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ORDINANCE NO. 2025-06

AN ORDINANCE OF WAKULLA COUNTY, FLORIDA, REPEALING AND REPLACING SECTION 6-31 OF THE WAKULLA COUNTY LAND DEVELOPMENT CODE, RELATING TO COUNTY LANDSCAPE REGULATIONS; PROVIDING CERTAIN FINDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wakulla County last adopted amendments to the County Landscape Regulations on January 16, 2007, by Ordinance Number 2007-03; and

WHEREAS, the Board wishes to further incentivize and encourage the preservation of existing native trees for incorporation into landscape plans;

WHEREAS, the Board finds it necessary to update the County's landscape regulations, including definitions, applicability, incentives, applications, general requirements, exemptions, waivers, administration and penalties, based on changing conditions and to ensure consistency with the Wakulla County Comprehensive Plan and state law; and

NOW THEREFORE, be it ordained by the Board of County Commissioners of Wakulla County, Florida, as follows:

SECTION 1. INCORPORATION OF RECITALS. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2. REPEAL AND REPLACEMENT OF SECTION 6-31 OF THE WAKULLA COUNTY LAND DEVELOPMENT CODE. Section 6-31, of the Wakulla County Land Development Code, entitled "County Landscape Regulations," is hereby repealed in its entirety and replaced with the following:

> (1) Purpose and intent. The intent of this section is to set minimum requirements for tree preservation and landscaping; to preserve existing and native trees and to augment with appropriate new plantings; to provide shade in parking lots and other vehicles use areas; to provide appropriate buffering between incompatible land uses; to improve the appearance of parking lots and open areas for the public; and to enhance the appearance of the community. Trees shall be protected and preserved except for the reasonable use of the property; to remove dead or diseased trees; to remove exotic pest or invasive species; or for the health and safety of the public.

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(2) Definitions.

Bona fide agricultural operation. A farm, grove, ranch, nursery or similar entity engaged in, or proposing to engage in, the practice of commercial production of crops, animals or animal products, or farm commodities including but not limited to vegetables, citrus and other fruits, grain, forage, sod, livestock, poultry, and foliage plants.

Bona fide agricultural use. The use of land for bona fide purposes of growing crops, silvaculture, or raising animal stock, fish, or poultry. In determining whether the claimed agricultural or silvaculture use is bona fide, the Planning Department shall consider the following factors:

(a) The length of time the land has been so utilized;
(b) Whether the use has been continuous;
(c) The purchase price paid;
(d) The size of the land as it relates to the specific Agricultural use;
(e) Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted Best Management Practices addressing fertilizing, liming, tilling, mowing, reforesting, or other generally accepted agricultural practices;
(f) Whether such land is under agricultural lease, and if so, the effective length, terms, and conditions of the lease; and
(g) The current, and pending changes in, land use and zoning.

Buffer. A visual screen consisting of a combination of physical space and vertical elements, such as landscaping, plants, berms, or fenced area designed to shield less intensive land use from the noise, glare and unsightly views of more intensive land uses.

Community uses. Schools, churches, parks and recreation areas.

Critical protection zone (CPZ). The area surrounding a tree within a circle described by a radius of one foot per one inch of tree diameter.

Interior landscape area. A landscape area within or adjacent to a vehicle use area that is designed to provide shade and to enhance the appearance of parking lots. Interior landscape areas shall be exclusive of perimeter landscape areas and buffers.

Opaque. A buffer which is unable to be seen through and is not transparent. Approved materials for opaque buffers include a wooden or vinyl privacy fence, solid wall, or other material that is not transparent or able to be seen through. Prohibited materials include chain-link fencing with slates and windscreen.

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Open space. The sum of all perimeter landscaping, vehicle use landscape areas, buffers and/or other preserved natural areas or landscaping. Stormwater management facilities may count toward the open space requirements if sodded and appropriately landscaped.

Perimeter landscape area. An area reserved for landscaping located between the property line of a site and any proposed internal improvements.

