

ORDINANCE NO. 2001-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES ENTITLED "LANDSCAPING, TREE REMOVAL AND SITE CLEARING"; AMENDING SECTION 13-2 OF THE CODE TO INCLUDE IRRIGATION AS AN ADDITIONAL REGULATION OF THIS CHAPTER; AMENDING SECTION 13-4 OF THE CODE TO ADD DEFINITIONS FOR IRRIGATION, LANDSCAPE, AND TURFGRASS REGULATIONS; AMENDING SUBSECTION 13-27(F) TO ESTABLISH IRRIGATION SYSTEM MAINTENANCE AND MANAGEMENT REQUIREMENTS; AMENDING SUBSECTION 13-27(H)(1) TO ESTABLISH ADDITIONAL ALTERNATIVE METHODS OF COMPLIANCE; AMENDING SECTION 13-162 TO ESTABLISH NEW OR ADDITIONAL PERMITTING CRITERIA FOR TURFGRASS, AREAS OF NEW LANDSCAPE, AND IRRIGATION SYSTEMS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires comprehensive plan implementation through enactment of certain ordinances; and

WHEREAS, local governments are required by Section 166.048 Florida Statutes, to consider adoption of water-efficient landscaping and irrigation standards; and

WHEREAS, the City of Tampa recognizes the need for and the protection of water as a natural resource through the application of enhanced landscape and irrigation practices; and

WHEREAS, water-efficient irrigation and landscaping maximizes the conservation of water by the use of site adapted plants and efficient watering methods and generally results in a long-term reduction of water, and reduction of irrigation requirements, costs, energy, and maintenance; and

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

**Section 1.** That Section 13-2 of the Code is hereby amended by adding the underlined language as follows:

**"Section 13-2. Purpose**

This chapter is intended to protect trees, wetlands, and natural resources by regulating the trimming or removing of trees, site clearing, landscaping, tree planting, and irrigation in the city."

**Section 2.** That the following words and phrases shall have the meanings respectively ascribed to them in Section 13-4 of the City of Tampa Code of Ordinances ("Code") by adding the underlined language as follows:

1           **“Sec. 13-4. Definitions.**

2  
3           *Accessway* means a driveway as defined in chapter 25 of this Code and shall be included in the  
4 term "vehicle use area" as defined in this section, unless specifically and expressly excluded in the  
5 context thereof.

6  
7           *Annual bed* means any landscape where the majority of plants are replaced yearly or more  
8 frequently.

9  
10          *Artificial barrier* means a protective, ornamental device such as a wall, fence, berm or other  
11 similar nonliving, immovable, material object that shields, separates or demarcates an area from  
12 view and that is at least eighty (80) percent opaque.

13  
14          *Artificial stabilization* means the use of artificial products which are spread over the surface of the  
15 ground to hold and restrain the soils and any seeds during a rain event and which keep them from  
16 being eroded until they have had a chance to germinate and provide a natural stabilizing ground  
17 cover.

18  
19          *Automatic irrigation controller* means a timer, capable of operating solenoid valves, to set days  
20 and lengths of time for proper application of water in each irrigation zone.

21  
22          *Bona fide agricultural use* means a parcel which qualifies as such under section 193.461, Florida  
23 Statutes, and which has greater than fifty (50) percent of the parcel in active agricultural  
24 production.

25  
26          *Building system* means a functionally related group of elements, components and/or equipment,  
27 such as the electrical, plumbing and mechanical systems of a building.

28  
29          *Cargo storage area* means any outdoor area which is used for bulk, neobulk or general cargo  
30 storage and requires free movement for loading, unloading, storage and staging in connection with  
31 the pickup and delivery of general cargo, neobulk and bulk material to and from a port.

32  
33          *Certificate of occupancy (C.O.)* means an official document evidencing that a building satisfies the  
34 city requirements for occupancy of a building.

35  
36          *Change of occupancy* means a change from one Standard Building Code occupancy class to  
37 another.

38  
39          *Change of use* means a change from one zoning use classification to another.

40  
41          *Circumference* means the distance around the periphery of a tree at four and one-half (4 1/2) feet  
42 above existing grade.

