

1 Introduced by Council Member Boyer and Co-Sponsored by Council
2 Members Ferraro and Crescimbeni:

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4
5 **ORDINANCE 2019-462**

6 AN ORDINANCE AMENDING CHAPTER 656 (ZONING
7 CODE), ORDINANCE CODE; AMENDING PART 6 (OFF-
8 STREET PARKING, ON-STREET PARKING AND LOADING
9 REGULATIONS), SUBPART A (OFF-STREET PARKING,
10 ON-STREET PARKING AND LOADING FOR MOTOR
11 VEHICLES), SECTION 656.607 (DESIGN STANDARDS
12 FOR OFF-STREET, ON-STREET PARKING AND LOADING
13 FACILITIES); AND AMENDING PART 12 (LANDSCAPE
14 AND TREE PROTECTION REGULATIONS), SUBPART C
15 (LANDSCAPING REQUIREMENTS), SECTIONS 656.1203
16 (DEFINITIONS), 656.1209 (APPLICABILITY),
17 656.1210 (LANDSCAPING REQUIREMENTS RELATED TO
18 COMPREHENSIVE PLAN POLICIES), 656.1214
19 (VEHICULAR USE AREA INTERIOR LANDSCAPING),
20 656.1215 (PERIMETER LANDSCAPING), 656.1216
21 (BUFFER STANDARDS RELATING TO UNCOMPLEMENTARY
22 LAND USES AND ZONING) AND 656.1222 (BUFFER
23 REQUIREMENTS FOR RESIDENTIAL SUBDIVISIONS),
24 *ORDINANCE CODE*, TO CREATE STANDARDIZED BUFFERS
25 BASED ON DIFFERING ADJACENT USES; PROVIDING
26 FOR A DIRECTIVE TO THE CODIFIERS; PROVIDING
27 FOR ENFORCEMENT DATES; PROVIDING AN EFFECTIVE
28 DATE.

29
30 **BE IT ORDAINED** by the Council of the City of Jacksonville:

31 **Section 1. Amending Section 656.607 (Design Standards For**

1 Off-Street, On-Street Parking And Loading Facilities), SUBPART A
2 (OFF-STREET PARKING, ON-STREET PARKING AND LOADING FOR MOTOR
3 VEHICLES), PART 6, (OFF-STREET PARKING, ON-STREET PARKING AND
4 LOADING REGULATIONS), Chapter 656 (ZONING CODE), Ordinance Code.
5 Chapter 656 (ZONING CODE), PART 6, (OFF-STREET PARKING, ON-STREET
6 PARKING AND LOADING REGULATIONS), SUBPART A (OFF-STREET PARKING,
7 ON-STREET PARKING AND LOADING FOR MOTOR VEHICLES), Section 656.607
8 (Design standards for off-street, on-street parking and loading
9 facilities) *Ordinance Code*, is hereby amended to read as follows:

10 **Chapter 656 - ZONING CODE**

11 * * *

12 **PART 6. - (OFF-STREET PARKING, ON-STREET PARKING AND LOADING**
13 **REGULATIONS)**

14 * * *

15 **SUBPART A. - OFF-STREET PARKING, ON-STREET PARKING AND LOADING FOR**
16 **MOTOR VEHICLES**

17 * * *

18 **Sec. 656.607. - Design standards for off-street, on-street**
19 **parking and loading facilities.**

20 * * *

21 (d) *Parking Reductions*: The following parking reductions
22 are available except for those ~~uses described in~~
23 ~~Sections 656.604(e)(1) and 656.604(f)(1).~~ the following uses:
24 professional and business offices, including medical and dental
25 offices or clinics; and business, commercial or personal service
26 establishments.

27 (1) *Tree protection offset*. The required number of
28 off-street parking spaces may be reduced by the Chief up to
29 20 percent if that area which would normally be required for
30 parking is utilized for tree protection or landscaping in
31 addition to that required by Part 12 (Landscape and Tree

1 Protection Regulations).

2 * * *

3 (e) Access.

4 (1) Off-street parking and loading spaces shall be
5 identified as to purpose and location when such is not clearly
6 evidenced. Required off-street parking areas for three or more
7 automobiles shall have individual spaces marked and shall be so
8 designed, maintained and regulated that no parking or maneuvering
9 incidental to parking shall be on a public or private street or
10 sidewalk and so that an automobile may be parked and unparked
11 without moving another. Each off-street parking or loading space
12 shall be directly accessible from a street without crossing or
13 entering another required off-street parking or loading space.
14 However, off-street parking for townhouses or rowhouses permitted
15 pursuant to Section 656.415 may be arranged to permit stacking or
16 one required space behind another, if necessary. Spaces shall be
17 arranged for convenient access and safety of pedestrians and
18 vehicles. Each loading space shall be accessible from the
19 interior of the building it serves and shall be arranged for
20 convenient and safe egress and ingress by motor truck and/or
21 trailer combination.

22 (2) Driveways to streets: The maximum width of any
23 driveway not containing a landscaped island through the perimeter
24 landscape area shall be 36 feet. The maximum width of any
25 driveway containing a landscaped island through the perimeter
26 landscape area shall be 48 feet and the driveway shall contain a
27 landscaped island which measures not less than eight feet in
28 width (from back of curb to back of curb) and 18 feet in length,
29 surrounded by a six inch continuous raised curb, or other
30 alternative approved by the Chief. The maximum combined width of
31 all driveways through the perimeter landscape area shall be no

1 more than 48 feet for properties with 100 feet or less of street
 2 frontage. For properties with more than 100 feet of street
 3 frontage, an additional one foot of driveway through the
 4 perimeter landscape area may be constructed for each four feet of
 5 street frontage in excess of 100 feet. In no event shall more
 6 than 50 percent of any street frontage be paved, nor shall the
 7 provisions of this Section be applied to reduce the permitted
 8 driveway width to less than 24 feet.

9 (3) Driveways to adjoining lots: Driveways may be
 10 permitted by the Chief to adjoining lots of compatible use. The
 11 maximum number of driveways which may be allowed shall be
 12 determined by first calculating the total length of the Project
 13 boundary VUA buffer adjacent to property lines, less the portion
 14 of the VUA separated from the common property line by a building
 15 and less the portion of the Project boundary VUA buffer separated
 16 from the use by a jurisdictional wetland or waterbody, and then
 17 applying the following criteria:

<u>Net Length of</u>	<u>Maximum Number</u>
<u>Project boundary VUA buffer</u>	<u>of Driveways</u>
<u>50-149 feet</u>	<u>2</u>
<u>150-299 feet</u>	<u>3</u>
<u>300-599 feet</u>	<u>4</u>
<u>For each additional 500 feet</u>	<u>1 additional driveway</u>

18
 19 The maximum width of any driveway to an adjacent lot shall
 20 be 24 feet. The area of the continuous Project boundary buffer
 21 normally required where each driveway occurs shall be
 22 incorporated into the required Project boundary buffer landscape
 23 area to each side of the driveway.

(2) Uses that are required to provide 5 spaces per 1,000 square feet of gross floor area shall provide a minimum of 15% of pervious parking on-site.

(3) Uses that are required to provide 4 spaces per 1,000 square feet of gross floor area shall provide a minimum of 20% of pervious parking on-site.

PARKING LOT LANDSCAPING MATRIX

Landscaping	Average Perimeter Adjacent to Public ROW					Perimeter Adjacent to Complementary Use					Perimeter Adjacent to Uncomplementary Use					Interior Landscaping Vehicle Use Area						
	Number of Spaces	<25 Infill	<25 Non-infill	25 to 200	200 to 500	>500	<25 Infill	<25 Non-infill	25 to 200	200 to 500	>500	<25 Infill	<25 Non-infill	25 to 200	200 to 500	>500	<25 Infill	<25 Non-infill	25 to 200	200 to 500	>500	
Parking Rate																						
3 per 1,000	5'	8'	10'	10'	15'	0'	5'	5'	5'	10'	5'	10'	10'	10'	15'	5%	5%	10%	10%	10%		
4 per 1,000	5'	8'	10'	10'	15'	0'	5'	5'	10'	10'	5'	10'	10'	10'	15'	5%	10%	10%	10%	15%		
5 per 1,000	10'	10'	15'	15'	20'	5'	5'	10'	10'	15'	10'	10'	10'	15'	20'	10%	10%	10%	15%	15%		
6 per 1,000	10'	15'	15'	20'	25'	10'	10'	10'	15'	15'	10'	10'	15'	20'	25'	10%	10%	15%	15%	20%		

Parking rates at 4/1000 require 10% pervious parking on-site
 Parking rates at 5/1000 require 15% pervious parking on-site
 Parking rates at 6/1000 requires 20% pervious parking on-site

Infill means an area or areas
 (a) Located within the Urban Priority Area, as set forth in the Comprehensive Plan
 (b) Urban Infill as defined in the Comprehensive Plan; or
 (c) The area includes or is adjacent to community redevelopment areas, brownfields, enterprise zones, or Main Street programs, or has been designated by the state or Federal Government as an urban redevelopment, revitalization, or infill area under empowerment zone, enterprise community, or brownfield showcase community programs or similar programs.

FIGURE B

EXHIBIT 1
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PART 12. - LANDSCAPE AND TREE PROTECTION REGULATIONS

SUBPART A. - GENERAL PROVISIONS

Sec. 656.1203. - Definitions.

For purposes of this Part, in addition to the following terms or words, the definitions provided for in Part 16 shall apply. If the definitions contained in this Section at any time conflict with the definitions contained in Part 16, the more restrictive definition(s) shall apply. As used in this Part:

1 Adjacent lot, property, or parcel means lands abutting and
2 immediately next to, including parcels separated by a public or
3 private right-of-way less than 50 feet in width, or developed
4 parcels within 20 feet separated by a vacant strip.

5 ~~(a)~~ Annual consumptive use means the yearly amount of water
6 applied to the landscape.

7 ~~(b)~~ Automatic controller means a mechanical or electronic
8 timer, capable of operating valve stations to set the days and
9 length of time of a water application.

10 ~~(c)~~ Bona-fide agricultural purposes means the use of land
11 for bona fide agricultural purposes as described in F.S. §
12 193.461, provided the land is classified for assessment purposes
13 by the property appraiser as "agricultural", pursuant to F.S. Ch.
14 193.

15 ~~(d)~~ Buffer yard or strip means a strip of land, identified
16 on a site plan or by zoning ordinance requirement, established to
17 protect one type of land use from another land use that may be
18 incompatible. The area is landscaped, maintained and kept in open
19 space.

20 ~~(e)~~ Caliper means the trunk diameter of planted trees.
21 Caliper shall be measured six inches above the ground for trees
22 up to and including four inches in caliper, and measured 12
23 inches above the ground for trees exceeding four inches in
24 caliper. If the tree has a very enlarged irregular base, then the
25 caliper measurement shall be taken up where the trunk has a more
26 regular circumference, but in no case higher than four and one-
27 half feet above the ground. If the tree forks between ground
28 level and one foot above ground level, then the tree shall be
29 considered a multi-trunked tree. Caliper for multi-trunked trees
30 shall be determined by measuring each trunk immediately above the
31 fork and adding the total caliper of the four largest trunks.

1 (See also and compare definition of DBH in subsection (nn) of
2 this Section.)

3 ~~(f)~~ *Cultivated landscape area* means planted areas that are
4 frequently maintained by mowing, irrigating, pruning,
5 fertilizing, etc.

