

ORDINANCE 26-11

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE TOWN OF DUNDEE LAND DEVELOPMENT CODE; REGARDING LANDSCAPING AND BUFFERING STANDARDS ; SPECIFICALLY AMENDING TABLE 2.03(A) (APPROVED CANOPY TREES, TABLE 2.03(B) (APPROVED SMALL TREES FOR BUFFERYARDS), AND 2.03(C) (SHRUBS);PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the Town's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the Town, at a duly advertised public meeting on June 18, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the Town Commission for adoption ; and

WHEREAS, the Town Commission finds it necessary to update the approved lists of vegetative materials to promote Florida-Friendly Landscaping practices and eliminate invasive or non-performing plant species; and

WHEREAS, the Town Commission deems this amendment to be in the best interest of the health, safety, and welfare of the residents of the Town of Dundee.

WHEREAS, the Town of Dundee, Florida, has complied with all requirements and procedures in processing and adopting this Ordinance No. 26-11; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the

enactment and adoption of this Ordinance No. 26-11 is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; is consistent with the public interest and preserves, enhances, and encourages the most appropriate use of land; and this Ordinance No. 26-11 is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this Ordinance, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this Ordinance.

Section 2. Commission Support. The Town Commission of the Town of Dundee, Florida, hereby authorizes, directs, and supports the recommended Text Amendment (see **Exhibit “A”**) which will amend the Town of Dundee Land Development Code of the Town of Dundee, Florida, which is attached hereto and made part hereof by reference (stricken words are deleted).

Section 3. Conflicts. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the Land Development Code of the Town of Dundee, unless such repeal is explicitly set forth herein.

Section 4. Severability. The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase of this Ordinance, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional. If any word, sentence, clause, phrase, or provision of this Ordinance for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, unconstitutional, then all remaining provisions and portions of this Ordinance shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held

to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Administrative Correction of Scrivener's Errors and Codification. It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Land Development Code of the Town of Dundee, Florida; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Land Development Code of the Town of Dundee is accomplished, sections of this Ordinance may be renumbered or re lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his or her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk. A certified copy of this enacting Ordinance and certified copy of the Town of Dundee Land Development Code shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its final passage and adoption by the Town Commission.

INTRODUCED AND PASSED, on First Reading and public hearing this ____ day of ____, 2026.

PASSED AND DULY ADOPTED at a duly called meeting of the Town Commission of the Town of Dundee, Florida, assembled on the _____ day of _____, 2026.

TOWN OF DUNDEE, FLORIDA

Joseph Garrison, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Markeishia Smith, Town Attorney

Ordinance 26-11 Exhibit A

2.03.03. - Canopy trees.

Canopy trees shall be required for the purpose of shading impervious surfaces associated with all development in the town. Structures shall not be used in calculating or estimating the area of impervious surface. This subsection requires the calculation of the total impervious surface on a given site and the shading of one-third of that total impervious surface. To standardize the calculation, each paved parking space shall require 200 square feet of canopy area. Loading zones, sidewalks and other paved surfaces, with the exception of swimming pool decks and aprons, shall be calculated separately and one-third of the total area shall be shaded with canopy trees.

- 1.Canopy trees shall be selected from table 2.03(A) and planted no closer than five feet to any paved surface.
- 2.Planting areas for canopy trees shall be no less than 100 square feet in area.
- 3.Planting areas under canopy trees shall be planted in compatible shrubs from table 2.03(C) or ground covers but not planted in grass.

TABLE 2.03(A). CANOPY TREES

Species	Common Name	Canopy (square feet)
Acer rubrum	Red maple	500
Carya glabra	Pignut hickory	700
Carya illinoensis	Pecan	700
Carya tomentosa	Mockernut hickory	700
Celtis laevigata	Sugarberry (hackberry)	1,300
Cinnamomum camphora	Camphor	700
Fraxinus caroliniana	Pop ash	500
Liquidambar styraciflua	Sweetgum	500
Magnolia grandiflora	Southern magnolia	500
Pinus clausa	Sand pine	500
Pinus elliottii	Slash pine	500
Pinus elliottii var. densa	South Florida pine	500
Pinus palustris	Longleaf pine	500
Platanus occidentalis	Sycamore	700
Quercus laurifolia	Laurel oak	970
Quercus nigra	Water oak	700

Quercus virginiana	Live oak	2,000
Tilia caroliniana	Carolina basswood	500
Ulmus slata	Winged elm	500
Ulmus americana	Florida elm	700

