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AN ORDINANCE AMENDING TITLE XV “LAND USAGE”, CHAPTER 154, “LANDSCAPE AND LAND CLEARING CODE”, ARTICLE I – LANDSCAPING OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 (the “Comprehensive Plan”); and

WHEREAS, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS, this City initiated code amendment, P20-050, proposes to amend Chapter 154 to correct scrivener errors and code references and modify the provisions for landscape modifications; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P20-050) and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of an amendment to Article I, will foster and preserve the public health, safety and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. **Ratification of Recitals.** The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

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Section 2. That Section 154.01, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 154.01. - Purpose and intent.

- (A) This article 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.
- (B) The standards established in this chapter are ~~to be~~ considered the minimum requirements 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.
- (C) Landscape guidelines ~~which that~~ preempt this chapter may be adopted by the City Council for certain areas of the city.
- (D) Administrative amendments to approved Site Plans pursuant to §~~158.237(K)~~ 158.237(C) shall not be required to provide a landscape plan unless the proposed amendment would substantially affect the approved landscape plan.

Section 3. That Section 154.03, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 154.03. - Landscape design standards.

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

- (A) **Single-family Residential Landscaping.** Each developed single-family or townhouse lot or parcel shall contain a minimum number of trees selected from Appendix C: City of Port St. Lucie Suggested Tree List, based on a lot or parcel size per the following chart. Trees not shown on the suggested tree list may be used provided they meet the minimum requirements and are of the appropriate USDA plant hardiness zone and ecological setting.

Lot Size (square feet)	Number of Trees
Up to 2,500	1
Up to 5,000	2

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Up to 7,500	3
Up to 10,000	4

1. For townhouse development and Planned Unit Developments, other sections of this chapter may exceed these requirements.
 2. Trees shall be a minimum of twelve (12) feet overall height when planted with a minimum five-foot crown spread. At planting, the trees shall have a caliper of at least 2.5 inches. Existing non-exotic healthy trees may be used to satisfy this requirement. A tree protection barrier (See Appendix D — Tree Protection Barrier Detail) shall be placed around all trees to be preserved ~~prior to~~ **before** any land preparation or construction of structures or other improvements. Larger trees may be used to meet the minimum requirements provided the total caliper requirements are met. For example, one five-inch caliper tree may be substituted for two 2.5-inch caliper trees.
 3. No more than fifty (50) percent of the required trees may be palm trees.
 4. The property owner is responsible for maintaining all required landscaping in good health and appearance.
- (B) **Planned Unit Development (PUD).** PUD development shall have landscaping installed in accordance with the requirements described in §154.03(C) unless a landscape plan is approved for a PUD project, then the PUD landscape plan will be enforced in lieu of the requirements of this chapter.
- (C) **General Landscaping Requirements.** The following landscaping requirements shall apply to all commercial areas, multi-family residential areas, institutional areas, industrial areas, and planned unit developments. The provisions of this section shall not apply to platted single-family homes unless otherwise specifically stated herein. See Section 154.04 for required landscape material standards.
1. **Site Perimeter Landscaping Requirements.** Site perimeter landscaping shall be provided in accordance with the following standards:
 - a. A landscape strip at least ten feet in depth, exclusive of curbing, shall be located adjacent to all rights-of-way and abutting properties, unless indicated otherwise. Landscape strips within an easement shall be in accordance with Section ~~154.03(E)~~ **154.03(D)**. Necessary access ways through all landscape strips shall be permitted in order to utilize the parking or other vehicular use areas or to access the rear of the landscape strip for maintenance purposes. These accessways may be subtracted from the linear dimension used to determine the number of trees required.
 - b. **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, St. James Drive, or Port St. Lucie Boulevard shall provide a landscape strip at least 15 feet in depth.
 - c. 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

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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.

2. **Building Façade Landscape Requirements.** A landscape strip shall be located around the perimeter of a building that is visible to the general public, patrons, or residents, unless noted otherwise. Landscaping shall be designed to be complementary to the building façade. Plantings shall include trees, hedging, and ground cover placed around the buildings excluding paved access areas. Tree species shall be a minimum of eight feet overall height when planted. Requirements for small trees to be planted in clumps of two does not apply to building façade landscaping. Shrubs shall be at least 24 inches in height at the time of planting. Minimum width requirements are as follows:

Building Façade Landscape Strip Requirements	
Zoning District	Minimum width and planting specifications for required landscape buffer strip
RM, I, PUD CG, CN, CH, P, LMD	5 feet, one tree or palm for every 30 linear feet and one shrub for every two linear feet of the building's perimeter.
IN, WI, CS, U	Not required

