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## **Section 85-050. Landscape plan requirements for non-residential/non-agricultural land uses.**

- (A) Professional landscape plans shall be required for all proposed non-residential/non-agricultural developments.
- (B) Landscape plans shall be submitted with all site plan and site plan modification applications, and any building permit application that requires additional landscaping, or which may affect or conflict with on-site landscaping, including but not limited to, permits for parking lot lighting, addition or relocation of impervious area, and drainage improvements.
- (C) Landscape plans shall be prepared by a Florida registered landscape architect, or other person authorized pursuant to F.S. Chapter 481, Part II, as amended.
- (D) Landscape plans shall be no larger than 24 by 36 inches and include the following information.
  - (1) A minimum scale of one inch equals 20 feet.
  - (2) Tree survey indicating the type (common and scientific name), quality, and location of existing vegetation.
  - (3) Trees to be removed or relocated with proposed relocations shown on plan.
  - (4) Location of existing and proposed structures, site improvements and uses, water bodies, dimensioned and referenced to property lines.
  - (5) Existing and proposed site elevations, grades and major contours, including water retention areas. No landscaping shall be indicated in retention areas.
  - (6) Location of existing or proposed utilities and easements, including drainage easements, drainage features, drainfields and septic tanks, underground utilities and overhead power lines. No landscaping shall be indicated within utility easements.
  - (7) Location of all landscape material to be used, including height, caliper and canopy spread of species at time of planting.
  - (8) Proposed landscape material schedule listing all vegetation according to its scientific and common name, their quantity and size, and degree of drought tolerance (as determined by the South Florida Water Management District Xeriscape Plant Guide II, as amended) and indication of whether native to South Florida.
  - (9) Spacing of plant material where a given spacing is required by Code, including but not limited to, center to center distance between individual shrubs, and center to center distance between trees within landscape buffers.
  - (10) Description of landscape installation and removed or relocated trees protection best management practices to be utilized.
  - (11) A Town land clearing permit application per Article 87 Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal, including an inventory of trees to be removed, if existing vegetation is to be removed or relocated.
  - (12) Illustrations, including area calculations, of the locations of the following: vehicle use area; interior open space; and impervious area.
- (E) If an irrigation system is to be installed, an irrigation plan shall be submitted along with a landscape plan which meets the following requirements.
  - (1) Landscape Plan Requirements (1) through (6), above.

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- (2) Main or well location, size and specifications, including appropriate permits.
  - (3) Valve location, size and specifications.
  - (4) Pump location, size and specifications or water source.
  - (5) Backflow prevention device type and specifications.
  - (6) Controller locations and specifications.
  - (7) Zone layout plan (minimum scale 1" = 20') indicating head type, specifications and spacing; methods used to achieve compliance with xeriscape principles as required by F.S. § 125.568, as amended. The plan shall provide 100% coverage with a minimum fifty-percent overlap.
- (F) Quality. Plant materials used in accordance with this article shall conform to the standards for Florida Fancy or Grade One, or better, as provided for in the most current edition of Grades and Standards for Nursery Plants, 2nd edition, Feb. 1998, State of Florida Department of Agriculture and Consumer Services, as amended.
- (G) Native vegetation required. Fifty percent of all vegetation required by this article to be planted, excluding all turfgrass, shall be from the Town's List of Preferred Plant Species, with the balance indigenous to South Florida.
- (H) Preserved/created ecological communities. Plots of two acres or more shall preserve, or create if there is no longer an existing ecological community, a minimum of three percent of the plot to be planted and maintained as an ecological community, pursuant to the conservation goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, as may be amended from time to time. The ecological community shall be selected from the list of native plant communities identified by the Florida Plant Society. Plots that consist of two to five acres may incorporate an ecological community into the landscape buffer or interior landscaping requirements. For plots of five acres or greater, this shall constitute an additional requirement. An ecological community environment shall be selected from the preferred community list provided by the Town.
- (I) Xeriscape. All landscape designs in the Town shall incorporate the principles of xeriscaping. These include the following, which shall be noted on the landscape plans if applicable:
- (1) Soil improvements. Improve the soil with organic materials prior to the installation of any irrigation system.
  - (2) Efficient irrigation. Plan irrigation system according to water needs and group planting according to water requirements. Irrigation design shall also include efficiency technologies (i.e. rain shut-off valve, moisture sensor, electric or hydraulic solenoid valves).
  - (3) Drought tolerant plants.
  - (4) Mulches. Place mulch directly on the soil or on a breathable or biodegradable material. Use around trees, shrubs, and in the planting beds.
  - (5) Appropriate maintenance best management practices. Use proper mowing, pruning, and weeding techniques and limit the use of fertilizer and pest control to further water savings.

