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DATE: January 22, 2020

TO: Rafael Casals, ICMA-CM, CFM, Town Manager

FROM: Heidi Siegel, AICP

SUBJECT: Land Development Regulations Section 3-80 and 3-103 Amendments

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The proposed Land Development Regulations amendments reflect direction received from Town Staff and Town Council. Additionally, the existing language that has been retained is attached for your reference.

**Section 3-80 Architectural Standards** – Upon review of the existing regulations, the following issues were identified:

- Requirements are repetitive and some requirement allow the applicant to “double dip” which weakens the intent of the regulations
- Restricts architectural style
- Urban form but has many suburban elements
- Site constraints may prompt variance requests
- Functionality for certain uses may be limited, may reduce marketability
- Design requirements are not applicable to multi-family buildings that do not have a mixed-use component
- Design Requirements for renovation of existing/non-conforming buildings is not addressed

The amendments seek to streamline the standards. The existing regulations prescribe specific architectural elements. The proposed amendments allow the architectural styles to dictate the design. The architectural styles are prescribed through the adopted Miami Dade County Urban Design Manual and hyperlinked in the proposed amendments. Design focus is shifted to site layout, access, amenities, and harmonization with the right-of-way.

Our firm conducted site visits and reviewed the existing conditions of the Transit Corridor District (TRC) and the Town Center District (TC). It was observed that much of the future development will be smaller parcels and redevelopment of existing buildings. The amendments seek to start the harmonization of these sites including opportunities for the structures to interact more intently with Dixie Highway, SW 186 Street, SW 112 Avenue, and SW 211 Street. The proposed code amendments seek to open up the access to the corridors from the sites. Previous redundant, architectural element specific, and dimensional and spacing requirements are removed. These requirements are, at times, frustrating for the applicants, the Council, and the reviewers. Focusing instead on harmonization, siting, and amenities will allow the Town to receive more visually pleasing applications.

Furthermore, in order for the vision of the corridors to be achieved opportunities to impose these standards on existing sites will need to be identified. Using the current nonconforming regulations, the proposed amendments prescribe opportunities for the new architectural standards. Through the compliance by existing sites at the time of redevelopment, the true intent of the district – pedestrian friendly with transit accessibility can be achieved. Compliance with the proposed amendments is required when there is an increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11. Compliance shall apply for the following proposed requirements:

- Architectural design
- Exterior materials
- Windows and entrances
- Building placement
- Site landscape buffering
- Public transit access
- On-site pedestrian circulation requirements.
- Site lighting, amenities, and site furniture requirements.
- Bicycle parking and bicycle amenity stations

**Section 3-103 Plant Material** – Upon review of the existing regulations, the following issues were identified:

- Height requirement of “at least 16 to 18 feet in height” is not realistic for current nursery availability
- No reference for palm trees
- Minimum Standards
- Lack of incentives
- Per code, the Town does encourage Florida-Friendly Landscaping
- Does not encourage Cutler Bay specific native species such as rockland and pineland
- Tree species mix is reasonable
  - Opportunity to refine to clarify how species are mix
  - i.e. every other tree, not one species per side of property

The proposed amendments reflect a modern and industry standard approach to plant material. The amendments include hyperlinks to industry lists that are specific to Florida and/or Miami-Dade County. These lists are regularly maintained and reflect what is realistically available in South Florida nurseries. Furthermore, current heights were removed to reflect a plant material selection process methodology is consistent with the Florida native approach. Arbitrary assignment of tree height does not support a native community.

The proposed amendments also include requirements for an educational garden rockland ecosystems in the Transit Corridor District (TRC) and the Town Center District (TC). The ten percent replanting requirement is sufficient due to the limited number of species that fit this ecosystem.

Finally, in order for the proposed amendments to be effective and to avoid contradiction in the land development regulations, other areas of Article VII Landscaping and Tree Preservation should be updated to reflect the proposed amendments of both Section 3-80 and Section 3-103. The additional recommended amendments can be found in the attached chart.