43  
44          *Commercial building* means any building, structure or improvement other than a single- or two-  
45 family dwelling.

46  
47          *Commercial nursery* means an ongoing business licensed for the planting, growing and sale of  
48 plants and trees. A commercial nursery does not include an ongoing silviculture operation.

1        *Contributed tree* means a recommended tree that is contributed to the department tree bank in  
2 accordance with section 13-164 to replace a protected tree that is dug up, irreversibly damaged or  
3 destroyed.

4  
5        *Damage* or *abuse* means any action or inaction which does not follow good arboricultural  
6 practices as established by the National Arborist Association. Abuse also includes damage  
7 inflicted upon roots by machinery, changing the natural grade above the root system or around the  
8 trunk, destruction of the natural shape or any action which causes infection, infestation or decay.

9  
10        *Department* means the Department of Business and Community Services.

11  
12        *Development* means the carrying out of any building activity or the making of any material change  
13 to any structure or the natural surface of the land. For the purposes of this chapter, development  
14 shall include the following activities or uses:

- 15  
16            (1)        A reconstruction or alteration of the size of a structure;  
17            (2)        A change in the intensity of use of land such as an increase in the number of  
18 dwelling units in a structure or a material increase in the number of businesses,  
19 manufacturing establishments, offices or dwelling units in a structure;  
20            (3)        Commencement of drilling, except to obtain soil samples, mining or excavation  
21 on a parcel of land; and  
22            (4)        Activities that change or disturb the natural surface of the land such as clearing,  
23 grading, excavating and filling.

24  
25        *Development order* means any order granting or denying or granting with conditions an  
26 application for a building permit, zoning permit, rezoning, plat, variance, site plan approval,  
27 development of regional impact or other action having the effect of permitting development as  
28 defined in this chapter.

29  
30        *Development review committee* (DRC) as outlined in Article VII of Chapter 27, the DRC shall be  
31 composed of members from various city departments, including the commercial plans examiners,  
32 and other agencies.

33  
34        *Diameter breast height (d.b.h.)* means the diameter, in inches, of a tree trunk measured at four and  
35 one-half (4 1/2) feet above existing grade. D.b.h. is also referred to as the diameter of a tree.

36  
37        *Director* means the director of the Department of Business and Community Services or his  
38 designee who shall be responsible for the management of the affairs of the department.

39  
40        *Dripline* means an imaginary perpendicular line that extends downward from the outermost  
41 branches of a tree to the ground.

42  
43        *Drought tolerant plant* means a plant, once established, that survives on natural rainfall with  
44 occasional irrigation during dry periods.

45  
46        *Emitter* means a device that applies irrigation water. This term is primarily used to refer to the low  
47 flow rate devices used in micro-irrigation devices.

48  
49        *Grand tree* means a tree and its root system of the species listed in Schedule A located in section  
50 13-6 whose circumference, height and crown measurements are of the size and character to total

1 the minimum points for the species as outlined in Schedule A.  
2

3 *Green space* means the entire parcel less the building footprint, driveways, vehicular use areas,  
4 hardscapes such as decks, swimming pools, decorative fountains, patios and other non-porous  
5 areas. Stormwater management system, wetland conservation areas, lakes, rivers, and creeks are  
6 excluded in the calculation of green space area.  
7

8 *Ground cover* means any ornamental plant or grass which grows along the ground.  
9

10 *Hedge* means a close planting of shrubs which forms a compact, dense, living barrier which  
11 protects, shields, separates or demarcates an area from view and which is eighty (80) percent  
12 opaque within twelve (12) months after planting.  
13

14 *Infrastructure* means roads, water, sewer, stormwater or drainage facilities and utilities designed  
15 to accommodate development.  
16

17 *Irrigation* means a permanent underground watering system equipped with surface, subsurface or  
18 overhead emitters and which provides one hundred (100) percent water coverage.  
19

20 *Irrigation zone* means a control valve circuit containing emitters and/or sprinklers with consistent  
21 application rates.  
22

23 *Landscape* means the planting of plant material, native plant material, recommended trees, grand  
24 trees or protected trees, including retention of existing, in such a way as to conserve, preserve and  
25 enhance land uses, natural land features and natural and aesthetic values. Nonliving natural  
26 material which permits percolation may also be used as accessory material in landscaping.  
27

