

**POLK CITY
PLANNING COMMISSION MEETING**

May 2, 2022

Polk City Government Center
123 Broadway Blvd. SE

6:30 P.M.

AGENDA

CALL TO ORDER	Chairman
----------------------	----------

PLEDGE OF ALLEGIANCE	Chairman
-----------------------------	----------

ROLL CALL	City Clerk
------------------	------------

ESTABLISHMENT OF A QUORUM

MEETING MINUTES	2/7/22 3/7/22
------------------------	------------------

A. Discussion Item:

Review of Article 3 of the Polk City Land Development Code

Review of Article 3 – Development Design and Improvement Standards, Sections 3.01.00 through 3.08.09

B. Other Business

ADJOURNMENT

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY MEETINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, POLK CITY 123 BROADWAY BLVD SE, POLK CITY, FLORIDA 33868 TELEPHONE (863) 984-1375, AT LEAST 48HRS IN ADVANCE.

PLANNING COMMISSION MEETING MINUTES

February 7, 2022

Vice-Chairman Baker called the meeting to order at 6:30 pm.

Those present recited the Pledge of Allegiance led by Vice-Chairman Baker.

Present: Eugene Gorski Robert Baker, David Prins, William Fienga

Absent: Antonio Thomas, Edward Hanks

Quorum Established

APPROVAL OF MINUTES

Motion by Member Prins to approve the January 10, 2022 Planning Commission Meeting Minutes; this motion was seconded by Vice-Chairman Baker. **Motion carried unanimously by Voice Vote.**

ORDER OF BUSINESS

Applicant-Initiated Preliminary Subdivision Plat for The Landings at Mt. Olive for 381 single-family homes and a clubhouse and pool on approximately 132.14 acres located on the north side of Mt. Olive Road, east of SR 33, east of Golden Gate Boulevard in the Green Swamp Area of Critical State Concern (Parcel numbers: 25-27-06-000000-021020; 25-27-06-000000-021010; 25-27-06-000000-021030; 25-27-05-000000-043010; and 25-27-05-000000-043020).

Dana Riddell (CFRPC) provided a thorough overview of the purpose of the Preliminary Subdivision Plat is to provide sufficient information regarding a proposed development to enable the City to evaluate the proposed subdivision as it relates to the Comprehensive Plan and the Unified Land Development Code.

Ordinance 2019-05 to allow for Planned Unit Development-X was approved in 2019. This Ordinance allows for a single-family residential subdivision with up to 400 homes. The subdivision is designed for 381 homes.

Ordinance 2021-06 was approved in 2021 to allow Amendment to an approved Planned Unit Development-X (PUD-X) to allow for: 1) a 2,664 square foot clubhouse and a pool; 2) a development phasing schedule to allow for the development to be constructed in three phases.

Conditions of Approval

Site plan shall reflect 100' setback from I-4, prior to final site plan approval. The applicant will work with neighboring HOAs to establish acceptable buffer along project's perimeter. *(Approved landscape plan – Spring 2020)*

A minimum 30% open space reflected on final site plan. No site plan shall be approved without adequate on-site and off-site public facilities in place. (*Condition met*)

Prior to any C.O., developer will provide a Florida Water Star Silver Certificate to City verifying all water conservation standards have been met. In the event that a FWS Silver Certificate is not obtained, the builder must provide a "Letter of Completion Certifying Compliance with FWS Design Standards" by builder's contracted landscape and irrigation professionals.

Site Development Plan

The Application is consistent with the Future Land Use (RL-X).

The Application is consistent with the Zoning (PUD-X).

The Application is consistent with the Land Development Code.

Vice Chairman Baker opened the Public Hearing.

Laura Lambert (414 Meandering Way) stated the rear setbacks would be 10ft in the back per Mr. Holston.

A resident from the Golden Gate Boulevard area spoke from his seat regarding the bald eagles in this area. Is concerned for any construction going on in this particular area.

Dana Riddell responded the Fish and Wildlife Commission governs the bald eagles. The citizen would need to make contact with that agency.

Vice-Chairman Baker closed the Public Hearing.

Vice-Chairman Baker asked if there had been any changes since the last approval.

Dana Riddell responded No.

Motion by Member Prins to approve the Applicant-initiated Preliminary Subdivision Plat; this motion was seconded by Vice Chairman Baker.

Motion carried 4/0 by Voice Vote.

ANNOUNCEMENTS - None

ADJOURNMENT- 6:50 pm

Patricia Jackson, City Manager/Clerk

Gene Gorski, Chairman

PLANNING COMMISSION MEETING MINUTES

March 7, 2022

Vice-Chairman Baker called the meeting to order at 6:30 pm.

Those present recited the Pledge of Allegiance led by Vice-Chairman Baker.

Present: Robert Baker, David Prins, Antonio Thomas, William Fienga

Absent: Eugene Gorski, Edward Hanks

Quorum Established

APPROVAL OF MINUTES - None

ORDER OF BUSINESS

Land Development Code – Discussion Item

Review of Article 2 – Regulations for Specific Districts of the Polk City Land Development Code.

Dana Riddell (CFRPC) provided a detailed review of Article 2 – Regulations for Specific Districts of the Polk City Land Development Code.

The provisions established herein shall regulate land use, regulate density and intensity, establish building lot and yard requirements, establish land use districts that identify the location of land uses in the City of Polk City, establish standards for land use in the City. Article 2 does NOT apply to the Green Swamp Area of Critical State Concern, those regulations are included in Article 3.

Member Thomas asked if there was an Archives for Polk City. City Manager Jackson responded, she has not seen any during her time in Polk City thus far.

Lengthy discussion regarding *Through Lot* sizes in subdivisions, fence height limitations, visibility triangle, mobile homes are not permitted on accessory structures, density versus intensity.

ANNOUNCEMENTS - None

ADJOURNMENT- 7:35 pm

Patricia Jackson, City Manager/Clerk

Gene Gorski, Chairman



POLK CITY PLANNING COMMISSION

**REVIEW OF ARTICLE 3
OF THE
POLK CITY LAND DEVELOPMENT CODE**

OVERVIEW

May 2, 2022

TO: Polk City Planning Commission

FROM: Central Florida Regional Planning Council

SUBJECT: Land Development Code – Discussion Item:
Review of Article 3 – Development Design and Improvement Standards

Staff will provide an overview of the first half of Article 3; specifically, Sections 3.01.00 through 3.08.09.

AGENDA DATE:

Planning Commission Meeting: June 6, 2022

ATTACHMENT: Article 3 – Development Design and Improvement Standards, Sections 3.01.00 through 3.08.09.

Polk City

Unified Land Development Code – Article 3



As Amended

Originally Adopted March 3, 1998

Amended through Ordinance 2020-01

Table of Contents

ARTICLE 3	5
DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS	5
3.01.00 General Provisions	5
3.01.01 Purpose	5
3.01.02 Responsibility for Improvements	5
3.01.03 Principles of Development Design	5
3.02.00 Transportation Systems	5
3.02.01 General Provisions	5
3.02.02 Base Building Lines	5
3.02.03 Street Design Standards	6
3.02.04 Sidewalks and Bikeways	9
3.02.05 Access Points Onto Streets	10
3.02.06 Standards for Drive-in Facilities	12
3.03.00 Off-Street Parking and Loading	12
3.03.01 Applicability	12
3.03.02 Off-Street Parking	13
3.03.02.01 Parking of Inoperable Vehicles	21
3.03.03 Off-Street Loading Requirements	21
3.03.04 Design Standards for Off-Street Parking and Loading Areas	22
3.04.00 Utilities	25
3.04.01 Requirements for All Developments	25
3.04.02 Design Standards	30
3.05.00 Stormwater Management	30
3.05.01 Stormwater Management Requirements	31
3.05.02 Design Standards	32
3.05.03 Special Considerations	33
3.05.04 Dedication or Maintenance of Stormwater Management Systems	33
3.06.00 Performance Standards	35
3.06.01 General Provisions	35
3.06.02 Specific Standards	35
3.06.02.01 Vibration	35
3.06.02.02 Smoke	35
3.06.02.03 Noise Control	36
3.06.02.04 Dust and Dirt	39
3.06.02.05 Industrial Sewage and Waste	39
3.06.02.06 Hazardous Wastes	39
3.06.02.07 Odors	39
3.06.02.08 Glare	39
3.06.02.09 Fumes, Vapors and Gases	39
3.06.02.10 Heat, Cold, Dampness, or Movement of Air	40
3.06.02.11 Fire and Safety Hazard	40
3.06.02.12 Radioactive Emission	40
3.06.02.13 Electromagnetic Radiation	40

3.07.01 PURPOSE AND INTENT.	41
3.07.02. APPLICABILITY AND EXEMPTIONS.	42
3.07.03. LANDSCAPE PLANS AND PERMITS.	43
3.07.04.01. Selection of New Trees and Shrubs; Site Conditions.	46
3.07.04.02. Preservation of Existing Trees and Shrubs.	46
3.07.04.03. Exotic and Nuisance Plants.	47
3.07.04.08. Minimum Tree Planting Height, Planting Area and Distance from Pavement.	48
3.07.04.09. Minimum Shrub Planting Requirements.	48
3.07.04.11. Lawn Grass.	49
3.07.04.12. Mulch.	49
3.07.04.14. Landscaping for Decorative and Masonry Walls.	49
3.07.04.15. Tree Requirements for Residential Properties.	49
3.07.04.16. Encroachments.	50
WITHIN THE C-1, C-2, M-1 AND M-2 ZONING DISTRICTS, THE CITY COMMISSION MAY GRANT A WAIVER OR MODIFICATION OF 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	58
3.07.08. BUFFER YARDS.	59
3.07.06.02. Buffer Yards along Rights-Of-Way.	59
Table 3.07.08.A.	62
Buffer Yard Requirements between Proposed and Abutting Land Uses	62
Table 3.07.08. B.	63
Buffer Yard Requirements between Proposed Land Use and Vacant Property	63
3.07.08.04. Buffer Yard Diagrams.	64
Section 3.07.08.05. Buffer Yards, Utilities and Utility Easements.	69
3.07.09. INSTALLATION, IRRIGATION, INSPECTION, CERTIFICATE OF OCCUPANCY/COMPLETION AND MAINTENANCE.	70
3.07.10. VIOLATIONS AND PENALTIES.	72
3.07.11. Plant Species List.	72
Table 3.07.11. A.	73
Large Trees	73
Table 3.07.11. B.	74
Medium and Small Trees	74
Table 3.07.11. C.	75
Large Shrubs	75
Table 3.07.11. C.	76
Large Shrubs	76
Table 3.07.11. C.	77
Large Shrubs	77
Table 3.07.11. D.	77
Small Shrubs	77
Ground Covers	78
Table 3.07.11. F.	79
Table 3.08.00. Water Conservation for Landscape Irrigation, Irrigation System Design and Installation Standards, and Efficient Plumbing Requirements	79

3.08.01 Intent and Purpose	79
3.08.02 Definitions.....	79
3.08.03 Efficient Plumbing Requirements	81
3.08.04 Florida Water Star Certification; Effect	81
3.08.05 Irrigation System Design and Installation Standards.....	81
3.08.06 Maintenance of Irrigation Systems.....	84
3.08.07 Exemptions	85
3.08.08 Alternative Compliance	85
3.08.09 Enforcement	85

ARTICLE 3

DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

3.01.00 General Provisions

3.01.01 Purpose

The purpose of this Article is to provide development design and improvement standards applicable to all development activity within the City of Polk City.

3.01.02 Responsibility for Improvements

Unless otherwise specifically provided, all improvements required by this Article shall be designed, installed, and paid for by the Developer.

3.01.03 Principles of Development Design

The provisions of this Article are intended to ensure functional and attractive development. Development design shall first take into account the protection of natural resources as prescribed in Article 5 of this Code. All development shall be designed to avoid unnecessary impervious surface cover; to provide adequate access to lots and sites; and to avoid adverse effects of shadow, glare, noise, odor, traffic, drainage, and utilities on surrounding properties.

3.02.00 Transportation Systems

3.02.01 General Provisions

- (A) *Purpose.* This Section establishes minimum requirements applicable to the development transportation system, including public and private streets, bikeways, pedestrian ways, parking and loading areas, and access control to and from public streets. The standards in this Section are intended to minimize the traffic impacts of development, to assure that all developments adequately and safely provide for the storage and movement of vehicles consistent with good engineering and development design practices.
- (B) *Compliance with Technical Construction Standards.* All required elements of the transportation system shall be constructed in compliance with generally accepted professional engineering design and construction standards.

3.02.02 Base Building Lines

- (A) *General.* The general purposes and intent of the City in the establishment of base building lines are to provide an efficient and economical basis for acquisition of street rights-of-way; and to provide a convenient and adequate thoroughfare network to meet the present and future needs of residential, commercial and industrial traffic through and around the City.
- (B) *Base Building Lines Established.* Base building lines are hereby established for all Principal Arterials and Urban Collectors as shown on the Future Traffic Circulation Map of the City of Polk City Comprehensive Plan. Base building lines shall run parallel to the right-of-way centerline of such roads at a distance of one-half the right-of-way width required for the applicable roadway functional classification.

Right-of-way widths and base building line distances shall be as follows:

Table 1 - Right of Way Widths and Base Building Lines

	R/W Width	Base Building Line
Principal Arterials	150 feet	75 feet
Urban Collectors	100 feet	50 feet

No structure in any zoning district shall be placed forward of the base building line, regardless of the normal front or side street setback requirement for the district.

- (C) *Base Building Line on State Roads.* Regardless of the provisions of Section 3.02.02(B) or any other provision of this Code, no structure shall be placed within 25 feet of the edge of the right-of-way of any state road located within the City.

3.02.03 Street Design Standards

- (A) *General Design Standards*
- (1) All streets in a new development shall be designed and constructed in compliance with generally accepted professional engineering design standards. Streets shall be dedicated to the City upon completion, inspection, and acceptance by the City.
 - (2) The street system of the proposed development shall, to the extent practicable, conform to the natural topography of the site, preserving existing hydrological and vegetative patterns, and minimizing erosion potential, runoff, and the need for site alteration. Particular effort should be directed toward securing the

flattest possible grade near intersections.

- (3) Streets shall be laid out to avoid environmentally sensitive areas.
 - (4) Private streets may be allowed within any development, provided they are designed and constructed pursuant all engineering standards applicable to public roads of the same functional classification.
 - (5) Private ownership of streets may be permitted with approval by the City Council, if the developer, in writing, assures the City that these private improvements shall be kept in a satisfactory state of repair and maintenance by the developer or by legally established homeowners association, which shall be clearly stated on the face of the final plat.
 - (6) The street layout in all new development shall be coordinated with and interconnected to the street system of the surrounding area.
 - (7) Streets in proposed subdivisions shall be connected to rights-of-way in adjacent areas to allow for proper inter-neighborhood traffic flow. If adjacent lands are unplatted, stub-outs in the new development shall be provided for future connection to the adjacent unplatted land.
 - (8) Residential streets shall be arranged to discourage through traffic.
 - (9) Streets shall intersect as nearly as possible at right angles and in no case shall be less than 75 degrees.
- (B) *Pavement Widths.* Pavement widths for each street classification shall be as provided in the following table:

Table 2 - Pavement Widths

Type of Street	Curb and Gutter	No Curb and Gutter
Principal Arterial	60 feet	60 feet
Minor Arterial	38 feet	34 feet
Urban Collector	28 feet	24 feet
Local Streets	24 feet	20 feet

- (C) *Cul-de-sac Turnarounds*
- (1) Permanent dead-end streets extending more than two lots or more than 125 feet (whichever is less) shall provide a cul-de-sac turnaround, the location and specification of which shall be

established by the City Engineer and the fire department.

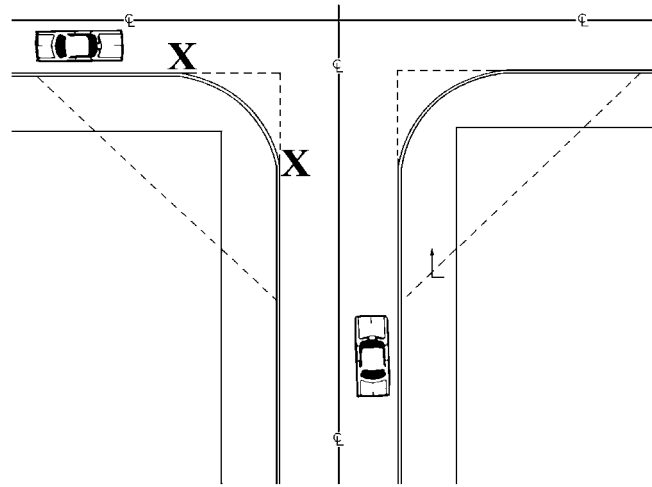
- (2) An unobstructed 12-foot wide moving lane with a minimum outside turning radius of 38 feet shall be provided at the terminus of every permanent cul-de-sac.
- (D) *Clear Visibility Triangle.* In order to provide a clear view of intersecting streets to the motorist, there shall be a triangular area of clear visibility formed by two intersecting streets or the intersection of a driveway and a street. The following standards shall be met:
- (1) Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection.
 - (2) The clear visibility triangle shall be formed by extending a line from the back of the curb or the edge of pavement of two intersecting roadways to a point of intersection, measuring a prescribed distance from the point in both directions and drawing the hypotenuse of the triangle (see the following drawing). The "prescribed distance" is "X" in the following drawing.
 - (3) The "prescribed distance", as referred to in (2) above, for the various road classifications shall be as follows:

Table 3 - Distance from Center Line

Type of Street	Distance From Center Line of Intersection
Principal Arterial	106 feet
Urban Collector	71 feet
Local Streets	55 feet

- (4) Where roads of different functional classifications intersect, the distance for each street shall be used. For example, when a principal arterial and an urban collector intersect, there shall be no obstructions 106 feet along the principal arterial and 71 feet along the urban collector, from the intersection of the two streets.

