

TOWN OF LAKE PLACID
AGENDA ITEM INTRODUCTION

MEETING DATE: June 14, 2021

MEETING TYPE: Town Council

AGENDA ITEM TITLE:

4.A. Landscape Regulations, Ordinance 2021-4 (Second Reading).

PLACED ON AGENDA BY:

Planning Staff.

STATEMENT OF ISSUE:

The matter for consideration is a recommendation to the Town Council for Ordinance 2021-4, to adopt Landscape Regulations into the Town's Code of Ordinances. The Town currently employs the landscape regulations under the Highlands County Land Development Regulations in Division 1, Article 11, as required by Ordinance 06-554, known as, the Bullard Ordinance. The proposed regulations will replace Section 155-10 of the Town of Lake Placid Code of Ordinances, a reserved section, thereby creating regulations under the Town's Code.

At a public hearing on April 19th, 2021, the Local Planning Agency recommended approval of Ordinance 2021-4 with changes. Additionally, the Town Council voted to approve Ordinance 2021-4 with the changes recommend by the Local Planning Agency.

RECOMMENDED ACTION:

1. I move the Town Council **approve and adopt** Ordinance 2021-4 on Second Reading.
2. I move the Town Council **approve and adopt with changes** Ordinance 2021-4 on Second Reading.
3. I move the Town Council **deny** Ordinance 2021-4 on Second Reading.

FISCAL IMPACT:

No Fiscal Impact.

ATTACHED ITEM:

Staff Report
Ordinance 2021-4

**AMENDMENTS
TO THE
LAKE PLACID LAND DEVELOPMENT CODE**

SECTION 155-10. – Reserved.

STAFF REPORT

June 14, 2021

SUBJECT: Ordinance 2021-4: Amends Section 155-10. – Reserved.

- Town-initiated text amendment to the Town of Lake Placid Land Development Code, Section 155-10. – Reserved., providing for the creation of compatibility, landscaping and buffering standards in the Town’s Code.

PUBLIC HEARING DATES:

April 19, 2021, 5:30 p.m.: Local Planning Agency Public Hearing

May 10, 2021, 5:30 p.m.: Town Council Public Hearing (1st Reading)

June 14, 2021, 5:30 p.m.: Town Council Public Hearing (2nd Reading)

PAST ACTIONS:

Local Planning Agency – April 19, 2021: The Local Planning Agency (LPA) held a public hearing on the proposed amendments on April 19, 2021 and voted to forward the proposed amendments to the Town Council with a recommendation of approval with changes. The following changes were recommended:

Text highlighted in grey below reflects the recommended changes by the LPA.

1. Remove ability for new lawn grass to be seeded or sprigged; all new lawn grass installation shall be sod.

§ 155-10.3.7. Lawn Grass.

All new lawn grass applications ~~may~~ shall be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion (generally slopes steeper than 10:1). Grassed areas that are installed by methods other than sod shall attain a full grassed coverage within three (3) months of the date of installation shall be installed only through sod application. A list of lawn grass species and their characteristics, including drought tolerance level, soil type, light requirements, wear tolerance and plant maintenance, are provided in section 155.10.8.H. The selection of lawn grasses shall be based upon the species and characteristics which are most appropriate for the site.

- Remove Carpetgrass from the list of allowable lawn grass species.

Lawn Grass Species

Characteristics	Lawn Grasses					
	Bahia	Bermuda	Carpetgrass	Seashore Paspalum	St. Augustine	Zoysia
Area Adapted To	Statewide	Statewide	Wet Areas	Statewide	Statewide	Statewide
Soil	Acid, Sandy	Whole Range	Acid, Wet	Wide Range	Wide Range	Wide Range
Leaf Texture	Coarse-Medium	Fine-Medium	Medium	Fine-Medium	Coarse-Medium	Fine-Medium
Drought Tolerance	Excellent	Good	Poor	Good	Fair	Medium
Shade Tolerance	Poor	Poor	Fair	Poor	Good	Good
Wear Tolerance	Poor	Good-Excellent	Poor	Good-Excellent	Poor	Good-Excellent
Nematode Tolerance	Very Good	Poor	Poor	Good	Good	Poor
Maintenance Levels	Low	Medium-High	Low	Medium	Medium	High
Uses	Lawns, roadsides	Athletic Fields, golf courses	Wet Areas	Lawns, athletic fields, golf courses	Lawns	Lawns
Establishment Methods	Seed, Sod	Sod, sprigs, plugs, some seed	Seed, sprigs	Sod, plugs, sprigs	Sod, plugs, sprigs	Sod, plugs, sprigs

Source: "Selecting a Turf Grass for Florida Lawns," University of Florida IFAS Extension (ENH04, 2007).

- Add Wax Myrtles as an allowable species in Table 155.10.8.B.

**Table 155-10.8. B
Medium Trees**

Species	Common Name	Type	Soil	Light	Drought Tolerance	Mature Height (feet)	Mature Crown Spread (feet)	Mature Canopy Area (sq. ft.)	P/L* (feet)
<i>Ilex cassine</i>	Dahoon Holly	E	M-W	F, P, S	Medium	25-30'	16'	201	15'
<i>Juniperus silicicola</i>	Southern Red Cedar	E	WD	F, P	High	25-30'	12'	113	15'
<i>Lagerstroemia indica</i>	Crape Myrtle	D	WD-M	F	High	15-25'	12'	113	15'
<i>Myrica cerifera</i>	Wax Myrtle	E	WD, M, W	F, P	Medium	10-40'	20'- 25'	150	15'

Key

Type: D = Deciduous, E = Evergreen

Soil Type: WD = Well Drained, M = Medium Drained W = Wet, A = All Types

Light: S = Shade, P = Partial Shade, F = Full Sun

P/L: Distance from Power Lines (*see Figure 155-10.8.A)

Town Council – May 10, 2021: The Town Council held a public hearing on the proposed amendments on May 10, 2021 and voted to approve Ordinance 2021-4 on First Reading. Below are the comments offered by the Town Council at the May 10, 2021 meeting and staff’s response. Staff initiated the following comments and changes to Ordinance 2021-4 based on remarks from Town Council at the May 10, Town Council hearing:

1. **Town Council Comment:** To have a permanent system in place for the storage and access of landscape and irrigation plans.

Response: Upon final approval, landscape and irrigation plans will be saved and permanently stored by the Highlands County Planning Division. In addition, the approved plans will be sent to the Town Engineer, Town Police Department, and Town Administrator, for the most accessibility.

2. **Town Council Comment:** To provide specific penalties for failure to comply with compatibility, landscaping, and buffering requirements.

Response: After approval of Ordinance 2021-4, the Town Attorney will come forward with additional text amendments to Article IV (Code Enforcement Citations) of the Town of Lake Placid Code of Ordinances, to ensure enforceability.

3. **Town Council Comment:** Prevention of landscaping removal and alteration, or non-maintenance (i.e. planting a tree and allowing it to die without replacement.)

Response: Section 155-10.7 requires landscaping and irrigation to be maintained in accordance with the approved plans. Additionally, the Town Attorney will come forward with text amendments to Article IV of the Town of Lake Placid Code of Ordinances, to ensure enforceability.

4. **Town Council Comment:** Review requirement for nursery-grown plants.

Response: The University of Florida’s Publication, “Florida-Friendly Landscaping Guide to Plant Selection & Landscape Design,” does not recommend, or require, nursery grown plants. Additionally, the most current edition of the publication titled, “Grades and Standards for Nursery Plants (G SNP),” by the Florida Department of Agriculture and Consumer Services, states, “plantings are required to originate from a registered nursery under inspection with the Division of Plant Industry, or be certified, and have met the requirements of Chapter 581, Florida Statutes, and Title 5B, Florida Administrative Code in order to qualify as Florida Grade No. 1.”

Therefore, planning staff removed the requirement for plants to be nursery grown, so long as they are Florida Grade No. 1. Standards for nursery-grown and field-grown plantings are provided in the code. Changes to Section 155-10.3.1 are as follows:

§ 155-10.3.1. Selection of New Trees and Shrubs; Site Conditions.

All plants identified in this Section are "Florida Friendly" plants for Highlands County and are well suited to the environment in the Town. A Florida Friendly Landscape is designed to reduce impacts to the environment through the selection of the right plant for the right location, thereby reducing the need for greater landscape maintenance and irrigation.

All vegetation to be planted shall meet the standards listed in this section.

1. All new living plant material to be installed shall be ~~nursery grown and~~ root pruned stock, free of insects, disease and defects, and shall satisfy the requirements of this Section and be Florida Grade No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants (GSNP), Florida Department of Agriculture and Consumer Services, ~~Florida Division of Plant Industry~~. All plants installed on the site shall be in accordance with the plans stamped approved by the Town.
2. Nursery stock shall meet minimum requirements of the American Standards for Nursery Stock (ASNS), published by the American Nursery & Landscape Association. ~~Plants shall be n~~ Nursery grown stock shall be in containers or freshly dug field grown, balled and burlapped. Field grown trees shall be heeled in or hardened off.

155-10.6. Installation, Irrigation, Inspection, Certificate of Occupancy/Completion and Maintenance.

All plants shall be "Florida Grade No. 1" or better, shall be healthy and free of diseases and pests, and shall be of nursery stock in two (2) gallon containers, or field trees of comparable size. Field grown trees shall be balled and burlapped and heeled in or hardened off.

5. **Town Council Comment:** Not all landscaping and irrigation plans should be required to come before Town Council.

Response: The Ordinance was amended for the Town Engineer and Planning Staff to have final approval of all landscaping and irrigation plans, and for any requests for deviations from Section 155-10 to be approved by Town Council by waiver.