28 *Landscape and tree planting plan* means a plan that meets the requirements set forth in this  
29 chapter.  
30

31 *Landscape buffer* means the prescribed, pervious area required for tree planting and landscaping  
32 between the vehicular use or vehicular display areas and street right-of-way and adjacent  
33 properties.  
34

35 *Landscaped area* means the minimum area on a parcel that is required to be landscaped pursuant  
36 to a landscape and tree planting plan. The types of plants and other materials permitted in a  
37 landscaped area are outlined in the definition of landscape in this section.  
38

39 *Landscape plant zone* means a grouping of plants with similar water, light, and soil needs. Plant  
40 groupings based on water use are as follows: natural plants, drought tolerant plants, and oasis  
41 plants.  
42

43 *License* means a city occupational license tax receipt.  
44

45 *Loading dock* means any outdoor area of a vehicular use area or cargo storage area which is used  
46 primarily for bulk, neobulk and general cargo pickups and deliveries, refuse collection, port cargo  
47 loading, unloading, storage and staging, airport runways and apron areas or any other similar areas  
48 which require the free movement of large or heavy commercial trucks, cargo handling equipment  
49 or vehicles.  
50

1 *Micro-irrigation* means an irrigation system with a maximum flow rate per emitter of 30 gallons  
2 per hour or less. These systems are not approved for turfgrass applications.

3  
4 *Mulch* means any material applied to the soil surface to retain soil moisture, control erosion,  
5 inhibit weeds, and/or regulate soil temperatures.

6  
7 *Native plant community* means those plant communities naturally occurring in north and central  
8 Florida.

9  
10 *Native plant material* means any plant material indigenous to central Florida and which is  
11 naturally grown or commercially propagated or cultivated for the nursery or landscaping industry.

12  
13 *Native tree* means any tree indigenous to central Florida or the city and which is naturally grown  
14 or commercially propagated or cultivated for the nursery or landscaping industry.

15  
16 *Natural plant* means a plant, once established, that survives on rainfall without irrigation.

17  
18 *Nonwooded land* means a parcel greater than one acre less than fifty (50) percent of which is  
19 covered by native tree canopy and/or forested native plant communities, exclusive of wetlands.

20  
21 *Oasis plant* means a plant, once established, requiring frequent irrigation.

22  
23 *Overspray* means water that is delivered beyond the landscape area wetting pavements, walks,  
24 structures, or other non-landscaped areas.

25  
26 *Parcel* means contiguous land under common ownership capable of being described with such  
27 definiteness that its location and boundary may be established and which is leased, owned or  
28 designated by its owner or developer as land to be used or developed as part of a consistent  
29 development plan.

30  
31 *Parks Department* means the city parks department.

32  
33 *Paving base* means material placed prior to the final riding surface, usually consisting of shell,  
34 marl, limestone, soil, cement or bituminous concrete.

35  
36 *Permit* means an official document authorizing performance of a specific activity regulated by this  
37 chapter.

38  
39 *Permit card or placard* means a document issued by the city evidencing the issuance of a permit.

40  
41 *Pervious area* means a permeable surface area which allows passage of surface water and air to  
42 the root system of a tree. A pervious area shall be free of significant amounts of clay, shell, marl,  
43 limestone or other road-base material unless expressly permitted in the context thereof, but may be  
44 surfaced with turf blocks or similar nontoxic products.

45  
46 *Physical value* means the county property appraiser's assessed value or a certified appraisal by a  
47 person appropriately licensed to provide appraisals of real estate.

48  
49 *Plant material* means any ground covers, shrubs, turf or vines which are commercially propagated  
50 or cultivated for the nursery or landscaping industry.

1 *Protected tree* means a tree and its root system, other than trees exempted in section 13-7, having  
2 the characteristics set forth in section 13-6.

3  
4 *Protective barricade* means a physical structure not less than three (3) feet in height; limiting  
5 access to protected trees and grand trees. A suitable protective barrier may be composed of wood  
6 or other material which ensures protection of the protected trees and grand trees during  
7 construction.

