

## **7.09.00 LANDSCAPING AND SCREENING**

### **7.09.01 PURPOSE**

The purpose of this Section is to set forth regulations for the proper installation and maintenance of landscaping and the preservation of native vegetation that will contribute to air purification, regeneration of oxygen, absorption of water, abatement of noise, glare, heat, and control of erosion, as well as enhance the aesthetic character and value of surrounding neighborhoods and thereby promote the general welfare of the community. Such landscaping would also assist in traffic control, both vehicular and pedestrian. The provisions of the Vegetation and Preservation Section of the Land Development Code (Section 6.00.00) shall supersede the provisions of this Section to the extent of conflict.

### **7.09.02 APPLICABILITY**

The landscaping requirements of this Section shall apply to all non-residential uses, including all requested changes in use, except for those uses interior to a common shopping center or similar multi-user building or structure provided that no additional parking is required, regardless of site plan status, mobile home parks and subdivisions, recreational vehicle parks, and multiple-family residential uses. Detached single-family (including individual mobile homes not located in a mobile home park), two-family, and three-family residences must comply only with Sections 7.09.03 and 7.09.04(l) of this Code. Bona-fide agricultural uses and operations are exempt from the provisions of this Section, except for that portion of the activity involving the retail sale of materials produced on site, and as may otherwise be required by this code.

### **7.09.03 GENERAL PROVISIONS**

#### **A. REQUIREMENT FOR LANDSCAPING PLAN**

A landscaping plan shall be required with all building permit applications associated with any new structural construction or addition to any existing structure, except for those structures that are part of a bona-fide agricultural use or operation, except as may otherwise be specifically addressed by this Code, and that as part of that operation do not involve the retail sale of materials produced on site.

The landscape plans for all non-residential uses, regardless of site plan status; mobile home parks and subdivisions; recreational vehicle parks; and multiple-family residential uses shall be prepared, signed and sealed by a registered Florida Landscape Architect, or as may be permitted under Section 481.329, Florida Statutes. Landscape plans prepared for detached single-family (including individual mobile homes not located in a mobile home park), two-family, three-family residences, and bona-fide agricultural uses and operations, are exempt from the requirement for signed and sealed landscape plan, except for that portion of any bona-fide agricultural use or operation involving the retail sale of materials produced on site, and as may otherwise be required by this Code.

In addition to demonstrating compliance with the other provisions of this Code, all landscaping plans must show the location of all existing and proposed utility lines and rights-of-way. The landscape plans shall indicate the relationship of the proposed landscaping to these utility lines and rights-of-way and shall demonstrate compliance with the other provisions of this Code.

The landscape plan shall identify the type and quantity of all plant and tree species to be installed consistent with the provisions of this Code.

Prior to the issuance of any certificate of occupancy or other final occupancy/use authorization, the Public Works Director shall inspect and verify that the landscape plantings on the property are consistent with the approved landscaping plans.

#### **B. INSTALLATION**

All landscaping shall be installed in a professional manner according to accepted planting practice with the quality of plant materials as hereinafter described and shall be irrigated by automatic means. Detached single-family (including individual mobile homes not located in a mobile home park), two-family, and three-family residences are exempt from this automatic irrigation requirement.

#### **C. IRRIGATION**

Any new, required, automatic irrigation system installed, including those voluntarily installed for detached single-family (including individual mobile homes not located in a mobile home park), two-family, and three-family residences shall incorporate the following criteria:

1. Zoning of irrigation systems:

Sprinkler heads shall be circuited or zoned in order to promote the conservation of water.

2. Automatic rain shut-off devices:

Automatic irrigation systems shall be equipped with an automatic rain shut-off device for each zone.

3. Elimination of over-throw onto impervious surfaces:

a. Sprinkler heads shall be directed away from impervious surfaces.

b. The effects of wind on the spray stream shall be reduced by requiring low trajectory spray nozzles.

4. Maintenance of Irrigation Systems:

Irrigation systems shall be maintained in working condition at all times, to prevent waste of irrigation water.

5. Irrigation During Water Shortage

Irrigation systems shall be operated in accordance with the requirements of water shortages declared for St. Lucie County by the South Florida Water Management District, St. Lucie County or other appropriate regulating authority.

D. MAINTENANCE

1. The owner shall be responsible for the maintenance of all landscaping, which shall be maintained in a good condition so as to present a healthy, neat, and orderly appearance free from refuse and debris. Maintenance shall include the replacement of all unhealthy and dead material within sixty (60) days after a notification of a violation in conformance with the approved site plan/ or landscape plan. Violations of this section, or failure to maintain all required landscaping shall be grounds for referral to the Code Enforcement Board for appropriate enforcement actions. The 60 day rule for compliance may be extended, when necessary, by the County Administrator or his designee to permit recovery from acts of nature such as a hurricane or a freeze.

2. As part of the issuance of any Final Development Order/Permit requiring the installation of landscape materials as set forth in this code, excluding detached single-family (including individual mobile homes not located in a mobile home park), two-family, and three-family residences, the property owner shall submit to an inspection of the planted/preserved materials 18 months after the issuance of a certificate of occupancy or other use authorization as may be granted by the Public Works Director for the County. If it is determined that the planted landscaping is dead, diseased or otherwise not in compliance with the provisions of this Code and the original approved landscape plan, the property owner shall be provided notice and directed to correct any observed deficiencies and replace all noncompliant materials within 60 days. Failure to maintain all required landscaping shall be grounds for referral to the Code Enforcement Board for appropriate enforcement actions. The Public Works Director is authorized to include within the building permit fee, adequate charges to cover the costs of enforcing the requirements of this section.

E. PLANT MATERIALS

1. Quality

Plant materials used to meet the requirements of this Code shall conform to the standards of Florida No.1 or

better as given in the most recent edition of "Grades and Standards for Nursery Plants", Florida Department of Agriculture and Consumer Services, or standards equal thereto.

All plant materials shall be insect- and disease- resistant, and shall be clean and reasonably free of weeds and noxious pests or diseases when installed. Plant materials that are known to be intolerant of paving environments, whose physical characteristics may be injurious to the public, or that produce a quantity and quality of debris so as to present maintenance difficulties shall not be specified for use under this Code

2. Trees

- a. Trees shall be species having an average mature spread of crown of greater than fifteen (15) feet in St. Lucie County and have trunks that can be maintained in a clean condition. Trees having a mature crown spread of less than fifteen (15) feet may be arranged or grouped so as to create the equivalent of a fifteen (15) foot spread, however, any such group or groups shall only count as one (1) tree for the purpose of compliance with this Code.
- b. Palm trees may be clustered into groups of three (3) to achieve this minimum fifteen (15) foot crown. All palm trees shall have a minimum clear trunk of ten (10) feet when installed. Three palm trees are equal to one shade tree having a mature spread of fifteen (15) feet.
- c. Tree species shall be a minimum of twelve (12) feet in height and have a caliper of two and one-half (2 1/2) inches at four and one-half (4 1/2) feet above the ground when installed. Height shall be determined by the average end of all branches not the tallest branch or two.
- d. All required trees, except palms, shall have a minimum of five (5) feet of clear trunk and a minimum five (5) foot canopy spread at time of planting.
- e. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than twelve (12) feet to such public roads or works, unless the tree root system is completely contained with a barrier for which the minimum dimensions shall be five (5) feet square and five (5) feet deep, and for which the construction requirements shall be four (4) inch thick concrete reinforced with number six (6) road mesh (6x6x6) or equivalent.
- f. None of the following trees shall be planted in St. Lucie County. Where such species already exist, their removal shall be a condition of any final development order.

Melaleuca leucadendra (Punk Tree) Schinus terebinthifolius (Brazilian Pepper)  
Casuarina spp. (Australian Pine)

None of the following species, or any species designated as Category I 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:

cupianopsis anacardiodes (Carrotwood)	dalbergia sissoo (Rosewood)
acacia auriculiformis (Earleaf Acacia)	albizzia lebbeck (Woman's Tounge)
araucaria heterophylla (Norfolk Island Pine)	bishofia javanica (Bishofia)
brassaia actinophylla (Schefflera)	enterolobium cycocarpum (Ear tree)
eucalyptus spp. (Eucalyptus)	ficus spp. (Non-Native Ficus)
grevilla robusta (Silk Oak)	sapium sebifrum (Chinese Tallow Tree)
syzygium cumini (Java Plum)	melia azedarach (Chinaberry)

cinnamomum camphora (Champhor Tree)	syaygium jambos (rose apple)
ligustrum sinense (Chinse Privet)	eugenia uniflora (surinam Cherry)
scaevola sericea, s. taccada,	psidium sup. (Guava)
s. frutescens (Scaevola)	peltophorum pterocarpum (yellow poinciana)

and all non-native fruit trees such as orange and grapefruit trees.