6 ~~(g)~~ *Development* means any proposed material change in the
7 use or character of the land, including, but not limited to, land
8 clearing associated with new construction, the placement of any
9 structure or site improvement on the land, or expansion of
10 existing buildings.

11 ~~(h)~~ *Drip line* means a vertical line extending from the
12 outermost branches of a tree to the ground.

13 ~~(i)~~ *Ecosystem* means a characteristic assemblage of plant
14 and animal life with a specific physical environment, and all
15 interactions among species and between species and their
16 environment.

17 ~~(j)~~ *Emitter devices* means devices which are used to control
18 the applications of irrigation water. This term is primarily used
19 to refer to the low flow rate devices used in microirrigation
20 systems.

21 *Finished masonry wall* means

22 (1) stone, brick or tile laid up unit by unit and set
23 in mortar;

24 (2) stucco (exterior Portland cement plaster with 3
25 coats over metal lath or wire fabric lath);

26 (3) cultured stone or cast stone;

27 (4) architecturally finished block (i.e. burnished
28 block, split faced concrete masonry units or architecturally
29 finished tilt wall); or

30 (5) cementitious coating over foam core or like
31 material.

1
2 ~~(k)~~ *Ground cover* means a low-growing herbaceous or woody
3 plant other than turf, not over two feet high, used to cover the
4 ground.

5 ~~(l)~~ *Hedge* means a landscape barrier consisting of a
6 continuous, dense planting of shrubs.

7 *Infill Project* means, for purposes of Section 656.1216
8 (Buffer standards relating to adjacent uses), a project that
9 meets all of the following criteria:

10 (1) is located in a built up area that is currently
11 supported by infrastructure, utilities, and public facilities;

12 (2) is a maximum of 2 acres in size;

13 (3) is within the I-295 beltway;

14 (4) does not require a rezoning for the proposed
15 project; and

16 (5) meets the criteria in either (a) or (b), below.

17 (a) The site is vacant (no improvements), and has
18 been vacant for at least 12 months; and

19 (i) is within the Urban Priority Area or the
20 Urban Area as defined in the Comprehensive Plan; or

21 (ii) is located on an Arterial or higher
22 functionally classified roadway.

23 (b) The project is a redevelopment of improved
24 land, of the same type and scale of the adjacent or nearby
25 properties or developments.

26 ~~(m)~~ *Infiltration rate* means the rate of water entry into
27 the soil expressed as a depth of water per unit of time (inches
28 per hour).

29 ~~(n)~~ *Irrigation system* means a permanent, artificial
30 watering system designed to transport and distribute water to
31 plants.

1 Landscape buffer, or Adjacent Use Buffer, means the depth of
2 land required to protect one type of use from another use,
3 relating to the requirements between uses of Section 656.1216..

4 Landscape screen means plant material, fences, walls, berms,
5 etc. that are placed within either a landscape buffer or a
6 landscape strip for the purpose of screening one use from
7 another.

8 Landscape strip means the area of land required around a
9 Vehicular Use Area, relating to the requirements in Section
10 656.1215.

11 ~~(e)~~ *Landscaped area* means the entire parcel less the
12 building footprint, driveway, nonirrigated portions of parking
13 lots, hardscapes such as decks and patios, and other nonporous
14 areas. Water features are included in the calculation of the
15 landscaped area.

16 ~~(f)~~ *Landscaping* means any combination of living plants
17 (such as grass, groundcover, shrubs, vines, hedges, or trees) and
18 nonliving landscape material (such as rocks, pebbles, sand,
19 mulch, walls or fences).

20 ~~(g)~~ *Microirrigation (low volume)* means the frequent
21 application of small quantities of water directly on or below the
22 soil surface, usually as discrete drops, tiny streams, or
23 miniature sprays through emitters placed along the water delivery
24 pipes (laterals). Microirrigation encompasses a number of methods
25 or concepts including drip, subsurface bubbler, and spray
26 irrigation.

27 ~~(h)~~ *Mulch* means nonliving organic materials customarily
28 used in landscape design to retard erosion and retain moisture.

29 ~~(i)~~ *Native vegetation.* See Vegetation, native.

30 ~~(j)~~ *Naturally occurring existing plant communities.* See
31 Vegetation, native.

1 ~~(u)~~ *Open space* means all areas of natural plant communities
2 or areas replanted with vegetation after construction, such as
3 revegetated natural areas; tree, shrub, hedge or ground cover
4 planting areas; and lawns, and all other areas required to be
5 provided as natural ground and landscaping pursuant to the Zoning
6 Code.

7 ~~(v)~~ *Perimeter landscape* means a continuous area of land
8 which is required to be set aside along the perimeter of a lot in
9 which landscaping is used to provide a transition between and to
10 reduce the environmental, aesthetic and other impacts of one type
11 of land use upon another.

12 ~~(w)~~ *Pervious paving materials* means a porous asphaltic or
13 concrete surface and a high-void aggregate base which allows for
14 rapid infiltration and temporary storage of rain on, or runoff
15 delivered to, paved surfaces.

16 ~~(x)~~ *Plant community* means a natural association of plants
17 that are dominated by one or more prominent species, or a
18 characteristic physical attribute.

19 ~~(y)~~ *Preserve areas* means vegetative areas required to be
20 preserved under the jurisdiction of the Florida Department of
21 Environmental Regulation, St. Johns River Water Management
22 District and/or the United States Army Corps of Engineers or
23 other regulatory agencies.

24 ~~(z)~~ ~~*Reserved.*~~

25 ~~(aa)~~ *Runoff water* means water from rainfall and irrigation
26 systems which is not absorbed by the soil or landscape to which
27 it is applied and flows from the area, often contaminated with
28 pesticides, fertilizers, and other pollutants.

29 ~~(bb)~~ *Protected tree* includes all of the following:

30 (1) *Private protected tree* means any tree with a DBH
31 of six inches or more located on any lot within 20 feet of a

1 street right-of-way (including an approved private street or
2 other access easement) or a tree with a DBH of eight inches
3 or more located within ten feet of any other property line,
4 or a tree with a DBH of 11.5 inches or more located
5 elsewhere on the lot.

6 (2) *Public protected tree* means any tree located on
7 lands owned by the City, or other governmental agencies or
8 authorities, or any land upon which easements are imposed
9 for the benefit of the City, or other governmental agencies
10 or authorities, or upon which other ownership control may be
11 exerted by the City, or other governmental agencies or
12 authorities, including rights-of-way, parks, public areas
13 and easements for drainage, sewer, water and other public
14 utilities, with:

15 (i) A DBH of six inches or more located within a
16 City or other governmental right-of-way, or

17 (ii) A DBH of six inches or more and located on
18 any lot within 20 feet of a street right-of-way, or

19 (iii) A DBH of eight inches or more located on any
20 lot within ten feet of any other property line, or

21 (iv) A DBH of 11.5 inches or more located
22 elsewhere on the lot.

23 (3) *Exceptional specimen tree* means any hardwood tree
24 with a DBH of 24 inches or greater.

25 ~~(ee)~~ *Scenic and historic corridors* means any street right-
26 of-way, including approved private streets, which is so
27 designated by the Council, pursuant to the procedures hereinafter
28 established and adopted by Council, as a result of its special
29 historic, architectural, archaeological, aesthetic or cultural
30 interest and value to the citizens of Jacksonville. The Chief
31 shall maintain a list which specifies the location and boundaries

1 of all corridors so designated.

2 ~~(dd)~~ *Shrub* means a an evergreen self-supporting woody
3 perennial plant characterized by multiple stems and branches
4 continuous from the base naturally growing to a mature height
5 between two and 12 feet.

6 *Shrub, Large* means a shrub that reaches a mature height of
7 10-20 feet and a spread of 10-20 feet.

8 ~~(ee)~~ *Site specific plant* means a selection of plant material
9 that is particularly well suited to withstand the physical
10 growing conditions that are normal for a specific location.

11 ~~(ff)~~ *Soil texture* means the classification of soil based on
12 the percentage of sand, silt, and clay in the soil.

13 ~~(gg)~~ *Tree* means a self-supporting woody plant having a
14 single trunk or a multi-trunk of lower branches, growing to a
15 mature height of at least 12 feet in northeast Florida.

16 ~~(hh)~~ *Tree palm* means an evergreen plant of the Palmaceae
17 family cold hardy in northeast Florida having a single trunk and
18 terminal crown of large pinnate or fan-shaped leaves.

19 ~~(ii)~~ *Turfgrass* means continuous plant coverage consisting of
20 grass species suited to growth in the City of Jacksonville.

21 ~~(jj)~~ *Understory* means assemblages of natural low-level
22 woody, herbaceous, and ground cover species which exist in the
23 area below the canopy of the trees.

24 ~~(kk)~~ *Vegetation, native* means any plant species with a
25 geographic distribution indigenous to all or part of the State of
26 Florida.

27 *Vehicle Use Area (VUA)* means impervious or pervious
28 surfaces used for off-street parking, storage, circulation, and
29 loading/unloading of motor vehicles on private or public
30 property, except parking garages.

31 *Vehicle Use Area, Generally Open to the Public* means

1 Vehicular Use Areas, including visitor and employee parking in
2 all uses, with the exception of single family dwellings and
3 Specialized Vehicular Use Areas. However, visitor and employee
4 parking for all uses, except single family is included in this
5 category.

6 Vehicular Use Area, Specialized means Vehicular Use Areas
7 generally closed to the public including motor vehicle repair
8 facilities, bus, truck, railroad and other transportation
9 terminals, outdoor storage facilities for motor vehicles,
10 construction equipment, campers, trailers, and boats; freight
11 terminals; warehouses; industrial facilities; and other similar
12 uses. VUA's used for visitor and employee off-street parking at
13 these facilities is not included in this category.

14 ~~(ll)~~ *Water use zone* means a grouping of sprays, sprinklers,
15 or microirrigation emitters so that they can be operated
16 simultaneously by the control of one valve according to the water
17 requirements of the plants used.

18 ~~(mm)~~ *Florida-Friendly* means a type of landscaping that
19 maximizes the conservation of water by the use of site-
20 appropriate plants - right plant in the right place methodology,
21 efficient watering systems, appropriate fertilization, mulching,
22 attraction of wildlife, responsible management of pests,
23 recycling of yard waste, reduction of stormwater runoff ,and
24 waterfront protection. The principles include planning and
25 design, appropriate choice of plants, soil analysis, the use of
26 solid waste compost, practical use of turf, efficient irrigation,
27 appropriate use of mulches, and proper maintenance.

28 ~~(nn)~~ *DBH (Diameter Breast Height)* means the trunk diameter
29 of an existing tree measured four and one-half feet above the
30 average ground level at the tree base. If the tree forks between
31 four and one-half and two feet above ground level, DBH is

1 measured below the swell resulting from the fork. Trunks that
2 fork below two feet, shall be considered multi-trunk trees. DBH
3 for multi-trunk trees shall be determined by measuring each trunk
4 immediately above the fork and adding the total diameters of the
5 four largest trunks. (See also and compare definition for caliper
6 in subsection (e) of this Section.)

7 ~~(oo)~~ *Chief* means the Chief as designated by the Director of
8 the Planning and Development Department.

9 ~~(pp)~~ *Shade tree* means a species having a height at maturity
10 of at least 45 feet and an average mature crown spread of no less
11 than 30 feet, or trees having an average mature crown spread of
12 less than 30 feet grouped so as to create a total average mature
13 crown spread of no less than 30 feet.

