

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Ordinance to Change Landscaping Code

DEPARTMENT: Environmental Services **DIVISION:** Water and Wastewater

AUTHORIZED BY: *Robert G. Adolphe* **CONTACT:** Liz Block **EXT.** 2121
Robert G. Adolphe, P.E., Director **Water Conservation Coordinator**

Agenda Date <u>06/08/04</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Authorize scheduling and advertising a public hearing for the proposed changes to the landscaping section of the Land Development Code.

BACKGROUND:

This ordinance would incorporate two changes to the Land Development Code.

LDC 30.1231(b) currently requires that an irrigation plan be submitted that provides 100% coverage of all landscaped areas. A condition of the Northwest Consumptive Use Permit (27e) requires modification of this code so that less than 100 percent of landscaped areas can be irrigated as a water conservation measure. Changes to sections 30.1231(b) and (d) per this ordinance would comply with this condition.

LDC 30.1229(a)(7) is a housekeeping measure to update Seminole County's approved plant species list, deleting plants that have been included in the Florida Exotic Pest Plant Council list of exotic invasive plants since the Seminole County plant list was last revised.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: <u><i>Liz Block</i></u>
File No. <u>CESW01</u>

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR A LANDSCAPE PLAN AND IRRIGATION PLAN SUBMITTAL REQUIREMENTS; PROVIDING FOR THE APPROVED PLANT SPECIES LIST; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01(1)(k), Florida Statutes, authorizes the Board of County Commissioners (Board), to provide and regulate water supply and conservation programs throughout the geographical area of Seminole County; and

WHEREAS, the Board has evaluated the landscaping and irrigation provisions of the Seminole County Land Development Code (Code) relative to County compliance with permits issued by and policies of the St. Johns River Water Management District along with the need for additional and permanent water conservation measures caused by a growing population; and

WHEREAS, the highest priority for use of potable water is human consumption and it is the intent of the County to minimize the use of potable water supplies for non potable uses; and

WHEREAS, the County recognizes that potable water is a valuable resource and desires to outline County management and enforcement responsibilities to facilitate use of potable water to the least extent; and

WHEREAS, necessary revisions to the Code include encouraging landscape irrigation using more effective water conservation methods, allowing the flexibility to landscape with

draught tolerant and low water use zone plants and protecting natural lands from degradation by exotic invasive plant species; and

WHEREAS, significant involvement has been achieved relative to the proposed changes to the County's Codes as set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners of Seminole County hereby finds that this Ordinance is consistent with the objectives, goals and policies of the Seminole County Comprehensive Plan; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential impacts and economic costs of this Ordinance upon the public and taxpayers of Seminole County and such Economic Impact Statement has been prepared and has been made available for such public review and copying prior to the enactment of this Ordinance in accordance with the provisions of the Seminole County Home Rule Charter,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Figure 1, Section 30.1229(a)(7), Land Development Code of Seminole County, is hereby amended as follows:

Figure 1

CANOPY TREES (Mature Size 40' or more in Height)			
Common Name	>Botanical Name	>Water Zone	>Native (Y/N)
Bald Cypress	Taxodium distichum	L	Y
Black Cherry	Prunus serotina	M	Y
Black Gum/Swamp Tupelo	Nyssa sylvatica	H	Y
Chinese Elm	Ulmus parvifolia	L	N
Florida Elm	Ulmus americana var. florid	M	Y
Florida Scrub Hickory	Carya floridana	L	Y
Formosan Gum	Liquidambar formosana	L	N
Green Ash	Fraxinus pennsylvanica	M	N
Laurel Oak	Quercus laurifolia	L	Y
Live Oak	Quercus virginiana	L	Y
Loblolly Pine	Pinus taeda	L	Y
Longleaf Pine	Pinus palustris	L	Y
Oriental Sycamore	Platanus orientalis	M	N
Pecan	Carya illinoensis	M	N
Pignut Hickory	Carya glabra	L	Y
Pond Cypress	Taxodium ascendens	H	Y
Red Maple	Acer rubrum	H	Y
Sand Pine	Pinus clausa	L	Y
Shumard Oak	Quercus shumardii	L	Y
Slash Pine	Pinus ellioti	L	Y
Southern Basswood	Tilia floridana	M	Y
Southern Magnolia	Magnolia grandiflora	L	Y
Sugarberry	Celtis laevigata	L	Y
Sweetgum	Liquidambar styraciflua	L	Y
Sycamore	Plantanus occidentalis	H	Y
Tulip Tree	Liriodendron tulipifera	H	Y
Tupelo Gum	Nyssa aquatica	H	Y
Turkey Oak	Quercus laevis	L	Y
Water Oak	Quercus nigra	M, L	Y
Weeping Willow	Salix babylonica	H	N
Winged Elm	Ulmus alata	L	Y

