

CHAPTER 153: LANDSCAPE CODE; LAND CLEARING

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CHAPTER 153: LANDSCAPE AND LAND CLEARING CODE

§ 153.01 PURPOSE AND INTENT

This subchapter is intended to improve and protect the environment and the value and the character of the community and properties by providing for the installation and maintenance of landscaping and the preservation of natural plant growth. The provision for landscaping and the retention of natural plant growth reduces erosion, provides shade, buffers incompatible uses, aids in urban temperature control, and improves the aesthetic quality of a community and properties, thereby promoting the public health, safety, and general welfare. This chapter requires specific water conservation measures including the preservation of native vegetation for landscaping purposes, where applicable, to minimize water use, conserve energy, limit nutrient loading to surface waters, and provide mature vegetation for aesthetics, shade and wildlife habitat. The specific objectives of these regulations are to: preserve and protect existing vegetation, promote water conservation, and encourage greater use of native cold-tolerant and drought-tolerant landscape material.

§ 153.02 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABUT. Properties which are either contiguous or separated by a road or drainage right-of-way.

ACCESSWAY. The principal means of ingress and egress to a parcel from a public or private street right-of-way.

ARCHITECTURAL WALL. A wall designed to complement adjacent development consisting of masonry block with stucco, fluted block, a finished designer block, poured concrete, or pre-cast concrete with a treatment on top such as a cornice, tile band, or similar accent. A pre-cast concrete wall shall be comparable in visual quality to a block wall. For typical layout and details, see Appendices A and B located at the end of this chapter.

CLEAR TRUNK HEIGHT (CT). The height of a tree measured from the ground to the bottom of the canopy.

COMMERCIAL AREA. Any area zoned commercial or office, including commercial or office areas designated in an approved PUD development plan.

DIAMETER BREAST HEIGHT (DBH). The diameter of a tree trunk measured at 4.5 feet above grade.

DRIPLINE. An imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.

EVERGREEN. Foliage that remains green or living throughout the year, non-deciduous.

FRONTAGE. Linear distance measured along abutting road rights-of-way.

GROUND COVER. Low growing plants planted in such a manner as to form a continuous cover over the ground.

INDUSTRIAL AREA. Any area zoned industrial, including areas designated for industrial use in an approved PUD development plan.

LANDSCAPE ISLAND. An area designated for landscaping located at the end of a parking bay that is typically 10 to 15 feet in width.

LANDSCAPE STRIP. A strip of land designated for landscaping.

LANDSCAPE BUFFER STRIP. A strip of land designated to provide a visual buffer between abutting properties that consists of landscaping and an architectural wall.

LANDSCAPING. Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, or fences, but excluding paving.

MULCH. Nonliving, small, aggregate material such as gravel, rock, pebbles, bark, or pine needles spread over exposed soil.

MULTI-FAMILY RESIDENTIAL / INSTITUTIONAL AREAS. Any area zoned multi-family residential or institutional, including areas designated for multifamily/institutional uses in an approved PUD development plan.

OFF-STREET PARKING AREA. Any area except a public or private right-of-way used for the purpose of parking, storing or display of vehicles, boats, trailers and mobile homes, including used car lots, but not including parking structures or garages.

OPEN LOT STORAGE AREA. An area which is not enclosed by a permanent structure or wall where inoperative vehicles, scrap metal, scrap lumber, building materials, machinery, machinery parts, or other similar items are customarily sold or stored.

OPEN SPACE AREA. Any open space, park, or public or private spaces not committed to preservation or drainage uses.

OTHER VEHICULAR USE AREAS. All land upon which vehicles traverse the property as a function of the primary uses.

PARKING BAY. A single alignment of 12 or fewer parking spaces that is terminated at each end with a landscape island.

PLANTING AREA. Any area designated for landscape planting having a minimum area of ten square feet and having a minimum dimension of 3 feet; except that wherever a tree shall be planted, a minimum area of 25 square feet, with a minimum dimension of at least five feet.

PUD-PLANNED UNIT DEVELOPMENT. A land area under unified control which is planned and programmed in a single development operation or in a series of prescheduled phases according to an officially approved final development plan.

RIGHT-OF-WAY. Includes any public or private street or drainage canal right-of-way. In addition, other properties that are 50 feet or more in width that support infrastructure or utility uses such as, but not limited to, electric power lines and swales shall also be considered a right-of-way.

SHRUBS. Any low, self-supporting, multi-stemmed evergreen.

SIGHT DISTANCE TRIANGLE. See Section 158.204 of the Zoning Code for visibility at intersections in Zoning Districts.

SINGLE-FAMILY RESIDENTIAL AREA. Any portion of the city divided into lots intended to contain a single dwelling unit designed for occupancy by one family.

TREE. Any self-supporting, woody plant having at least one well-defined stem that will gain a minimum height of 20 feet when mature.

VINES. Any of a group of woody or herbaceous plants which may climb by twining, by means of aerial rootlets or tendrils, or which may simply sprawl over the ground.

XERISCAPE. A landscaping method that maximizes the conservation of water by the use of site-appropriate plants, proper mulches, and an efficient watering system.

§153.03 USE OF LANDSCAPING FOR SITE DEVELOPMENT AREA

The use of landscaping shall be required for all site development as follows:

(A) **Commercial Areas.** For site development in commercial areas, landscaping shall be placed as described in §153.04 herein, except §153.04 (M).

(B) **Multi-family Residential / Institutional Areas.** Sites developed for multi-family, institutional, and public buildings shall have landscaping installed in accordance with the requirements described in §153.04 herein, except §153.04(H) and §153.04(M). A landscape strip that is at least 10 feet in depth shall be provided between buildings and parking lots, sidewalks, and vehicular use areas. This area is to be planted with grass, ground cover, shrubs, and trees. See §153.04(N) for minimum required quantity.

(C) **Industrial Areas.** Sites developed in industrial areas shall have landscaping installed in accordance with the requirements of §153.04 herein, except §153.04(M), 153.04(I)3 and 153.04(N):

(1) **Inner Courtyards.** Warehouse and/or industrial complexes erected with an inner court enclosed by walls or buildings shall not be required to landscape the inner court storage area.

(2) **Site Perimeter Landscaping.** A landscape strip at least ten feet in depth shall be located adjacent to all rights-of-way and abutting properties, unless indicated otherwise. Along a street right-of-way, one tree shall be provided for each 30 linear feet of frontage, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than 50 feet. A continuous hedge shall extend the length of the landscape strip. One shrub shall be required for each 2 linear feet and the shrubs shall be at least 24 inches in height at the time of planting. The remainder of the landscape strip shall be planted with grass, ground cover, shrubs, and other landscape treatment, excluding paving. Landscape strips not located adjacent to a street right-of-way shall have at least one tree for every 60 linear feet, or fractional part thereof, unless indicated otherwise. A landscape strip located around an Open Lot Storage Area shall provide one tree for every 30 linear feet, or fractional part thereof. Where an industrial use is located next to a commercial, office, or institutional use, a continuous hedge shall also be provided within the side and rear perimeter landscape strip, unless there is an existing hedge located along the perimeter of the adjacent property. Parking lot perimeter landscape strip requirements shall take precedence where a parking lot is located adjacent to a perimeter landscape strip.

(D) **Planned Unit Development (PUD).** If a landscape plan is approved for a PUD project, then the PUD landscape plan will be enforced in lieu of the requirements of this subchapter.

(E) **Single-Family Residential Areas.** For site development in single-family residential areas, landscaping shall be installed in accordance with §153.04(M), §153.04(B)(3). See Chapter 97, Appendix A, for minimum sod area requirements.

(F) Administrative amendments to approved Site Plans pursuant to §158.237(K) shall not be required to provide a landscape plan unless the proposed amendment would substantially affect the approved landscape plan.

§ 153.04 LANDSCAPING REQUIREMENTS

To ensure that the landscaping provided is adequate to meet the intent of this subchapter, the following requirements are specified:

(A) **Xeriscape Landscape Design Principles.** Xeriscape landscaping means a type of quality landscaping that conserves water and protects the environment by using site appropriate plants, an efficient watering system, proper planning and design, soil analysis, practical use of turf, the use of mulches, and proper maintenance. The intent is to establish and maintain a healthy landscape by matching the right plants with existing site conditions to minimize the use of additional resources, such as water, fertilizer, and pesticides.

