



ULDR 47-21 Revisions Stakeholder Meeting

March 18, 2022





Introduction

Facilitator

Commissioner Ben Sorenson

City Project Managers

Glen Hadwen, CC-P, LEED AP, Sustainability Manager

Dr. Nancy Gassman, PhD, CC-P, Assistant Director Public Works - Sustainability

Mark Williams, ISA, ASCA, LIAF, City Urban Forester

City's Consultant

Calvin, Giordano & Associates, Inc.

Michael D. Conner, PLA, ISA, Senior Landscape Architect

Tammy Cook-Weedon, PLA, LEED AP BD+C, Director of Landscape Architecture





Goal of Meeting

- To engage stakeholders in discussion to clarify the code and, if required, make minor revisions that will result in bringing forward ULDR 47-21 revisions to second reading without requiring reapproval by Broward County or the Planning and Zoning Board.





Ground Rules

- Discussion shall be respectful and courteous.
- Scope shall be limited to text changes that can be accommodated without going back to PZB or require recertification of the proposed ordinance by Broward County.
- Changes may include clarifications.
- The Feb 9, 2022, Advisory Group communication will be the basis for discussion.
- Per the March 7, 2022, meeting with Commissioner Sorensen, additional concerns submitted prior to the 3/18 meeting will be discussed as time allows.
- Discussion will be limited to one two-hour meeting.
- Topics outside this scope or not appropriate for inclusion in ULDR 47-21 will be noted for future consideration.





Recent Activity

March 20, 2021 – PZB Direction

April — City Contracted with Calvin, Giordano & Associates, Inc. (CGA)

May/June — (3) Stakeholder Group Meetings

- Multiple Review Meetings with City staff

July/August — Preparation of Revised Draft Ordinance

- Approval from Broward County
- Submitted to City Attorney

September/October — Revision to address Attorney's comments

- Final Reviews by City staff

November / December — Ordinance to Planning & Zoning board

- Approval with comments

February 15, 2022 — First reading at City commission

- Approval pending resolution Of Final Issues





Clarifications of Some Issues Raised

- **Concern:** Proposed ordinance increases the number of trees required in some cases

Response: The number of required trees has not increased in any of the zoning districts or categories. They all stay the same, except that the required number of street trees has actually been reduced because the drive ways can be subtracted.

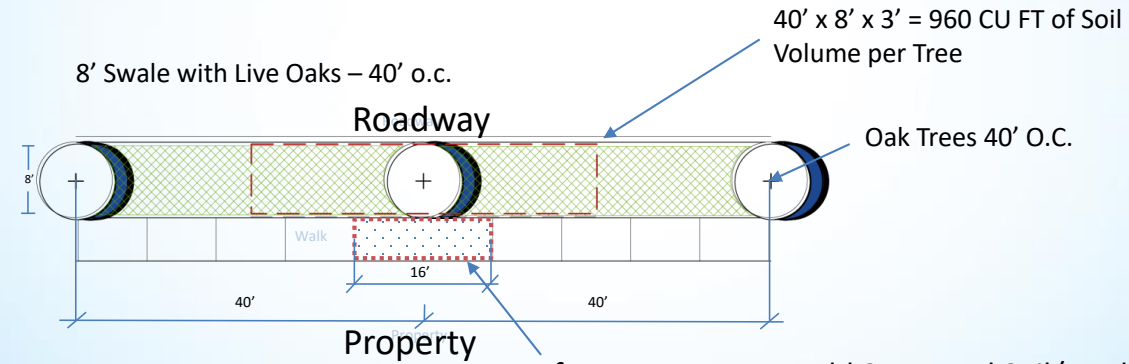
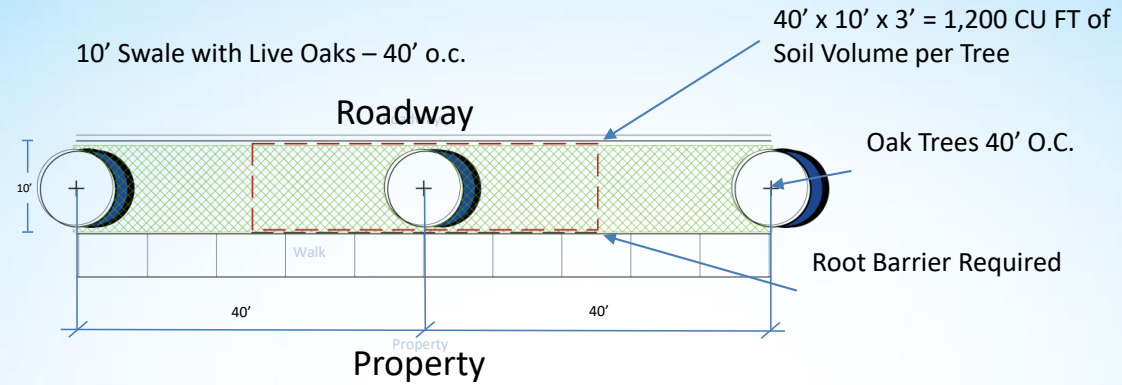
- **Concern:** Proposed ordinance significantly increases the amount of large shade trees required.

Response: The term “shade” tree in the existing ordinance refers to large trees that are greater than thirty (30) feet in canopy diameter at maturity. Proposed ordinance does not use this term anymore. Instead, trees are listed as either large trees (>30’), Medium trees (>20’), or small trees (<20’).





Street Tree Requirements



Note: Switching to a Medium or Small Tree, or Palm – No Struct. Soil Would be Required

If Large Tree, must add Structural Soil/Mod SUS Pavement. Under 16 L.F of 5' Walk (w/no Root Barrier)





Clarifications of Some Issues Raised (Cont'd)

Response (cont.): Example — Looking at the net lot area — Tree requirements... The existing ordinance requires 20% of those trees to be “shade” trees (>30’ DIA canopy). The proposed ordinance increases the required number of large trees (>30’ DIA canopy) from 20% to 50% (not 75%) then 25% can be medium trees, and the remaining 25% can be a combination of small trees and palms.

Thus, the proposed ordinance does increase the amount of large trees in this category, but this is aimed at achieving the policy direction of enhancing the City’s tree canopy.

This type of flexibility, with a mix of large, medium, and small trees and palms, carries through the entire proposed ordinance.





Clarifications of Some Issues Raised (Cont'd)

- **Concern:** Proposed ordinance requires the installation of structural soils and modular suspended pavement systems, which will dramatically increase costs for builders/developers

Response: The use of these systems is only required in the proposed ordinance when a large tree (or medium tree) is being planted without the proper amount of root space. So, if there is adequate room for that size tree, then there is no requirement to install structural soil.

It is intended to encourage the right tree in the right place. However, when that is **not** possible, then the emerging technologies in our industry will help prevent costly damage to private and City-owned hardscapes from tree roots and grow larger, healthier trees.

Yes, it costs a little bit more, but it will not be required for most, if not all trees, on most sites.





Clarifications of Some Issues Raised (Cont'd)

- **Concern:** The proposed ordinance increased the equivalent value of trees being removed too much.

Response: The current ordinance under values the monetary cost of replacing existing trees. The proposed ordinance is updating the formula so that it uses current costs and more accurately reflects a cost similar to that of planting replacement trees.

Example: Removal of 20 "D.B.H. Live oak tree with a 50% condition rating.