- g. Fifty (50) percent of the required trees shall be species other than palm trees, except that on North and South Hutchinson Island the Public Works Director may approve the use of mix of tree species of more than 50% palm trees if it is demonstrated to the satisfaction of the Director that the particular site is exposed to high salt impacts or other similar natural conditions that are not conducive to non-coastal plant species.
- h. When more than ten (10) trees are required to be planted to meet the requirements of this Code, a mix of species shall be provided. The minimum number of species to be planted are indicated in Table 7-30. When a mix of species is required, no single species shall exceed a 2 to 1 ratio relative to all other individual species.

**TABLE 7-30**

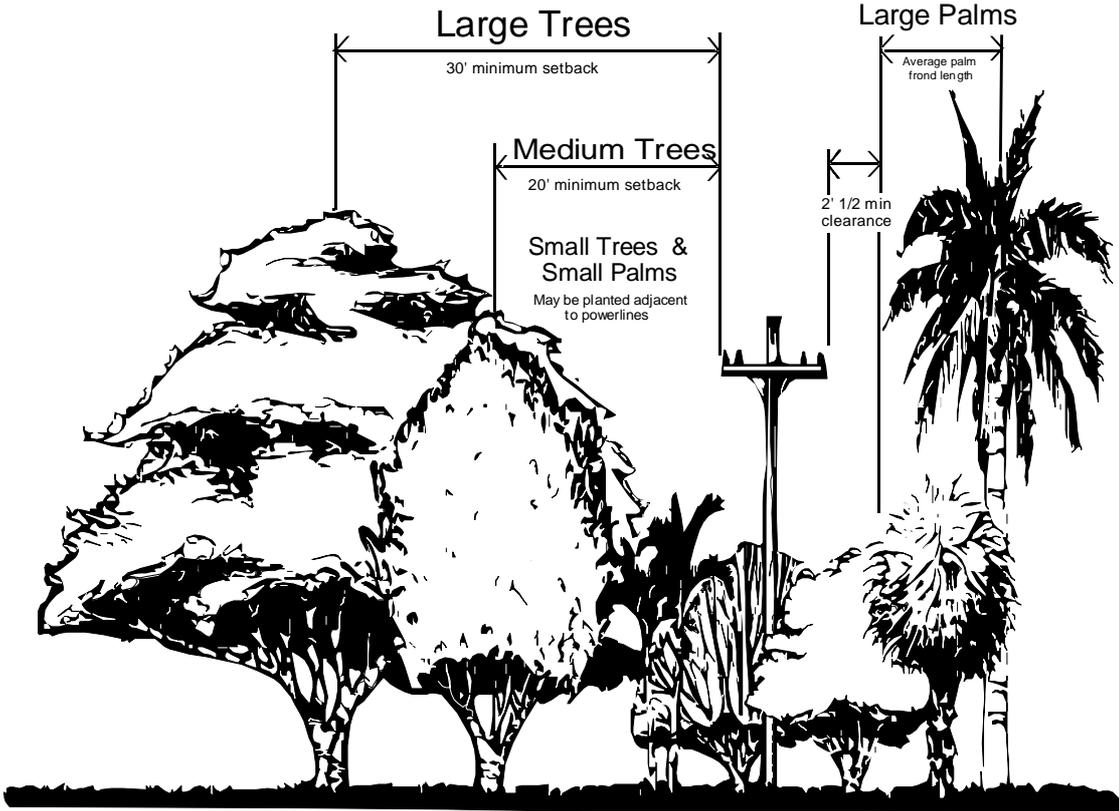
REQUIRED SPECIES MIX	
Required Number Of Trees	Minimum Number Of Species
11-20	2
21-30	3
31-40	4
41+	5

- i. One Hundred (100%) percent of the trees shall consist of native species such as Live Oaks (*Quercus virginiana*), Laurel Oaks (*Quercus laurifolia*), slash pine (*Pinus elliotti*), or other species listed in Section 7.09.04(L)(2), Native and Drought-Tolerant Vegetation. The requirements for canopy or shade trees shall be exempted by the Public Works Director when the proposed location of the canopy or shade trees will be in conflict with overhead power lines as described in Section 7.09.03(E)(2)(l) of this Code. The Public Works Director shall require mitigation at a minimum ratio of one inch to one inch to compensate for the loss of any canopy or shade tree as outlined in Section 6.00.05(D).
- j. If any development activity is to occur on a site located on Hutchinson Island, that has, or has been determined to have, native scrub vegetation and habitat present prior to the commencement of building activities, any new landscaping material introduced to the site pursuant to the requirements of this code, shall comply with the restrictions of Section 7.09.04(M).
- k. If any development activity is to occur on a site located on any parcel of land located west of the Atlantic Intercostal Waterway, that has, or has been determined to have, native scrub vegetation and habitat present prior to the commencement of building activities, any new landscaping material introduced to the site pursuant to the requirements of this code, shall comply with the restrictions of Section 7.09.04(N).
- l. No tree shall be planted where it could, at mature height, conflict with overhead power lines. Larger trees (trees with a mature height of 30 feet or more) shall be planted no closer than a horizontal distance of 30 feet from the nearest overhead power line. Medium trees (trees with a mature height between 20 - 30 feet) shall be off-set at least 20 feet horizontally from the nearest overhead power line. Small trees (trees with a mature

height of less than 20 feet) shall not be required to meet a minimum off-set, except that no tree, regardless of size shall be planted within five (5) feet of any existing or proposed utility pole, guy wire, pad mounted electrical transformer or other utility transmission/ collection structure or equipment.

Palm trees with a maximum mature height great enough to interfere with overhead power lines shall not be planted below overhead power lines and shall be located a minimum of two and one half (2 1/2) feet, plus the average mature frond length, outside of any utility right-of-way. The Public Works Director, in consultation with Florida Power and Light Company, shall maintain a list of trees typically found in the South Florida area that at mature growth heights can reasonably be expected to interfere with overhead power lines.

**Figure 7-30**



3. Shrubs and Hedges

Shrubs shall be a minimum of twenty four (24) inches in height above grade immediately after planting. Hedges, where required, shall be planted and maintained so as to form a thirty (30) inch or higher continuous, unbroken, solid visual screen within eighteen (18) months after the time of planting. Twenty five (25%) percent of the quantity of planted shrubs shall consist of native species.

4. Vines

Vines shall be a minimum of twelve (12) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements.

5. Ground Covers

Ground covers, other than grass, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within four (4) months after planting.

6. Lawn Grass

Grass areas shall be planted in species normally grown as permanent lawns in St. Lucie County. Grass areas may be sodded, plugged, sprigged, or seeded, except that solid sod shall be used in swales or other areas subject to erosion. When other than solid sod is used, protective measures shall be taken until complete coverage is achieved.

7. Native Vegetation

The preservation of existing native vegetation shall be required where the location of said vegetation is not in conflict with the proposed building or parking areas. The Public Works Director, may require that reasonable changes be made to any site plan or application for building permit for the purpose of preserving or protecting any special or unique existing tree(s) or native habitat.

If the sites proposed landscaping area/plan preserves all or a substantial part of the existing native vegetation found on the property, then the requirements of this section may be presumed to be satisfied, if adequate screening is provided. The Public Works Director, shall determine if the quality and quantity of the preserved native vegetation meets the intent of this Code.

8. Tree Preservation.

A preserved native tree that meets the standards below may be substituted for any of the trees required by the landscaping requirements of this section.

- a. Credit Ratio: Preserved native trees shall be credited for required trees, pursuant to the following ratio

DBH of preserved native tree	Credit Ratio towards required trees
31" - 36"	8
25" - 30"	5
19" - 24"	4
13" - 18"	3
7" - 12"	2
2" - 6"	1

- b. Trees Ineligible for Credit Ratio: No credit shall be granted for trees which are:

1. classified as prohibited;
  2. located within recreational tracts, golf courses or similar subareas within planned unit developments, unless the recreational tracts, golf courses or similar subareas are under the perpetual control of the master property owners association or similar property owners group;
  3. located within any required preservation areas;
  4. dead, dying, diseased or insect-infested;
  5. damaged from skinning, barking or bumping; or
  6. suppressed trees which have been overtopped and whose crown development is restricted from above due to their relative size in relation to surrounding trees.
9. Synthetic Lawns
- Synthetic or artificial turf shall not be used in lieu of the plant requirements in this Code.
10. Synthetic Plants
- Synthetic or artificial material in the form of trees, shrubs, ground covers, or vines shall not be used in lieu of the plant requirements in this Code.