Table 4 - Visibility Triangle



- (5) The foregoing visibility triangle provisions shall not apply within the Residential districts as designated on the Future Land Use Map, City of Polk City Comprehensive Plan.
- (E) *Signage and Signalization.* The developer shall deposit with the City sufficient funds to provide all necessary roadway signs and traffic signalization as may be required by the City, based upon City or state traffic standards. At least two street name signs shall be placed at each four-way street intersection, and one at each "T" intersection. Signs shall be installed under light standards and free of visual obstruction. The design of street name signs shall be consistent, of a style appropriate to the community, and of a uniform size and color.
- (F) *Blocks*
- (1) Where a tract of land is bounded by streets forming a block, said block shall have sufficient width to provide for two tiers of lots of appropriate depths.
- (2) The lengths, widths, and shapes of blocks shall be consistent with adjacent areas.

3.02.04 Sidewalks and Bikeways

(A) *When Required*

- (1) Projects abutting Urban Collector or Principal Arterial facilities shall provide sidewalks adjacent to such roadways. Location of sidewalks shall be consistent with planned roadway improvements.
- (2) Sidewalks shall be provided on both sides of all residential streets where the average lot width at the street is 60 feet or less.
- (3) Sidewalks shall be provided on one side of all residential streets where the average lot width at the street is greater than 60 feet but less than 150 feet.
- (4) Where a proposed development includes improvements or new construction of collector or arterial facilities, facility designs shall include provision for sidewalks and bikeways within the right-of-way.
- (5) Residential projects adjacent to or in the immediate vicinity of commercial, office, service, or recreation activities shall provide pedestrian and bicycle access from the development to the activity center.
- (6) Pedestrian-ways or crosswalks, not less than ten feet wide with a sidewalk meeting the requirements of this Section, may be required to be placed in the center of blocks more than 800 feet long where deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

- (B) *Design and Construction Standards.* All sidewalks, bikeways, or other footpaths in a new development, including provisions for access by physically handicapped persons, shall be designed and constructed in compliance with generally accepted professional engineering design standards. Streets shall be dedicated to the City upon completion, inspection, and acceptance by the City.

3.02.05 Access Points Onto Streets

All proposed development shall meet the following standards for vehicular access

and circulation:

(A) *Number of Access Points*

- (1) The maximum number of points of access permitted onto any one road shall be as follows:

Table 5 - Access Points

Lot Width Abutting Road	Number Of Points Of Access
Less than 65 feet	1
65 feet to 200 feet	2
Over 200 feet	2, plus 1 for each additional 200 feet

- (2) In lieu of any two openings onto any one road, there may be permitted a single point of access of up to a maximum width of 48 feet. When this alternative is elected there shall be a permanent median at the center of the opening.
- (3) Adjacent uses may share a common driveway provided that appropriate access easements are granted between or among the property owners.

(B) *Separation of Access Points*

- (1) There shall be a minimum distance of 12 feet between any two openings onto the same street.
- (2) No point of access shall be allowed within ten feet of the intersection of the right-of-way lines of any public road.
- (3) The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent driveway or roadway.

(C) *Access to Residential Lots*

- (1) No residential lots having a width less than 125 feet shall abut a Principal Arterial without also directly abutting a local or Urban Collector street.
- (2) No lot in a subdivision shall be approved with less than 20 feet of frontage on a public street right-of-way.

3.02.06 Standards for Drive-in Facilities

All facilities providing drive-up or drive-through service shall provide on-site stacking lanes in accordance with the following standards:

- (A) The facilities and stacking lanes shall be located and designed to minimize turning movements in relation to driveway access to streets and intersections.
- (B) The facilities and stacking lanes shall be located and designed to minimize or avoid conflicts between vehicular traffic and pedestrian areas such as sidewalks, crosswalks, or other pedestrian access ways.
- (C) A by-pass lane shall be provided.
- (D) Stacking lane distance shall be measured from the service window to the property line bordering the furthest street providing access to the facility.
- (E) Minimum stacking lane distance shall be as follows:
 - (1) Financial institutions shall have a minimum distance of 200 feet. Two or more stacking lanes may be provided that together total 200 feet.
 - (2) All other uses shall have a minimum distance of 120 feet.
- (F) Alleys or driveways in or abutting areas designed, approved, or developed for residential use shall not be used for circulation of traffic for drive-in facilities.
- (G) Where turns are required in the exit lane, the minimum distance from any drive-in station to the beginning point of the curve shall be 34 feet. The minimum inside turning radius shall be 25 feet.
- (H) Construction of stacking lanes shall conform to all generally accepted professional engineering design standards.

3.03.00 Off-Street Parking and Loading

3.03.01 Applicability

This Section shall apply to all new construction requiring off-street parking, and

existing nonconforming parking facilities if on-site renovation, construction or repair exceeds 50% of the assessed value of the property.

3.03.02 Off-Street Parking

(A) *Number Of Required Spaces.* In all districts, off-street parking shall be provided as set forth in the following table and as may be modified by the provisions following the table.

Table 6 - Number of Required Parking Spaces

Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member Seat/Employee/Etc.
Single family dwelling unit	2.0		
Multi-family	1.7		
Senior citizen multi-family	1.1		
Adult congregate living facility	0.7		
Hotel and motel	1.0		
Office and banks without drive-through		2.5	
Small office (less than 3,000 SFGFA)		3.0	
Bank with drive-through		3.0	
Medical, dental, optical, chiropractor office		3.0	
Medical clinic and professional buildings		4.5	
Neighborhood shopping center (less than 150,000 SFGFA)		4.0	
Community shopping center (150,000 - 500,000 SFGFA)		4.5	
Regional shopping center (more than 500,000 SFGFA)		5.5	
General retail sales		4.0	
Supermarket and discount store		3.5	
Furniture store		1.5	
Bowling alley, per lane			4.5
Day care center/school, per employee			1.3
Putt-putt golf, per hole			1.0
Theaters, freestanding, per seat			0.3

Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member Seat/Employee/Etc.
Restaurant, per seat			0.4
Restaurant with lounge, per seat			0.5
Fast food restaurant with drive-in, per seat			0.5
Senior high school, per student			0.4
Elementary and junior high school, per teacher			1.2
University and technical college, per daytime student			1.0
Church, per seat in sanctuary			0.3
Hospital, per bed			2.0
Nursing home, per room			0.5
Industrial park with offices		1.8	
Light industry		1.8	
Manufacturing		1.0	
Warehousing and distribution centers		0.4	
Recreation clubs (golf, yacht, etc.), per member			0.2
Lodges and assembly, per seat			0.2
Stadiums, football and baseball, per seat			0.4

*Square Feet, Gross Floor Area (SFGFA) is defined as the total floor area of a building from its outside dimensions.

**Square Feet, Gross Leasable Area (SFGLA) is defined as the floor area of a building, less administrative, public and similar areas.

(B) *Off-Street Parking for the Physically Disabled.* All development covered by \square 316.1955 - .1956, F.S., shall provide parking for the physically disabled pursuant to the requirements of those sections. In addition, all residential developments with greater than 25 required parking spaces shall comply with the requirements of \square 316.1956, F.S.

(C) *Special Parking Restrictions for Trucks and Recreational Vehicles (RVs) In Residential Districts* The following regulations pertain to the parking regulations on private property.

(1) In all residential districts, no heavy trucks (over one ton), commercial motor vehicles, trailers, semitrailers that exceed 25

feet in length shall be parked for storage purposes, including overnight, on any public right-of-way or on private property. None of the above vehicles regardless of feet in length may be parked on undeveloped property.

- (2) *RVs and trailers of 35 feet and less.* In all residential districts, RVs and commercial trailers under 1 ton, must be parked in an enclosed garage or five feet behind the front building line, no less than 15 feet from the curb of any street. When the lot is a corner lot, all of these types of vehicles must be parked behind both the front and side building lines of said lot. No vehicle may be inhabited. Trailers may not be connected to water and electricity for longer than 24 hours.
 - (3) *Motorized Grove or Agricultural Equipment.* In all residential districts all motorized grove or agricultural equipment must be parked in an enclosed garage.
 - (4) *Temporary Parking.* In all residential districts, moving vans, heavy industrial equipment such as those used for construction, tree trimming and the like, may be temporarily parked on private property during periods when actually in use and for 48 hours preceding and after such use.
 - (5) *Utility trailers of 10 feet and less.* In all residential districts trailers 10 feet and less in length (measured from tongue to tailgate) may be parked on a hard surface. If parked on an unimproved surface the trailer must be five feet behind the front building line or if on a corner lot five feet behind both the front and side building lines.
- (D) *Special Parking Restrictions For Trucks and Recreational Vehicles (RVs) In Commercial/Industrial Districts C1, C2, M1, M2.* The following regulations pertain to the parking regulations on private property.
- (1) In a C1 zoning districts, no heavy trucks, (over one ton) commercial motor vehicles, trailers, semitrailers or recreational vehicles may be parked unless the trucks, commercial vehicles and RVs are associated with the business operation and owned, leased, or offered for sale by those with occupational licenses authorizing the accessory use or sale (i.e.; a furniture delivery truck, repair/tow truck, or RV sales). Storage for these vehicles as a primary business may be permitted in a C2 zoning district with approval of a Site Development Plan by the Planning Board. Parking of such vehicles is not limited on developed property in a M1 or M2 zoning districts.

- (2) Parking of heavy trucks (over one ton), commercial motor vehicles, trailers, semitrailers or recreational vehicles is permitted in developed parking areas within all Commercial Zoning Districts in order to conduct personal business for up to a collective maximum of two hours per day. In the case the parking event involves two calendar days, the maximum amount of time for the individual parking event will be two hours. An extension may be granted if the truck or recreational vehicle is in the process of being serviced by a business which is licensed by the City to do such service.
- (3) In C1 and C2 parking of trucks, commercial vehicles, and RVs is not permitted on an undeveloped, vacant property.

(E) *Bicycle Parking*

- (1) Number of Spaces Required. One bicycle parking space shall be provided for every 10 automobile parking spaces, or fraction thereof, required for the use, except as provided below:

Table 7 - Number of Required Bicycle Spaces

Use	Required Bicycle Spaces
Residential	
Conventional detached	None
Model home	None
Educational	
Elementary and Junior High	5.0 per required auto space
Senior High Schools	1.0 per required auto space
Colleges	.5 per required auto space
Entertainment and Recreation	
Arcades, games, skating, tennis, handball, racquetball, swimming pool	.25 per required auto space

- (2) Design Standards
 - a. Other bicycle parking devices may be used if it is established to the satisfaction of the City that the standards below are met.
 - b. The rack or other facility shall:
 - 1) Be designed to allow each bicycle to be supported by its frame.
 - 2) Be designed to allow the frame and wheels of each bicycle to be secured against theft.

- 3) Be designed to avoid damage to the bicycles.
- 4) Be anchored to resist removal and solidly constructed to resist damage by rust, corrosion, and vandalism.
- 5) Accommodate a range of bicycle shapes and sizes and to facilitate easy locking without interfering with adjacent bicycles.
- 6) Be located to prevent damage to bicycles by cars.
- 7) Be consistent with the surroundings in color and design and be incorporated whenever possible into building or street furniture design.
- 8) Be located in convenient, highly-visible, active, well-lighted areas.
- 9) Be located so as not to interfere with pedestrian movements.
- 10) Be located as near the principal entrance of the building as practicable.
- 11) Provide safe access from the spaces to the right of way or bicycle lane.

(F) *Location of Parking Spaces.* Parking spaces required by this Section shall be located as follows:

- (1) Such parking spaces as required in this Section shall in no part exist upon, and no portion of any vehicle shall overhang, the right-of-way of any public road, street, alley, or walkway. There shall be no off-street parking in the front yards of single family residences, except as normally exists in driveways.
- (2) Parking spaces for all other dwellings shall be located on the same development site as the main building.
- (3) Parking spaces for all other uses shall be provided on the same development site as the main building, or not more than 300 feet distant, as measured along the nearest pedestrian walkway. Such parking area may be located in an adjacent residential district provided that such parking area is screened so as to prevent headlights from shining on residential properties and to minimize

vehicular noise.

- (4) Parking requirements for two or more uses, of the same or different types, may be provided by the establishment of the required number of spaces for each use in a common parking area.

(G) *Required Parking Lot Improvements.* Any off-street parking lot serving any use other than dwellings of four units per building or less shall meet the following requirements for off-street parking lot improvements:

- (1) Buffer and canopy. The parking area will be buffered and canopy provided pursuant to Section 3.07.00.
- (2) Surfacing. For all retail sales and services, business services, and professional services serving the general public and having access to and abutting a paved street, the off-street parking area shall be provided with a hard surface of all-weather pavement, of asphalt or concrete, and shall be so graded and drained as to provide for the adequate runoff and disposal of surface water, and shall be designed and constructed in compliance with generally accepted professional engineering design standards.
- (3) Lighting. Where lighting facilities are provided for the parking area, they shall be designed and installed so as to direct the light away from any contiguous residential property.

(H) *Parking Deferral*

- (1) To avoid requiring more parking spaces than actually needed to serve a development, the City Council may waive the provision of some portion of the off-street parking spaces required by this Section if the conditions and requirements of this Section are satisfied.
- (2) As a condition precedent to obtaining such a waiver by the City Council, the developer must show any one or more of the following:
 - a. A parking study prepared by a qualified professional indicates that there is not a present need for the deferred parking.
 - b. The developer has established or will establish an alternative means of access to the use that will justify deferring the number of parking spaces sought to be deferred. Alternative programs that may be considered by the City Council include, but are not limited to:

- 1) Private and public car pools and van pools.
 - 2) Charging for parking.
 - 3) Subscription bus services.
 - 4) Flexible work-hour scheduling.
 - 5) Ride sharing.
 - 6) Establishment of a transportation coordinator position to implement car pool, van pool, and transit programs.
- c. The percentage of parking spaces sought to be deferred corresponds to the percentage of residents, employees, and customers who regularly walk, use bicycles and other non-motorized forms of transportation, or use mass transportation to come to the facility.
- (3) If the developer satisfies one or more of the criteria in (2), the City Council may approve a deferred parking plan submitted by the developer. The number of parking spaces deferred shall correspond to the estimated number of parking spaces that will not be needed because of the condition or conditions established.
- (4) A deferred parking plan:
- a. Shall be designed to contain sufficient space to meet the full parking requirements of this Section, shall illustrate the layout for the full number of parking spaces, and shall designate that are to be deferred.
 - b. Shall not assign deferred spaces to areas required for landscaping, buffer zones, setbacks, or areas that would otherwise be unsuitable for parking spaces because of the physical characteristics of the land or other requirements of this Code.
 - c. Shall include a landscaping plan for the deferred parking area.
 - d. Shall include a written agreement with the City that, one year from the date of issuance of the certificate of occupancy, the deferred spaces will be converted to parking

spaces that conform to this Code at the developer's expense, should the City Council determine from experience that the additional parking spaces are needed.

- e. Shall include a written agreement that the developer will cover the expense of a traffic study to be undertaken or commissioned by the City to determine the advisability of providing the full parking requirement.
- (5) At any time after one year from the date of issuance of a certificate of occupancy for the development, City Council shall have the authority to require that the deferred spaces be converted to operable parking spaces by the developer.
 - (6) The developer may at any time request that the City Council approve a revised development plan to allow converting the deferred spaces to operable parking spaces.
- (I) *Reduction for Mixed or Joint Use of Parking Spaces.* The City Council may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking, when their respective hours of need of maximum parking do not normally overlap. Reduction of parking requirements, because of joint use may be approved, if the following conditions are met:
 - (1) The developer submits sufficient data to demonstrate that hours of maximum demand for parking at the respective uses do not normally overlap.
 - (2) The developer submits a legal agreement, approved by the City Attorney, guaranteeing the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere, in accordance with the provisions of this Section.
 - (J) *Reduction for Low Percentage of Leasable Space.* If a use has a very low percentage of leasable space, because of cafeterias, athletic facilities or covered patios; multiple stairways and elevator shafts; atriums; conversion of historic residential structures to commercial use; or for other reasons; the City Council may reduce the parking requirements, if the following conditions are met:
 - (1) The developer submits a detailed floor plan describing how all of the floor area in the building will be used.
 - (2) The developer agrees in writing that the use of the square footage

identified as not leasable shall remain as identified, unless and until additional parking is provided to conform fully with this Code.