Shade tree. A tree species reaching a minimum height of 40 feet and providing a canopy of a minimum of 20 feet in diameter at maturity.

Side corner. For parcels located at the intersection of two streets, the side corner boundary is the side facing the secondary roadway.

Signature tree. A healthy, structurally sound, well-shaped native tree growing naturally on a site prior to development most representative of the county's natural landscape, as designated in Table 1.

Substantial redevelopment. The addition, removal, or alteration of 50 percent of the existing impervious area on a given site.

Tree credit. Total credit for preserved and newly planted trees, including signature trees, as measured in tree diameter or tree inches.

Tree diameter or tree inches. The diameter of a tree measured 54 inches above grade.

Uncomplimentary land uses. Uses deemed to be incompatible in nature when existing immediately adjacent to one another. These uncomplimentary uses are as follows:

(a) Industrial, commercial, office or multifamily, when adjacent to single-family residential or community uses;

(b) Industrial, commercial, or office when adjacent to multifamily;

(c) Industrial or commercial uses when adjacent to office; and

(d) Industrial uses when adjacent to commercial.

Uncomplimentary land uses shall not include multifamily which are located on the second floor of an approved commercial use.

Vehicle use area. A vehicle use area is any portion of a development site used for off-street traffic circulation, parking, and/or display of motorized vehicles, excluding vehicle salvage yards or junkyards. This definition shall apply whether a vehicle use area is improved or not.

(3) Applicability. All new or substantially redeveloped sites shall be required to provide landscaping in accordance with this section.

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(4) Incentives. To promote tree preservation within a landscape plan, developers are encouraged to preserve existing native landscaping and to exceed the minimum standards to become eligible for waivers from the strict implementation of the county codes. To be considered eligible for the incentives available in this section, the developer must request consideration thereof and successfully demonstrate how the proposed development exceeds the standards contained in this section. The developer may be authorized to benefit from a combination of the incentives contained in the section as well as other sections of the land development code.

(a) Preservation of a naturally vegetated, undisturbed portion of the site protected from development activities may be applied to minimum open space and perimeter landscaping requirements regardless of location on the site.

(b) The CPZ of preserved trees located in perimeter landscape areas may be removed from the perimeter landscape area calculations.

(c) Preservation of existing native trees will entitle the developer to receive tree credit at a ratio of 1.5:1 of the size of the preserved, existing tree diameter toward the site's overall tree inch requirements.

(d) Preservation of existing Signature Trees will entitle the developer to receive tree credit at a ratio of 2:1 of the size of the preserved, existing tree diameter toward the site's overall tree inch requirements. Signature trees qualifying for this credit must meet or exceed the minimum tree diameter for each species as follows:

Table 1. Signature Trees.

Minimum Tree Diameter	Species Scientific Name	Species Common Name
2 inches	*Aesculus pavia*	Red buckeye
	Cartrema americana	Wild olive
	Castanea pumila	Chinquapin
	Cercis canadensis	Redbud
	Chionanthus virginicus	Grancy greybeard or Fringetree
	Comus florida	Dogwood
	Crataegus marshallii	Parsley haw
	Halesia diptera,	Silverbell
	Ilex cassine	Dahoon holly
	Ilex opaca	American holly
	Lyonia ferruginea	Rusty lyonia
	Ostrya virginiana	Eastern hophornbeam
	Persea borbonia	Red bay
	Persea palustris	Swamp bay
	Sassafras albidum	Sassafras
	Symplocos tinctoria	Sweetleaf
	Prunus angustifolia	Chickasaw plum
	Quercus geminata	Sand live oak
	Quercus incana	Bluejack oak
	Quercus margaretta	Sand post oak
	Vaccinium arboreum	Tree sparkleberry