**7.09.04 GENERAL LANDSCAPING REQUIREMENTS**

The following landscaping requirements shall apply to all non-residential, mobile home parks/subdivisions, recreational vehicle parks, and multi-family residential uses, including all requested changes in use, except for those use interior to a common shopping center or similar multi-user building or structure provided that no additional parking is required, regardless of whether a site plan is required or not. All development activity shall comply with the provisions of the *Vegetation Protection and Preservation* of the Land Development Code (6.00.00), which shall supersede the provisions of this Section to the extent of conflict. Existing vegetation may be used towards landscape requirements, in accordance with the guidelines set up in Section 7.09.03(E)(8), with approval from the Public Works Director. For the purposes of native tree protection, dimensional criteria in this section shall be reasonably flexible, with approval from the Public Works Director.

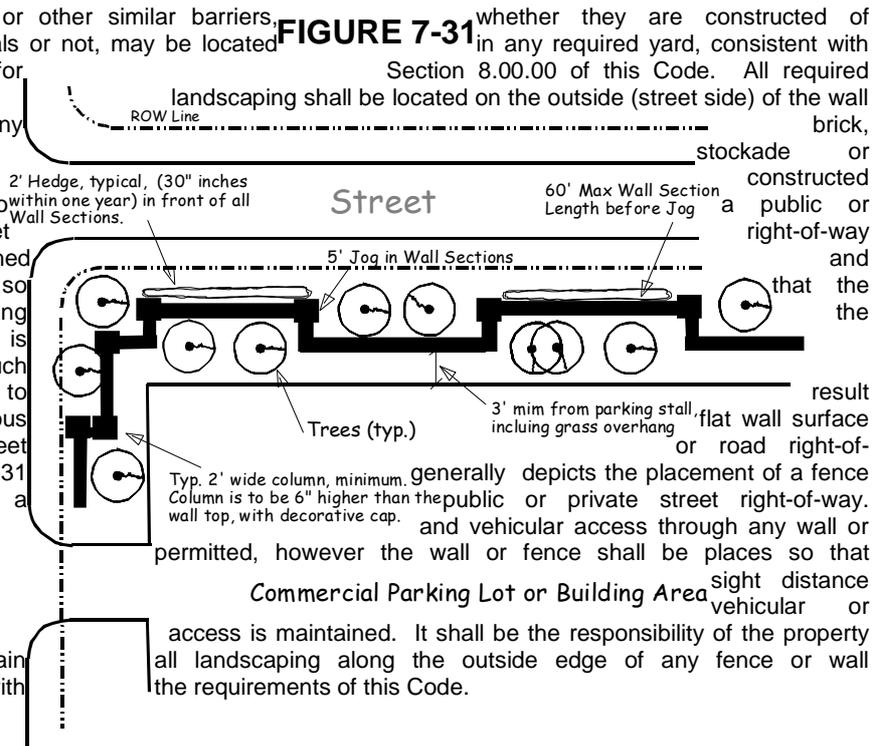
**A. REQUIRED LANDSCAPING ADJACENT TO PUBLIC OR PRIVATE STREET OR ROAD RIGHTS-OF-WAY**

The area between any building, off-street parking area or other vehicular use area abutting a street or road right-of-way, shall be designed and landscaped as follows:

1. A strip of land at least fifteen (15) feet in depth shall be located between the abutting street or road right-of-way and any off-street parking area and shall be landscaped to include one (1) tree for each thirty (30) linear feet of abutting right-of-way or major fraction thereof.  
  
In addition, a hedge, wall or other durable landscaping barrier shall be placed along the interior perimeter of this required landscaped strip.
2. All property lying between the right-of-way and off-street parking or other vehicular use area outside the required landscaped strip shall be landscaped with at least grass or other ground cover.

3. Landscaping shall be designed so that it will not interfere with the function of utility easements.
4. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the principal use, parking or other vehicular use areas.
5. Noncontinuous landscaped earthen berms may be used in conjunction with the planting of a continuous hedge provided that the intent of the visual barrier created by the hedge is maintained. Maximum slope ratios for all earthen berms shall be no greater than 3:1.

6. Fences, walls or other similar barriers, whether they are constructed of opaque materials or not, may be located in any required yard, consistent with the provision for Section 8.00.00 of this Code. All required landscaping shall be located on the outside (street side) of the wall or fence. Any brick, masonry, stockade or similarly constructed wall adjacent to a public or private street shall be designed so that the wall face facing the street or road is articulated in such manner as not to result in a continuous flat wall surface facing the street or road right-of-way. Figure 7-31 generally depicts the placement of a fence or wall along a public or private street right-of-way. Pedestrian and vehicular access through any wall or fence are permitted, however the wall or fence shall be placed so that adequate sight distance is maintained at any pedestrian or vehicular access. It shall be the responsibility of the property owner to maintain all landscaping along the outside edge of any fence or wall consistent with the requirements of this Code.



B. PERIMETER LANDSCAPING RELATING TO ABUTTING PROPERTIES

1. When an off-street parking area or other vehicular use area will not be entirely screened by an intervening building or structure from abutting property, that portion of such area not screened shall be provided with a landscaped buffer of not less than ten (10) feet in width. Such landscaped buffer shall be designed and planted with a hedge or other durable landscape barrier not less than four (4) feet in height at planting, and to be maintained so as, to form a six (6) foot or higher continuous unbroken, solid visual screen after eighteen (18) months, between the off-street parking area or other vehicular use area and such abutting property. Such landscaped barrier shall be located between the common lot line and the off-street parking area and other vehicular use areas.
2. In addition, one (1) tree shall be provided for each thirty (30) linear feet or major fraction thereof of such landscape barrier.
3. Noncontinuous landscaped earthen berms may be used in conjunction with the planting of a continuous hedge provided that the intent of the visual barrier created by the hedge is maintained. Maximum slope ratios for all earthen berms shall be no greater than 3:1.

Fences, walls or other similar barriers, whether they are constructed of opaque materials or not, may be located within any required yard, consistent with the provisions of Section 8.00.00 of this Code. All required perimeter landscaping shall be located along the outside of the wall or fence. Pedestrian access through any wall or fence may be permitted, however the wall or fence shall be placed so that adequate sight distance at the pedestrian access is maintained. It shall be the responsibility of the property owner to maintain all landscaping along the outside edge of any fence or wall consistent with the requirements of this Code.

C. PARKING AREA INTERIOR LANDSCAPING

1. Generally

Surface parking and other vehicular use areas shall have at least one (1) square foot of interior landscaping for each eighteen (18) square feet or major fraction thereof of off-street parking and vehicular use area. Each separate landscaped area shall contain a minimum of one hundred eighty (180) square feet and shall have a minimum width of at least ten (10) feet and shall include at least one (1) shade tree with the remaining area adequately landscaped with shrubs, ground cover, or other authorized landscaping material not to exceed three (3) feet in height.

Properties that are designated Industrial Extraction (IX), and Utilities (U) will be exempt from any parking area interior landscaping requirements and only need to provide interior landscaping for any required parking/access aisle areas. All other vehicular use areas are exempt from the interior landscaping requirements..

2. Vehicle Encroachments into Landscaped Areas

The front of a vehicle may not encroach upon any landscaped area. Two (2) feet of the required depth of each parking space abutting on a landscaped area may be planted in extra grass or ground cover provided that a suitable motor vehicle stop is provided.

3. Terminal Landscape Islands

Each row of parking stalls shall be required to end in a landscaped island which shall measure no less than ten (10) feet in width, or less than fifteen (15) feet in length. At least one tree shall be provided for each terminal island.

4. Interior Landscape Areas

No more than fifteen (15) parking spaces shall be permitted in a continuous row without being interrupted by a minimum landscape area of one hundred eighty (180) square feet for a single row of parking or four hundred square feet for a double row of parking. The number of continuous parking places and the minimum required distance may be altered to accommodate existing trees. Each interior landscaped area shall have a minimum width of ten (10) feet. One (1) shade tree shall be provided for each interior island.