3.03.02.01 *Parking of Inoperable Vehicles*
(Including partially dismantled, Wrecked or Junked Vehicles)

- (A) No person shall leave any licensed or unlicensed inoperable vehicle or real property, including partially dismantled, wrecked or junked vehicles, on any street or highway within the corporate limits of the City for more than 72 hours, unless the vehicle is in a fully enclosed building, or on the premises of a licensed junkyard.
- (B) Any person leaving such a vehicle parked within the corporate limits may be subject to a fine and towing charges to remove the vehicle.

3.03.03 *Off-Street Loading Requirements*

Off-street loading spaces shall be provided in accord with the provisions of this Section.

- (A) Every hospital, institution, commercial or industrial building or similar use shall be provided with one loading space for each 20,000 s.f. or more of floor area, and requiring the receipt or distribution by vehicles of materials or merchandise shall have at least one permanent off-street loading space for each 20,000 s.f. of gross floor area, or fraction thereof, immediately adjacent to the principal building.
- (B) Retail operations, wholesale operations, and industrial operations, with a gross floor area of less than 20,000 s.f. shall provide sufficient space for loading and unloading operations in order that the free movement of vehicles and pedestrians over a sidewalk, street or alley shall not be impaired.
- (C) The standard off-street loading space shall be twelve feet wide, 25 feet long, provide vertical clearance of 15 feet, and provide adequate area for maneuvering, ingress and egress. The length of one or more of the loading spaces may be increased up to 55 feet if full-length tractor-trailers must be accommodated. Developers may install spaces that are larger than the standard, but the number of spaces shall not be reduced on that account.
- (D) Mobile home and trailer sales establishments shall provide adequate space

off of the public right-of-way for the maneuvering of mobile homes and trailers into position on the property without blocking traffic on the abutting street or road.

3.03.04 Design Standards for Off-Street Parking and Loading Areas

- (A) *Location.* Except as provided herein, all required off-street parking spaces and the use they are intended to serve shall be located on the same parcel as the use itself.
- (B) *Off Street Parking.* The City Council may approve off-site parking facilities as part of the parking required by this Code if:
 - (1) The location of the off-site parking spaces will adequately serve the use for which it is intended. The following factors shall be considered:
 - a. Proximity of the off-site spaces to the use that they will serve.
 - b. Ease of pedestrian access to the off-site parking spaces.
 - c. Whether or not off-site parking spaces are compatible with the use intended to be served, e.g., off-site parking is not ordinarily compatible with high turnover uses such as retail.
 - (2) The location of the off-site parking spaces will not create unreasonable:
 - a. Hazards to pedestrians.
 - b. Hazards to vehicular traffic.
 - c. Traffic congestion.
 - d. Interference with access to other parking spaces in the vicinity.
 - e. Detriment to any nearby use.
 - f. The developer supplies a written agreement, approved in form by the City Attorney, assuring the continued availability of the off-site parking facilities for the use they

are intended to serve.

- (3) All parking spaces required by this Section for residential uses should be located no further than the following distances from the units they serve:

Resident parking:	200 feet
Visitor parking:	250 feet

Distances shall be measured from a dwelling unit's entry to the parking space. Where a stairway or elevator provides access to dwelling units, the stairway or elevator shall be considered to be the entrance to the dwelling unit. For purposes of measuring these distances, each required parking space shall be assigned to a specific unit on the development plan, whether or not the developer will actually assign spaces for the exclusive use of the specific unit.

(C) *Size*

- (1) Standard and compact parking spaces shall be sized according to Figure A below.
- (2) Parallel parking spaces shall be a minimum of eight feet wide and 22 feet long. If a parallel space abuts no more than one other parallel space, and adequate access room is available, then the length may be reduced to 20 feet.

Table 8 - Parking Space Sizes

Figure A					
A (Degrees)	B (Feet)	C (Feet)	D (Feet)	E (Feet)	F (Feet)
0	9.5	10.0	12.0	23.0	32.0
20	9.5	16.2	12.0	21.2	44.4
30	9.5	18.7	12.0	20.0	49.4
40	9.5	20.5	12.0	15.6	53.0
45	9.5	21.2	12.0	14.1	54.4
50	9.5	21.7	16.0	13.1	59.4
60	9.5	22.3	18.0	11.5	62.6
70	9.5	22.2	20.0	10.6	64.4
80	10.0	21.4	24.0	10.2	66.8
90	10.0	20.0	24.0	10.0	64.0

A = Parking Angle B = Stall Width C = Stall Depth

D = Aisle Width E = Curb Length Per Car F = Lot Width

- (3) Tandem parking spaces must be a minimum of ten feet wide and 20 feet long.
- (4) A standard motorcycle parking space shall be the same as for an auto, ten feet wide and 20 feet long.
- (5) The Board of Adjustment may modify these requirements where necessary to promote a substantial public interest relating to environmental protection, heritage conservation, aesthetics, tree protection, or drainage. The City Engineer shall certify that the modification does not create a serious hazard or inconvenience, and the Board of Adjustment shall submit a written statement of the public interest served by allowing the modification.

(D) *Layout*

- (1) Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas shall be designed to be safe and convenient.
- (2) Parking and loading areas, aisles, pedestrian walks, landscaping, and open space shall be designed as integral parts of an overall development plan and shall be properly related to existing and proposed buildings.
- (3) Buildings, parking and loading areas, landscaping and open spaces shall be designed so that pedestrians moving from parking areas to buildings and between buildings are not unreasonably exposed to vehicular traffic.
- (4) Landscaped, paved, and gradually inclined or flat pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas, and adjacent buildings. Pedestrian walks should be designed to discourage incursions into landscaped areas except at designated crossings.
- (5) Each off-street parking space shall open directly onto an aisle or driveway that, except for single family and two-family residences, is not a public street.
- (6) Aisles and driveways shall not be used for parking vehicles, except

that the driveway of a single family or two-family residence shall be counted as a parking space for the dwelling unit, or as a number of parking spaces as determined by the Development Director based on the size and accessibility of the driveway.

- (7) The design shall be based on a definite and logical system of drive lanes to serve the parking and loading spaces. A physical separation or barrier, such as vertical curbs, may be required to separate parking spaces from travel lanes.
- (8) Parking spaces for all uses, except single family and two-family residences, shall be designed to permit entry and exit without moving any other motor vehicle.
- (9) No parking space shall be located so as to block access by emergency vehicles.
- (10) Compact car spaces shall be located no more and no less conveniently than full size car spaces, and shall be grouped in identifiable clusters.

3.04.00 Utilities

3.04.01 Requirements for All Developments

The following basic utilities are required for all developments subject to the criteria listed herein.

- (A) *Electricity and Telephone.* Every principal use and every lot within a subdivision shall have available to it a source of electric power and telephone service, adequate to accommodate the reasonable needs of such use
- (B) *Water.* Every principal use and every lot within a subdivision shall have central potable water.
 - 1. After September 1, 1983, no new building shall be constructed which:
 - a) Employs a tank-type water closet having a tank capacity in excess of 3½ gallons of water; or
 - b) Employs a shower head or faucet that allows a flow of more than an average of 3 gallons of water per minute at 60 pounds of pressure per square inch.
 - 2. The requirements of paragraph (1) apply to an addition to or a renovation of an existing building only if the cost of the addition or renovation exceeds 25 percent of the value of the existing building

and compliance with the requirements of this section will not require substantial modification of the existing plumbing system.

3. In satisfaction of the requirements of this section, the installation of tank-type water closets having a tank capacity in excess of 3½ gallons shall be permitted if such water closets are equipped with a device which reduces average water consumption to no more than 3½ gallons per flush.
4. Any official board, department or agency established and authorized by the state or by a county, city, or other political subdivision created by law to administer and enforce the provisions of the plumbing codes and amendments thereto may allow the use of standard flush toilets if, in the opinion of such board, department, or agency, the configuration of the building drainage system requires a quantity of water greater than 3½ gallons to adequately flush the system.
5. Any person who violates the provisions of this section is guilty of a noncriminal violation punishable by a fine not to exceed \$250.

(C) *Sewer.*

- (1) Each and every residence and establishment is required to connect to and utilize a publicly owned or investor-owned sewerage system if said system is available. If the City is unable to provide sewage disposal from a publicly owned or investor-owned sewerage system, an onsite sewage treatment and disposal system will be permitted if the system is in compliance with all requirements of the Florida Department of Health and is approved by the Polk County Department of Health.
- (2) If sewage disposal from a publicly owned or investor-owned sewerage system is available to a lot or parcel of land within the City, upon which lot or parcel of land, any building, or trailer is used for residential, commercial or industrial purposes, then the owner of said lot or parcel of land shall connect or cause such building or buildings or trailer to be connected to the publicly owned or investor-owned sewerage system and shall utilize said system within ninety (90) days following notification to do so by the Clerk of the City.
 - a. Each property owner who is required to connect to a sewer line of a publicly owned or investor-owned sewerage system shall be responsible for and shall bear the cost of said connection.
 - b. If a publicly owned or investor-owned sewerage system is not available, residential development densities shall be

limited to four dwelling units per acres, as adopted in the Comprehensive Plan of the City of Polk City.

- 1) “Available” as referred to in (C)(1) above, and as applied to a publicly owned or investor-owned sewerage system, means that the publicly owned or investor-owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; and:
 - a) For a residential subdivision lot, a single-family residence, or an establishment, any of which has an estimated sewage flow of 1,000 gallons per day or less, a gravity sewer line to maintain gravity flow from the property’s drain to the sewer line in those areas approved for low pressure or vacuum sewage collection, exists in a public easement or right-of-way that abuts the property line of the lot, residence, or establishment.
 - b) For an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accesses via existing rights-of-way or easements.
 - c) For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than five lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile of the development as measured and accessed via existing easements or rights-of-way.
 - d) For repairs or modifications with areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within 500 feet of an establishment’s or residence’s sewer stub-out as measured and

accessed via existing rights-of-way or easements.

(3) *On Site Sewerage Treatment and Disposal System.* Where onsite sewage treatment and disposal system is permitted and utilized, each individual single family residence shall have their own individual system. No onsite sewage treatment and disposal system shall be placed closer than:

- a. Seventy-five (75) feet from a private potable well;
- b. Two hundred (200) feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow greater than 2,000 gallons per day;
- c. One hundred (100) feet from a public potable well serving a residential or nonresidential establishment having a total sewage flow of less than or equal to 2,000 gallons per day;
- d. Seventy-five (75) feet from surface waters;
- e. Fifty (50) feet from any nonpotable well;
- f. Ten feet from any storm sewer pipe, to the maximum extent possible, but in no instance shall the setback be less than five feet; and,
- g. Fifteen (15) feet from the design high-water line of retention areas, detention areas, or swales designed to contain standing or flowing water for less than 72 hours after a rainfall or the design high-water level of normally dry drainage ditches or normally dry individual-lot stormwater retention areas.

(D) *Illumination.* All streets, driveways, sidewalks, bikeways, parking lots and other common areas and facilities in developments shall provide illumination meeting the following standard:

Lighting to illuminate buildings, stages, open areas or advertising shall be designed so as to shine only on the subject property, and shall be directed away from any public street or residential area.

(E) *Fire Hydrants.* All developments served by a central water system shall include a system of fire hydrants consistent with the following standards:

- a. Fire hydrants shall not be more than 1,000 feet apart, on alternating sides of the street. In subdivisions with a density on any block

higher than four dwelling units per acre (4 du/ac), fire hydrants shall be placed not more than 500 feet apart; and

- b. Fire hydrants shall be placed either at intersections or at mid-block.

3.04.02 Design Standards

All utilities required by this Chapter shall meet or exceed the following standards:

- (A) *Utility Easements.* When a developer installs or causes the installation of water, sewer, electrical power, telephone, or cable television facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall: 1) design those required by the minimum standards of the utility; and, 2) transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.
- (B) *Placement of Utilities Underground*
 - (1) All electric, telephone, cable television, and other communication lines (exclusive for transformers or enclosures containing electrical equipment, including but not limited to switches, meters, or capacitors that may be pad mounted), and gas distribution lines shall be placed underground within easements or dedicated public rights-of-way, installed in accordance with generally accepted industry standards.
 - (2) Lots abutting existing easements or public rights-of-way where overhead electric, telephone, or cable television distribution supply lines and service connections have previously been installed may be supplied with such services from the utility's overhead facilities, provided the service connection to the site or lot is placed underground.
 - (3) Screening of any utility apparatus placed above ground shall be buffered with a "C" buffer yard, where it abuts a residential lot. (See Article 3, Section 3.07.04, "Buffer Yards.")

3.05.00 Stormwater Management

Treatment of stormwater runoff shall be required for all development, redevelopment and, when expansion occurs, existing developed areas. The stormwater treatment system or systems can be project specific, or serve sub-areas within the City. The design and performance of all stormwater management systems shall comply with applicable State Regulations (Chapter 17-25 and Chapter 17-302, F.A.C.) and the rules of the Southwest Florida Water Management District (SWFWMD) stated in Chapter 40D-4, F.A.C. Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 17-302, F.A.C. Steps to control erosion and sedimentation shall be taken for all development.

3.05.01 Stormwater Management Requirements

(A) *Performance Standards.* All development must be designed, constructed and maintained to meet the following performance standards:

- (1) While development activity is underway and after it is completed, the characteristics of stormwater runoff shall approximate the rate, volume, quality, and timing of stormwater runoff that occurred under the site's natural unimproved or existing state, except that the first one inch of stormwater runoff shall be treated in an off-line retention system or according to FDEP's Best Management Practices.
- (2) The proposed development and development activity shall not violate water quality standards set forth in Chapter 17-3, F.A.C.
- (3) Maintenance activity that does not change or affect the quality, rate, volume or location of stormwater flows on the site or of stormwater runoff.
- (4) Action taken under emergency conditions to prevent imminent harm or danger, or to protect property from fire, violent storms, hurricanes or other hazards.
- (5) Agricultural activity, provided farming activities are conducted in accordance with the requirements set forth in an approved Soil Conservation Service Conservation Plan. If the Conservation Plan is not implemented accordingly, this exemption shall become void and a stormwater permit shall be required.

(B) *Residential Performance Standards.* It is intended that all of the standards in the citations from the F.A.C. are to apply to all development and redevelopment and that exemptions based on project size thresholds and individual structures do not apply for concurrency determinations. All development must meet F.A.C. and subsequently meet the following performance standards.

- (1) New Construction. For the purposes of determining whether residential development of 1-4 units on an individual lot requires retention, all the following standards must be met.
 - a. Structure and all impervious surface can be placed less than 100 feet from the receiving water body; and,
 - b. The topography of the lot is greater than a 6% slope; and

- c. the total of all impervious surface is 10% or more of the total lot area.
- (2) Infill development. Infill development within an existing subdivision or a developed residential area is exempt from a retention area, when the following condition has been met. Infill residential development shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 17-302, F.A.C.

3.05.02 Design Standards

To comply with the foregoing performance standards, the proposed stormwater management system shall conform to the following design standards:

- (A) Detention and retention systems shall be designed to comply with the FDEP's Best Management Practices.
- (B) To the maximum extent practicable, natural systems shall be used to accommodate stormwater.
- (C) The proposed stormwater management system shall be designed to accommodate the stormwater that originates within the development and stormwater that flows onto or across the development from adjacent lands.
- (D) The proposed stormwater management system shall be designed to function properly for a minimum 20-year life.
- (E) The design and construction of the proposed stormwater management system shall be certified as meeting applicable requirements, by a professional engineer registered in the State of Florida.
- (F) No surface water may be channeled or directed into a sanitary sewer.
- (G) The proposed stormwater management system shall be compatible with the stormwater management facilities on surrounding properties or streets, taking into account the possibility that substandard systems may be improved in the future.
- (H) The banks of detention and retention areas shall be sloped at no less than a 3:1 ratio and shall be planted with appropriate vegetation.
- (I) Dredging, clearing of vegetation, deepening, widening, straightening, stabilizing or otherwise altering natural surface waters shall be minimized.

- (J) Natural surface waters shall not be used as sediment traps during or after development.
- (K) Water reuse and conservation shall, to the maximum extent practicable, be achieved by incorporating the stormwater management system into irrigation systems serving the development.
- (L) Vegetated buffers of sufficient width to prevent erosion shall be retained or created along the shores, banks or edges of all natural or man-made surface waters.
- (M) In phased developments, the stormwater management system for each integrated stage of completion shall be capable of functioning independently.
- (N) All detention and retention basins, except natural water bodies used for this purpose, shall be accessible for maintenance from streets or public rights-of-way.

3.05.03 Special Considerations

Special consideration shall be given in the layout of streets, lots, blocks, buildings, and easements to the preservation of resource and specimen individual trees. Special consideration shall also be given to preserving natural drainage methods and natural topography and landscape. Special consideration shall be given to providing special screening, buffers, or berms where developments abut incompatible land uses.