(1) **Natural Landscapes.** Landscape designs should incorporate and enhance existing natural landscapes and existing specimen trees and native vegetation (including canopy, understory, and ground cover). Particular care should be given to preserve intact natural landscapes.

- (2) Use of Native and Drought Resistant Plants. Landscape designs should feature native and/or related plant species, to take advantage of the adaptability of native plants to local environmental conditions. Landscape designs should utilize drought tolerant plant materials to the maximum extent feasible. The use of drought tolerant plants should enrich the existing landscape character, conserve water and energy, and provide as pleasant and varied a visual appearance as plants that require more water.

(B) Installation.

(1) **Planting Practices.** All landscaping shall be installed in a sound, workmanlike manner and according to accepted good planting practice with the quality of plant materials as hereinafter described. All elements of landscaping shall be installed so as to meet any other applicable ordinances. Trees and plants used in a required landscape design shall be cold-tolerant, drought-tolerant, or appropriate for the environmental setting in which they are to be planted. The "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, as amended, should be used to determine appropriate vegetation.

(2) **Staking.** All balled and burlapped trees and palms shall be staked. Trees and palms shall be staked until the roots have become established for a period typically between 6 months and 1 year or as specified by a landscape architect.

(3) **Easement and Utility Area Landscaping.** No landscaping shall be planted in such a manner as to adversely affect drainage or utility easements.

(a) Trees with a maximum mature height great enough to interfere with overhead power lines shall not be planted below overhead power lines. Such trees with a maximum mature height less than the height of the overhead power line shall be selected from Appendix C, Table 1, Type B Trees or as required in §153.04(F)(2) for parcels located along Port St. Lucie Boulevard. No tree shall be planted within 10 feet of any existing utility pole, guy wire, or pad mounted transformer (See FP&L's publication "Plant the Right Tree in the Right Place" for placement and maintenance requirements.).

(b) All landscaping within Port St. Lucie Utility Systems Department (PSLUSD) utility easements shall comply with PSLUSD technical specifications, policies, and codes.

(c) Trees shall not be planted within ten (10) feet of any PSLUSD underground infrastructure.

(d) In locations where the perimeter landscape buffers must be designed to be located in utility easements due to site constraints, the following list of trees, palm trees and shrubs shall be used in these areas to meet the landscape buffer requirements. Trees and palm

trees may be planted not less than seven (7) feet from the underground PSLUSD infrastructure. The remainder of the landscape strip shall be planted with grass and ground cover.

Trees

Pigeon Plum	<i>Coccoloba diversifolia</i>
Yaupon Holly	<i>Ilex vomitoria</i>
Weeping Holly	<i>Ilex vomitoria 'Pendula'</i>
Crape Myrtle	<i>Lagerstroemia indica</i>
Japanese Privet Tree	<i>Ligustrum japonicum</i>
Wax Myrtle	<i>Myrica cerifera</i>
Simpson's Stopper	<i>Myrcianthes fragrans</i>
Jerusalem Thorn	<i>Parkinsonia aculeate</i>
Tallowwood Plum	<i>Ximenia Americana</i>
Wild Lime	<i>Zanthoxylum fagara</i>

Palm Trees:

Chinese Fan Palm	<i>Livistona chinensis</i>
European Fan Palm	<i>Chamaerops humilis</i>
Windmill Palm	<i>Trachycarpus fortunei</i>
Pindo Palm	<i>Butia capitata</i>
Ponytail Palm	<i>Beaucarnea recurvata</i>
Florida Thatch Palm	<i>Thrinax radiata</i>

Shrubs

American Beautyberry	<i>Callicarpa americana L.</i>
Apple, seven year	<i>Casasia clusiifolia</i>
Boxthorn	(<i>Severinia buxifolia</i>)
Boxwood	(<i>Buxus microphylla</i>)
Buttonbush	<i>Cephalanthus occidentalis</i>
Cardboard Palm	<i>Zamia maritima</i>
Christmas Berry	(<i>Lycium carolinianum</i>)
Coco Plum	(<i>Chrysobalanus icaco</i>)
Coontie	(<i>Zamia floridana</i>)
Crown of Thorns	(<i>Euphorbia milii</i>)
Dwarf Palmetto	<i>Sabal minor</i>
Dwarf Poinciana	<i>Caesalpinia pulcherrima</i>
Dwarf Schefflera	(<i>Scheffalera arboricola</i>)
Dwarf Yaupon	(<i>Ilex vomitoria</i> , 'Stokes Dwarf' or 'Nana')
Fakahatchee Grass	(<i>Tripsacum suspensum</i>)
Firebush	(<i>Hamelia patens</i>)
Firethorn, Red	(<i>Pyracantha coccinea</i>)
Florida Privet	(<i>Forestiera segregate</i>)
Glossy abelia	(<i>Abelia x grandiflora</i>)
Golden Dewdrop	(<i>Duranta erecta</i>)
Indian Hawthorne	(<i>Raphiolipis indica</i>)
Jasmine, primrose	(<i>Jasminum mesnyi</i>)
Juniper, Chinese	(<i>Juniperus chinensis</i>)
Juniper, Pftizer	(<i>Juniperus chinensis 'Pftizeriana'</i>)
Lyonia, Rusty	(<i>Lyonia ferruginea</i>)
Macho Fern	(<i>Nephrolepis biserrata</i>)

Mound Lily	(<i>Yucca gloriosa</i>)
Myrsine	(<i>Rapanea punctata</i>)
Oleander	(<i>Nerium oleander</i>)
Pampas Grass	(<i>Cortaderia selloana</i>)
Pittosporum	(<i>Pittosporum tobira</i>)
Plumbago	(<i>Plumbago auriculata</i>)
Sand Cordgrass	(<i>Spartina bakeri</i>)
Sandankwa Viburnum	(<i>Viburnum suspensum</i>)
Saw Palmetto	(<i>Serenoa repens</i>)
Star Jasmine	(<i>Jasminum nitidum</i>)
Sweet Viburnum	(<i>Viburnum odoratissimum</i>)
Sea Oxeye Daisy	(<i>Borrchia arborescens</i>)
Spanish Bayonet	(<i>Yucca aloifolia</i>)
Texas Sage	(<i>Leucophyllum frutescens</i>)
Turk's-cap	(<i>Malvaviscus arboreus</i>)
Walter's Viburnum	(<i>Viburnum obovatum</i>)
Wax myrtle	(<i>Myrica cerifera</i>)
Wild Olive	(<i>Osmanthus americanus</i>)

(4) **Certification by Landscape Architect.** The landscape architect shall certify in writing to the Director of Planning and Zoning that the landscaping and irrigation have been installed in accordance with the landscaping and irrigation plans approved by the Site Plan Review Committee. No certificates of occupancy or similar authorization will be issued unless the certification has been received verifying the landscaping and irrigation meet the requirements provided herein, and are in conformance with the approved landscape and irrigation plans for the project. This requirement shall not apply to single-family homes.

(C) **Maintenance.**

(1) **Responsibility.** The owner, tenant, and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance at all times and shall be kept free from refuse and debris. Maintenance shall include the replacement of all dead plant material and the removal of all evasive and exotic plant material.

(2) **Irrigation.** All sodded and planted areas shall be provided with an irrigation system except for Xeriscape areas. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established. Xeriscape areas must be planted with approved drought tolerant species (See species denoted as drought tolerant * in Appendix C: Table 1 and the SFWMD "Waterwise South Florida Landscapes" plant guide). A Xeriscape plan may be approved by the Site Plan Review Committee when the applicant can assure the health and survivability of all landscaping plant materials.

(3) **Nonconformance.**

(a) If at any time after issuance of a certificate of occupancy the landscaping of a development is found to be in nonconformance, the Planning and Zoning Department shall issue notice to the owner, tenant and/or agent that action is required to comply with this subchapter and the owner, tenant, and/or agent shall have 30 days to restore the landscaping as required. Failure to comply will result in a Code Enforcement Board hearing.

(b) Permitted landscaping existing on the effective date of this subchapter shall be maintained as originally permitted. Replacement trees and other plants must, however, meet the requirement of this subchapter.