5. Curbing

All terminal landscaped islands and interior landscaped areas shall be surrounded with a continuous raised, nonmountable curb in accordance with the specifications for public works of St. Lucie County as identified in Chapter 13 of this Code.

6. Median Landscaping

- a. A linear landscape median between two abutting rows of parking may be used to satisfy, in part, the requirements of this Section relative to interior landscaping. Terminal islands are required as described in Section 7.09.04(C)(3).
- b. A landscaped parking lot median must be a minimum of eight (8) feet in width and provide for the planting of at least one tree for every thirty linear feet of median length or fraction thereof. All parking lot median landscaped areas shall be protected with a continuous, raised, nonmountable curb in accordance with the specifications for public works of St. Lucie County as identified in Chapter 13 of this Code.

7. Reserved Parking Area Landscape Requirements (7.06.02 (B) (4))

Where, in the determination of the Public Works Director, the required number of parking and loading spaces is excessive for a specific use, the owner or agent may substitute landscaping in lieu of paving provided said areas are reserved for future parking and loading should the County find those are needed, and further provided:

- a. The owner of the land upon which such parking is being reserved shall enter into a written agreement which shall include a schematic portrayal as to how the required parking and loading areas can be provided with the County, to be filed with the Clerk of the Circuit Court, with enforcement running to the County ensuring that the reserved parking and loading area shall never be encroached upon, used, sold, leased, or conveyed, for any purpose except in conjunction with the building or use which the reserved parking area serves so long as the off-street parking facilities are required.
- b. The owner of the land upon which such reserved parking and loading area is located agrees to bear the expense of recording the agreement which shall bind his heirs, successors, or assigns.
- c. The written agreement shall be voided by the County if the reserved parking and loading area is converted to usable parking area or if the reserved parking area is no longer required.
- d. No handicapped parking areas may be included within a reserved parking area.

D. VISIBILITY FOR LANDSCAPING ADJACENT TO THE PUBLIC RIGHTS-OF-WAY AND POINTS OF ACCESS

When an accessway intersects a public right-of-way or when the subject property abuts the intersection of two (2) or more public rights-of-way, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between three (3) feet and six (6) feet, provided, however, trees or palms having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area shall be allowed provided they are so located so as not to create a traffic hazard.

Landscaping, except required grass or ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement. The triangular areas referred to above are:

1. The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right-of-way line with two (2) sides of each triangle being fifteen (15) feet in length from the point of intersection and the third side being a line connecting the ends of the two (2) other sides.
2. The area of property located at the corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular area being thirty (30) feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) lines.

E. LANDSCAPED BUFFER AREAS BETWEEN NON-RESIDENTIAL OR RESIDENTIAL STRUCTURE(S) HOUSING THREE OR MORE DWELLING UNITS AND SINGLE FAMILY OR TWO FAMILY RESIDENTIAL USES

All side and rear yard perimeter buffer areas between non-residential or residential structure(s) housing three or more dwelling units and single family or two family residential uses shall be landscaped with a masonry wall or opaque wood fence of at least eight (8) feet in height that forms a continuous screen between the uses. All masonry walls or opaque wood fences shall be landscaped with a continuous hedge along both the inside and outside base of the wall or fence. One tree shall be planted along the wall or fence for each thirty (30) linear feet or major fraction thereof of the length of the wall or fence. Tree plantings shall be alternated so that at least 60% of the required number of trees is located on the outside of the wall or fence. The remaining 40% of the required perimeter tree plantings shall be located on the inside face of the wall or fence. Existing native vegetation may be used to satisfy all or part of the landscape planting requirements of this paragraph upon the approval of the Public Works Director.

All fences or walls shall be treated with an anti-graffiti surface treatment. It shall be the responsibility of the property owner to remove any graffiti that may be applied to the wall or fence. In addition, the owner shall be responsible for the maintenance of all landscaping along both the inside and outside edge of any wall or fence. This landscaping shall be maintained in a good condition so as to present a healthy, neat, and orderly appearance free from refuse and debris. Maintenance shall include the replacement of all unhealthy and dead material within sixty (60) days in conformance with the approved site plan/ or landscape plan. Violations of this section, or failure to maintain all required landscaping shall be grounds for referral to the Code Enforcement Board for appropriate enforcement actions. The 60 day rule for compliance may be extended, when necessary, by the County Administrator or his designee to permit recovery from acts of nature such as a hurricane or a freeze.

Masonry walls or opaque wood fences may be located within any required yard, consistent with the provisions of Section 8.00.00 of this Code. The requirement for this perimeter masonry wall or opaque wood fence may be waived by the County Commission if it shown to the satisfaction of the County Commission either that the adjoining properties owners have signed a consent that indicates their desire not to have the required masonry wall or opaque wood fence constructed along their property line, or that the Board determines that a waiver is necessary to preserve any significant, protected or historic native vegetation. Any such consent shall be recorded in the lands records of St. Lucie County. In the event that any such consent is issued, the owner of the property on which the nonresidential development is taking shall only need to comply with the standards of Section 7.09.04(B) of this Code as those standards relate to perimeter screening. All other landscaping provisions of this Code shall apply as applicable.

Pedestrian access through any wall or fence may be permitted, however, the wall or fence shall be placed so that adequate sight distance at the pedestrian access is maintained. Any wall or fence constructed adjacent to a public or private street right-of-way shall be designed and constructed so that the wall face facing the street or road is articulated in such manner as not to result in a continuous flat wall surface facing the street or road right-of-way. Figure 7-31 generally depicts the placement of a fence or wall along a public or private street right-of-way.

For the purpose of this section, non-residential uses shall not include any permitted or accessory use located in the Institutional (I) or Religious Facilities (RF) Zoning District, except that a perimeter buffer area between any residential zoning district and a permitted or accessory use in the Institutional (I) or Religious Facilities (RF) Zoning District, shall consist of a landscaped masonry wall, opaque wood fence, hedge or other durable landscaped barrier of at least six (6) feet in height that forms a continuous screen between the

uses. If a masonry wall or other non-living material screen is used to provide this required buffer, the masonry wall or other non-living material screen shall be landscaped with a continuous hedge along the base of the wall and with one tree for each thirty (30) linear feet or major fraction thereof of wall length. All required perimeter landscaping shall be located along the outside of the wall. It shall be the responsibility of the property owner to maintain all landscaping along the outside edge of any wall consistent with the requirements of this Code. If vegetative landscape screens are installed, they shall be required to form a solid visual screen at time of planting. When existing vegetation is inadequate to function as a visual screen, it shall be augmented by two staggered rows of shrub material at least six (6) feet in height.

To the extent permitted under Section 7.09.03(E)(7) of this Code, the Public Works Director shall encourage the use of preserved native vegetation as meeting the intent and requirements of this Section. When making such a determination, the Public Works Director shall attach a report to the building plans or development permits, with supporting photographs or other acceptable documentation, that indicates how the existing native vegetation meets the intent of this Section. The Public Works Director may require, a conservation easement or similar restrictive covenant, if the easement or covenant is necessary to ensure compliance with the terms of this section. Any developer seeking to utilize the provisions of Section 7.09.03(E)(7) to meet the requirements of this Section shall be required to maintain this native preserve area in perpetuity. If this preserve area is ever substantially altered or removed so that it no longer meets the intent of this Section, the developer shall be required to meet in the screening requirements of this Section.

The provisions of this Section, excluding the maintenance requirements may be waived or varied by the Board of County Commissioners for any Planned Development Project (PUD, PNRD, or PMUD) if it shown through the Preliminary and Final Development Plan review process that the intent of this Section is being complied with and that all other applicable provisions of this Code are being met.

**F. OFF-STREET LOADING SPACES AND WASTE RECEPTACLES**

All off-street loading spaces and waste receptacles shall be fully screened from any residential use by a uniformly colored, solid visual and auditory barrier of not less than six (6) feet in height, or a densely planted landscape screen consisting of evergreen shrubs or trees that shall be at least four (4) feet in height when planted and that can be expected to reach at least six (6) feet in height within eighteen (18) months. The screening shall extend the full length of any loading facility with openings as required for ingress and egress; however, there shall not be greater than twenty (20) percent open space within the screen.

**G. EXISTING OFF-STREET PARKING AND LOADING LOTS**

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

**H. LANDSCAPING AND SCREENING REQUIREMENTS FOR BACK-SIPHONAGE AND BACKFLOW PREVENTERS**

1. It shall be the responsibility of the developer to landscape and screen backflow preventers.
2. Backflow preventers shall be placed on private property.
3. A continuous landscaped buffer shall be placed around the backflow prevention device, to provide a visual screen from adjacent properties. All shrubs or hedges shall be a minimum of eighteen (18) inches above grade immediately after planting, and shall be planted and maintained so as to form a four (4) foot or higher continuous, unbroken, solid visual screen within one (1) year after the time of planting.