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	Viburnum rufidulum *Zanthoxylum clava-herculis*	Rusty blackhaw Hercules club
6 inches	*Pinus palustris* *Quercus virginiana* *Taxodium ascendens* *Taxodium distichum* *Acer negundo* *Acer rubrum* *Carya tomentosa* *Juniperus virginiana* *Quercus falcata* *Quercus stellata* *Ulmus alata* *Ulmus americana* *Carya glabra* *Fagus grandifolia* *Fraxinus Americana* *Magnolia grandiflora* *Magnolia virginiana* *Pinus elliotii* *Pinus glabra* *Quercus species*	Long-leaf pine Live Oak Pond cypress Bald cypress Box elder Red maple Mockernut hickory Red cedar Southern red oak Post oak Winged Elm American elm Pignut hickory American beech White ash Southern magnolia Sweetbay magnolia Slash pine Spruce pine Oaks other than those listed above; such as *Quercus alba*, White oak or *Quercus michauxii*, Swamp chestnut oak; excludes *Quercus hemisphaerica*, Laurel oak and *Quercus nigra*, Water oak.

(e) Developer may also elect one of the following additional incentive options:

Table 2. Additional Incentive Options.

Option 1. Increase the number of tree inches per gross acre beyond the 100-tree inch minimum: Example tree credit: Save five (5) live oak trees, each with tree diameter of 20 tree inches, ratio of 2 credits per tree = 5 trees x 20 inches x 2 credits per tree = tree credit of 200 tree inches.	a) 115-tree inches	Reduce the total required open space from 40% to 35%.
	b) 130-tree inches	Reduce the total required open space from 40% to 30%
	c) 150-tree inches	Reduce the total required open space from 40% to 25%.

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Option 2. Increase the front or side-corner landscape area.	From 10 feet to 20 feet wide or more.	Choose one from the following incentives: 1. Reduce the number of required improved parking spaces by 20%. 2. Reduce the total required open space from 40% to 30%.
Option 3. Increase the front or side-corner landscape area and increase the number of tree inches per gross acre beyond the 100-inch minimum.	20 feet wide or more and a minimum of 115-tree inches per gross acre.	Reduce the total required open space from 40% to 25%
Option 4. Exceed 150-tree inches per gross acre and increase the front and side-corner landscape area.	Provide more than 150-tree inches per gross acre and increase the front and side-corner landscape area to 20 feet or more	All of the following may be applied: 1. Reduce the number of required improved parking spaces by 20%. 2. Reduce by 20% the building setback specified by the zoning district. 3. Reduce the total required open space from 40% to 25%.

(5) Applications. All applications for development made to the planning and community development department shall include a tree survey, preservation and landscape checklist, and landscape plan. The landscape plan shall include the following:

(a) A scaled survey of all existing trees 10 inches or larger in tree diameter and any signature trees for which the applicant seeks tree credits, depicting tree diameter size and species;

(b) Identification of locations of any signature trees, trees to be preserved, the critical protection zone (CPZ) and other protective measures;

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(c) Scaled site plan showing the necessity for tree removal;

(d) A table listing the existing trees, proposed removal of trees and proposed plantings, including size, species and amount;

(e) Identify locations of proposed plantings; and

(f) Demonstration of qualification for any desired consideration of applicable incentives.

(6) General requirements. Except as otherwise provided in Florida Statutes, or other applicable general law, no clearing or development, as defined in Chapter 2 of this Code, shall occur on a site without an approved landscape and tree removal plan, except as specifically exempted in this article. Preservation of undisturbed natural area is encouraged and shall be allocated for credit as established by this article and required landscape material and protection measures meet the minimum standards of this article.

(a) Tree protection. The development or redevelopment plan for a site is encouraged to incorporate as many existing, native trees as possible. All trees ten (10) inches or larger in tree diameter shall be protected from development activity unless removal is necessary for the reasonable use of the property. Sites preserving natural landscape and signature trees qualify for additional tree credits as described in this article.