14 ~~(qq)~~ *Sensor Device* means

15 (1) *Rain sensor device* - a low voltage electrical or
16 mechanical component placed in the circuitry of an automatic
17 turfgrass irrigation system which is designed to turn off a
18 sprinkler controller when precipitation has reached a pre-
19 set quantity.

20 (2) *Soil Moisture sensor device* - a low voltage
21 electrical or mechanical component placed in the landscape
22 of an automatic turfgrass irrigation system which is
23 designed to suspend a sprinkler controller from operation
24 when adequate soil moisture is present.

25 (3) *Weather sensor device* - a low voltage electrical or
26 mechanical component placed in the circuitry, either
27 directly or remotely, of an automatic turfgrass irrigation
28 system which is designed to estimate plant water need and
29 adjust a compatible sprinkler controller to apply the
30 appropriate amount of supplemental irrigation.

31 ~~(rr)~~ *Best Management Practices (BMP)* means turf and

1 landscape practices or a combination of practices, based on
2 research, field testing, and expert review, determined to be most
3 effective and practicable on-location means, including economic
4 and technological considerations, for improving water quality,
5 conserving water supplies and protecting natural resources.

6 ~~(ss)~~ *Pressure Regulating Device* means a device that
7 maintains a constant flow and pressure for increased efficiency
8 of irrigation systems. This device shall have a pressure
9 regulating device built into the stem of head or provided in
10 conjunction with the valve. If pressure regulation is derived
11 through the head, it shall be identifiable from the top of the
12 head.

13 ~~(tt)~~ *Hardscape* means areas such as patios, decks, driveways,
14 in-ground swimming pools, paths and sidewalks that do not require
15 irrigation.

16 ~~(uu)~~ *As-Constructed Sketch* means a legible drawing
17 indicating the date of the irrigation system installation, the
18 number of zones, locations of zones, backflow prevention devices,
19 valves, emitter types and locations, controller(s), pressure
20 regulating devices and sensor device(s). The drawing shall
21 represent the irrigation system as it exists at the time of
22 irrigation system completion and shall be prepared by or at the
23 direction of the person installing the system.

24 ~~(vv)~~ *Irrigation Zone* means a grouping of rotors or sprinkler
25 heads or pop-up sprays or micro irrigation emitters or other
26 irrigation system equipment operated simultaneously by the
27 control of one valve.

28 ~~(ww)~~ *Low Maintenance Zone* means an area a minimum of six
29 feet wide adjacent to water courses which is planted and managed
30 in order to minimize the need for fertilization, watering and
31 mowing. See Chapter 366 Part 6 (Fertilizer Application),

1 Ordinance Code.

2 ~~(xx)~~ *Efficient Irrigation System* means irrigation system
3 design, installation, and maintenance that incorporate water
4 efficient strategies and components, including, but not limited
5 to, pressure regulation devices, sensor devices, correct head
6 spacing, minimum areas of zones of matched precipitation rates
7 and BMP.

8 ~~(yy)~~ *Water Wise Principles* means appropriate planning and
9 design, proper choice of plants, soil analysis that may include
10 the use of solid waste compost, efficient irrigation, practical
11 use of turf, appropriate use of mulches, and proper maintenance
12 consistent with Florida Statutes.

13 (Ord. 91-59-148, § 1; Ord. 93-718-395, § 1; Ord. 97-192-E, § 1;
14 Ord. 1999-775-E, § 1; Ord. 2008-910-E, § 1; Ord. 2009-864-E, § 1)

15 * * *

16 **PART 12. - (LANDSCAPE AND TREE PROTECTION REGULATIONS)**

17 * * *

18 **SUBPART C. - LANDSCAPING REQUIREMENTS**

19 **Sec. 656.1209. - Applicability.**

20 (a) This Subpart shall be applicable to:

21 (1) ~~all~~ All new construction ~~landscapes and irrigation~~
22 ~~systems~~ for public agency projects and private development
23 projects, including, but not limited to, industrial, commercial,
24 recreational, multi-family residential developments and single
25 family residential developments; ~~that have not had a plat recorded~~
26 ~~and have not been accepted for maintenance by the City before April~~
27 ~~4, 2011, or to~~

28 (2) the expansion ~~or renovation~~ of any existing
29 development, building or use, including property in government use.
30 ~~Within any three-year period, when the total cumulative renovation~~
31 ~~of existing development is equal to at least 50 percent of the~~

1 ~~assessed value of the lot improvements on the start of the three-~~
2 ~~year period, according to the Property Appraiser, or that meets the~~
3 ~~following criteria:~~

4 (i) the total square footage of a structure or
5 structures within a development is expanded ~~to~~ by 50 percent or
6 greater, as well as including any cumulative footprint square
7 footage expansions totaling 50 percent or greater; or

8 (ii) the VUA is increased by 25%; or

9 (iii) there has been a discontinuance of use for a
10 period of one year or more and no Request for a Renewal to Resume
11 Conforming Use is made and granted. In order to be exempt from
12 applicability, said Request shall be made on a form, and include
13 information, as required by the Planning and Development Department
14 to show that the proposed use is substantially the same as the
15 previous conforming use, and will not increase impacts on the
16 adjacent properties.

17 (iv) any expansion that extends into the Adjacent
18 Use Buffer area required by this Part.

19 ~~the project will be deemed a Qualified Project then~~
20 ~~this Subpart shall be applicable to existing development and the~~
21 ~~expansion. If the Qualified Project includes alterations to parking~~
22 ~~areas or exterior areas where landscaping improvements are~~
23 ~~required, the area where such project is planned shall also be~~
24 ~~brought into full compliance with this Subpart. For all other~~
25 ~~Qualified Projects, 20 percent of the project cost shall be applied~~
26 ~~to meet the requirements of this Subpart. If full compliance with~~
27 ~~this Subpart is not achieved through the improvements described~~
28 ~~herein, priority for improvements shall be given to areas that are~~
29 ~~visible from public rights-of-way and other public areas and~~
30 ~~improvements providing internal parking lot shade.~~

31 (b) All property used for right-of-way is specifically

1 exempted from the provisions of this Subpart.

2 (c) No building permit shall be issued in violation of any of
3 the provisions hereof.

4 (d) Landscape materials installed in addition to the minimum
5 requirements of this Subpart, shall meet all criteria of this
6 Subpart except for plant size and quantity. ~~Property located in any
7 single-family Residential District (RR, RLD, or single family
8 residential portion of a PUD) and used as such or property used for
9 agriculture or single-family residential in an Agriculture (AGR)
10 district is excluded from the requirements of Sections 656.1214,
11 656.1215 and 656.1216. Owners of single family residences within
12 residential subdivisions that have not had a plat recorded and have
13 not been accepted for maintenance by the City before April 4, 2011
14 shall follow the Best Management Practices for Florida-Friendly
15 landscape, Efficient Irrigation and Water Wise Principles, but
16 shall have flexibility in meeting the requirements as set forth in
17 this Subpart.~~

18 (e) There are three basic types of landscape buffers and
19 screening that may be required for an applicable project. They
20 include (1) Vehicular Use Area interior landscaping (Sec.
21 656.1214); (2) Vehicular Use Area perimeter landscaping and street
22 buffers for residential subdivisions (Sec. 656.1215 and Sec.
23 656.1222); and (3) Buffer standards related to adjacent uses (Sec.
24 656.1216).

25 * * *

26 **Sec. 656.1210. - Landscaping requirements related to Comprehensive**
27 **Plan policies.**

28 (a) Pursuant to Conservation/Coastal Management Element
29 Policy 3.3.5, the ~~The~~ preservation of native habitat vegetation
30 during land development activities is required, either through
31 maintenance of natural vegetation on the project site, or through

1 the planting of native vegetation. If through planting, at least 50
2 percent of all plantings incorporated in an approved landscape plan
3 for any project site shall consist of native vegetation suitable to
4 that site, and at least 60 percent of all post-development
5 vegetation shall be indigenous to the City.

6 (b) All new developments shall provide for the conservation
7 and preservation of environmentally sensitive lands, native plant
8 communities and wildlife habitat to maintain the natural ecological
9 types and sustainable populations of wildlife native to the City
10 consistent with the provisions of Objective 3.3, Policy 2.3.7 and
11 associated policies of the Conservation/Coastal Management Element
12 of the Comprehensive Plan.

13 (c) All nonresidential land uses except in the CCBD District
14 shall provide a minimum of ten percent of the lot in open space.

15 ~~(d) All multiple-family dwellings of 100 dwelling units or
16 more shall be required to provide 150 square feet of recreation
17 open space per dwelling unit.~~

18 * * *

19 **Sec. 656.1214. - Vehicular use area Use Area interior landscaping.**

20 (a) Vehicular use areas open to the public:

21 ~~(1) Except for those uses described in Sections~~
22 ~~656.604(e)(1) and 656.604(f)(1) professional and business offices,~~
23 ~~including medical and dental offices or clinics, and business,~~
24 ~~commercial or personal service establishments, ten percent (10%) of~~
25 ~~vehicular use areas (VUA's) used for off-street parking, employee~~
26 ~~parking, auto service stations, outdoor retail display and sale of~~
27 ~~motor vehicles, service drives, and access drives within property~~
28 ~~located in multifamily, residential, commercial, industrial, and~~
29 ~~public facilities use zoning districts shall be landscaped.~~

30 ~~(2) For those uses described in Sections 656.604(e)(1)~~
31 ~~and 656.604(f)(1) professional and business offices, including~~

1 medical and dental offices or clinics, and business, commercial or
2 personal service establishments, all ~~vehicle use area~~ VUA interior
3 landscaping shall satisfy the requirements set forth in the Parking
4 Lot Landscaping Matrix, Figure B, set forth in Section 656.607(j).
5 In the event the landscaping required under this section exceeds
6 the requirements set forth in the Parking Lot Landscaping Matrix,
7 Figure B of Section 656.607(j), the requirements of this section
8 shall be relaxed to the extent necessary to comply with the Parking
9 Lot Landscaping Matrix. Meet the following landscape area
10 percentage requirements:

11 (i) Infill projects with less than 25 required
12 spaces: 5%;

13 (ii) non-Infill projects with less than 25 required
14 spaces: 10%;

15 (iii) all other projects with greater than 25
16 required spaces: 10%.

17 For purposes of this VUA interior landscaping area
18 requirement, "infill" means an area or areas that either: are
19 located within the Urban Priority Area, as set forth in the then
20 current Comprehensive Plan; meet the definition of "Urban Infill"
21 as defined in the Comprehensive Plan; or, the area includes or is
22 adjacent to community redevelopment areas, brownfields, enterprise
23 zones, or Main Street programs, or have been designated by the
24 state or Federal Government as an urban redevelopment,
25 revitalization, or infill area under empowerment zone, enterprise
26 community, or brownfield showcase community programs or similar
27 programs.

28 * * *

29 **Sec. 656.1215. - Vehicular Use Area perimeter~~Perimeter~~ landscaping.**

30 The VUA perimeter landscaping requirements consist of
31 requirements of the VUA as it addresses the right-of-way, and

1 requirements regarding the lengths of VUA that face adjacent
2 properties. For VUAs that face adjacent properties, the proposed
3 development may be complementary, or may be uncomplementary as
4 defined below. VUA perimeter landscaping requirements are separate
5 from the Adjacent Use Buffer requirements contained in Section
6 656.1216. They may overlap or be co-extensive, and in such case
7 are not intended to be in addition to one another. In the case of
8 overlap, the more stringent requirements shall apply. However, to
9 the extent that the VUA is situated such that the VUA landscape
10 strip, as required by this Section, and the Adjacent Use Buffer are
11 not co-extensive, then the requirements of the VUA perimeter
12 landscaping and the Adjacent Use Buffer requirements are in
13 addition to one another. See Figure 1215 below.