Additional Corrections for Consistency with Town Council Comments:

- The following text was not intended to be included in the ordinance and was struck from Section 155-10.2.B.1(i): ~~Irrigation plans shall be signed and sealed by a Florida Registered Landscape Architect in accordance with Florida Statutes, Chapter 481, Part 2; and.~~

- Due to the removal of the requirements for landscape architects and a shift away from the Highlands County Land Development Regulations, Section 155-10.8. was amended to read as follows:

Any new plant material, which will serve to meet the Town’s minimum landscape requirements, shall be selected from the following plant species tables. The Town Council may approve, by waiver, an applicant’s request to use a plant species not included in the following tables if ~~a landscape architect certifies that the proposed species meets the intent of Chapter 12 of the Highlands County Code of Ordinances and~~ the applicant provides the relevant information as included in the tables for said species.

BACKGROUND:

- The Town has initiated an update to the Town’s Compatibility, Landscaping, and buffering Regulations in order to:
 - Provide an organized framework of regulations that is more user-friendly.
 - Amend compatibility, landscaping, and buffering standards at the Town’s discretion.
 - Update the landscape regulations to be consistent with the Town’s beautification, preservation, and conservation goals.

LANGUAGE:

Text in the ordinances that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed. An amendment summary is provided before the ordinance.

OVERVIEW:

The Town currently employs the landscape regulations under the unincorporated Highlands County Land Development Regulations (LDRs) in Division 1, Article 11, as required by Ordinance 06-554, known as, the Bullard Ordinance. Over time, updates to the landscaping code have become necessary, but difficult due to the location of the regulations in a different jurisdiction’s code. Adoption of the proposed regulations into the Town’s Code will allow the Town Council to amend the Code as needed and provide a more user-friendly framework for developers and staff. Additionally, the regulations are tailored to align with the Town’s identity of beautification, preservation, and conservation. The proposed regulations will replace Section 155-10 of the Town of Lake Placid Code of Ordinances, a reserved section, thereby creating regulations under the Town’s Code. Subsequent amendments to the Code of Ordinances were also made to accommodate the new location of the landscaping regulations in the Town’s Code of Ordinances.

The goal of the proposed text amendments is to provide a clear and concise landscape ordinance that Town staff, developers, and citizens will find comprehensive, fair, easy to understand and usable. Much of the language has been updated and carried over from the existing LDRs. Additionally, new language was added to establish better meet the Town’s goals. The following areas of the proposed amendments may be significant:

- A. Canopy Tree Coverage – Instead of requiring landscaping in specific locations (i.e., building perimeter plantings, parking islands, etc.), the new language gives developers creative

freedom to arrange landscaping in way that best suits the site. This is done through canopy coverage calculations.

- B. Waivers – Town staff will no longer have the authority to grant landscaping waivers or variances. All deviations from the Code for landscaping must be approved by Town Council by waiver.
- C. Preservation - Preservation credits are calculated based on the unique conditions of the site. Instead of assigning a point system to determine tree preservation credits, developers must submit a letter explaining which trees shall be preserved. Additionally, methods and procedures are established for the preservation of trees.

A comprehensive comparison of changes is available in the attached Cross Reference. Additionally, the full language proposed for adoption is available, as attached in Ordinance 2021-4. Recommendations from the Local Planning Agency are in green text (for items that were added) and red text (for items that were removed).

MOTION OPTIONS:

- 1. I move the Town Council **approve and adopt** Ordinance 2021-4 on Second Reading.
- 2. I move the Town Council **approve and adopt with changes** Ordinance 2021-4 on Second Reading.
- 3. I move the Town Council **deny** Ordinance 2021-4 on Second Reading.

ORDINANCE NUMBER 2021-4

AN ORDINANCE OF THE TOWN OF LAKE PLACID, FLORIDA, AMENDING SECTION 155-10, RESERVED, OF THE TOWN OF LAKE PLACID CODE OF ORDINANCES, ADDING COMPATABILITY, LANDSCAPING AND BUFFERING STANDARDS; AMENDING SECTION 155-13, ADOPTION OF HIGHLANDS COUNTY CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3167(c), Florida Statutes, empowers the Town of Lake Placid to adopt land development regulations to guide the growth and development of the Town; and

WHEREAS, pursuant to Section 166.041(3)(c)2, Florida Statutes, the Town Council of the Town of Lake Placid has held meetings and hearings to amend the Town of Lake Placid Code of Ordinances as presented in Section 1, contained herein; and the meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the changes necessary and appropriate to the needs of the Town; and

WHEREAS, in exercise of its authority, the Town Council of the Town of Lake Placid has determined it necessary to adopt these amendments, which are included herein in Section 1, and made a part hereof, to encourage the most appropriate use of land consistent with public interest.

WHEREAS, notice of this proposed Ordinance was published at least ten (10) days prior to adoption in a newspaper of general circulation in the Town of Lake Placid; and

WHEREAS, no valid objection has been made to the proposed Ordinance and it appears to be in the best interest of the Town of Lake Placid that this Ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE PLACID, FLORIDA;

SECTION 1. SECTION 155-10 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS, TO WIT:

§ 155-10. – ~~RESERVED.~~ COMPATIBILITY, LANDSCAPING AND BUFFERING STANDARDS OF THE TOWN CODE IS AMENDED AND RESTATED TO READ AS FOLLOWS:

§ 155.10. - ~~Reserved.~~ Compatibility, Landscaping and Buffering Standards.

§ 155-10.1. Purpose and Intent.

The Town Council finds that landscaping makes important contributions to the public safety and the general welfare of the Town. The purpose and intent of this Section is to set forth requirements and standards for the provision of canopy trees and buffer yards, the conservation of native plants and trees, and the conservation of water resources in the Town. Specifically, it is intended that buffer yards will aid in reducing the potential negative impacts caused by glare, noise, dust, dirt, litter, odors and view of various land uses on adjacent properties. It is further intended that the planting of canopy trees will aid in lowering the ambient temperature of the air through increased shading; in conserving water; in enhancing the appearance of properties; in improving property values; and generally in protecting the health, safety and welfare of the public through the improvement of the quality of the human environment. As part of the development approval process, the Town of Lake Placid shall ensure that all new development is properly buffered to prevent adverse impacts on surrounding land uses.

§ 155-10.2. Landscape Plans, Irrigation Plans, and Permits.

Prior to issuance of a development permit, a landscape plan shall be submitted to the Town Engineer, or his or her designee, showing canopy tree and buffer yard information required by this Section. The landscape plan may be submitted separately but shall be a part of a site development plan submission, where site development plan submission is required.

When landscaping is required under this Section, no building, grading or site preparation shall be allowed until the landscape and irrigation plans have been approved by the Town Engineer. The plans shall be dated and stamped approved, and only these plans and the requirements of this Section shall govern the construction of the site landscaping, irrigation, and subsequent maintenance inspections. A permit shall be obtained for the project within twelve (12) months of the approval date of the approved landscape and irrigation plans or the plans shall become invalid, unless granted an extension.

A. Landscape Plan

1. The landscape plan shall:

- (a) Be drawn at a scale no smaller than one inch (1") equals 30 feet (30') on sheet size 24 inches by 36 inches (24" x 36"), unless otherwise approved in advance by the Planning and Zoning Official or his or her designee, and include dimensions, north arrow, date, title, and project owner's name;**
- (b) Delineate the existing and proposed parking, vehicular surface areas, buildings, access points, and roadways;**
- (c) Show all utility lines and easements (see § 155.10.5.5. for Utility and Landscaping Compatibility requirements);**

- (d) Show the location of existing and proposed planting areas and vegetation communities and designate them by species name;
- (e) Show the location of permanent vegetation protection devices, such as barricades, curbing, and tree wells;
- (f) Show the landscaping required by this article, and any additional landscaping;
- (g) Show location of any water bodies or water courses;
- (h) Include a chart indicating graphic plant symbol, botanical and common name, quantity, height, spread, spacing, native status, drought tolerance rating, and type of mulch that will be used;
- (i) Include calculations showing how the canopy cover requirements for the vehicular surface areas (i.e., sq. ft. of asphalt) and transitional buffers have been determined;
- (j) Show the zoning classification of all adjoining property;
- (k) Include a dimensioned cross section of any proposed transitional buffer showing proposed trees, shrubs, walls, berms, and any ground cover or erosion control;
- (l) Include a dimensioned cross section of any proposed vehicular surface planting area when a berm is used, showing slope, height, and crown width;
- (m) Show slope, height and crown width on berm cross sections, and show complete construction details on location(s) of any walls and fences cross sections (See engineering plans for any wall and fence details);
- (n) Contain the following certificate: "I hereby certify that the landscaping plan shown hereon is in substantial compliance with the Town of Lake Placid Land Development Code pertaining to landscaping."
- (o) A maintenance plan shall be established on the landscape plan outlining best management practices consistent with the Florida Water Star program; and
- (p) The preparer shall submit a signed and sealed "as built" plan and a certificate of completion to the Town as a prerequisite to receiving a certificate of occupancy.

B. Irrigation Plan.

1. The irrigation plan shall:

- (a) Be drawn at a scale no smaller than one inch (1") equals 30 feet on sheet size 24 inches by 36 inches, unless otherwise approved in advance by the Town Planning and Zoning Official, and include dimensions, north arrow, date, title, and project owner's name;
- (b) Show existing vegetation to remain;
- (c) Delineate existing and proposed buildings and other site improvements, parking spaces, aisles, and driveways;
- (d) Indicate main, valves, pump locations, pipe sizes and specifications, controller locations and specifications, back flow preventor and rain sensing devices;
- (e) Include a typical sprinkler zone plan indicating type, specifications and spacing, and coverage;
- (f) If proposed, drip irrigation or soaker hoses and their layout;
- (g) Contain the following statement: "I hereby certify that the irrigation plan shown hereon is in substantial compliance with the Town of Lake Placid Land Development Code pertaining to irrigation system design.";
- (h) Irrigation systems shall be designed to avoid impacts with existing vegetation and field changes may be made to avoid disturbance of such vegetation, such as line routing, sprinkler head placement and spray direction adjustments; and
- (i) The preparer shall submit a signed and sealed "as built" plan and a certificate of completion to the Town as a prerequisite to receiving a certificate of occupancy.