8  
9 *Protective dry well and drainage/aeration systems* means a tree protection technique used to  
10 stabilize soil and provide air and water to root systems when the grade is raised.

11  
12 *Protective retaining wall* means a tree protection technique used to stabilize soil around root  
13 systems when the grade is lowered.

14  
15 *Rain sensor device* means a calibrated device that is designed to measure rainfall and override the  
16 irrigation cycle of the irrigation system when a pre-determined amount of rainfall has occurred.  
17 The suggested setting of the rain sensor device for shut-off, as per the University of Florida's  
18 Institute of Food and Agricultural Sciences (IFAS), is ½ to ¾ inch.

19  
20 *Recommended tree* means a tree of two (2) inches or greater in diameter, as measured six (6)  
21 inches above grade, which is included in the recommended tree list set forth herein as Schedule E  
22 in section 13-165.

23  
24 *Registered landscape architect* means a person who holds a license to practice landscape  
25 architecture as defined in and in accordance with F.S. § 481.301 et seq.

26  
27 *Registered land surveyor* means a person who is registered to engage in the practice of land  
28 surveying as defined in and in accordance with F.S. §§ 472.001 through 472.039.

29  
30 *Relocated tree* means a protected tree that has been transplanted in the areas specified in this  
31 chapter.

32  
33 *Remodeling* means work which changes the original size, location or material of the components  
34 of a building.

35  
36 *Removed tree* means a protected tree that has been irreversibly damaged or destroyed.

37  
38 *Replaced tree* means a recommended tree planted in the areas specified in this chapter in the place  
39 of a protected tree or grand tree which was irreversibly damaged or destroyed.

40  
41 *Residential building* means any single- or two-family building or accessory structure.

42  
43 *Runoff* means water, not absorbed by the soil, that flows from the area.

44  
45 *Screen* means a hedge or artificial barrier.

46  
47 *Seawall* means an artificial shoreline protection device approved by regulatory agencies.

48  
49 *Shade tree* means a hardwood tree that reaches a minimum height of twenty-five (25) feet at  
50 maturity, provides relief from direct sunlight for at least six (6) months each year and is included  
in the recommended tree list.

1  
2 *Shrub* means a multi-stemmed plant with a spread and height characteristic of its species and with  
3 a minimum height of two (2) feet when planted.  
4

5 *Site clearing* means any development or other activity which alters the land upon which it is  
6 located, except for normal sodding and placement of signs.  
7

8 *Sketch plan* means an accurate plan delineating the dimensions of a parcel, the existing structures  
9 and the protected trees and grand trees to be removed, relocated, or contributed.  
10

11 *Structural component* means any part of a building or structure which is integral to the structural  
12 integrity thereof.  
13

14 *Structure* means anything constructed, installed or portable including stormwater  
15 retention/detention basins and parking lots, the use of which requires location on a parcel.  
16

17 *Surface water management system* means collection facilities, improvements or natural systems  
18 whereby surface waters are collected, controlled, conveyed, impounded or obstructed. The term  
19 includes drains, impoundments, reservoirs, appurtenant works and works as defined in F.S. §  
20 373.403(1) through (5).  
21

22 *Tree* means any self-supporting single- and multi-stem woody plant of a species which grows to at  
23 least a height of fifteen (15) feet in the environs of the city and, in addition, all species of  
24 *Rhizophora mangle* (red mangrove), *Aguncularia racemosa* (white mangrove), *Avicennia*  
25 *aerminans* (black mangrove) and *Conocarpus erecta* (buttonwood mangrove), regardless of  
26 diameter.  
27

28 *Trimming* means to selectively remove branches without irreversibly altering the natural shape or  
29 form of a tree and without irreversibly damaging or destroying the tree. Unless specifically  
30 allowed by the director in accordance with the standards set forth herein, all trimming of protected  
31 or grand trees shall be performed in accordance with the "American National Standard for Tree  
32 Care Operations, ANSI, A300-1995.  
33

34 *Turf or turfgrass* means a surface layer of earth containing a dense growth of grass and its roots  
35 suitable to Florida.  
36