3.05.04 Dedication or Maintenance of Stormwater Management Systems

If a stormwater management system approved under this Code will function as an integral part of a County-maintained drainage system, as determined by the County Engineer, the facilities shall be dedicated to Polk County. The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the stormwater management system from the time construction begins until the stormwater management system is dedicated to and accepted by another acceptable entity. All stormwater management systems that are not dedicated to Polk County, shall be operated and maintained by one of the following entities:

- (A) The City of Polk City.
- (B) An active water control district created pursuant to Chapter 298, F.S., or drainage district created by special act, or Community Development District created pursuant to Chapter 190, F.S., or Special Assessment District created pursuant to Chapter 170, F.S.

- (C) A State or Federal agency.
- (D) An officially franchised, licensed or approved communication, water, sewer, electrical or other public utility.
- (E) The property owner or developer if:
 - (1) Written proof is submitted in the appropriate form by either letter or resolution, that a governmental entity or such other acceptable entity as set forth in paragraphs A-D above, will accept the operation and maintenance of the stormwater management and discharge facility at a time certain in the future.
 - (2) A bond or other assurance of continued financial capacity to operate and maintain the system is submitted.
- (F) For-profit or non-profit corporations including homeowners associations, property owners associations, condominium owners associations or master associations if:
 - (1) The owner or developer submits documents constituting legal capacity and a binding legal obligation between the entity and the City affirmatively taking responsibility for the operation and maintenance of the stormwater management facility.
 - (2) The association has sufficient powers reflected in its organizational or operational documents to operate and maintain the stormwater management system as permitted by the City, establish rules and regulations, assess members, contract for services and exist perpetually, with the Articles of Incorporation providing that if the association is dissolved, the stormwater management system will be maintained by an acceptable entity as described above.

If a project is to be constructed in phases, and subsequent phases will use the same stormwater management facilities as the initial phase or phases, the operation and maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the stormwater management systems of future phases of the project.

In phased developments that have an integrated stormwater management system, but employ independent operation and maintenance entities for different phases, such entities, either separately or collectively, shall have the responsibility and authority to operate and maintain the stormwater management system for the entire project. That authority shall include cross easements for stormwater management and the authority and ability of each entity to enter and maintain all

facilities, should any entity fail to maintain a portion of the stormwater management system within the project.

3.06.00 Performance Standards

3.06.01 General Provisions

All uses shall conform to the standards of performance described within this Article and shall be constructed, maintained and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare. Within 100 feet of a residential district, all processes and storage, except for vehicle parking, shall be in completely closed buildings. Processes and storage located at a greater distance shall be effectively screened by a solid wall or fence at least six feet in height. Where other ordinances or regulations (whether federal, state, or local) that may be adopted hereinafter impose greater restrictions than those specified herein, compliance with such other ordinances and regulations is mandatory.

3.06.02 Specific Standards

3.06.02.01 Vibration

Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on the property line of the property on which the use is located. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines Bulletin No. 442. The equations of such bulletin shall be used to determine the values of enforcement.

3.06.02.02 Smoke

Every use shall be so operated as to prevent the emission of smoke, from any source whatever, to a density greater than described as Number 1 on the Ringelmann Smoke Chart; provided, however, that smoke equal to, but not in excess of, that shade of appearance described as Number 2 on the Ringelmann Chart may be emitted for a period or periods totaling four minutes in any 30 minutes. For the purpose of grading the density of smoke, the Ringelmann Chart as published and used by the United States Bureau of Mines, and which is hereby made, by reference, shall be standard. All measurements shall be at the point of emission. Smoke emission must comply with applicable rules of the FDEP.

3.06.02.03 Noise Control

- (A) Authority. This Section is enacted pursuant to Article II, Section 7, of the Florida Constitution, which provides that adequate provision shall be made by law for the abatement of excessive and unnecessary noise, and by the "Municipal Home Rule Powers Act" as set forth in Chapter 166, Florida Statutes.
- (B) Definition of Noise Disturbance. As used in this Ordinance, a "noise disturbance" is any sound which is either:
1. Excessive in amount or of such duration, wave frequency or intensity as may be or is injurious to human or animal life or property:
 2. Excessive or unnecessary in amount, level, duration or character as to annoy, disturb, injure or unreasonably interfere with or endanger the health, peace, or comfortable enjoyment of life, property or the conduct of business: or
 3. Of such character and in such quantity or level as to be detectible by a considerable number of persons or the public, so as to interfere with such persons or the public health, repose or safety, or to cause severe annoyance or discomfort: or which interferes with the normal conduct of business, or is otherwise detrimental or harmful to the health, comfort, living conditions, welfare and safety of the inhabitants of the City of Polk City.
- (C) Prohibition of Noise Disturbance. No person, firm, corporation or other legal entity through its officers, agents or employees shall make, maintain, permit or cause to be made or maintained a noise disturbance as defined in this Ordinance. When the Sheriff's Office or other authorized law enforcement agency investigates an alleged noise disturbance, the Sheriff's Office or other authorized law enforcement agency shall issue a verbal warning to the owner, or to any person, or legal entity which is legally responsible for such property where a noise disturbance exists. The Sheriff's Office or other authorized law enforcement agency shall document the issuance of a verbal warning in an offense report. If the noise disturbance continues after the owner, person or legal entity who received the verbal warning has been given a reasonable time to cease such noise disturbance, than that party who received the verbal warning may be penalized in accordance with the provisions of this Section.

(D) Specific Prohibitions. The following specified conduct, acts and circumstances are hereby declared to be prohibited noise disturbances in violation of this Section; provided however, that such enumeration is not and shall not be deemed to be exclusive: provided further that all other acts and circumstances meeting the definition of noise disturbance are likewise declared to be in violation of this Section.

1. *Radios, Televisions, Musical Instruments, and Similar Devices and the Human Voice.* Operating, playing or permitting the operation or playing of any radio, television, musical instrument or similar device, whether or not amplified, or causing or creating excessive or unnecessary noises with the human voice in such an amount, manner or with such volume as to annoy or disturb the quiet, comfort and repose of a reasonable person in any dwelling, apartment, place of business, motel, or other type of residence, whether temporary or permanent.
2. *Amplified Sound.* Operating or permitting the operation upon commercial property or any other property of loud speakers or any other device or devices which electronically augments or amplifies sound in such a manner or with such volume as to annoy or disturb the quiet, comfort and repose of a reasonable person in any dwelling, apartment, place of business, motel or other type of residence, whether temporary or permanent.

(E) Knowledge and Permission of Property Owner or Occupant. The continuation of a prohibited noise disturbance shall be deemed to continue with the knowledge and permission of the property owner or occupant.

(F) Specific Exemptions. The following specified acts and circumstances are hereby declared to be exempt from violation of this Ordinance; provided however, that the list of exemptions stated herein are neither intended nor shall be construed to be exclusive:

1. Aircraft and airport activity conducted in accordance with federal laws and regulations.
2. All authorized school-related activities, sports and athletics.
3. All other organized sports and athletic contests.

4. Lawful, non-commercial public gatherings including, but not limited to. Parades, festivals and school functions.
 5. Sounds relating to and originating from within any area zoned for commercial or industrial use.
 6. Sounds relating to and originating from legal, pre-existing, non-conforming commercial and industrial activities.
 7. Operation of any regulated utility.
 8. Emergency signals during emergencies.
 9. Emergency testing.
 10. Refuse collection and mosquito fogging.
- (G) Liberal Non-Conflicting Construction. The provisions of this Section shall be liberally construed such that its purpose is effectively rendered in the interest of the health, safety and welfare of the citizens and residents of the City of Polk City. Likewise, said provisions shall be interpreted so as not to conflict with, but be supplemental to. all applicable Polk City Codes, Land and Development Regulations and all other laws, rules, ordinances and regulations.
- (H) Enforcement. The Sheriff of Polk County, Florida, his deputy sheriffs and any other authorized law enforcement agency are hereby authorized and empowered to investigate and to arrest any person or persons when there is probable cause to believe that said person or persons are violating any provisions of this Ordinance Section.
- (I) Other Remedies. The City Council of the City of Polk City, Florida may bring suit in the Circuit Court of Polk County, Florida to restrain, enjoin or otherwise prevent the violation of this Section.
- (J) Separate Violations. Each separate occurrence shall be a separate violation.
- (K) Resolutions. The City Council of the City of Polk City may adopt such resolutions as are necessary to effectively administer this Ordinance.
- (L) Penalties. Any person, firm, corporation or other legal entity that violates any provision of this Ordinance shall be subject to prosecution in the name of the State in the same manner as

misdemeanors are prosecuted; and upon conviction, such person, firm, corporation or other legal entity shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by incarceration not to exceed sixty (60) days or by such fine and incarceration.

3.06.02.04 Dust and Dirt

Every use shall be so operated as to prevent the emission into the air of dust or other solid matter that may cause damage to property and health of persons or animals at or beyond the lot line of the property on which the use is located. Emissions must comply with applicable rules of the FDEP.

3.06.02.05 Industrial Sewage and Waste

Every use shall be so operated as to prevent the discharge into any stream or the ground of any waste that will be dangerous or discomforting to persons or animals or that will damage plants or crops beyond the lot line of the property on which the use is located. Industries shall comply with applicable rules of the FDEP.

3.06.02.06 Hazardous Wastes

The handling and discharge of all hazardous waste shall follow all applicable standards established by the county health department, state legislature and the U.S. Congress. Appropriate City officials shall review all procedures involving the handling and discharge of all hazardous waste to ensure that it does not create any safety or health problems.

3.06.02.07 Odors

Every use shall be so operated as to prevent the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. There is hereby established, as a guide in determining the quantities of offensive odors, table III, chapter 5, Air Pollution Abatement Manual of the Manufacturing Chemists Association, Inc., Washington, D.C.

3.06.02.08 Glare

Every use shall be so operated as to prevent the emission of glare of such intensity as to be readily perceptible at any point on the lot line of the property on which the use is located.

3.06.02.09 Fumes, Vapors and Gases

There shall be no emission of fumes, vapors, or gases of a noxious, toxic

or corrosive nature that can cause any danger or irritation to health, animals, vegetation, or to any form of property.

3.06.02.10 Heat, Cold, Dampness, or Movement of Air

Activities that shall produce any adverse effects on the temperature, motion or humidity of the atmosphere beyond the lot line shall not be permitted.

3.06.02.11 Fire and Safety Hazard

Each use shall be operated so as to minimize the danger from fire and explosion. The specific regulations to be met are set forth in the building code and the fire prevention code of the City.

3.06.02.12 Radioactive Emission

There shall be no radiation emitted from radioactive materials or by-products exceeding a dangerous level of radioactive emissions at any point. Radiation limitations shall not exceed quantities established as safe by the U.S. Bureau of Standards.

3.06.02.13 Electromagnetic Radiation

- (A) No person shall operate or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use directly or indirectly associated with these purposes that does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation. Further, such operation in compliance with the Federal Communications Commission regulations shall be unlawful if such radiation causes an abnormal degradation in the performance of other electromagnetic receptors or radiators of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, conducted energy in power or telephone systems or harmonic content.
- (B) The determination of abnormal degradation in performance and of good quality and proper design shall be made in accordance with good engineering practices as defined in the principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Radio Manufacturer's Association. In case of any conflict between the latest standards

and principles of the above groups, the following precedence in the interpretation of the standards and principles shall apply: (1) American Institute of Electrical Engineers; (2) Institute of Radio Engineers; (3) Radio Manufacturer's Association.

Recognizing the special nature of many of the operations that will be conducted because of the research and educational activities, it shall be unlawful for any person, firm, or corporation to operate or cause to be operated, to maintain or cause to be maintained any planned or intentional source of electromagnetic energy, the radiated power from that exceeds 1000 watts.

3.07.00 *Compatibility, Landscaping and Buffering Standards.*

3.07.01 *Purpose and Intent.*

The City Commission finds that landscaping makes important contributions to the public safety and the general welfare of the City. 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 City. 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, Polk City shall ensure that all new development is properly buffered to prevent adverse impacts on surrounding land uses.

The landscape requirements established by this Article are intended to:

- (A) Assist in the development of a sustainable Polk City by encouraging sustainable practices for landscape design, construction, and landscape maintenance.
- (B) **Reduce urban runoff and mitigate the effect** of new development, redevelopment, or infill development on the existing drainage system by ensuring the preservation of permeable surfaces and requiring the installation of stormwater Best Management Practice (BMPs) to slow surface flow of stormwater runoff and promote filtration, plant uptake, absorption, and infiltration into sub-soils to reduce subsidence rates.

- (C) **Increase compatibility** between abutting land uses and between land uses and public rights-of-way by providing landscape screening or buffers.
- (D) Provide for the **conservation of water resources** through the efficient use of irrigation, appropriate mix of plant materials, recycling water elements, and regular maintenance of landscaped areas.
- (E). **Protect public health, safety, and welfare** by preserving and enhancing the positive visual experience of the built environment, promoting urban forestry, providing appropriate transition between different land uses, preserving neighborhood character, and enhancing pedestrian and vehicular traffic safety.
- (F) **Reduce the urban heat island effect**, enhance the local micro-climate, increase species biodiversity, reduce consumption of energy by proper placement of shade trees and incorporate tree canopy concepts.

3.07.02. Applicability and Exemptions.

A. Applicability.

Except as specifically excluded in the exemptions below, the requirements and regulations of this Article shall apply to the following:

1. The construction of any new building or improvements that require off-street parking and other impervious surfaces to be constructed on the site;
2. The alteration of existing structures or improvements where the alteration adds usable floor area that requires additional off-street parking and other impervious surfaces to be constructed on the site;
3. The construction or expansion of off-street parking and loading areas;
4. The paving of any existing unpaved off-street parking and/or loading areas; and
5. Any change of use which results in the property becoming a higher impact/higher intensity use.

B. Exemptions.

The development, redevelopment, reconfiguration, expansion or change of use of any site requiring review by the City must comply with all elements of this Article, unless any of the following exemptions apply:

1. Enlargement or repair of a single family or duplex residence unless specifically stated otherwise.
2. New single family and duplex development on individual residential lots are exempt from all provisions of this Article, except the requirement of two (2) large or medium sized trees per residential lot, or one (1) tree per attached unit.
3. Bona fide agriculture.
4. Buildings and structures are not counted as impervious surface for the purpose of calculating the areas that must be shaded with canopy trees.
5. Swimming pools and the area specifically designed to be the deck or pool apron abutting the pool are exempt from canopy requirements.
6. Docks, piers, seawalls, boardwalks and other improvements designed to serve pedestrians near the water or in the use of boats are exempt from canopy requirements. Paved areas abutting a seawall, dock or pier are exempt to a maximum width of ten feet (10').
7. Paved surfaces within the supporting cables of a radio, television or microwave tower or a cable television satellite receiver, are exempt from canopy requirements.
8. Properties where existing buildings have reduced or no setbacks from property lines, which are physically unable to comply with buffer yard and/or canopy requirements.

3.07.03. Landscape Plans and Permits.

Landscape materials depicted on landscape plans approved by the City are required development plan elements in the same manner as structures, parking, and other improvements. As such, the owner of record is responsible for the maintenance, repair, and replacement of all landscape materials, fences, steps, retaining walls, and similar landscape elements over the entire life of the development.

3.07.03.01 Content

Prior to issuance of any development permit covered, a landscape plan shall be submitted showing information required by this section. The landscape plan shall be drawn to a scale with sufficient clarity and detail to indicate the type, nature and character of the improvements on the site, and the relative location of all landscaping in relation to said improvements. The landscape plan may be submitted separately, but shall be a part of the site development plan, when a site development plan is required under Article 7.

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

The landscape plan shall include the following information:

1. The location and dimensions of all existing and proposed structures, property lines, servitudes, parking lots and drives, roadways and rights-of-way, sidewalks, signs, refuse disposal and recycling areas, sidewalks, bicycle paths and parking facilities, fences, electrical equipment, recreational facilities, drainage facilities, and other freestanding structures, as determined necessary by the Development Director.
2. The location, quantity, size, name, both botanical and common, and condition of all existing plant materials and trees, and a description of all tree preservation measures.
3. The location, quantity, size, name, and condition of all plant material and trees in the right-of-way, and indicating plant material and trees to be retained and removed.
4. The location, quantity, size, and name, both botanical and common, of all proposed plant material including, but not limited to, shade and evergreen trees, shrubs, groundcover, annuals, perennials, and turf.
5. The existing and proposed grading of the site indicating contours at one (1) foot intervals.
6. Building elevations of all proposed fences, walls, steps, and fixed retaining walls (cast concrete, unitized walls) on the site.
7. Other details as deemed necessary by the Development Director or the Planning and Zoning Commission.

3.07.03.02 Minor Changes To Approved Landscape Plans

Minor changes to the landscape plan that do not result in a reduction in the net amount of plant material as specified on the approved landscape plan or a reduction in the net amount of water detained or stored and filtered on-site may be approved by the Development Director. Changes to the size and amount of plant

materials of an approved landscape plan are not considered a minor change. Major changes shall be approved by the body initially granting approval of the landscape plan.