Old Code: (Uses \$65.00 per caliper inch)

Uses "A" species = $100\% \times \$65.00/\text{in} \times 50 = 10''$ or replacement trees, or \$650.00

Note: Cost or planting (5) 2" cal. live oak is closer to \$2,500.00 – (5) x 500.00/ea.

This, when replacement trees are not proposed to be planted, then the equivalent replacement value being paid into the City's tree canopy trust fund is way too low.





Clarifications of Some Issues Raised (Cont'd)

Response (cont.):

New Code: (Uses \$250.00 per caliper Inch –
\$100.00 wholesale x 2.5 = \$250.00

Class "A" Species = $100\% \times 250.00/\text{in} \times .50 = 10''$ of replacement trees, or
\$2500.00

Note: This amount more closely matches the actual cost of planting (5) 2" Cal.
Live Oaks





Clarifications of Some Issues Raised (Cont'd)

Structural Soil Cost

Example: 9' x 18' island with a large tree

Total volume needed: $9 \times 18 = 162\text{sf} \times 3 = 486 \text{ cu ft}$

Structural soil volume needed: $1200 - 486 = 714 \text{ cu ft} / 27 = 26.44 \text{ cu yds}$

Cost for structural soil material: $26.44 \text{ cu yds} \times \$66/\text{cu yd} = \$1,745.33$

Cost w labor & installation: $+ \$1,200 = \$2,945.33$ or $@2x = \$3,490.66$

Credit for material that would have been typically installed:

12" limerock base: $8.81 \text{ cu yds} \times \$20/\text{cu yd} = \$176.26$

12" completed sub base – $8.81 \text{ cu yds} \times \$10/\text{cu yd} = \$88.13$

Total cost with labor & installation $@2x = 2x(\$176.26 + \$88.13) = \$528.79$

Net cost: $\$2,945.33 - 528.69 = \$2,426.54$ or

$\$3,490.66 - 528.79 = \$2,961.87$





Clarifications of Some Issues Raised (Cont'd)