2. Security for Plat Recording and Issuing a Certificate of Occupancy.

All required landscaping and irrigation shall be installed in accordance with plans prepared and approved pursuant to this chapter. In the event that the applicant desires to record a final plat or secure a certificate of occupancy prior to the completion of the landscaping and irrigation improvements, the procedure adopted in Article 4, Chapter 12 of the Highlands County Land Development Regulations, entitled "Plats, Site Plans and Improvement Plans" of these regulations shall be followed.

§ 155-10.3. Landscaping

Landscaping shall include the conservation of native plants and trees; the selection and

planting of trees to shade vehicular use areas, sidewalks and other paved surfaces; and the design, selection of trees and shrubbery, and the planting of landscape materials to establish buffer yards.

Single-family, duplex, manufactured home dwellings on individual lots, and agriculture buildings where no paved parking is required are exempt from the requirements of this division, with the exception of the plant species listed in this division.

§ 155-10.3.1. Selection of New Trees and Shrubs; Site Conditions.

All plants identified in this Section are “Florida Friendly” plants for Highlands County and are well suited to the environment in the Town. A Florida Friendly Landscape is designed to reduce impacts to the environment through the selection of the right plant for the right location, thereby reducing the need for greater landscape maintenance and irrigation.

All vegetation to be planted shall meet the standards listed in this section.

1. All new living plant material to be installed shall be root pruned stock, free of insects, disease and defects, and shall satisfy the requirements of this Section and be Florida Grade No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants (GSNP), Florida Department of Agriculture and Consumer Services. All plants installed on the site shall be in accordance with the plans stamped approved by the Town.
2. Nursery stock shall meet minimum requirements of the American Standards for Nursery Stock (ASNS), published by the American Nursery & Landscape Association. Nursery grown stock shall be in containers or freshly dug field grown, balled and burlapped. Field grown trees shall be heeled in or hardened off.
3. Caliper measurement, height measurement, height relation to caliper spread, bare foot and ball dimensions, number of canes, types of vines and groundcovers, etc., shall conform to the applicable standards given in the ASNS.
4. Vines shall be of a size reasonably expected to become a minimum of 30 inches (30”) high one year after planting.
5. Plant material shall be planted in soil and climatic conditions that are appropriate for their growth habits. The required plants used in the landscape design must meet the following requirements:
 - a. Are appropriate to the conditions in which they are to be planted, including cold-hardiness and drought-tolerance;
 - b. Have non-invasive growth habits;

- c. Are suitable for the site with regards to eventual size and spread and given consideration of conflicts which might arise (i.e., views, signage, overhead power lines, underground utilities, lighting, circulation, etc.);
 - d. Encourage low maintenance; and
 - e. Are otherwise consistent with the intent of this section.
6. Plant material required by this section shall be chosen from the recommended plant species listed in § 155.10.8. Plant materials that vary from the lists provided in this section may be used with a waiver from the Town Council.

§ 155-10.3.2. Preservation of Existing Trees and Shrubs.

Preservation and protection of existing trees and shrubs exemplary to the naturally occurring habitat on the land shall be strongly encouraged, provided such plants are all healthy species and are not listed as an exotic and/or nuisance plant in the most recent Invasive Plant List of the Florida Exotic Pest Plant Council. In these instances, the plant material shall be acceptable to the Town and must be approved by waiver. The plants materials may be maintained in its natural setting and incorporated into the required landscaping areas to fulfill the intent of this section. Using existing plant materials toward buffer and canopy requirements may be granted in accordance with the following:

- 1. Landscape plans shall identify the existing plant materials to be preserved, explain how the preservation of the plant material meets the intent of the landscape requirements, and state how much credit the preserved materials earn toward the Town landscape requirements.
- 2. Trees excluded from preservation credit. No credit shall be given for preserved trees which:
 - a. Are not located within the areas of the property for which trees are required by these regulations;
 - b. Are located in required natural preservation areas indicated on an approved master land use plan, site plan, or plat;
 - c. Are prohibited species identified in this division;
 - d. Are dead, dying, diseased, or infested with harmful insects; or
 - e. Are located in recreation tracts, golf courses or similar sub-areas within planned developments which are not intended to be developed for residential, commercial or industrial use (unless abutting said use, and the

required buffer width is dedicated on the plat as a landscape buffer easement).

3. Reduction in the minimum number of off-street parking spaces required may be allowed if the reduction in the amount of required pavement will preserve the root-zones of existing healthy specimen trees. The amount of reduction may be determined only after taking into consideration any unique site conditions and the impact of the reduction on parking needs for the use. Any reduction shall be agreed upon by both the applicant and the Town Council by waiver.

Areas of existing vegetation to remain on site and as noted on landscape plans shall not be encroached upon or damaged during construction by any or all activities above or below ground. Visible barricades shall be placed around these areas and shall be kept clear of all construction materials, traffic and debris. Areas that have been damaged or removed shall be replanted and refurbished to restore the area as much as possible to its original condition.

The following methods and procedures shall be followed when preserving trees:

1. The use of hand labor may be necessary to clear vegetation within the drip line of those trees to be preserved.
2. The area within the drip line of any tree to be preserved shall remain undisturbed; no materials, machinery, and soil shall be placed within the drip line.
3. Materials, wires, signs or nails shall not be attached to any tree unless such materials are used to preserve the tree.
4. All felled material shall be promptly and carefully removed from the site in order to avoid potential damage to remaining trees and vegetation.
5. Visible barricades shall be erected around those trees to be preserved. These barricades shall be at the drip line of the tree(s) and no closer than ten feet (10') to the trunk of the tree.
6. All trees to be preserved shall have their natural soil level maintained.
7. All efforts shall be made through the grading and drainage plan to maintain the natural drainage to those trees to be preserved.

§ 155-10.3.3. Exotic and Nuisance Plants.

The use of exotic and nuisance plants is prohibited and shall not be accepted as

part of an approved landscape plan. For purposes of this Section, exotic and nuisance plants shall be those provided in the most recent Invasive Plant List of the Florida Exotic Pest Plant Council.

§ 155-10.3.4. Minimum Tree Planting Height, Planting Area and Distance from Pavement.

All new development shall adhere to the minimum tree planting height, area, and distance from pavement, as described in the table below.

Maximum Tree Size at Maturity*	Minimum Planting Height	Planting Area	Minimum Distance from Pavement
Small	6 feet	50-150 square feet	2 feet
Medium	8 feet	150-300 square feet	4 feet
Large	10 feet	More than 300 square feet	More than 6 feet

**See Tables 155-10.8. A-C to determine tree size of the selected plant material. (Source: University of Florida “Planting Area Guidelines,” 2011; planting area and distance from pavement; based on minimum 3’ soil depth).*

All newly planted trees shall be staked and guyed immediately after installation and shall remain supported until the root systems have established themselves to adequately support the tree.

§ 155-10.3.5. Minimum Shrub Planting Requirements.

Shrubs shall be a minimum of one foot (1’) tall at the time of planting, except where they are to act as required screening for residential uses and districts, in which case they shall be a minimum of three feet (3’) in height at the time of planting and maintained at a minimum height of five feet (5’) at maturity. One foot (1’) high shrubs shall be spaced no greater than thirty inches (30”) on center and three foot (3’) high shrubs shall be spaced no greater than thirty-six inches (36”) on center. The Town Council may authorize alternate spacing for species which have especially broad coverage through the waiver process.

§ 155-10.3.6. Ground Covers.

Ground covers shall be spaced no greater than eighteen inches (18’) on center and may be planted in lieu of lawn grass. Ground covers shall provide reasonably complete coverage within one (1) year after installation. A list of recommended ground cover species is provided in Table 155.10.8.G of this Section.

§ 155-10.3.7. Lawn Grass.

All new lawn grass applications shall be sodded. A list of lawn grass species and their characteristics, including drought tolerance level, soil type, light requirements, wear tolerance and plant maintenance, are provided in section 155.10.8.H. The selection of lawn grasses shall be based upon the species and characteristics which are most appropriate for the site.

§ 155-10.3.8. Mulch.

Planting beds shall be mulched with standard accepted mulch materials to 1) prevent the invasion of other plant species; 2) to absorb moisture for the benefit of the plants; and 3) to present a neat and orderly appearance of the landscaped area. The mulched bed shall have a uniform coverage and a minimum depth of two inches (2”) and maximum depth three inches (3”) after watering in. Mulched areas around trees should be at least eight feet (8’) in diameter. Mounding or pyramiding of mulch and the use of cypress mulch is prohibited.

§ 155-10.3.9. Planting Beds.

The planting bed for all landscaping materials shall be free of weeds, debris, and nuisance/invasive materials and shall consist of a healthy plant growth medium. The planting bed soil shall provide adequate support, drainage, and nutrients for the plants. Planting beds shall be free and clear of road construction materials.

§ 155-10.3.10 Landscaping for Decorative and Masonry Walls.

Residential subdivisions and commercial and industrial developments may have decorative entrance and screening walls. Landscaping shall be installed within the property setback/buffer yard area. If there are no specific buffer yard requirements for the development, one (1) tree shall be planted for each fifty linear feet (50’) of wall. Buffer yard trees and shrubs required by this Section shall be planted on the outfacing side of the fence or wall.

§ 155-10.3.11. Tree Requirements for Residential Properties.

Trees for new residential subdivisions shall be provided at a rate of two (2) large or medium sized trees per residential lot, or one (1) tree per attached unit. Existing trees may be used to satisfy this requirement on individual development parcels provided they are not specifically listed as an invasive species in the most recent Invasive Plant List of the Florida Exotic Pest Plant Council.