14 Just as in Section 656.1214 (Vehicular Use Area interior
15 landscaping), the uses of professional and business offices,
16 including medical and dental office or clinics; and business,
17 commercial or personal service establishments, are subject to
18 separate VUA landscaping requirements. This does not extend to
19 Section 656.1216 (Buffer standards relating to adjacent land uses
20 and zoning), as that section contains a matrix as shown in Table
21 1216 for the requirement of the appropriate Adjacent Use Buffer.

22 (a) ~~VUA perimeter~~ ~~Perimeter~~ landscaping adjacent to streets:
23 shall contain a landscape strip of the depth and other
24 characteristics as stated below. ~~For those uses described in~~
25 ~~Sections 656.604(e)(1) and 656.604(f)(1), all perimeter landscaping~~
26 ~~shall also satisfy the requirements set forth in the Parking Lot~~
27 ~~Landscaping Matrix, Figure B, set forth in Section 656.607(j). In~~
28 ~~the event the landscaping required under this section exceeds the~~
29 ~~requirements set forth in the Parking Lot Landscaping Matrix,~~
30 ~~Figure B of Section 656.607(j), the requirements of this section~~
31 ~~shall be relaxed to the extent necessary to comply with the Parking~~

1 ~~Lot Landscaping Matrix.~~

2 (1) For the uses of professional and business offices,
3 including medical and dental office or clinics; and business,
4 commercial or personal service establishments, all ~~All~~ VUA's which
5 are not entirely screened by an intervening building from any
6 abutting dedicated public street or approved private street, to the
7 extent such areas are not so screened, shall contain the following:

8 (i) Infill Projects with less than 25 required
9 spaces: an average 5 foot deep landscape strip.

10 (ii) Non-Infill Projects with less than 25 required
11 spaces: an average 8 foot deep landscape strip.

12 (iii) Any project with greater than 25 but less than
13 501 required spaces: an average 10 foot deep landscape strip.

14 (iv) Any project with over 500 required spaces: an
15 average 15 foot deep landscape strip.

16 For purposes of this VUA perimeter landscape strip depth
17 requirement, "infill" means an area or areas that either: are
18 located within the Urban priority Area, as set forth in the then
19 current Comprehensive Plan; meet the definition of "Urban Infill"
20 as defined in the Comprehensive Plan; or, the area includes or is
21 adjacent to community redevelopment areas, brownfields, enterprise
22 zones, or Main Street programs, or have been designated by the
23 state or Federal Government as an urban redevelopment,
24 revitalization, or infill area under empowerment zone, enterprise
25 community, or brownfield showcase community programs or similar
26 programs.

27 ~~(12) Except for those uses described in Sections~~
28 ~~656.604(e)(1) and 656.604(f)(1), a~~ For uses other than
29 professional and business offices, including medical and dental
30 office or clinics; and business, commercial or personal service
31 establishments, a landscaped area shall be provided of not less

1 than ten square feet for each linear foot of VUA street frontage,
2 50 percent of which shall be at least a five-foot wide strip
3 abutting the street right-of-way except for driveways. ~~For those~~
4 ~~uses described in Sections 656.604(c)(1) and 656.604(f)(1), the~~
5 ~~landscape area is determined by the total number of parking spaces~~
6 ~~provided and the parking rate. All perimeter landscaping shall~~
7 ~~conform to Section 656.607(j), Parking Lot Landscaping Matrix,~~
8 ~~Figure B. Landscaped area calculations shall be met exclusive of~~
9 ~~any driveway width.~~ The remaining required landscape area shall be
10 located within 30 feet of the street right-of-way;

11 (23) A durable opaque landscape screen along at least 75
12 percent of the street frontage excluding driveways. Shrubs, walls,
13 fences, earth mounds and preserved existing understory vegetation,
14 or combination thereof, may be used so long as the screen is no
15 less than three feet high measured from the property line grade two
16 years after installation. Shrubs and preserved existing understory
17 vegetation shall be evergreen, shall be initially a minimum of 18
18 inches in height and spaced so that 85 percent opacity is achieved
19 within two years. Shrubs located within three feet of a directional
20 sign as defined in Section 656.1302(e) are not required to meet the
21 minimum height requirements of this subsection. Walls or fences
22 shall be no more than four feet in height and of wood, brick or
23 masonry at least 85 percent opaque. Earth mounds shall not exceed a
24 slope of three to one. No less than 25 percent of street side
25 frontage of walls or fences shall be landscaped with shrubs or
26 vines;

27 (34) No less than one tree, located within 25 feet of
28 the street right-of-way, for each 50 linear feet, or fraction
29 thereof, of VUA street frontage. The trees may be clustered, but
30 shall be no more than 75 feet apart. At least 50 percent of the
31 trees shall be shade trees. If an overhead power line abuts the

1 street frontage, then the required trees reaching a mature height
2 greater than 25 feet shall be located at least 20 feet away from
3 the power line;

4 (45) The remainder of the landscape area shall be
5 landscaped with trees, shrubs, groundcovers, grass, or mulch,
6 except that mulch shall not exceed 25 percent of the total
7 landscape area;

8 (56) Landscape areas required by this Section shall not
9 be used to satisfy the VUA interior landscape requirements.
10 However, the gross area of the VUA perimeter landscaping which
11 exceeds the minimum requirements may be used to satisfy the VUA
12 interior landscape requirements of Sec. 656.1214;

13 (67) If a railroad or utility right-of-way separates the
14 VUA from the public street or approved private street, the
15 perimeter landscaping requirements of this Section shall still
16 apply.

17 (b) VUA perimeter ~~Perimeter~~ landscaping required adjacent to
18 complementary abutting properties: For those uses described in
19 Sections 656.604(e)(1) and 656.604(f)(1), all perimeter landscaping
20 shall also satisfy the requirements set forth in the Parking Lot
21 Landscaping Matrix, Figure B, set forth in Section 656.607(j). In
22 the event the landscaping required under this section exceeds the
23 requirements set forth in the Parking Lot Landscaping Matrix,
24 Figure B of Section 656.607(j), the requirements of this section
25 shall be relaxed to the extent necessary to comply with the Parking
26 Lot Landscaping Matrix.

27 (1) For the uses of professional and business offices,
28 including medical and dental office or clinics; and business,
29 commercial or personal service establishments, all VUA's which are
30 not entirely screened by an intervening building from any adjacent
31 property, to the extent such areas are not so screened, shall

1 contain the following:

2 (i) Infill projects with less than 25 required
3 spaces: no landscape strip is required;

4 (ii) Non-Infill projects with less than 25 required
5 spaces: a 5 foot deep landscape strip

6 (iii) Any project with more than 25 required spaces
7 and less than 501 required spaces: a 5 foot deep landscape strip.

8 (iv) Any project with over 500 required spaces: a
9 10 foot deep landscape strip.

10 (2) For uses other than professional and business
11 offices, including medical and dental office or clinics; and
12 business, commercial or personal service establishments, all ~~All~~
13 ~~vehicular~~ areas VUAs which are not entirely screened by an
14 intervening building from an abutting property, to the extent such
15 areas are not screened, shall contain the following:

16 (1i) A continuous landscape area at least five feet
17 wide between the VUA's and the abutting property, landscaped
18 with shrubs, groundcovers, preserved existing vegetation,
19 mulch and grass.

20 (2ii) No less than one tree, located within 25 feet
21 of the outside edge of the VUA, for every 50 linear feet, or
22 fraction thereof, of the distance the VUA abuts the adjacent
23 property. Trees may be clustered but shall be no more than 75
24 feet apart. At least one-half of the required number of trees
25 shall be shade trees.

26 ~~(3) A buffer wall between incompatible land uses as~~
27 ~~required by Section 656.1216, if applicable.~~

28 (4iii) If an alley separates the VUA from the
29 abutting property, the perimeter landscaping requirements
30 shall still apply.

31 (e3) Existing landscape screen: If an existing landscape

1 screen has been established on abutting property, then it may be
2 used to satisfy the requirements of this Section, so long as the
3 existing landscape screen is abutting the common property line, and
4 it meets all applicable standards of this Subpart.

5 ~~(d) Driveways to streets: The maximum width of any driveway~~
6 ~~not containing a landscaped island through the perimeter landscape~~
7 ~~area shall be 36 feet. The maximum width of any driveway containing~~
8 ~~a landscaped island through the perimeter landscape area shall be~~
9 ~~48 feet and the driveway shall contain a landscaped island which~~
10 ~~measures not less than eight feet in width (from back of curb to~~
11 ~~back of curb) and 18 feet in length, surrounded by a six inch~~
12 ~~continuous raised curb, or other alternative approved by the Chief.~~
13 ~~The maximum combined width of all driveways through the perimeter~~
14 ~~landscape area shall be no more than 48 feet for properties with~~
15 ~~100 feet or less of street frontage. For properties with more than~~
16 ~~100 feet of street frontage, an additional one foot of driveway~~
17 ~~through the perimeter landscape area may be constructed for each~~
18 ~~four feet of street frontage in excess of 100 feet. In no event~~
19 ~~shall more than 50 percent of any street frontage be paved, nor~~
20 ~~shall the provisions of this Section be applied to reduce the~~
21 ~~permitted driveway width to less than 24 feet.~~

22 ~~(e) Driveways to adjoining lots: Driveways may be permitted~~
23 ~~by the Chief to adjoining lots of compatible use. The maximum~~
24 ~~number of driveways which may be allowed shall be determined by~~
25 ~~first calculating the total length of the VUA perimeter adjacent to~~
26 ~~property lines of compatible use, less the portion of the VUA~~
27 ~~separated from the common property line by a building and less the~~
28 ~~portion of the perimeter VUA separated from the compatible use by a~~
29 ~~jurisdictional wetland or waterbody and then applying the following~~
30 ~~criteria:~~

Net Length	of Maximum Number
------------	-------------------

Perimeter VUA	of Driveways
50-149 feet	2
150-299 feet	3
300-599 feet	4
For each additional 500 feet	1 additional driveway

1 -
2 The maximum width of any driveway to an adjacent lot shall be 24
3 feet. The area of the continuous five feet wide perimeter landscape
4 strip normally required where each driveway occurs shall be
5 incorporated into the required perimeter landscape area to each
6 side of the driveway.

7 (f) If a joint driveway easement is provided between adjacent
8 property, then the required perimeter landscaping for each property
9 shall be provided between the drive and any other vehicular use
10 areas. That portion of the drive on each property shall be counted
11 as part of the VUA of each property.

12 **~~Sec. 656.1216. - Buffer standards relating to uncomplimentary land~~**
13 **~~uses and zoning.~~**

14 (c) VUA perimeter landscaping required adjacent to
15 uncomplimentary properties.