(4) **Pruning and Topping.** Pruning restrictions shall not apply for trees located under power lines. Trees shall be pruned only as necessary to promote healthy growth. Trees shall be allowed to attain their normal size and shall not be severely pruned or "hatracked" in order to permanently maintain growth at a reduced height. Trees may be periodically pruned or thinned in order to reduce leaf mass in preparation for tropical storms. All pruning shall be accomplished in accordance with the National Arborist's Standards.

(5) **Walls and Fences.** All walls and fencing shall be maintained in good condition so as to present a neat, and orderly appearance at all times and shall be kept free from mildew and graffiti.

(D) Plant Materials.

(1) **Quality.** Plant material used in conformance with the provisions of this subchapter shall conform to the most recent standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants", State of Florida, Department of Agriculture, Tallahassee, or equal thereto. Plant materials which are known to be intolerant of paving environments or temperature below 32° F or 0° C or whose physical characteristics may be injurious to the public or which produce a quantity and/or quality of debris so as to present maintenance difficulties shall not be specified for use under this subchapter.

(2) **Existing Plant Material.** Developers and/or land owners are encouraged to utilize healthy, acceptable plant material existing on a site prior to its development since this plant material is known to adapt to soil and climate conditions that occur in the city area. This existing plant material may be used in part or in whole to meet the intent of this section provided it is of a quality comparable to Florida No. 1 as given in "Grade and Standards for Nursery Plants", State of Florida, Department of Agriculture, Tallahassee. Trees to be preserved shall be protected from construction damage. Protection should include barricades erected around the dripline, or other similar separation, of the tree during the entire construction process.

(3) **Ground Cover.** Ground covers, other than grass, shall be planted in such a manner as to present a finished appearance and a reasonably complete coverage within four months after planting. Ten percent (10%) of

the groundcover landscaping shall consist of flowering groundcover. Groundcover shall be selected from the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, as amended. At least 25% of all ground cover shall be native species.

(4) **Lawn Grass.** Grass areas shall be planted in species normally grown as permanent lawns in the county. Limit use of sod to a maximum of 50% of site landscaping. Because of their drought tolerant resistant characteristics, it is recommended that Bahia grass species be used. Use of drought tolerant ground cover instead of lawn and turf grass is encouraged.

(5) **Shrubs and Hedges.** Shrubs shall be a minimum of two feet in height when measured immediately after planting. When used for screening purposes they shall be spaced a maximum of twenty-four inches on center and shall be maintained so as to form a continuous, unbroken, solid screen within a maximum of one year after time of planting. If wider growing plants are used, spacing may be increased, but should provide a full appearance with adjacent plants touching each other. Required shrubs shall be selected from the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, as amended. Saw Palmetto can have a minimum size of 12 inches and be spaced a maximum of thirty-six inches on center. At least 25% of all shrubs shall be native species.

(6) **Synthetic Plants.** Synthetic or artificial material in the form of trees, shrubs, ground cover, vines, or artificial turf shall not be used in lieu of plant requirements in this section.

(7) **Trees.**

(a) Trees shall be a species having an average mature spread of crown greater than 20 feet. Trees shall have a trunk that is maintained in a clean condition with over five feet of clear wood (no branches). Trees having an average mature spread of crown less than 20 feet may be arranged in groupings so as to create the equivalent of a 20-foot crown spread; however, the grouping or groupings shall be counted as one tree.

(b) Tree species shall be a minimum of 12 feet overall height when planted with a minimum four foot spread. At planting, the trees shall have a diameter of at least 2 inches at a point 4.5 feet above ground level. Palm trees shall have a minimum clear trunk height of ten feet except for Canary Island Date Palm and Edible Date Palm. For the requirements of Section 153.04(L) "Landscaping around Building Façade", the minimum height may be reduced to eight feet. Groups of smaller trees may be approved by the Site Plan Review Committee. Required trees shall be selected from Appendix C - Table 1 located at the end of this chapter. Trees from the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, may be substituted for the trees listed in Appendix C provided they are of the appropriate USDA plant hardiness

zone, ecological setting, and conform to the requirements of §153.04(D)(7)(a). Substitutions do not apply to certain portions of this chapter which identify specific planting requirements.

(c) None of the following trees shall be used to meet the requirements of this section: *Melaleuca leucadendra* (Punk Tree), *Schinus terebinthefolius* (Brazilian Pepper), *Casuarina species* (Australian Pine), *Acacia auriculiformis* (Earleaf Acacia), *Albezia lebbeck* (Woman’s Tongue), *Bishofia javanica* (Bishofia/Toog), *Brassaia actinophylla* (Schefflera), *Enterolobium cyclocarpum* (Ear Pod Tree), *Eucalyptus spp.* (Eucalyptus), *Grevillia robusta* (Silk Oak), and *Sapium sebiferum* (Chinese Tallow), *Araucaria heterophylla* (Norfolk Island Pine), *Syzygium cumini* (Java Plum), *Melia azedarach* (Chinaberry), *Dalbergia sissoo* (Rosewood), *Cupianopsis anacardiodes* (Carrotwood), and *Lygodium microphyllum* (Old World Climbing Fern), *Dioscorea bulbifera* (Air Potato Vine), and *Pueraria montana var.lobata* (Kudzu).

(d) No more than 50% of the required trees may be palm trees.

(e) Use of native species shall be encouraged. At least 50% of all required trees shall be a native species. At least 25% of all shrubs shall be native species.

(f) At least 20% of the required trees shall be flowering trees.

(g) At least 75% of the trees located within landscape islands shall be evergreen shade trees. See Appendix C - Table 1 located at the end of this chapter.

(h) When more than ten (10) trees are required to be planted to meet the requirements of this Code, a mix of species shall be provided. The minimum number of species to be planted is indicated in the following table. When a mix of species is required, no single species shall exceed a 2 to 1 ratio relative to all other individual species.

Required Tree Species Mix	
Number of Trees Required	Minimum Number of Species
11--20	2
21--30	3
31--40	4
41+	5

(i) Trees of species whose roots are known to cause damage to public roadways, utilities, or other public works shall not be planted closer than 10 feet to those public works.

(j) Landscape guidelines which preempt this ordinance may be adopted by the City Council for certain areas.

(8) **Vines.** Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

(E) Water Efficient Landscaping.

(1) All developments for which landscaping is required shall incorporate the principles of waterwise landscaping into the landscaping design based on the following requirements, in addition to the general landscape requirements of this chapter.

- a. A minimum of fifty (50) percent of each required planting material shall be drought tolerant as recognized as drought tolerant (*) in Appendix C: Table 1 and in the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, as amended. Each type of required planting material, trees, shrubs, and ground cover shall be calculated separately, and each type shall meet the required percentage minimum.
- b. Plant materials shall be grouped in accordance with their respective water and maintenance needs to provide for efficient irrigation. Plants with similar water, soil, climate, sun, and light requirements shall be grouped together. Proposed irrigation zones shall be shown on the landscaping plan.
- c. The use of sod/turf grass shall be limited to where it is most functional in the landscape plan. Irrigated sod shall be considered a high water use zone. Sod/turf grass shall be placed so that it can be irrigated using separate zones.

(2) **Irrigation System Design Standards.** Landscaped areas shall be irrigated to maintain required plant materials in good and healthy condition. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system. The design plans for the irrigation system shall be submitted with the required landscape plan for review and approval by the Site Plan Review Committee. The required irrigation plan shall be prepared by or under the landscape architect's authority and demonstrate compliance with the following irrigation standards:

- a. All landscaped areas requiring irrigation shall be provided with a fully automated irrigation system that provides 100 percent coverage with 100 percent overlap with a minimum design distribution uniformity (D.U.) of .70. Temporary or minimal irrigation systems acceptable to Xeriscape practices may be used when a Xeriscape plan has been approved by the Site Plan Review Committee. These temporary systems must comply with the same efficiency and design requirements as permanent systems.
- b. All non single-family residential irrigation systems shall consider the use of a non-potable water supply such as reclaimed water, storm water, ground water, or surface water, if such supply is available.
- c. Automatic irrigation systems shall incorporate the following criteria:
 - i. Zoning - Irrigation systems shall be designed to ensure turf and landscape areas are irrigated on separate zones. In addition, all spray, rotor, and drip zones shall be zoned separately.