§ 155-10.3.12. Encroachments.

A. Structures.

Accessory uses, buildings, and dumpster pads shall not encroach upon or conflict with required landscaped areas. The landscaped area shall be protected by motor vehicle wheel stops or curbing.

B. Parking Stalls.

No more than two feet (2') of vehicular overhang shall be allowed into a landscape area and no trees and shrubs shall be planted within the area of encroachment.

§ 155-10.3.13. Safe Sight Distance Triangles.

Landscaping shall not obstruct the view of motorists using any street, driveway, private parking aisle or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety upon any such street, driveway, parking aisle or street intersection. Landscaping shall comply with the requirements of Article 9, Chapter 12 of the Highlands County Land Development Regulations concerning clear visibility triangles.

§ 155-10.4. Canopy Coverage and Tree Species.

Trees providing canopy coverage shall be required for the purpose of shading vehicular use areas, sidewalks and other paved surfaces associated with all development in the Town, thereby lowering the ambient temperature of the air through increased shading; conserving water; enhancing the appearance of properties; improving property values; and protecting the general health, safety and welfare of the public through the improvement of the quality of the human environment. Buildings and structures shall not be counted as impervious surface for the purpose of calculating the areas that must be shaded by canopy trees.

- A. Canopy trees shall be selected from the recommended plant species lists in Section 155-10.8.
- B. Clustering of three or more palm trees shall equal one canopy tree. Palms shall not be used to fulfill more than 30 percent of the requirement of this section. Palms used for canopy cover shall have a minimum of ten feet (10') of clear trunk at the time of installation. Palm trees shall be selected from the recommended species list in Table 155-10.8.D.
- C. Canopy coverage trees shall be interspersed throughout all vehicular use areas rather than restricted in any way to only a portion of the site. This allows for flexibility and creative design opportunities.
- D. Trees located in buffer yards may receive partial credit in meeting vehicular use areas interior landscaping canopy requirements.

- E. Planting areas under trees shall be planted with shrubs and/or ground covers which are compatible with site conditions.
- F. Mixed genera of trees. A mix of tree species for canopy cover is strongly encouraged. Where more than 20 canopy trees are required to be planted on a site to meet these regulations, a mix of genera shall be required in accordance with Table 155-10.4. A.

Table 155-10.4.A.
Genera of trees required.

Total Trees Required	Minimum Number of Genera Required	Maximum Percentage of Any Genera
20 trees or less	1	Not Applicable
21 to 50 trees	2	70 percent
51 to 100 trees	3	50 percent
Over 100 Trees	4	40 percent

§ 155-10.4.1. Interior Landscaping and Canopy Requirements.

“Vehicular Use Area” is defined as any driveway, travel way, parking space, or vehicular display area and any other area accessed primarily by vehicle without regard to type of construction material or surface.

The standard for canopy is fifty (50) percent coverage for all vehicular use areas, sidewalks and other paved surfaces associated with all land uses subject to these requirements.

§ 155-10.4.2. Open Space

This section creates an open space system for the Town of Lake Placid and establishes open space requirements and standards for both residential and nonresidential development.

- A. **Usable open space requirements.** Usable open space shall include active and passive recreation areas such as playgrounds, golf courses, beach frontage, waterways, lagoons, floodplains, wetlands, stormwater retention areas, nature trails, and other similar open spaces. Open space areas shall also include those areas set aside for preservation of native vegetation and landscaped areas. Open water area beyond the perimeter of the site, street rights-of-way, driveways, off-street parking areas, and off-street loading areas shall not be counted in determining usable open space.
- A. **Special habitat areas.** Wherever possible, special habitat areas shall be treated as usable open space in any development plan for the parcel containing them, and these areas will count toward the open space area requirement for the development or parcel.
- B. **Residential development.** In residential development, at least 30 percent of the gross area shall be devoted to usable open space. The 30 percent open space requirement can be partially met by including, in addition to that described in A. and B. of this section, the usable open space required on individual lots and for the purposes of these regulations is calculated as the difference between the lot area and the maximum allowable site coverage as follows:
1. Low density residential: 50 percent.
 2. Medium density residential: 60 percent.
 3. High density residential: 70 percent.
- C. **Nonresidential developments.** In nonresidential development, at least 20 percent of the gross area shall be devoted to usable open space. The 20 percent open space requirement can be partially met by including, in addition to that described in A. and B. of this section, the usable open space required on individual lots and parcels and for the purposes of these regulations is calculated as the difference between the lot or parcel area and the maximum allowable site coverage as follows:
1. Agriculture. 20 percent for properties that are 40 acres or less, ten percent for properties that are 40+ to 160 acres, five percent for properties that are 160+ acres in size;
 2. Public/quasi-public facility lands: 75 percent;
 3. Public conservation/management lands: Five percent;
 4. Commercial: 80 percent;
 5. Commercial/industrial mixed use: 80 percent; and
 6. Industrial: 70 percent.

§ 155-10.5. Buffer Yards.

A buffer yard is an area containing plant material, fences, walls and/or berms which provide a visual screen and physical separation between incompatible land uses. Buffer yards are intended as landscaped open space; therefore, they shall be free of pavement

and permanent structures other than fences, walls, berms, unpaved pedestrian paths, and stormwater management and retention facilities. The purpose of this Section is to establish minimum buffer yard widths and landscaping requirements, in order to ensure compatibility between adjacent properties and land uses. The minimum required width of the buffer yard is therefore based on the potential degree of incompatibility between two (2) abutting land uses.

§ 155-10.5.1. Buffer Yards Between Proposed and Abutting Land Uses and Vacant Property.

The Town provides four (4) different category types of buffer yards, identified as types A, B, C and D. Table 155-10.5.A, establishes the type of buffer yard required between proposed and existing land uses. When property adjacent to a proposed development is vacant, the need for a buffer yard is determined by the zoning classification of the vacant site as provided in Table 155-10.5. B.

§ 155-10.5.2. Buffer Yards along Rights-of-Way.

In addition to the standards set forth in this section regarding landscape requirements between proposed and abutting land uses and vacant property, provisions shall also be made to buffer land uses from adjacent public streets or rights-of-way as follows:

A. Arterial Roadways.

Land uses, excluding agriculture, located along arterial roadways are required to provide a landscape strip at least ten (10) feet wide with a minimum of five (5) trees for each one hundred (100) linear feet of right-of-way frontage, or fraction thereof. In addition, seven (7) shrubs per tree shall be planted within the landscape strip.

B. Collector Roadways.

Land uses, excluding agriculture, located along collector roadways are required to provide a landscape strip at least ten (10) feet wide with a minimum of one (1) trees and seven (7) shrubs for each fifty linear feet (50') of right-of-way frontage, or fraction thereof.

C. Railroad Rights-of-Way.

Commercial and industrial land uses located along railroad rights-of-way shall not be required to provide buffering between the use and the right-of-way. New residential developments, excluding individual single-family home sites, individual duplex units and individual infill lot development shall meet the requirements of a "D" buffer yard as specified under Section 155-10.5.4 of this section.

D. Setbacks for Vision Clearance.

Buffer yards shall comply with the standards of Section 155-10.3.13. Safe Sight Distance Triangles.

§ 155-10.5.3. Buffer Yards for Free Standing or Satellite Parking Lots.

Buffer yards for free standing or satellite parking lots shall meet the following requirements:

A. Residential Zoning Districts: Standing or satellite parking lots located in residential zoning districts, which serve adjacent businesses, shall meet the following requirements.

1. Where the parking lot is contiguous to side lot lines of residentially zoned property, a side yard at least ten (10) feet in width shall be provided.
2. The parking area shall be provided with a continuous, un-pierced masonry wall six (6) feet in height adjacent to all required yards. All such walls shall be smoothly finished and shall not be used for signage.
3. All yard spaces between the required wall and lot lines shall be landscaped with at least one hedgerow of shrubs, not less than five feet (5') in height, placed next to the walls. The remainder of such yard space shall be covered by lawn grass or other approved ground covers as provided in Tables 155-10.8.G. and 155-10.8.H. All such landscaping shall be maintained in a healthy, growing condition, neat and orderly in appearance. Yard spaces shall be kept free of refuse or debris.
4. Where the parking lot is separated from residentially zoned property by a street, a buffer yard at least ten feet (10') in width shall be provided along the street frontage.
5. Where the parking is located upon a street upon which residentially zoned properties front and abut in the same block, a front yard shall be provided at least 25 feet in depth. Where one or both of the lots contiguous to and on each side of the parking lot are developed with residential structures having front yards greater than 25 feet in depth, the front yard on the parking lot shall be not less in depth than the deeper of these existing front yards.

B. All Other Zoning Districts: With the exception of letter A above, standing or satellite parking lots located in all other zoning districts shall be designed in accordance with the following requirements.

1. The parking area shall be provided with a buffer yard at least ten (10) feet in width along all property lines and streets on which the off-street parking area is located.
2. See Section 155-10.5.2, *Buffer Yards along Rights-of-Way*, for landscape buffer requirements adjacent to public rights-of-way.
3. A waiver of buffer yard requirements may be granted by the Town Council along property lines where adjoining businesses propose to share a common parking lot. A site plan is required for review and approval.

C. *Site Plan Review*: The Town Council may consider specific site plan requests under this Section. The Council may accept or reject the original request, or it may impose conditions or safeguards on the request which it finds necessary to uphold the public purpose and the intent of the Town Code.

§ 155-10.5.4. Tree Canopy & Buffer Yard Waivers.

