

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 14, 2021

To: Mayor & Town Council

Via: Kirk Blouin, Town Manager

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

Re: Application of Existing Regulations Pertaining to Native Plants

Date: September 3, 2021

STAFF RECOMMENDATION

Staff recommends the Town Council review the recommendations of the Ordinances, Standards and Rules Committee and provide direction to staff, relative to the application of existing regulations and potential modifications.

GENERAL INFORMATION

Chapter 66, Natural Resource Protection, was updated in early 2019 to address the benefits of using native landscape. The update included a requirement for new landscape projects to include at least 25% native vegetation. Native landscape plants were identified by referencing a few different Florida plant lists and guides.

Since the adoption of the update, staff and applicants have questioned how the 25% requirement should be calculated and which plant list or guide was best to follow. These questions have remained unanswered for about a year and a half. Today's landscape plans show compliance with the 25% minimum, but there is no specificity on how the 25% is calculated and the plans usually do not show which list or guide was followed to delineate native verses non-native plants. These issues were presented to the Town Council last year and the matter was forwarded to the ORS Committee to review.

Staff provided a cover memo and substantial backup to the ORS Committee on July 1, 2021. The questions of how to calculate the 25%, which plant guide should be followed, and whether 25% was an appropriate amount of natives, were posed to a few landscape design professionals over the past year, and their responses were also provided to ORS. A lengthy discussion occurred at the meeting and options were reviewed, but ORS did not find answers to the questions raised by staff and others. As a result, the matter went back to Town Council on

August 10, 2021 to seek direction on how to resolve the open issues. The matter was deferred by the Town Council at that meeting until September 14, 2021. That delay provided an opportunity for ORS Committee consider and review the matter further at their September 2, 2021 meeting.

During their September 2, 2021, meeting, the ORS Committee again had a lengthy discussion on the native plant matter. Staff suggested some starting points for consideration, which included using the actual quantity of plants as the way to calculate the 25% native requirement and using the South Florida Water Management District (SFWMD) Water Wise Guide as the sole native landscape list for the Town. The Committee agreed to recommend the following to the Town Council:

- Calculate the native plant requirement based upon the quantity of plants, not by the plant coverage, in each category of plant materials.
- Increase to 35% the minimum amount of native plants in each of the following five categories: trees, palms, shrubs, ground cover and vines. Each of these categories would require a minimum of 35% native plants.
- Use the Institute for Regional Conservation (“IRC”), Natives for Your Neighborhood as the sole listing for native plants. This online list allows to filter by zip code.
- Use the Florida Invasive Plant Species Guide (“FLIP”) as the list for Category 1 and 2 invasive plants.

Other questions remain for the ORS Committee to review, including whether to consider if the proposed 35% native plant requirement is appropriate as an across the board percentage or if varying percentages should be used based on the five different categories of plant species. We will propose samples of minimum percentages for trees, palms and shrubs at the next ORS Committee meeting, which will be held on October 5, 2021. The Committee will also look at ways to encourage (or mandate) a diversity of plant selections to achieve compliance, as opposed to using just one or two types of plants.

Cc: Jay Boodheshwar, Deputy Town Manager
James Murphy, Assistant Planning, Zoning and Building Director
John Randolph, Town Attorney