TABLE 2.03(B). SMALL TREES FOR BUFFERYARDS

Species	Common Name	Canopy (square feet)
Baccharis halimifolia	Groundsel tree salt bush	<u>50</u>
Betula nigra	River birch	200
Callistemon viminalis	Weeping bottlebrush	80
Carpinus caroliniana	American hornbeam	120
Carya floridana	Scrub hickory	120
Chionanthus virginicus	Fringe tree	80
Cornus florida	Flowering dogwood	200
Crataegus	Hawthorne	120
Eriobotrya japonica	Loquat, Japanese plum	80
Eucalyptus cinerea	Silver dollar eucalyptus	120
Wodyetia bifurcata	Foxtail Palm	15
Gleditsia aquatica	Water locust	180
Gordonia lasianthus	Loblolly bay	200
Ilex attenuata	East Palatka holly	200
Ilex cassine	Dahoon holly	200
Ilex opaca	American holly	200
Juniperus silicicola	Southern red cedar	120
Koelreuteria elegans	Golden rain tree	320
Lagerstroemia indica	Crepe myrtle	120
Magnolia virginiana	Sweetbay magnolia	200
Osmanthus americana	Wild olive, devilwood	<u>50</u>
Osmanthus megacarpa	Scrub olive	80
Parkinsonia aculeata	Jerusalem thorn	200
Persea borborea	Red bay	120
Phoenix sylvestris	Sylvester Palm	25
Prunus caroliniana	Cherry laurel	120
Prunus serotina	Wild black cherry	320
Quercus chapmanii	Chapman oak	180
Quercus geminata	Sand live oak	120

Quercus incana	Bluejack oak	120
Quercus laevis	Turkey oak	180
Quercus myrtifolia	Myrtle oak	80
Taxodium distichum	Bald cypress	320
Ulmus parvifolia	Drake elm, Chinese elm	320

TABLE 2.03(C). SHRUBS

Species	Common Name
Abelia grandiflora	Glossy abelia
Asparagaceae	Liriope Plants
Baccharis halimifolia	Groundsel tree/saltbush
Befaria racemosa	Tarflower
Bumelia tenax	Silver buckthorn
Camellia japonica	Camellia
Carrissa	Boxwood beauty
Clusia guttifera	Clusia Hedge
Codiaeum variegatum	Croton
Cortaderia selloana	Pampas grass
Cycas revoluta	King sago
Duranta repens	Golden dewdrop
Garberia heterophylla	Garberia
Gardenia jasminoides	Gardenia
Hydrangea macrophylla	Hydrangea
Hypericum hypericoides	St. Andrew's cross
Hypericum reductum	St. John's wort
Ilex cornuta "Bufordi"	Buford holly
Ilex cornuta "Dwarf Bufordi"	Dwarf Buford holly
Ilex cornuta "rotunda"	Rotunda holly
Ilex glabra	Gallberry
Ilex opaca arenicola	Scrub holly
Ilex vomitoria "nana"	Shillings holly
Ilex vomitoria "Pendula"	Weeping yaupon holly
Illicium anisatum	Japanese anise
Illicium floridanum	Star anise
Illicium parviflorum	Florida anise
Itea virginica	Virginia willow
Jasminum natidum	Shining jasmine
Jasminum pubescens	Downy jasmine
Juniperus conferta "compacta"	Dwarf shore juniper

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Text Amendment-Tables 2.03 (A) through 2.03 (C)

Juniperus "Pfitzeriana"	Pfitzer juniper
Junipera squamata "expansa"	Parson's juniper
Leucophyllum frutescens	Texas sage
Ligustrum japonicum	Ligustrum
Lyonia ferruginea	Rusty lyonia
Lyonia lucida	Shiny lyonia/fetterbush
Myrica cerifera	Wax myrtle
Persea humilis	Silk bay
Photinia glabra	Red tip
Pittosporum tobira	Green pittosporum
Pittosporum tobira "compacta"	Compact pittosporum
Pittosporum tobira "variegata"	Variegated pittosporum
Raphiolepis indica	India hawthorn
Rhododendron "Duc de Rohan"	Azalea, "Duc de Rohan"
Rhododendron serrulatum	Swamp azalea
Rhododendron simsii	Indian azalea
Serenoa repens	Saw palmetto
Thryallis glauca	Thryallis, Shower-of-gold
Vaccinium darrowi	Little blueberry
Viburnum obovatum	Blackhaw
Viburnum odoratissimum	Sweet viburnum
Viburnum suspensum	Sandankwa viburnum
Zamia floridana	Coontie