- A. The Town Council may grant a waiver or modification for the following:
- 1) Tree canopy requirements for impervious surfaces, which are exclusively used for parking and/or maneuvering of large trucks and/or for storing products or materials.
 - 2) Buffer yard requirements.
- B. The following shall be provided for any waiver or modification request.
- 1) The applicant shall submit an application, site plan, and application fee to the Planning and Zoning Official, or his or her designee.
 - 2) The site plan shall detail the proposed exceptions to the strict application and enforcement of the tree canopy or buffer yard requirements contained in this Section.
 - 3) The Town Council may approve the waiver based on consideration of the following findings:
 - a) The particular characteristics of the use and/or the site, such as its size, configuration, topography or subsurface conditions, are such that strict application of the tree canopy or buffer yard requirements would result in unreasonable hardship to the developer.
 - b) The effect of the waiver or modification does not nullify the purpose and intent of the Town's landscape requirements.

- c) The approval of the waiver or modification upholds the public interest.
- d) The approval of the waiver or modification is not contrary to the Town's Comprehensive Plan.

Table 155-10.5.A.

Buffer Yard Requirements between Proposed and Abutting Land Uses

<u>PROPOSED LAND USE</u>	<u>ABUTTING LAND USE</u>									
	<u>Single family detached dwellings</u>	<u>Duplex; multi-family up to 4 units per acre; outdoor recreation facilities; cemeteries</u>	<u>Professional office with up to 8 parking spaces; child care centers in converted residential structures</u>	<u>Duplex, single family attached, mobile home parks and multi-family at 4-8 units per acre</u>	<u>Single family attached, multi-family at 8+ units per acre; Utility substations, switching stations, etc.</u>	<u>Mobile Homes</u>	<u>Professional office with 9+ parking spaces; Churches; Schools; Government facilities; Commercial & business development sites with up to 10 parking spaces</u>	<u>Other commercial & business, wholesale, service businesses; Self-storage; Automobile service stations; Shopping centers; Hotels, motels; Hospitals</u>	<u>Light Industry; PWS; Governmental public works storage/ equipment facilities</u>	<u>Heavy industry; Water and wastewater treatment facilities</u>
<u>Single family detached dwellings</u>	<u>N</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>D</u>	<u>D</u>
<u>Duplex; multi-family up to 4 units per acre; outdoor recreation facilities; cemeteries</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>D</u>	<u>D</u>
<u>Professional office with up to 8 parking spaces; child care centers in converted residential structures</u>	<u>B</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>D</u>
<u>Duplex, mobile home parks & multi-family at 4-8 units per acre</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>D</u>
<u>Multi-family at 8+ units per acre up to & including 12 units per acre; Utility substations, switching stations, etc.</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
<u>Mobile home parks</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>

Professional office with 9+ parking spaces; Churches; Schools; Government facilities; Commercial & business development sites with up to 10 parking spaces	<u>C</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>C</u>	<u>C</u>
Other commercial & business, wholesale, service businesses; Self-storage; Automobile service stations; Shopping centers; Hotels, motels; Hospitals	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>N</u>	<u>B</u>	<u>C</u>
Light Industry; PWS; Governmental public works storage/equipment facilities	<u>D</u>	<u>D</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>N</u>	<u>B</u>
Heavy industry; Water & wastewater treatment facilities	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>N</u>

N = No Buffer Yard Required. A through D = Type of Buffer Yard Required (See §155-10.5.5 for Illustrated Examples Buffer Yard Designs).

Table 155-10.5.B.

Buffer Yard Requirements between Proposed Land Use and Vacant Property

<u>PROPOSED LAND USE</u>	<u>ADJACENT VACANT LAND</u> <u>(By Zoning District)</u>								
	<u>A-1</u>	<u>R-1A</u>	<u>R-1</u>	<u>R-2A</u>	<u>R-2</u>	<u>C-1</u>	<u>C-2</u>	<u>C-2A</u>	<u>C-3</u>
<u>Agriculture</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>B</u>
<u>Single family detached dwellings</u>	<u>A</u>	<u>N</u>	<u>N</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>D</u>
<u>Duplex; Multi-family up to 4 units per acre; Outdoor recreation facilities; Cemeteries</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>D</u>
<u>Professional office with up to 8 parking spaces; Child care centers in converted residential structures</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>
<u>Duplex; multi-family at 4-8 units per acre</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>D</u>
<u>Multi-family at 8+ units per acre; Utility substations, switching stations, etc.</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>D</u>
<u>Mobile home park</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>D</u>
<u>Professional office with 9+ parking spaces; Churches; Schools; Government facilities; Commercial & business development sites with up to 10 parking spaces</u>	<u>A</u>	<u>C</u>	<u>C</u>	<u>A</u>	<u>A</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>
<u>Other commercial & business, wholesale, service businesses; Self-storage; Automobile service stations; Shopping centers; Hotels, motels; Hospitals</u>	<u>A</u>	<u>C</u>	<u>C</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>C</u>
<u>Light Industry; PWS; Governmental public works storage/equipment facilities</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>N</u>
<u>Heavy industry; Water and wastewater treatment facilities</u>	<u>C</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>C</u>	<u>D</u>	<u>D</u>	<u>N</u>

§ 155-10.5.4. Buffer Yard Diagrams.

Upon determining the type of buffer yard required for a property (type A, B, C, or D), the yard width and number of plantings shall be calculated. Three options are offered within each buffer yard type, allowing a buffer yard which best fits the constraints and features of the site. Any of the options within a particular buffer yard type will fulfill the buffer yard requirement. For example, if a Buffer Yard A is required, there are three options to choose from; a ten (10) foot wide buffer, a fifteen (15) foot wide buffer or a twenty (20) foot wide buffer. The number of trees and shrubs to be planted within the buffer yard area is dependent upon the buffer yard width chosen; a wider buffer yard requires less plant material.

The diagrams specify the number of each type of plant required per 100 linear feet, excluding any driveway access. The plant material does not need to be equally spaced and may be placed in any configuration or grouped to best display the plant material within the required buffer yard area. When natural plant material is present, it may be counted towards the total buffer yard requirement for trees and shrubs provided the existing material is generally consistent with the intent of this section.

Buffer Yard

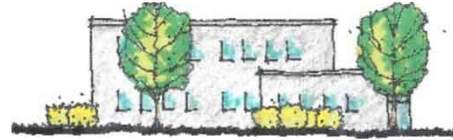
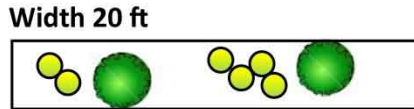
Plant Material per 100 ft

A

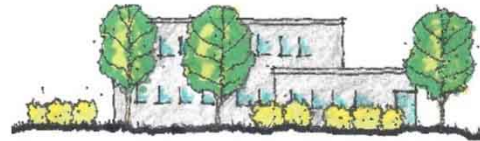
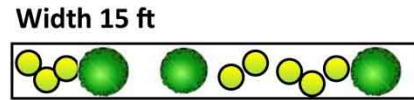
PLAN VIEW

ELEVATION

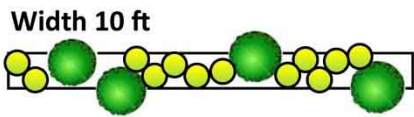
2 Trees
6 Shrubs



3 Trees
8 Shrubs



4 Trees
12 Shrubs



Buffer Yard

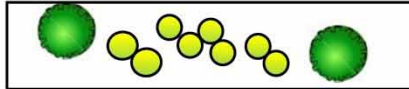
Plant Material per 100 ft

B

PLAN VIEW

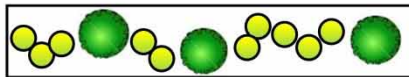
Width 25 ft

2 Trees
8 Shrubs



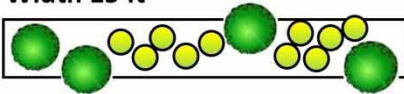
Width 20 ft

3 Trees
10 Shrubs



Width 15 ft

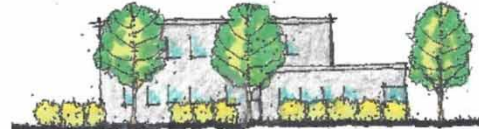
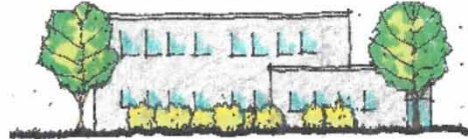
4 Trees
10 Shrubs



Legend

-  Tree
-  Shrubs

ELEVATION



Buffer Yard

Plant Material per 100 ft

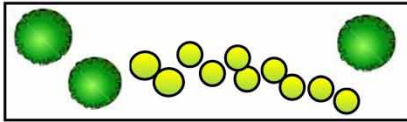


PLAN VIEW

ELEVATION

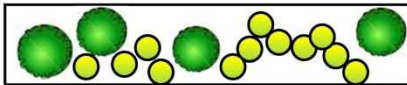
Width 30 ft

3 Trees
10 Shrubs



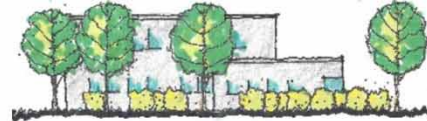
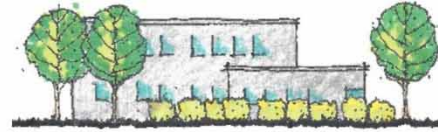
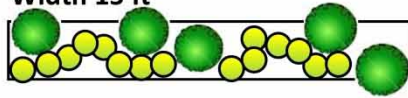
Width 20 ft

4 Trees
12 Shrubs



Width 15 ft

5 Trees
15 Shrubs



Legend



Buffer Yard

D

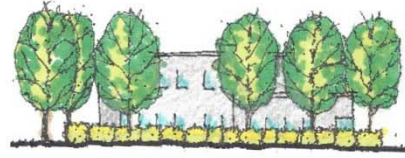
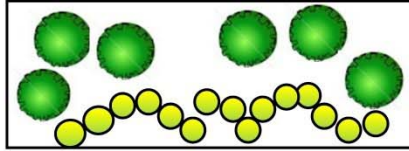
Plant Material per 100 ft

PLAN VIEW

ELEVATION

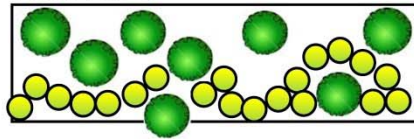
Width 40 ft

6 Trees
15 Shrubs



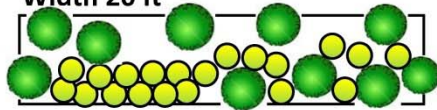
Width 30 ft

8 Trees
20 Shrubs





Width 20 ft

10 Trees
25 Shrubs



Legend

-  Tree
-  Shrubs

§ 155-10.5.5. Buffer Yards, Utilities and Utility Easements.

