



# City of Port St. Lucie

## Planning and Zoning Department Memorandum

**TO:** PLANNING AND ZONING BOARD - MEETING OF MAY 4, 2021

**FROM:** PATRICIA A. TOBIN, AICP, LONG RANGE PLANNING ADMINISTRATOR

**RE:** CITY OF PORT ST. LUCIE – CHAPTER 154, ARTICLE 1. LANDSCAPE CODE  
TEXT AMENDMENT  
PROJECT #20-050

**DATE:** APRIL 22, 2021

---

### **BACKGROUND:**

This proposed amendment to Chapter 154 is a staff-initiated text amendment. The purpose and intent of this amendment are to provide for minor edits related to sections of the Landscape Code that are incorrect, require a development site to be maintained free of exotic vegetation, and provide for a revised process for landscape modifications.

The Landscape Code does require at the development stage that all exotics be removed. See Section 154.03(L). However, the Landscape Code is silent on requiring a development site be maintained free of exotic vegetation once the development project is past the certificate of occupancy. By adding under Section 154.05 – Installation and maintenance of required landscaping, that a site be kept free of exotic vegetation, staff can address this issue when and if violations to this section are found. This section currently requires a site to be kept free from refuse and debris.

Sections 154.03(C)(5) a & b are the two sections of the Landscape Code that address landscape buffer wall requirements. The Landscape Code in Section 154.12 currently provides for an exemption or modification to the landscape buffer requirement. The current process allows substitution of landscaping for the architectural wall. The process provides for a public hearing with public notice, including an ad in the newspaper and written notice to property owners within 750 feet of the property requesting the exemption or modification. The City Council currently hears these requests for exemption or modification.

The City processed seven (7) exemptions/modifications to the Landscape Code in 2019. Four (4) of these requests were for properties in the G.O. Team Industrial Park. Two of these requests were for properties that abut the southern boundary of the industrial park. These properties are separated from the residential areas of the Reserve by easements and existing vegetation. Two of the requests were for properties on the north side of the industrial park that abut a preserve area owned by the City.

Three of the exemptions/modifications were for churches. Two of these churches are in St. Lucie West off SW Cashmere Boulevard. In each case the properties abutted preserve or stormwater drainage areas, and the wall requirement would have been detrimental to the natural buffer

provided by the existing vegetation and separation created by the preserve or drainage areas. The other modification was for a church at SW Tulip Boulevard and SW Oakner Street. The modification was granted to the east property line with existing vegetation supplemented with additional landscaping.

All of the modifications were granted based on additional landscaping requirements.

The buffer/wall requirement is designed to effectively screen the proposed use(s) from the surrounding areas (mitigate primarily for visual impacts). If that use is an “enclosed assembly” or church, or in the case of the Alzheimer’s day care (at Grace Lutheran Church – one of the churches mentioned above), staff would have to question what we’re buffering. A day care center for Alzheimer’s patients, what are we screening? There are no loud noises, major equipment, garbage, etc. with this use. It is important to note that the large projects west of I-95 and in some cases, St. Lucie West, do not require such screening. Uses such as multiple-family, office and institutional uses are integrated into the development pattern, not segregated by walls. The grocery store in Tradition is a good example. There is only a wall along a part of the north side of the building to buffer the adjacent multiple-family development from the truck delivery area.

In order to provide a more logical approach to exemptions or modifications to the landscape buffer wall requirement, allow for existing vegetation (sometimes preserves and/or natural or man-made buffers and stormwater areas) to suffice as a buffer, and look at the proposed and existing uses of the development site and the surrounding areas, staff is proposing the following modifications (deletions as strikethrough and additions as underline):

Sec. 154.12. ~~Exemption or modification to landscape buffer wall requirement.~~  
Requests for Landscape Modifications

- (A) Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip. Landscape modifications cannot be used for properties located within conversion areas. ~~or requests to be exempt from installing the landscape buffer strip requirement shall be reviewed by the City Council.~~
- (B) **Public Hearing Required.** A public hearing will be held with the Planning and Zoning Board. ~~Before making its decision on a request for a landscape modification, the City Council shall hold a public hearing thereon.~~

Requests for landscape modification will be presented to the Site Plan Review Committee for a recommendation to the Planning and Zoning Board based on 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, and the proposed and existing surrounding uses. The plan shall 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 operations for the proposed use(s).
3. Natural and man-made features or uses that provide distance and separation from those existing uses to be buffered.
4. Other factors that may be important to a decision by the Site Plan Review Committee and/ or the Planning and Zoning Board.