3.07.03.03 Alternative Compliance

1. The landscape and stormwater management standards contained in this Article are intended to encourage development that is environmentally functional, economically viable, and aesthetically pleasing. The following standards are not intended to inhibit creative development. Project conditions associated with individual sites may justify approval of alternative methods of compliance when landscape is part of an integrated water management strategy. It is acknowledged that conditions may arise where normal compliance is impractical or impossible, a design proposal offers superior results, or maximum achievement of the City's objectives can only be obtained through alternative compliance.
2. Requests for alternative compliance will be accepted for any permit application to which the requirements of this Article apply, when one (1) or more of the following conditions are met:
 - a. Topography, soil, vegetation, drainage, or other site conditions are such that full compliance is impractical.
 - b. Improved environmental quality would result from the alternative compliance of the provisions of this Article.
 - c. Spatial limitations, unusually shaped pieces of land, unusual servitude requirements, or prevailing practices in the surrounding area may justify alternative compliance for infill sites.
3. A request for alternative compliance shall be submitted at the time the landscape and/or stormwater management plan is submitted. In no case shall the landscape requirements be reduced by more than 25 percent. Request for alternative compliance shall be accompanied by a written explanation of such alternatives to allow appropriate valuation and decision by the by the Development Director.

3.07.04. Selection, Installation, and Maintenance of Plant Materials

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.

3.07.04.01. Selection of New Trees and Shrubs; Site Conditions.

All plants identified in this Article are “Florida Friendly” plants for Polk County, and are well suited to the environment in the City. 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.

Plant material shall be selected for its form, texture, color, pattern of growth, and suitability to local conditions. All landscape plans shall incorporate at least 50 percent of native trees and shrubs into required plant materials to provide habitat for wildlife, reduce irrigation requirements and promote the sustainability and survivability of plant material.

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 Article and be Florida Grade No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants, 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 City.

3.07.04.02. Preservation of Existing Trees and Shrubs.

Existing trees and shrubs shall be preserved whenever possible provided the 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 City and may be maintained in its natural setting and incorporated into the required landscaping areas to fulfill the intent of this Article. Landscape plans shall identify those existing plant materials credited toward the City landscape requirements. If existing trees and shrubs cannot be preserved, the applicant must provide justification as to why the plants must be removed.

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 (10) feet 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.

3.07.04.03. *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.

3.07.04.04. *Groupings.*

Landscape areas having plants with similar water needs shall be grouped together and irrigated by a dedicated irrigation controller station. All plants listed in the landscape plan shall be classified and grouped by category of water use calculations. Water use calculations shall be grouped as low, medium, and high.

3.07.04.05. *Energy Conservation*

Plant material placement shall be designed to reduce the energy consumption needs of the development. Shade trees shall be included on the exposed west and south elevations when landscape is required.

3.07.04.06. *Species Diversity*

Diversity among required plant material for on-site landscape is required. This provides visual interest and reduces the risk of losing a large population of plants due to disease. Table 23-1: Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. For example,

if a development requires 45 shade trees, no more than 18 trees nor less than 5 trees can be of 1 species, and there shall be a minimum of 5 different species within the 45 trees.

Total Number of Plants Per Plant Type	Diversity Requirements		Minimum Number of Species
	Maximum of Any Species	Minimum of Any Species	
1-4	100%	Not Applicable	1
5-10	60%	40%	2
11-15	45%	20%	3
16-75	40%	10%	5
76-499	25%	5%	8
500-999	30%	5%	10
1,000+	15%	4%	15

3.07.04.07. Planting

In order to meet the landscaping requirements of this Article, plant material shall be planted in the ground. Landscape planted within planters and raised planter boxes are not considered to meet the landscape requirements.

3.07.04.08. Minimum Tree Planting Height, Planting Area and Distance from Pavement.

Maximum Tree Size at Maturity	Minimum Planting Height	Planting Area	Minimum Distance from Pavement
(Small) Less than 30 feet tall	6 feet	50-150 square feet	2 feet
(Medium) Less than 50 feet tall	8 feet	150-300 square feet	4 feet
(Large) Taller than 50 feet	10 feet	More than 300 square feet	More than 6 feet

(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.

3.07.04.09. Minimum Shrub Planting Requirements.

Shrubs shall be a minimum of one (1) foot 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 (3) feet in height at the time of planting and maintained at a minimum height of five (5) feet at maturity. One (1) foot high shrubs shall be spaced no greater than thirty (30) inches on center and three (3) foot high shrubs shall be spaced no greater than thirty-six (36) inches on center. The City may authorize alternate spacing for species which have especially broad coverage.

3.07.04.10. *Ground Covers.*

Ground covers shall be spaced no greater than eighteen (18) inches on center and may be planted in lieu of lawn grass. A list of recommended ground cover species is provided in Table 3.07.09. E of this Article.

3.07.04.11. *Lawn Grass.*

Grass may 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. 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 Table 3.07.09. F. The selection of lawn grasses shall be based upon the species and characteristics which are most appropriate for the site.

3.07.04.12. *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 three (3) to four (4) inches. Mulched areas around trees should be at least 8 feet in diameter. The use of cypress mulch is discouraged.

3.07.04.13 *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.

3.07.04.14. *Landscaping for Decorative and Masonry Walls.*

Residential subdivisions and commercial and industrial developments may have decorative entrance and screening walls. Landscaping (a combination of trees and shrubbery) 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 (50) linear feet of wall. Buffer yard trees and shrubs required by this Article shall be planted on the street side of the wall.

3.07.04.15. *Tree Requirements for Residential Properties.*

Trees for new residential development 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.

3.07.04.16. *Encroachments.*

A. Structures.

Accessory uses, buildings, and dumpster pads shall not encroach upon or conflict with required landscaped areas.

B. Parking Stalls.

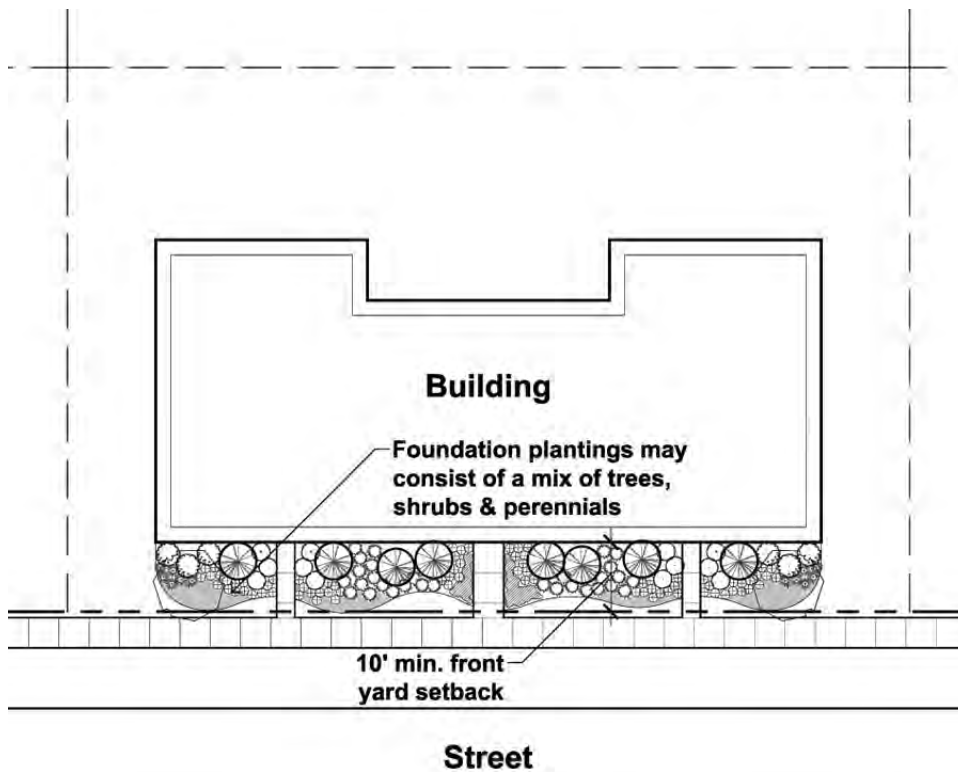
No more than two (2) feet of vehicular overhang shall be allowed into a landscape area and no trees and shrubs shall be planted within the area of encroachment.

3.07.05 *Building Foundation Landscape and Landscape Yards*

3.07.05.01 *Building Foundation Landscaping*

For all multi-family dwellings of seven (7) or more dwelling units, mixed-use developments, and non-residential uses that maintain a front or corner side yard of ten (10) or more feet and no parking is located within that front or corner side yard, the following building foundation plantings are required:

1. A single hedge row is required, planted with one (1) shrub every thirty-six (36) inches on center, spaced linearly. The shrubs shall measure a minimum of twenty-four (24) inches at planting, and a minimum of thirty-six (36) inches to a maximum of forty-eight (48) inches in height at maturity. The equivalent quantity of shrubs may be arranged at the discretion of the designer subject to approval by the City.
2. The remainder of the area shall be planted with vegetative cover.
3. These plantings may be supplemented with trees and perennials.
4. Plantings are not required where walkways and driveways are located.

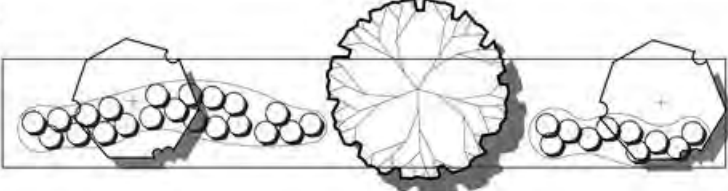
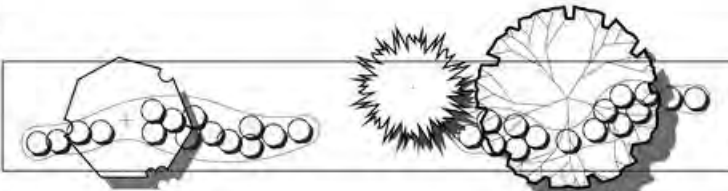
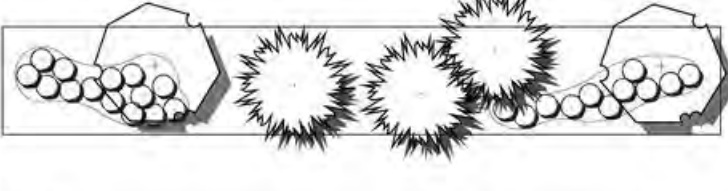
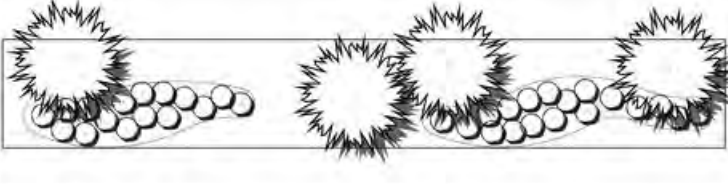


3.07.05.02 Front Landscape Yards

Where a multi-family dwelling of seven (7) or more dwelling units, mixed-use development, or non-residential use maintains parking in front of the principal building, a front landscape yard a minimum of ten (10) feet in width shall be installed along the front lot line. In this case, the front landscape yard requirements control rather than the perimeter parking lot landscape requirements.

1. Five (5) plant unit options are presented Section 3.06.04.06. Any alternative or a combination of alternatives may be used. Plantings may be spaced at various intervals and/or clustered based on specific site requirements or design scheme, to be approved as part of the landscape plan.
2. One (1) plant unit per one-hundred (100) linear feet shall be provided.
3. When figuring the number of plant units or quantity of plant material required, the number shall be rounded up. For example, three and one-tenths (3.1) shade trees is rounded up to four (4) shade trees.
4. All plant materials, excluding trees, shall be in the bedline. All plant materials in raised planters do not meet the requirements of this section.

- Use of rocks or bare earth in lieu of groundcover plantings may not exceed 20 percent of the total front yard landscape area, excluding driveways, walkways, or other access points.

PLANT UNIT OPTIONS	QUANTITY & TYPE OF PLANTS	ILLUSTRATION
EXAMPLE UNIT A	1 Shade Tree 2 Ornamental Trees 20 Shrubs	
EXAMPLE UNIT B	1 Shade Tree 1 Ornamental Tree 1 Evergreen Tree 30 Shrubs	
EXAMPLE UNIT C	2 Ornamental Trees 3 Evergreen Trees 25 Shrubs	
EXAMPLE UNIT D	4 Evergreen Trees 34 Shrubs	

3.07.06 Parking Lot Landscape

3.07.06.01 Required Parking Lot Landscaping

- All parking lots of ten (10) or more spaces require a landscape plan as a condition of obtaining a building permit.
- Perimeter parking lot landscape is required for all parking lots, whether an accessory or principal use, and shall be established along the edge of the parking lot that abuts a public right-of-way, excluding alleys.

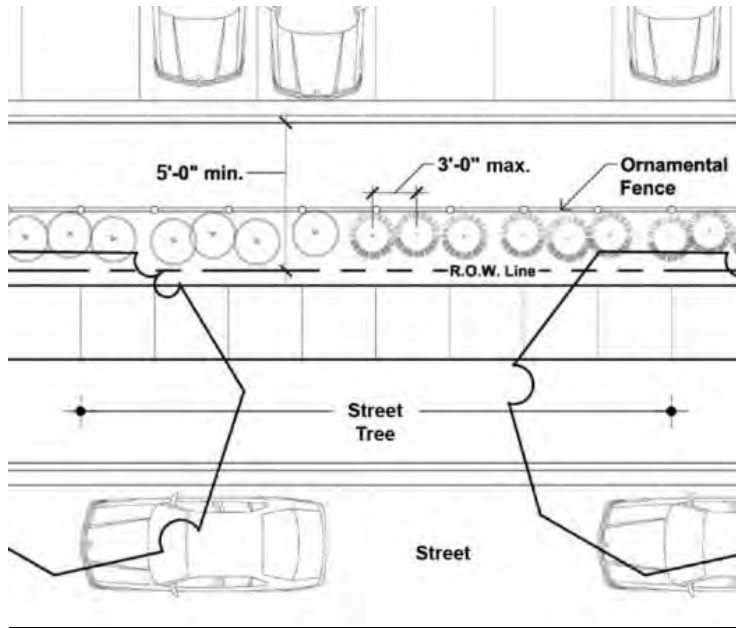
3. Interior parking lot landscape, whether an accessory or principal use, is required for parking lots of ten (10) or more spaces.
4. For existing parking lots that currently do not comply with the required parking lot landscape, such landscape shall be provided when any one (1) of the following occurs:
 - a. A new principal building is constructed.
 - b. A building addition is constructed that expands the building footprint by thirty percent (30%) or more.
 - c. Over fifty percent (50%) of the total area of an existing parking lot is reconstructed.
 - d. When an existing parking lot less than ten thousand (10,000) square feet in area is expanded by fifty percent (50%) or more in total surface area.
 - e. When an existing parking lot over ten thousand (10,000) square feet in area is expanded by twenty-five percent (25%) or more in total surface area.
5. When an existing parking lot is required by this section to provide landscape, which would result in creating a parking area that no longer conforms to the parking regulations of this Article, the existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site. If only certain requirements can be accommodated on the site, only those elements are required. The Development Director will make the determination that all or a portion of required landscape does not have to be installed.
6. Nothing in this section prevents the applicant's voluntary installation of additional parking lot landscaping, so long as the site complies with parking space requirements and parking lot design requirements.

3.07.06.02 Perimeter Parking Lot Landscape

Perimeter parking lot landscape provides for the enhancement and screening of parking lots by requiring a scheme of landscape along public streets. A perimeter landscape yard is required for all parking lots and the landscape treatment shall run the full length of the parking lot where it abuts a public right-of-way, excluding an alley. In the case of parking located at the front of the building, the front landscape yard requirements control. The perimeter parking lot landscape yard shall be improved as follows:

1. The perimeter landscape yard shall be a minimum of five (5) feet in width.

2. A single hedge row is required, planted with one (1) shrub every thirty-six (36) inches on center to form a continuous visual buffer. At the time of planting, the shrubs shall be at three (3) to five (5) gallons in size or twenty-four (24) inches in height and a minimum of thirty-six (36) inches to a maximum of forty-eight (48) inches in height at maturity.
3. A minimum one (1) foot of width of groundcover or mulch. All mulch shall derive from a living, natural source.
4. One (1) shade tree every forty (40) feet on center or one (1) ornamental tree every twenty-five (25) feet on center spaced linearly. Trees may be spaced at various intervals and/or clustered based on specific site requirements or design scheme to be applied as part of the landscape plan. Shade trees are defined as having a height of over forty (40) feet at maturity, ornamental trees are defined as having a height of less than forty (40) feet at maturity.
5. All ornamental fence a minimum of four (4) feet in height is required, subject to the following materials:
 - a. Metal Picket
 - b. Wood
 - c. Masonry
6. Alternatively, a low pedestrian wall the height of which provides effective screening to a maximum height of three (3) feet, may be used instead of shrubs and an ornamental fence. Where possible, plant materials shall be installed between the sidewalk and the wall to provide a softening effect on the wall.
7. All perimeter parking lot landscape areas shall be protected with raised concrete curbs.