- ii. All new trees shall have pressure compensating bubblers installed, a minimum of one per tree. The bubblers shall be zoned separately, when possible.
- iii. Moisture sensor or rain gauge equipment shall be required on automatic irrigation systems to avoid irrigation during periods of sufficient rainfall and/or soil moisture – one per controller.
- iv. Irrigation systems shall be designed to minimize overspray onto paved surfaces, structures, and non-vegetated areas.
- v. All irrigation systems shall be continuously maintained in working order.
- vi. Hydraulics – All irrigation designs must ensure mainline and lateral line piping shall be sized to limit velocities to 5 feet per second (fps), or less, and a maximum pressure variation with each zone and within all mainline piping of 10% via the friction factor method.
- vii. All spray heads and drip emitters must be pressure regulating and have check valves. All rotors must have check valves and pressure regulation is to be utilized, as required, to ensure proper coverage and minimize misting.
- viii. Water windows – all irrigation systems must be designed to be able to irrigate the entire site in one ten (10) hour day, or less.
- ix. Irrigation systems must be designed to be able to apply a peak daily irrigation demand of .3 inches of water to each zone.
- x. All irrigation system designs must meet or exceed those requirements outlined as best design and/or management practices by the Florida Irrigation Society (FIS), American Society of Irrigation consultants (ASIC) and the Irrigation Association (IA).

(F) Site Perimeter Landscaping - Commercial, Office, Institutional, Multifamily, and PUD Zoning. Necessary access ways from a right-of-way through all landscape strips shall be permitted in order to utilize the parking or other vehicular use areas and these accessways may be subtracted from the linear dimension used to determine the number of trees required.

(1) Development Located Adjacent to a Right-of-Way or to Another Property. A landscape strip at least ten feet in depth shall be located adjacent to all rights-of-way and abutting properties, unless indicated otherwise. One tree shall be provided for each 30 linear feet of right-of-way or abutting property, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than 50 feet. A continuous hedge shall extend the length of the landscape strip. One shrub shall be required for each 2 linear feet and the shrubs shall be at least 24 inches in height at the time of planting. The remainder of the landscape strip shall be planted with grass, ground cover, shrubs, or other landscape treatment, excluding paving. Where an adjacent site has been developed and it has a landscape strip that has one tree for each 30 linear feet, or fractional part thereof, the required trees may be placed in other areas of the site, in addition to other required trees. If there is no space for additional trees in other areas of the site, the trees shall not be required. However, provided sufficient space exists, additional shrubs shall be required. In such case, a minimum of 24 shrubs at least 24 inches in height

may be substituted for every one required tree. Groundcover may be substituted for no more than 50% of the number of required shrubs: 6 square feet of groundcover shall be required for every one shrub.

(2) Special Areas - Port St. Lucie Boulevard, Prima Vista Boulevard, and St. James Drive. Properties with a depth in excess of 200 feet having a front or side facing Prima Vista Boulevard or St. James Drive shall provide a landscape strip at least 15 feet in depth. This landscape strip shall include one tree for each 30 linear feet, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than 50 feet. A continuous hedge shall extend the length of the landscape strip. One shrub shall be required for each 2 linear feet and the shrubs shall be at least 24 inches in height at the time of planting. The remainder of the required landscape strip shall be landscaped with grass, ground cover, shrubs, or other landscape treatment, excluding paving. Properties having a front or side facing Port St. Lucie Boulevard shall provide a landscape strip that is at least 15 feet in depth along Port St. Lucie Boulevard and the landscape strip shall be planted as indicated below:

(a) In locations without overhead wires: Trees shall be planted at 30 feet on center along the street frontage. Trees shall be Live Oaks (*Quercus virginiana*).

(b) In locations with overhead wires: One tree for every 10 feet of frontage, clustered in a minimum of 3; clusters spaced a maximum of 30 feet, 12 feet minimum height. Trees to be selected from the following list:

- | | |
|-------------------|-----------------------------|
| Crape Myrtle | <i>Lagerstroemia indica</i> |
| Japanese Privet | <i>Ligustrum japonicum</i> |
| Dahoon Holly | <i>Ilex cassine</i> |
| Pindo Palm | <i>Butia capitata</i> |
| Chinese Fan Palm | <i>Livistona chinensis</i> |
| European Fan Palm | <i>Chamaerops humilis</i> |

(c) Parking lot terminating islands shall have at minimum one tree. Two palms having a clear trunk height of 10 feet may be substituted for one tree, unless indicated otherwise. These trees or palms shall be selected from the following list :

- One Tree:
- | | |
|-------------------------|----------------------------|
| Live Oak | <i>Quercus virginiana</i> |
| Drake Elm | <i>Ulmus parvifolia</i> |
| Canary Island Date Palm | <i>Phoenix canariensis</i> |

- Two Trees:
- | | |
|---------------|------------------------------|
| Cabbage Palm | <i>Sabal palmetto</i> |
| Windmill Palm | <i>Trachycarpus fortunei</i> |

Washingtonia Palm
Chinese Fan Palm

Washingtonia robusta
Livistona chinensis

(d) A hedge or shrub border shall be located in this landscaping strip. Hedge material shall be spaced a maximum of 24 inches on center and shall be at least 24 inches tall at time of planting. Hedges shall be selected from the following plant materials: the “Waterwise South Florida Landscapes” plant guide, published by the South Florida Water Management District, as amended.

(e) Twenty-five percent of the area* of the landscape strip shall be planted in ground covers which are to be selected from the “Waterwise South Florida Landscapes” plant guide, published by the South Florida Water Management District, as amended, and planted at least 18 inches on center, unless noted otherwise:

*10 % of groundcover landscaping shall be flowering groundcover.

(f) A landscape strip along the rear and sides of a parcel shall be provided as indicated in §153.04(F)(1) above. The plant materials are to meet the requirements for size, spacing, and type included in §153.04(F)(2) (d) and (e).

(3) **Special Area – Gatlin Boulevard.** Properties fronting on Gatlin Boulevard shall preserve vegetation located along Gatlin Boulevard as indicated in the *Citywide Design Standards* and in §153.04(P)(2).

(G) **Landscape Buffer Strips.** Landscape Buffer Strips are areas where a wall or fence is required in addition to landscaping.

(1) **Landscape Buffer Strip Abutting Residential or Open Space Land Uses – Wall Required.** A wall is required in a landscape buffer strip where commercial, industrial, institutional, office, or public facility uses abut property to the side or rear which is designated with a residential or open space land use, or which has a residential use such as an assisted living facility. The required wall installation must be completed prior to the issuance of foundation permits for the building. A wall is required in a landscape buffer strip where multi-family development abuts property to the side or rear which is designated with single-family zoning or PUD zoning with single-family uses. See chart below for the minimum depth requirements for landscape buffer strips:

(a) Parcel Size	Buffer Depth
(1) Less than 2 Acres.	10 feet
(2) Greater than 2 Acres and less than 5 Acres.	15 feet *
(3) Greater than 5 Acres.	20 feet *

* Properties having a depth of 260 feet or less shall have a landscape buffer that is at least 10 feet in depth.

(b) **Landscape Buffer Wall Standards.** Walls shall be designed as architectural walls. When a landscape buffer strip is located adjacent to a right-of way, the architectural wall shall be set back a minimum of 5 feet from the right-of-way in order to provide an area on the outside for landscaping and maintenance, unless noted otherwise. When a landscape buffer is required along a drainage right-of-way, the Engineering Department shall determine whether a landscape buffer strip may be permitted to be located within the adjacent drainage easement, if applicable. When a landscape buffer strip is located adjacent to a residential property, the architectural wall shall be located at least 2 feet from the property line and the area inside of the wall shall be landscaped. No landscaping along the outside of the wall shall be required. The architectural wall shall be located no closer than 2.5 feet to an interior paved surface or a parking space in order to allow space for shrubs and other landscaping. The wall and plantings shall be permanently maintained and kept in an acceptable state of repair. See drawings located in Appendices “A” & “B” at the end of this chapter.