( Ord. No. 2018-09 , § 3(Exh. B), 9-7-2018)

### **Section 85-055. Landscape requirements for non-residential/non-agricultural interior open spaces, vehicular use areas, and vehicular use area landscape strips.**

All non-residential/non-agricultural (refer to definition) plots shall conform to the following requirements:

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- (A) *Shrub and tree requirements.* Shrubs and trees shall be planted in non-residential/non-agricultural developments to meet the requirements of Section 85-020 unless otherwise stated below.
- (B) *Additional interior open space requirements.*
- (1) Groundcover, pursuant to Section 85-20(E), and shrubs, pursuant to Section 85-020(B), shall be installed to cover all interior open space areas not covered by paving or structures. No substance that prevents water percolation shall be used in areas not approved for paving or structures.
  - (2) Primary structures shall be treated with landscaping to enhance the appearance of the structure and to screen any unattractive or unsightly appearance, with a minimum of 40 percent of the lineal frontage of the structure being planted with shrubs at a minimum of two and one-half feet in height.
- (C) *Additional vehicular use area requirements.* For sites that contain a vehicular use area, the following shall be provided: (1) parking lot divider strips; and (2) single or double terminal islands.
- (1) *Perpendicular divider strips* (Ref: Exhibit 2) shall be provided between parking bays in which any two facing parking rows contain more than ten parking spaces.
    - a. Shall run perpendicular to the long dimension of the parking space and shall be a minimum of eight feet in width, exclusive of walkways and vehicular encroachment where wheel stops are used. If vehicular encroachment is controlled by a curb rather than wheel stops, the minimum width of dividing strip shall be nine feet, exclusive of walkways and curbing.
    - b. There shall be a minimum of one tree planted on center for every 20 lineal feet of the strip planted with one shrub and one ground cover for every two lineal feet and planted with sod. At time of planting, each tree shall be 18 feet to 20 feet in height and four inch to six inch caliper with a minimum six feet of clear trunk and 14 foot to 16 foot spread.
    - c. Pedestrian cross access shall be provided within the dividing strips within 30 to 50 foot intervals.
  - (2) *Parallel divider strips* (Ref: Exhibit 2) shall be provided between parallel rows of parking spaces.
    - a. The dividing strip shall run parallel to the long dimension of the parking spaces and shall be provided after each row of ten parking spaces. This dividing strip shall be at least eight feet wide, exclusive of walkways and curbing, and shall run the length of two parking spaces back-to-back.
    - b. There shall be a minimum of two trees in each dividing strip planted with one shrub and one (1) ground cover for every two lineal feet and planted with sod.
  - (3) *Single terminal islands.* There shall be landscaped starters provided at the beginning and end of each parking row.
    - a. Each terminal island shall be at least the length of one parking space.
    - b. Each starter shall be at least eight feet wide, exclusive of walkways and curbing.
    - c. Each shall contain at minimum one tree meeting the requirements of Section 85-055(C).1.b, and contain one shrub and/or one ground cover for every two lineal feet.
  - (4) *Double terminal islands:*
    - a. Each terminal island shall be at least the length of two parking spaces.
    - b. Each starter shall be at least eight feet wide, exclusive of walkways and curbing.

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- c. Each shall contain at minimum two trees and contain one shrub and/or one ground cover for every two lineal feet.
- (5) *Curbing:*
- a. Curbing shall be incorporated into all interior portions of vehicle use areas and interior landscape areas and inner perimeter of buffer yard areas.
  - b. Curbing may extend two feet into each standard, 20 foot long parking stall for an allowable two foot bumper overhang onto the perpendicular divider strips or perimeter landscape buffer as a replacement or alternative method of preventing damage to plant material through the replacement of wheel-stops. If vehicular encroachment is controlled by a curb rather than a wheelstop adjacent to a perimeter landscape buffer, the required minimum width of the perimeter landscape buffer shall be increased by an additional two feet to allow for such vehicle overhang, exclusive of walkways and curbing.
  - c. Wheel-stops, if chosen to be installed by the applicant, shall be required to be placed or permanently mounted two feet from the end of each standard, 20 foot long parking stall.
  - d. Mountable curb may only be used in conjunction with wheel-stops.
  - e. Weep holes or breaks should be provided through curbs or other appropriate means shall be provided for storm water runoff to be absorbed by landscape areas.
  - f. Catch basins for stormwater runoff shall be encouraged to be located within grassy areas.
- (D) *Additional vehicular use area landscape strip requirements.* On the site of a building or lot providing a vehicular use area where such area will not be entirely screened visually by an intervening building or structure from any abutting street, a vehicular use area landscaped strip of land at least 25 feet in depth adjacent to arterial or collector roads and 25 feet in depth adjacent to local streets, measured inward from the abutting street right-of-way toward the vehicular use area, shall be provided. This landscape strip shall not be counted toward meeting the landscape requirement for interior open space or vehicular use area.
- (1) The vehicular use area landscape strip shall contain one tree for each 20 to 25 feet of interface between the vehicular use area and the street right-of-way. Trees may be clustered, consistent with Section 85-020, but no closer than the mature canopy of the species.
  - (2) The remainder of the required landscape area shall be landscaped with turfgrass, groundcover or other landscape treatment, excluding paving or other impervious material.
  - (3) Public streets. Trees used in the required landscaping adjacent to a public street are subject to approval by the Town so that the character of the public street can be maintained.
- (E) *[Accessways.]* Necessary accessways from a street or adjoining property through all such landscaping buffers and barriers shall be permitted, and such accessways may be subtracted from the lineal dimension used to determine the number of trees required. Otherwise, the required landscape buffers and materials required therein shall be continuous and unperforated.
- (F) *Screening of equipment.* Dumpsters, mechanical equipment and electrical transformers shall be screened on at least three sides by landscape material that is a minimum of four feet in height at time of planting. Such screening shall not interfere with normal operation of equipment.
- (G) *Signs.* All freestanding sign installations require the installation and establishment of plant material to enhance the structure, at a minimum of one shrub on each side of the sign for every two lineal feet of sign structure width; and ground cover, a minimum of five feet around the perimeter of the sign base, designed in such a manner so as to not block the message on the sign.