UNDERSTORY TREES (Mature Size 12' to 35' Height) AND PALMS			
Common Name	>Botanical Name	>Water Zone	>Native (Y/N)
American Hornbeam	Carpinus caroliniana	H	Y
American Holly	Ilex opaca (or x attenuata)	L	Y
Bluejack Oak	Quercus incana	L	Y
Bradford Pear	Pyrus calleryana "Bradfordi"	M	N
Cabbage Palm	Sabal palmetto	L	Y
Canary Island Date Palm	Phoenix canariensis	L	N
Carolina Ash	Fraxinus caroliniana	M	Y
Chapman Oak	Quercus chapmanii	L	Y
Cherry Laurel	Prunus caroliniana	M	Y

Chickasaw Plum	<i>Prunus angustifolia</i>	L	Y
Chinese Fan Palm	<i>Livistonia chinensis</i>	L	N
Coastal Plain Willow	<i>Salix caroliniana</i>	H	Y
Common Persimmon	<i>Diospyros virginiana</i>	L	Y
Crape Myrtle	<i>Lagerstroemia indica</i>	L	N
Dahoon Holly	<i>Ilex cassine</i>	M	Y
Deciduous Holly	<i>Ilex decidua</i>	M	Y
Drake Elm	<i>Ulmus parvifolia</i> "Drake"	L	N
Dwarf Siberian Elm	<i>Ulmus pumila</i>	L	N
Eastern Red Cedar	<i>Juniperus virginiana</i>	L	Y
Eastern Hophornbeam	<i>Ostrya virginiana</i>	M	Y
European Fan Palm	<i>Chamaerops humulis</i>	M	N
Firethorn Pyracantha Tree	<i>Pyracantha coccinea</i>	L	N
Flowering Dogwood	<i>Cornus florida</i>	L	Y
Fraser's Photinia	<i>Photinia x Fraseri</i>	M	N
Fringetree	<i>Chionanthus virginicus</i>	M	Y
Glossy Tree Privet	<i>Ligustrum lucidum</i>	M	N
Green Hawthorn	<i>Crataegus viridis</i>	M	Y
Italian Cypress	<i>Cupressus sempervirens</i>	M	N
Japanese Persimmon	<i>Diospyros kaki</i>	L	N
Jerusalem Thorn	<i>Parkinsonia aculeata</i>	L	N
Kawakami Pear	<i>Pyrus calleryana</i> "Kawaka"	M	N
Leyland Cypress	<i>Cupressocyparis leylandii</i>	M	N
Loblolly Bay	<i>Gordonia lasianthus</i>	H	Y
Loquat	<i>Eriobotrya japonica</i>	M	N
Mayhaw	<i>Crataegus opaca</i>	M	Y
Myrtle Oak	<i>Quercus myrtifolia</i>	L	Y
Parsley Hawthorn	<i>Crataegus marshalli</i>	L	Y
Paw Paw	<i>Asimina triloba</i>	M	Y
Pindo Palm	<i>Butia capitata</i>	L	N
Queen Palm	<i>Arecastrum romanzoffian</i>	L	N
Queen Sago	<i>Cycas circinalis</i>	L	N
Red Bay	<i>Persia borbonia</i>	L	Y
Sand Post Oak	<i>Quercus stellata</i>	L	Y
Saucer Magnolia	<i>Magnolia soulangeana</i>	M	N
Senegal Date Palm	<i>Phoenix reclinata</i>	L	N
Service berry	<i>Amelanchier Arborea</i>	M	Y
Southern Juniper/Red Cedar	<i>Juniperus salicicola</i>	L	Y
Star Magnolia	<i>Magnolia stellata</i>	M	N
Sweetbay	<i>Magnolia virginiana</i>	M	Y
Taiwan Flowering Cherry	<i>Prunus campanulata</i>	M	N
Trumpet tree	<i>Tabebuia</i> spp.	M	N
Washington Palm	<i>Washingtonia robusta</i>	L	N
Waxleaf Privet	<i>Ligustrum japonicum</i>	M	N
Wax Myrtle	<i>Myrica cerifera</i>	L	Y
Windmill Palm	<i>Trachycarpus fortunei</i>	L	N
Yaupon Holly	<i>Ilex vomitoria</i>	L	Y