37 *Vehicular display area* means any area of land used exclusively for the outdoor display, storage or  
38 sale of any and all types of vehicles, mobile homes or boats. Unless expressly excluded in the  
39 context of its use, "vehicular display area" shall include vehicular storage areas located on the  
40 parcel.  
41

42 *Vehicular storage area* means any area of a vehicular display area which is used exclusively for  
43 the outdoor storage of any and all types of vehicles, mobile homes or boats and which is not  
44 accessible by or open to the public and which is not easily visible from the public right-of-way or  
45 from another parcel. "Vehicular storage areas" shall not include carports on a parcel for single-  
46 family and two-family dwellings.  
47

48 *Vehicular use area* means any area used for the outdoor parking or circulation of domestic or  
49 commercial vehicles and cargo handling equipment. Unless expressly excluded in the context of  
50 its use, "vehicular use area" shall include loading docks and accessways located on the parcel,  
except for accessways on parcels for single- and two-family dwellings.

1  
2 *Vine* means any ornamental plant requiring physical support to grow upwards.

3 *Wetland* means land that is inundated or saturated by surface or ground water in years of normal  
4 water conditions that falls under the jurisdiction of one (1) or more of the following agencies: the  
5 Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, the  
6 Southwest Florida Water Management District, the Hillsborough County Environmental  
7 Protection Commission, and the Tampa Port Authority.

8  
9 *Wooded land* means a parcel greater than one (1) acre, fifty (50) percent of which is covered by  
10 native tree canopy and/or forested native plant communities, exclusive of wetlands.

11  
12 *Xeriscape™ or Florida Friendly Landscape* (as provided for in Section 166.048 Florida Statutes)  
13 means quality landscapes that conserves water and protects the environment and are adaptable to  
14 local conditions and which are drought tolerant. The principles of Xeriscape™ include planning  
15 and design, appropriate choice of plants, soil analysis which may include the use of solid waste  
16 compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper  
17 maintenance.”

18  
19 **Section 3.** That Subsection 13-27(f) of the Code is hereby amended by deleting the  
20 stricken language and by adding the underlined language as follows:

21  
22 **“Sec. 27. Landscape and tree planting plan.**

23  
24 (f) *Inspection and maintenance.*

25  
26 (1) Landscape and tree planting. The landscape, trees, plants and other  
27 items on the parcel which are shown on the approved landscape and  
28 tree planting plan shall be inspected six (6) months after planting to  
29 ensure consistency with the provisions of this chapter and to ensure all  
30 trees and plants are in healthy conditions trees planted pursuant to this  
31 chapter found to be in a declining condition shall be replaced within  
32 thirty (30) days of notification. If replacement is necessary, there shall  
33 be a reinspection six (6) months after the replacement planting.

34  
35 (2) Irrigation system. The landscape and irrigation system shall be  
36 maintained and managed to ensure water efficiency, and prevent  
37 wasteful practices. This should include, but not be limited to, resetting  
38 the automatic controller according to season, flushing the filters, testing  
39 the rain sensor device, and monitoring, adjusting, and repairing  
40 irrigation equipment such that the efficiency of the system is  
41 maintained.”

42  
43 **Section 4.** That Subsection 13-27(h)(1) of the Code is hereby amended by deleting the  
44 stricken language and by adding the underlined language as follows:

45  
46 **“Sec. 13-27. Landscape and tree planting plan.**

47  
48 (h) *Alternative methods of compliance.*



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(1) In an effort to preserve significant upland native resources and conserve water, the following regulations may be utilized as an alternative to strict code compliance:

a. Using the concept of a “Florida Friendly Landscape” or Xeriscape™, a site plan shall be submitted identifying all existing vegetation to be preserved, proposed turf, and other landscape areas. Installed trees and plants shall be grouped together into landscape plant zones according to water, soil, climate, and light requirements. Plant groupings based on water requirements are as follows; natural, drought tolerant, and oasis.

b. Development shall be planned to prevent substantial impact to significant upland native resources. Upland resources shall include plant ecosystems described in the conservation and aquifer recharge element of the comprehensive plan, which shall include, but not be limited to, the following:

