

REQUEST: Amendment to the City's Unified Land Development Regulations (ULDR); Section 47-21; Landscape and Tree Preservation Requirements.

Case Number	T14013
Applicant	City of Fort Lauderdale
General Location	City-wide
Applicable ULDR Sections	Section 47-21 LANDSCAPE AND TREE PRESERVATION REQUIREMENTS
Notification Requirements	10-day legal advertisement
Action Required	Recommend approval or denial to the City Commission
Project Planner(s)	Anthony Fajardo, Zoning Administrator Department of Sustainable Development Adrienne Ehle, Environmental Analyst, Public Works Department, Sustainability Division

PROJECT DESCRIPTION / BACKGROUND:

The proposed amendment modifies the Landscape and Tree Preservation Requirements section of the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) to incorporate Florida-Friendly Landscaping™ principles to further the sustainability efforts of the City's long-term water supply.

In order for the City to meet its consumptive use permit requirements, staff has analyzed criteria to identify ways to minimize water use and potential negative impacts to our environment. Regulations that guide appropriate irrigation are one mechanism to improve water conservation.

Current ULDR regulations do not adequately address landscaping that is adapted to the local climate. This amendment will increase the amount of trees and plants which are specifically adapted to the local climate through specific criteria, adding to the resilience of landscaping city-wide by reducing the amount of irrigation required to maintain healthy landscapes, and thus furthering the City's efforts to address water conservation.

Throughout the proposed ordinance language many of the definitions and criteria have been modeled after best practice examples from Broward County Code of Ordinances and are intended to meet regulations as set forth below:

- City of Fort Lauderdale's Consumptive Use Permit (CUP) and Water Conservation Plan
- South Florida Water Management District's Water Conservation Program Plan
- State of Florida's Conserve Florida Program
- FDEP National Pollutant Discharge Elimination System (NPDES) permit mandated by the Clean Water Act (CWA) and implemented by Code of Federal Regulations (CFR) and State of Florida Municipal Separate Storm Sewer System Permit (MS4)

There are a total of nine (9) Florida-Friendly Landscaping™ principles. The following first seven (7) highlighted in bold, are addressed in this proposed ordinance:

- 1. Right Plant, Right Place**
- 2. Water Efficiently**
- 3. Fertilize Appropriately**
- 4. Mulch**
- 5. Reduce Stormwater Runoff**
- 6. Protect the Waterfront**
- 7. Attract Wildlife**
8. Manage Yard Pests Responsibly
9. Recycle Yard Waste

On June 17, 2014 staff attended the City Commission Conference meeting to present a summary of regulatory aspects for water usage within the City of Fort Lauderdale and descriptions of the Florida-Friendly Landscaping™ principles. Included as part of this presentation were examples of images depicting local, colorful Florida-Friendly Landscaping™ currently thriving in locations throughout the City. Discussion followed with questions from neighbors and the Commissioners resulting in direction from the City Commission for staff to host a public meeting to gain further input from the local landscape community.

Public Outreach

The Public Works Department, Sustainability Division (PW-Sustainability) hosted a public Open House on October 14, 2014. Neighbors, landscape architects and industry professionals as well as neighborhood associations and members from the business community were invited to discuss proposed amendments in detail. One month in advance of the Open House meeting proposed amendment documents were posted for public review, accessible on the City's website at:

<http://www.fortlauderdale.gov/news/2014/101414florida-friendly.htm>.

During the meeting the landscape principles were introduced and the proposed amendments were presented. Staff panelists from PW-Sustainability and Department of Sustainable Development were available to respond to questions from the audience. Following the Open House, PW-Sustainability staff made a similar presentation to the Council of Civic Associations. In addition, staff presented the item to the Sustainability Advisory Board (SAB), on their October 27, 2014 agenda. The SAB voted to send a communication to the Commission in support of the ordinance modifications.

Input and written recommendations were collectively obtained from neighbors, landscape architects, other local industry professionals and the National Wildlife Federation. These written comments resulted from various outreach mechanisms including Open House comment cards, individual emails sent to staff, and one-on-one meetings with landscape architects and were incorporated into the proposed draft ordinance.