SHRUBS, SMALL PALMS AND CYCADS			
Common Name	>Botanical Name	>Water Zone	>Native (Y/N)
Abelia	Abelia grandiflora	M	N
American Arborvitae	Thuja occidentalis	M	N
Asian Butterfly Bush	Buddleia asiatica	M	N
Banana Shrub	Michelia figo	M	N
Bear Grass	Yucca smalliana	L	Y
Beautyberry	Callicarpa americana	L	Y
Boxthorn	Severinia buxifolia	N	N
Brook Euonymus	Euonymus americana	M	Y
Burford Holly	Ilex comuta "Burfordi"	M	N
Camellia	Camellia japonica	M	N
Cardboard Plant	Zamia furfuracea	L	N
Cassia	Cassia spp.	M	N
Century Plant	Agave americana	L	N
Chapman Rhododendron	Rhododendron chapmannii	H	Y
Christmasberry	Lycium carolinianum	L	Y
Chinese Holly	Ilex comuta	M	N
Chinese Witch Hazel	Loropetalum chinese	M	N
Chinese Juniper	Juniperus chinensis	L	N
Chinese Mahonia	Mahonia fortunei	M	N
Cleyera	Temstroemia gymnanthera	L	N
Cleyera	Cleyera japonica	M	N
Common Buttonbush	Cephalanthus occidentalis	H	Y
Coontie	Zamia floridana	L	Y
Goralberry Ardisia	Ardisia crispa (or crenata)	M	N
Crinum Lily	Crinum asiaticum	M	N
Croton	Codiaeum variegatum	L	N
Dahoon Holly	Ilex cassine	M	Y
Dwarf Azaleas	Rhododendron obtusum	H	N
Dwarf Yaupon Holly	Ilex vomitoria "nana"	L	Y
Dwarf Palmetto	Sabal minor	L	Y
English Boxwood	Buxus sempervirens	M	N
Fatsia	Fatsia japonica	M	N
Feijoa	Feijoa sellowiana	M	N
Fetterbush	Lyonia spp.	L	Y
Firebush	Hamelia patens	L	Y
Firethorn Pyracantha	Pyracantha coccinea	M	N
Florida Flame Azalea	Rhododendron austrinum	H	Y
Florida Elderberry	Sambucus simpsonii	M	Y
Florida Anise	Illicium floridanum	M	Y
Florida Privet	Forestifera segregata	M	Y
Fragrant Honeysuckle	Lonicera fragrantissima	M	N
Fraser's Photinia	Photinia Fraseri	M	N
Gallberry	Ilex glabra	L	Y
Garden Hydrangea	Hydrangea macrophylla	H	N
Gardenia	Gardenia jasminoides	M	N

Golden-Dewdrop	<i>Duranta repens</i>	M	N
Groundsel Tree	<i>Baccharis halimifolia</i>	L	Y
Heavenly Bamboo	<i>Nandina domestica</i>	L	N
Holly Malpighia	<i>Malpighia coccigera</i>	M	N
Indian Hawthorn	<i>Raphiolepis indica</i>	L	N
Indica Azaleas	<i>Rhododendron indica</i>	H	N
Japanese Boxwood	<i>Buxus microphylla</i>	M	N
Japanese Privet	<i>Ligustrum japonicum</i>	L	N
Japanese Holly	<i>Ilex crenata</i>	M	N
Junipers	<i>Juniperus spp.</i>	L	N
King Sago	<i>Cycas revoluta</i>	L	N
Kumquat	<i>Fortunella japonica</i>	L	N
Kurume Azaleas	<i>Rhododendron Kurume</i>	H	N
Lady Palm	<i>Rhapis excelsa</i>	M	N
Lantana	<i>Lantana camara</i>	L	Y
Laurustius Viburnum	<i>Viburnum tinus</i>	H	N
Leatherleaf Mahonia	<i>Mahonia Bealei</i>	M	N
Leucothoe	<i>Leucothoe axillaris</i>	H	Y
Nagi Podocarpus	<i>Podocarpus Nagi</i>	M	N
Needle Palm	<i>Rhaphidophyllum hystrix</i>	M	Y
Oakleaf Hydrangea	<i>Hydrangea quercifolia</i>	M	Y
Oleander	<i>Nerium oleander</i>	L	N
Pittosporum	<i>Pittosporum tobira</i>	M	N
Plumbago	<i>Plumbago auriculata</i>	L	N
Podocarpus	<i>Podocarpus macrophyllus</i>	L	N
Pygmy Date Palm	<i>Phoenix roebelinii</i>	M	N
Red Buckeye	<i>Aesculus pavia</i>	L	Y
Rosemary	<i>Ceratiola ericoides</i>	L	Y
Sandankwa Viburnum	<i>Viburnum suspensum</i>	H	N
Sasanqua Camellia	<i>Camellia sasanqua</i>	H	N
Saw Palmetto	<i>Serenoa repens</i>	L	Y
Scarlet Hibiscus	<i>Hibiscus coccineus</i>	M	Y
Scrub Palmetto	<i>Sabal etonia</i>	L	Y
Serrissa	<i>Serrissa foetida</i>	M	N
Shiny Blueberry	<i>Vaccinium myrsinites</i>	L	Y
Shrimp Plant	<i>Beloperone guttata</i>	M	N
Silverthorn	<i>Eleagnus pungens</i>	L	N
Slender Buckthorn	<i>Bumelia reclinata</i>	M	Y
Snowbell	<i>Styrax americanus</i>	H	Y
Spanish Bayonet	<i>Yucca aloifolia</i>	L	Y
Spanish Dagger	<i>Yucca gloriosa</i>	L	Y
Sparkleberry	<i>Vaccinium arboreum</i>	L	Y
Spice-Bush	<i>Lindera benzoin</i>	M	Y
St. John's Wort	<i>Hypericum spp.</i>	M	Y
Star Anise	<i>Illicium anisatum</i>	M	N
Surinam Cherry	<i>Eugenia uniflora</i>	M	N
Swamp Honeysuckle Azalea	<i>Rhododendron riscosum</i>	H	Y
Sweet Pepperbush	<i>Clethra alnifolia</i>	M	Y

Sweet Pinxter Azalea	Rhododendron canescens	H	Y
Sweet Viburnum	Viburnum odoratissimum	M	N
Sweetshrub	Calycanthus floridus	M	Y
Tar-Flower	Befaria racemosa	L	Y
Thryallis	Galphima (or Thryallis) glauca	L	N
Tough Bumelia	Bumelia tenax	M	Y
Walter Viburnum	Viburnum obovatum	M	Y
Witch Hazel	Hamamelis virginiana	M	Y
Yellow Anise	Illicium parviflorum	M	Y
Yellow Pineland Lantana	Lantana depressa	L	Y

GROUNDCOVERS			
Common Name	>Botanical Name	>Water Zone	>Native (Y/N)
Algerian Ivy	Hedera canariensis	M	N
Asparagus Fern	Asparagus spp. (Sprenger)	L	N
Beach Sunflower	Helianthus debilis	L	Y
Beach Morning Glory	Ipomoea stolonifera	L	Y
Bigleaf Periwinkle	Vinca major	M	N
Billbergia Bromeliad	Billbergia spp.	H	N
Black Eyed Susan	Rudbeckia hirta	L	Y
Blazing Star Liatris	Liatris tenuifolia	L	Y
Blue Daze	Convolvulus "Blue Daze"	M	N
Blue Flag	Iris virginica	H	Y
Blue Lily of the Nile	Agapanthus africanus	M	N
Bromeliad	Vriesea spp.	H	N
Bugleweed	Ajuga reptans	H	N
Butterfly Iris	Dietes bicolor	H	N
Carolina Jessamine	Gelsemium sempervirens	M	Y
Cast Iron Plant	Aspidistra elatior	L	N
Cinnamon Fern	Osmanda cinnamomea	H	Y
Confederate Jasmine	Trachelospermum asiatic	M	N
Coontie	Zamia floridana	L	Y
Cordgrass	Spartina spp.	L	Y
Coreopsis	Coreopsis gladiata (or tinctoria)	H	Y
Creeping Fig	Ficus pumila	LTc>N	
Creeping Juniper	Juniperus horizontalis	L	N
Creeping Phlox	Phlox nivalis	L	Y
Crown of Thorns	Euphorbia milii	L	N
Daylilly	Hemerocallis spp.	L	N
Dichondra	Dichondra micrantha	M	N
Dward Coreopsis	Coreopsis auriculata "Nana"	H	N
Dwarf Heavenly Bamboo	Nandina domestica "nana"	M	N
Dwarf Oyster Plant	Rhoeo spathacea "nana"	L	N
Dwarf Palmetto	Sabal minor	L	Y
Dwarf Pittosporum	Pittosporum tobira "Wheeleri"	M	N
English Ivy	Hedera helix	M	N
Fancyleaved Caladium	Caladium x Nortulanum	M	N

Gaillardia	Gaillardia pulchella	L	Y
Gerbera Daisy	Gerbera jamesonii	M	N
Hall's Honeysuckle	Lonicera japonica "Halliana"	L	N
Holly Fern	Cyrtomium falcatum	M	N
Japanese Garden Juniper	Juniperus procumbens	L	N
Leatherleaf Fern	Rumohra odiantiformis	M	N
Lilly Turf	Liriope spp.	M	N
Mondo Grass	Ophiopogon japonicus	M	N
Moss Pink	Phlox subulata	M	N
Nick's Compact Juniper	Juniperus c.p. "Nick's Compacta"	L	N
Parson's Juniper	Juniperus squamata "Parsoni"	L	N
Periwinkle, Vinca	Cathartus roseus	M	N
Plumbago	Plumbago auriculata	L	N
Prairie Iris	Iris hexagona	H	Y
Red Muhly Grass	Muhlenbergia spp.	L	Y
Rosemary	Ceratiola ericoides	L	Y
Royal Fern	Osmanda regalis	H	Y
Saw Palmetto	Serenoa repens	L	Y
Sedum	Sedum spp.	L	N
Shield Fern	Thelypteris spp.	M	Y
Shore Juniper	Juniperus conferta	L	N
Society Garlic	Tulbaghia violacea	L	N
Star Jasmine	Trachelospermum jasmino	M	N
Swamp Lily	Crinum americanum	H	Y
Sword or Boston Fern	Nephrolepis spp.	H	Y
Trailing Fig	Ficus sagittata	L	N
Virginia Creeper	Parthenocissus quinquefolia	H	Y
Wedelia	Wedelia trilobata	L	N
Weeping Lantana	Lantana montevidensis	L	N
Wild Canna	Canna flaccida	H	Y
Wintercreeper	Euonymus fortunei "coloratus"	M	N
Yellow Pineland Lantana	Lantana depressa	L	Y

NON-NATIVE VINES		
Common Name	Botanical Name	Water Zone
Algerian Ivy	Hedera canariensis	M
Allamanda	Allamanda cathartica	M
Arabian Jasmine	Jasminum sambac	M
Chinese Wisteria	Wisteria sinensis	L
Confederate Jasmine	Trachelospermum asiaticum	M
Coral Vine	Antigonon leptopus	L
Downy Jasmine	Jasminum multiflorum	M
English Ivy	Hedera helix	M
Hall's Honeysuckle	Lonicera japonica "halliana"	L
Japanese Clematis	Clematis dioscoreifolia	M
Mexican Flame Vine	Senecio confusus	L
Star Jasmine	Trachelospermum jasminoides	M

TURFGRASSES		
Common Name	>Botanical Name	Water Zone
Bahia Grass		M
Bermuda Grass		M
Centipede Grass		H
St. Augustine FX-10		M
St. Augustine Grass		H
Zoysia Grass		M

Section 2. Section 30.1231, Land Development Code of Seminole County, is hereby amended to read as follows:

Section 30.1231(b) and (d). Landscape plan and irrigation plan submittal requirements.

* * * *

(b) The irrigation plan shall be submitted showing a detailed layout and description of a permanent underground irrigation system providing one hundred (100) percent coverage of all landscaped areas except those planted with drought tolerant/low water use zone plants. The irrigation plan shall include information such as sprinkler head type, pipe size, radius of throw, valve and backflow preventer and rain sensor device locations.

* * * *

(d) The ~~current~~ planning manager may permit the use of a temporary above-ground irrigation system in areas where drought tolerant/low water use zone plant material is proposed to be planted ~~for the entire landscaped area~~. An irrigation plan shall not be required in such circumstances where the entire

landscaped area is planted with drought tolerant/low water use zone plants.

Section 3. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention; providing, however, that Sections 3, 4 and 5 shall not be codified.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
DARYL G. MCLAIN, Chairman

SD/gn
4/12/04
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