1. Pine flatwoods.
2. Dry prairies.
3. Sand pine scrub.
4. Sandhills.
5. Xeric hammocks.
6. Mesic hammocks.

c. In order to provide for contiguous preservation of native upland resources in the form of corridors, buffers or other land configurations, the following general development criteria may be applied:

1. Integration of significant upland resource equivalent to the required landscaped area.
2. Integration of significant wildlife habitat.
3. Identification and preservation of grand trees.
4. Identification and preservation of rare and endangered plants and animals. Reference Rare and Endangered Biota of Florida Series.
5. Upland resource preservation shall be exclusive of wetland setbacks already required in the chapter.
6. Alternative methods of compliance must provide at least the equivalent of that specifically required in the chapter. This provision is supplemental to any authority to issue variances.
7. Proposed planting must be comprised of seventy-five (75) percent of the species indigenous to the specific site.
8. Management plan for designated preserved areas must be submitted and approved by the department.
9. Minimum dimensions for upland preservation corridors or buffers shall be fifty (50) feet.
10. Alternative forms of compliance are subject to approval by the department.

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- d. General design standard incentives are as follows:
  - 1. Reduction in vehicular use buffers.
  - 2. Reduction in interior landscape islands.
  - 3. Full credit towards tree planting requirements where trees have been preserved in a development area in addition to the upland buffer or corridor.
  - 4. Exemption from all permanent irrigation systems.
  - 5. Other alternative forms of compliance will be reviewed by the department.
  
- e. Permitted uses within the protected native upland resource are as follows:
  - 1. Passive activities.
  - 2. Boardwalks or pervious pathways.
  - 3. Selective removal of invader species.
  - 4. Selective trimming for visibility.
  - 5. Native plant enhancement.
  - 6. Ancillary stilted structures such as observation towers, wildlife monitoring stations, etc.
  - 7. Other compatible uses as approved by the department.
  
- f. If the applicant does not comply with all specific conditions of the alternative form of compliance, the applicant will be required to fully meet the city code in all respects, regardless of any partial compliance previously achieved by the applicant.”

**Section 5.** That Section 13-162 of the Code is hereby amended by deleting the stricken language and by adding the underlined language as follows:

**“Sec. 13-162. Landscape and tree planting standards.**

(a) *Landscape and tree planting standards.* Landscape and tree planting required by this chapter shall meet the following standards:

- (1) *Tree planting.*
  - a. Recommended trees shall be used to meet the requirements of this chapter and shall, as specified in the technical standards, be at least two (2) inches in diameter when measured at six (6) inches above grade and shall be selected from the recommended tree list set forth below in Schedule C. At least fifty (50) percent of the recommended trees planted on a parcel shall be shade trees. At least sixty (60) percent of the recommended trees planted on a parcel shall be native trees. Palm trees shall be replaced one (1) for one (1) with a recommended tree.

Schedule C

Recommended Tree List

\*Denotes genera containing some species native to central Florida.

- \*Ash (*Fraxinus* spp.)
- \*Bay Tree (*Persea* spp.)
  - Bottlebrush (*Callistemon* spp.)
  - Camphor (*Cinnamomum camphora*)
  - Chinese Fan Palm (*Livistona chinensis*)
  - Crape Myrtle (*Lagerstroemia indica*)
- \*Cypress (*Taxodium* spp.)
  - Date Palm (*Phoenix* spp.)
- \*Dogwood (*Cornus* spp.)
- \*Elm (*Ulmus* spp.)
  - European fan palm (*Chamoerops humilis*)
- \*Holly (*Ilex* spp.)
- \*Hornbeam (*Carpinus* spp.)
  - Jerusalem Thorn (*Parkinsonia aculeata*)
  - Ligustrum (*Ligustrum* spp.)
- \*Loblolly Bay (*Gordonia lasianthus*)
- \*Magnolia (*Magnolia* spp.)
- \*Maple (*Acer* spp.)
- \*Needle Palm (*Rhapidophyllum hystrix*)
- \*Oak (*Quercus* spp.)
- \*Pecan/Hickory (*Carya* spp.)
- \*Pine (*Pinus* spp.)
  - Podocarpus (*Podocarpus* spp.)
- \*Redbud (*Cercis canadensis*)
- \*Red Cedar (*Juniperus* spp.)
- \*River Birch (*Betula nigra*)
- \*Sabal/Cabbage Palm (*Sabal palmetto*)
- \*Sweet Gum (*Liquidambar styraciflua*)
- \*Washington Palm (*Washingtonia robusta*)
- \*Wax Myrtle (*Myrica cerifera*)
- \*Willow (*Salix* spp.)