(b) Minimum open space. New development or redevelopment sites shall provide a minimum open space area of 40 percent of the gross site area. Qualifying open space shall consist of natural vegetation or landscaped areas and may include landscape islands, buffers, perimeter landscape areas, and stormwater management facilities which are sodded and landscaped to provide visual appeal.

(c) Preservation and reforestation. All new development or redevelopment sites shall provide a minimum of 100 tree credits measured in tree inches per gross acre, post development. The tree inches shall consist of preserved, existing trees and/or newly planted trees. Relocating existing trees is preferred to removal, however these trees shall be treated as newly planted trees and shall not be eligible for credit as a signature tree.

(d) Vehicle use area. All vehicle use areas shall include interior landscaping to provide shade, reduce glare, break-up the appearance of large expanses of asphalt, and enhance the appearance of parking areas.

1. Vehicle use areas shall be landscaped at a minimum rate of 10% of the total vehicle use area.

2. Landscape areas must be a minimum of 12 feet wide, contain at least 200 square feet and contain a minimum of one shade tree measuring at least 2 inches in diameter per each 200 square feet.

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3. Interior landscape areas shall be distributed throughout the vehicle use area to provide the maximum number of shaded parking spaces.

4. Vehicle stops or other design features shall be used so that parked vehicles do not overhang more than two feet into any landscape area.

5. For every ten (10) consecutive parking spaces a landscape area shall be required.

(e) Perimeter landscape areas. All new or substantially redeveloped sites shall provide perimeter landscape areas based on the following requirements:

1. All front, rear and side corner perimeter landscape areas shall be a minimum width of 10 feet measured from the property line and contain, at a minimum, the following:

i. One tree per 25 feet of linear footage, measuring at least 2.5-inch tree diameter, and 8 feet in height at the time of planting; and

ii. One shrub or ornamental grasses per 4 feet of linear footage, be of an evergreen variety, measuring at least 18 inches tall and minimum spread of 15 inches at the time of planting, and reaching at least 36-inch height within 3 years.

2. Side interior boundary lines (exclusive of zero lot-line buildings and uncomplimentary land uses) shall contain a minimum width of 5 feet from the property line and contain, at a minimum, the following: One shrub or ornamental grasses per 4 feet of linear footage, be of an evergreen variety, measuring at least 18 inches tall and minimum spread of 15 inches at the time of planting, reaching at least 36-inch height within 3 years.

3. Shade trees are encouraged where there are no overhead utilities. The use of low growing trees is required in landscape areas adjacent to overhead utilities.

4. An appropriate combination of shade trees and understory trees shall be used in perimeter landscape areas.

5. Trees, shrubs and/or ornamental grasses need not be planted in a straight line or evenly spaced. Clustering trees to avoid driveways and provide a more attractive appearance is encouraged.

6. Side landscape areas may be waived when adjacent properties share a common driveway or common parking areas.

7. Palm trees of a minimum height of eight feet shall count as 2.5 tree inches per palm toward meeting the requirements of the total tree inches

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in subsection (6)c of this article. Palm tree inches may comprise no more than 15 percent of the total tree inches, except in coastal areas abutting or south and west of U.S. Highway 98 (Coastal Highway), where palm trees may account for up to 30 percent of the total tree inches.

8. Suitable ground cover or grass shall be planted on all landscape areas not occupied by other landscape material and all areas disturbed by construction and grading activities to ensure proper erosion control and shall be planted so to achieve complete coverage within two years from the time of planting. Spacing shall not exceed a maximum of 24 inches. Ground covers shall include sod, seed, mulch or stabilizing landscape material, as appropriate. Sodding is required in swales and other areas subject to erosion.

9. Erosion control measures shall be applied to all disturbed areas and shall be stabilized to reduce transport of sediments from the site.