**I. LANDSCAPING REQUIREMENTS FOR RESIDENTIAL STRUCTURES OF THREE OR FEWER UNITS**

1. Any new residential structure containing one (1), two (2), or three (3) units must preserve or plant one (1) tree for every 2,500 square feet of the subject lot or parcel of land, up to a maximum planting of 17 trees per lot or parcel. On any lot or parcel greater than one acre in area, the provisions of Section 6.00.00, Vegetation Protection and Preservation, shall be complied with.
2. All trees preserved or planted in order to meet this landscaping requirement shall meet the

standards of Section 7.09.03(E)(2) of this Code.

3. One Hundred (100%) percent of the planted trees shall consist of native species such as Live Oaks (*Quercus virginiana*), Laurel Oaks (*Quercus laurifolia*), slash pine (*Pinus elliotti*), or other species listed in Section 7.09.04(L)(2) Native and Drought-Tolerant Vegetation.

J. LANDSCAPING REQUIREMENTS FOR ENCLOSED BUILDINGS OR GROUPS OF BUILDINGS USED FOR THE PRODUCTION OF FOOD, PRODUCE, ANIMALS (LAND OR WATER SPECIES), OR ORNAMENTAL PLANTS OR TREES IN A AGRICULTURAL ZONING DISTRICT.

1. Any new enclosed building, or group of buildings, used for the production of food, animals (land or water species) or ornamental products, excluding pole barns, sheds or barns used for the housing or sheltering of animals or livestock as an accessory use to the agricultural production operations, shall provide a minimum ten (10) foot wide landscape strip adjacent to, and around the perimeter of the building or group of buildings used for this purpose. This landscape strip shall include at least one (1) tree, meeting the requirements of this Code, for every 30 linear feet of the building or group of buildings perimeter.

- 2.. One Hundred (100%) percent of the planted trees shall consist of native species such as Live Oaks (*quercus virginiana*), Laurel Oaks (*quercus laurifolia*), slash pine (*pinus elliotti*), or other species listed in Section 7.09.04(L)(2) Native and Drought-Tolerant Vegetation.

3. Exceptions/Administrative Relief:

The Public Works Director may grant relief from the requirements of this paragraph if it is shown to the satisfaction of the Public Works Director that the building or group of buildings being used for the production of food, animals (land or water species) or ornamental plants or trees is:

- a.) more that five hundred (500) feet from any adjacent property that is not under the ownership or control of the developing party. Road right-of-way and drainage canal right-of-way are not excluded from this property determination; or,
- b.) Is adequately screened by an existing native vegetation buffer meeting the intent of this paragraph. This existing native vegetative buffer must be located on the property that the building or group of buildings is located on. If relief is granted under this paragraph, and if the native vegetation buffer is ever removed for any reason, the property owner shall be responsible to provide new plantings consistent with the requirements of this code.

K. OFF-STREET SITE LIGHTING REQUIREMENTS & GENERAL DESIGN STANDARDS

General Requirements

Where artificial outdoor lighting is provided, it shall be designed and arranged so that no source of the lighting will be a visible nuisance to adjoining property used or zoned for a residential purpose. In addition, the lighting shall be so designed and arranged so as to shield public streets and highways and all adjacent properties from direct glare or hazardous interference of any kind. For non-residential properties that abut property used or zoned for a residential purpose to the rear, or side, the following shall apply:

1. For properties with a depth in excess of 200 feet:

The maximum allowable mounting height of all outdoor light fixtures within 50 feet from the front property line is 25 feet, provided that such fixtures shall be shielded from public streets and highways to prevent direct glare or hazardous interference of any kind.

The maximum allowable mounting height of all outdoor light fixtures between 50 feet from the front property line and 75 feet from the rear property line is 20 feet provided that such fixtures shall be shielded from all adjacent properties to prevent direct glare or hazardous interference of any kind.

The maximum allowable mounting height of all outdoor light fixtures within 75 feet from any property line abutting a residential zoning district, including the AR-1 zoning district is 6 feet, or not to extend above the height of the buffer wall.

2. For properties with a depth less than 200 feet:

The maximum allowable mounting height of all outdoor light fixtures within 25 feet from the front property line is 25 feet. provided that such fixtures shall be shielded from public streets and highways to prevent direct glare or hazardous interference of any kind.

he maximum allowable mounting height of all outdoor light fixtures between 25 feet from the front property line and 25 feet from the rear property line is 20 feet provided that such fixtures shall be shielded from all adjacent properties to prevent direct glare or hazardous interference of any kind.

The maximum allowable mounting height of all outdoor light fixtures within 25 feet from any property line abutting a residential zoning district including the AR-1 zoning district is 6 feet or not to extend above the height of the buffer wall.

3. All outdoor lighting installations shall use concealed source fixtures. These shall be cut-off type fixtures in which the lenses do not project below the opaque section of the fixture. All lighting fixtures shall be mounted with a zero degree tilt. Ground mounted flood and spotlight fixtures that are used to illuminate the building facade are exempt from this requirement. Fixture styles shall be consistent throughout the site.
4. Ground mounted flood and spotlights, if used. shall be placed on standards pointing toward the building or wall and positioned so as to prevent light from glaring onto residential areas, rather than the buildings or walls and directed outward which creates dark shadows adjacent to the buildings.
5. Building mounted outdoor lighting fixtures, other than those required by ordinances and regulations of the County, are prohibited on the rear or sides of buildings adjacent to residential zoning districts, including the AR-1 zoning district. All other building mounted outdoor lighting fixtures required by ordinances and regulations of the County shall be shielded to prevent light from glaring on residential areas.
6. All outdoor lighting fixtures in place prior to March 1, 1999, shall be permitted to continue operation. However, any outdoor lighting fixture that replaces an existing fixture. or any existing fixture that is moved, must meet the standards of this Code. Existing fixtures that direct light toward streets, and are determined to be a traffic hazard, or existing fixtures that direct light toward adjoining property used or zoned for a residential purpose shall be either shielded or redirected within 90 days of notification.
7. Parks and recreational uses are exempt from the above requirements.
8. Nothing in this Section is intended to contravene the requirements of Section 6.04.02 (Sea Turtle Protection). In the event of a conflict between these regulations, the stricter to the two standard shall apply. The Public Works Director is empowered to determine the stricter of the two standards to be applied.

#### L. STANDARDS FOR NATIVE AND DROUGHT-TOLERANT VEGETATION

1. When a development is designated as a major, minor, or planned site plan under the provisions of Section 11.02.02 of this Code, water-wise design incorporating the following standards shall be required, in addition to the general landscape standards in Section 7.09.00.
  - a. At least fifty (50) percent of the minimum landscaping required by Section 7.09.00 shall consist of water-wise plant materials as defined in Sections, 7.09.04(L), 7.09.04(M) or 7.09.04(N) except that one hundred (100) percent of required lawn areas shall consist of water-wise grasses listed in Section 7.09.04(L)(2)(a). Each type of required landscaping, such as trees, shrubs, vines, and lawn areas shall be calculated separately, and each type shall meet the required percentage minimum of defined water-wise plant materials.
  - b. Plant materials shall be grouped according to watering requirements in order to prevent over-watering of water-wise plant materials. Proposed irrigation zones shall be shown on the landscaping plan. Such zones shall take into consideration both plant material and

microclimate factors, such as northern or southern exposure, shade or full sun, slope, and berming.

- c. Ground covers approved under Section 7.09.04(L)(2)(g) may be used instead of grass when planting strips are eight (8) feet wide or less.