b. An existing or relocated protected tree which meets the standards of this section shall be credited toward the planting requirements contained in section 13-161 for recommended trees on a parcel, in accordance with the tree equivalency table set forth in Schedule E located in section 13-165.

c. Any person may request and the department may approve a tree as a replacement tree that is not included on the recommended tree list if the tree is similar in character and function to a tree on the recommended tree list.

d. A pervious area with an effective minimum radius of four (4) feet from the trunk of a recommended tree shall be maintained around all recommended trees.

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- e. Paving base may extend to within four (4) feet from the trunk of a protected tree, provided an effective pervious area radius of ten (10) feet is created through the use of turf block, pavement aeration devices or similar products.
- f. Structural foundations may be located at a radius of four (4) feet from the trunk of a protected tree, provided an effective pervious area radius is extended proportionally in three (3) other directions to allow four hundred (400) square feet of pervious area.
- g. All recommended trees and plant material shall be planted in accordance with the specifications described in the State Department of Agriculture and Consumer Services, Division of Forestry, Tree Protection Manual for Builders and Developers, October 1980, as revised from time to time.
- h. All recommended trees and plant material used shall be vigorous, well shaped, branched and foliated and shall be graded State Department of Agriculture Nursery Grade No. 1 or better as outlined by the State Division of Plant Industry Grades and Standards for Nursery Plants, Third Edition, 1973, as revised from time to time, and Grades and Standards for Nursery Plants, Part II, Palms and Trees, third printing, 1975, as revised from time to time.

(2) *Landscape.*

- a. Landscaped areas shall consist of at least sixty (60) percent native plant material and/or plant material adapted to local climatic and edaphic conditions. Recommended trees, protected trees and plant material shall be planted in such a way as to conserve, preserve and enhance land uses, natural land features, and natural and aesthetic values. Nonliving natural material which permits percolation may also be used as necessary material in landscaping.
- b. A layer of mulch to a minimum depth of three (3) inches shall be specified on the site plan in plant beds and around individual trees in turf areas. Organic mulches are preferred. The mulch should not be placed directly against the plant stem or tree trunk. Mulch shall not be required in annual beds.
- c. Areas on the parcel which are used for stormwater retention or detention ponds with depressions of less than two (2) feet and the landscaped banks of such ponds from the mean high waterline to the top of the bank shall be credited on a one-to-one area basis toward meeting the landscaped area.

- d. If a hedge or other screen is used, it must be at least two (2) feet in height at time of planting.
- e. Turf and grass sod shall be clean and free of weeds, noxious pests and disease. Grass seed shall be delivered to the job site in bags with state department of agriculture tags attached.
- f. All landscaped areas must allow for access to public and private utility facilities for maintenance purposes.
- g. A list of acceptable trees for tree planting within ten (10) feet of the vertical plane of existing power lines, excluding service wires, is set forth below in Schedule D.

Schedule D  
Recommended Trees for Power Line Planting

- Crape Myrtle (*Lagerstroemia indica*)
- Bottlebrush (*Callistemon* spp.)
- Jerusalem Thorn (*Parkinsonia aculeata*)
- Wax Myrtle (*Myrica cerifera*)
- Chickasaw Plum (*Prunus angustifolia*)
- Redbud (*Cercis canadensis*)
- Yaupon Holly (*Ilex vomitoria*)

h. When an accessway intersects a public right-of-way or when the subject parcel abuts the intersection of two (2) or more public rights-of-way, all landscape within the triangular areas shall provide unobstructed cross-visibility at a level between thirty (30) inches and six (6) feet. Trees and plant material trimmed in such a manner that cross-visibility is not hindered will be allowed, provided materials are located so as not to create a traffic hazard as determined by the appropriate city official. Landscape, except turf or ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement or right-of-way pavement.