(C) **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, 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.

(D) **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.

(E) The applicant may appeal the decision of the Planning and Zoning Board pursuant to Article XVII of the Zoning Code.

~~(E)~~(F) 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 ~~City Council~~ Planning and Zoning Board for approval.

**PROPOSED AMENDMENT:**

See attached Exhibit A.

**STAFF RECOMMENDATION:**

The Planning and Zoning Department staff finds this zoning text amendment to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval of the proposed amendment based on the analysis and findings, as noted in the staff report.

**PLANNING AND ZONING BOARD ACTION OPTIONS: \***

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

\*Should the Board need further clarification or information from either the staff, it may exercise the right to table or continue the hearing or review to a future meeting.

# EXHIBIT A

## CHAPTER 154. - LANDSCAPE AND LAND CLEARING CODE

### 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.

### Sec. 154.02. - Definitions.

See Chapter 153.

## ARTICLE I. - LANDSCAPING

### 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
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(I)5. 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 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:

<b>Building Façade Landscape Strip Requirements</b>	
<b>Zoning District</b>	<b>Minimum width and planting specifications for required landscape buffer strip</b>
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 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(I)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 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.
  - 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(I)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(I)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. 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.

- 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:
- ae. 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.
  - bd. 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.
  - ce. 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.
    - 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).
- (l) **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.

<b>Perimeter Landscape Materials</b>	
<b>Trees</b>	
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>
<b>Palm Trees</b>	
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>
<b>Shrubs</b>	
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</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>Raphioliopsis indica</i>
Jasmine, primrose	<i>Jasminum mesnyi</i>
Juniper, Chinese	<i>Juniperus chinensis</i>
Juniper, Pftizer	<i>Juniperus chinensis</i> 'Pftizeriana'
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.
- ba.** 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
  - 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.
- cb.** 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 terebinthefolius* (Brazilian Pepper), and *Casuarina species* (Australian Pine), *Acacia auriculiformis* (Earleaf Acacia), *Albizia lebbbeck* (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.

#### Sec. 154.04. - Landscape material standards.

The following shall be considered minimum standards for all landscape materials:

- (A) **Plant Materials.** Plant material used in conformance with the provisions of this chapter 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, or equal thereto. 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. 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 chapter.
- (B) **Florida Friendly or Xeriscape plant materials.** Florida Friendly or 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. 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. Plant materials shall be approved native and suitable non-native trees, shrubs, and ground covers that require minimal maintenance when planted under appropriate conditions. Appendix D: City of Port St. Lucie Suggested Tree List and the South Florida Water Management District "Waterwise South Florida Landscapes" plant guide shall be used as a guide for choosing plant materials.
- (C) **Trees.**
1. 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).
  2. Tree species shall be a minimum of twelve (12) feet overall height when planted with a minimum five (5) foot crown spread. At planting, the trees shall have a caliper of at least 2.5 inches. Palm trees shall have a minimum clear trunk height of ten (10) feet except for Canary Island Date Palm, Edible Date Palm, and Bismark Palm. Canary Island Date Palm, Edible Date Palm, and Bismark Palm shall have a minimum clear trunk height of six (6) feet. For the requirements of Section 154.03(C)(2) "Landscaping around Building Façade", the minimum height may be reduced to eight (8) feet. Required trees may be selected from Appendix C: City of Port St. Lucie Suggested Tree List located at the end of this chapter and/or the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District provided the trees are of the appropriate USDA plant hardiness zone and ecological setting. Additional tree species may be considered based upon certification from a Florida registered landscape architect as to appropriate USDA plant hardiness zone and ecological setting. Smaller trees having an average mature spread of crown less than 20 feet may be arranged in groupings or clumps of two (2) or more so as to create the equivalent of a 20-foot crown spread; however, the grouping or groupings shall count as one (1) tree. Substitutions do not apply to certain portions of this chapter which identify specific planting requirements. The requirement for smaller trees to be planted in

clumps of two or more so as to create the equivalent of a 20-foot crown spread does not apply to building façade landscaping or landscaping below overhead power lines.

3. No species designated as Category 1 on the Exotic Plant Pest Council's most recent list of "Florida's Most Invasive Species," shall be used to meet the requirements of this section.
4. No more than twenty-five (25) percent of required trees shall be palm trees. The building façade landscape strip is exempt from this requirement.
5. At least fifty (50) percent of all required trees shall be native species.
6. At least twenty (20) percent of the required trees shall be flowering trees.
7. At least seventy-five (75) percent of the trees located within landscape islands shall be evergreen shade trees.
8. 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.

<b>Required Tree Species Mix</b>	
Number of Trees Required	Minimum Number of Species
11—20	2
21—30	3
31—40	4
41+	5

9. Trees of species whose roots are known to cause damage to public roadways, utilities, sidewalks, or other public works shall not be planted closer than 10 feet to those public works.
  10. In those instances where a tree(s) is planted closer than five (5) feet from a sidewalk, or structure, a root barrier(s) shall be installed. Root barriers for trees shall be installed along the edge of structure, paving, or curb. The root barrier shall be a minimum of twenty-four (24) inches deep, but depending on the size, location, and species of tree to be planted, a larger barrier may be required. The root barrier shall be installed with twenty (20) linear feet, centered from the trunk, for large trees and fifteen (15) linear feet for smaller trees. All root barriers shall be linear.
- (D) **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. Additional species may be considered based upon certification from a Florida registered landscape architect as to appropriate USDA plant hardiness zone and ecological setting. Saw Palmetto can have a minimum size of 12 inches and be spaced a maximum of thirty-six inches on center. At least twenty-five (25) percent of all shrubs shall be native species.
- (E) **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 (10) percent of the groundcover shall be flowering groundcover. Groundcover shall be selected from the "Waterwise South Florida Landscapes" plant guide, published by the South Florida Water Management District. Additional species may be considered based upon

certification from a Florida registered landscape architect as to appropriate USDA plant hardiness zone and ecological setting.

- (F) **Lawn Grass.** Grass areas shall be planted in species normally grown as permanent lawns in the county. Limit the use of sod to a maximum of 50 percent of site landscaping.
- (G) **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.
- (H) **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.

#### 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(l) 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 and 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 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.

**Sec. 154.06. - 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 chapter.
- (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, caliper, height, description of all landscape material including name, quantity, spacing, and installation.
  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 154, 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 shade 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 twenty-five (25) 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.
  - 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 as part of the application for a building permit.
16. As deemed necessary, City staff may request that dimensions be shown.
- (C) Landscaping approved prior to the adoption date of this chapter. Landscape plans approved prior to the adoption date of this chapter, 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 chapter 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 chapter.
  - 2. When an off-street parking or loading lot existed as of the effective date of this chapter and the building that the parking or loading lot services is reconstructed or remodeled in excess of 50 percent of its value, landscaping shall be provided as set forth in this chapter.

Sec. 154.07. - City planning; enforcement.

The Zoning Administrator or a designated representative is hereby authorized to enforce this chapter. This chapter 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 Compliance Division or as needed for further enforcement.

Sec. 154.08. - 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 chapter.

Sec. 154.09. - Variances.

The procedure for seeking a variance to the terms of this chapter shall be in accordance with §158.295 through §158.302 of the Zoning Code. The applicant shall submit an application, pay the associated review fee, and submit a landscape plan to apply for a variance.

Sec. 154.10. - 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 this chapter shall be waived by the amount of property required for acquisition, subject to the approval of the Site Plan Review Committee. Sec. 154.11. - Administrative reviews of a landscape plan.

- (A) Minor revisions to a Landscape Plan or Subdivision Landscape and Street Tree Planting 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:
- 1. **Relocation.** The relocation of twenty (20) percent 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.

2. **Substitution.** The substitution of twenty (20) percent or less of a species for another species, provided that the proposed species is listed on the "Suggested Tree List" (Appendix C) 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. Additional tree species may be considered based upon certification from a Florida registered landscape architect as to appropriate USDA plant hardiness zone and ecological setting.

(B) Major revisions to a Landscape Plan or Subdivision Landscape and Street Tree Planting Plan shall be approved by the Site Plan Review Committee and shall require the submittal of a revised landscape or Street Tree Planting Plan as set forth in §154.06.

Sec. 154.12. ~~Exemption or modification to landscape buffer wall requirement.~~ Landscape Modifications

(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.~~ Landscape modifications cannot be used for properties located within conversion areas.

(B) **Public Hearing Required.** ~~Before making its decision on a request for a landscape modification, the City Council shall hold a public hearing thereon.~~ A public hearing will be held with the Planning and Zoning Board.

Requests for landscape modification will be considered by the Site Plan Review Committee and/or the Planning and zoning Board based on 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, 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 by the Site Plan Review Committee and/or the Planning and Zoning Board.

(C) **Notification Requirements.** The following notification procedures shall be utilized:

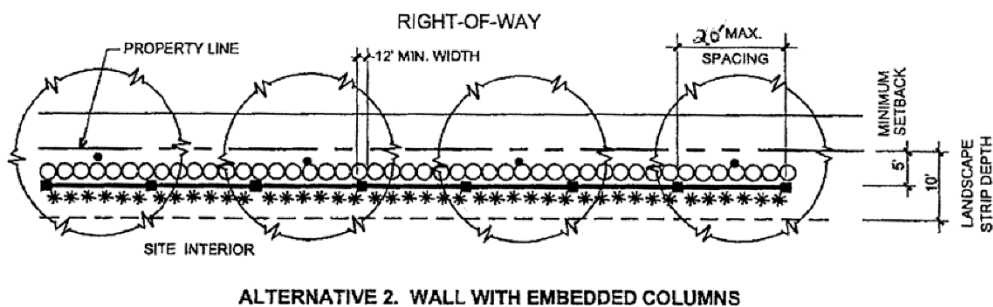
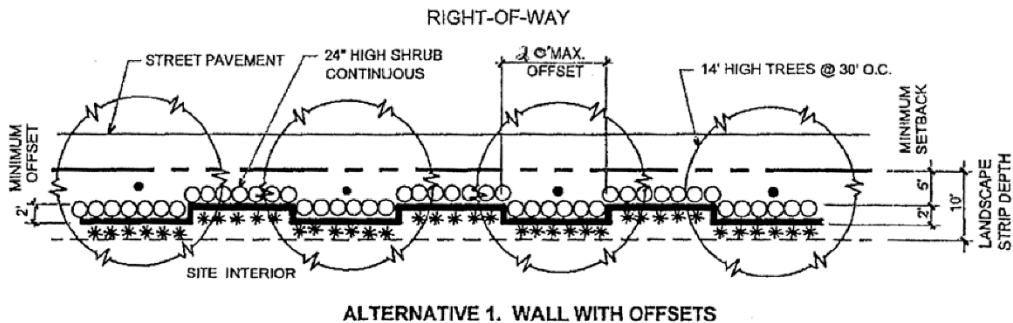
1. Notice of public hearings shall be published at least seven (7) days prior to the hearings, in a newspaper of general circulation in the City. The notice shall include the dates, times, places, and locations of hearing, and shall contain a description of the relief or action sought and the subject 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.

(D) **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.

- (E) **The applicant may appeal the decision of the Planning and Zoning Board pursuant to Article XVII of the Zoning Code.**
- (F) 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 City Council for approval.

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



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

