.
 - (3)

Divider Medians. If a surface parking lot contains more than fifty (50) spaces, a continuous landscaped divider median no less than ten (10) feet in width from back of curb to back of curb shall be provided between every other row of abutting rows of parking spaces. The required square footage of divider medians can be combined with other required parking lot landscaped areas in lieu of providing a divider median.

- (4) *Required Landscaping.* Parking lots shall be landscaped according to the following standards:
- (a) At least fifty (50) percent of the total required on-site parking spaces shall be located within fifty (50) feet from the trunk of a shade tree. Each island or divider median, if applicable, shall contain at least one (1) shade tree or two (2) accent trees.
 - (b) All landscape islands shall have one-hundred (100) percent coverage with shrubs planted with a maximum spacing of three (3) feet on center or a ground cover with a maximum spacing of one (1) foot on center, excluding turf, that have a maximum height of three (3) feet for driver visibility except that divider medians may be interrupted by brick or paver block walkways if needed to provide safe pedestrian access.
 - (c) All required landscape areas shall be protected by the use of curbing or wheel stops. Curbing or wheel stops shall be located a minimum of two (2) feet from a tree, shrub or vine.
 - (d) The TRC may require the installation of turf blocks or other preservation measures where necessary to protect the critical root zone of an existing tree.

(Ord. No. 2015-04, § 4, 3-16-2015; Ord. No. 2019-20, § 5, 1-21-2020)

154.05 Screening.

- (A) All uses shall provide screening between potentially incompatible uses in accordance with the requirements of this Section.
- (B) Screening for the length of the development area along the perimeter property lines shall be provided under the following circumstances:
 - (1) Commercial and Community Service uses shall screen against the following zoned or used land:
 - (a) Residential.
 - (b) Office.
 - (c) Institutional.
 - (2) Institutional, Multifamily, and Mobile Home Park uses shall screen against the following zoned or used land:
 - (a) Residential except multifamily, mobile home and recreational vehicle.

- (b) Office.
- (c) Commercial.
- (d) Industrial.

(3) Industrial uses shall screen against the following zoned or used land:

- (a) Residential.
- (b) Office.
- (c) Institutional.
- (d) Commercial.
- (e) Community Service.

(C) Screening shall consist of one or a combination of the following:

- (1) A minimum eight-foot wide buffer strip planted with one (1) Protected Tree every twenty-five (25) feet and a continuous screen maintained at a minimum height of between four (4) and six (6) feet above grade. The required screen shall be spaced at five (5) feet on center. The remaining areas shall be surfaced with grass, ground cover, or with at least two (2) inches of wood chips or bark;
- (2) A minimum three-foot wide buffer erected with a minimum six-foot high, opaque, decorative fence wall or similar structure planted with one shrub or vine every fifteen (15) linear feet along with one (1) tree every fifty (50) linear feet. The remaining areas shall be surfaced with grass, ground cover, or with at least two (2) inches of wood chips or bark;
- (3) A minimum four-foot high berm with a slope not exceeding thirty (30) degrees planted with trees, shrubs and ground cover;
- (4) A minimum 15-foot wide natural area left completely undisturbed. The existing natural vegetation shall be sufficient to provide at least eighty (80%) percent opaqueness between two (2) and six (6) feet above grade;
- (5) A vegetated wetland which straddles property lines may be utilized to satisfy the screening requirement provided it is left completely undisturbed;

(D) Screening shall not be required which conflicts with fence height limitations or required visibility triangles.

(Ord. No. 2015-04, § 4, 3-16-2015)

154.06 Open spaces and preservation of native vegetation.

- (A) All open spaces and drainage areas shall be stabilized in order to prevent erosion, sand infiltration into the public drainage system, and to permit water to permeate into the ground.
- (B)

Large open spaces shall be left in a natural state, including ground cover and understory, where determined feasible by the City. The following upland communities, even when small in terms of area, are significant in terms of wildlife habitat and shall be preserved in an internal state when

encroachment by developed areas can be avoided:

- (1) Longleaf Pine/Xeric Oak.
 - (2) Sand Pine.
 - (3) Pine/Mesic Oak.
 - (4) Xeric Oak.
 - (5) Oak/Pine/Hickory.
 - (6) Temperate Hardwood.
- (C) The following techniques can be required in the preservation of trees and other native vegetation:
- (1) The installation of drain tiles.
 - (2) Dry well construction.
 - (3) Terracing.
 - (4) Retaining walls.
 - (5) A reduction in grade change.
 - (6) Shallow excavation and fill.
 - (7) Tunneling as opposed to trenching.
 - (8) The removal of exotic and nuisance species of vegetation.
- (D) Natural areas shall be protected during construction by silt barriers, solid or ribboned barricades (2" x 2" stakes 3 feet high placed 4 feet apart), or other appropriate measures; and shall remain in a natural state upon completion of construction.

(Ord. No. 2015-04, § 4, 3-16-2015)

154.07 Water conservation techniques.

- (A) The purpose of this Section is to address water conservation. A water conservation landscape will help implement the following objectives:
- (1) Promote water-efficient landscaping; and
 - (2) Proactively reduce water usage; and
 - (3) Increase irrigation efficiency; and
 - (4) Educate the public in the need for and benefits of a water-efficient landscape; and
 - (5) Preserve existing plant communities.
- (B) Definitions for Section 154.07.