#### Attachments

- Section 3-80 Architectural Standards Proposed Amendments
- Section 3-103 Plant Material Proposed Amendments
- Section 3-80 Architectural Standards Retained Language
- Section 3-103 Plant Material Retained Language
- Recommended changes to Article VII Landscaping and Tree Preservation

**Sec. 3-80. - Nonresidential and mixed use.**

1. Architectural design

- a. Building design shall be consistent with the “Modern, Traditional, and Regional Architecture” style elements identified in the Miami Dade County Urban Design Manual Volume I – Private Development  
<https://www.miamidade.gov/planning/library/studies/UDM-final-vol-1.pdf>
  - i. Other architectural styles may be approved through the site plan approval process.
- b. An increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require full building architecture consistency with the “Modern, Traditional, and Regional Architecture” style elements identified in the Miami Dade County Urban Design Manual Volume I – Private Development, or other style elements approved through the site plan approval process.  
<https://www.miamidade.gov/planning/library/studies/UDM-final-vol-1.pdf>
  - i. Other architectural styles may be approved through the site plan approval process.
- c. All ground-floor portions of the primary façade shall be human scale and promote pedestrian interaction at the street level. The ground-floor shall be no more than fourteen-feet in height from floor to ceiling. This shall apply to single-story and multi-story buildings.
- d. The primary façade shall be defined as the side of the building which abuts a legally accessible public right-of-way and are limited to primary and secondary streets.
  - i. Buildings with multiple street frontages shall have a primary façade on all street frontages.
- e. Multi-building developments that are repetitive in building design, scale and massing shall be prohibited. Multi-building developments shall include two or more of the following features:
  - i. A distinction in architectural style elements
  - ii. A distinction in the structure shape and size
  - iii. A distinct variation in color and use of materials
  - iv. A distinction in structure height by at least ten percent
  - v. A variation in roof form.

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2. Exterior materials

- a. All exterior façades shall be harmonious in design and material with the chosen Regional Architecture style.
  - i. The following exterior materials are allowed: brick, sandstone, other native stone, tinted/textured masonry, stucco, wood siding, manmade materials which resemble wood siding, or other materials similar in appearance and durability. Concrete block shall have a stucco finish.
  - ii. Manmade substances such as foam or false stone may be utilized in accent areas such as molding or cornice work, but are otherwise prohibited, unless approved as part of a LEED or alternative green certification program.
- b. The use of exterior colors that are of high-intensity, metallic, or fluorescent tones shall be prohibited.
- c. All accessory structures shall be shall have exterior materials complimentary to the primary façade and architectural style.
- d. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require compliance with the exterior materials requirements on all new and existing buildings.

3. Windows and entrances

- a. The ground floor portion of primary façades shall comprise of windows that allow views of indoor space or product display areas.
  - i. Mirrored or reflected glass is not permitted on any façade.
  - ii. The ground floor portion of all primary and side façades shall have windows that begin no lower than 18 inches from the finished floor and extend no lower than 18 inches from the ceiling.
  - iii. Faux windows are not permitted in lieu of exterior window treatments on the primary façade.
- b. The primary entrance shall face a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
  - i. Where multiple bays are located within a commercial and/or retail development, each bay shall have a separate exterior customer entrance.
- c. Side and rear façades visible from a primary or secondary street shall include windows and door openings or similarly proportioned modulations consistent with the chosen Regional Architecture style.
- d. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-

Proposed Amendments

11 shall require compliance with the building windows and entrances requirements on all new and existing buildings.

4. Building placement and site layout

- a. All new building construction, shall abut the primary right-of-way.
  - i. All new building construction that increases square footage, enlarges, intensifies, or extends a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall abut the primary right-of-way. Alternate building placement for nonconforming buildings and/or nonconforming use of land may be approved by a resolution of the Town Council.
- b. All new development surface parking areas shall be located to the rear and/or side of the building. Surface parking areas shall not abut a primary street for all new development. Surface parking areas shall not abut a secondary street for more than 25 percent.
  - i. Surface parking area shall be defined as the area that includes parking, loading, drive, parking storage, and required landscape areas.
  - ii. Surface parking areas abutting a secondary street shall require the inclusion of a perimeter site buffer between the surface parking area, required landscape area, and the secondary street. The required buffer shall be transparent such as a vined pergola, shade structures, covered freestanding arcades or similar features. Walls, fences, or landscape hedges or tree walls are not allowed as the perimeter buffer. The perimeter buffer shall include pedestrian access to the secondary street.
  - iii. Surface parking areas greater than 2,500 square feet shall include at least 25 percent porous surface.
- c. All new building construction in the Transit Corridor District and Town Center District Subdistrict Edge that increases square footage, enlarges, intensifies, or extends a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require the inclusion of a perimeter site buffer between existing surface parking areas and the adjacent primary and secondary streets.
  - i. The required buffer shall allow pedestrian access to the adjacent primary and secondary streets.
  - ii. The required buffer shall be transparent such as a vined pergola, shade structures, covered freestanding arcades or similar features. Walls,

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fences, landscape hedges, or tree walls are not allowed as the perimeter buffer.