- a. Where an arcade is located along the front or sides of a building, the Site Plan Review Committee may modify the requirements for building façade landscaping provided some arrangement of the required landscaping around the building is provided.
- b. Alternative building façade planting may be permitted (e.g., architectural planters, vegetative walls, etc.) by the Site Plan Review Committee and applied as a credit towards meeting building façade planting requirements if demonstrated and determined that the methodology is of equal benefit and appropriate irrigation is provided.
3. **Vehicular Use Area Requirements.** The following landscaping requirements shall apply within vehicular use areas.
- a. A landscape strip at least ten (10) feet in depth, exclusive of curbing, shall be provided around the perimeter of an off-street parking area or other vehicular use areas, unless indicated otherwise. This landscape strip shall be located adjacent to the vehicular use area and shall include one tree for each 30 linear feet, or fractional part thereof. A continuous 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 (3) 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. If a continuous hedge is used, 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. Necessary access ways through the landscape strip shall be permitted in order to allow access to the rear of the landscape strip for maintenance purposes.
- b. A landscape strip that is at least five (5) feet in depth, exclusive of curbing, shall be located between a building and a loading space except where access is required. This

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landscape strip shall be planted with one tree for each 30 linear feet, or fractional part thereof. One shrub shall be required for each two (2) linear feet and the shrubs shall be at least 24 inches in height at the time of planting.

- c. A landscape strip that is at least five (5) feet in depth, exclusive of curbing, shall be located between a building and a driveway or a sidewalk, unless indicated otherwise. This landscape strip shall be planted with one tree for each 30 linear feet, or fractional part thereof. One shrub shall be required for each two (2) linear feet and the shrubs shall be at least 24 inches in height at the time of planting.
- d. Landscape strips within an easement shall be in accordance with Section 154.03(E) 154.03(D)5.

4.1. Parking Lot Interior Landscape Islands and 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 with the remainder of the island landscaped with ground cover, mulch, shrubs, or other treatment excluding paving.

- a. Sites greater than two (2) acres shall utilize one of the following two options:
 - i. 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, exclusive of curbing. The parking bay shall contain no more than 12 continuous parking spaces nor extend more than 130 linear feet, whichever is more restrictive.
 - ii. 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, exclusive of curbing. 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 (2) 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, exclusive of curbing. The parking bay shall contain no more than 12 continuous parking spaces nor extend more than 130 linear feet, whichever is more restrictive.
- c. For properties zoned CS, WI, IN, and U, parking lot interior islands are to be provided unless the required shade trees are provided elsewhere on site and depicted on the landscape plan.
- d. Curbing. All interior landscaping areas shall be curbed to prevent vehicular encroachment. Required curbing shall conform to FDOT type D or F.
- e. 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

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ground cover or other landscape material. Mechanical, electrical, or utility equipment (excluding a fire hydrant) are prohibited from being located within a required landscape island.

5-2. Landscape Buffer Strip Requirements. Landscape Buffer Strips are areas where a wall or fence is required in addition to landscaping.

- a. 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:

Parcel Size	Buffer Depth
Less than 2 acres	10 feet
Greater than 2 acres and less than 5 acres	15 feet*
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. A landscape buffer strip within an easement shall be in accordance with Section ~~154.03(E)~~ 154.03(I)5. 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.
 - i. 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.

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- ii. 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".
 - iii. 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. 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.
- d. 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. Landscape strips within an easement shall be in accordance with Section ~~154.03(E)~~ 154.03(D)5. Necessary accessways through the landscape strip shall be permitted in order to allow access to the rear of the landscape strip for maintenance purposes. 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.
- 6.3. Perimeter Landscaping for Open Lot Storage Areas.** Open lot storage areas shall be fenced and landscaped on all sides, except for necessary access ways 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. Landscape strips within an easement shall be in accordance with Section ~~154.03(E)~~ 154.03(D)5. Necessary

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accessways through the landscape strip shall be permitted in order to allow access to the rear of the landscape strip for maintenance purposes. One tree, at least 14 feet in height, shall be provided for each 30 linear feet, or fractional part thereof. Along areas facing a street right-of-way, the required landscaping shall be located in front of the wall or fence.