Modular Suspended Pavement Cost

Example: 9' x 18' island with a large tree

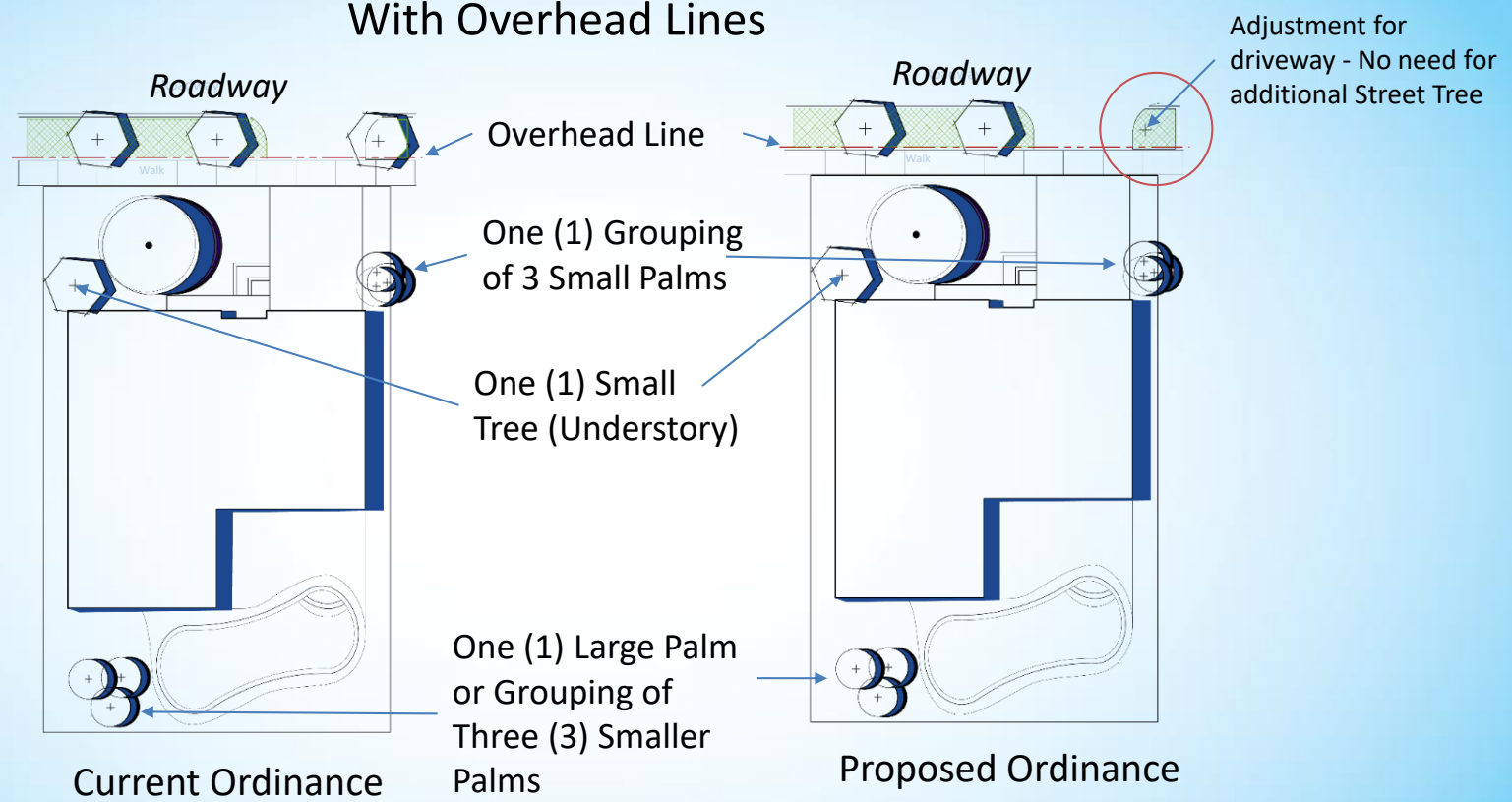
Net cost: \$5,659.33 or

\$7,916.99



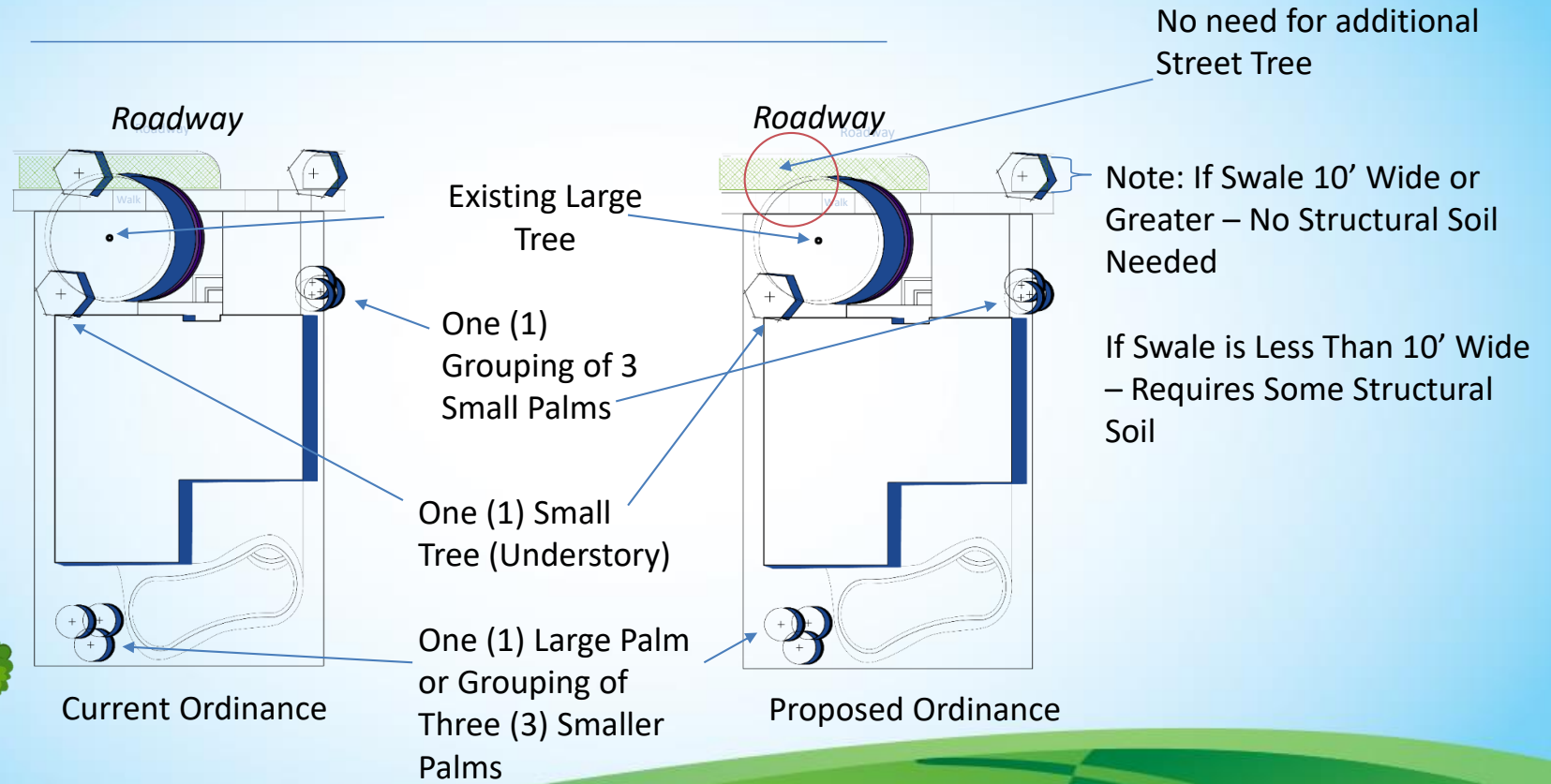


Typical (70' x 100') Single Family Lot With Overhead Lines





Typical (70' x 110') Single Family Lot Without Overhead Lines





Parking Islands

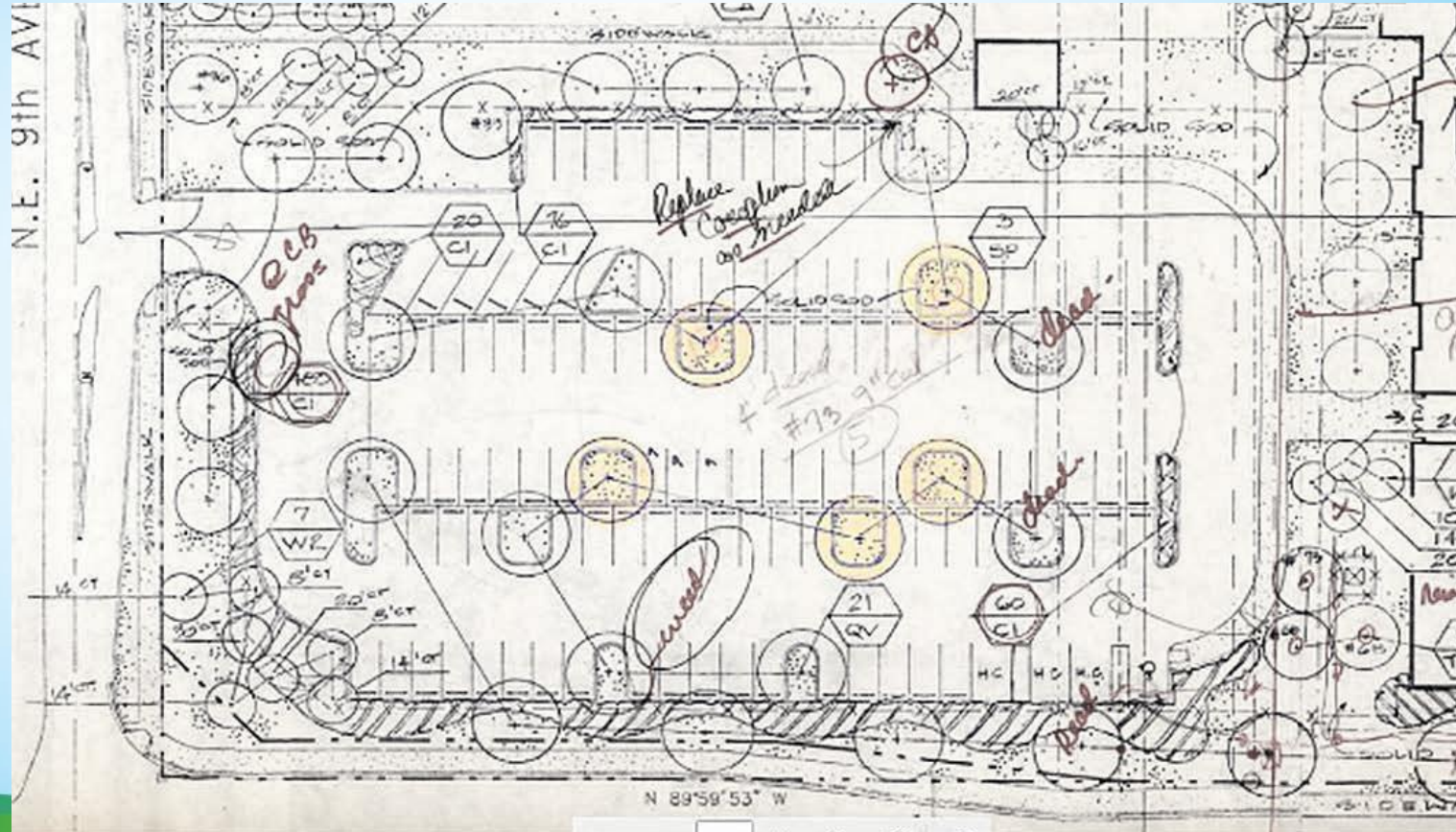


They Should All Be Like This.





