

# TOWN OF PALM BEACH

Information for Town Council Meeting on: June 8, 2021

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Landscape Buffer Removal – Ordinance No. 14-2021

Date: May 28, 2021

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## **STAFF RECOMMENDATION**

Staff recommends Town Council consider the draft ordinance which addresses the removal of landscape buffers on a property. The proposed code change will require Architectural Commission or Landmarks Preservation Commission (if applicable) approval to remove any landscape material that is 30 inches or higher, and within 10 feet of a property line; the code revision also requires a vegetation removal permit for the removal of this landscape buffer material.

## **GENERAL INFORMATION**

Over the past several years there have been instances in the Town where a property owner has removed a hedge or other landscape material along their property line, and thereby eliminated the privacy enjoyed by both property owners. While this is a somewhat rare occurrence, it has occurred with enough frequency to become an issue that Town staff would like to address.

To better ensure that the privacy between property owners is maintained within the Town, staff has drafted a succinct code revision that requires a vegetation removal permit to remove a landscape buffer, or a portion of a landscape buffer. Prior to the vegetation removal permit being issued, a property owner must obtain approval for the removal of the vegetation from the Architectural Commission or the Landmarks Preservation Commission (if applicable). Staff will require the normal notice for the Commission application so that any affected neighbor will have an opportunity to address the Commission regarding the removal of the vegetation. In limited cases, staff may administratively approve the removal of the vegetation on behalf of the Commission if replacement material of the same size and opacity is also proposed. If a landscape buffer is removed without Town approval, it must be replanted (or modified with Arcom or Landmark approval).

The matter was reviewed by the Town Council in 2019 and forwarded to the ORS Committee. The ORS Committee reviewed the matter on January 9, 2020 and again on May 20, 2021. The recommendation from the last ORS Committee meeting was for staff to draft the ordinance to add

a regulation relating to removal of landscape buffers. The matter was discussed and reviewed by Skip Randolph several times over the last two years and Skip has agreed that adding the new code provision is the correct thing to do.

Ordinance 14-2021 is ready for First Reading.

Attached: Draft Ordinance 14-2021  
WRB