- iii. Alternate perimeter buffer for nonconforming buildings and/or nonconforming use of land may be approved by a resolution of the Town Council.
- d. Where permissible, drive-thru customer services shall be located at the rear of the building or on a side which does not abut a primary street.
- e. Development located along designated transit routes shall provide on-site accommodations for public transit access, such as pedestrian walkways, a bus pullout and shelters consistent with adopted transit plans.
  - i. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require compliance with the public transit access requirements.
- f. Pedestrian walkways shall be provided from building entries to adjacent right-of-way, on-site parking areas, and on-site outparcel buildings.
  - i. Pedestrian walkways shall be constructed with decorative pavers.
  - ii. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require compliance with on-site pedestrian circulation requirements.
- g. Site lighting, amenities, and site furniture style should be complementary to the architectural style of the buildings.
  - i. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require compliance with site lighting, amenities, and site furniture requirements.
- h. Bicycle parking and bicycle amenity stations shall be provided on all new development sites.
  - i. Increase of square footage, enlargement, intensification, or extension of a nonconforming building and/or nonconforming use of land consistent with Section 3-11 shall require compliance with bicycle amenity requirements.
- i. Developments with residential uses, shall provide pet waste service stations in open space areas or by walking trails.

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- j. Trash and recycling containers shall be located in the rear of the property, or on the side of the property when the rear of the property is inaccessible. Recycling containers shall be in a permanent enclosure that has exterior materials complimentary to the architectural style of primary building.
- k. Mechanical equipment shall be in the rear of the property, or on the side of the property when the rear of the property is inaccessible. Mechanical equipment shall be screened from view from the public right-of-way. Rooftop mechanical equipment is allowed as long as it is screened from view from the public right-of-way.
- l. Parking bays, loading areas, and garage entrances may not face a primary or secondary street.
- m. Loading docks shall be screened from view of from primary streets.

5. Site amenities

New development in the Transit Corridor District on sites less than three acres and new developments in the Town Center District on sites less than 25,000 square feet shall provide at least two amenities from the list below. Such amenities shall be identified on the submitted site plan.

New development in the Transit Corridor District on sites three acres or greater and new developments in the Town Center District on sites 25,000 square feet or greater shall provide at least four site amenities from the list below. Such amenities shall be identified on the submitted site plan.

- a. Artwork accessible and visible to the public.
- b. Pedestrian plaza with seating areas and shade structures -- minimum 350 square feet.
- c. Green roof or rooftop garden covering a minimum of 75 percent of the roof.
- d. Covered area along the primary façade -- minimum of 200 linear feet.
- e. Outdoor shaded playground area -- minimum of 350 square feet.
- f. Covered area dedicated for kiosks and temporary vendors -- minimum of 350 square feet.
- g. A water element, such as a decorative fountain or similar water feature.
- h. Clock tower or other focal feature at a human and pedestrian scale.
- i. Renewable energy systems such as photovoltaic panels integrated into site features or buildings not part of a LEED or alternative green certification program.

Proposed Amendments

Sec. 3-103. - Plant material and installation.

~~Plant material used to meet the requirements of this article shall meet~~ Unless otherwise noted, plant material shall conform to the standards for Florida Number 1 or better, as defined by the current edition of the ~~set out in~~ Grades and Standards for Nursery Plants, ~~Division of Plant Industry, Part I and Part II~~ Florida Department of Agriculture and Consumer Services, State of Florida, as amended. At least 75 percent of the trees and 50 percent of the shrubs used to fulfill these requirements on a site shall be native Southern Florida species. In addition, at least 75 percent of the trees and shrubs used to fulfill these requirements on a site shall be drought tolerant species.