Parking Islands





Parking Islands



Could be beautiful with modular suspended pavement system





Street Trees



Policy direction is to enhance the tree canopy not just increase the number of trees



Street Trees



Strive for this



Item #1

Stakeholder Suggestion	Response
<p>Page 35. Sec. 47-21.8.G. G. Fifty percent (50%) of all plants, excluding living lawn/turf or sod, required to be installed by this section shall be either native and/or naturalized vegetation to Florida or consistent with Florida-Friendly Landscaping principles that will thrive in South Florida.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none">• Most cities have similar requirement• 2016 FFL Revisions• Intended to support water conservation• References SFWMD Guide & FL Friendly principles• “Naturalized” is vague• Naturalized would have to be defined <p>Decision: Fifty percent (50%) of all plants, excluding living lawn/turf or sod, required to be installed by this section shall be native or consistent with Florida-Friendly Landscaping principles that will thrive in South Florida.</p>

Item #2

LA Comments	Response
<p>Page 36. Sec. 47-21.8.J. J. Palms shall have a minimum of eight (8) feet of clear trunk when installed, except Coc cothrinax, Thrinax, Leucothrinax spp., and Phoenix roebellini palms which shall have a minimum of three (3) feet of wood when planted. Palms listed as Large Palms in the City’s Tree Classification List can count as one (1) large, required tree towards meeting tree requirements for any provision herein. Palms listed as Small Palms in the City’s Tree Classification List may be grouped together such that three (3) Small Palms shall count for one (1) large, required tree towards meeting tree requirements for any provision herein.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none"> • Code currently states this already elsewhere • Universal exemption which allows palms to sub for tree requirements • Intent to prevent canopy removal to substitute in palm trees <p>Decision: J. Palms shall have a minimum of eight (8) feet of clear trunk-when installed, except Coc cothrinax, Thrinax, and Leucothrinax spp., and Phoenix roebellini palms which shall have a minimum of three (3) feet of wood when planted. Palms listed as Large Palms in the City’s Tree Classification List can count as one (1) large and medium required tree towards meeting tree requirements for any provision herein. Palms listed as Small Palms in the City’s Tree Classification List may be grouped together such that three (3) Small Palms shall count for one (1) large and medium, required tree towards meeting tree requirements for any provision herein. >Remove definition of shade tree (will require adding additional clarifications of the definitions of large, medium</p>

Item #2a

LA Comments	Response
<p>Page 37. Sec.47-21.8.O. O. Where Large or Medium Trees are to be planted within six (6) feet of any proposed sidewalk, hardscape, or utility, then a modular suspended pavement system shall be installed (in conjunction with root barriers when adjacent to utilities, if needed) under the paved area which has a H-20 or HS-20 loading rating in accordance from the AASHTO <i>Standard Specifications for Highway Bridges</i>. A sub-grade soil medium (or structural soil) may be installed to connect open soil space areas (such as underneath a sidewalk connecting a swale and turf area to allow for future tree root growth) or in locations where use of a suspended soil system is not feasible, such as when a high water table is present. Cost considerations shall not be considered a sufficient sole reason for use of structural soils, to apply only in the RAC.</p> <p>Additional comments 16. Modular Suspended Pavement systems are insanely expensive, complex to install, and have major drawbacks. They should only be used where absolutely necessary.</p>	<p>Staff: <u>Clarification</u></p> <ul style="list-style-type: none"> • RAC is not only place this is needed, VHU also needed • Meant to encourage Right Tree Right Place (RT/RP) • Meant to protect hardscapes for the life of the tree • Board of Adjustment can offer a waiver to the requirement • Structural soil was added as a compromise to allow another option other than modular soil. <p>Decision: This guidance is needed in more areas than just the RAC to meet the policy guidance. >“Where Large or Medium Trees are to be planted within six (6) feet of any proposed public sidewalk, hardscape, or public utility or utility easement, then a modular suspended pavement system shall be installed...” ➤ “Cost considerations shall not be considered a sufficient sole reason for use of structural soils.” ➤ Add language to highlight where structural soil is most suitable versus modular systems.</p>

Item #3

LA Comments	Response
<p>Page 45. Sec. 47-21.9.L. 1. 2. and 3. delete minimum soil volume requirements from the Ordinance NOTE: These changes also occur on Page 65 and 66, Sec. 47-21.14. A. 1. c. i., ii., iii and replace with Broward County standard</p> <p>L. Minimum soil volume requirements for trees shall be:</p> <ol style="list-style-type: none"> 1. Twelve-hundred cubic feet (1200 ft³) with a minimum of three feet (3') depth . . . for . . . Large Trees . . . 2. Six hundred cubic feet (600 ft³) with a minimum of three feet (3') depth . . . for . . . Medium Trees . . . 3. Three hundred cubic feet (300 ft³) with a minimum depth of three feet (3') . . . for . . . Small Tree . . . <p style="color: red;">Broward County Sec 39-87.10 Parking island size shall meet the soil volume necessary for the tree species selected to be planted in said island. The following sized islands shall serve as a guide for the selected trees or palms:</p> <ol style="list-style-type: none"> 1. 135 [ft²] island size (9' x 15') for small trees or palms; 2. 225 [ft²] island size (15' x 15') for medium trees or palms; 3. 324 [ft²] island size (18' x 18') for large trees or palms; 4. 378 [ft²] island size (21' x 18') for large trees or groups of trees or palms; and 5. 486 [ft²] island size (27' x 18') or larger for larger groups of trees or palms. <p style="color: green;">Additional comments</p> <p style="color: green;">15. Required Soil volumes should not be in code.</p>	<p>Staff:</p> <p><u>Clarification</u></p> <ul style="list-style-type: none"> • Policy issue - • Volume is more important than surface area based on studies • Meant to encourage RT/RP <p>Decision: Planting areas must meet either a set surface area or a minimum soil volume when applying structural soil or modular systems to the planting area.</p>

Item #4

LA Comments	Response
<p>Page 46. Sec. 47-21. 9. Q. 2. and 3. delete seven (7) words, not located in the front yard area</p> <p>Q. Synthetic turf shall comply with all the following design standards and shall:</p> <p>2. Be of a type known as “cut pile with infill” with pile fibers of a minimum height of 1.75 inches and a maximum height of 2.5 inches. Synthetic turf installed solely for the purpose of a putting green and not located in the front yard area shall be exempt from this requirement.</p> <p>3. Have a minimum face weight of 75 ounces per square yard. Synthetic turf installed solely for the purpose of a putting green and not located in the front yard area shall be exempt from this requirement.</p>	<p>Staff:</p> <p><u>Item for Consideration</u></p> <ul style="list-style-type: none">• Putting greens should not be in front yard• Policy issue <p>Decision:</p> <p>Legal: Putting green has to be defined.</p> <p>Commissioner:</p> <ul style="list-style-type: none">> Define percentage of your yard that can be synthetic turf.> Strike (Q) putting green language.

Item #5

LA Suggestion	Response
<p>Page 67. Sec. 47-21.13. B.10. i. Delete “shall constitute no more than twenty percent (20%) of the total trees provided and”</p> <p>i. Large and Small palm species shall constitute no more than twenty percent (20%) of the total trees provided and must have a minimum of eight (8) feet of clear trunk at installation.</p> <p><u>Additional comments</u></p> <p>1. 47-21.13.B.10.i add word “required” to allow additional palms after minimum requirements met</p> <p>23. Restrictions on use of palms should be reduced and 30’ diameter canopy palms should be considered shade trees</p>	<p>Staff:</p> <p><u>Item for consideration</u></p> <ul style="list-style-type: none">• Section deals with species diversity only• # Palms requirements is located in other sections <p>Decision:</p> <p>Large and Small palm species shall constitute no more than twenty percent (20%) of the total trees provided and must have a minimum of eight (8) feet of clear trunk at installation</p>

Item #5a

LA Comments	Response
<p>Page 63. Sec.47-21.13.B.1.a.i and ii. <i>Do not change existing code for Net Lot Area (NLA), Vehicular Use Area (VUA) and Street Trees</i></p> <p>1. Landscape requirements.</p> <p style="padding-left: 20px;">a. For other than a single family dwelling as defined in Section 47-35:</p> <p style="padding-left: 40px;">ii. Fifty percent (50%) of the trees shall be Large Trees, twenty five percent (25%) and Medium trees, and twenty five percent 25% <u>fifty percent 50%</u> a combination of Small Trees, Large or Small Palms, flowering trees, and fruit trees. A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem species of palms, may be considered as counting towards one (1) required tree, as determined by the Department.</p>	<p>Staff:</p> <p><u>Item for consideration</u></p> <ul style="list-style-type: none"> • Already exemptions in place • Provides for more flexibility not less • Encourages RT/RP • In new code, Medium trees are not the same as old code shade trees • Policy item – increase canopy coverage <p>Decision:</p> <p>Change: - 25% Large, 50% large or medium, 25% other for Net lot area</p>

Item #5b

LA Comments	Response
<p>Page 63. Sec.47-21.13.B.1.b.i. <i>spacing between large, medium, and small trees has been added which was needed, but needs clarification to allow for understory and clustering and most single-family sites are over prescribed with trees per the proposed code</i></p> <p>iii. Four (4) trees are required and shall be installed such that: if an adequate area for tree(s) exist</p> <ol style="list-style-type: none"> 1) Three (3) trees shall be in the front yard with one (1) being a Large or Medium Tree; and 2) One (1) tree shall be in the back yard; and 3) A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem, species of palms may be considered as counting towards one (1) required tree, as determined by the Department. <p>Additional comments 8. Extensively review tree spacing requirements and addressing spacing conflicts throughout ordinance.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none"> • Does not change number of trees required • Already exemptions in place (for req'd Large or Medium tree) and for allowing substitution of palms • Adequate is not defined <p>Decision: iii. Four (4) trees are required and shall be installed such that: Three (3) trees shall be in the front yard with one (1) being a Large or Medium Tree.; and 1) One (1) tree shall be in the back yard; and 2) A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem, species of palms may be considered as counting towards one (1) required tree, as determined by the Department.</p>

Item #6

LA Comments	Response
<p>Page 69. Sec. 47-21.13.B.16.b. <i>Do not change the minimum percentage of required street tree (LARGE and or MEDIUM) from 50% to 75%</i></p> <p>b. A minimum of seventy-five <u>fifty percent (75%) (50%)</u> of the required street trees shall be trees listed as Large Trees or Medium Trees in the City's Tree Classification List, and the remaining twenty-five percent (25%), <u>fifty percent (50%)</u> of the required street trees may be a combination of Small Trees, flowering trees, fruiting trees, and/or Large palm species.</p> <p>Additional comments 2. 47-21.13.B.16.b Delete fruiting trees eligible trees for public right of way.</p>	<p>Staff: <u>Clarification</u></p> <ul style="list-style-type: none">• Increase from 50% shade trees to 75% Large or Medium• Already 3 exceptions in place• Already exception for palms• Policy item - increase canopy <p>Decision:</p>

Item #7

LA Comments	Response
<p>Page 99. Sec. 47-21.15. G. 9. b. ii. Clarification, Add, NOTE: <i>Updates to occur no more than once every five (5) years</i> ii. Development, publishing, and updates for an Urban Forestry Master Plan to protect, preserve, and enhance the City's urban tree canopy. Cumulatively, the cost expenditures for this item shall not exceed fifteen percent (15%) of the Fund's balance in any given fiscal year. The cumulative expenditures from subsection i. and ii. shall not exceed 25% of the total fund balance in any fiscal year. NOTE: Updates to occur no more than once every five (5) years</p>	<p>Staff: <u>Not possible</u></p> <ul style="list-style-type: none">• Policy decision• Item does not belong in this ordinance• UFMP should have flexibility in frequency• Frequency of master planning is generally not legislated <p>Decision:</p>

Item #8

LA Comments	Response
<p>Page 100. Sec.47-21.15. G. 10. d. Clarification Add, <i>“community leaders” to include an Advisory Panel comprised of at least 5 members, no more than 7 members, which shall include local Registered Landscape Architects and ASCA Registered Consulting Arborists and SAF Certified Foresters</i> d. provide goals using a blueprint for the engagement and purposeful action of community leaders, neighbors, and organizations to sustain the City’s tree and palm canopy, including local Registered Landscape Architects and ASCA Registered Consulting Arborists and SAF Certified Foresters, and ...</p>	<p>Staff: <u>Not possible</u></p> <ul style="list-style-type: none">• Policy decision• Need for and composition of any Advisory Board should be evaluated as part of UFMP process - not done in advance of UFMP• Establishment of board does not belong in ULDR <p>Decision:</p>

Item #9

LA Comments	Response
<p>Page 100. Sec 47-21.15. G. 10. e. Clarification,</p> <p>e. provide a current record of resources being managed and its value, not funded from the TCTF</p>	<p>Staff:</p> <p><u>Clarification</u></p> <ul style="list-style-type: none">• Record of resources is an essential part of UFMP process and not intended to be a full GPS inventory• Policy decision• Already removed funding of GPS inventory from ordinance <p>Decision:</p>

Item #10

LA Comments	Response
<p>Page 100. Sec. 47-21.15 G. 10. i. <i>Add new section (i) requiring tree credits to be part of Urban Forestry Master Plan (UFMP)</i></p> <p>i. A new section addressing Tree Credits for existing trees is to be included within the UFMP</p> <p>Additional comments 24. provide credits for keeping trees same as # replacement trees if it had been removed.</p>	<p>Staff: <u>Parking lot</u></p> <ul style="list-style-type: none">• Policy decision – financial implications & impact on tree canopy need to be considered• Tree credits and other incentives could be considered as part of UFMP process but a requirement of establishing credits does not belong in ULDR 47-21• Time to research, vet policies, develop ordinance language and solicit public comment would be prohibitive <p>Decision:</p>

Additional Comments

Specific Line Change Requests

1. 47-21.13.B.10.i add word “required” to allow additional palms after minimum requirements met (5) (FS)
2. 47-21.13.B.16.b Delete fruiting trees eligible trees for public right of way. (6) (FS)
3. 47-21.13.B.16.d Increase palm clear trunk to 16 ft to allow pedestrian clearance. (FS)
4. 47-21.13.B.16.e Delete this item entirely - requirement to maintain street trees for maximum canopy spread (FS)
5. 47-21.14.A.1.d.iii Increase palm clear trunk to 16 feet allow pedestrian clearance. (FS)
6. 47-21.14.A.1.d Delete fruiting trees as option for RAC. Most can't meet size requirements. (FS)

Broader Comments

7. Review and eliminate where possible occurrences of “As determined by Department” (DC)
8. Extensively review tree spacing requirements and addressing spacing conflicts throughout ordinance. (5b) (DC)
9. Street tree spacing requirements – compare 47-23.9 Interdistrict corridor requirements to 47-21 requirements. (5a, 6) (FS)

Additional Comments

Broader Comments

10. 47-21.2.A.76 Specimen tree definition – review specimen criteria for palms particularly multi-stemmed palms (FS)
11. New Specimen tree requirements for small and medium trees are too broad, and for palm trees are unnecessary (RE)
12. City must give exact methodology (not a way they plan to do it) to calculate new tree removal costs so public and commission can properly assess new costs. (RE)
13. Owners/builders of Single family homes should still be able to design their own landscape plans. Surveyors should not be given tasks they are unable to complete (RE)
14. Soil Analysis should be limited to complex projects that really need it, consider allowing opinion letters for more obvious/simple soil conditions. (RE)
15. Required Soil volumes should not be in code. (3) (RE)
16. Modular Suspended Pavement systems are insanely expensive, complex to install, and have major drawbacks. They should only be used where absolutely necessary. (2a) (RE)
17. Relax/remove tree spacing requirements when planting replacement trees on a site. Consider that large spacing requirements are not needed for optimum tree health. Also tree spacing requirements inhibit optimum design of landscapes. (RE)

Additional Comments

Broader Comments

18. Proposed protection barricades are way too large and will conflict with other onsite building requirements. (RE)
19. Root cutting requirements are overly prescriptive and leave too much discretion up to landscape inspector. Allow property owner to use own arborist and best management practices. (RE)
20. Single Family homes should still be allowed to hand/machine water sites. Smaller lots often do not need expensive and water intensive underground systems. (RE)
21. Modular systems should not be required to meet minimums. (2a) (NB)
22. Palms as specimens should remain as one to one replacement with minimum height of 8'. (NB)
23. Restrictions on use of palms should be reduced and 30' diameter canopy palms should be considered shade trees. (NB)
24. Provide credits for keeping trees same as # replacement trees if it had been removed. (NB)

Additional Comments

Big Picture Comments

25. Define consensus for this process. (DC)
26. City is not losing canopy, but growing! There is plenty of time to craft a much better ordinance and not push through the current extremely detrimental draft. (RE)
27. City Staff did not consider housing affordability, future development, or construction costs in formulation of proposed code (RE)
27. Proposed code not only does not meet, but does the exact opposite of its stated goal “to establish minimum standards for the development, installation, and maintenance of Florida-Friendly Landscaping™ without inhibiting creative landscape design, construction, and management.” (RE)
28. By making tree preservation excessively costly and complex it will discourage tree planting and encourage removal by citizens afraid of how trees may devalue their property. (RE)
29. City is not using its own “Right Tree, Right Place” philosophy by encouraging plantings of large shade trees in areas without the space for mature growth and instead requiring very expensive substructures for where certain trees really should not be planted. (RE)

Additional Comments

Big Picture Comments

30. The external effects of this ordinance will be to significantly raise construction costs when they have already skyrocketed and limit low and medium density residential development at a time of a severe housing shortage. (RE)
31. Code should simply calculate the required trees by open space and then the licensed professional design the site accordingly and choose where the right place is for the number of required trees. (NB)

Closing

- Review of Revisions
- Next steps
- Adjourn



ULDR 47-21 Revisions Stakeholder Meeting

April 21, 2022





Introduction

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Commissioner Ben Sorenson

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- Discussion shall be respectful and courteous.
- Scope shall be limited to text changes that can be accommodated without going back to PZB or require recertification of the proposed ordinance by Broward County.
- Changes may include clarifications.
- The Feb 9, 2022 Advisory Group communication will be the basis for discussion.
- Per the March 7, 2022 meeting with Commissioner Sorensen, additional concerns submitted prior to the 3/18 meeting will be discussed as time allows.
- **Items 1-5 discussed and agreed upon at the March 18, 2022 meeting are considered resolved and will not be revisited at the April 21 meeting.**
- **The April 21 gathering is the last planned stakeholder meeting prior to submission of the modified ordinance for Commission final approval.**
- Topics outside this scope or not appropriate for inclusion in ULDR 47-21 will be noted for future consideration.





ULDR 47-21 Revisions Stakeholder Meeting

April 21, 2022

Discussion Items #6 - 10



Item #6

LA Comments	Response
<p>Page 69. Sec. 47-21.13.B.16.b. <i>Do not change the minimum percentage of required street tree (LARGE and or MEDIUM) from 50% to 75%</i></p> <p>b. A minimum of seventy-five <u>fifty percent (75%) (50%)</u> of the required street trees shall be trees listed as Large Trees or Medium Trees in the City’s Tree Classification List, and the remaining twenty-five percent (25%), <u>fifty percent (50%)</u> of the required street trees may be a combination of Small Trees, flowering trees, fruiting trees, and/or Large palm species.</p> <p>Additional comments 2. 47-21.13.B.16.b Delete fruiting trees eligible trees for public right of way.</p>	<p>Staff: <u>Clarification</u></p> <ul style="list-style-type: none"> • Increase from 50% shade trees to 75% Large or Medium • Already 3 exceptions in place • Already exception for palms • Proposed allows subtraction for ingress and egress • Policy item - increase canopy <p>Decision:</p> <ul style="list-style-type: none"> • Need to clean up language to clarify when a root barrier can be used (public utility vs sidewalk vs hardscape) • root barrier at 24 inches depth and must extend the designated length along the potential public infrastructure impacted • Percentage modification = 75% L or M as proposed • Fruit Tree modification = strike edible fruiting trees in the street

Item #7

LA Comments	Response
<p>Page 99. Sec. 47-21.15. G. 9. b.ii. Development, publishing, and updates for an Urban Forestry Master Plan to protect, preserve, and enhance the City's urban tree canopy. Cumulatively, the cost expenditures for this item shall not exceed fifteen percent (15%) of the Fund's balance in any given fiscal year. The cumulative expenditures from subsection i. and ii. shall not exceed 25% of the total fund balance in any fiscal year.</p> <p><i>Clarification: ADD language to state: Updates to occur no more than once every five (5) years</i></p>	<p>Staff: <u>Not possible</u></p> <ul style="list-style-type: none">• Policy decision• Item does not belong in this ordinance• UFMP should have flexibility in frequency• Frequency of master planning is generally not legislated <p>Decision: No change</p>

Item #8

LA Comments	Response
<p>Page 100. Sec.47-21.15. G. 10. d. d. provide goals using a blueprint for the engagement and purposeful action of community leaders, neighbors, and organizations to sustain the City’s tree and palm canopy,</p> <p><i>Clarification ADD “community leaders” to include an Advisory Panel comprised of at least 5 members, no more than 7 members, which shall include local Registered Landscape Architects and ASCA Registered Consulting Arborists and SAF Certified Foresters including local Registered Landscape Architects and ASCA Registered Consulting Arborists and SAF Certified Foresters, and ...</i></p>	<p>Staff: <u>Not possible</u></p> <ul style="list-style-type: none"> • Policy decision • Need for and composition of any Advisory Board should be evaluated as part of UFMP process - not done in advance of UFMP • Establishment of board does not belong in ULDR <p>Decision: Establishment of board does not belong in ULDR</p>

Item #9

LA Comments	Response
<p>Page 100. Sec 47-21.15. G. 10. e. <i>Clarification:</i></p> <p>e. provide a current record of resources being managed and its value, not funded from the TCTF</p>	<p>Staff: <u>Clarification</u></p> <ul style="list-style-type: none">• Policy decision• Record of resources is an essential part of UFMP process and not intended to be a full GPS inventory• Already removed funding of GPS inventory from ordinance <p>Decision: Delete (e.) In its entirety</p>

Item #10

LA Comments	Response
<p>Page 100. Sec. 47-21.15 G. 10. i. <i>Add new section (i) requiring tree credits to be part of Urban Forestry Master Plan (UFMP)</i></p> <p><i>i. A new section addressing Tree Credits for existing trees is to be included within the UFMP</i></p> <p>Additional comments 24. provide credits for keeping trees same as # replacement trees if it had been removed.</p>	<p>Staff: <u>Parking lot</u></p> <ul style="list-style-type: none"> • Policy decision – financial implications & impact on tree canopy need to be considered • Proposed code increases parking credits in VUA from 10 to 20% • Tree credits and other incentives could be considered as part of UFMP process but a requirement of establishing credits does not belong in ULDR 47-21 • Time to research, vet policies, develop ordinance language and solicit public comment would be prohibitive <p>Decision: We will not legislate what is in the Master Plan. The idea of incentives will be considered in the UFMP.</p> <p>Make an adjustment of the “specimen” tree and “desirable” tree related to palms.</p>



ULDR 47-21 Revisions Stakeholder Meeting

April 21, 2022

Additional comments



Additional Comments

Specific Line Change Requests

1. 47-21.13.B.10.i add word “required” to allow additional palms after minimum requirements met (5) (FS)
2. 47-21.13.B.16.b Delete fruiting trees eligible trees for public right of way. (6) (FS)
3. 47-21.13.B.16.d Increase palm clear trunk to 16 ft to allow pedestrian clearance. (FS)
4. 47-21.13.B.16.e Delete this item entirely - requirement to maintain street trees for maximum canopy spread (FS)
5. 47-21.14.A.1.d.iii Increase palm clear trunk to 16 feet allow pedestrian clearance. (FS)
6. 47-21.14.A.1.d Delete fruiting trees as option for RAC. Most can't meet size requirements. (FS)

Broader Comments

7. Review and eliminate where possible occurrences of “As determined by Department” (DC)
8. Extensively review tree spacing requirements and addressing spacing conflicts throughout ordinance. (5b) (DC)
9. Street tree spacing requirements – compare 47-23.9 Interdistrict corridor requirements to 47-21 requirements. (5a, 6) (FS)

Additional Comments

Broader Comments

10. 47-21.2.A.76 Specimen tree definition – review specimen criteria for palms particularly multi-stemmed palms (FS)
11. New Specimen tree requirements for small and medium trees are too broad, and for palm trees are unnecessary (RE)
12. City must give exact methodology (not a way they plan to do it) to calculate new tree removal costs so public and commission can properly assess new costs. (RE)
13. Owners/builders of Single family homes should still be able to design their own landscape plans. Surveyors should not be given tasks they are unable to complete (RE)
14. Soil Analysis should be limited to complex projects that really need it, consider allowing opinion letters for more obvious/simple soil conditions. (RE)
15. Required Soil volumes should not be in code. (3) (RE)
16. Modular Suspended Pavement systems are insanely expensive, complex to install, and have major drawbacks. They should only be used where absolutely necessary. (2a) (RE)
17. Relax/remove tree spacing requirements when planting replacement trees on a site. Consider that large spacing requirements are not needed for optimum tree health. Also tree spacing requirements inhibit optimum design of landscapes. (RE)

Additional Comments

Broader Comments

18. Proposed protection barricades are way too large and will conflict with other onsite building requirements. (RE)
19. Root cutting requirements are overly prescriptive and leave too much discretion up to landscape inspector. Allow property owner to use own arborist and best management practices. (RE)
20. Single Family homes should still be allowed to hand/machine water sites. Smaller lots often do not need expensive and water intensive underground systems. (RE)
21. Modular systems should not be required to meet minimums. (2a) (NB)
22. Palms as specimens should remain as one to one replacement with minimum height of 8'. (NB)
23. Restrictions on use of palms should be reduced and 30' diameter canopy palms should be considered shade trees. (NB)
24. Provide credits for keeping trees same as # replacement trees if it had been removed. (NB)

Additional Comments

Big Picture Comments

25. Define consensus for this process. (DC)
26. City is not losing canopy, but growing! There is plenty of time to craft a much better ordinance and not push through the current extremely detrimental draft. (RE)
27. City Staff did not consider housing affordability, future development, or construction costs in formulation of proposed code (RE)
27. Proposed code not only does not meet, but does the exact opposite of its stated goal “to establish minimum standards for the development, installation, and maintenance of Florida-Friendly Landscaping™ without inhibiting creative landscape design, construction, and management.” (RE)
28. By making tree preservation excessively costly and complex it will discourage tree planting and encourage removal by citizens afraid of how trees may devalue their property. (RE)
29. City is not using its own “Right Tree, Right Place” philosophy by encouraging plantings of large shade trees in areas without the space for mature growth and instead requiring very expensive substructures for where certain trees really should not be planted. (RE)

Additional Comments

Big Picture Comments

30. The external effects of this ordinance will be to significantly raise construction costs when they have already skyrocketed and limit low and medium density residential development at a time of a severe housing shortage. (RE)
31. Code should simply calculate the required trees by open space and then the licensed professional design the site accordingly and choose where the right place is for the number of required trees. (NB)



ULDR 47-21 Revisions Stakeholder Meeting

April 21, 2022

Discussion Items # 1-5: 3/18 Decisions



Item #1

Stakeholder Suggestion	Response
<p>Page 35. Sec. 47-21.8.G. G. Fifty percent (50%) of all plants, excluding living lawn/turf or sod, required to be installed by this section shall be either native and/or naturalized vegetation to Florida or consistent with Florida-Friendly Landscaping principles that will thrive in South Florida.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none">• Most cities have similar requirement• 2016 FFL Revisions• Intended to support water conservation• References SFWMD Guide & FL Friendly principles• “Naturalized” is vague• Naturalized would have to be defined <p>Decision: Fifty percent (50%) of all plants, excluding living lawn/turf or sod, required to be installed by this section shall be native or consistent with Florida-Friendly Landscaping principles that will thrive in South Florida.</p>

Item #2

LA Comments	Response
<p>Page 36. Sec. 47-21.8.J. J. Palms shall have a minimum of eight (8) feet of clear trunk when installed, except Coc cothrinax, Thrinax, Leucothrinax spp., and Phoenix roebellini palms which shall have a minimum of three (3) feet of wood when planted. Palms listed as Large Palms in the City’s Tree Classification List can count as one (1) large, required tree towards meeting tree requirements for any provision herein. Palms listed as Small Palms in the City’s Tree Classification List may be grouped together such that three (3) Small Palms shall count for one (1) large, required tree towards meeting tree requirements for any provision herein.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none"> • Code currently states this already elsewhere • Universal exemption which allows palms to sub for tree requirements • Intent to prevent canopy removal to substitute in palm trees <p>Decision: J. Palms shall have a minimum of eight (8) feet of clear trunk-when installed, except Coc cothrinax, Thrinax, and Leucothrinax spp., and Phoenix roebellini palms which shall have a minimum of three (3) feet of wood when planted. Palms listed as Large Palms in the City’s Tree Classification List can count as one (1) large and medium required tree towards meeting tree requirements for any provision herein. Palms listed as Small Palms in the City’s Tree Classification List may be grouped together such that three (3) Small Palms shall count for one (1) large and medium, required tree towards meeting tree requirements for any provision herein. >Remove definition of shade tree (will require adding additional clarifications of the definitions of large, medium</p>

Item #2a

LA Comments	Response
<p>Page 37. Sec.47-21.8.O.</p> <p>O. Where Large or Medium Trees are to be planted within six (6) feet of any proposed sidewalk, hardscape, or utility, then a modular suspended pavement system shall be installed (in conjunction with root barriers when adjacent to utilities, if needed) under the paved area which has a H-20 or HS-20 loading rating in accordance from the AASHTO <i>Standard Specifications for Highway Bridges</i>. A sub-grade soil medium (or structural soil) may be installed to connect open soil space areas (such as underneath a sidewalk connecting a swale and turf area to allow for future tree root growth) or in locations where use of a suspended soil system is not feasible, such as when a high water table is present. Cost considerations shall not be considered a sufficient sole reason for use of structural soils, to apply only in the RAC.</p> <p>Additional comments</p> <p>16. Modular Suspended Pavement systems are insanely expensive, complex to install, and have major drawbacks. They should only be used where absolutely necessary.</p>	<p>Staff:</p> <p><u>Clarification</u></p> <ul style="list-style-type: none"> • RAC is not only place this is needed, VHU also needed • Meant to encourage Right Tree Right Place (RT/RP) • Meant to protect hardscapes for the life of the tree • Board of Adjustment can offer a waiver to the requirement • Structural soil was added as a compromise to allow another option other than modular soil. <p>Decision:</p> <p>This guidance is needed in more areas than just the RAC to meet the policy guidance.</p> <p>>“Where Large or Medium Trees are to be planted within six (6) feet of any proposed public sidewalk, hardscape, or public utility or utility easement, then a modular suspended pavement system shall be installed...”</p> <p>➤ “Cost considerations shall not be considered a sufficient sole reason for use of structural soils.”</p> <p>➤ Add language to highlight where structural soil is most suitable versus modular systems.</p>

Item #3

LA Comments	Response
<p>Page 45. Sec. 47-21.9.L. 1. 2. and 3. <i>delete minimum soil volume requirements from the Ordinance NOTE: These changes also occur on Page 65 and 66, Sec. 47-21.14. A. 1. c. i., ii., iii and replace with Broward County standard</i></p> <p>L. Minimum soil volume requirements for trees shall be:</p> <ol style="list-style-type: none"> 1. Twelve-hundred cubic feet (1200 ft³) with a minimum of three feet (3') depth . . . for . . . Large Trees . . . 2. Six hundred cubic feet (600 ft³) with a minimum of three feet (3') depth . . . for . . . Medium Trees . . . 3. Three hundred cubic feet (300 ft³) with a minimum depth of three feet (3') . . . for . . . Small Tree . . . <p style="color: red;">Broward County Sec 39-87.10 Parking island size shall meet the soil volume necessary for the tree species selected to be planted in said island. The following sized islands shall serve as a guide for the selected trees or palms:</p> <ol style="list-style-type: none"> 1. 135 [ft²] island size (9' x 15') for small trees or palms; 2. 225 [ft²] island size (15' x 15') for medium trees or palms; 3. 324 [ft²] island size (18' x 18') for large trees or palms; 4. 378 [ft²] island size (21' x 18') for large trees or groups of trees or palms; and 5. 486 [ft²] island size (27' x 18') or larger for larger groups of trees or palms. <p style="color: green;">Additional comments</p> <p style="color: green;">15. Required Soil volumes should not be in code.</p>	<p>Staff:</p> <p><u>Clarification</u></p> <ul style="list-style-type: none"> • Policy issue - • Volume is more important than surface area based on studies • Meant to encourage RT/RP <p>Decision: Planting areas must meet either a set surface area or a minimum soil volume when applying structural soil or modular systems to the planting area.</p>

Item #4

LA Comments	Response
<p>Page 46. Sec. 47-21. 9. Q. 2. and 3. <i>delete seven (7) words, not located in the front yard area</i></p> <p>Q. Synthetic turf shall comply with all the following design standards and shall:</p> <p>2. Be of a type known as “cut pile with infill” with pile fibers of a minimum height of 1.75 inches and a maximum height of 2.5 inches. Synthetic turf installed solely for the purpose of a putting green and not located in the front yard area shall be exempt from this requirement.</p> <p>3. Have a minimum face weight of 75 ounces per square yard. Synthetic turf installed solely for the purpose of a putting green and not located in the front yard area shall be exempt from this requirement.</p>	<p>Staff:</p> <p><u>Item for Consideration</u></p> <ul style="list-style-type: none">• Putting greens should not be in front yard• Policy issue <p>Decision:</p> <p>Legal: Putting green has to be defined.</p> <p>Commissioner:</p> <ul style="list-style-type: none">> Define percentage of your yard that can be synthetic turf.> Strike (Q) putting green language.

Item #5

LA Suggestion	Response
<p>Page 67. Sec. 47-21.13. B.10. i. Delete “shall constitute no more than twenty percent (20%) of the total trees provided and”</p> <p>i. Large and Small palm species shall constitute no more than twenty percent (20%) of the total trees provided and must have a minimum of eight (8) feet of clear trunk at installation.</p> <p><u>Additional comments</u></p> <p>1. 47-21.13.B.10.i add word “required” to allow additional palms after minimum requirements met</p> <p>23. Restrictions on use of palms should be reduced and 30’ diameter canopy palms should be considered shade trees</p>	<p>Staff:</p> <p><u>Item for consideration</u></p> <ul style="list-style-type: none">• Section deals with species diversity only• # Palms requirements is located in other sections <p>Decision:</p> <p>Large and Small palm species shall constitute no more than twenty percent (20%) of the total trees provided and must have a minimum of eight (8) feet of clear trunk at installation</p>

Item #5a

LA Comments	Response
<p>Page 63. Sec.47-21.13.B.1.a.i and ii. <i>Do not change existing code for Net Lot Area (NLA), Vehicular Use Area (VUA) and Street Trees</i></p> <p>1. Landscape requirements.</p> <p style="padding-left: 20px;">a. For other than a single family dwelling as defined in Section 47-35:</p> <p style="padding-left: 40px;">ii. Fifty percent (50%) of the trees shall be Large Trees, twenty five percent (25%) and Medium trees, and twenty five percent 25% <u>fifty percent 50%</u> a combination of Small Trees, Large or Small Palms, flowering trees, and fruit trees. A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem species of palms, may be considered as counting towards one (1) required tree, as determined by the Department.</p>	<p>Staff:</p> <p><u>Item for consideration</u></p> <ul style="list-style-type: none"> • Already exemptions in place • Provides for more flexibility not less • Encourages RT/RP • In new code, Medium trees are not the same as old code shade trees • Policy item – increase canopy coverage <p>Decision:</p> <p>Change: - 25% Large, 50% large or medium, 25% other for Net lot area</p> <p>4/21/2022 – VUA - 25% Large, 50% large or medium, 25% other</p>

Item #5b

LA Comments	Response
<p>Page 63. Sec.47-21.13.B.1.b.i. <i>spacing between large, medium, and small trees has been added which was needed, but needs clarification to allow for understory and clustering and most single-family sites are over prescribed with trees per the proposed code</i></p> <p>iii. Four (4) trees are required and shall be installed such that: if an adequate area for tree(s) exist</p> <ol style="list-style-type: none"> 1) Three (3) trees shall be in the front yard with one (1) being a Large or Medium Tree; and 2) One (1) tree shall be in the back yard; and 3) A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem, species of palms may be considered as counting towards one (1) required tree, as determined by the Department. <p>Additional comments 8. Extensively review tree spacing requirements and addressing spacing conflicts throughout ordinance.</p>	<p>Staff: <u>Item for consideration</u></p> <ul style="list-style-type: none"> • Does not change number of trees required • Already exemptions in place (for req'd Large or Medium tree) and for allowing substitution of palms • Adequate is not defined <p>Decision: iii. Four (4) trees are required and shall be installed such that: Three (3) trees shall be in the front yard with one (1) being a Large or Medium Tree.; and 1) One (1) tree shall be in the back yard; and 2) A group of three (3) individual Small Palms, planted a minimum of three (3) feet and a maximum of six (6) feet apart, may equal one (1) required tree. Clustering, or multi-stem, species of palms may be considered as counting towards one (1) required tree, as determined by the Department.</p>

Closing

- Next steps
- Adjourn