3.07.06.03 Interior Parking Lot Landscape

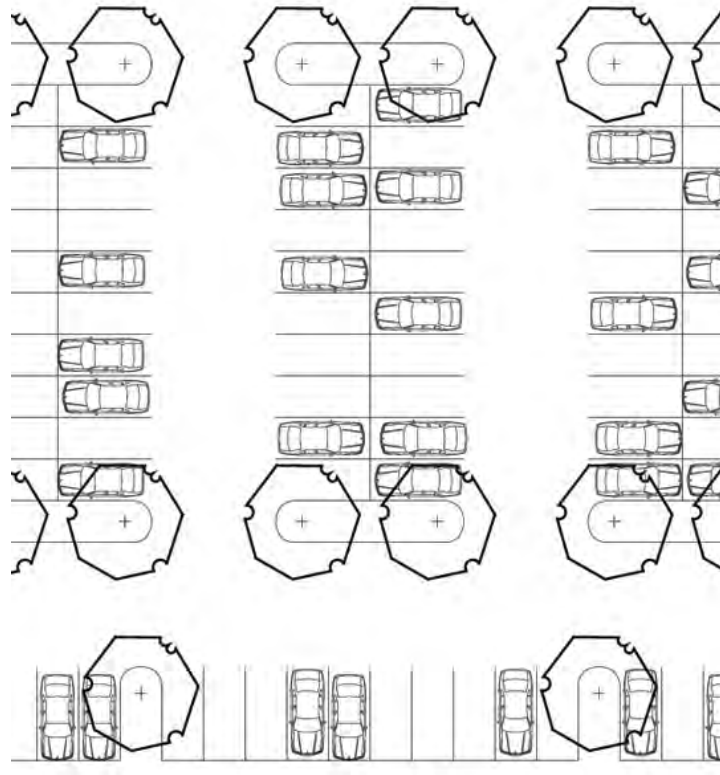
For parking lots consisting of ten (10) or more spaces, interior parking lot landscape is required. However, these planting provisions may be waived if the applicant presents an alternate landscape plan that provides a combination of tree canopy, landscape design elements, and/or non-reflective auto canopies, including solar panels and solar powered electric auto recharging stations, that shade a minimum of fifty percent (50%) of the parking lot paved surface within five (5) years of completion.

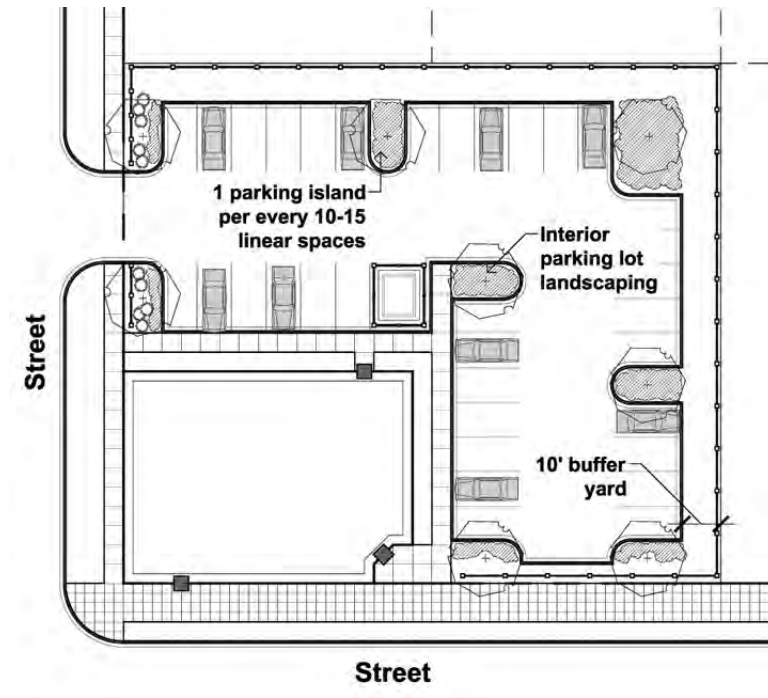
1. One (1) parking lot island shall be provided between every ten (10) contiguous parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, to be approved as part of the landscape plan, but the total number of islands shall be no less than the amount required of one (1) island for every ten (10) spaces.
2. In addition to parking lot islands, additional landscaped areas shall be provided within the interior of parking lots. All rows of parking spaces shall terminate in a parking lot island or landscaped area. The minimum total landscaped area, including parking lot islands, is ten percent (10%) of the total parking lot area, exuding any area of perimeter parking lot landscape.
3. Parking lot islands or landscaped areas shall be at least one-hundred sixty (160) square feet in area. However, parking lot islands shall be the same dimension as the parking stall. Double rows of parking shall provide parking lot islands that are the same dimension as the double row.
4. Parking lot islands or landscaped areas shall be designed to apply sustainable techniques allowing the flow and access of stormwater. Such islands and

landscaped areas shall be protected by tire stops or curbing with gaps that allows runoff to flow through.

5. The following plantings are required in parking lot islands and landscaped areas:

- a. Trees, preferably with capacity for high water retention, shall be the primary plant materials used in parking lot islands and landscaped areas. Other plant materials may be used to supplement the shade tree plantings but shall not create visibility concerns for automobiles and pedestrians.
- b. One (1) shade tree is required every parking lot island or landscaped area. If the island extends the width of a double row, then two (2) shade trees are required.
- c. Shrubs shall be planted within the parking island to provide another layer of planting for visual interest.
- d. A minimum of seventy-five percent (75%) of every parking lot island shall be planted in live groundcover, perennials, or ornamental grasses. Mulch is required to fill in planting areas for early growth protection until the groundcover is established and covers the planting area. It is encouraged to mulch bare areas for three (3) to five (5) years, or until the plant material is fully established in the parking Islands.





3.07.07. 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 City, 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 with canopy trees.

- A. Canopy trees shall be selected from Table 3.07.09. A
- B. 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.
- C. Trees located in buffer yards may receive partial credit in meeting vehicular use areas interior landscaping canopy requirements.
- D. Planting areas under trees shall be planted with shrubs and/or ground covers which are compatible with site conditions.

3.07.07.01. *Tree Canopy Waivers.*

Within the C-1, C-2, M-1 and M-2 zoning districts, the City Commission may grant a waiver or modification of 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

A. Site Plan and Staff Review.

1. The applicant shall submit an application, site plan, and application fee to the City Manager, or his or her designee.
2. The site plan shall detail the proposed exceptions to the strict application and enforcement of the tree canopy requirements contained in this Article.
3. The City Manager, or his or her designee, shall forward the application and site plan to the DRC, which shall review the request and provide comments to the applicant.
4. Upon DRC approval, the City Manager, or his or her designee, shall schedule the request for City Commission review.

B. Commission Findings.

In considering a waiver or modification request, the City Commission shall make the following findings:

1. 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 requirements would result in unreasonable hardship to the developer.
2. The effect of the waiver or modification does not nullify the purpose and intent of the City's landscape requirements.
3. The approval of the waiver or modification upholds the public interest.
4. The approval of the waiver or modification is not contrary to the City's Comprehensive Plan.

C. Commission Action.

1. The City Commission may accept, reject, or approve the request with conditions to assure the results of the waiver or modification will be in accord with the intent of the City's landscape requirements.
2. Requests for a waiver or modification of landscape requirements shall be approved by Resolution.

3.07.08. *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. 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 abutting land uses.

3.07.08.01. *Buffer Yards Between Proposed and Abutting Land Uses and Vacant Property.*

The City provides four (4) different category types of buffer yards, identified as types A, B, C and D. Table 3.07.06. 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 3.07.06. B.

3.07.06.02. *Buffer Yards along Rights-Of-Way.*

In addition to the standards set forth in this Article 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) tree and seven (7) shrubs for each fifty (50) linear feet 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 3.07.06.04 of this Article.

D. Residential Street.

New residential developments, excluding individual single-family home sites, individual duplex units and individual infill lot development, located along a residential street, shall provide a landscape strip at least five (5) feet wide with at least one tree per lot. Any trees within this buffer yard may count towards the two (2) tree requirement per Section 3.07.04.11 of this Article.

E. Setbacks for Vision Clearance.

Buffer yards shall comply with Vision Clearance.

3.07.08.03. *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 zoned businesses, shall meet the following requirements.
 - 1. Site plan approval by the City Commission is required;
 - 2. Where the parking lot is contiguous to side lot lines of residentially zoned property, a side yard at least ten feet (10') in width shall be provided;
 - 3. The parking area shall be provided with a continuous, unpierced masonry wall six feet (6') in height adjacent to all required yards. All such walls shall be smoothly finished and shall not be used for any sign;
 - 4. All yard spaces between the required wall and lot lines shall be landscaped with at least one hedgerow of hardy shrubs, not less than five feet (5') in height, placed next to the walls, and the remainder of the

yard spaces shall be lawn. All such landscaping shall be maintained in a healthy, growing condition, neat and orderly in appearance, and yard spaces shall be kept free of refuse or debris;

5. 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;
6. 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 (25') 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 (25') 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 feet (10') in width along all property lines and streets on which the off-street parking area is located.
2. See Section 3.07.06.01, Buffer Yards along Rights-Of-Way, for landscape buffer requirements adjacent to public rights-of-way.
3. Relief of the buffer yard requirements may be granted by the City Council along property lines where adjoining businesses wish to share a common lot. Where this is the case, site plan approval by the City Commission is required.

C. *Site Plan Review:* The City Commission may consider specific site plan requests under this Section. The Commission may accept or reject the original request, or it may impose conditions or safeguards on the request which is finds necessary to uphold the public purpose and the intent of the City Code. Approval shall be in the form of a resolution.

Table 3.07.08.A.

Buffer Yard Requirements between Proposed and Abutting Land Uses

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

N = No Buffer Yard Required.

A through D = Type of Buffer Yard Required (See Section 3.07.06.04 for Illustrated Examples Buffer Yard Designs).

Table 3.07.08. B

Buffer Yard Requirements between Proposed Land Use and Vacant Property

PROPOSED USE	ADJACENT VACANT LAND (By Zoning District)												
		R-1	R-2	R-3	R-4 R-5 MHP		C-1	C-2		M-1	M-2	PB	CON
Single family detached dwellings		A	A	A	B		C	N		C	D	C	C
Duplex; Single family attached; Multi-family up to 4 units per acre; Outdoor recreation facilities; Cemeteries		N	A	A	A		C	N		C	D	C	C
Professional office with up to 8 parking spaces; Child care centers in converted residential structures		A	A	A	A		B	N		B	C	C	C
Duplex, single family attached; mobile home parks and multi-family at 4-8 units per acre		A	N	A	A		C	N		C	D	C	C
Mobile home parks; Single family attached; Multi-family at 8+ units per acre up to and including 12 units per acre; Utility substations, switching stations, etc.		B	A	N	N		C	N		C	D	C	C
Professional office with 9+ parking spaces; Churches; Schools; Government facilities; Commercial development sites with up to 10 parking spaces		C	C	A	A		B	N		B	C	B	C
Other retail, wholesale, service businesses; Self-storage; Automobile service stations; Shopping centers; Hotels, motels; Hospitals; Multi- family over 12 units per acre		B	B	B	A		N	N		B	C	B	D
Light Industry; PWS; Governmental public works storage/equipment facilities		C	C	B	B		B	N		N	A	C	D
Heavy industry; Water and wastewater treatment facilities		D	D	C	C		C	N		A	N	D	D

N = No Buffer Required.

A through D = Type of Buffer Yard Required (See Section 3.07.06.04 for Illustrated Examples Buffer Yard Designs).

3.07.08.04. 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 Article.

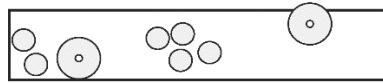
Buffer Yard

Plant Material / 100 Linear Feet

A

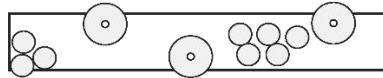
Width 20'

2 Trees
6 Shrubs



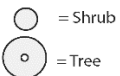
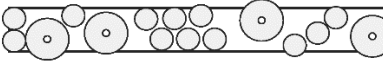
Width 15'

3 Trees
8 Shrubs



Width 10'

4 Trees
12 Shrubs



Buffer Yard

Plant Material per 100 ft

A

PLAN VIEW

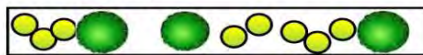
Width 20 ft

2 Small Trees
6 Shrubs



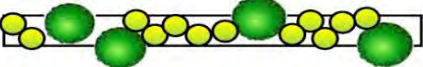
Width 15 ft

3 Small Trees
8 Shrubs

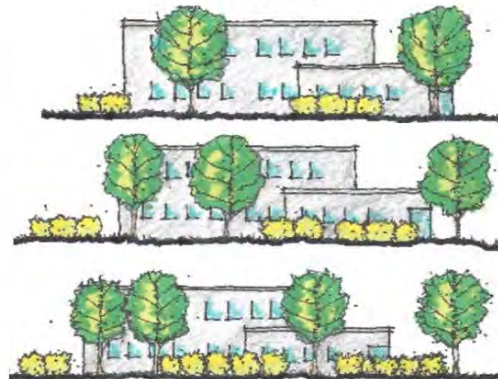


Width 10 ft

4 Small Trees
12 Shrubs



ELEVATION



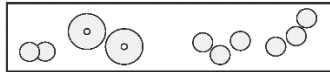
Buffer Yard

Plant Material / 100 Linear Feet

B

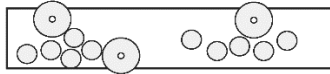
Width 25'

2 Trees
8 Shrubs



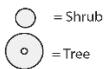
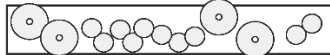
Width 20'

3 Trees
10 Shrubs



Width 15'

4 Trees
10 Shrubs



Buffer Yard

Plant Material per 100 ft

B

PLAN VIEW

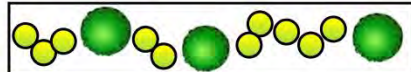
Width 25 ft

2 Small Trees
8 Shrubs



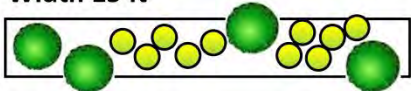
Width 20 ft

3 Small Trees
10 Shrubs



Width 15 ft

4 Small Trees
10 Shrubs



Legend



ELEVATION



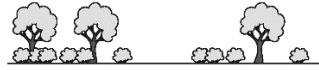
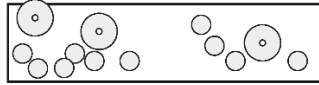
Buffer Yard

Plant Material / 100 Linear Feet

C

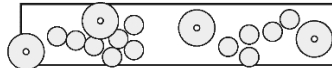
Width 30'

3 Trees
10 Shrubs



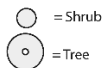
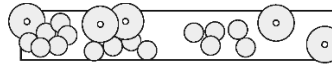
Width 20'

4 Trees
12 Shrubs



Width 15'

5 Trees
15 Shrubs



Buffer Yard

Plant Material per 100 ft

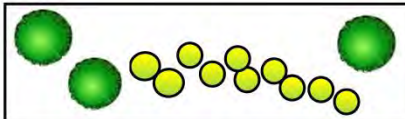
C

PLAN VIEW

ELEVATION

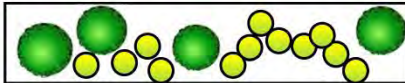
Width 30 ft

3 Small Trees
10 Shrubs



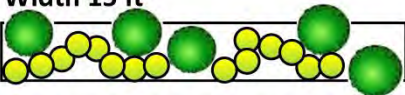
Width 20 ft

4 Small Trees
12 Shrubs



Width 15 ft

5 Small Trees
15 Shrubs



Legend



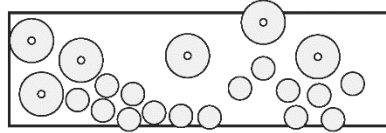
Buffer Yard

Plant Material / 100 Linear Feet

D

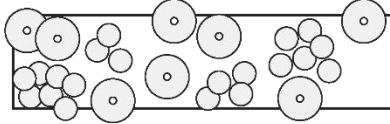
Width 40'

6 Trees
15 Shrubs



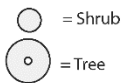
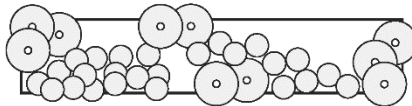
Width 30'

8 Trees
20 Shrubs



Width 20'

10 Trees
25 Shrubs



Buffer Yard

Plant Material per 100 ft

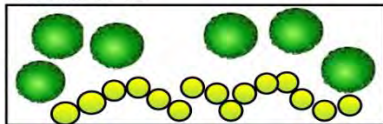
D

PLAN VIEW

ELEVATION

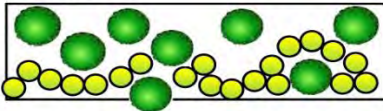
Width 40 ft

6 Small Trees
15 Shrubs



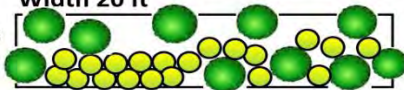
Width 30 ft

8 Small Trees
20 Shrubs



Width 20 ft

10 Small Trees
25 Shrubs



Legend



Section 3.07.08.05. Buffer Yards, Utilities and Utility Easements.