**1. Plant Material.** The Town adopts the Florida Native Plant Society Miami Dade County List. All plant material shall be selected from the lists provided at <https://www.fnps.org/plants>

<u>a. Minimum Florida native species requirement by plant material type.</u>	
<u>Trees</u>	<u>75 percent</u>
<u>Palms</u>	<u>75 percent</u>
<u>Shrubs</u>	<u>75 percent</u>
<u>Groundcover</u>	<u>75 percent</u>
<u>Vines</u>	<u>75 percent</u>

<u>b. Minimum drought tolerant species requirement by plant material type.</u>	
<u>Trees</u>	<u>50 percent</u>
<u>Palms</u>	<u>50 percent</u>
<u>Shrubs</u>	<u>50 percent</u>
<u>Groundcover</u>	<u>50 percent</u>

<u>c. Minimum installed plant size requirement:</u>	
<u>Specimen Size Tree</u>	<u>6 inch caliper</u>
<u>Street Trees</u>	<u>3 inch caliper</u>
<u>Shade Trees</u>	<u>3 inch caliper</u>
<u>Understory Trees</u>	<u>1 inch caliper</u>

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<u>Shrubs</u>	<u>3 gallon container</u>
<u>Groundcover</u>	<u>1 gallon container or smaller</u>

d. Species diversity. To ensure a diverse tree species, the following mix is required in all districts:

<u>Specimen size trees, street trees and shade trees</u>	<u>25 percent</u>
<u>Understory trees</u>	<u>25 percent</u>
<u>Specimen palms and palms</u>	<u>25 percent</u>
<u>shrubs</u>	<u>25 percent</u>
<u>Other</u>	<u>25 percent</u>

e. Prohibited species. The Town adopts the Florida Exotic Pest Plant Council Invasive Plant Lists. Species listed on the category 1 and category 2 list provided at <https://www.fleppc.org> shall be prohibited.

## 2. Plant Installation

All plant installation shall be fully detailed on the proposed landscape plan and follow the Environmental Horticulture Department, IFAS, University of Florida standards. <https://hort.ifas.ufl.edu/woody/details-specs.shtml>

## 3. Existing Tree Credits

Existing trees preserved on site, excluding prohibited species as listed on <https://www.fleppc.org>, will be credited equally towards the tree caliper requirements.

4. Repopulation of native plantings. Properties located in the Town Center District, Transit Corridor District, and the Neighborhood Residential District shall designate ten percent of their required Florida native species using the plant material indigenous to the pine rockland and rockland hammock ecosystems.

5. Any trees that are to be relocated, and which have a high degree of survivability based on the recommendation of a certified arborist, shall be offered to the Town for relocation to Town right-of-way (based on the Street Tree Master Plan) or to Town-owned property.

EXISTING CODE LANGUAGE. ITEMS BEING RETAINED ARE BOLD AND HIGHLIGHTED IN YELLOW

Sec. 3-80. - Nonresidential and mixed use.

- (a) Balconies, bay windows, arcades, porches at an upper level and their supports at ground level, together with awnings above head height, are permitted to encroach into setbacks and up to eight feet of the width of the sidewalk. Encroaching arcades shall cover the entire sidewalk unless town council approves an acceptable alternative.
- (b) **Drive-thru customer services, if permitted in the district, must be located at the rear of the building or on a side which does not abut a street.**
- (c) **Parking shall be located to the rear and/or side of the building.** Sideyard parking may occupy no more than 45 percent of the principal frontage line. **Parking shall not be placed in any sideyard abutting an intersecting street.**
- (d) **Trash containers and mechanical equipment shall be located in a side parking area, if no rear parking is available. Trash containers and mechanical equipment shall be screened from view from the public right-of-way.**
- (e) **Building walls shall be brick, sandstone, other native stone, tinted/textured masonry, stucco, or other materials similar in appearance and durability.** Decorative concrete block may be used on building walls not visible from a public street or as an accent material only. **Manmade substances such as plastic wood, foam, or false stone are prohibited, unless approved as part of a LEED or alternative green certification program. All accessory structures shall be clad in materials matching the building facade.**
- (f) The first floor of street level building facades shall be a minimum of 50 percent and a maximum of 70 percent in windows or doorways. **Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.** No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
- (g) No more than 45 percent of the total area of the facade may be comprised of glass area or other openings.
- (h) **Mirrored or reflected glass is not permitted in any location.**
- (i) A change in design, doors, window rhythm and articulation, and building materials and textures shall be required at least every 100 feet along a building's street frontage. Minimum spacing between the similar architectural compositions shall be 300 feet. Development in the town center is exempt from this provision.
- (j) Building facades shall have a maximum width of 70 feet before new facade articulation is required.
- (k) No exterior wall facing a street or pedestrian walkway shall have a blank, uninterrupted length exceeding 30 feet without including at least two of the following: change in plane, change in texture or masonry pattern, windows, lattice work with vines, or an equivalent element that subdivides the wall into human scale proportions.
- (l) Side and rear walls adjoining pedestrian walkways shall include windows and door openings defined by frames (false windows and doors may be allowed in certain situations), sills and lintels; or similarly proportioned modulations of the wall. **All sides of the building shall include materials and design characteristics consistent with those on the front of the building.**
- (m) Building facades shall have a recognizable "base," including, but not limited to, thicker walls, ledges and sills using integrally textured materials such as stone or other masonry or inclusion of planters.
- (n) Building facades shall have a recognizable "top," including, but not limited to, cornice treatments (other than just colored "stripes" or "bands,") with integrally textured materials such as stone or other