2. Plant Materials

All plants utilized to meet the water-wise requirement shall be site appropriate, and shall be selected from the following lists or be water-wise and non-invasive species approved by the Public Works Director. In approving other plant materials, the Director shall consider criteria including, but not limited to, soil type, hydrology, and climate.

a. Grasses

- (1) Bahia grass (may be mixed with ryegrass)
- (2) St. Augustine grass
- (3) Other grass serving a site specific need approved by the Public Works Director.

b. Ground Cover/Accent Plants:

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
AFRICAN BUSH DAISY	gamolepis chrysanthemoides	DWARF LILY TURF, MONDO GRASS	ophiopogon japonicus
AFRICAN IRIS	dietes vegeta	ENGLISH IVY	hedera helix
AGAPANTHUS	agapanthus orientalis, a. africanus	FAKAHATCHEE GRASS	tripsacum dactyloides
AMARYLLIS	hippeastrum x hybridum	FALSE HEATHER	cuphea hyssopifolia
BAY CEDAR	suriana maritima	BEACH MORNING GLORY	ipomea imperati
BEACH DUNE SUNFLOWER	helianthus debilis	MARSH ELDER	iva frutescens
BEAUTY BERRY	callicarpa americana	LIRIOPE, LILYTURF	liriope muscari
BIRD OF PARADISE	strelixia reginae	NECKLACE POD	sophora tomentosa
BLANKET FLOWER	gaillardia pulchella	PARSONS JUNIPER	juniperus squamata expansa 'parsoni'
BLUE RUG JUNIPER	juniperus horizontalis 'wiltonii'	PENTAS	pentas lanceolata
BLUE DAZE	evolvulus glomerata	PERIWINKLE (VINCA)	catharanthus roseus
BOSTON FERN, SWORD FERN	nephrolepis exaltata	PURSLANE	portulaca grandiflora
CAPE HONEYSUCKLE	tecomaria capensis	RAILROAD VINE	ipomea pes-capri
CAROLINA YELLOW JASMINE	gelsemium sempervirens	RAIN LILY	zephyranthes spp.
CAST IRON PLANT	aspidistra elatior	RAMORA	
COMPACT SHORE JUNIPER	juniperus conferta 'compacta'	RED FOUNTAIN GRASS	pennisetum Setaceum Var. Rubrum
COONTIE	zamia floridana z. pumila, z. furfuracea	SCHELLING'S DWARF HOLLY	ilex vomitoria 'Schelling's dwarf'
CREEPING FIG	figus pumila	SEA OATS	uniola paniculata
CRINUM LILY	crinum spp.	SEA OX-EYE DAISY	borrichia arbororescens

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
DAYLILY	hemerocallis spp.	SHINY BLUEBERRY	vaccinium myrsintes
<u>BLUE DAZE</u> JUNIPER	juniperus chinensis 'procumbens nana'	SOCIETY GARLIC	tulbagia violacea
DOWNY JASMINE	jasminum multiflorum	SPIDER LILY	hymenocallis latifolia
DWARF JASMINE	trachelospermum asiaticum	SPLIT LEAF PHILODENDRON	philodendron selloum
DWARF FAKAHATCHEE GRASS	tripsicum dactyloides T. jasminoides "minima"	STRING LILY	crinum americanum
DWARF LANTANA	lantana depressa (ovatifolia 'reclinata') l involucrata	LANTANA	lantana montevidensis involucrata
DWARF GARDENIA	gardenia jasminoides 'prostrata'	YELLOW CANNA	canna flaccida

c. Shrubs:

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
BLUE VASE JUNIPER	juniperus chinensis 'blue vase'	LIMEBERRY	triphasia trifolia
BOXTHORN	severinia buxifolia	MARSH ELDER	iva frutescens
BOXWOOD	buxus microphylla	NANDINA	nandina domestica
BURFORD HOLLY	ilex cornuta 'Burfordii'	NIGHT JESSAMINE	cestrum nocturnum
BUTTONWOOD	conocarpus erectus	OLEANDER	nerium oleander
CARDBOARD PLANT	zamia furfuracea	ORANGE JASMINE	murraya paniculata 'Lakeview'
CHRISTMAS BERRY	lycium carolinianum	PINE CONE LILY, WILD GINGER	zingiber zerumbet
COCO PLUM	chrysobalanus lcao	PITTISPORUM	pittisporum tobira
COONTIE	zamia floridana	PLUMBAGO	plumbago auriculata
CORAL BEAN	erythrina herbacea	RED FOUNTAIN GRASS	pennisetum setaceum var. rubrum
CRAPE MYRTLE	lagerstroemia indica	ROUND-LEAF HAWTHORN	raphioleis umbellata
CREPE- JASMINE, PINWHEEL FLOWER	tabernaemontana divaricata	RUSTY LYONIA	lyonia ferruginia
CRINUM LILY	orinum spp.	SCARLET HIBISCUS	hibiscus coccineus
DOWNY JASMINE	jasminum multiflorum	SANDANKWA VIBURNUM	Viburnum suspensum
DWARF YAUPON HOLLY	ilex vomitoria 'nana'	SHELLING'S HOLLY	ilex vomitoria 'Schelling's dwarf'
DWARF CHINESE HOLLY	ilex cornuta 'Rotunda'	SEA GRAPE	cocoloba uvifera
DWARF OLEANDER	nerium oleander	SELLOUM	philodendron selloum
FAKAHATCHEE GRASS	tripsacum dactyloides	SHELL FLOWER	alpinia spp.
FIRE THORN	pyracantha coccinea	SHINING JASMINE	jasminum nitidum

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
FLORIDA ANISE	<i>illicium floridanum</i>	SHINING SUMAC, WINGED SUMAC	<i>rhus copallina</i>
FRAGRANT OSMANTHUS	<i>osmanthus fragrans</i>	SHRIMP PLANT	<i>justicia brandegeana</i>
GALLBERRY	<i>ilex glabra</i>	SILVERTHORN	<i>elaagnus pngens</i>
GARBERIA	<i>garberia fruticosa</i>	SNOWBERRY	<i>chiococca alba</i>
GARDENIA	<i>gardenia jasminiodes</i>	SOUTHERN WAX MYRTLE	<i>myrica cerifera</i>
GLOSSY ABELIA	<i>abellia x grandiflora</i>	SWAMP HIBISCUS	<i>hibiscus grandiflours</i>
GOLDEN SHRIMP PLANT	<i>pachystachys lutea</i>	TARFLOWER	<i>befaria racemosa</i>
GOLDEN DEWDROP	<i>duranta repens</i>	TEXAS SAGE	<i>leucophyllum frutescens</i>
HETZII JUNIPER	<i>juniperus chinensis 'hetzii'</i>	THRYALLIS, RAIN OF GOLD	<i>galphimia glauca</i>
HIBISCUS	<i>hibiscus x rosa-sinensis</i>	TORULOSA JUNIPER	<i>juniperus chinensis 'torulosa'</i>
INDIAN HAWTHORN	<i>raphiolepis indica</i>	VITEX	<i>Vitex trifloia</i>
JAPANESE PRIVET	<i>ligustrum japonicum</i>	WILD OLIVE, FLORIDA PRIVET	<i>forestiera segregata</i>
LANTANA	<i>lantana spp.</i>	YELLOW ELDER	<i>tecoma stans</i>
		YELLOW ANISE	<i>illicium parviflorum</i>

d. Trees:

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
AMERICAN HOPHORNBEAM	<i>ostrea virginiana</i>	RED MAPLE	<i>acer rubrum</i>
BALD CYPRESS	<i>taxodium distichum</i>	REDBAY	<i>persea borbonia</i>
CAMPHOR TREE	<i>cinnamomum camphora</i>	RIVER BIRCH	<i>betula nigra</i>
CHERRY LAUREL	<i>prunus caroliniana</i>	SAVANNAH HOLLY	<i>ilex x attenuata</i>
CHINESE ELM	<i>ulmus parvifolia 'Drake'</i>	SHUMARD OAK	<i>quercus shumardii</i>
CRAPE MYRTLE	<i>lagerstroemia indica</i>	SLASH PINE	<i>pinus elliotii</i>
DAHOON HOLLY	<i>ilex cassine</i>	SOUTHERN MAGNOLIA	<i>magnolia grandiflora</i>
EAST PALATKA HOLLY	<i>ilex x attenuata</i>	SOUTHERN REDCEDAR	<i>juniperus silicicola</i>
FLORIDA MAPLE	<i>acer barbatum</i>	SWEETGUM	<i>liquidambar styraciflua</i>
GOLDENRAIN TREE	<i>koelreuteria elegans</i>	SYCAMORE	<i>platanus occidentalis</i>
INDIAN HAWTHORN	<i>raphiolepis indica 'Majestic Beauty'</i>	TREE LIGUSTRUM	<i>ligustrum lucidum</i>
LAUREL OAK	<i>quercus laurifolia</i>	WATER OAK	<i>quercus nigra</i>

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
LEYLAND CYPRESS	cupressocyparis leylandii	WAX MYRTLE	myrica cerifera
LIVE OAK	quercus virginiana	WEeping YAUPON HOLLY	ilex vomitoria 'pendula'
NAGI PODOCARPUS	podocarpus nagi	WINGED ELM	ulmus alata
PIGNUT HICKORY	carya glabra	YELLOW POINSIANA	peltophorum inerme
PODOCARPUS	podocarpus macrophyllus		

3. Mulching Standards

- a. All plant materials meeting the water-wise requirement of this code shall be mulched with at least a three-inch (3) layer of mulch. Cypress mulch shall not be used for any non-residential landscaping areas or projects. The use of cypress mulch is to be discouraged on all residential projects or landscape areas.
- b. Mulch shall cover the entire area of the planting bed.