- (D) **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 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.
- (E) **Landscaping for Refuse Collection and Recycling Areas.** One shrub or vine shall be planted at two-foot centers along the outside perimeter of the dumpster enclosure wall. See Section 158.232 of the Zoning Code for refuse and recycling dumpster location, screening, and size requirements.
- (F) **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 a 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. Air conditioning condensing and compressor units shall not be located on a side of a building that faces a street right-of-way.
- (G) **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 ten (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 two (2) linear feet and the shrubs shall be at least two (2) feet in height at time of planting.
- (H) **Water Efficient Landscaping.** 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.
 - 1. A minimum of fifty (50) percent of each required planting material shall be drought tolerant as recognized as drought tolerant (*) in Appendix C: City of Port St. Lucie Suggested Tree List 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.
 - a. 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.

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- b. 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. Florida Friendly or 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:
- c. 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 Florida Friendly or Xeriscape practices may be used when a Florida Friendly or 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.
 - d. 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.
 - e. 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. Pressure compensating bubblers shall be installed for all new trees. A minimum of one (1) bubbler per tree is required. The bubblers shall be zoned separately, when possible.
 - iii. Moisture sensor or rain gauge equipment shall be required and installed 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 and runoff onto paved surfaces, structures, and non-vegetated areas.
 - v. Continuously maintained and in good 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 ten (10) percent 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.

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- 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).

(I) **Landscaping and Utilities.** All landscape plans must show the location of existing or proposed utility lines that could be impacted by the vegetation being planted. No landscaping shall be planted in such a manner as to adversely affect drainage or underground or above ground utility facilities.

1. No tree shall be planted where it could, at mature height, conflict with overhead power lines. Trees planted within any easement with overhead utilities shall comply with the latest edition of FPL's publication "Plant the Right Tree in the Right Place," and take into consideration the mature height and spread of the species beneath or adjacent to existing overhead utilities. Where overhead utilities exist, small trees, with a mature height of less than twenty (20) feet may be substituted for required shade trees at a ratio of 1:1.
2. All landscaping within ten (10) feet of underground or above ground Port St. Lucie Utility Systems Department (PSLUSD) utility infrastructure shall comply with PSLUSD technical specifications, policies, and codes.
3. Trees shall not be planted within ten (10) feet of any PSLUSD underground infrastructure.
4. In locations where the perimeter landscape buffers must be designed to be located within ten (10) feet of underground or above ground PSLUSD utility infrastructure 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.

Perimeter Landscape Materials	
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>

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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 fortune</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>Schefflera arboricola</i>
Dwarf Yaupon	<i>Ilex vomitoria, 'Stokes Dwarf' or 'Nana'</i>
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>Raphiolipsis indica</i>
Jasmine, primrose	<i>Jasminum mesnyi</i>
Juniper, Chinese	<i>Juniperus chinensis</i>
Juniper, Pftizer	<i>Juniperus chinensis 'Pftizeriana'</i>

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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>

5. Drainage Easement Landscaping.

- a. Landscaping may encroach a maximum of ten (10) feet into a twenty (20) foot drainage easement, provided that:
 - 1) The applicant demonstrates that the site development requirements constrain the site; ~~and~~
 - 2) The presence of the landscaping does not impede access, maintenance activities, or interfere with the operation of the City's drainage infrastructure as determined by the City Engineer; and
 - 3) The owner completes a Revocable Encroachment Permit.
- b. a. The perimeter wall can be located within a twenty (20) foot drainage easement provided that:
 - 1) The applicant demonstrates that the site development requirements constrain the site; ~~and~~

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- 2) The presence of the wall does not impede access, maintenance activities, or interfere with the operation of the City's drainage infrastructure as determined by the City Engineer; and
 - 3) The owner completes a Revocable Encroachment Permit.
- c. b.** Landscaping and/or walls located in a drainage easement will require the owner to complete a Revocable Encroachment Permit. This permit shall be requested during the site plan review process and completed prior to issuance of the engineering permit for site work. The permit allows the placement of the wall and landscaping within the easement; however, if needed, the City will be allowed access to the easement for access, maintenance, making improvements to the drainage system, or installing new drainage facilities. In the event that the landscape buffer impedes the City's access, the owner will be responsible for the cost to remove and replace the wall and/or landscaping upon completion of the drainage work by the City.
- (J) **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.
- (K) **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.
- (L) **Removal of Exotic Vegetation.** All new development and redevelopment shall be required to remove all pestilent exotic vegetation designated as Category 1 on the Exotic Plant Pest Council's most recent list of "Florida's Most Invasive Species" including, at a minimum: *Melaleuca leucadendra* (Punk Tree), *Schinus terebinthifolius* (Brazilian Pepper), and *Casuarina species* (Australian Pine), *Acacia auriculiformis* (Earleaf Acacia), *Albizia lebbek* (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).
- (M) **Preservation of Existing Non-Exotic Vegetation.** Preservation of existing non-exotic vegetation shall be required whenever possible since this plant material is known to adapt to soil and climate conditions that occur in the city area. Existing trees and vegetation may satisfy the landscape buffer requirements in this chapter, in total, or in part 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 by a root barrier (See Appendix D — Tree Protection Barrier Detail).
- (N) **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.