masonry, sloping roof with overhangs or brackets, or parapets with three-dimensional cornice treatment.

- (o) **Development located along designated transit routes shall provide on-site accommodations for public transit access, such as pedestrian walkways, a bus pullout and shelters where applicable following transit plans.**
- (p) **Where multiple stores are located within a larger retail development, each such store shall have a separate exterior customer entrance.**
- (q) **Pedestrian sidewalks shall be provided from building entries to surrounding streets, parking spaces, external sidewalks, and outparcels.**
- (r) **Entrance canopies shall face the street. Bays and garage entrances may not face the fronting street.**
- (s) **The use of exterior colors that are of high-intensity, metallic, or fluorescent tones shall be prohibited.**
- (t) Development over five acres in area shall provide at least four of the following:
  - (1) Patio with a minimum of 1,000 square feet in area with shaded seating;
  - (2) **Pedestrian plaza** with a minimum of 1,000 square feet in area **with benches and shade structures;**
  - (3) **Green roof, rooftop garden or a green wall** covering a minimum of 75 percent of the area;
  - (4) Window shopping covered arcade with a minimum of 1,000 linear feet in length;
  - (5) **Outdoor shaded playground area** with a minimum of 1,000 square feet in area;
  - (6) **Covered kiosk** area with a minimum of 1,000 square feet in area;
  - (7) **Water feature** with a minimum of 1,000 square feet in area; or
  - (8) **Clock tower or other focal feature;**

That, in the judgment of the director, adequately enhances such community and public spaces. Such areas may be combined into one or more locations, in order to create a larger amenity. Any such areas shall have direct access to the public sidewalk network and shall not be constructed of materials inferior to the principal materials of the building and landscape.

- (u) Buildings shall incorporate a minimum of eight of the following design treatments:
  - (1) Canopies or portico integrated with the building's massing and style;
  - (2) Overhangs with a minimum of three feet in depth along all building walls;
  - (3) Arcades with a minimum of eight feet clear in width along the building facade;
  - (4) **Artwork accessible and visible to the public;**
  - (5) Raised cornice or building banding with a minimum of two reliefs along the building facade;
  - (6) Peaked roof forms;
  - (7) Consistent pattern of arches across the street level primary building facade;
  - (8) Consistent rhythm of display windows across the street level primary building facade;
  - (9) Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design;
  - (10) **Projected and covered entry** a minimum of five feet in width;
  - (11) Metal or tile roof as the dominant roof material;

- (12) Decorative landscape planters, a minimum of five feet wide, and areas for shaded seating consisting of a minimum of 100 square feet;
- (13) Integration of specialty pavers, or stamped concrete along the building's walkway. Said treatment shall constitute a minimum of 60 percent of walkway area;
- (14) **Water elements, such as a decorative fountain or similar water feature**, a minimum of 300 square feet in area;
- (15) **Integration of porous surfaces** over at least 1,000 square feet or 25 percent of a pervious area, whichever is greater.

EXISTING CODE LANGUAGE. ITEMS BEING RETAINED ARE BOLD AND HIGHLIGHTED IN YELLOW

**Sec. 3-103. - Plant material and installation.**

Plant material used to meet the requirements of this article shall meet the **standards for Florida Number 1 or better, as set out in Grades and Standards for Nursery Plants**, Part I and Part II, **Department of Agriculture**, State of Florida, as amended. At least 75 percent of the trees and 50 percent of the shrubs used to fulfill these requirements on a site shall be native Southern Florida species. In addition, at least 75 percent of the trees and shrubs used to fulfill these requirements on a site shall be drought-tolerant species.