1. **Height.** The architectural wall shall be at least 6 feet in height measured from the finished floor elevation of the primary structure on the subject property, not to exceed 8 feet, unless otherwise required for industrial uses.

2. **Design.** The wall shall have columns or wall offsets at least every 20 feet. Columns shall extend beyond the face of the wall on both sides by at least 3 inches and they shall be at least 13 inches in width. Offsets shall be at least 16 inches in depth. A decorative band or cornice located along the top of the wall shall be at least 8 inches in height. The primary color used on the wall shall match the primary color used on the building located on the site. The wall color shall be selected from the approved colors table located in the “City of Port St. Lucie Design Standards”.

3. **Access.** Gates may be required in order to provide pedestrian access to adjoining areas and to provide access for landscape and wall maintenance. Gates shall be opaque.

(c) **Landscape Material.** One tree, at least 14 feet in height, shall be provided for each 30 linear feet of the landscaped buffer strip, or fractional part thereof. When a landscape buffer strip is located adjacent to a right-of-way, trees, continuous hedging, and ground cover shall be planted on the right-of-way side of the wall. The hedge plant materials shall be at least 24 inches high when planted and shall be planted 24 inches on center. At least 15% of the area in front of the wall shall consist of groundcover. Tree, hedge, and ground cover materials shall be selected from the materials list located in §153.04(F)(2). The remainder of the required landscape buffer strip

shall be landscaped with grass, ground cover, shrubs, hedges, or other landscape treatment, excluding paving. The area inside the wall shall have at least one shrub for each 2 linear feet, or fractional part thereof, and the shrubs shall be at least 24 inches in height when planted.

(2) Landscape Buffer Strip Adjacent to Residential Properties Located within Conversion Areas – Fence Required. Where commercial, industrial, institutional, office, multifamily, and public facility uses abut property to the side or rear on which there is an existing house and which is zoned as single-family residential and which is located within a Conversion Area, a landscape buffer strip that is at least 10 feet in depth located along the side adjacent to the residential property shall be provided, unless indicated otherwise. A six-foot high opaque wooden fence or fence of similar appearance shall be used as a temporary buffer, in lieu of architectural wall. The temporary buffer shall remain until such time that the adjacent property is no longer zoned single-family residential or until the house is removed from the adjacent property. One tree, at least 12 feet in height, shall be provided for each 30 linear feet, or fractional part thereof. A continuous hedge shall extend the length of the landscape strip. One shrub shall be required for each 2 linear feet and the shrubs shall be at least 24 inches in height at the time of planting. The remainder of the required landscape buffer strip shall be landscaped with grass, ground cover, shrubs, or other landscaping, excluding paving.

(H) Perimeter Landscaping for Open Lot Storage Areas. Open lot storage areas shall be landscaped on all sides as in §153.04(G) with the option of using opaque wood, metal or plastic that looks similar to wood, or chain link (with slats) fencing in lieu of a wall, except for necessary accessways for ingress and egress from the open lot storage areas and where the storage area is screened from view from surrounding property by intervening buildings and structures. However, properties facing a collector or arterial road shall have an architectural wall located along the street frontage. Chain link fencing shall be vinyl coated in a green or black color. Along areas facing a street right-of-way, the required landscaping shall be located in front of the wall or fence.

(I) Perimeter Landscaping around Parking Areas and Other Vehicular Use Areas. For properties located along Port St. Lucie Boulevard, refer to §153.04(F)(2) for required plant species.

(1) General. A landscape strip at least ten feet in depth located adjacent to an off-street parking area or other vehicular use area shall be provided, unless indicated otherwise. See §153.04(I)(3) below. This landscape strip shall include one tree for each 30 linear feet, or fractional part thereof.

(2) Landscape Barrier. In addition, a hedge, wall, or other durable landscaping barrier shall be located within this landscape strip. If such a barrier is of non-living material, it shall be a minimum height of three feet and one shrub or vine shall be planted for each five linear feet or fractional part thereof. Such shrubs or vines shall be located along the exterior side of the barrier. The remainder of the required landscape strip shall be landscaped with grass, ground cover, shrubs, hedges, or other landscape treatment, excluding paving.

(3) Landscape Strip Between Buildings and Vehicular Use Areas. A landscape strip that is at least 10 feet in depth shall be located between a building and a parking space. A landscape strip that is at least 5 feet in depth shall be located between a building and a loading space except where access is required. A landscape strip that is at least 5 feet in depth shall be located between a building and a driveway or a sidewalk, unless indicated otherwise. The landscape strip shall be planted with, sod, groundcovers, shrubs, trees, and or hedges. See §153.04(N) for required quantity of landscaping located around building facades and §153.03(B) for special requirements for multifamily development.

(a) Where the rear of a building is not generally accessible or visible to the general public, such as a strip commercial shopping center, the Site Plan Review Committee may waive or modify the requirement for a landscape strip to be located between vehicular use areas and a building.

(b) Where an arcade is located along the front or sides of a building, the Site Plan Review Committee may modify the requirements for a landscape strip to be located between the arcade and the vehicular use areas and sidewalks. Some arrangement of the required landscaping around the building shall be provided.

(J) Parking Lot Interior Landscape Islands. For properties located along Port St. Lucie Boulevard, refer to §153.04(F)(2) for required plant species.

(1) **General.** Interior portions of off-street parking facilities that are not specifically designed as parking spaces or maneuvering areas shall not be paved for vehicle use. These areas shall be planted and permanently maintained with trees and shrubs, and finished with ground cover or other landscape material. Mechanical, electrical, or utility equipment (excluding a fire hydrant) is prohibited from being located within a required landscape island.

(2) **Maximum Number of Continuous Parking Spaces.** Parking bays shall have a landscape island located at each end in order to break up excessively long runs of parking spaces. Each landscape island shall have at least one shade tree.

(a) **Sites Greater than Two Acres in Size.** Option No.1: A landscape island at each end of a parking bay shall be provided that has a minimum width of 15 feet and a minimum total area of 250 square feet. The parking bay shall contain no more than 12 continuous parking spaces nor extend more than 130 linear feet, whichever is more restrictive. Option No. 2: A landscape island at each end of a parking bay shall be provided that has a minimum width of 10 feet and a minimum total area of 150 square feet. The parking bay shall contain no more than 8 continuous parking spaces nor extend more than 90 linear feet, whichever is more restrictive. The abutting parking bays shall contain no more than 8 parking spaces nor extend more than 90

linear feet. Otherwise, the landscape island shall be at minimum 15 feet in width as indicated in Option No.1.

(b) **Sites Two Acres or Less in Size.** A landscape island at each end of a parking bay shall be provided that has a minimum width of 10 feet and a minimum total area of 150 square feet. The parking bay shall contain no more than 12 continuous parking spaces nor extend more than 130 linear feet, whichever is more restrictive.

(3) **Curbing.** All interior landscaping areas shall be curbed to prevent vehicular encroachment. Required curbing shall conform to FDOT type D or F.

(K) **Screening of Refuse Collection and Recycling Areas.** Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated. Gate facing shall be constructed of a solid material with the option of using wood, metal or other "solid" material. Gate framework shall be constructed of metal. Gates may be left open only on scheduled pick up days and must be closed following pick-up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least 12 foot by 12 foot in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single-family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than 5 units per acre shall be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up service. Commercial, office, institutional, and multifamily development greater than 5 dwelling units per acre shall provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site Plan Review Committee may modify the size required for the recycling dumpster enclosure after reviewing and considering the size of the building and type of use. For those properties with a P (Professional) zoning designation, a 6 ft. by 12 ft. recycling dumpster is permitted.

(L) **Other Areas.** All property, except for land utilized for principal structures, accessory structures, off-street parking areas, other vehicular use areas, and required landscaped areas shall be landscaped with at least grass, ground cover, or mulch.

(M) **Single-family Residential Landscaping.** A minimum of four trees per lot selected from Appendix C: Type A Tree List is required at the time of issuance of a certificate of occupancy in single-family residential areas. Each tree shall be a minimum of eight feet overall height when planted with a minimum four foot spread. At planting, the trees shall have a diameter of at least 1.5 inches at a point 1.5 feet above ground level and shall be of a type or species indicated as approved trees in Table 1. Existing non-exotic healthy trees may be used to satisfy this requirement.