- A) Plantings other than lawn grasses are prohibited within any utility easements. Utility easements shall not be located as part of a buffer yard.
- B) Tree planting restrictions in relation to overhead power lines are identified in Tables 3.07.11. A, and 3.07.11. B, of this Article.
- C) Large and medium sized trees should not be planted closer than fifteen feet (15') to any light pole.

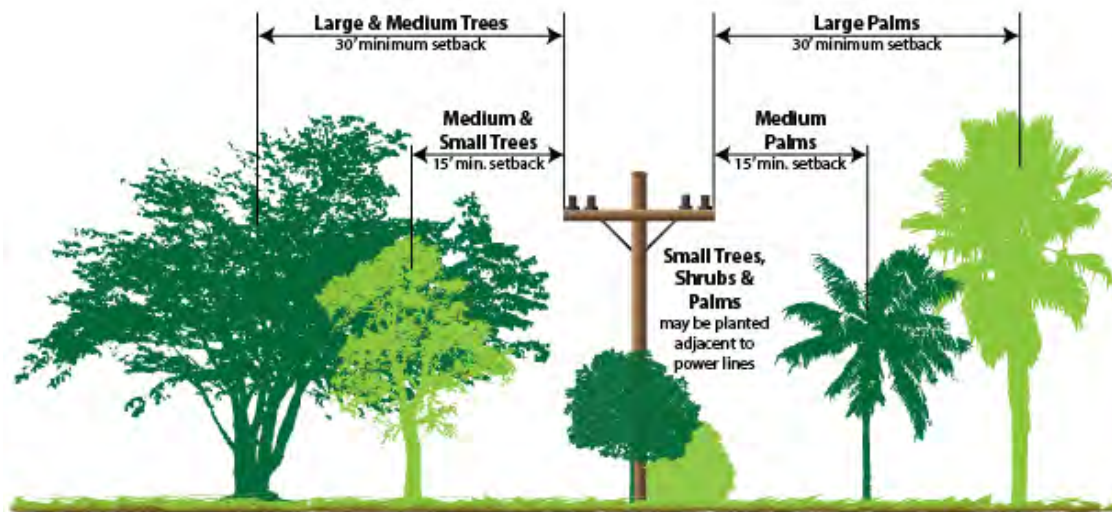


Figure -- Planting Distance from Power Lines

3.07.09. *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. Field grown trees shall be balled and burlapped and heeled in or hardened off.

A. Installation.

1. 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.

2. Areas on any development site not used for buildings, including single family and duplex development on individual lots, paved surfaces, or other landscape improvements shall be sodded or seeded prior to the issuance of a Certificate of Occupancy/Completion.

3. 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.

4. 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 covers 12 inches or less in height 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 rootzone volume of an existing or proposed tree, except for those lines that are four-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.

1. No irrigation system shall be required where existing natural plant communities are maintained.
2. All new landscaped areas shall be provided with an appropriate irrigation system, consistent with the needs of the plants contained therein and water conservation efficient.
3. An irrigation system shall be designed to provide full coverage of all landscape areas without over spraying onto impervious surfaces including pavement, vehicular or pedestrian areas and/or adjacent properties.
4. The irrigation system shall be operational prior to the issuance of any Certificate of Occupancy/Completion for the property.

C. Inspection and Certificate of Occupancy/Completion.

The City Manager, or Building Official, shall inspect the landscaping installation to ensure that it is in conformance with the requirements set forth in this Article and with the approved landscape plan.

D. Maintenance.

Landscaped areas shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All landscaped areas consisting of ground covers and grasses shall be mowed and shall be well kept as

outlined in Sec. 34-81 and Sec. 34-82 of the Polk City Code of Ordinances addressing the Polk City Vegetation Abatement Ordinance.

3.07.10. *Violations and Penalties.*

- A. All plant material which dies shall be replaced with plant material of required variety and size within thirty (30) days from the date of official notification.
- B. Consistent with letter A above, if a restoration plan is presented and differs from the original approved plan, three (3) copies of such restoration plan shall be submitted and approved by the City Manager, or his or her designee. The City Manager, or his or her designee, shall re-inspect the property for compliance after the restoration is complete.
- C. Each failure to comply with any of the provisions of this Article shall constitute an individual violation. Failure to maintain viable landscaping consistent with the approved landscape plan shall constitute a violation subject to penalties and shall be subject to code enforcement action by the City.

3.07.11. *Plant Species List.*

Plants species identified in this Article include “Florida Friendly” native and non-native plants. Any new plant material, which will serve to meet the City’s minimum landscape requirements, shall be selected from the following plant species tables.

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 Article. 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 Article, the greater canopy area may be used in calculating canopy coverage.

Table 3.07.11. A
Large 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>Acer barbatum</i>	Florida Maple	D	A	F, P	High	35-50	25	491	15-30
<i>Acer rubrum</i>	Red Maple	D	A	F, P	Medium	35-50	25	491	15-30
<i>Betula nigra</i>	River Birch	D	A	F, P	Low	40-50	25	491	15-30
<i>Carya spp.</i>	Hickory, Pecan	D	WD-M	F, P, S	High	50-100	30	707	30+
<i>Fraxinus caroliniana</i>	Pop Ash	D	W	P, F	Medium	30-50	30	707	15-30
<i>Fraxinus pennsylvanica</i>	Green Ash	D	M-W	P, F, S	Medium	50-100	50	1964	30+
<i>Gordonia lasianthus</i>	Loblolly Bay	E	WD-M	P, F	Low	30-40	16	201	15-30
<i>Liquidambar styraciflua</i>	Sweetgum	D	WD-M	F, P	Medium	40-100	30	707	30+
<i>Magnolia grandiflora</i>	Southern Magnolia	E	WD-M	F, P	Medium	40-80	25	491	30+
<i>Magnolia virginiana</i>	Sweet Bay Magnolia	E	M-W	P, F	None	30-60	16	201	15-30
<i>Pinus clausa</i>	Sand Pine	E	WD	F, P, S	High	25-40	25	491	15-30
<i>Pinus elliotii densa</i>	Southern Slash Pine	E	WD-M	F, P	High	75-100	25	491	15-30
<i>Pinus palustris</i>	Longleaf Pine	E	WD-M	F	High	60-80	25	491	15-30
<i>Platanus occidentalis</i>	Sycamore	D	A	F, P	Medium	75-90	30	707	30+
<i>Quercus alba</i>	White Oak	D	WD-M	F, P	Medium	60-100	35	962	30+
<i>Quercus austrina</i>	Bluff Oak	D	WD-M	F	High	40-80	35	962	30+
<i>Quercus falcata</i>	Turkey Oak	D	WD	F	High	40-50	25	431	30+
<i>Quercus laurifolia</i>	Laurel Oak	Semi D	M	F, P	Medium	60-100	35	962	30+
<i>Quercus muhlenber</i>	Pin Oak	D	M-W	F	Medium	90	35	962	30+
<i>Quercus nigra</i>	Water Oak	Semi D	M-W	F, P	High	60-100	30	707	30+
<i>Quercus shumardii</i>	Shumard Oak	D	WD-M	F	High	60	40	1256	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	15-30
<i>Ulmus alata</i>	Winged Elm	D	A	F, P	High	20-25	25	491	15-30
<i>Ulmus Americana</i>	American Elm	D	A	F, P	High	80-100	30	707	30+
<i>Ulmus parvifolia</i>	Drake Elm	D	WD-M	F, P	High	30-40	16	201	15-30
<p>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</p>									

Table 3.07.11. B
Medium and Small Trees

MEDIUM SIZED TREES									
Species	Common Name	Type	Soil	Light	Drought Tolerance	Mature Height	Mature Crown Spread	Mature Canopy Area (sq. ft.)	P/L
<i>Carpinus caroliniana</i>	American Hornbeam	D	A	F, P, S	Medium	25-35'	12'	113	15-30
<i>Cercis canadensis</i>	Eastern Redbud	D	WD	F, P, S	High	20-30'	10'	201	0
<i>Crataegus spp.</i>	Hawthorn	D	A	F, P	High	15-20'	12'	113	0
<i>Cupressus arizonica</i>	Arizona Cypress	E	WD	F	High	30-40'	15'	177	15-30
<i>Elaeocarpus decipiens</i>	Japanese Blueberry	E	WD	F, P	High	30-40'	30'	707	30+
<i>Ilex attenuata</i>	East Palatka Holly	E	WD	F, P	Medium	25-30'	16'	201	15-30
<i>Ilex cassine</i>	Dahoon Holly	E	M-W	F, P, S	Medium	25-30'	16'	201	15-30
<i>Ilex opaca</i>	American Holly	E	A	F, P,	High	30-45'	16'	201	15-30
<i>Ilex rotunda</i>	Rotund Holly	E	WD	F, P	Medium	20-30'	20'	315	15-30
<i>Juniperus silicicola</i>	Southern Red Cedar	E	WD	F, P	High	25-30'	12'	113	15-30
<i>Lagerstroemia indica</i>	Crape Myrtle	D	WD-M	F	High	15-25'	12'	113	0
<i>Persea borbonia</i>	Red Bay	E	A	F, P	High	20-60'	12'	113	15-30
<i>Quercus lyrata</i>	Overcup Oak	D	WD-M	F, P	Medium	30-40'	35'	962	30+
<i>Tabebuia chrysotricha</i>	Yellow Trumpet Tree	Semi E	WD	F	Medium	25-35'	25'	0	15-30
<i>Tabebuia heterophylla</i>	Pink Trumpet Tree	D	WD	F	High	20-30'	20'	0	15-30
<i>Tabebuia impetiginosa</i>	Purple Trumpet Tree	Semi E	WD	F	High	12-18'	10'	0	0
SMALL SIZED 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>Aesculus pavia</i>	Florida Buckeye	D	WD-M	S, P	Medium	15-20	20	315	0
<i>Callistemon rigidus</i>	Bottlebrush, stiff	E	M-W	F, P	High	8-15	5	20	0
<i>Callistemon viminalis</i>	Bottlebrush, weeping	E	W	F	High	15-20	10	79	0
<i>Chionanthus virginicus</i>	Fringetree	D	WD-M	P, F, S	Medium	15-25	10	79	0'
<i>Cornus florida</i>	Flowering Dogwood	D	WD	P, F, S	Medium	20-30	16	201	15-30
<i>Eriobotrya japonica</i>	Loquat	E	WD	F, P	Medium	15-20	10	79	0
<i>Ilex vomitoria</i>	Yaupon Holly	E	A	P, F	High	15-25	8	50	0
<i>Magnolia Xsoulangiana</i>	Saucer Magnolia	D	WD-M	F, P	Low	20-25	20	0	0
<i>Osmanthus americanus</i>	Wild Olive	E	A	F, P	Medium	15-30	8	50	0
<i>Prunus angustifolia</i>	Chickasaw Plum	D	WD	P, F	High	15-20	15	177	0
<i>Prunus umbellata</i>	Flatwoods Plum	D	M	P, F	Medium	12-20	15	177	0
<i>Quercus geminata</i>	Sand Live Oak	E	WD	F	High	15-30	12	113	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									

Table 3.07.11. C
Large Shrubs

<i>Species</i>	Common Name	Soil	Light	Drought Tolerance	Height	Spread
<i>Abelia Xgrandiflora</i>	Glossy Abelia	WD	F, P	M	6-10'	6-10'
<i>Agarista populifolia</i>	Fetterbush	A	S, P	M	8-12'	5-10'
<i>Allamanda nerifolia</i>	Bush Allamanda	WD	P, S	M	5-15'	4-10'
<i>Aloysia virgate</i>	Sweet Almond Bush	M	F	H	6-12'	6-12'
<i>Asimina spp.</i>	Pawpaw	WD-M	F, P, S	M	15-20'	15-20'
<i>Baccharis halimifolia</i>	Groundsel Bush, Salt Bush	A	F	M	8-10'	6-12'
<i>Berberis julianae</i>	Wintergreen Barberry	M	F, P	M	4-6'	2-5'
<i>Brunfelsia grandiflora</i>	Yesterday-Today-and-Tomorrow	WD	F, P, S	M	7-10'	5-8'
<i>Buddleia lindleyana</i>	Butterfly Bush	WD	F	M	4-6'	4-6'
<i>Calliandra haematocephala</i>	Red Powderpuff	WD	F, P	H	6-8'	8-12'
<i>Callicarpa americana</i>	Beautyberry	WD	P, S	H	6-8'	6-8'
<i>Calycanthus floridus</i>	Eastern Sweetshrub	WD-M	P, S	M	6-9'	6-12'
<i>Camellia japonica</i>	Camellia	M	P, S	M	10-20'	10-20'
<i>Carissa macrocarpa</i>	Natal Plum	WD	F, P	H	2-20'	2-20'
<i>Cestrum aurantiacum</i>	Orange Jessamine	WD	P, F	M	4-10'	6-8'
<i>Clethra alnifolia</i>	Sweet Pepperbush	A	P, F, S	M	4-8'	4-8'
<i>Crataegus spp.</i>	Hawthorn	A	F, P	H	20-35'	15-40'
	Golden Dewdrop					
<i>Erythrina herbacea</i>	Coral Bean	WD-M	F, P	H	5-10'	8-12'
<i>Forestiera segregate</i>	Florida Privet	WD-M	P, F	H	4-15'	3-12'
<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>Hamelia atens</i>	Firebush	WD-M	F, P, S	M	5-20'	5-8'
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 3.07.11. C
Large Shrubs

<i>Species</i>	Common Name	Soil	Light	Drought Tolerance	Height	Spread
<i>Heptapleurum arboricola</i>	Dwarf Schefflera	WD-M	P, F	H	10-15'	6-15'
<i>Hibiscus spp.</i>	Hibiscus	WD-M	F, P	M	4-12'	3-10'
<i>Hydrangea arborescens</i>	Wild Hydrangea	WD-M	P	N	6-10'	6-10'
<i>Hydrangea macrophylla</i>	French Hydrangea	WD-M	S, P	M	6-10'	6-10'
<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	WD-M	F, P, S	M	6-10'	6-8'
<i>Ilex X' Mary Nell'</i>	Mary Nell Holly	WD-M	F, P	M	10-20'	10-15'
<i>Ilex cornuta</i>	Chinese Holly	WD	P, F	H	15-25'	15-25'
<i>Illicium spp.</i>	Star Anise	WD	P, F	M	10-15'	6-15'
<i>Jasminum mesnyi</i>	Primrose Jasmine	WD-M	F	M	5-10'	2-5'
<i>Jasminum multiflorum</i>	Downy Jasmine	WD	F, P	M	5-10'	5-10'
<i>Jasminum nitidum</i>	Star Jasmine	WD	F	M	10-20'	5-10'
<i>Jatropha integerrima</i>	Peregrina	WD	F, P	H	8-15'	5-10'
<i>Ligustrum japonicum</i>	Ligustrum	WD	F, P	H	8-12'	15-25'
<i>Loropetalum chinense</i>	Chinese Fringe Bush	WD	F,P	M	6-15'	8-10'
<i>Malvaviscus arboreus</i>	Turk's Cap	WD-M	F	M	6-12'	3-5'
<i>Myrica cerifera</i>	Wax Myrtle	A	F, P	M	10-40'	20'-25'
<i>Nerium oleander</i>	Oleander	WD	F, P	H	4-18'	3-15'
<i>Osmanthus fragrans</i>	Tea Olive	WD	F, P	M	15-30	15-20'
<i>Philadelphus inodorus</i>	English Dogwood	M-W	P, F	H	10-12'	6-10'
<i>Philodendron bipinnatifidum</i>	Tree Philodendron	WD-M	S, P	M	6-12'	10-15'
<i>Philodendron cvs.</i>	Philodendron	A	S, P	M	1-12'	2-15'
<i>Pittosporum tobira cvs.</i>	Pittosporum	WD	F, P	H	8-12'	12-18'
<i>Plumbago auriculata</i>	Plumbago	WD	F	M	3'-6'	3'-6'
<i>Podocarpus macrophyllus</i>	Podocarpus	WD	F, P	H	30-40'	20-25'
<i>Rhamnus caroliniana</i>	Carolina Buckthorn	WD	F, P, S	H	12-15'	10-15'
<i>Rhododendron cvs.</i>	Azalea	WD	P	M	3-12'	3-10'
<i>Sabal minor</i>	Dwarf Palmetto	WD-M	P, F, S	H	4-9'	4-8'
<i>Thunbergia erecta</i>	King's Mantle, Bush Clock Vine	WD-M	P, F	M	4-6'	5-8'
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 3.07.11. C.
Large Shrubs

