

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, AMENDING SECTION 154.00 ET SEQ. OF ARTICLE X, LANDSCAPING AND SCREENING, OF THE CITY OF SAFETY HARBOR COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE TO UPDATE TERMS AND REFERENCES, DELETE DEFINITIONS, REQUIRE SET BACKS FROM POWER LINES FOR PALMS WITH A CROWN DIAMETER OF 12 FEET, ESTABLISH MINIMUM TREE REQUIREMENTS, PROVIDE PLANTING REQUIREMENTS FOR PERIMETER LANDSCAPING, UPDATE LANDSCAPE SPECIES AND REGULATORY AGENCIES FOR WATER CONSERVATION REQUIREMENTS FOR LANDSCAPING; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce land development code regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, the City of Safety Harbor has previously adopted a land development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a land development code; and

WHEREAS, the City has recently adopted substantial amendments to the Land Development Code establishing comprehensive regulations and procedures for regulation of trees within the City; and

WHEREAS, as a result of such changes the City desires to further amend the Land Development Code to update its landscaping and screening requirements.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 154.00(C) of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, is hereby amended as follows:

154.00 - Landscaping and screening.

... (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 ~~Planning~~ Community Development Director where deemed appropriate, if located within fifty (50) feet of all required landscaping.

SECTION 2. Section 154.01, Definitions for Section 154.00 through 154.04, of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, is hereby deleted in its entirety and shall be reserved for future use.

SECTION 3. Section 154.02 of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, is hereby amended to read as follows and the tables set forth therein are hereby replaced with the tables set forth below:

154.02 Plant material.

(A) All trees shall have a minimum of two-inch trunk diameter measured twelve (12) 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 ~~Planning and Zoning~~ 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 ~~botanical name~~ Scientific Name followed by the ~~common~~ Botanical Name.

~~Origin~~Native: Classifies whether a tree or shrub is native to Pinellas County (~~N-PC~~) or North or Central Florida (~~N-FLA~~ YES) or is exotic (~~E~~ NO) meaning not native to North America.

Use: Describes whether a tree is a shade ~~tree~~ (ST) ~~tree~~ 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 (FSSUN) while other trees either need partial shade (PS) or full shade (FSSH).

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.

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	MO D
<i>Acer rubrum</i> *	Red Maple*	Yes	ST	M- H	MOD	AC	SUN/PS	LO W
<i>Callistemon citrinus</i>	Bottlebrush, Red Bottlebrush	No	A	X-M	HIGH	AC- AL	SUN	MO D
<i>Callistemon viminalis</i>	Weeping Bottlebrush	No	A	X-M	HIGH	AC- SA	SUN	MO D
<i>Carya glabra</i> *	Pignut Hickory*	Yes	ST	X-M	HIGH	AC- SA	SUN/PS	MO D
<i>Carya illinoensis</i> *	Pecan*	Yes	ST	X-M	HIGH	AC- AL	SUN/PS	LO W

<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>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/S H	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/PS/S H	HIGH
<i>Ilex vomitoria</i> Cultivars	Yaupon Holly, Tree Yaupon, Weeping Yaupon Holly	Yes	A	X-M	HIGH	AC-AL	SUN/PS/S H	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 japonica</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
<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	HIGH	AC	SUN/PS	MOD
<i>Peltophorum pterocarpum</i>	Yellow Poinciana	No	ST	M	HIGH	AC-AL	SUN	LOW
<i>Pinus elliottii</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
<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> *	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 Americana</i> var. <i>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

TABLE X-2: APPROVED SPECIES LIST FOR PALM TREES

Scientific Name	Common 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>	Bismark 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
<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.

(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 have a minimum height of eighteen (18) inches and minimum twelve (12) inch spread with a three (3) gallon container upon planting, being 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 ~~Planning and Zoning~~ Community Development Director.

TABLE X-3: APPROVED SPECIES LIST FOR SHRUBS

Scientific Name	Common Name	Native	Use	Soil	Drought	pH	Light	Salt
<i>Buxus microphylla</i>	Boxwood	No	S	X-M	MOD	AC-SA	SUN/P S	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/P S	HIGH
<i>Elaeagnus pungens</i>	Silverthorn, Thorny Elaeagnus	No	LS	X-M	HIGH	AC-AL	SUN/P S	HIGH
<i>Feijoa sellowiana</i>	Feijoa, Pineapple Guava	No	LS	X-M	HIGH	AC-SA	SUN/P S	HIGH
<i>Forestiera segregata</i>	Florida Privet, Ink Bush	Yes	LS	M	HIGH	AC-AL	SUN/P S	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> Cultivars	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
<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, Sacred 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</i> x 'Xanadu'	Xanadu philodendron	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/P S	LOW
<i>Podocarpus macrophyllus</i>	Podocarpus, Yew, Japanese Yew	No	LS	X-M	HIGH	AC-AL	SUN/P S	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/P S	MOD
<i>Serenoa repens</i>	Saw Palmetto, Silver Saw Palmetto	Yes	LS	X-M	HIGH	AC-AL	SUN/P S	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/P S	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 ~~four and one-half (4½) feet~~ 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, Approved Species List for Shrubs, unless alternative planting material is authorized by the ~~Planning and Zoning~~ Community Development Director.
- (E) Ground covers shall achieve one-hundred (100) percent coverage within twelve (12) months of installation.