(N) **Landscaping around Building Facades.** A landscape strip between 5 and 20 feet shall be located around the perimeter of a building that is visible to the general public, patrons, or residents, unless noted otherwise. Also, refer to §153.04(I)(3) - Landscaping

between Buildings and Vehicular Use Areas and §153.03(B) – Multi-family Development. Landscaping shall be designed to be complimentary to the building facade. Plantings shall include trees, hedging, and ground cover placed around the buildings. There shall be at least 1 shrub for every 1.5 linear feet of a building’s perimeter, excluding paved access areas, and the shrubs shall be at least 24” in height at the time of planting. One tree or palm (Appendix C, Table 1, Type A or B) is required for every 30 linear feet of the building’s perimeter. Note: A wider landscape strip permits more area to plant required trees and shrubs.

(O) **Removal of Exotic Vegetation.** All new development and redevelopment shall be required to remove all pestilent exotic vegetation including, at a minimum, *Melaleuca leucadendra* (Punk Tree), *Schinus terebinthefolius* (Brazilian Pepper), and *Casuarina species* (Australian Pine), *Acacia auriculiformis* (Earleaf Acacia), *Albezia lebbeck* (Woman’s Tongue), *Bishofia javanica* (Bishofia/Toog), *Brassaia actinophylla* (Schefflera), *Enterolobium cyclocarpum* (Ear Pod Tree), *Eucalyptus spp.* (Eucalyptus), *Grevillia robusta* (Silk Oak), and *Sapium sebiferum* (Chinese Tallow), *Araucaria heterophylla* (Norfolk Island Pine), *Syzygium cumini* (Java Plum), *Melia azedarach* (Chinaberry), *Dalbergia sissoo* (Rosewood), *Cupianopsis anacardiodes* (Carrotwood) and *Lygodium microphyllum* (Old World Climbing Fern), *Dioscorea bulbifera* (Air Potato Vine), and *Pueraria montana var.lobata* (Kudzu).

(P) **Preservation of Existing Non-exotic Vegetation.**

- (1) Preservation of existing non-exotic vegetation shall be required whenever possible. The Site Plan Review Committee may require tree surveys to be submitted to meet these objectives. Existing trees and vegetation may satisfy the landscape buffer requirements in this chapter, in total, or in part. Existing trees and vegetation may be relocated from areas of the site to be used as or in a landscape buffer. In determining whether trees and vegetation satisfy the requirements of this chapter, the following shall be considered:
 - a. The effectiveness of the visual screening. If adequate screening is provided, then no additional trees and vegetation will be required.
 - b. The quality and kind of trees and vegetation being preserved.

(2) **Required Preserve Area - Gatlin Boulevard Only.** Maintain a 20’ foot wide strip of landscape preserve area along the Gatlin Boulevard ROW. Preserve 75% of the pine and canopy trees in this area, maintaining all native understory vegetation. No structures, fences, walls or parking is allowed in this area. Protect preserve area with construction fencing prior to requesting a Clearing Permit. Grade change shall be made without depositing fill within preserve area. Non-native vegetative areas (e.g., pepper trees) shall be removed and planted with native landscaping in accordance with the Port St. Lucie Landscape Code.

(Q) **Drive-Throughs.** No drive-through windows located between the right-of-way of a primary collector/arterial roadway and a building are permitted. If there is no other location option, the entire drive-through lane must be completely screened from adjacent view using a continuous planting of vegetation at a height of six (6) feet at time of planting. Vegetation shall be maintained at a height of at least six (6) feet.

(R) **Joint Use Parking.** Joint parking areas are allowed and encouraged between adjacent land owners. Joint parking areas will be treated as a single parking area and must meet all requirements of this chapter and the Zoning Code. Joint parking areas will only be permitted if there is a mutual agreement among the owners of the parking areas, which is acceptable to the City and a copy of the agreement filed with the Planning and Zoning Department.

(S) **Landscape Strips Combined.** Where the edges of required landscape strips are spaced apart 20 feet or less, a single landscape strip may be utilized and the landscaping may be distributed over the entire width of the combined landscape strips. However, requirements for landscape buffer strips as indicated in §153.04(G) shall not be modified. Where a landscape buffer strip and a landscape strip are spaced apart 20 feet or less, only a landscape buffer strip shall be required. Where requirements for a landscape strip differ, the more stringent requirements shall take precedence.

(T) **Mechanical, Electrical, and Utility Equipment.** A hedge that is at least 24 inches in height when planted and that is spaced at least 24 inches on center shall be planted around mechanical, electrical, and utility equipment except where access to the equipment is necessary. Lift stations shall have an opaque wall or fence located around the perimeter except where the gate is located. The gate shall be semi-transparent in order to allow for visual inspection of the equipment by the Utility Department. The lift station's alarm light shall be clearly visible above the wall or fence at all times. Hedging shall be located around the wall or fence. The wall or fence shall be of a material that is similar or complementary to the building or buildings located on the site. Air conditioning condensing and compressor units shall not be located on a side of a building that faces a street right-of-way.

(U) **Gated and/or Walled Entrances.** Trees, shrubs, and groundcover shall be planted along a wall or fence and around a guard house located at a gated entrance. At minimum, a landscape strip that is at least 10 feet in depth shall be located along the side that is visible to the general public. At least one tree for each 15 linear feet, or fractional part thereof, of the walled entrance (excluding the gates) shall be provided. One shrub shall be required for each 2 linear feet and the shrubs shall be at least 2 feet in height at time of planting.

(V) **Sidewalks and Bikepaths.**

(1) **Development located along Existing Streets.** Development located along an existing street right-of-way that is 60 feet in width or greater shall provide a sidewalk that is at least 5 feet in width, typically along the property line and within the street right-of-way. However, in such case where the Engineering Department determines that a sidewalk located within a right-of-way is not appropriate or will be in conflict with other public works, the Engineering Department may require that the sidewalk be located on the subject property to be developed, typically along the property line. Location and design shall be subject to review by the Site Plan Review Committee. In areas where the City plans to install and finance the construction of a sidewalk, the developer shall not be required to install the sidewalk. However, the developer shall be required to pay the current bid price for the installation for the proposed sidewalk for the length of the subject property unless previous agreement or ordinance indicates otherwise. In areas where a design plan for sidewalks

and/or bikepaths has been adopted or established, the design plan shall take precedence as to the location, size, and other features of the sidewalk and/or bikepath. Sidewalks shall not encroach into landscape strips.

(2) **Public and Private Streets or Driveways.** A sidewalk that is at least 5 feet in width shall be located along the side or sides of the following proposed street rights-of-way or main access routes:

(a) A public or private street right-of-way located adjacent to a non-residential use. A sidewalk shall be located along the side of the street located adjacent to the non-residential use.

(b) A public or private street right-of-way or driveway that serves as a main access route to a residential development having 400 units or more. Sidewalks shall be located on both sides.

(c) All collector or arterial roads. Sidewalks shall be located on both sides.

(3) Whenever possible, a sidewalk shall be located along the edge of the street right-of-way, leaving a green space located between the street pavement and the sidewalk. See Subdivision Regulations, Chapter 156, for additional requirements concerning sidewalks for subdivisions. Where there is conflict, the more stringent code requirement shall take precedence.

(4) In order to avoid installing a sidewalk that will lead nowhere nor have a functional purpose, where developed properties located along both sides of the subject property do not have sidewalks and it is unlikely that in the near future that sidewalks will be installed, the installation of a sidewalk shall not be required.

(W) **Building Area Increase.** When the building area on a developed site is increased by more than 500 square feet, the landscaping on the site shall conform to current code as much as reasonably possible.

§ 153.05 MORE STRINGENT REQUIREMENTS MAY BE REQUIRED

This subchapter shall be a minimum standard and shall apply to all areas of the city. The Site Plan Review Committee, Planning & Zoning Board, and/or the City Council may from time to time require, as a part of site plan approval, more stringent requirements on landscaping for a particular site plan.

§ 153.06 SUBMISSION OF LANDSCAPING PLAN; APPROVAL PRIOR TO ENACTMENT

(A) A landscaping plan prepared, signed and sealed by a Florida registered Landscape Architect shall be submitted as part of the site plan submission required by Chapter 158 (Zoning Code) and shall be enforced under this subchapter.