(f) Uncomplimentary land use buffers. To shield the less intense use from noise, glare, lighting and other intrusions, all uncomplimentary land uses shall provide one of the following buffer options:

1. A buffer consisting of a preserved, natural forested area shall be a minimum of 50 feet wide; or

2. A landscape buffer that is a minimum of 10 feet wide and includes the following:

i. an opaque wall or fence that is a minimum of 8 feet in height; and

ii. 1 planting of any approved species of Shrubs and Ornamental Grasses set forth in Table 4 per linear feet of uncomplimentary land use; and

iii. 1 planting of any approved species of Shade Tree or Understory Tree set forth in Table 4 per 25 linear feet of uncomplimentary land use.

Table 3. Uncomplimentary Land Use Buffers.

	Option 1	**Option 2**
Minimum Width	50 foot preserved natural, forested buffer	10-foot landscape buffer
Opaque Wall or Fence	—	8 feet in height *The side of the fence or wall facing a less intensive use shall have a finished appearance
Plantings per linear distance of		1 planting of any approved species of Shrubs and Ornamental Grasses set

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uncomplimentary land use	—	forth in Table 4 per 4 linear feet of uncomplimentary land use. 1 planting of any approved species of Shade Tree or Understory Tree set forth in Table 4 per 25 linear feet of uncomplimentary land use *At least one-half of the required plant materials shall be installed and maintained on the side facing the less intensive use. Preserved trees may be applied toward the required plantings.

(g) Critical Protection Zone (CPZ). To ensure the survival and stability of preserved trees, construction impacts within the CPZ are prohibited except as described in subsections (3) and (4) below. Limited intrusion within the CPZ may be authorized by the director of planning and community development to preserve a tree that would otherwise be removed.

1. The CPZ of each tree to be preserved shall be protected by a visible fence of wood, hog wire, chain link, or plastic webbing to keep construction traffic from the root zone. The tree protection barrier shall be located around the CPZ of the tree, except where intrusion into the CPZ has been approved. Barriers shall be maintained during all construction activities.

2. Intrusion into the CPZ by up to 25 percent of the distance (radius) between the CPZ boundary (perimeter) and the trunk may be authorized by the Planning and Community Development Director with no additional tree protection measures. Tree credits shall be applied as provided for in subsection 4(a) and 4(b).

3. Authorized intrusion within the CPZ of more than 50 percent of the distance between the CPZ boundary and the trunk will require additional protection measures. Tree credits shall be applied as provided for in subsection 4(a) and 4(b).

4. Authorized intrusion within the CPZ of more than 75 percent of the distance between the CPZ boundary and the trunk will require protective measures as designed by a certified arborist. Trees preserved under this provision shall receive 50% of the tree credits provided for in subsection 4(a) and 4(b).

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(h) Landscape material standards. All plants used as a part of any landscape plan shall be of native species and healthy, well proportioned, disease-free, pest-free, and hardy for the North Florida Region. Only Florida No. 1 or better plant material as described in "Florida Grades and Standards for Nursery Plants 2015," by the Florida Department of Agriculture and Consumer Services, shall be credited toward the landscape requirements of this Code. Diversity of plant species is encouraged, and plants chosen outside the recommended list should be cross-referenced for appropriateness with Manual of Woody Landscape Plants: Their Identification, Ornamental Characteristics, Culture, Propagation and Uses, 6th edition. Recommended species are found in Table 4 below:

Table 4. Recommend Species

Scientific Name	**Common Name**
Shade Trees	
Acer negundo	Box elder
Acer rubrum	Red maple
Betula nigra	River birch
Carya glabra	Pignut hickory
Carya tomentosa	Mockernut hickory
Fagus grandifolia	American beech
Fraxinus Americana	White ash
Gingko biloba	Gingko
Juniperus viriniana	Eastern red cedar
Liquidambar styraciflua	Sweet gum
Magnolia grandiflora	Southern magnolia
Magnolia virginiana	Sweetbay magnolia
Pinus palustris	Long-leaf pine
Quercus species	Oaks native to Florida and ideally indigenous to Wakulla County: (e.g. *Quercus virginiana*, Live Oak; *Quercus alba*, White Oak; *Quercus michauxii*, Swamp chestnut oak – excluding: *Quercus hemiphaerica*, Laurel oak and *Quercus nigra*, Water oak)
Taxodium ascendens	Pond cypress
Taxodium distichum	Bald cypress
Tilia Americana	American basswood or linden
Ulums alata	Winged elm
Ulmus americana	American elm
Understory Trees	
Acer saccharum subsp. Floridanum	Florida maple or Southern sugar maple
Acer saccharum subsp. Leucoderme	Chalk maple
Carpinus caroliniana	American hornbeam or blue beech
Castanea pumila	Chinquapin
Cercis Canadensis	Redbud
Chionanthus virginicus	Grancy greybeard or Fringetree