16 (a1) Where uncomplimentary land uses or zoning
17 districts, as defined below, are adjacent to a VUA, without an
18 intervening street50 foot, or wider, right-of-way, a buffer
19 landscape strip shall be required along the perimeter of the VUA
20 between the VUA and the common boundaries of the uses or zoning
21 districts. Such landscape strip for the uses of professional and
22 business offices, including medical and dental office or clinics;
23 and business, commercial or personal service establishments, shall
24 be as follows:

1 (i) Infill projects with less than 25 required
2 spaces: a 5 foot deep landscape strip.

3 (ii) Non-Infill projects with less than 25 required
4 spaces: a 10 foot deep landscape strip.

5 (iii) Any project with greater than 25, but less
6 than 500 required spaces: a 10 foot deep landscape strip.

7 (iv) Any project with over 500 required spaces: a
8 15 foot deep landscape strip.

9 (2) Such ~~buffer~~ landscape strip for uses other than
10 professional and business offices, including medical and dental
11 office or clinics; and business, commercial or personal service
12 establishments, shall be at least ten (10) feet in depth, ~~except as~~
13 ~~set forth in the Parking Lot Landscaping Matrix, Figure B, set~~
14 ~~forth in Section 656.607(j), in width the entire length of all such~~
15 ~~common boundaries.~~

16 (3) The following shall constitute uncomplementary uses
17 and zoning districts:

18 (1i) Multiple-family dwelling use or zoning
19 districts (three or more attached units) when adjacent to
20 single-family dwelling(s) or lands zoned for single-family
21 dwellings.

22 (2ii) Office use or zoning districts, when adjacent
23 to single-family or multiple-family dwellings, mobile home
24 parks or subdivisions or lands zoned for single-family or
25 multiple-family dwellings, mobile home parks or subdivisions.

26 (3iii) Mobile home park use or zoning districts,
27 when adjacent to single-family dwellings, multiple-family
28 dwellings and office uses, or lands zoned for single-family
29 dwellings, multiple-family dwellings or offices.

30 (4iv) Commercial and institutional uses or zoning
31 districts, when adjacent to single-family dwellings, multiple-

1 family dwellings or mobile home parks or mobile home
2 subdivision uses or lands zoned for single-family dwellings,
3 multiple-family dwellings or mobile home parks or mobile home
4 subdivision.

5 (~~5~~v) Industrial uses or zoning districts, when
6 adjacent to any nonindustrial uses or zoning districts other
7 than agricultural land uses or zoning districts.

8 (~~6~~vi) Utility sites such as transmission or relay
9 towers, pumping stations, electrical sub-stations, telephone
10 equipment huts or other similar uses when adjacent to single-
11 family dwellings, multiple-family dwellings, mobile homes,
12 offices, institutional uses or zoning districts or adjacent to
13 public or approved private streets.

14 (~~7~~vii) On property zoned for government use, the
15 proposed government use most similar to the land uses or
16 zoning districts specified above shall determine the buffer
17 standards.

18 (~~b~~d) ~~Buffer~~ Landscape strip material requirements shall be as
19 follows:

20 (1) *Tree count.* The total tree count required within the
21 ~~buffer~~ landscape strip shall be determined by using a ratio of
22 one tree for each 25 linear feet of required ~~buffer~~ landscape
23 strip, or majority portion thereof, with a minimum of 50
24 percent of the trees being shade trees. Trees shall be spaced
25 so as to allow mature growth of the trees, but spaced no
26 greater than 40 feet on center.

27 (2) *Ground cover.* Grass or other ground cover shall be
28 planted on all areas of the ~~buffer~~ landscape strip required by
29 this Section which are not occupied by other landscape
30 material.

31 (3) ~~Visual~~ Landscape screen. A visual screen running the

1 entire length of common boundaries shall be installed within
2 the ~~buffer~~ landscape strip, except at permitted access ways.
3 The visual screen may be a wood, wood composite, or masonry
4 wall, PVC fence, landscaping, earth mounds or combination
5 thereof so long as such strips shall provide at the time of
6 installation a minimum of 85 percent opacity for that area
7 between the finished grade level at the common boundary line
8 and six feet above such level and horizontally along the
9 length of all common boundaries. Plants or preserved
10 vegetation shall be evergreen, a minimum of five feet tall at
11 the time of installation, and spaced so that 85 percent
12 opacity is achieved within two years. Earth mounds shall not
13 exceed a slope of three to one. If a visual screen, which
14 satisfies all applicable standards, exists on adjacent
15 property abutting the property line or exists between the
16 proposed development on the site and the common property line,
17 then it may be used to satisfy the visual screen requirements.
18 Except for industrial uses or ones, whenever a preserve area
19 or water body at least 100 feet wide when measured
20 perpendicular to the property line separates the
21 uncomplementary uses, then the ~~visual~~ landscape screen height
22 requirement shall be reduced to three feet and the buffer
23 strip width shall be reduced to five feet, when measured from
24 the top of the lake bank or the jurisdictional wetland edge.
25 If a plant material is used for the ~~visual~~ landscape screen,
26 it shall be a minimum height of 24 inches at the time of
27 installation.

28 (4) *Prevailing requirement.* Whenever parcels of land
29 fall subject to both the perimeter landscaping requirements
30 and the uncomplementary land use ~~buffer~~ landscape strip
31 requirements, the more stringent ~~of the article, the latter~~

1 requirements shall prevail.

2 (5) *Hardship*. If the Chief determines that the
3 construction of a landscape buffer area required by this
4 article would create a hardship for the existing structures or
5 ~~vehicular use areas~~ VUAs, the Chief may approve a ~~buffer~~
6 landscape area with a width no less than five feet, provided
7 such ~~buffer~~ landscape area meets the visual screening
8 requirements of this article.

9 (ee) The ~~buffer~~ landscape strip shall not be used for
10 principle or accessory uses and structures, ~~vehicular use areas~~
11 VUAs, dumpster pads, signs, equipment, storage. Slopes within
12 ~~buffer~~ landscape strips shall not exceed four to one.

13 (ef) If a water body exists along the common property line
14 between uncomplementary uses which is less than 100 feet wide when
15 measured perpendicular to the property line then the buffer strip
16 shall be established between the use and the water body. Preserve
17 areas may be used as buffer strips, so long as the tree and visual
18 screen requirements can be satisfied.

19 (g) Existing landscape screen: If an existing landscape
20 screen has been established on abutting property, then it may be
21 used to satisfy the requirements of this Section, so long as the
22 existing landscape screen is abutting the common property line, and
23 it meets all applicable standards of this Subpart.

24 **Section 656.1216 - Buffer standards relating to adjacent uses.**

25 Buffers and landscaping between adjacent uses ("Adjacent Use
26 Buffer") shall be provided according to the Buffer Type as noted on
27 the Buffer Table shown below in **Table 1216**. Adjacent Use Buffers
28 are separate requirements from the VUA perimeter landscape strips,
29 but may be co-extensive with the VUA perimeter landscape strips,
30 and may be used to satisfy both the VUA perimeter landscaping
31 requirement and this Adjacent Use Buffer requirement if located in

1 a co-extensive area. The more stringent requirements shall apply.
2 Likewise, if other provisions of the Ordinance Code prescribe a
3 buffer between uses, the more stringent requirement shall apply.

4 In Table 1216, the "Proposed use/zoning" is listed on the
5 vertical, left-hand column of the Table. The existing use, or
6 current zoning if vacant, is listed on the horizontal, top row of
7 the Table. If the existing use is nonconforming, then the property
8 shall be deemed vacant and buffered accordingly. Notwithstanding,
9 if the adjacent property is developed solely with a nonconforming
10 residential use, the Adjacent Use Buffer requirement shall be
11 determined based on the residential use. Adjacent Use Buffer areas
12 may not be located on any portion of an existing or dedicated
13 street right-of-way or roadway easement.

14 If the Proposed use/zoning is more intense than the use to
15 which it will be adjacent, the Buffer Type required is shown on the
16 "bottom half" of the Table below the dark shaded boxes that create
17 a diagonal "line" from the top left-hand corner of the Table
18 extending to the bottom right-hand corner of the Table. In the
19 case of an existing use expansion that is more intense than the
20 adjacent use, where no Buffer currently exists, the existing use
21 may place the fence or wall on the property line.

22 If the Proposed use/zoning is less intense than the use to
23 which it will be adjacent, the Adjacent Use Buffer Type required is
24 shown on the "top half" of the Table. In this case, a ½ will
25 appear immediately preceding the designated Adjacent Use Buffer
26 Type, if any, which reduces the Adjacent Use Buffer requirement as
27 indicated below. Additionally, there is no buffer required if the
28 adjacent, more intense property is already developed with a use
29 conforming to its zoning district. The fence or wall may be
30 reversed and located on the property line.

Buffer Table

	Rural/Other			Single Family					Multi-Family			Office/Commercial				Industrial			Public	
Abutting existing use, or zoning if vacant →	(3) Conservation CSV	Recreation ROS	Agriculture AGR	1 acre lot or greater RR-acre	14,000 sqft to 1 acre lot RLD 120, 100A, 100B	8,800 to 13,999 sqft lot RLD 80, 90	6,000 to 8,799 sqft lot RLD 60, 70	4,000 to 5,999 sqft lot RLD 40, 50	Mobile home RMD MH	Medium density residential RMD A, B, C, D	High density residential RHD A, B	Office RO, CRO, CO	Neighborhood retail CN	General commercial CCG 1	Intense commercial CCG 2	Industrial Business Park IBP	Light Industrial IL	Heavy Industrial IH, IW	Public building facilities PBF 1, 2, 3	Utility
Proposed use/zoning ↓																				
Rural/Other	Conservation ⁽³⁾	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none
	CSV	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none	none
	Recreation ROS	none	none	none	none	none	none	none	½A	½A	½A	½B	½B	½B	½B	½D	½C	½D	½D	½D
	Agriculture AGR	none	none	none	none	none	none	none	½B	½C	½C	½B	½B	½C	½D	½D	½D	½D	½D	½D
Single Family	1 acre lot or greater RR-acre	none	none ⁽²⁾	none	none	none	none	none	½C	½C	½C	½B	½C	½C	½D	½D	½D	½E	½D	½D
	14,000 sqft to 1 acre lot RLD 120, 100A, 100B	none	none ⁽²⁾	none	none	none	none	none	½C	½C	½C	½B	½C	½C	½D	½D	½D	½E	½D	½D
	8,800 to 13,999 sqft lot RLD 80, 90	none	none	A	A	A	none	none	½C	½C	½C	½B	½C	½C	½C	½D	½D	½E	½D	½D
	6,000 to 8,799 sqft lot RLD 60, 70	none	none ⁽²⁾	A	B	B	A	none	½C	½C	½C	½B	½C	½C	½D	½D	½D	½E	½D	½D
	4,000 to 5,999 sqft lot RLD 40, 50	none	none ⁽²⁾	B	C	C	B	A	none	½C	½C	½C	½B	½C	½C	½D	½D	½E	½D	½D
Multi-Family	Mobile home RMD MH	none	A	B	C ⁽⁴⁾	C ⁽⁴⁾	C ⁽⁴⁾	C ⁽⁴⁾	none	½D	½C	½B	½B	½C	½D	½D	½D	½E	½D	½D
	Medium density res. ⁽¹⁾ RMD A, B, C, D	none	A	C	C	C	C	C	C ⁽⁵⁾	none	½C	½A	½A	½C	½D	½D	½D	½E	½D	½D
	High density residential ⁽³⁾ RHD A, B	none	A	C	C	C	C	C	C ⁽⁵⁾	C ⁽⁵⁾	none	½A	½A	½C	½D	½D	½D	½E	½D	½D
Office/Commercial	Office RO, CRO, CO	none	B	B	B	B	B	B	B	A	A	none	none	½A	½B	½B	½D	½D	½D	½D
	Neighborhood retail ⁽¹⁾ CN	none	B	B	C	C	C	C	B	A	A	none	none	½A	½A	½B	½D	½C	½D	½D
	General commercial CCG 1	none	B	C	C	C	C	C	C	C	C	A	A	none	none	½B	½B	½C	½B	½B
	Intense commercial CCG 2	none	B	D	D ⁽⁴⁾	D ⁽⁴⁾	D ⁽⁴⁾	D ⁽⁴⁾	D ⁽⁴⁾	D	D	B	A	none	none	½B	½B	½C	½B	½B
Industrial	Industrial Business Park ⁽³⁾ IBP	none	D	D	D	D	D	D	D	D	D	B	B	B	B	none	½B	½C	½B	½B
	Light Industrial IL	none	C	D	D	D	D	D	D	D	D	D	D	B	B	B	none	PF ⁽⁶⁾	½B	½B
	Heavy Industrial IH, IW	none	D	D	E	E	E	E	E	E	E	D	C	C	C	C	PF ⁽⁶⁾	none	½B	½B
Public	Public building facilities PBF 1, 2, 3	none	D	D	D	D	D	D	D	D	D	D	D	B	B	B	B	B	B	B
	Utility	none	D	D	D	D	D	D	D	D	D	D	D	B	B	B	B	B	B	B