4. Alternative Method of Meeting the Water-Wise Requirement When Native Upland Plant Communities Are Maintained

- a. Preservation of existing native upland plant communities on the site may substitute for all or part of the water-wise requirement in the following ratios:

Preservation of 25% or more of site No water-wise requirement

Preservation of 15-25% of site Water-wise requirements limited to 30% of each type of required plant material

Preservation of 1-15% of site Water-wise requirements limited to 40% of each type of required plant material

- b. Reduction of water-wise requirements by preserving existing native upland plant communities shall be allowed only when the Public Works Director determines that all of the following criteria are met:

- 1. The existing native plant communities shall be viable and in good condition and include canopy, understory, and ground cover.
- 2. The existing native plant communities must be protected by a conservation easement or other legally enforceable preservation mechanism.
- 3. The execution of the site plan will not threaten the viability of the existing native plant community.
- 4. The plant community to be preserved shall be at least one-half (1/2) acre in size, except that microcommunities totaling at least one-half (1/2) acre may be preserved providing that each microcommunity is at least ten (10) feet in width and contains at least one hundred (100) square feet.
- 5. A management plan is submitted to show how the viability of the preserved communities will be maintained without the use of heavy equipment.

5. Irrigation Systems

a. Irrigation System Design Standards.

1. Permanent irrigation of preserved plant communities shall be prohibited.
2. Irrigation required for the re-establishment or restoration of existing plant communities shall be limited to temporary irrigation systems. Newly installed plant communities or supplemental plants to existing plant communities may initially require additional water to become established. Temporary irrigation systems shall remain in place for a period of at least six (6) months and shall include:
  - (a) Temporary low-volume irrigation, or
  - (b) Alternative method approved by Public Works Director.
3. Automatic irrigation systems shall incorporate the following criteria:
  - (a) Zoning of irrigation systems:

Sprinkler heads irrigating designated high water demand areas shall be circuited or zoned so that they can be irrigated at a different frequency or application rate than low water demand areas. At a minimum separate zones shall be created for turf and planting beds, with a separate zone also required for trees not incorporated into planting beds.
  - (b) Automatic rain shut-off devices:

Automatic irrigation systems shall be equipped with an automatic rain shut-off device for each proposed zone.
  - (c) Elimination of over-throw onto impervious surfaces:
    1. Sprinkler heads shall be directed away from impervious surfaces.
    2. The effects of wind on the spray stream shall be reduced by requiring low trajectory spray nozzles.

b. Maintenance of Irrigation Systems:

Irrigation systems shall be maintained in working condition at all times, to prevent waste of irrigation water. Broken sprinkler heads, pipes and nozzles shall be repaired or replaced within fourteen (14) days of notice.

c. Irrigation During Water Shortage

Irrigation systems shall be operated in accordance with the requirements of water shortages declared for St. Lucie County by the South Florida Water Management District or St. Lucie County.

M. SPECIAL LANDSCAPING REQUIREMENTS FOR NORTH & SOUTH HUTCHINSON ISLAND

If any development is to occur on a site located on North or South Hutchinson Island, 75 % of the new landscaping material to be planted shall consist of the following species. The Public Works Director may reduce the minimum size requirements to the largest plant sizes available if the listed plant material is unavailable in the sizes set forth in 7.09.03 (E) (2) and (3). Each type of required landscaping, such as trees, shrubs, vines, and lawn areas shall be calculated separately, and each type shall meet the required percentage minimum of plant materials.

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
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COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
<b>GRASSES:</b>			
Broomsedge Bluestem	andropogon virginicus	Beach Panic Grass	panicum amarum
Seashore Saltgrass	distichlis spicata	Sea Oats	unicola paniculata
Purple lovegrass	eragrotis spectabilis		
<b>GROUND COVER:</b>			
Aster	aster spp.	Beach Verbena	glandularia maritima
Silver Sea Oxeye	borrichia arborescens	Beach Sunflower	helianthus debilis
Blanket Flower	gaillardia pulchella	Gopher apple	liciania michauxii
Portulaca	portulaca pilosa	Beach Peanut	okenia hypogaea
Sea Purslane	sesuvium portulacastrum	Spiderwort	tradescantia spp.
Goldenrod	solidago spp.	Ironweed	veronia spp.
Railroad Vine	ipomoea imperati	Beach Morning Glory	ipomoea pes-caprae
<b>SHRUBS:</b>			
Marlberry	<del>Ardisia</del>	Wild Olive	osmanthus americana
Salt Bush	baccharis halimifolia	Wild Coffee	psychotria nervosa
Beautyberry	callicarpa americana	Myrtle Oak	quercus myrtifolia
Jamaica Caper	capparis spp.	White Indigoberry	randia aculeata
Snowberry	symphoricarpos albus	Rouge-Plant	rivina humilis
Coco-plum	chrysobalanus icaco	Scrub Palmetto	sabal etonia
Pigeon Plum	coccoloba diversifolia	Inkberry	scaevola plumieri
Sea Grape	coccoloba uvifera	Saw palmetto	serenoa repens
Florida Privet	forestiera segregata	False Mastic	sideroxyton foetidissimum
Yaupon Holly	ilex vomitoria	Spanish Bayonet	yucca aloifolia
Marsh Elder	iva frutescens	Bear Grass	yucca filamentosa
Beach Elder	iva imbricata	Coontie	zamia spp
Christmas Berry	lycium carolinianum	Hercules' Club	zanthoxylum clava-herculis
Poisonwood	metopium toxiferum		
Wax Myrtle	myrica cerifera		
Lancewood	ocotea coriacea		
<b>TREES:</b>			
Gumbo Limbo	Bursera simaruba	Live Oak	Quercus virginiana
Stangler Fig	Ficus aurea	Cabbage Palm	Sabal palmetto
Southern Red Cedar	Juniperus silicicola	Paradise Tree	Simarouba glauca
Wild Tamarind	Lysiloma latisiliquum		

N. SPECIAL LANDSCAPING STANDARDS FOR DEVELOPMENT IN AREAS DETERMINED TO CONTAIN SCRUB HABITAT

If any development is to occur on a site that is determined, through an Environmental Impact Report submitted pursuant to Section 11.02.09 or Section 11.02.10 of this Code, or by the Public Works Director following a specific site inspection by the Director, or his designee, to be scrub habitat as defined in Chapter 2 of this Code, then the development shall be required to provide for the preservation of the existing scrub habitat where the location of said habitat is not in conflict with the proposed building or parking areas. The Public Works Director, or his designee, may require that reasonable changes be made to any site plan or application for building permit for the purpose of preserving or protecting any special or unique existing tree(s) or native habitat. If the existing scrub habitat must be removed to provide for the reasonable use of the property, 75 % of any new landscaping material to be planted shall consist of the following listed species. The Public Works Director may reduce the minimum size requirements to the largest plant sizes available if the listed plant material is unavailable in the sizes set forth in Section 7.09.03 (E) (2) and (3). Each type of required landscaping, such as trees, shrubs, vines, and lawn areas shall be calculated separately, and each type shall meet the required percentage minimum of plant materials.