LARGE SHRUBS						
<i>Species</i>	Common Name	Soil	Light	Drought Tolerance	Height	Spread
<i>Vaccinium arboreum</i>	Sparkleberry	WD-M	P, F, S	M	12-18'	10-15'
<i>Viburnum obovatum</i>	Walter's Viburnum	WD	P, F, S	H	8-25'	6-10'
<i>Viburnum odoratissimum</i>	Sweet Viburnum	WD	F, P, S	M	15-30'	15-25'
<i>Viburnum rufidulum</i>	Southern Blackhaw	WD-M	F, P, S	H	20-25'	20-25'
<i>Viburnum suspensum</i>	Sandankwa Viburnum	WD	P, S	L	6-12'	6-12'
<i>Vitex agnus-castus</i>	Chaste Tree	WD	F, P, S	H	10-20'	15-20'
<i>Yucca spp.</i>	Yucca	WD	F, P	H	3-30'	3-15'
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 3.07.11. D.
Small Shrubs

SMALL SHRUBS						
<i>Species</i>	Common Name	Soil	Light	Drought Tolerance	Height	Spread
<i>Caesalpinia spp. And cvs.</i>	Poinciana	WD-M	F	M	8-35'	10-35'
<i>Gamolepis spp.</i>	Bush Daisy	WD	F	M	2-4'	3-4'
<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>Leucophyllum frutescens</i>	Texas Sage, Silverleaf	WD	F	H	3-5'	3-5'
<i>Lyonia lucida</i>	Fetterbush	WD-M	F, P	H	3-15'	2-5'
<i>Mahonia fortune</i>	Fortune's Mahonia	WD	S, P	M	3-5'	3-5'
<i>Pyracantha coccinea</i>	Firethorn	WD-M	F, P	M	10-15'	8-12'
<i>Raphiolepis spp. And cvs.</i>	Indian Hawthorn	WD-M	F, P	H	2-10'	2-6'
<i>Rosa spp.</i>	Rose	WD	F	M	1-20'	2-8'
<i>Rosmarinus spp.</i>	Rosemary	WD-M	F, P	H	3-6'	4-5'
<i>Russelia equisetiformis</i>	Coral Plant	WD	F	H	3-5'	6-12'
<i>Russelia sarmentosa</i>	Firecracker Plant	WD	F, P	M	3-4'	2-4'
<i>Sabal etonia</i>	Scrub Palmetto	WD	F, P	H	4-6'	4-6'
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 3.07.11. E
Ground Covers

<i>Species</i>	Common Name	Soil	Light	Drought Tolerance	Height	Spread
<i>Aloe spp.</i>	Aloe	WD	F, P	H	1-3'	1-3'
<i>Anthericum sanderi</i>	St. Bernard's Lily	WD	F, P	M	1- 1½'	½ - 1'
<i>Arachis glabrata</i>	Perennial Peanut	WD	F	H	½ - 1'	1-8'
<i>Aspidistra elatior</i>	Cast Iron Plant	WD	P, S	M	1-3'	1-3'
<i>Cyrtomium falcatum</i>	Holly Fern	WD-M	P, F, S	M	2-3'	3-4'
<i>Dyschoriste oblongifolia</i>	Twin Flower	WD	F, P	H	½ - 1'	1- 1½'
<i>Evolvulus glomeratus</i>	Blue Daze	WD	P	M	½ - 1'	1-2'
<i>Glandularia tampensis</i>	Tampa Vervain	WD	F	H	1½ - 2'	1 - 1 ½'
<i>Hedera canariensis</i>	Algerian Ivy, Canary Ivy	WD	S	M	½ - 1'	1-6'
<i>Helianthus debilis</i>	Beach Sunflower	WD	F	H	Up to 2'	6' or more
<i>Ipomoea spp.</i>	Sweet Potato Vine	WD-M	F, P	H	10-20'	10-40'
<i>Juniperus conferta and cvs.</i>	Shore Juniper	WD	F	H	1-2'	6-10'
<i>Lantana montevidensis</i>	Trailing Lantana	WD	F	M	1-3'	4-8'
<i>Liriope muscari and cvs.</i>	Liriope, Monkey Grass, Border Grass	WD	F, P, S	M	1-2'	1-2'
<i>Mimosa strigillosa</i>	Powderpuff, Sunshine Mimosa	WD	F	M	½ - ¾'	8-10'
<i>Ophiopogon japonicas and cvs.</i>	Mondo Grass, Dwarf Liriope	WD	S, P	M	½ - 1'	½ - 2'
<i>Phyla nodiflora</i>	Capeweed	WD-M	F, P	M	½ - 1'	8-10'
<i>Trachelospermum jasminoides</i>	Confederate Jasmine, Star Jasmine	WD-M	F, P	M	1-3'	1-30'
<i>Vinca major</i>	Periwinkle	WD-M	P, F, S	M	1-2'	1-5'
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 3.07.11. F.
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).
(Ord. 2020-01)

3.08.00 *Water Conservation for Landscape Irrigation, Irrigation System Design and Installation Standards, and Efficient Plumbing Requirements*

3.08.01 *Intent and Purpose*

It is the intent and purpose of this Section to implement uniform procedures that promote water conservation through more efficient landscape irrigation and the installation of more efficient plumbing fixtures.

3.08.02 *Definitions*

For the purposes of this Section, the following words, and terms shall have the meaning given herein:

- 1) *Automatic irrigation system.* An irrigation system designed to operate following a preset program entered into an automatic controller.
- 2) *Distribution equipment:* The water emitters on irrigation systems, including but not limited to sprinklers, rotors, spray heads and micro-irrigation devices.
- 3) *ENERGY STAR® (“Energy Star”).* For this section, Energy Star is the joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy, which certifies products and practices that protect the environment and lead to money saving through energy and water conservation.
- 4) *Florida Water Star® (“Florida Water Star”).* A program for new residential and commercial construction that is intended to provide indoor and outdoor water efficient options and help prevent leaks.
- 5) *Florida Water Star Inspector.* A person who verifies Florida Water Star program criteria in accordance with program documents. Inspectors demonstrate sufficient knowledge to verify appropriate subcategories, such as; irrigation, landscape, and plumbing, and have passed the inspector exam and are current with their CEUs per the requirements of the Florida Water Star program. Inspectors are accredited parties who may inspect irrigation systems modified or installed by irrigation professionals.
- 6) *Florida Water Star Irrigation and Landscape Accredited Professional.* A landscape or irrigation professional who has successfully passed the Florida Water Star accredited professional exams for landscaping and irrigation and is currently in good standing with the program.
- 7) *Head to head coverage.* The spacing of sprinkler heads so that each sprinkler throws water to the adjacent sprinkler.

- 8) *High volume irrigation.* An irrigation system with a minimum flow rate per emitter of more than 30 gallons per hour (“GPH”) or higher than 0.5 gallons per minute (“GPM”). High volume emitter flow rates are usually measured in GPM.
- 9) *Irrigation professional.* Any person installing or maintaining an irrigation system in Polk City for payment.
- 10) *Irrigation design professional.* An irrigation design professional shall include state-licensed plumbers operating within the limits of the Florida Building Code, professional engineers or landscape architects licensed by the State of Florida, Florida Water Star Irrigation and Landscape Accredited Professionals and irrigation designers certified by the Irrigation Association or the Florida Irrigation Society.
- 11) *Irrigation system.* A set of components that may include the water source, water distribution network, control components, and other general irrigation equipment which has been installed to provide irrigation.
- 12) *Landscaped area.* The entire parcel less the building footprint, driveways, hardscapes such as decks and patios, and other non-planted areas. Water features are included in the calculation of the landscaped area. Landscaped area includes Florida-Friendly landscaped areas.
- 13) *Licensed Irrigation Professional.* An irrigation specialty contractor who obtains the irrigation specialty license from the Florida Construction Industry Licensing Board and maintains continuing education requirements.
- 14) *Low volume irrigation.* Any emitter or sprinkler that applies less than 30 GPH or 0.5 GPM.
- 15) *Matched precipitation.* Irrigation in which all of the sprinklers in a particular zone apply similar amounts of water to a given area.
- 16) *Micro-irrigation.* The frequent application of small quantities of water directly on or below the soil surface or plant root zone, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery pipes. Micro-irrigation encompasses a number of methods or concepts, including drip, subsurface, bubbler and micro-spray irrigation, previously known as trickle irrigation. Micro-irrigation is typically a form of low volume irrigation.
- 17) *Rotors.* Sprinkler heads in lawn areas that provide water as they rotate through a set arc of operation.

- 18) *Spray heads.* Irrigation heads that pop up with water pressure and provide a continuous spray pattern throughout a given arc of operation.
- 19) *Substantial modification.* Any modification to existing irrigation systems such that 50 percent or more of the irrigation system (by area) is replaced or altered.
- 20) *Temporary establishment irrigation.* The temporary use of irrigation for the establishment of new vegetation that shall be removed once the plants are established or within two years, whichever occurs first.
- 21) *WaterSense.* A U.S. Environmental Protection Agency (EPA) program for the management of water supplies by working with manufacturers and retailers to establish efficient plumbing standards, guidelines and certifications.

3.08.03 Efficient Plumbing Requirements

All new residential, commercial and institutional construction contractors obtaining Polk City Building Permits, 60 days after the effective date of this Sections, shall incorporate WaterSense labeled plumbing fixtures, to consist at a minimum of all faucets, showerheads and toilets, and Energy Star labeled appliances, to consist at a minimum of all washing machines and dishwashing machines, into said construction. In applications where WaterSense plumbing fixtures and Energy Star appliances are not available, a written request for an exception must be submitted and approved by the city. For the exception to be approved, a best alternative water and/or energy conservative fixture and/or appliance must be identified in the submittal.

3.08.04 Florida Water Star Certification; Effect

Florida Water Star is a water conservation certification program for new and existing homes and commercial developments that meet specific water-efficiency criteria for indoor fixtures and appliances, landscape design and irrigation systems. Residential and commercial properties obtaining the Florida Water Star Certification will exceed the conservation requirements imposed by this Section. Upon receipt of certification from the Florida Water Star program that a residential or commercial property has obtained the Florida Water Star Certification, the City will not require submission of the Letter of Certification of the Design for an Irrigation System, or the Letter of Completion Certifying compliance with Design for Irrigation System.

3.08.05 Irrigation System Design and Installation Standards

- A. For all new commercial and institutional construction where a new landscape irrigation system will be installed, and for all significant (50% or greater) alteration or rehabilitation of an existing landscape irrigation system, the design and installation of said system, or of a portion of such system, shall be required

to be installed or rehabilitated in a manner consistent with this section (“irrigation system standards”).

- B. All new residential irrigation system construction or significant (50% or greater) alteration or rehabilitation of a residential irrigation system shall be consistent with the irrigation systems standards and consistent with the following additional requirements:
1. The maximum total irrigated area on residential lots, regardless of lot size, shall not exceed 0.5 acres. This provision does not apply to temporary irrigation such as portable hoses and sprinklers.
 2. High volume irrigation area shall not exceed 60 percent to the landscaped area. This standard is applicable on residential lots over 1/8 acre and commercial lots over 1/8 acre. This standard applies to common areas and open space in developments. This standard excludes vegetable gardens and fruit or nut trees on individual lots or community gardens.
 3. Narrow areas, four feet wide or less, shall not be irrigated unless correctly installed irrigation devices are used, as recommended by a licensed irrigation professional which confine the spray pattern to the area in question.
 4. High volume irrigation shall not be used for trees, shrubs, or groundcover beds. Permanent micro-irrigation may be used in these areas. The county encourages the use of temporary establishment irrigation.
 5. Irrigation zones shall be divided according to vegetated groupings (e.g., turfgrass, shrubs, native plants, trees) and the water requirements of the plants. Turf grass and landscaped beds, such as trees, shrubs, and groundcover beds, shall not be irrigated in the same zone as each other.
 6. Sprinkler head types, such as spray heads and rotors, shall not be mixed in the same zone.
 7. Distribution equipment in a given zone shall have matched precipitation rates.
 8. Rotors and spray sprinkler heads in turfgrass areas shall be spaced to provide head to head coverage.
 9. A minimum separation of four inches shall be required between distribution equipment and pavement.

10. A minimum separation of 24 inches shall be required between distribution equipment and buildings and other vertical structures, except fences.
11. Technology that inhibits or interrupts operation of the system during periods of sufficient moisture shall be required on all irrigation systems to avoid irrigation during periods of sufficient rainfall. Examples of such devices include soil moisture sensors, weather stations and rainfall shut off devices. The technology shall override the irrigation cycle when adequate rainfall has occurred. Technology that depends on rainfall for bypassing irrigation shall be placed where it is exposed to unobstructed natural rainfall and in compliance with section 373.62, Fla.Stat., as amended.
12. Permanent irrigation systems shall be equipped with an automatic control system to provide the following minimum capabilities:
 - a.Ability to be programed in minutes, by day of week, season and time of day;
 - b. Ability to accommodate multiple start times and programs;
 - c.Automatic shut off after adequate rainfall;
 - d. Ability to maintain time during power outages; and
 - e.Operational flexibility to meet applicable year-round water conservation requirements.
13. Check valves which are capable of holding a minimum of a five-foot head shall be used in low-lying areas to prevent head drainage.
14. Irrigation system equipment shall be installed in accordance with manufacturer's specifications.
15. No direct spray shall be allowed onto walkways, buildings, roadways, drives and impervious surfaces.
16. Pipelines shall be designed to provide the system with the appropriate pressure required for maximum irrigation uniformity.
17. All sprinkler heads with spray nozzles (non-rotary) shall be pressure-regulated at the head or zone valve.
18. All irrigation system underground piping shall have minimum soil cover of six inches.
19. Sprinklers shall rise above turf grass height: a minimum of 6-inch pop-up for sprays and 4-inch pop-up for rotors for St. Augustine, Zoysia and

Bahia grasses; a minimum of a 4-inch pop-up for sprays and rotors for Centipede, Bermuda and Seashore Paspalum grasses.

- C. Nothing within this Section shall require the Installation of an irrigation system. Requirements for installing irrigation systems are specified in other locations within Section 3.07.00 of the Land Development Code.
- D. All irrigation systems shall be designed by an irrigation design professional consistent with the irrigation systems standards and as set forth in this Section.
- E. A “Letter of Certification of the Design for an Irrigation System” by an irrigation design professional certifying the design is consistent with the requirements of this Section shall be required to obtain a building or irrigation permit before issuance of said permit.
- F. A “Letter of Completion Certifying Compliance with Design for Irrigation System” by an irrigation design professional or Florida Water Star inspection consistent with the design shall be required before issuance of a certificate of completion.
- G. Compliance with this Section shall not exempt an individual from any other local, state or federal requirements.

3.08.06 Maintenance of Irrigation Systems

- A. An irrigation professional responsible for installing or substantially modifying an irrigation system shall provide the property owner with a maintenance checklist affixed to or near the controller and accompanied by a recommended maintenance schedule, proper irrigation system settings according to season, recommendations for checking technology that inhibits or interrupts operation of the system during periods of sufficient moisture, filter cleaning recommendations, if applicable, and information on the current water restrictions.
- B. A property owner shall ensure that irrigation systems on their property are inspected at least annually for leaks, overspray, maladjusted heads, and heads that may be capped due to changes in the landscape, such as maturity or changes in plants. Technology that inhibits or interrupts operation of the system during periods of sufficient moisture may need to be replaced every few years and shall be correctly functioning to be in compliance with this article. Irrigation systems with known leaks shall not be operated until the leaks are repaired, except for testing purposes.
- C. Within 60 calendar days after installation, the property owner shall ensure that the irrigation controller is adjusted to operate according to normal, established landscape conditions or irrigation restrictions, if the irrigation system is installed as part of newly established landscaping.

3.08.07 Exemptions

The following are exempted from the provisions of this article, but should follow applicable Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries:

1. Bona fide agricultural activities;
2. Vegetable gardens and fruit and nut trees;
3. Athletic fields;
4. Golf course play areas;
5. Cemeteries
6. Nurseries; and
7. Temporary establishment irrigation (as defined in Section 3.09.02)

3.08.08 Alternative Compliance

- A. An applicant may submit a proposal that varies from the strict application of the requirements of this Section (also known as “alternative compliance”) in order to accommodate unique site features or characteristics, utilize innovative design, prevent extraordinary hardship, or to promote the overriding public interest or general public welfare. Diminished value of property or inconvenience is not an extraordinary hardship.
- B. An applicant seeking authorization for alternative compliance shall have the burden of demonstrating to the City the reasons why the strict application of the requirements of this Section should not apply.
- C. Requests for alternative compliance shall be submitted as part of the irrigation system approval process.
- D. The City may approve an alternative compliance plan upon finding that the alternative compliance plan fulfills the purpose and intent of this Section at least as well as a plan that strictly adheres to the requirements of this Section.
- E. The City may require a site inspection and corresponding site inspection fee for systems which are installed according to a department-approved alternative compliance plan.

3.08.09 Enforcement

Violation of any provision of this article shall be subject to penalties as provided for by this Code or by local law and compliance with this article may be enforced by any remedy available to the City at law or equity.