*(3) Irrigation*

- a. All required landscaping shall be equipped with an irrigation system except as specified below:
  1. Retained native plant habitat is not required to have an irrigation system.
  2. Single- and two-family dwellings are not required to have an irrigation system. However, synthetic water absorbing polymers should be added to topsoil prior to planting or sodding to increase water-holding capacity.
  3. Xerophytic or drought-tolerant landscape material (see Southwest Florida Water Management District plant

1 guide) planted in specific zones or beds is only required to  
2 be irrigated during established (minimum thirty (30) days)  
3 and protracted drought periods. Irrigation shall be a  
4 micro-irrigation system.  
5

6 b. The landscape and tree planting plan shall illustrate the  
7 proposed irrigation zones, delineating micro-irrigation zones and areas  
8 utilizing irrigation techniques other than micro-irrigation.  
9

10 c. Fifty (50) percent of the on-site green space shall be allowed  
11 to utilize irrigation techniques other than micro-irrigation. Turf areas  
12 shall be on separate irrigation zones from other landscape plant zones.  
13 In the case of expansion of an existing development, this limitation will  
14 apply to the area of new landscape, only.  
15

16 d. In addition, in order to promote water conservation in the  
17 community a maximum of fifty (50) percent green space may be  
18 planted with turfgrass configured with a permanent irrigation system.  
19 Turfgrass in excess of this limitation shall not have a permanent  
20 irrigation system. Micro-irrigation shall not be used on turfgrass. In the  
21 case of expansion of an existing development, this limitation will apply  
22 to the area of new landscaping, only.  
23

24 e. Sprinkler spacing shall not exceed 55 percent of the  
25 sprinklers' diameter of coverage.  
26

27 f. Sprays and rotors shall not be combined on the same control  
28 valve circuit. Sprays and rotors shall have matching application rates  
29 within each irrigation zone.  
30

31 g. All irrigation systems shall be designed to avoid overspray,  
32 runoff, low head drainage, or other similar conditions where water  
33 flows onto or over adjacent property, non-irrigated areas, walkways,  
34 roadways, structures, or water features. Narrow areas (four feet wide  
35 or less) shall not be irrigated unless micro-irrigation is utilized.  
36

37 h. Irrigation control equipment shall include an automatic  
38 irrigation controller having program flexibility such as repeat cycles  
39 and multiple program capabilities. Automatic irrigation controller(s)  
40 shall have battery back-up to retain the irrigation program(s).  
41 Automatic control systems shall be equipped with an operable rain  
42 sensor device.  
43

44 i. The irrigation system should be designed to "Standards and  
45 Specifications for Turf and Landscape Irrigation Systems," Fourth  
46 Edition, 2000, Florida Irrigation Society and as subsequently amended.  
47

48 j. Sports fields, golf courses, cemeteries, and stormwater  
49 management systems are exempt from the turf area limitation and  
50 micro-irrigation requirements of this ordinance where functional need

for turf is demonstrated. All other irrigation and landscape requirements of this Ordinance apply.

(3) *Vehicular use areas and vehicular display areas.* The required landscape buffer and screen between adjacent parcel and vehicular use areas and vehicular display areas will not be required where:

- a. A vehicular use area abuts an existing durable landscape screen and landscaped area on an abutting parcel. The existing screen may be used to satisfy the requirements of this section provided all applicable standards of this division are met;
- b. Multistory parking structures are present which are eighty (80) percent opaque from outside view with respect to stationary vehicles.
- c. In no instance shall any landscaped area required by this chapter be encroached upon by any type of parked or moving vehicle, boat, mobile home, travel trailer or heavy construction equipment.”

**Section 6.** That if any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

**Section 7.** That all ordinances in the City of Tampa in conflict herewith are hereby repealed to the extent of any conflict.

**Section 8.** That this Ordinance shall take effect March 1, 2002.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
JANETT S. MARTIN  
CITY CLERK

\_\_\_\_\_  
CHAIRMAN, CITY COUNCIL

APPROVED ON \_\_\_\_\_ BY

\_\_\_\_\_  
DICK A. GRECO, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
KATHY FRY  
ASSISTANT CITY ATTORNEY

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