- (1) *Automatic controller*: A mechanical or electronic timer, capable of operating valve stations to set the days and length of time of a water application.
 - (2) *Emitter*: The drip irrigation fittings that deliver water slowly from the system to the soil.
 - (3) *Ground cover*: Plants, other than turfgrass, normally reaching an average maximum height of not more than twenty-four (24) inches in maturity.
 - (4) *Infiltration rate*: The rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).
 - (5) *Irrigation system*: A permanent, artificial watering system designed to transport and distribute water to plants.
 - (6) *Mulch*: Nonliving organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.
 - (7) *Pervious paving materials*: A porous asphaltic or concrete surface and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.
 - (8) *Rain sensor equipment*: A low voltage electrical component placed in the circuitry of an automatic lawn irrigation system which is designed to turn off a sprinkler controller when it rains enough to meet the needs of the landscape.
 - (9) *Site specific plant*: A selection of plant material that is particularly well suited to withstand the physical growing conditions that are normal for that location.
 - (10) *Soil texture*: The classification of soil based on the percentage of sand, silt, and clay in the soil.
 - (11) *Turf*: Continuous plant coverage consisting of grass species suited to growth in Pinellas County.
 - (12) *Vegetation, native*: Any plant species with a geographic distribution indigenous to all, or part, of the State of Florida.
- (C) The following activities shall be exempt from the terms of this Section:
- (1) Sites that compute an area less than a 1,000 square foot area for water conserving planting;
 - (2) One-family and two-family dwellings.
- (D) The following water conservation techniques shall be utilized in the implementation of the landscape requirements of Sections [154.00](#) through 154.07 in order to conserve water:
- (1) A soil analysis shall be used to provide information that will enable proper plant selection. This analysis shall indicate soil texture, approximate soil infiltration rate, percentage of organic matter, measurement of pH, and total soluble salts. The local County Extension Service should be consulted;

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(2) Areas of native vegetation shall be preserved;

(3) Plants with similar water and cultural (soil, climate, sun, and light) characteristics shall be grouped together and irrigated separately based upon their water requirements. Site specific plants shall be utilized as landscape species;

(4) The landscape plan shall indicate the various water usage zones based upon the following water requirements:

(a) HIGH - plants associated with moist soils and require supplemental water in addition to natural rainfall to survive;

(b) MODERATE - plants which survive on natural rainfall with supplemental water during seasonal dry periods;

(c) LOW - plants which survive on natural rainfall.

(5) The irrigation system shall be designed to correlate to the organization of plants into the various water requirement zones;

(6) Moisture/rain sensor and/or rain shut-off switch equipment shall be required on all automatic irrigation systems;

(7) The use of low volume, emitter, or target irrigation is recommended for trees, shrubs and groundcovers;

(8) Turf areas shall be irrigated on separate irrigation zones from tree, shrub, and groundcover beds;

(9) The use of freeze and drought tolerant plant species shall be utilized most frequently;

(10) Turf areas shall be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreational use, provide soil erosion control, and where used as a design unifier;

(11) Mulches shall be used to retain moisture, reduce weed growth, and prevent erosion. Mulch can also be used where conditions are not adequate or conducive for growing quality turf or groundcovers;

(12) Landscaping shall be watered and fertilized only as needed, and excessive watering shall be avoided;

(13) Irrigation shall occur in accordance with all applicable water restrictions, including but not limited to restrictions imposed by Pinellas County or the Southwest Florida Water Management District;

(14) Shrubs shall be pruned to the intended height;

(15) An irrigation system with an automatic controller shall be required except that low water use zones may be permitted to provide a readily available water supply within fifty (50) feet;

Landscaping shall be watered and fertilized only as needed, and excessive watering shall be avoided;

- (13) Irrigation shall occur in accordance with all applicable water restrictions, including but not limited to restrictions imposed by Pinellas County or the Southwest Florida Water Management District;
 - (14) Shrubs shall be pruned to the intended height;
 - (15) An irrigation system with an automatic controller shall be required except that low water use zones may be permitted to provide a readily available water supply within fifty (50) feet;
 - (16) The use of pervious paving materials shall be considered where appropriate;
 - (17) Berm designs shall incorporate the use of a concave top where landscaping is used;
 - (18) A regular maintenance schedule shall be provided which includes checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning and weeding in all landscape areas.
- (E) Prior to the issuance of a Certificate of Occupancy the landscape architect or other professional responsible for the landscaping plan shall conduct a field observation and provide the Building Official with a certificate of substantial completion/compliance.

(Ord. No. 2014-04, §§ 4, 5, 3-16-2015)

154.08 Maintenance and enforcement.

- (A) The property owner shall be solely responsible for the continued maintenance of all landscape areas in accordance with the approved plan so as to present a healthy, neat, and orderly appearance, and all landscaped areas are to be kept free from refuse and debris. For required landscape areas which die from lack of maintenance, disease or other natural occurrence, the City shall require re-landscaping. This shall be applicable to all required landscaping, whether installed under the terms of this Code or a previous ordinance. Failure to take such corrective action shall constitute a violation of this Code and may be enforced by any legal means available.
- (B) No Final Certificate of Occupancy shall be issued until all required landscaping is installed in accordance with the approved plan.

(Ord. No. 2014-04, § 4, 3-16-2015)