COMMON NAME	SCIENTIFIC NAME	COMMON NAME	SCIENTIFIC NAME
<b>GRASSES</b>			
Broomsedge Bluestem	<i>Andropogon virginicus</i>	Lopsided indiangrass	<i>Sorghastrum secundum</i>
Arrowfeather threeawn	<i>Aristida purpurascens</i>	Pinewoods Dropseed	<i>Sporobolus junceus</i>
Wiregrass	<i>Aristida stricta</i>	Panicum Needleleaf	<i>Dichanthelium aciculare</i>
Purple Lovegrass	<i>Eragrotis spectabilis</i>		
<b>GROUND COVER</b>			
Blanket Flower	<i>Gaillardia pulchella</i>	Runner Oak	<i>Quercus pumila</i>
Yellow Jessamine	<i>Gelsemium sempervirens</i>	Goldenrod	<i>Solidago</i> spp.
Blue-eyed Grass	<i>Sisyrinchium</i> spp.	Spiderwort	<i>Tradescantia</i> spp.
Beach Sunflower	<i>Helianthus debilis</i>	Ironweed	<i>Veronia</i> spp.
St. John's Wort	<i>Hypericum</i> spp.	Bear Grass	<i>Yucca filamentosa</i>
Gopher apple	<i>Licania michauxii</i>		
Portulaca	<i>Portulaca pilosa</i>		
<b>SHRUBS</b>			
Hawthorne	<i>Crataegus</i> spp.	Myrtle Oak	<i>Quercus myrtifolia</i>
Carolina Holly	<i>Ilex ambigua</i>	Scrub Palmetto	<i>Sabal etonia</i>
Yaupon Holly	<i>Ilex vomitoria</i>	Saw palmetto	<i>Serenoa repens</i>
Fetterbush	<i>Lyonia lucida</i>	Sparkleberry	<i>Vaccinium arboreum</i>
Chapman Oak	<i>Quercus chapmanii</i>		
<b>TREES</b>			
Scrub Hickory	<i>Carya floridana</i>	Wild Olive	<i>Osmanthus americana</i>
Pignut Hickory	<i>Carya glabra</i>	Sand Pine	<i>inus clausa</i>
Juniperus silicicola	Southern Red Cedar	Live Oak	<i>Quercus virginiana</i>

O. ADMINISTRATIVE RELIEF FROM THE PROVISIONS OF THIS SECTION

Where the Public Works Director determines based upon a showing by the applicant for any Final Development Order, that a literal application of these regulations will not meet the general spirit and intent of this Code as a result of use, traffic patterns, drainage or other issues of configuration, he shall permit an alternate landscape scheme in accordance with the provisions of this Section. Any area landscape plan submitted as an alternative shall be designed in such a manner that the alternate landscape area and the amount of material provided equal at least one and one half (1 1/2) times the amount that was originally required.

**7.09.05 REMOVAL OF EXOTIC VEGETATION**

A. GENERAL

Planned Mixed Use Development shall be required to remove, and chemically treat any remaining stumps, of all of the exotic vegetation listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "Most Invasive Species List."

2. No person shall plant or cause to be planted or permit to be planted, anywhere within the area of unincorporated St. Lucie County, any species listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "Most Invasive Species List."

**B. EXOTIC PEST PLANTS; MAINTENANCE AND REMOVAL**

1. Nuisances declared and prohibited

- a. It is found and declared to be expedient and necessary to the preservation of the public health, comfort, safety and welfare of the inhabitants of St. Lucie County that all lots in recorded subdivisions of St. Lucie County, outside of municipalities, be required to be kept free from any species listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "Most Invasive Species List," which, by reason of height, proximity to neighboring structures, physical condition, or other peculiar characteristics, might cause damage to life or property within the immediate area surrounding the same. The existence of vegetation which create a hazard is declared to be a public nuisance. Erosion control measures or reseeding of the area from which the exotic vegetation was removed may be required.
- b. No person shall plant or cause to be planted or permit to be planted, anywhere within recorded subdivisions of unincorporated St. Lucie County, any species listed as "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "Most Invasive Species List."
- c. Existing individual Australian pine and/or Brazilian pepper trees located within recorded subdivisions of unincorporated St. Lucie County shall be maintained at a height not to exceed the distance between the tree and the nearest property line, minus ten (10) feet. The existence of any such trees is hereby declared to be a public nuisance.

2. Notice to property owner

If the Public Works Director or his designee finds and determines, based upon a complaint by an owner or tenant of property adjacent to a lot which is the site of such a tree, that a public nuisance as described and declared in this section exists, he shall notify the record owner of the offending property in writing and demand that such owner cause the condition to be remedied within thirty (30) days of mailing, serving or posting of notice. Such notice may be in substantially the following form:

**NOTICE**

TO: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Property: \_\_\_\_\_

You, as the owner of record of the property above described, are hereby notified that the Board of County Commissioners of St. Lucie County, Florida, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, determined that a nuisance exists upon such property, caused by:

(list briefly the details)

You are hereby notified that you must abate this nuisance within thirty (30) days, failing in which, the Board of County Commissioners will have it done; and the

The notice shall be sent by certified mail, return receipt requested, with a request to the postal service to return after five (5) days, if undeliverable, and shall be addressed to the owner of the offending property as their name or names and mailing address appear on the records of the County Property Appraiser and shall be deemed sufficient and complete when so addressed and deposited in the United States mail with proper postage prepaid, unless such notice is returned by the postal service as undeliverable. If the notice is returned, the Development Director or his designee shall deliver a copy of the notice to the occupant, if any, of the property or to any known agent of the owner who can be found within the county; and if still unable to deliver the notice, he shall physically post such notice on such land at or near the front property line thereof.

3. Right of hearing before the Board of County Commissioners

Any notice given under Section 7.09.05(B)(2) shall advise the property owner that within thirty (30) days after the mailing, serving or posting of notice, as the case may be, he may make a written request to the Board of County Commissioners in care of the County Administrator for a hearing before the body to afford him an opportunity to show that the condition does not constitute a public nuisance or to contest the determination of the Public Works Director or his designee. After receipt of such a request, the County Administrator shall schedule a hearing before the Board of County Commissioners. The Board of County Commissioners shall review the appeal at a public meeting within thirty (30) calendar days from the date the appeal is received by the County Administrator. Further action shall be taken to abate any nuisance involved until the matter has been resolved by the Board of County Commissioners.

4. Abatement by county

If, thirty (30) days after mailing, serving or posting of notice, as the case may be, no hearing has been requested and the conditions described in the notice have not been remedied or abated, the Public Works Director or his designee shall authorize the condition to be remedied or abated by the County at the expense of the property owner. If a hearing has been held and has been concluded adversely to the property owner, the Administrator or his designee shall authorize the condition to be remedied or abated by the County at the expense of the property owner, unless the Board of County Commissioners direct otherwise. The employees, servants, agents or contractors of the County are authorized to enter upon the property and take such steps as are reasonably required to effect the abatement.

5. Assessment of cost of abatement against property owner

After abatement the cost to the County, including a two hundred dollars (\$200) per lot administrative charge, shall be calculated and reported to the Board of County Commissioners. Thereupon the Board of County Commissioners, by resolution, shall assess the cost against the offending parcel. The resolution shall describe the property and show the cost of abatement actually incurred by the County including the administrative charge. Such assessment shall be a legal, valid and binding obligation against the property until paid. The assessment shall become due and payable thirty (30) days after the mailing of a notice of assessment after which interest shall accrue at the rate of six (6) per cent per annum on any unpaid portion there.

6. Notice of lien

As soon as possible after the assessment has been made, the Board of County Commissioners shall cause a certified copy of the assessment resolution to be filed in the Office of the clerk of the Circuit Court in and for St. Lucie County; and the lien shall become effective as of the date of filing such copy with the Clerk of the Circuit Court. The Clerk shall mail a notice to the record owner or owners of each parcel of land described in the resolution at the last available address for such owner which notice may be in substantially the following form:

**NOTICE**

To: \_\_\_\_\_

Address: \_\_\_\_\_  
Property: \_\_\_\_\_

You, as the record owner of the property above described, are hereby advised that the Board of County Commissioners of St. Lucie County, Florida, did on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, order the abatement of a certain nuisance existing on the above property, sending you notice thereof, such nuisance being:

(hereby describe briefly)

A copy of such notice has been heretofore sent you. You failed to abate such nuisance; whereupon, it was abated by St. Lucie County at a cost of \$\_\_\_\_\_. Such cost, by resolution of the Board of County Commissioners of St. Lucie County, has been levied against the above property and has become a lien thereon. You may pay such assessment to the office of the Clerk of the Circuit Court of St. Lucie County, Courthouse, Fort Pierce, Florida. If such assessment is not paid within one (1) year, suit will be instituted to enforce said lien by the sale of said lots.

Board of County Commissioners  
of St. Lucie County, Florida

By \_\_\_\_\_

If such assessment is not paid in full, including interest to the date of payment, within one (1) year after it is filed in the office of the Clerk of the Circuit Court of St. Lucie County, it may be enforced by civil action as other liens are enforceable in the State of Florida. Such action shall include court costs, attorney's fees, and all other costs of enforcement.