SECTION 4. A new Section 154.03 shall be inserted and codified in Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, as follows. The current Section 154.03 et seq. shall be renumbered sequentially to accomplish such codification.

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.

<u>Development Type</u>	<u>Number of Shade Trees per Lot or Development</u>
<u>Single Family</u>	
<u>>1 Acre (43,560 sq. ft)</u>	<u>6 per gross acre</u>
<u>>3/4 Acre (32,760 sq. ft) – 1 Acre (43,560 sq. ft)</u>	<u>4</u>
<u>>1/2 Acre (21,780 sq. ft.) – 3/4 Acre (32,760 sq. ft.)</u>	<u>3</u>
<u>>1/4 Acre (10,890 sq. ft.) – 1/2 Acre (21,780 sq. ft.)</u>	<u>2</u>
<u><1/4 acre (10,890 sq. ft.)</u>	<u>1</u>
<u>All Other Development</u>	<u>6 per gross acre*</u>

*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 Trees 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 be 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.

SECTION 4. Renumbered Section 154.04(B) (formerly 154.03(B)) of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, shall be amended as follows:

154.034 Parking lot landscaping.

...

(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:

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 ~~fifteen (15)~~ 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. 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 constructed of stone, brick, or stucco with a decorative finish and muted color that blends in with the landscape design.
- (3) If a frontage wall is used, an average of one (1) shrub or vine shall be planted every ~~ten (10)~~ five (5) feet, but such plants need not be spaced evenly ~~ten (10)~~ 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) ~~shade tree~~ 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.

SECTION 5. Renumbered Section 154.05 (formerly 154.04) of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, shall be amended as follows:

154.045 Screening.

- (A) All uses ~~established after the effective date of this Code~~ 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 ~~covers~~ 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 ~~eovers~~ 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.

SECTION 5. Renumbered Section 154.07 (formerly 154.06) of Article X, Development Regulations, of the Safety Harbor Comprehensive Zoning and Land Development Code, shall be amended as follows:

154.067 Water conservation techniques.

(A) The purpose of this Section is to address water conservation ~~which is becoming an increasingly important issue~~. 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 154.06
- (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 landscape species shall be prohibited:~~
- ~~(1) Australian Pine (*casuarina* spp.);~~
 - ~~(2) Brazilian Pepper (*schinus* spp.);~~
 - ~~(3) Chinaberry (*Melia azedarach*);~~
 - ~~(4) Ear Tree (*enterolobium cyclocarpum*);~~
 - ~~(5) Eucalyptus (*eucalyptus* spp.);~~
 - ~~(6) Punk (*melaleuca leucadenra*);~~
 - ~~(7) Silk Oak (*grevilla robusta*).~~
- ~~(E) The following water conservation techniques shall be utilized in the implementation of the landscape requirements of Sections 154.00 through 154.06 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;
 - (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) ~~Turfgrass~~ 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) ~~Turfgrass~~ 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;
- (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.

(FE) 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.

SECTION 6. This ordinance shall be published in accordance with the requirements of law.

SECTION 7. Each provision of this Ordinance shall be deemed separate and severable and if any section or part thereof is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 8. This ordinance shall become effective immediately upon its passage and adoption.

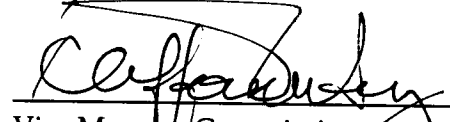
PASSED ON FIRST READING MARCH 2, a.d. 2015.


PASSED ON SECOND AND FINAL READING MARCH 16, a.d. 2015.

APPROVED AS TO FORM:



Alan S. Zimmet, City Attorney

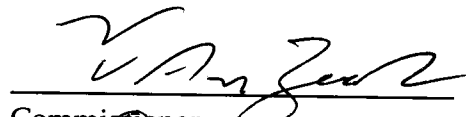

Mayor - Commissioner



Vice Mayor - Commissioner


Commissioner

ATTEST:


Karen Sammons, CMC, City Clerk


Commissioner


Commissioner