(B) Such plan shall be approved by the Site Plan Review Committee prior to the issuance of a building or paving permit and shall contain the following:

- (1) Name, address, and phone number of the owner, landscape firm, and designer.
- (2) North arrow, scale, and date (minimum scale one inch: = 50 feet).
- (3) Property lines, easements, and rights-of-way.
- (4) Location of all existing and proposed electrical, mechanical, and utility equipment and location of all utility services (electrical power lines, cable lines, water lines, sewer lines, and the like).
- (5) Location of any existing or proposed structure.
- (6) Location of proposed site features such as earthen mounds, walls, fences, and water areas.
- (7) Location of any existing or proposed vehicular use areas.
- (8) Location of any existing or proposed sidewalks, curbs, and wheel stops.
- (9) Location of required landscape strips and landscape buffer strips.
- (10) Location, diameter breast height, height, description of all landscape material including name, quantity, spacing, installation and maintenance requirements, and the like.
- (11) Location and area of landscaping for freestanding signs.
- (12) Location of stormwater retention/detention ponds, swales, underground pipes, and other related features.
- (13) If a landscape buffer wall is required, provide a note on the Site Plan and Landscape Plan that states that the height of the wall shall be at least 6 feet above the finished floor height, not to exceed 8 feet, unless otherwise required for an industrial use.
- (14) All landscape plans must demonstrate compliance with the requirements of Chapter 153, City of Port St. Lucie Landscape Code. In tabular format, provide the following information:
 - a. Number of shrubs and trees provided and the number of shrubs and trees required for all area landscaping requirements.
 - b. Identify the fifty (50) percent drought tolerant plant material by showing the quantity, percentage, species, and soil moisture range for drought tolerant plant materials.
 - c. Verify that fifty (50) percent of all required trees are native species.
 - d. Verify that twenty-five (25) percent of all required shrubs are native species.

- e. Verify that twenty (20) percent of the required trees are flowering trees.
- f. Verify that seventy-five (75) percent of the required trees located within landscape islands are evergreen trees.
- g. Verify that the use of sod is limited to less than fifty (50) percent of the site.
- h. Verify that no more than 50 percent of the required trees are palm trees.
- i. Identify proposed irrigation zones by low or high water use.
- j. If applicable, verify the mix of tree species under §153.04(D)(7)(h).
- k. If applicable, identify non-potable water source.

(15) An Irrigation plan showing head layout, mainline routing, mainline sleeving, point of connection specifications and details, installation details, project specifications, project notes, and an equipment legend shall be submitted with the required landscape plan.

(16) As deemed necessary, City staff may request that dimensions be shown.

(C) Landscaping approved prior to the adoption date of this subchapter. Landscape plans approved prior to the adoption date of this subchapter, as part of the site plan review process, shall be enforced under the procedure contained in this section.

(1) When an off-street parking or loading lot existed as of the effective date of this subchapter and such off-street parking lot is enlarged in area or capacity, landscaping for the entire parking lot, both old and new, shall comply with this subchapter.

(2) When an off-street parking or loading lot existed as of the effective date of this subchapter and the building that the parking or loading lot services is reconstructed or remodeled in excess of 50% of its value, landscaping shall be provided as set forth in this subchapter.

§ 153.07 CITY PLANNING; ENFORCEMENT

The Zoning Administrator or a designated representative is hereby authorized to enforce this subchapter. This subchapter shall be deemed a part of Chapter 158 (Zoning Code) and violations shall be enforced in the same manner as are similar Zoning Code violations. The Planning and Zoning Department shall provide initial notice of violations based on complaints received. Additional corrective action will be forwarded to the Code Enforcement Division or as needed for further enforcement.

§ 153.08 CONTRACTING WITH OUTSIDE AGENCIES

The City may contract with any qualified outside agency to review landscape plans, and to inspect landscaping plans according to the requirements of this subchapter.

§ 153.09 VARIANCES AND ADMINISTRATIVE VARIANCES

Variations shall be processed in accordance with §158.295 through §158.302. The applicant shall submit an application, pay the associated review fee, and submit a landscape plan to apply for a variance.

(A) The Planning and Zoning Administrator shall have the authority to hear and decide requests for the following administrative variations.

(1) **Height.** Variations of 10% or less to the required height of a wall, fence, tree, or shrub.

(2) **Amount.** Variations of 10% or less to the required number of trees, shrubs, or ground cover.

(B) Substituting landscaping for a required architectural wall. See Section §153.12.

§ 153.10 EXCEPTION TO LANDSCAPING REQUIREMENTS

When developed properties are affected by a right-of-way acquisition program of the City, County, or State, the requirements of §153.04(D) shall be waived by the amount of property required for acquisition, subject to the approval of the Site Plan Review Committee.

§ 153.11 ADMINISTRATIVE REVIEWS OF A LANDSCAPE PLAN

Minor revisions to a Landscape Plan may be reviewed and considered for approval by the Zoning Administrator. The Zoning Administrator may refer the request to the Site Plan Review Committee for a recommendation. Minor revisions to a Landscape Plan include the following:

(A) **Relocation.** The relocation of 20% or fewer of the required number of trees, shrubs, or groundcover, provided that the landscaping to be relocated is not located within a drainage or utility easement or right-of-way.

(B) **Substitution.** The substitution of 20% or less of a species for another species, provided that the proposed species is listed on the "Approved Tree List" (Appendix C, Table 1.) or in the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District, and that the landscaping proposed to be substituted is not located within a drainage or utility easement or right-of-way. Substitutions must be in conformance with the requirements of this chapter.

§ 153.12 EXEMPTION OR MODIFICATION TO LANDSCAPE BUFFER WALL REQUIREMENT

(A) Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip or requests to be exempt from installing the landscape buffer strip requirement shall be reviewed by the City Council; or

(B) Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip where commercial, industrial, institutional, office or public facility uses abut property to the side or rear which is designated with an open space land use, but used for drainage or stormwater retention, shall be subject to approval of the Site Plan Review Committee.

§ 153.13 – 153.19 Reserved.

LAND CLEARING

§ 153.20 LEGISLATIVE INTENT

It is the intent of this subchapter to provide for and encourage the preservation of existing native and specimen trees and other vegetation, wherever practicable, during any land development within the city. In retaining existing native and specimen trees and other vegetation, aesthetics are improved, soil erosion is reduced, groundwater is increased, air is purified and air temperature is modified, thus contributing to the public health and general welfare of the community. In areas where preservation is considered to be not feasible, planting or seeding by artificial means will aid in the above mentioned advantages for the public good.

(1978 Code, §15-50) (Ord. 82 32, passed 9-28-82)

§ 153.21 DEFINITIONS

CLEAR. Removal or destruction of any vegetation protected by the provision of this subchapter.

GROSS ACREAGE. Total land area of a parcel including streets, roads, drainage, and undevelopable areas, excluding permanent water bodies.

LAND CLEARING PLAN. Either a graphic diagram drawn to scale, showing the size and boundaries of the affected property, the approximate size and location of all trees located on the affected property which have a diameter breast height (dbh) of six inches or more, as measured four and a half feet from the base of the tree, showing which of those trees will be removed by the clearing operation and showing the areas of the affected property which will be cleared of substantially all vegetation; or a current aerial photograph of the subject area, together with an overlay drawing indicating areas to be cleared.

PARCEL. Any contiguous real property consisting of one or more lots or tracts under unified ownership or control and having a gross acreage of one acre or more, unless noted otherwise.

§ 153.22 MINIMUM REQUIREMENTS

The provisions of this subchapter shall be held to be minimum requirements, adopted for the protection and promotion of the public health, safety, or general welfare. Whenever the requirements of this subchapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern. ('78 Code, §15-57) (Ord. 81-48, passed 9-24-81).

