

**ORDINANCE NO. 2017-013**

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**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, SECTION 10-23, "DEFINITIONS" UNDER ARTICLE II, "TREE PRESERVATION" IN CHAPTER 10, "ENVIRONMENT," TO CHANGE THE DEFINITION OF "NUISANCE TREE"; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), SECTION 075-060, "PLANT MATERIAL" IN ARTICLE 75, "LANDSCAPING REQUIREMENTS," TO CHANGE THE LIST OF PROHIBITED PLANTS, AND TO REQUIRE REMOVAL OF SUCH PLANTS FROM CONSTRUCTION SITES PRIOR TO ISSUANCE OF A BUILDING PERMIT; AMENDING SECTION 075-110, "SINGLE-FAMILY REQUIREMENTS" TO REQUIRE REMOVAL OF PROHIBITED PLANT SPECIES FROM CONSTRUCTION SITES PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR A PRINCIPAL STRUCTURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the ULDC requires removal of nuisance trees on construction sites;

and

**WHEREAS**, the Town of Southwest Ranches ("Town") has allowed this requirement to be met any time prior to issuance of a Certificate of Occupancy; and

**WHEREAS**, in deferring enforcement of compliance to Certificate of Occupancy, the Town has experienced instances of difficulty in enforcement; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches ("Town Council") finds that enforcing the removal of nuisance trees prior to issuance of a

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1 construction permit will eliminate the enforcement difficulties to the benefit of the public  
2 health, safety and welfare; and,

3 **WHEREAS**, new invasive plant species and new evidence of ecological damage  
4 from known exotic plant species are documented from time to time; and

5 **WHEREAS**, the Florida Exotic Pest Plant Council ("FLEPPC") supports the  
6 management of invasive exotic plants in Florida's natural areas by providing a forum for  
7 the exchange of scientific, educational, and technical information, including prioritizing  
8 the state's invasive plant species; and

9 **WHEREAS**, the Town Council finds that adopting the most current FLEPPC list of  
10 invasive exotic plants, as amended from time to time, is more efficient than revising the  
11 list of species in the Code of Ordinances each time the FLEPPC list is amended; and

12 **WHEREAS**, the Town Council finds this Ordinance to be in the best interest of the  
13 health, safety, and welfare of its residents.

14 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
15 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

16 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed  
17 as being true and correct, and are hereby incorporated herein and made a part hereof.

18 **Section 2.** Chapter 10, Article II, Section 10-23 of the Code of Ordinances  
19 is hereby amended as follows:

20 \* \* \* \* \*

21 Nuisance tree means species that have been deemed invasive or undesirable,  
22 including but not limited to any of the following, in addition to select species  
23 contained within the Florida Exotic Pest Plant Council's List of Category I Invasive  
24 Plant Species, current edition:

25 (1) *Schinus terebinthifolius* (Brazilian pepper tree/Florida holly).

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- 1 (2) *Metopium toxiferum* (poison wood).
- 2 (3) *Melaleuca quinquenervia* (cajeput tree/melaleuca).
- 3 (4) *Casuarina spp.* (Australian pine, all species).
- 4 (5) *Bischofia javanica* (bischofia, bishopwood).
- 5 (6) *Acacia ~~auriculaeformis~~ auriculiformis* (earleaf acacia).
- 6 (7) *Araucaria excelsia* (Norfolk Island pine).
- 7 (8) *Brassaja actinophylla* (schefflera).
- 8 (9) *Leucaena leucocephala* (lead tree).
- 9 (10) *Cupaniopsis anacardioidespsis* (carrotwood).
- 10 (11) *Rhodomyrtus tomentosa* (Downy Rose Myrtle)
- 11 (12) *Ardisia solanacea* or *elliptica* (Shoebuttan Ardisia)
- 12 (13) *Dalbergia sissoo* (Indian Rosewood)
- 13 (14) *Grevillea robusta* (Silk Oak)

14 **Section 3.** Article 75, Landscaping Requirements, Section 075-110, Single-  
15 Family Requirements, is hereby amended as follows:

16 \* \* \* \* \*

17 (C) Turf requirements; removal of prohibited trees. Turf shall be used in the  
18 front yard but is not required to extend past the first one (1) acre of  
19 property, measured from each abutting street line. The remainder of the  
20 property must be maintained, either in its natural state, in pasture land  
21 or other approved open space. This area, however, may not contain any  
22 invasive or prohibited species as identified in this article, which must be  
23 removed from the site prior to issuance of a building permit for  
24 construction of a principal structure.