Table 1216

There are 5 Adjacent Use Buffer Types ("Buffer Types"), designated according to the letter A, B, C, D, or E. The Buffer Types are graphically shown in **Figures 1216-A through 1216-E**. The following screening standards are per 100 feet of length of VUA, or fraction thereof, per Buffer Type:

(a) Adjacent Use Buffer Type A:

(1) 15 feet in depth, 5 Medium Evergreen trees and 18 large scale 5 gallon shrubs; or

(2) 10 feet in depth, 5 Medium Evergreen trees, 6 large

1 scale 5 gallon shrubs, and a 6 foot height privacy fence; or

2 (3) 10 feet in depth, 4 Medium Evergreen trees, and a 6
3 foot height finished masonry wall.

4 (4) A "½" designation requires only ½ of the Buffer
5 width, and no trees. Shrubs are still required.

6 (b) Adjacent Use Buffer Type B:

7 (1) 20 feet in depth, 2 large trees, 6 Medium Evergreen
8 trees and 30 large scale 7 gallon shrubs; or

9 (2) 15 foot in depth, 5 Medium Evergreen trees, 11 large
10 scale 3 gallon shrubs, and a 6 foot height privacy fence; or

11 (3) 15 feet in depth, 4 Medium Evergreen trees, and a 6
12 foot height finished masonry wall.

13 (4) A "½" designation requires only ½ of the Buffer
14 width, and no trees. Shrubs are still required.

15 (c) Adjacent Use Buffer Type C:

16 (1) 25 feet in depth, 3 Large trees, 5 Medium Evergreen
17 trees, and 30 large scale 7 gallon shrubs; or

18 (2) 20 feet in depth, 3 Large trees, 5 Medium Evergreen
19 trees and 11 large scale 3 gallon shrubs, and a 6 foot height
20 privacy fence; or

21 (3) 20 feet in depth, 2 Large trees, 4 Medium evergreen
22 trees, and a 6 foot height finished masonry wall.

23 (4) A "½" designation requires only ½ of the trees and ½
24 of the shrubs, and the fence or wall, if that option is selected,
25 may be on the property line.

26 (d) Adjacent use Buffer Type D:

27 (1) 30 feet in depth, 4 Large trees, 5 Medium Evergreen
28 trees, and 30 large scale shrubs; or

29 (2) 25 feet in depth, 4 Large trees, 5 Medium Evergreen
30 trees, and a 6 foot height privacy fence or wall.

31 (3) A "½" designation requires only ½ of the trees and ½

1 of the shrubs, and the fence or wall, if that option is selected,
2 may be on the property line.

3 (e) Adjacent Use Buffer Type E: 30 feet in depth, 3 Large
4 trees, 7 Medium Evergreen trees, 18 large scale 7 gallon shrubs,
5 and an 8 foot height finished masonry wall. A "½" designation
6 requires only ½ of the trees and ½ of the shrubs, and the fence or
7 wall may be on the property line.

8
9

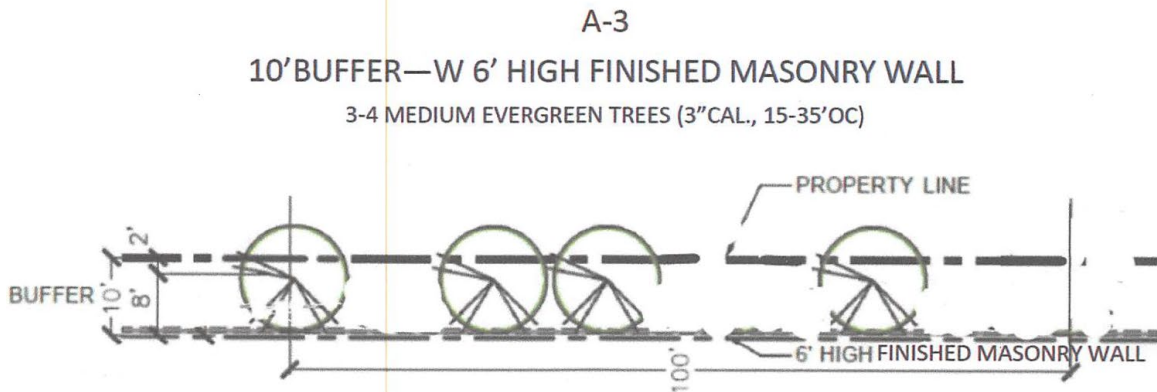
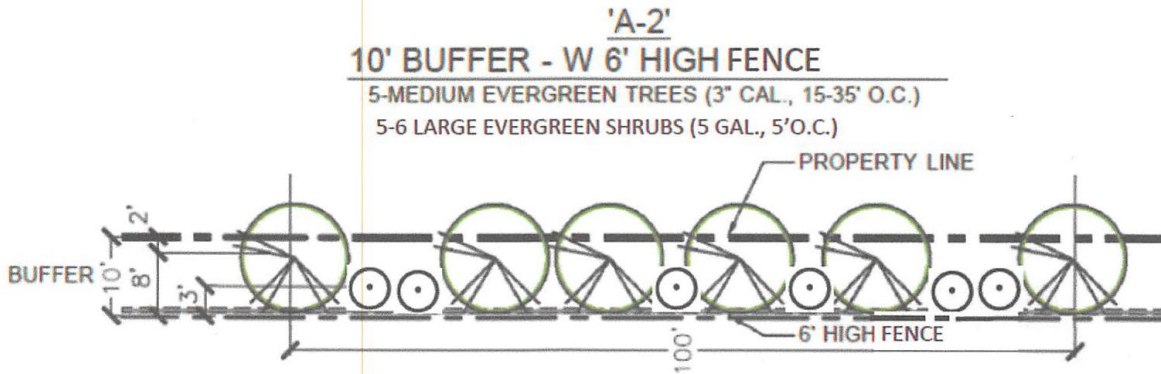
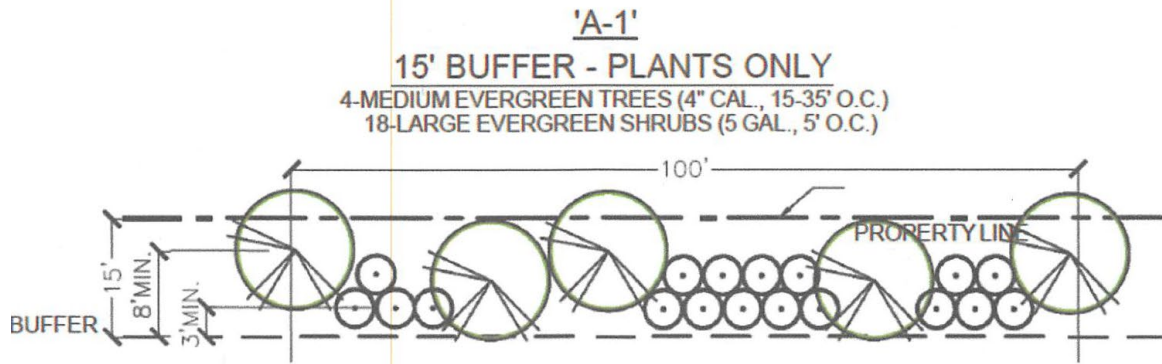


FIGURE 1216-A

1
2

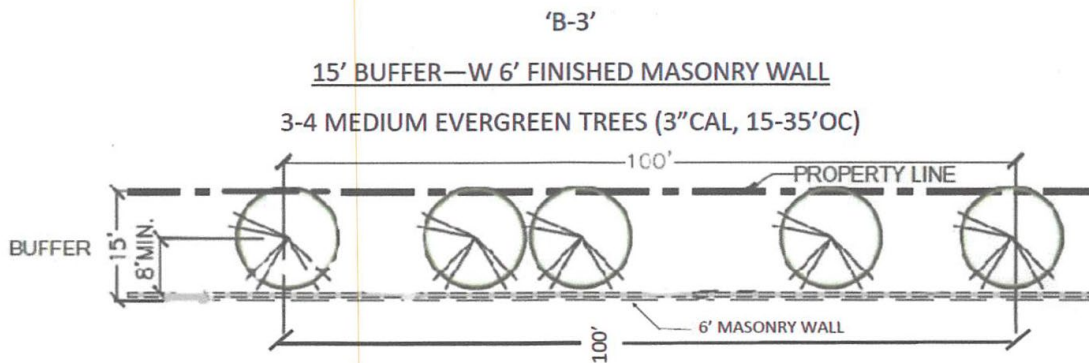
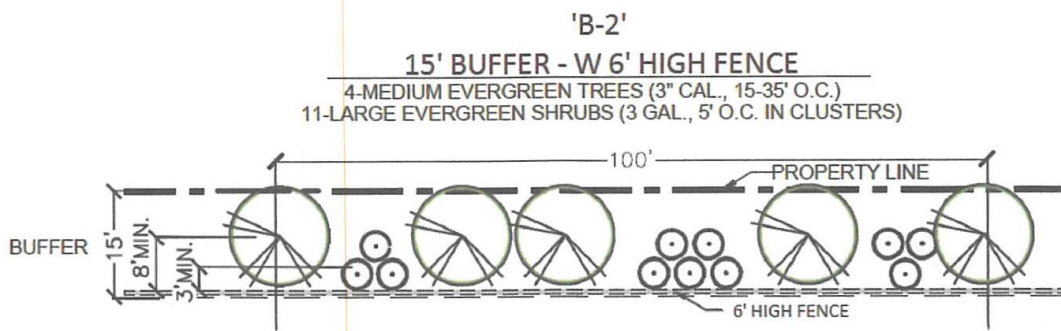
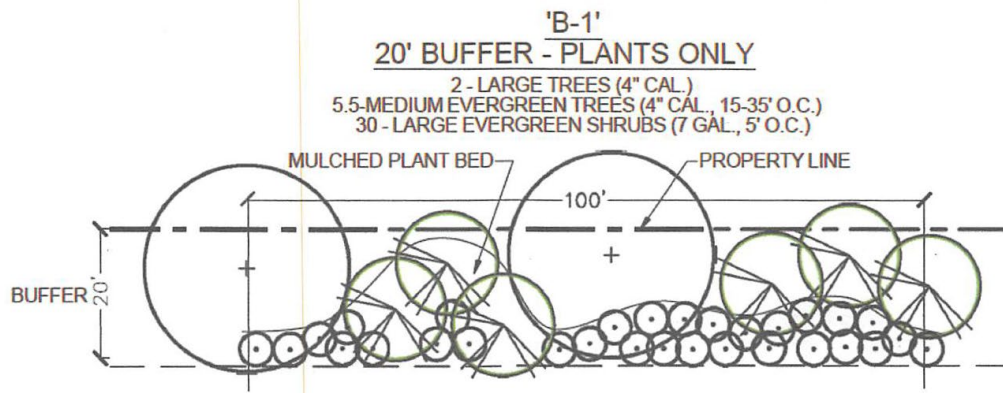