It should be noted that some comments and suggestions made by members of the public, landscape architects and other industry professionals do not directly relate to the efforts of this amendment to address Florida-Friendly Landscaping™. However, staff has kept these comments and will be incorporating them into future amendments to the landscape ordinance where feasible as this effort is a phased approach with phase 1 focusing on Florida-Friendly Landscaping™ and phase 2 addressing other general issues regarding landscaping.

PROPOSED ORDINANCE CRITERIA:

To further support sustainability principles, water conservation, and preservation of tree canopy, staff has analyzed criteria to identify ways to balance landscaping goals relative to provisions for low-water requirements, colorful landscaping, and native plants that support local wildlife and pollinators as well as visiting migratory bird species. An overview of the proposed ordinance changes include:

- A) Updated terminology to be current with Florida-Friendly Landscaping™ principles and landscape industry standards, and improved irrigation practices.
- B) Improved alignment with existing Florida Department of Environmental Protection and Broward criteria¹.
- C) Upgraded criteria to reflect standards that further support sustainability principles, wildlife, pollinators (i.e. butterflies, bees), migratory birds, and preservation of the tree canopy.
- D) Includes recommended species that can thrive in South Florida while adding variation toward the color palette along with nectar-producing plants.

The Summary of Proposed Ordinance Amendments to Incorporate Florida-Friendly Landscaping™ Principles is attached as **Exhibit 1**.

¹ *Broward County Code of Ordinances, Volume II, Chapter 39 Zoning, Article VIII. Landscaping for Protection of Water Quality and Quantity*

The following is a general breakdown of the proposed amendment:

Terms and Definitions

Section 47-21.2 is expanded to provide additional clarity and understanding of new and existing terms and definitions. Twenty-six (26) proposed definitions are new and/or revised including:

Biological control; Bioretention; Caliper; Canopy; Clear trunk; Florida-Friendly Landscaping™; Hydrozone; Integrated pest management; Irrigation System; Irrigation Zone; Landscape or landscaping; Lawn/turf/sod; Low impact site design practices; Native vegetation; Nectar-producing plant; Palm; Parking garage; Pervious paving materials; Plant bed; Plant communities; Plant palette; Planting plan; Point of connection ("POC"); Runoff; Site appropriate plant; Tree Canopy Trust Fund.

New sections added include:

- Sec 47-21.3. General provisions and design standards.
- Sec. 47-21.7. Soils.
- Sec. 47-21.8. Appropriate plant, sod, and tree selection, location, and arrangement.

The criteria as identified herein will provide more defined criteria for application and use of sustainability and Florida-Friendly Landscaping™ principles. To review the proposed draft ordinance amendments in their entirety please see **Exhibit 2**.

This ULDR amendment advances *Fast Forward Fort Lauderdale: Our City, Our Vision 2035* direction: *We Are Here* and supports the *Press Play: Fort Lauderdale: Our City, Our Strategic Plan 2018* initiative, included in the *Public Places Cylinder of Excellence*, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- Objective 2: Enhance the City's identity and appearance through well-maintained green space, parks, major corridors, gateways, and medians.
- Initiative 3: Continue Florida-Friendly landscaping and create wildlife gardens.

– and –

Internal Support Cylinder of Excellence, specifically advancing:

- Goal 12: Be a leading government organization, managing resources wisely and sustainably.
- Objective 3: Provide safe, efficient and well-maintained vehicles, equipment and facilities and integrate sustainability into daily operations.
- Initiative 1: Continue to use Florida-friendly and drought-tolerant landscaping at all City facilities to conserve water.

– and –

Sustainability Action Plan, Chapter 3: Water

- Goal 1: Reduce Water Demand by 20% by 2020
- Objective 1.1: Incentive, encourage and enforce water conservation.
- Action 1.1.3: Implement and enforce landscape ordinance low-volume/avoidance watering.

CONSISTENCY WITH COMPREHENSIVE PLAN:

Staff has determined the proposed amendments described herein are consistent with the City's Comprehensive Plan. The specific Goals, Objectives and Policies are as follows:

ELEMENT:	Conservation Element
GOAL:	Goal 1
OBJECTIVE:	Objective 1.9
POLICIES:	Policy 1.9.2

This amendment generally furthers the above by reducing the amount of water necessary for irrigation through accepted Florida-Friendly Landscaping™ principles that require vegetation that is adapted to the South Florida climate.

PLANNING and ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board acting as the Local Planning Agency shall determine whether the proposed change is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.