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Section 4. That Section 154.05, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 154.05. - Installation and maintenance of required landscaping.

The following standards shall apply:

- (A) **Planting Practices.** All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth. Soil improvement measures may be required to ensure healthy plant growth. All elements of landscaping shall be installed so as to meet any other applicable ordinances. A plant's or tree's growth characteristics shall be considered before planting to prevent conflicts with utilities, views, or signs. See Section 154.03(I) for landscaping and utilities.
- (B) **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.
- (C) **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, and exotic vegetation. Maintenance shall include, but is not limited to, trimming, replacement of all dead plant material, removal of all invasive exotic plant material, and removal of refuse and debris. If vegetation which is required to be planted or preserved dies it shall be replaced with equivalent vegetation.
- (D) **Irrigation.** All sodded and planted areas shall be provided with an irrigation system except for Florida Friendly or Xeriscape areas. Florida Friendly or Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established. A Florida Friendly or 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. See Section 154.03(H) for irrigation requirements.
- (E) **Nonconformance.** 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 chapter 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 Compliance Board hearing.
- (F) **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

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reduce leaf mass in preparation for tropical storms. All pruning shall be accomplished in accordance with the National Arborist Association's standards.

- (G) **Vertical Clearance Over a Roadway.** Trees that encroach into roadways shall be maintained in accordance with the St. Lucie County Fire District Fire Prevention Code.
- (H) **Walls and Fences.** All walls, fences, and entrance features shall be maintained in working order and shall be free from structural deterioration, sagging, disrepair, or other deterioration or defects so as to present a neat and orderly appearance at all times and shall be kept free from mildew, peeling paint, and graffiti.
- (I) Permitted landscaping existing on the effective date of this chapter shall be maintained as originally permitted. However, replacement trees and plants must meet the current requirements of this chapter.

Section 5. That Section 154.12, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 154.12. - Exemption or modification to landscape buffer wall requirement.

- (A) **Exemption or Modification to Landscape Buffer Wall Requirement.** ~~Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip or r~~ Requests for exemption or modification to landscape buffer wall requirements to be exempt from installing the landscape buffer strip requirement shall be reviewed by the City Council.
- (B) **Review of Landscape Exemption or Modification Requests.** Requests for landscape exemption or modification to landscape buffer wall requirements will be based on review of detailed plans identifying the size, quantity, and location of the vegetation to be preserved and installed along the proposed site's boundaries, the use(s) proposed for the property seeking the modification or exemption, and the proposed and existing uses surrounding uses. The plan will address the following criteria:
 - 1. The total area dedicated to a buffer will be greater than what the code would impose without the modification.
 - 2. Outside activities and hours of operation for the proposed use(s).
 - 3. Natural and man-made features of uses that provide distance and separation from those existing uses to be buffered.
 - 4. Other factors that may be important to a decision.
- (C) **Public Hearing Required.** Before making its decision on a request for a landscape exemption or modification, the City Council shall hold a public hearing thereon.
- (D) **Notification Requirements.** The following notification procedures shall be utilized:
 - 1. Notice of public hearings shall be published at least seven (7) days prior to the hearings, in a newspaper of general circulation in the City. The notice shall include the dates,

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times, places, and locations of hearing, and shall contain a description of the relief or action sought and the subject property.

2. In addition to the required notices heretofore set forth, other methods of notification may be utilized by the City Council at its option. These methods may include, but not be limited to, mail notification to owners of property within a maximum of 750 feet to property forming the subject of the public hearing and notice may be posted upon the property which is the subject of the public hearing. ~~The Zoning Administrator is authorized to post any notice upon property and it shall be unlawful for any person to remove or tamper with that notice during the time period as may be established for the maintenance of the notice.~~

(E) **Conduct of Hearings.** Any interested person shall have the right to submit oral or written testimony at the hearings. All testimony and exhibits submitted at the hearing shall be incorporated into the application file and shall be considered a part of the record on the application.