FIGURE 1216 - B

1
2
3
4

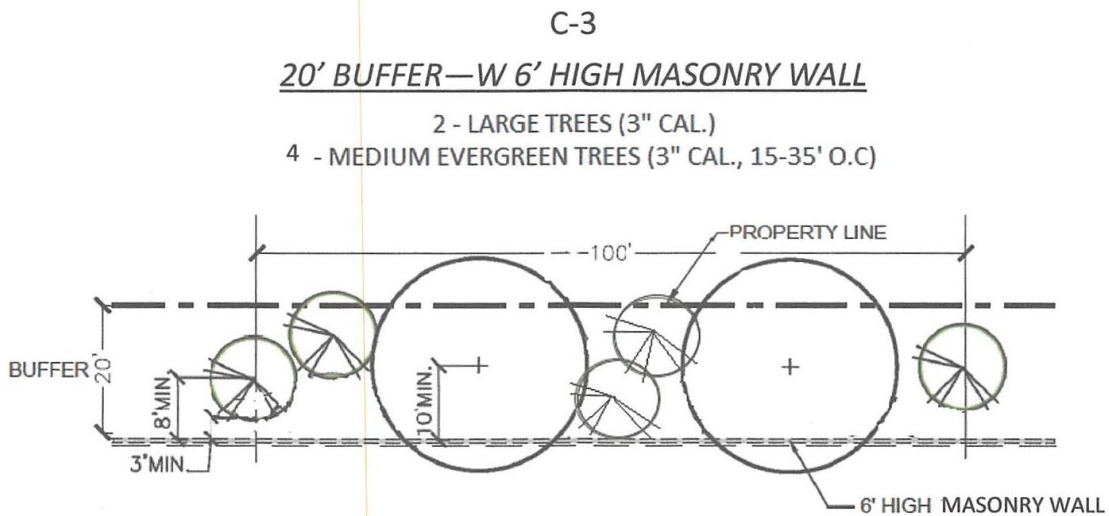
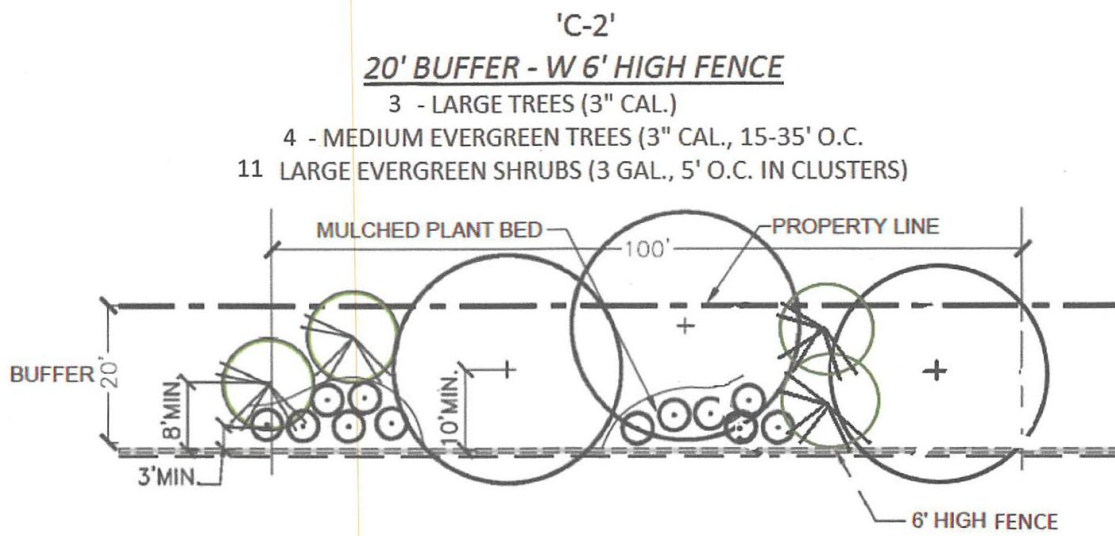
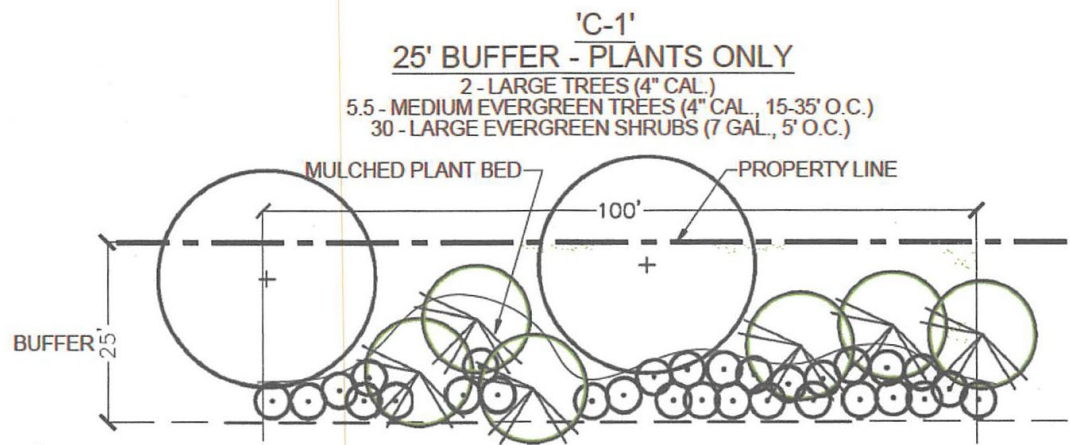
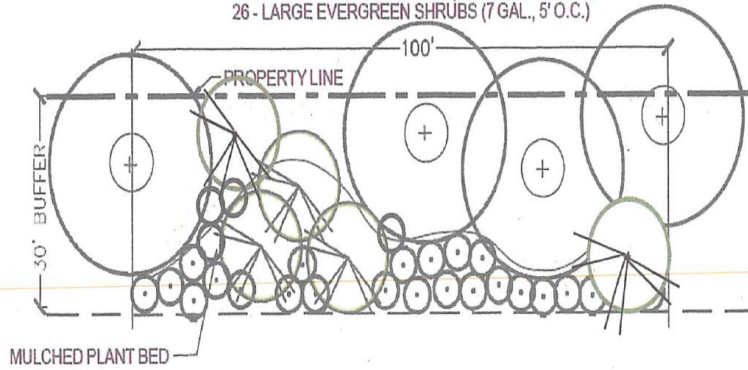


FIGURE 1216 - C

1
2
3

D-1
30' BUFFER - PLANTS ONLY

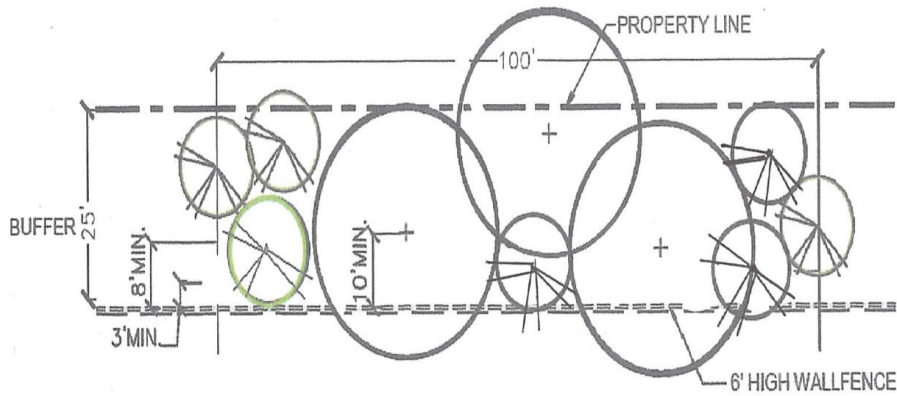
- 3 - LARGE TREES (4" CAL.)
- 5 MEDIUM EVERGREEN TREES (4" CAL., 15-35' O.C.)
- 26 - LARGE EVERGREEN SHRUBS (7 GAL., 5' O.C.)



D-2

25' BUFFER W 6' HIGH WALLFENCE

- 3 - LARGE TREES (3" CAL.)
- 6 MEDIUM EVERGREEN TREES (3" CAL., 15-35' O.C.)



1
2
3

FIGURE 1216 - D

E

30' BUFFER – 8' FINISHED MASONRY WALL REQUIRED

3- LARGE TREES (4" CAL.)

6-7 MEDIUM EVERGREEN TREES (4" CAL., 15-35'O.C.)

18 – LARGE EVERGREEN SHRUBS (7GAL., 5' O.C.)

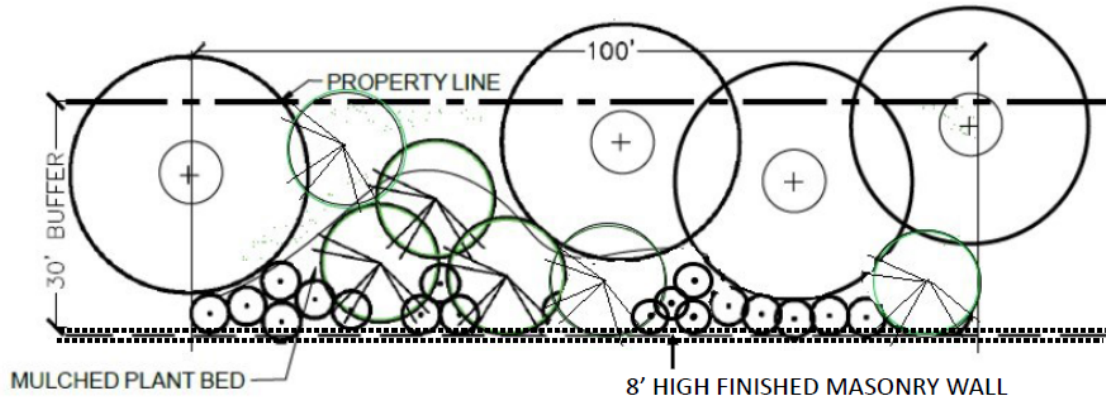


FIGURE 1216 - E

(f) The following additional parameters apply, and are shown as their numerical designation on Table 1216. For example, the number "(1)" is shown on the column next to "Medium density residential (RMD-A, B, C, D)," "High density residential (RHD-A,B)," "Neighborhood retail (CN)," and "Industrial Business Park (IBP)." This indicates that the parameter stated in number (1), below, applies to these zoning districts, and no others. Thus, where a number is indicated on Table 1216 next to a Proposed use/zoning, it pertains to the following:

(1) "(1)" If the building height is limited to thirty-five feet, then RLD 40-50 Adjacent Use Buffers may be used.