- (1) *Trees and shrubs.* All trees shall be at least 16 to 18 feet in height and two and one-half inches in DBH at the time of installation, except evergreen trees used for screening and buffering. Evergreen trees used in these instances shall be six to seven feet in height at the time of installation. All shrubs shall be at least three gallons in container size and two feet in height for an upright growth habit shrub and six to 12 inches in height (and two foot wide spread) for a horizontal growth habit shrub.
- (2) *Tree species mix .* The minimum number of species to be planted shall vary according to the number of trees planted. The minimum number of species mix to be planted is indicated below:

Required Number of Trees	Minimum Number of Species Mix
Under 10	1
11—20	3
21—30	4
31—40	5
41+	6

- (3) *Existing tree credits.* Existing native and/or (not restricted or prohibited non-native) trees may be credited equally towards meeting the planting requirements of this article according to the matrix below:

DBH	Number of Tree Credits
26+ inches	Equal to 5, 2.5 inch caliper trees
20 to 25 inches	Equal to 4, 2.5 inch caliper trees

12 to 19 inches	Equal to 3, 2.5 inch caliper trees
5 to 11 inches	Equal to 2, 2.5 inch caliper trees

**Note**— No credit shall be given for prohibited and restricted tress as outlined in the landscape manual or other legislation and trees located in identified natural preservation areas, and required to be preserved by federal, state, or local laws.

(Ord. No. 12-03, § 2(3-103), 6-20-2012)

Recommended Future Amendments to Article VII Landscape and Tree Preservation	
Section	Recommended updates
Sec. 3-90 Purpose	Improve scope language to current Cutler Bay goals.
Sec. 3-91 Applicability	Improve/ add language.
Sec. 3-92 Definitions	Expand to include all terms as defined by Cutler Bay. Do not add reference to others
Sec. 3-93 Compliance with Town standards	Incorporate Street Tree minimums into section 3-102 labeled " Types of Landscaping" and be described therein.
Sec. 3-94 Compliance with (Miami Dade)County standards	Remove Miami Dade references and incorporate into other applicable sections of code.
Sec. 3-95 General provisions	Separate out for installation, maintenance, setback requirement, etc. Language/ intent is repeated in other sections.
Sec. 3-96 Landscape plan required	Expand this section to include a separate tree disposition plan and calculation tables.
Sec. 3-97 Administration	Expand this section to clarify some language and provide minimum time frame for warantee of work and materials.
Sec. 3-98 Irrigation plan required	Require irrigation design part of initial plan reviews. Require hydrozoning, require non-irrigated area percent. Require installation of smart irrigation controller. Minimize use of potable water. Prior reference to M/D County code conflicts with this section.
Sec. 3-99 Annual inspections	Include code violation or fines if the property falls out of compliance and other language to clarify intent.
Sec. 3-100 Maintenance responsibilities	Clarify replacements required and other measures to take. Current language is ambiguous. The previous sections allude to compliance with landscape plan as approved during certificate of occupancy. Clarify.
Sec. 3-101 Environmental survey	This section should follow Landscape plan requirement section, organized in a similar fashion for clarity. Updates as to publications cited are needed.
Sec. 3-102 Types of Landscaping	Clarify language with bullets and tables as needed. Remove conflicts with other sections or other publications. Some of the requirements do not work for the Town's objectives as seen with project reviews recently completed. Updates are needed.
Sec. 3-102 Types of Landscaping	Delete the landscape buffer requirements for parking lots in the TRC and TC districts.
Sec. 3-104 Tree/vegetation protection	This section should follow Landscape plan requirement Section 3-96 and should be organized in a similar fashion for clarity. Language is ambiguous as to what is required. Updates are needed.
Sec. 3-105 Removal, replacement, relocation of significant vegetation	Clarify language with bullets and tables as needed, remove reference to other sections or other publications. This section needs to stand on its own. This section conflicts with portions of Sec. 3-103.
Sec. 3-106 Plant lists	Insert dynamic hyper links to maintain lists current . Existing language is confusing and conflicts with other sections.
Sec. 3-107 Rain sensors on automatic irrigation systems	Make a part of Sec. 3-98 Irrigation plan required. Language needs updating.
New Sections	Incentives, Design variations, Innovations, references/links - FNPS, FLEPPC, IFAS,