Utility easements in a buffer yard do not prohibit the plantings in the area of the easement of an underground utility. So long as any plantings in a buffer yard are planted in accordance with section 155-10.6.5.c. Figure 155-10.8.A. Large and medium size trees, as identified in Tables 155-10.8.B through 155-10.8.D. of this section, should not be planted closer than fifteen (15) feet to any light pole.

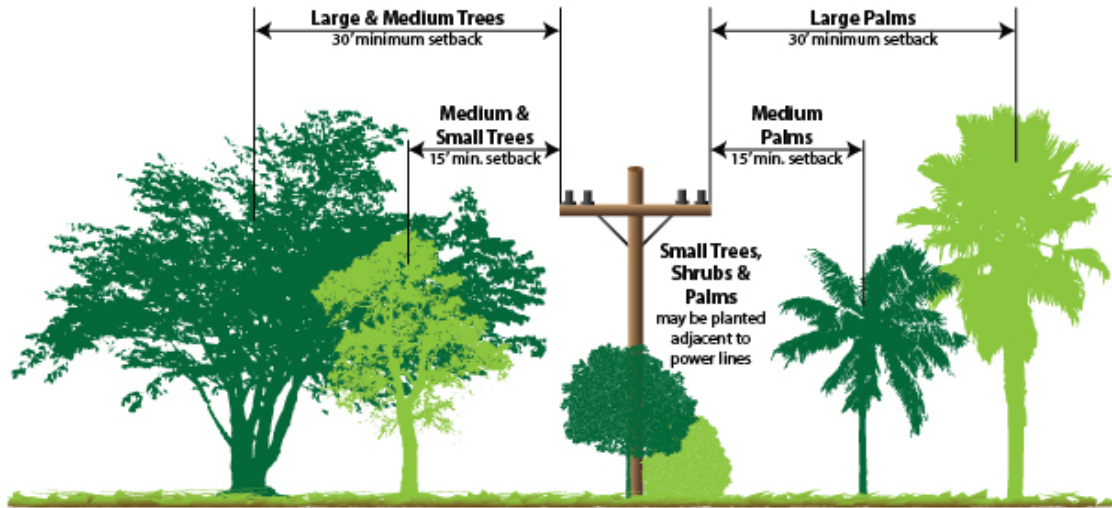


Figure 155-10.8.A Planting Distance from Power Lines

§ 155-10.6. Installation, Irrigation, Inspection, Certificate of Occupancy/Completion and Maintenance.

All plants shall be "Florida Grade No. 1" or better, shall be healthy and free of diseases and pests, and shall be in two (2) gallon containers, or field trees of comparable size. Field grown trees shall be balled and burlapped and heeled in or hardened off.

A. Installation.

1. All canopy and buffer yard trees shall be provided a minimum of 160 cubic feet of rootzone volume. Where existing conditions preclude the provision of the minimum rootzone volume, the Town Council may approve, by waiver, a lesser volume that meets the arboriculture needs of the tree within the existing conditions.
2. The developer shall provide an appropriate planting soil medium for required plants and shall irrigate plant materials to sustain healthy growth of all plants to maturity.

3. Areas on any development site not used for buildings, paved surfaces, or other landscape improvements shall be sodded or seeded prior to the issuance of a Certificate of Occupancy/Completion.
4. Areas within public rights-of-way, and areas off-site which have been disturbed by construction activity, shall be cleaned of all debris, re-graded to the proper elevations, and sodded so as to restore the area to a stabilized and planted state.
5. Utility and Landscaping Compatibility.
 - a. General. Lighting fixtures; transformer boxes; fire hydrants; power, cable television or telephone lines; sewer or water pipes; or any other existing or proposed utility facilities and associated appurtenances, shall be located and designed to provide adequate service in the presence of landscape materials when such landscape reaches maturity. Reasonable efforts shall be made to install utility service without impacting existing trees. Lighting fixtures shall be located a minimum of ten feet from all required shade trees. No shade tree that exceeds 40 feet in height at maturity shall be placed within 15 feet of any overhead utility. Fire hydrant connections and building fire connections shall not be obstructed by plant material. Shrubs and ground cover 12 inches or less in height, provided in Tables 155.10.8.E – G, may be planted to soften the visual impact of these facilities, provided that the necessary access to such facilities is maintained.
 - b. Underground utility lines shall not be located within the root-zone volume of an existing or proposed tree, except for those lines that are two-inch diameter or less, and then only where the utility separation requirements in subsection (c) below are met.
 - c. Minimum utility separation requirement. A minimum of seven and one-half feet (7.5') is required between new trees and existing or proposed water lines, wastewater force main, reclaimed water, gas, electric and telecommunications main and service utility lines, to protect against root incursion. A minimum separation requirement of ten feet (10') is required between new trees and existing or proposed wastewater gravity collection mains and laterals. Reduced separation distances to three and one-half feet (3.5') may be allowed at the discretion of the utility company. In these instances the utility company may require one of the following measures to protect the utility lines, in accordance with the standards established by the utility company:
 - i. Compaction of the soil immediately adjacent to the underground lines to 98 percent proctor density from the utility line to within 12 inches of ground surface;
 - ii. Encasing the utility line with excavatable flowable fill. Steel casing, or

other acceptable methods;

- iii. Wrapping the utility line with an herbicide-impregnated geo-textile bio-barrier cloth;
- iv. Protecting the utility line with structural barriers of cast-in-place or pre-cast concrete panels, steel or high-density plastic sheet-pile barriers; or
- v. Steel casing installed in accordance with standards established by the utility company.

B. Irrigation of Cultivated Landscapes

1. No irrigation system shall be required where existing natural plant communities are maintained.
2. All new cultivated landscaped areas shall be provided with an automatic water efficient conservation irrigation system, consistent with the needs of the plants contained therein and designed and installed to meet the requirements of this section. The system shall provide coverage of any landscaping strips within the public right-of-way (i.e., area between sidewalk and curb of roadway/edge of pavement) as measured between the side property lines. Coordination with the Florida Department of Transportation (FDOT) for a right-of-way permit is required for such areas located within FDOT maintained rights-of-way.

C. Irrigation System Requirements

1. An irrigation system shall be designed to provide 100 percent coverage of all landscape areas without over-spraying onto impervious surfaces including pavement, vehicular or pedestrian areas, and/or adjacent properties.
2. Sprinkler heads irrigating lawns or other high water demand areas shall be circuited so that they are on a separate zone or zones from those irrigating trees, shrubbery, groundcover, flowers, or other reduced water requirement areas. Head placement shall provide 100 percent head-to-head coverage. Automatically controlled irrigation systems shall be operated by an irrigation controller that is capable of watering high water requirement areas at different frequencies and durations than low water requirement areas. Landscaping shall be watered on an “as needed” basis only, or as allowed by the rules of the appropriate water management district.
3. Irrigation systems shall be designed for the zoning of high and low water demand areas and based on head type. These requirements may be adjusted for retention areas. The irrigation systems shall be designed and installed in accordance with the Florida Irrigation Society, Standards and Specifications for Turf and Landscape Irrigation Systems, as amended from time to time. Irrigation systems utilizing well water should be designed and maintained in a manner which

eliminates staining of buildings, walks, walls, and other site improvements. All systems shall be designed to eliminate the application of water to impervious areas.

4. Irrigation pipes shall be Schedule 40 or Class 315 solvent weld-type PVC pipe for mains or piping under roadways. Class 125 pipe is not permitted for mains or under roadways. IPS Flexible PVC Pipe may be substituted for rigid PVC pipe below grade in lateral lines only to avoid underground obstructions encountered during trenching or tunneling. Above grade pipes shall be a minimum of Schedule 40. PVC fittings must be of the same chemical compound as pipe on which they are installed. PVC cement must be of an appropriate chemical compound for the pipe on which it is used.
 5. Reclaimed or other non-potable water source shall be used for irrigation if available and adequate.
 6. A rain sensor or other approved device, such as a soil moisture sensor, shall be required on automatic irrigation systems to avoid irrigation during periods of sufficient rainfall. Said equipment shall consist of an automatic sensing device or switch, which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred. To avoid false readings, the device must be placed where it is exposed to unobstructed natural rainfall and shall not be installed over or within five (5) feet of the edge of either an air conditioner compressor or pool heater unit.
 7. Installers of irrigation systems shall provide property owners and users with the following post-construction documentation, including but not limited to: as-built drawings, recommended maintenance activities and schedules, operational schedule, design precipitation rates, instructions on adjusting the system to apply less water after the landscape is established, maintenance schedule, water source, water shut-off method, warranty information and the manufacturer's operational guide.
- D. Inspection and Certificate of Occupancy/Completion.

A signed and sealed "as-built" plan and certificate of completion shall be submitted to the Town and signed off prior to the issuance of a Certificate of Occupancy/Completion. The Town Engineer or his/her designee shall inspect the landscaping installation to ensure that it is in conformance with the requirements set forth in this Section and with the approved landscape plan. The irrigation system shall be operational at the time of inspection.

E. Maintenance.

1. Landscape areas shall be maintained and kept in good, living condition so as to present a healthy, neat and orderly appearance and shall be kept free from weeds, refuse and debris, following issuance of a Certificate of Occupancy.

2. Irrigation systems shall be maintained and in operating condition so as to properly irrigate required landscape areas in accordance with the approved landscape and irrigation plans, following issuance of a Certificate of Occupancy.
3. Dead plants and trees shall be replaced to conform with the approved landscape plan. Such plants and trees shall be replaced with the same or similar variety of species within 30 days from the date of official notification. Any shrubs, ground covers, grasses and mulching that may have been removed or disturbed as part of the replanting shall also be replaced using the same or similar variety of species.
4. Vegetation required by this division shall only be pruned to promote healthy, uniform, natural growth of the vegetation in accordance with Pruning Standards of the National Arborist Association. Trees and shrubs shall not be severely pruned in order to permanently maintain growth at a reduced height or spread. Pruning shall not interfere with the design intent of the original installation.
5. If a landscape restoration plan is presented and differs from the original approved landscape plan, three (3) copies of such landscape restoration plan shall be submitted and approved by the Town Planning and Zoning Official, or his or her designee. The Town Engineer shall re-inspect the property for compliance after the restoration is complete.
6. Maintenance violations shall be subject to penalty in accordance with section 155-10.7. Violations and Penalties.

§ 155-10.7. Violations and Penalties.

Failure to maintain landscaping and irrigation systems consistent with the approved landscape and irrigation plans shall constitute a violation subject to penalties and shall be subject to code enforcement action by the Town.

§ 155-10.8. Recommended Plant Species List.

Plants species identified in this section include Florida Friendly native and non-native plants. The recommended species lists have been developed using the Florida Friendly Landscaping Guide to Plant Selection and Landscape Design published by the University of Florida/Institute of Food and Agricultural Sciences (UF/IFAS), Florida Friendly Landscaping Program. The species identified in these lists have been carefully selected, based on cold hardiness zone tolerance and those species conducive to the naturally occurring habitats found in the Greater Lake Placid region. “Right Plant, Right Place” should govern the selection of plant species for a given site, bearing in mind soil, light, water, proximity to power lines (see Figure 155-10.8.A), and other site specific conditions.

Any new plant material, which will serve to meet the Town's minimum landscape requirements, shall be selected from the following plant species tables. The Town Council may approve, by waiver, an applicant's request to use a plant species not included in the following tables if the applicant provides the relevant information as included in the tables for said species.

In calculating canopy requirements, each existing tree to be preserved, and each new tree to be planted shall be credited with its mature canopy, as provided in this Section. If an on-site preserved tree is not listed as an invasive plant in the most recent Invasive Plant List of the Florida Exotic Pest Plant Council, and its actual canopy exceeds the canopy area identified in this Section, the greater canopy area may be used in calculating canopy coverage.

Table 155-10.8. A
Large Trees

<u>Species</u>	<u>Common Name</u>	<u>Type</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Mature Height (feet)</u>	<u>Mature Crown Spread (feet)</u>	<u>Mature Canopy Area (sq. ft.)</u>	<u>P/L* (feet)</u>
<i>Acer rubrum</i>	Red Maple	D	A	F, P	Medium	35-50'	25'	491	15-30'
<i>Carya spp.</i>	Hickory, Pecan	D	WD-M	F, P, S	High	50-100'	30'	707	30'
<i>Gordonia lasianthus</i>	Loblolly Bay	E	WD-M	P, F	Low	30-40'	16'	201	30'
<i>Magnolia virginiana</i>	Sweet Bay Magnolia	E	M-W	P, F	None	30-60'	16'	201	30'
<i>Pinus elliottii densa</i>	Southern Slash Pine	E	WD-M	F, P	High	75-100'	25'	491	30'
<i>Quercus falcata</i>	Turkey Oak	D	WD	F	High	40-50'	25'	431	30'
<i>Quercus virginiana</i>	Live Oak	E	M-W	F, P	High	50-60'	50'	1964	30'
<i>Taxodium distichum</i>	Bald Cypress	D	A	F, P	High	60-100'	20'	314	30'

Key
Type: D = Deciduous, E = Evergreen
Soil Type: WD = Well Drained, M = Medium Drained W = Wet, A = All Types
Light: S = Shade, P = Partial Shade, F = Full Sun
P/L: Distance from Power Lines (*see Figure 155-10.8.A)

Table 155-10.8. B
Medium Trees

<u>Species</u>	<u>Common Name</u>	<u>Type</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Mature Height (feet)</u>	<u>Mature Crown Spread (feet)</u>	<u>Mature Canopy Area (sq. ft.)</u>	<u>P/L* (feet)</u>
<i>Ilex cassine</i>	Dahoon Holly	E	<u>M- W</u>	<u>F, P, S</u>	Medium	25-30'	16'	201	15'
<i>Juniperus silicicola</i>	Southern Red Cedar	E	<u>WD</u>	<u>F, P</u>	High	25-30'	12'	113	15'
<i>Lagerstroemia indica</i>	Crape Myrtle	D	<u>WD- M</u>	<u>F</u>	High	15-25'	12'	113	15'
<i>Myrica cerifera</i>	Wax Myrtle	E	<u>WD, M, W</u>	<u>F, P</u>	Medium	10-40'	<u>20'- 25'</u>	150	15'

Key

Type: D = Deciduous, E = Evergreen

Soil Type: WD = Well Drained, M = Medium Drained W = Wet, A = All Types

Light: S = Shade, P = Partial Shade, F = Full Sun

P/L: Distance from Power Lines (*see Figure 155-10.8.A)

Table 155-10.8. C

Small Trees

<u>Species</u>	<u>Common Name</u>	<u>Type</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Mature Height</u> (feet)	<u>Mature Crown Spread</u> (feet)	<u>Mature Canopy Area</u> (sq. ft.)	<u>P/L*</u> (feet)
<i>Chionanthus virginicus</i>	Fringetree	D	WD-M	P, F, S	Medium	15-25'	10'	79	15'
<i>Ilex vomitoria</i>	Yaupon Holly	E	A	P, F	High	15-25'	8'	50	15'
<i>Myrcianthes fragrans</i>	Simpson's Stopper, Twinberry	E	A	P, F, S	High	6-30'	20'	250	15'
<i>Quercus geminata</i>	Sand Live Oak	E	WD	F	High	15-30'	12'	113	15'
<i>Quercus incana</i>	Blue Jack Oak	D	WD	F	High	15-30'	20'	--	15'
<i>Quercus inopina</i>	Florida Scrub Oak, Sandhill Oak	D	WD	F	High	3-10'	--	--	0

Key

Type: D = Deciduous, E = Evergreen

Soil Type: WD = Well Drained, M = Medium Drained W = Wet, A = All Types

Light: S = Shade, P = Partial Shade, F = Full Sun

P/L: Distance from Power Lines (*see Figure 155-10.8.A)

Table 155-10.8. D.
Palms Trees and Palm-Like Plants

<u>Species</u>	<u>Common Name</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Height (feet)</u>	<u>Mature Crown Spread (feet)</u>	<u>Mature Canopy Area (sq. ft.)</u>	<u>P/L* (feet)</u>
<i>Acoelorrhaphe wrightii</i>	Paurotis Palm, Saw Cabbage Palm	WD-M	F, P	M	15-30'	10-15'	150	15'
<i>Bismarckia nobilis</i>	Bismarck Palm	WD	F, P, S	H	40-70'	15-20'	200	30'
<i>Butia capitata</i>	Pindo Palm, Jelly Palm	WD	F, P	H	15-25'	10-15'	150	15'
<i>Phoenix spp.</i>	Date Palms	WD-M	F, P	H	6-80'	6-25'	150	30'
<i>Rhapidophyllum hystrix</i>	Needle Palm, Porcupine Palm	WD-M	P, S	M-H	2-6'	2'-6'	0	0
<i>Sabal palmetto</i>	Cabbage Palm, Sabal Palm, Cabbage Palmetto	A	F, P	H	25-60'	10-15'	150	30'
<i>Serenoa repens</i>	Saw Palmetto	WD	F, P, S	H	3-10'	4-10'	0	0
<i>Zamia floridana</i>	Coontie, Florida Arrowroot, Florida Zamia	WD	F, P, S	H	1-5'	3-5'	0	0

Key

Soil Type: *WD = Well Drained, M = Medium Drained, W = Wet, A = All Types*

Light: *S = Shade, P = Partial Shade, F = Full Sun*

Drought Tolerance: *H = High, M = Medium, L = Low, N = None*

P/L: *Distance from Power Lines (*see Figure 155-10.8.A)*

Table 155-10.8. E

Large Shrubs

<u>Species</u>	<u>Common Name</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Height (feet)</u>	<u>Spread (feet)</u>
<i>Callicarpa americana</i>	Beautyberry	WD	P, S	H	6-8'	6-8'
<i>Galphimia glauca</i>	Thryallis	WD	F	M	5-9'	4-6'
<i>Gardenia jasminoides</i>	Gardenia	WD	S, P	M	4-8'	4-8'
<i>Illicium spp.</i>	Star Anise	WD	P, F	M	10-15'	6-15'
<i>Podocarpus macrophyllus</i>	Podocarpus	WD	F, P	H	30-40'	20-25'
<i>Viburnum obovatum</i>	Walter's Viburnum	WD	P, F, S	H	8-25'	6-10'

Key
Soil Type: *WD = Well Drained, M = Medium Drained W = Wet, A = All Types*
Light: *S = Shade, P = Partial Shade, F = Full Sun*
Drought Tolerance: *H = High, M = Medium, L = Low, N = None*

Table 155-10.8. F.