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Comus florida	Dogwood
Crataegus marshallii	Parsley haw
Halesia diptera	Silverbell
Ilex species	Upright hollies native to Florida and ideally indigenous to Wakulla County: (e.g. *Ilex x attenuate*, East Palatka holly; *Iles opaca*, American holly; *Ilex vomitoria*, Yaupon holly; *Llex decidua*, Possumhaw)
Juniperus virginiana var silicicola	Southern red cedar
Malus angustifolia	Southern crabapple
Ostrya virginiana	Eastern hophornbeam
Persea borbonia	Red bay
Prunus angustifolia	Chickasaw plum
Prunus umbellata	Flatwoods plum
Sassafras albidum	Sassafras
Viburnum rufidulum	Rusty blackhaw
Shrubs and Ornamental Grasses	
Abelia grandiflora	Abelia
Buxus species	Boxwood
Callestemon species	Bottlebrush
Camellia species	Camellias
Cepthalotaxus harringtonia	Japanese plum yew
Gardenia species	Gardenias
Hamelia patens	Firebush
Ilex species	Holly native to Florida and ideally indigenous to Wakulla County: *Ilex glagra*, Gallberry; *Ilex verticillata*, Winterberry)
Illicium parviforum	Ocala anise
Itea virginica	Sweetspire
Juniperus species	Shrub junipers
Loropetalum species	Loropetalum
Morella cerifera	Wax Myrtle
Myrcianthes fragrans	Simpson stopper
Paspalum quadrifarium	Crown grass
Rhododendron indica	Azalea
Serenoa repens	Saw palmetto
Spartina bakerii	Sand cord grass
Viburnum obovatum	Walter's viburnum or cultivars (e.g. *Best Densa or Whorled Class*)
Yucca species	Yucca
Ground Covers	
Agapanthus africanus	Lily of the Nile
Arachis glabrata	Perennial peanut
Calamintha georgiana	Georgia calamint
Dietes species	African iris

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Eragrostis elliottii	Elliot's lovegrass
Eragrostis spectabillis	Purple lovegrass
Juniperus species	Juniper
Lamondra longifolia	Breeze grass
Liriope mascari	Lily turf
Mimosa strigillosa	Powderpuff or sunshine mimosa
Muhlenbergia capillaris	Muhly grass
Phyla nodiflora	Frogfruit
Sisyrinchium angustifolium	Blue-eyed grass
Trachelospermum asiaticum	Yellowstar jasmine
Zamia integrifolia	Coontie

(i) Unsuitable plants. Any plant listed on the most recent List of Florida's Invasive Plant Species published by the Florida Exotic Pest Plant Council (available at http://www.fleppc.org) shall not be included in the landscape plan. Developers shall remove any invasive species presently existing on their property as a part of the approved landscape plan.

(j) Irrigation. All landscaped areas shall be provided with a usable water source within 100 feet of all landscape areas.

1. Sites greater than one-half-acre in size must provide an automated, underground irrigation system.

2. Bubbler, drip and microsystem sprinklers are encouraged in lieu of spray irrigation heads.

(k) Maintenance. All required plantings, as approved on the landscape plan shall be maintained in a healthy, pest-free condition. Dead or diseased plants shall be removed and replaced by the tenant or property owner within six months.