(H) *Existing vegetation.* Requested credit for any existing vegetation (as provided in Section 85-020, "Plant material") shall be calculated and submitted along with landscape plans.

(I) *Tree mitigation.*

(1) *Mitigation.* Mitigation, through tree replacement as specified under this section, shall be required for the removal of native trees that are three inch DBH or greater. A tree replacement table identifying and quantifying all replacement trees to be installed shall be submitted with the permit application. The tree replacement plan shall also identify the size of each replacement tree and location for installation. The tree replacement plans shall maximize tree and vegetative buffering between properties. Tree replacement can be done by the landowner.

(2) *Tree replacement.* Removed native trees shall be mitigated through replacement in accordance with the Tree Replacement [Table], shown below. For relocated trees which die within one year of relocation, the replacement value shall be that as shown in the Tree Replacement Table. Those trees less than six inches DBH shall be replaced with the same size tree as the relocated tree.

<b>Tree Replacement Table</b>	
<b>Tree Height and DBH</b>	<b># of Replacement Trees Required</b>
24 ft. up or 9" DBH with a 6 inch or greater DBH	1 at same size, or two at 18 feet to 20 feet in height
16 feet to less than 24 ft. with a 4 inch to 6 inch DBH	1 at 18 feet to 20 feet in height, with a 4 inch to 6 inch DBH
12 feet to less than 16 feet, with a 2 inch to 4 inch DBH	1 at 12 to 16 feet in height, with a 2 inch to 4 inch DBH
Less than 12 ft., with less than 2 inch DBH	0

- (a) Replacement trees greater than 30 feet tall in Table A-2 shall be at least ten feet in height and two and one-half inches DBH. Replacement trees less than 30 [feet] tall shall be at least ten inches in height and one and one-half inches DBH. Palm replacement trees shall have an overall height of no less than ten feet and approved for Zone 10a.
- (b) Tree mitigation may be addressed by the use of Florida Friendly Landscaping and/or the introduction of wetlands and upland pines areas and may include mid size and smaller trees.
- (c) All replacement trees shall consist of native vegetation indigenous to the area, and have an appropriately sized root ball and be free of disease, defects or damage that will prohibit the tree from attaining its natural growth habit. Pine trees that are selected as replacement trees shall be South Florida Slash Pine trees only. Five-gallon container native trees may be used for mitigation.
- (d) If the required replacement trees cannot be purchased within 60 miles of the parcel, an alternate replacement may be approved by the Town.
- (e) At least 50 percent of the trees planted as mitigation shall be the same species as the trees removed.
- (f) All replacement plants specified in the general permit are required to be accepted prior to the release of the Certificate of Occupancy, unless otherwise approved by the Town.
- (g) Monitoring time frames for all replacement plants specified in the general permit shall be established as permit conditions.
- (h) Mitigation vegetation, other than trees, may be approved by the Town providing the vegetation is native and indigenous to the area.