Small Shrubs

<u>Species</u>	<u>Common Name</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Height (feet)</u>	<u>Spread (feet)</u>
<i>Agapanthus africanus</i>	Lily of the Nile, African Lily	WD	F, P	M	2'	2'
<i>Dietes iridoides</i>	African Iris, Butterfly Iris	A	F, P	M	2-6'	1-2'
<i>Gamolepis spp.</i>	Bush Daisy	WD	F	M	2-4'	3-4'
<i>Garberia heterophylla</i>	Garberia	WD	F	H	4-8'	6-8'
<i>Ixora coccinea</i>	Ixora	WD	F	M	10-15'	4-10'
<i>Lantana depressa</i>	Weeping Lantana	WD	F	M	3-6'	3-6'
<i>Lyonia lucida</i>	Fetterbush	WD- M	F, P	H	3-15'	2-5'
<i>Raphiolepis spp. And cvs.</i>	Indian Hawthorn	WD- M	F, P	H	2-10'	2-6'

Key
Rec: *R = Town Recommended Species*
Soil Type: *WD = Well Drained, M = Medium Drained W = Wet, A = All Types*
Light: *S = Shade, P = Partial Shade, F = Full Sun*
Drought Tolerance: *H = High, M = Medium, L = Low, N = None*

Table 155-10.8. G
Ground Covers

<u>Species</u>	<u>Common Name</u>	<u>Soil</u>	<u>Light</u>	<u>Drought Tolerance</u>	<u>Height (feet)</u>	<u>Spread (feet)</u>
<u>Arachis glabrata</u>	<u>Perennial Peanut</u>	<u>WD</u>	<u>F</u>	<u>H</u>	<u>½-1'</u>	<u>1-8'</u>
<u>Juniperus conferta and cvs.</u>	<u>Shore Juniper</u>	<u>WD</u>	<u>F</u>	<u>H</u>	<u>1-2'</u>	<u>6-10'</u>
<u>Lantana montevidensis</u>	<u>Trailing Lantana</u>	<u>WD</u>	<u>F</u>	<u>M</u>	<u>1-3'</u>	<u>4-8'</u>
<u>Liriope muscari and cvs.</u>	<u>Liriope, Monkey Grass, Border Grass</u>	<u>WD</u>	<u>F, P, S</u>	<u>M</u>	<u>1-2'</u>	<u>1-2'</u>
<u>Licani michauxii</u>	<u>Gopher Apple</u>	<u>WD</u>	<u>F</u>	<u>H</u>	<u>½-1'</u>	<u>Varies</u>
<u>Muhlenbergia capillaris</u>	<u>Muhly Grass</u>	<u>A</u>	<u>F</u>	<u>H</u>	<u>2-5'</u>	<u>2-3'</u>
<u>Pennisetum setacum 'Rubrum'</u>	<u>Red Fountain Grass</u>	<u>WD</u>	<u>F, P</u>	<u>H</u>	<u>3-4'</u>	<u>3-4'</u>
<u>Spartina spp.</u>	<u>Cordgrass</u>	<u>A</u>	<u>F</u>	<u>H</u>	<u>3-4'</u>	<u>3-5'</u>

Key

Rec: *R = Town Recommended Species*

Soil Type: *WD = Well Drained, M = Medium Drained, W = Wet, A = All Types*

Light: *S = Shade, P = Partial Shade, F = Full Sun*

Drought Tolerance: *H = High, M = Medium, L = Low, N = None*

**Table 155-10.8. H.
Lawn Grass Species**

<u>Characteristics</u>	<u>Lawn Grasses</u>				
	<u>Bahia</u>	<u>Bermuda</u>	<u>Seashore Paspalum</u>	<u>St. Augustine</u>	<u>Zoysia</u>
<u>Area Adapted To</u>	<u>Statewide</u>	<u>Statewide</u>	<u>Statewide</u>	<u>Statewide</u>	<u>Statewide</u>
<u>Soil</u>	<u>Acid, Sandy</u>	<u>Whole Range</u>	<u>Wide Range</u>	<u>Wide Range</u>	<u>Wide Range</u>
<u>Leaf Texture</u>	<u>Coarse-Medium</u>	<u>Fine-Medium</u>	<u>Fine-Medium</u>	<u>Coarse-Medium</u>	<u>Fine-Medium</u>
<u>Drought Tolerance</u>	<u>Excellent</u>	<u>Good</u>	<u>Good</u>	<u>Fair</u>	<u>Medium</u>
<u>Shade Tolerance</u>	<u>Poor</u>	<u>Poor</u>	<u>Poor</u>	<u>Good</u>	<u>Good</u>
<u>Wear Tolerance</u>	<u>Poor</u>	<u>Good-Excellent</u>	<u>Good-Excellent</u>	<u>Poor</u>	<u>Good-Excellent</u>
<u>Nematode Tolerance</u>	<u>Very Good</u>	<u>Poor</u>	<u>Good</u>	<u>Good</u>	<u>Poor</u>
<u>Maintenance Levels</u>	<u>Low</u>	<u>Medium-High</u>	<u>Medium</u>	<u>Medium</u>	<u>High</u>
<u>Uses</u>	<u>Lawns, roadsides</u>	<u>Athletic Fields, golf courses</u>	<u>Lawns, athletic fields, golf courses</u>	<u>Lawns</u>	<u>Lawns</u>
<u>Establishment Methods</u>	<u>Sod</u>	<u>Sod</u>	<u>Sod</u>	<u>Sod</u>	<u>Sod</u>

Source: "Selecting a Turf Grass for Florida Lawns," University of Florida IFAS Extension (ENH04, 2007).

SECTION 2. § 155-13. – ADOPTION OF HIGHLANDS COUNTY CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS OF THE TOWN CODE IS AMENDED AND RESTATED TO READ AS FOLLOWS:

§155.13 - Adoption of Highlands County Code of Ordinances, Land Development Regulations.

Adoption of Highlands County Code of Ordinances, Land Development Regulations specific to “Definitions and abbreviations”, shall be referred to rather than Section 152-4 when interpreting regulations adopted through Section 155.13.

The below listed provisions of the Highlands County Code of Ordinances, as amended from time to time, are hereby Ordained and incorporated into the Code of Ordinances of the Town of Lake Placid, to-wit:

- (1) *Definitions and abbreviations.* Highlands County Code, article 2, chapter 12 entitled "Definitions and Abbreviations".
- (2) *Construction licensing, enforcement and appeals board.* Highlands County Code, division 6, article 3, chapter 12 entitled "Construction Licensing, Enforcement and Appeals Board - Administration and Enforcement".
- (3) *Plats, site plans and improvement plans.* Highlands County Code, article 4, chapter 12, entitled "Plats, Site Plans and Improvement Plans".
- (4) *Transportation.* Highlands County Code, article 9, chapter 12, entitled "Transportation System Standards and Permits".
- (5) ~~*Landscape.* Highlands County Code, article 11, chapter 12, entitled "Landscaping Standards".~~ *Transfer of Developments Rights.* Highlands County Code, Article 13, Division 3, entitled Transfer of Development Rights.
- (6) *Vesting.* Highlands County Code, division 2, article 13, chapter 12, entitled "Vesting - Other Administrative Procedures".
- (7) *Development agreements.* Highlands County Code, division 4, article 13, chapter 12, entitled "Development Agreements - Other Administrative Procedures".
- (8) *Utility permits.* Highlands County Code, division 3, article 14, chapter 12, entitled "Utility Permits - Public Facility Standards".
- (9) *Building code.* Highlands County Code, article 16, chapter 12, entitled "Building Code".

- (10) *Fire code.* Highlands County Code, article 17, chapter 12, entitled "Fire Code".
- (11) *Standard Housing Code.* Highlands County Code, article 19, chapter 12, entitled "Standard Housing Code".
- (12) *Highlands County Technical Standards Manual.* Highlands County Technical Standards Manual.
- (13) *Archaeological Resources.* Highlands County Code, Article 15, Division 2, entitled Archaeological Resources.

SECTION 3. INCLUSION IN CODE. When this Ordinance is adopted it shall be included in the Code of Ordinances, Town of Lake Placid, Florida. The text marked by strike-through shall be deleted and the underlined text shall be added so that the text of the Code shall be as amended rather than in the legislative format used in this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective ten (10) days after adoption by the Town Council of the Town of Lake Placid, Florida.

INTRODUCED AND PASSED on First Reading this _____ day of _____, 2021.

ADOPTED AND ORDAINED this _____ day of _____, 2021, by the Lake Placid Town Council.

TOWN OF LAKE PLACID, a Florida Municipal Corporation

By: _____
John M. Holbrook, Mayor

(SEAL)

By: _____
Eva Cooper Hapeman, Municipal Clerk

Approved as to form:

Bert J. Harris III, Town Attorney

**TOWN OF LAKE PLACID
AGENDA ITEM INTRODUCTION**

MEETING DATE: June 14, 2021 MEETING TYPE: Town Council

AGENDA ITEM # AND TITLE:

6.C.1. Debris removal interlocal agreement with Highlands County

PLACED ON AGENDA BY: TOWN ATTORNEY AND ADMINISTRATOR

STATEMENT OF ISSUE: WHETHER THE TOWN OR COUNTY PAYS THE COST OF DISASTER DEBRIS REMOVAL

FISCAL IMPACT: The Town must have an agreement for the County to clean up after a disaster. The municipalities do not have the staff depth to accomplish.

COUNTY STAFF PROPOSAL: IF THE FEDERAL GOVERNMENT REIMBURSES, THE COST TO THE TOWN WOULD BE AT LEAST \$150,000.00. IF NO REIMBURSEMENT, THE COST COULD BE UP TO \$1,500,000.

TOWN STAFF PROPOSAL: NO COST TO THE TOWN.

This is a matter of double tax. The Town pays county tax and should not be required to pay a second time.

PROPOSED RESOLUTION ATTACHED.

ATTACHED ITEMS:

- INTERLOCAL AGREEMENT FROM COUNTY STAFF (TOWN PAYS).
- INTERLOCAL AGREEMENT FROM TOWN STAFF (COUNTY PAYS).
- PROPOSED RESOLUTION.