(2) "(2)" Single family residential locating adjacent to a recreational use will require the single family use to provide a 4 foot height fence.

(3) "(3)" The following list of conservation sites are to be treated as AGR from a buffering standpoint:

Castaway Island Preserve

- 1 Dutton Island Preserve (expansion)
- 2 Huguenot Memorial Park
- 3 Little Talbot State Park
- 4 Big Talbot State Park
- 5 Timucuan Ecological and Historic Preserve (NPS)
- 6 Timucuan Ecological and Historic Preserve (NFLT)]
- 7 Timucuan Ecological and Historic Preserve (JaxPort)
- 8 Timucuan Ecological and Historic Preserve (COJ)
- 9 Cedar Point Preserve (COJ)
- 10 Cedar Point Preserve (NPS)]
- 11 Pumpkin Hill State Buffer Park (FLA)
- 12 Betz-Tiger Point Preserve
- 13 Seaton Creek Preserve (COJ)
- 14 Thomas Creek Preserve (SJRWMD)
- 15 Thomas Creek Preserve (COJ)
- 16 Baldwin Rail Trail (COJ)
- 17 Otis Road Trailhead and adjacent property (COJ)
- 18 Cary State Forest (DOF)
- 19 Camp Milton Historic Preserve (COJ)
- 20 Camp Milton Historic Preserve reenactment grounds
- 21 Bulls Bay Preserve
- 22 Cecil Conservation Corridor
- 23 Sal Taylor Creek Preserve
- 24 McGirts Creek Park and Preserve
- 25 Julington Durbin Preserve
- 26 Tillie Fowler Regional Park
- 27 Pablo Creek Preserve (private ownership)
- 28 UNF Preserve
- 29 Jacksonville Arboretum
- 30 Tree Hill Nature Preserve

31 (4) "(4)" A privacy fence/wall is required.

1 (5) "(5)" CEPTD design is allowed.

2 (6) "(6)" A perimeter fence is required.

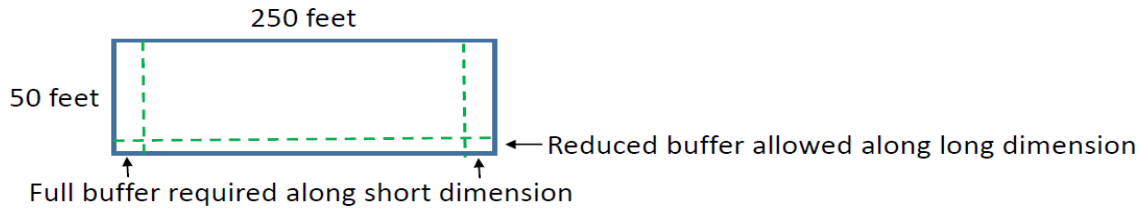
3 (g) Relaxation of Adjacent Use Buffers. If the proposed
4 development meets the definition of "Infill Project" in Section
5 656.1203 (Definitions), then a relaxation to one-half (1/2) of the
6 Adjacent Use Buffer requirements may be applied by the Director.
7 Reduction of the Buffer depth by one-half will require the
8 landscape screen in the Buffer Type that is commensurate with the
9 Buffer depth. However, if the relaxation of the Adjacent Use
10 Buffer creates a less stringent requirement than the VUA perimeter
11 requirement, then the VUA perimeter landscaping requirement shall
12 apply. Additionally, buildings must be at least twenty-five (25)
13 feet away from the property line. The following are circumstances
14 in which the Adjacent Use Buffer may be reduced by ½:

15 (1) If the project site has been vacant for at least the
16 last 12 months, then based on Table 1216, the Adjacent Use Buffer
17 depth may be reduced to one-half (1/2) , but in no event shall the
18 Buffer depth be less than 10 feet;

19 (2) If the project is a redevelopment pursuant to the
20 definition of Infill Project, then the Adjacent Use Buffer may be
21 reduced to one-half (1/2) of the Buffer requirement, but must
22 provide a minimum of the A-2 Buffer Type; or

23 (3) If the development site is configured such that it
24 is long and narrow with one dimension less than 60 feet and a
25 perpendicular dimension 250 feet in length or greater (but still
26 less than 2 acres in size), then in recognition that providing the
27 full depth of the required Adjacent Use Buffer along the long
28 dimension of the developable site would severely constrain
29 redevelopment, the Director may allow reduction of the required
30 Adjacent Use Buffer along the property line(s) greater than 250
31 feet in length to not less 10 feet in depth with a fence and shrubs

1 required. The full depth Adjacent Use Buffer shall be provided
2 along the short dimension property line(s). See Figure 1216-A,
3 below.



4
5 **Figure 1216-F**

6
7 (h) The following are **exemptions** from the Adjacent Use Buffer
8 requirements.

9 (1) Bona fide agricultural operations.

10 (2) Land within the boundaries of an airport.

11 (3) Construction of an addition to an existing building,
12 or construction of an ancillary building, that:

13 (i) is no closer to the adjacent lot than 50 feet;

14 (ii) is cumulatively less than 50% footprint
15 increase; or

16 (iii) requires construction of less than 5 parking
17 spaces total.

18 (4) Unlighted sports fields enclosed by a fence, golf
19 courses, cemeteries, turf parking areas.

20 (5) Private recreational facilities constructed for use
21 by the residents of a development when the facility is located in
22 the interior of the development.

23 (6) Property which is separated from the adjacent
24 property by a retention or other surface waterbody, greenbelt,
25 drainage facility, or combination thereof, that would create a
26 buffer of 100 feet or more in depth.

1 (7) Buildings and structures lawfully existing as of
2 June 1, 2019, may be modernized, altered, or repaired without
3 providing or modifying landscaping and buffers in conformance with
4 this Part, provided there is no increase in the footprint of such
5 building or structure or impervious area on the site greater than
6 50%.

7 (8) Single family detached, or two family attached
8 dwellings on a single lot or parcel. However, if part of a
9 residential subdivision, landscaping requirements for the lots
10 still apply. For residential subdivisions of 3 or more lots, the
11 buffer and screening requirements shall apply along the exterior of
12 the subdivision.

13 (9) Whenever application of the strict requirements of
14 this section to the renovation, restoration, reuse, or
15 rehabilitation of property developed prior to June 1, 2019 will
16 result in the loss of other site improvements required by this
17 Code, the Director or designee may approve a site specific buffer
18 plan which best meets the purpose and intent of these buffer
19 requirements.

20 (i) Standards for Adjacent Use Buffers, screening and
21 landscaping.

22 (1) Walls or fences shall be not less than 6 feet in
23 height as measured from the finished grade of the project site, not
24 from the bottom of a rear swale.

25 (2) All trees and shrubs must be placed on the exterior
26 side of the wall as related to the new development, except as
27 stated herein.

28 (3) All Adjacent Use Buffer areas shall be owned and
29 maintained as common area by an HOA or similar, not individual
30 single family residential lot owners. The separate parcel
31 indicating the depth and ownership of the Buffer must be shown on

1 the plat or provided to the City through a conservation easement,
2 however the City shall not be required to maintain said easement.

3 (4) Walls must be constructed to ensure that historic
4 water flow patterns are accommodated and all stormwater from the
5 site is directed to on-site detention/retention areas in accordance
6 with the SJRWMD requirements.

7 (5) Berms or Earth mounds may be used instead of fences
8 or walls, but they shall not exceed a slope of three to one, and
9 must still reach the height of 6 feet and be approved by the
10 Director.

11 (6) Fences may be constructed of wood, vinyl or plastic.

12 (7) Use of Adjacent Use Buffer areas. Required buffers
13 may be used for recreation and count toward required active
14 recreation space if uses such as pedestrian, bike or equestrian
15 trails are included, provided that:

16 (i) no required trees or shrubs are eliminated;

17 (ii) not more than 20% of the width of the Buffer
18 is impervious surface;

19 (iii) The Buffer width is increased to a minimum of
20 20 feet and there is a minimum 15 foot wide landscape Adjacent Use
21 Buffer and screen on the outside of the path(closest to the
22 adjacent parcel); and

23 (iv) all other requirements of this Part are met.

24 (9) Grass or other ground cover shall be planted on all
25 areas of the Buffer required by this Section which are not
26 occupied by other landscape material.

27 (10) The Buffer shall not be used for principle or
28 accessory uses and structures, VUAs , dumpster pads, signs,
29 equipment, storage. Slopes within Buffers shall not exceed four to
30 one.

31 (11) If a water body exists along the common property

1 line between uncomplementary uses which is less than 100 feet wide
2 when measured perpendicular to the property line then the Buffer
3 shall be established between the use and the water body. Preserve
4 areas may be used as Buffers, so long as the tree and visual
5 landscape screen requirements can be satisfied.

6 * * *

7 **Sec. 656.1222. - ~~Buffer~~ Street buffer requirements for residential**
8 **subdivisions.**

9 * * *

10 (d) *Platting, maintenance, and open space credit.* The buffer
11 area and any additional screening shall be recorded on the plat and
12 may be part of a lot or a separate tract. If part of a lot, the
13 buffer area and any additional screening shall be maintained by the
14 lot owner. If part of a separate tract, the buffer area and any
15 additional screening shall be maintained by the homeowners'
16 association in perpetuity. If the buffer area and additional
17 screening is recorded as a separate tract on the plat then the site
18 shall receive the equivalent area as a credit towards meeting
19 ~~recreation and open space requirements, not to exceed 25% of the~~
20 ~~required recreation and open space requirement.~~

21 (e) *Removal of trees in required buffer.* Trees within the
22 required buffer area may be removed, subject to the permit
23 requirements of Section 656.1206, Ordinance Code. Trees ~~mitigated~~
24 removed within the buffer shall be replaced within the buffer. At
25 least one tree, a minimum of four inches DBH, shall be planted or
26 preserved every 40 feet on center along perimeters of the site
27 which are adjacent to roadways. If trees cannot be planted every 40
28 feet because of conditions including, but not limited to, drainage
29 easements, the Chief may approve an alternative visual screen,
30 consistent with subsection (c) regardless of the classification of
31 the abutting right-of-way.

1 (f) *Improvements permitted in buffer.* - No new structures,
2 impervious surfaces, unpaved ~~vehicular use areas~~ VUAs or other
3 improvements shall be constructed within the designated buffer area
4 other than fences, gates, mailboxes, necessary driveways, necessary
5 sidewalks, and permitted signs.

6 * * *

7 **Section 2. Directive to the codifiers.** The codifiers are
8 directed to re-arrange the Definitions in Section 656.1203 so that
9 the defined words are placed in alphabetical order.

10 **Section 3. Enforcement Dates.** If a 10-set for a
11 development has been submitted for review either prior to the
12 Effective Date of this ordinance, or within thirty (30) days
13 thereafter, the previous requirements of the Code shall be applied.

14 **Section 4. Effective Date.** This Ordinance shall become
15 effective upon signature by the Mayor or upon becoming effective
16 without the Mayor's signature.

17
18 Form Approved:

19
20 /s/ Susan C. Grandin

21 Office of General Counsel

22 Legislation Prepared By: Susan C. Grandin

23 GC-#1288446-v3-Chapter_656_Buffer_Legislation.doc