1. All trees for which the applicant received tree credit and which were later removed, shall be replaced with a tree having a tree diameter of half the credited tree inches, or a minimum of six inches, whichever is less.

2. Pruning shall be allowed in order to remove dead, diseased, crossing, or competing branches; provide clearance; reduce wind resistance; maintain health; or influence flower or fruit production. However, pruning shall not be used to reduce the height of the tree, except to provide clearance for utility and roof lines.

3. All pruning and maintenance will be compliance with the ANSI (American National Standards Institute) A300 (parts 1-5): Pruning, Fertilizing, Support Systems, Lightning Protection Systems and Management of Trees and Shrubs During Site Development and Construction.

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(l) Additional buffer requirements. The following shall apply to all buffer and landscape areas:

1. Buffers and landscape areas may be counted toward setback requirements.

2. No structures may be permitted within buffer and landscape areas except fire hydrants, concrete valve markers, underground utility markers, switches, bus shelters or benches, incidental signs not exceeding 2 square feet in area and screening.

3. No parking is permitted within a buffer or landscape area.

4. Buffers and landscape areas may include stormwater management system if the applicant demonstrates that the character and intent of the buffer and landscape area is not diminished.

5. Pedestrian access through buffers and landscape areas to adjacent uses may be permitted.

(7) Exemptions. The following are exempt from the provisions of this section: single-family, detached residential lots (including mobile and modular home sites); bona fide agricultural operations; and bona fide agricultural uses.

(8) Waivers. The Planning and Community Development Director may approve deviation from the strict application of Section (6)(g) regulating uncomplimentary land use buffers upon receipt of a written, notarized waiver and affidavit from the owner(s) of the parcel with the adjacent, less intense use attesting to their ownership of the parcel and consent to the deviation from the strict application of Section (6)(g).

(9) Administration. The Planning and Community Development Director shall review applications for development and determine whether the application is complete and if the provisions of this section have been met.

(a) Development and redevelopment plans shall not be approved nor building permits issued until the Planning Director has approved the landscape plan.

(b) Additions to existing developments shall comply with all applicable portions of this section. Undisturbed portions of an existing site need not be retrofitted to the standards of this section until the additions or alterations exceed 50 percent of the existing impervious area. Substantial redevelopments shall be retrofit to current standards.

(c) Certificate of compliance. No final certificate of occupancy shall be issued by the building department until the Planning and Community Development Director has granted final approval and acceptance of the installed landscape and

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the protection of existing native vegetation. Each phase of a multi-phase development shall meet the landscape requirements for that phase prior to being issued a certificate of occupancy by the building department.

(10) Penalties and enforcement. Administration and enforcement of this section shall be the responsibility of the Planning and Community Development Director and the County Administrator.

(a) Violations of this article shall be enforced pursuant to chapter 8 of this Code or any other means authorized by law.

(b) The county shall have the authority to levy fines and require restitution, restoration or mitigation when it is determined that required landscape areas or parcels without approved development and landscape plans were impacted by any activity in violation of this article subsequent to this article becoming effective.

(11) Conflicts. Where this section imposes greater restrictions than are imposed or required by other provisions of the code, the provisions of this section shall prevail.

SECTION 3. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Wakulla County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 4. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Board and shall be effective upon filing with the Department of State.

PASSED AND ADOPTED by the Board of County Commissioners of Wakulla County, Florida, this 18th day of February, 2025.

BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA

Signed by:
By: Fred Nichols
DD848CA17320495...
FRED NICHOLS, Chair

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Signed by:

ATTEST:
Signed by:
Kelly Sessors D.C.
800D0B4C27B24EA...

GREG JAMES, Ex Officio
Clerk to the Board

APPROVED AS TO FORM AND CONTENT:
DocuSigned by:
Heather Encinosa
02805D4AB12C4FE

HEATHER J. ENCINOSA, ESQ.
County Attorney