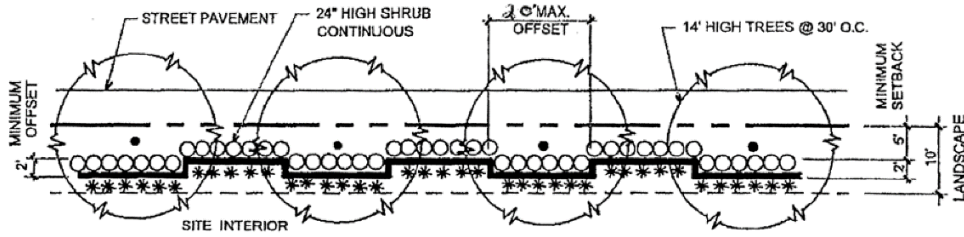
(F) **Exemptions from City Council Review.**

1. Review by Planning and Zoning Board. Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip shall be considered by the Planning and Zoning Board at a public hearing. The procedures outlined in section 154.12(B)-(E) shall be utilized for such hearings.
2. Review by Site Plan Review Committee. 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. ~~The Zoning Administrator may refer the request to the Planning and Zoning Board for approval if the Zoning Administrator finds that the request does not City Council for approval.~~

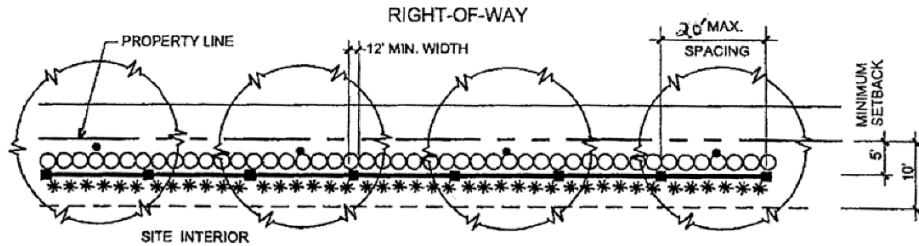
(G) **Conversion Areas.** Notwithstanding the foregoing section 154.12, landscape exemptions and modification are prohibited within conversion areas.

APPENDIX A. - —REQUIRED WALL PLAN — ADJACENT TO A RIGHT-OF-WAY IF THE ADJACENT LOT IS ZONED AS SINGLE FAMILY RESIDENTIAL AND IT IS LOCATED WITHIN A CONSERVATION AREA, AN OPAQUE FENCE THAT IS AT LEAST 6' FOOT IN HEIGHT IS REQUIRED, UNLESS REQUIRED OTHERWISE FOR INDUSTRIAL USES

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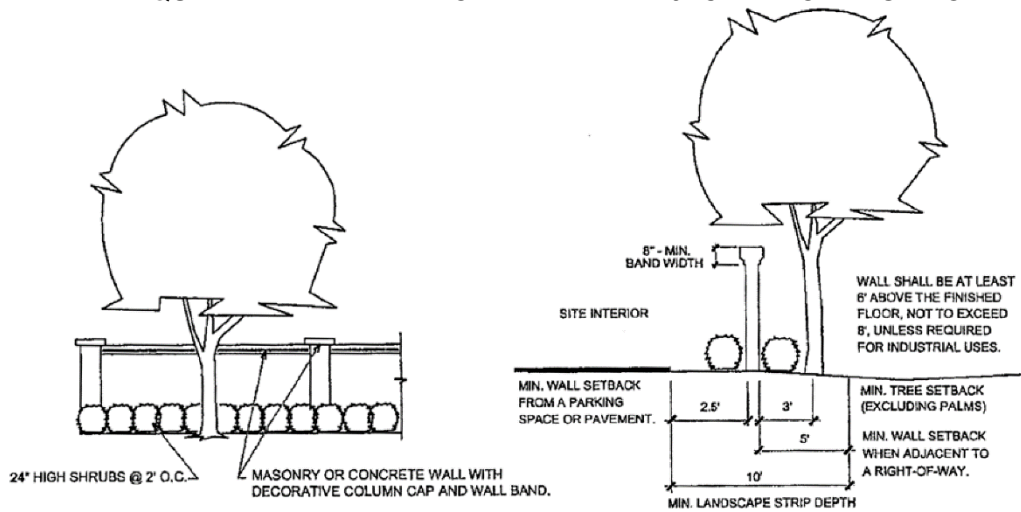


ALTERNATIVE 1. WALL WITH OFFSETS



ALTERNATIVE 2. WALL WITH EMBEDDED COLUMNS

APPENDIX B. - — REQUIRED WALL ELEVATION DETAIL — ADJACENT TO A RIGHT-OF-WAY



Section 6. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 7. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

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Section 8. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 9. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

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PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this ____
____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Shannon M. Martin, Vice Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney