

CITY OF CLERMONT
ORDINANCE No. 2014-14

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 118 VEGETATION, SECTION 118-36 PLANT MATERIAL; SECTION 118-41 PREFERRED TREE LIST; SECTION 118-71 MINIMUM TREE REQUIREMENTS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 6, 2014 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 118 Vegetation, Section 118-36 Plant Material; Section 118-41 Preferred Tree List; and Section 118-71 Minimum Tree Requirements; of the City of Clermont's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont, Lake County, Florida as follows:

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

CHAPTER 118 VEGETATION

Section 118-36 Plant Material

- (a) *Quality.* Plant materials used in conformance with provisions of this Article shall meet specifications of Florida Number 1 grade or better, according to the current edition of Grades and Standards for Nursery Plants of the State Department of Agriculture.
- (b) *Trees.*
 - (1) Trees shall be species having an average mature spread of crown of greater than fifteen feet and having trunks which can be maintained in clean condition over five feet of clear wood. Trees having an average mature spread of crown less than fifteen feet may be substituted by grouping the trees so as to create the equivalent of fifteen feet of crown spread.

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- (2) Canopy tree species shall be container grown in a minimum 65-gallon container. Canopy trees shall be a minimum of three inches in caliper, have a minimum six-foot spread, and be a minimum of twelve feet in overall height immediately after planting. Canopy trees shall meet the standards as specified in Section 118-2. The location of trees of any species known to have a root system capable of causing damage to roadways or utilities shall require staff approval.
- (3) Upon planting, palm trees must have six feet clear trunk height as measured from the ground to the base of the heart leaf.
- (4) Understory tree species shall be a minimum of eight feet in overall height immediately after planting with a four-foot spread, and shall meet the standards as specified in section 118-2
- (5) Sixty percent of required canopy trees in parking lots shall be live oak trees.

Section 118-41 Preferred Tree List

PREFERRED CANOPY TREE LIST

a	b	c		
X		md	American Elm	Ulmus americana
	XX	wd	Bald Cypress	Taxodium distichum
		m	Basswood	Tilia americana
XX	XX	dm	Live Oak	Quercus virginiana
XX		md	Pignut Hickory	Carya glabra
			Ironwood	Carpinus caroliniana
XX		wm	Pond Cypress	Taxodium ascendens
	XX	md	Red Bay	Persea borbonia

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XX		wd	Red Maple	Acer rubrum
XX		d	Sand Live Oak	Quercus geminata
XX		d	Scrub Hickory	Carya floridana
XX		md	Southern Magnolia	Magnolia grandiflora
XX	X	m	Sugarberry	Celtis laevigata
XX	X	mwd	Sweet Gum	Liquidambar styraciflua
		m	Sycamore	Platanus occidentalis
		m	Tulip Tree	Liriodendron tulipifera
XX		dm	Turkey Oak	Quercus myrtifolia
XX	XX	mw	Winged Elm, Cork Elm	Ulmus alata
	XX	md	Shumard Oak	
			<u>Slash Pine</u>	<u>Pinus elliotii</u>
			<u>Long Leaf Pine</u>	<u>Pinus palustris</u>
			<u>Little Gem Magnolia</u>	<u>Magnolia grandiflora 'Little Gem'</u>

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a - Unidentified drought tolerance scale used in our land development regs

b - Landscaping to promote water conservation using the principles of Xeriscape

This is a drought tolerance index provided by SJRWMD

X = Moderate drought tolerance

XX = High drought tolerance

c - Drought Tolerant Plant Guide for Lake County Lake County Water Authority

d = dry

m = moist

w = wet

Section 118-71 Minimum Tree Requirements

No Certificate of Occupancy shall be issued by the City on the following types of construction unless the underlying parcel has not less than the indicated minimum number of approved trees. All required landscaping is to be maintained in perpetuity.

- (1) General requirements for the number of trees on residential and nonresidential development shall be as follows:
 - a. Any new single-family or duplex dwelling unit on a single lot shall have at least the following minimum number of approved trees. Trees shall be from the preferred canopy and understory tree list.
 1. Lots with less than 2,500 square feet of landscape space:
Two understory trees:
 2. Lots between 2500-4000 square feet of landscape space:
One canopy tree required and either one understory tree or two palm trees
 3. Lots with 4000 square feet or more of landscape space:
Two canopy trees required and either one understory tree or two palm trees
 - b. No required canopy tree may be planted within six feet of the primary structure, driveway, sidewalk, street, or the property line on a single-family lot.
 - c. For existing properties that have three canopy trees but may qualify for a reduction in the number of required trees, the criteria in paragraph a. above will apply. A tree removal permit must be obtained prior to removal of any canopy trees.
 - d. For single family and duplex lots, two palm trees may be substituted for one required understory trees.
 - e. Any new multifamily development shall have not less than one tree per unit.


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- f. Any single commercial, industrial or other structure requiring site plan approval under the zoning regulations, Chapter 122, or the subdivision regulations, Chapter 110, shall provide not less than four trees per acre, with a minimum of four trees. Trees required under Article II of this Chapter, other than buffer or perimeter trees, may be counted to meet this requirement.

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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County,
Florida on this 10th day of June, 2014.

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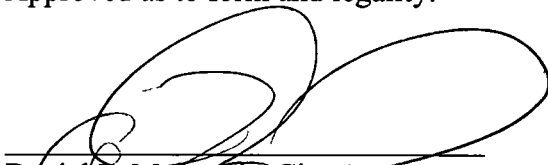
Harold S. Turville, Jr., Mayor

ATTEST



Tracy Ackroyd, City Clerk

Approved as to form and legality:



Daniel F. Mantzaris, City Attorney