§ 153.23 LAND CLEARING PLAN AND PERMIT

(A) **General.** All requests for a Land Clearing Permit shall be accompanied by a Land Clearing Plan and a Storm Water Pollution Prevention Plan (SWPPP) that has been approved by the Site Plan Review Committee when a parcel or combined lots is one acre or more in size, unless noted otherwise. While a site is being cleared and developed, the topsoil shall be stabilized to prevent soil erosion as required by the National Pollutant Discharge Elimination System (NPDES) and other regulations. By March 10, 2003 any operation that disturbs more than one acre of land will be required to make an application for a construction/industrial NPDES permit by submitting a Notice of Intent (NOI) to Florida Department of Environmental Protection (FDEP). Upland Preservation requirements shall not be applicable to any lot or parcel under two acres in size. Also, refer the Natural Resource Code, Chapter 157.

(B) **Standards for Review.** In review of applications for Land Clearing Permits, the Site Plan Review Committee should consider the following:

- (1) The preservation of native and specimen trees and other vegetation (excluding exotic species) to the maximum extent possible.
- (2) The applicant's method for protecting vegetation to be retained or preserved during and after the land clearing process.
- (3) The Federal, State, and local permit and ordinance requirements to change existing ground elevations.
- (4) Existing tree density.
- (5) The City's objective of maintaining a minimum density of 20 trees per acre.
- (6) Stabilization of disturbed soils to prevent erosion.
- (7) The Storm Water Pollution Prevention Plan shall meet the requirements as set forth by the Florida Department of Environmental Protection (FDEP). ('78 Code, §15-53) (Ord. 81-48, passed 9-24-81; Am. Ord. 82-32, passed 9-28-82)

(C) Land Clearing Plan – Format and Information. The Land Clearing Plan shall be at a scale similar to the Site Plan and shall include the following information:

- (1) Identify vegetated areas to be retained or preserved. Indicate that the area to be retained or preserved will be surveyed and roped off prior to applying for a Building Permit. Show roped area on the plan. Indicate other methods of protecting vegetation to be retained or preserved during and after clearing, if applicable. Indicate the area in acres and square feet of the site and the area to be preserved or mitigated, if applicable. Indicate ground elevation and proposed fill elevation, where applicable. Provide a topographic map, if necessary. Identify the location of silt barriers or other stormwater protection or soil stabilization features. Identify location, species, and diameter breast height of vegetation, if applicable. Refer to the Natural Resource Code, Chapter 157, for other code requirements.
- (2) Identify the name, address, phone number, and fax number of the owner, developer, and engineering firm, landscape firm, or environmental consultant submitting the Land Clearing Plan. Provide a legal description, north arrow, scale, and any other pertinent information.
- (3) A Storm Water Pollution Prevention Plan shall be formatted per the FDEP Generic Plan Template.

(D) Residential Parcels on Waterway. The clearing of platted single-family parcels bordering on waterways of the North Fork of the St. Lucie River shall require a Site Plan and permit as stipulated in Ordinance 81-17. A 15-foot native vegetation buffer shall be preserved or provided along the mean high water line as a means to deter shoreline erosion. A Site Plan and Land Clearing Plan for such single-family parcels shall be submitted to the Planning and Zoning Department for review prior to requesting a Land Clearing Permit from the Building Department. No fee to the Planning and Zoning Department for review of single-family parcels shall be required.

(E) Developments of Regional Impact

- (1) Applications for land clearing plan and permit for approved Developments of Regional Impact where vegetated areas to be retained or preserved have been identified on an approved PUD or a Development of Regional Impact Master Plan shall be processed in accordance with (a) through (c) above in advance of final development plan approval.
- (2) Grading and excavation of roads, stormwater lakes, and drainage canals identified on an approved PUD or a Development of Regional Impact Master Plan shall be permitted provided the applicant acknowledges that such activities shall be at its own risk prior to final development plan approval.

(F) Exceptions. It shall be unlawful to clear any parcel located within the city limits without first having obtained a Land Clearing Permit, except for the following activities:

(1) Construction and maintenance of roads, drainage ditches, and swales located in platted or dedicated public or private rights-of-way, and utility or drainage easements.

(2) Minimal clearing of lines less than 10 feet wide for surveying purposes.

(3) Minimal clearing for the maintenance of property access and for minor recreational pursuits such as fishing, nature trails, boardwalks, and wildlife observation: 5 feet maximum trail width.

(4) All plant or tree nurseries and commercial timber operations shall be exempt from the terms and provisions of this subchapter in relation to those trees planted or growing on their premises which are so planted or growing for the sale or intended sale to the general public or in the ordinary course of the grower's commercial business.

(5) Platted Single Family Parcels, unless indicted otherwise. See above paragraph §153.23(B).

('78 Code, §15-52) (Ord. 81-48, passed 9-24-81; Am. Ord. 82-32, passed 9-28-82) (Penalty, See §153.99)

§ 153.24 ISSUANCE OF LAND CLEARING PERMIT - PROCESS

Application. Prior to applying for a Land Clearing Permit from the Building Department, the applicant shall obtain a sufficiency review from the Planning and Zoning Department and, if applicable, the Engineering Department.

(A) The applicant shall submit 4 copies of the Land Clearing Plan, an application for a Building Permit Review obtained from the Planning and Zoning Department, and a fee (if applicable) to the Planning and Zoning Department. For fee amount, refer to the Planning and Zoning Department's latest fee schedule.

(B) After the Planning and Zoning Department and Engineering Department, if applicable, has reviewed the Land Clearing Plan and it is found to be in conformance with the plan approved by the Site Plan Review Committee, the Land Clearing Plan and Building Permit Review form shall be sent to the Building Department. For fee amount, refer to the Building Department's latest fee schedule.

§ 153.25 REFORESTATION

In lieu of paying a mitigation fee, the Planning and Zoning Department may require that illegally removed vegetation be replanted where having a vegetation buffer is vital to the public interest or the environment. The following provisions shall apply to the reforestation of cleared areas.

(A) Vegetation.

(1) Trees. For every one acre of land, forty canopy trees that are the same or similar to the native upland tree species found in the near vicinity shall be provided. Two palm trees or understory trees may be substituted for one

canopy tree. Palm trees may be substituted for twenty percent or fewer of the canopy trees and understory trees may be substituted for an additional 20 percent or fewer of the canopy trees. One-third of the trees shall be at least 8, 12, and 14 feet in height respectively at the time of planting. All palms shall be at least 8 feet in clear trunk height.

(2) Shrubs. For every 1 acre of land, two hundred shrubs that are the same or similar to the native upland shrub species found in the near vicinity shall be provided. Shrubs shall be at least 2 feet in height at the time of planting. ('78 Code, §15-54) (Ord. 81-48, passed 9-24-81; Am. Ord. 82-32, passed 9-28-82)

§ 153.26 RIGHT OF SITE PLAN REVIEW COMMITTEE TO IMPOSE PERMIT CONDITIONS

The Site Plan Review Committee may impose upon any land clearing permit any conditions as are necessary to accomplish the standards as set forth in this subchapter. ('78 Code, §15-54) (Ord. 81-48, passed 9-24-81)

§ 153.27 APPEAL OF DECISIONS OF COMMITTEE

If the Land Clearing Permit is denied, the property owner may appeal to the City Council. These appeals shall be initiated by filing with the City Clerk a Notice of Appeal within 30 days of the denial. The City Council shall, within thirty (30) days of receiving such Notice of Appeal, schedule a hearing on the same and, after hearing, may deny, approve, or modify the clearing plan by majority vote. ('78 Code, §15-54) (Ord. 81-48, passed 9-24-81)

§ 153.28 ENVIRONMENTAL ASSESSMENT

All development shall meet the requirements of Chapter 157, The Natural Resource Protection Code. A site survey for gopher tortoises shall be conducted on all properties having native upland vegetation. If gopher tortoises are identified on the property, then the property must also be surveyed for listed species associated with gopher tortoise burrows. A general survey for listed plant species may also be required depending on the characteristics of the site. See Natural Resource Code, §157.24 for further detail.

§ 153.29 PENALTY

Whomever violates §153.01 through §153.26 by clearing land for which a land clearing permit is required without having first obtained that permit, or violates any conditions of an applicable permit shall be required to mitigate for the cleared area by paying a fee that will be deposited into the conservation trust for upland preserve and/or may be required to reforest the property where deemed necessary. Mitigation shall be based on a 4:1 ratio: four acres shall be mitigated for every one acre cleared. ('78 Code, §15-58) (Ord. 81-48, passed 9-24-81)

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