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- (i) For parcels that have a conservation easement requirement from the SFWMD, where the dedication of upland buffers around a wetland is included as wetland mitigation, any trees installed within the dedication upland buffer may apply to the tree replacements required in Table A-2.
  - (j) All replacement trees must survive at least within one year of planting and must be replaced as often as necessary for the replacement to live beyond one year.
  - (j) Specimen or champion trees are not subject to cutting, relocation or mitigation without approval of the Town Council.
- (3) *Mitigation waivers.* Mitigation requirements may be waived for residential single family properties for the clearing area of the house pad and attached structures, the septic system, driveway and a 50 foot buffer area around the house. This shall be determined by the Town on a case-by-case basis, after determination that the parcel owner is providing a building location that minimizes impacts to native vegetation to maximum extent practicable.
- (4) *Mitigation deferrals.* The Town shall provide for a parcel to be cleared for agriculture use consistent with state requirements without concurrent mitigation. The cost to comply with the requirement to quantify the complete tree mitigation specification or a tree survey may be a deterrent to agriculture in some cases. The Town may shall require that the parcel owner record a restrictive covenant on a Town approved form limiting the parcel to agriculture use, and requiring the parcel owner to make a cash donation to the Loxahatchee Groves Tree Mitigation Trust Fund, or to mitigate in accordance with Table A-2 at the time of a zoning or land use change. The restrictive covenant shall include language quantifying the complete tree mitigation specifications required at the time of conversion. Any restrictions presently in place by county or state must be included.
- (5) *Alternative mitigation.* Alternative mitigation proposals that meet the purpose and intent of this article may also be submitted and will be reviewed on a case-by-case basis. Alternative mitigation proposals require approval by the Town Council prior to issuance of a general permit. Any alternative mitigation which is proposed must remain within the Town.
- (6) *Mitigation for violations.* When native trees that are three inches DBH or greater are removed or are damaged without a permit, or when trees that were to be preserved in place are damaged or destroyed by activities conducted with a permit, those native trees shall be replaced at double the rate shown in the Table A-2 and may be subject to additional fines at the discretion of the Town Council.

( Ord. No. 2018-09 , § 3(Exh. B), 9-7-2018)

Editor's note(s)—Exhibit 2, referenced above, is not set out herein, but is on file and available for inspection in the town offices.

### **Section 85-060. Perimeter landscape buffer requirements for non-residential/non-agricultural perimeters.**

- (A) *Applicability.* The perimeters of all non-residential and non-agricultural uses and plots shall conform to the minimum landscaping requirements hereinafter provided.
- (B) *Incompatible use perimeters.* Any non-residential/non-agricultural use that is contiguous to, or separated only by a canal right-of-way from, a residential zoning district or parks and recreation zoning district, shall provide an incompatibility perimeter landscape buffer along the entirety of the common plot line which meets the following:

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- (1) The incompatibility perimeter landscape buffer shall be no less than six feet in height for the purposes of screening and buffering the non-residential/non-agricultural use from the residential use or parks and recreation use.
  - (2) The incompatibility perimeter landscape buffer shall be a wall or berm and wall or other opaque, durable landscape barrier approved by the Town, and shall be placed along the inside perimeter of the common property line. If such durable barrier is a wall, the barrier shall be set back from the property line a distance of five feet to allow for the planting and maintenance of trees, per Section 85-20(A) along the outside edge of such wall. Incompatibility perimeter landscape buffers containing a berm and wall shall be a minimum of ten feet in width and comply with Section 85-020(B).
  - (3) The Town Council may require an incompatibility perimeter landscape buffer eight feet in height if the additional height would more effectively screen the nonresidential/nonagricultural buildings and associated improvements from adjacent residential or parks and recreation uses. In making this determination, the Town Council shall consider the height and setbacks of buildings and resulting site lines of adjacent uses, potential noise impact from the proposed use, the type and effectiveness of the incompatibility perimeter landscape buffer proposed, and other such relevant factors the Council deems appropriate for determining the appropriate height of the buffer.
  - (4) Where a required incompatibility perimeter landscape buffer would abut an existing wall on adjoining property, it shall be desirable to avoid the creation of parallel walls and/or a non-accessible, ineffective strip of land running between parallel walls. In this event, a proposed perimeter buffer shall not contain a nonliving barrier.
  - (5) It is strongly encouraged that incompatibility perimeter landscape buffers be designed with soft edges (rather than hard or strictly linear) requiring less maintenance and using gradual transitions in plant texture, height, and width to reinforce the rural character of the Town.
- (C) *Compatible use perimeters.* Any non-residential/non-agricultural use that is contiguous to, or separated only by a canal right-of-way from, another non-residential/non-agricultural use, shall provide a compatibility perimeter landscape buffer along the entirety of the common plot line which meets the following:
- (1) The compatibility perimeter landscape buffer shall be no less than eight feet in width measured inward from the common property line.
  - (2) The compatibility perimeter landscape buffer. Compatibility perimeter landscape buffers shall consist of one hedge meeting the requirements of Section 85-20(C) and trees meeting the requirements of Section 85-20(A)(1).

( Ord. No. 2018-09 , § 3(Exh. B), 9-7-2018)