25  
26 **Section 4.** Article 75, Landscaping Requirements, Section 075-060, Plant  
27 Material, is hereby amended to read as follows:

28 \* \* \* \* \*

29 (D) *Trees.*

30 \* \* \* \* \*

31 (4) The following plant species, in addition to select species contained within  
32 the Florida Exotic Pest Plant Council's List of Category I Invasive Plant  
33 Species, current edition, shall not be planted as required or optional

1 landscaping and, in addition, these species shall be removed from the ~~all~~  
 2 construction sites prior to issuance of a building permit for any  
 3 construction that is subject to submittal of a landscape plan or tree survey  
 4 pursuant to sec. 075-030(A) or (B), and sec. 075-110 prior to issuance  
 5 of a building permit for a principal structure:

Botanical Name	Common Name
<i>Acaçsia auriculiformis</i>	Earleaf Acaçsia Ficus
<i>Ficus spp.</i>	Ficus (see 075-060(E)(3))
<i>Bischofia javanica</i>	Bischofia, Toog, Bishopwood
<i>Casuarina spp.</i>	Australian Pine
<i>Cupaniopsis anacardioides</i>	Carrotwood
<i>Melaleuca quinquenervia</i>	Melaleuca, Punk Tree, Paperbark
<i>Schinus terebinthifolius</i>	Brazilian Pepper, Florida Holly
<i>Rhodomyrtus tomentosa</i>	Downy Rose Myrtle
<i>Leucaena leucocephala</i>	Lead Tree, Jumbie Bean
<i>Ardisia solanacea</i> or <i>elliptica</i>	Shoebuttan Ardisia
<i>Araucaria heterophylla, excelsa</i>	Norfolk Island Pine
<i>Dalbergia sissoo</i>	Indian Rosewood
<i>Grevillea robusta</i>	Silk Oak
<i>Brassaia actinophylla</i>	Schefflera
<i>Metopium toxiferum</i>	Poison Wood

6 (5) ~~Reserved. The town shall maintain a list of plant material known to be~~  
 7 ~~invasive of South Florida's native ecological communities or disturbed~~  
 8 ~~areas, which shall not be used to meet any requirements of this article.~~

9 \* \* \* \*

10 **Section 5: Codification.** The Town Clerk shall cause this ordinance to  
 11 be codified as a part of the ULDC during the next codification update cycle.

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McKay  
Breitkreuz  
Fisikelli  
Jablonski  
Schroeder

Ayes  
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Ayes  
0  
Ayes

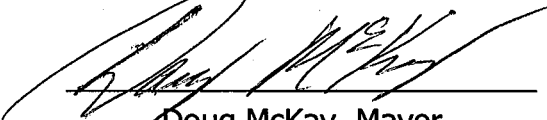
Ayes  
Nays

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Absent  
Abstaining

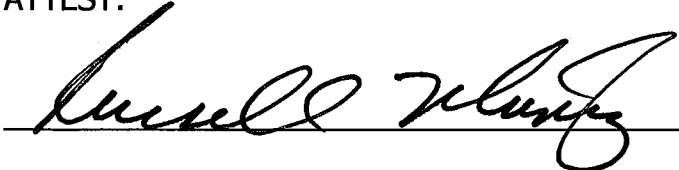
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Doug McKay, Mayor

10 ATTEST:

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13 Russell Muñiz, Assistant Town Administrator/Town Clerk

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15 Approved as to Form and Correctness:

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\_\_\_\_\_

18 Keith Poliakoff, J.D., Town Attorney

19 114371036.1

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