

ORDINANCE 2012-4

AN ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, AMENDING SECTIONS 3.6.1, 3.6.2, 3.6.3 AND 3.6.4 OF THE ZONING ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE PERTAINING TO LANDSCAPING AND SCREENING REGULATIONS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Zoning Ordinance of the Town of St. Lucie Village, Florida, was adopted pursuant to Ordinance 95-3, and subsequently amended pursuant to Ordinances 96-3, 2005-1 and 2006-11;

WHEREAS, the Board of Aldermen is currently considering various matters related to landscaping and screening, including regulation regarding tree removal and preservation; and

WHEREAS, the current provisions of the St. Lucie Village Zoning Ordinance pertaining to landscaping and screening are out of date and require revision and clarification; and

WHEREAS, it appears to the Board of Aldermen of the Town of St. Lucie Village, that amending the Zoning Ordinance of the Town of St. Lucie Village as it pertains to landscaping and screening is appropriate and necessary.

NOW, THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida hereby ordains:

1. That the text of Sections 3.6.1, 3.6.2, 3.6.3 and 3.6.4 of the St. Lucie Village Zoning Ordinance is hereby amended as follows:

Section 3.6.0 LANDSCAPING AND SCREENING REGULATIONS

Section 3.6.1 Purpose

The purpose of this section is to set forth regulations for the proper installation and maintenance of landscaping that will contribute to air purification, regeneration of oxygen, absorption of water, abatement of noise, glare, and 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.

Section 3.6.2 Applicability

The provisions of this section with regard to landscaping shall apply to all non-residential, single-family residential, and multiple family residential uses.

Section 3.6.3. Single-Family Residential Requirements

(A) All front yards of new residences shall be sodded from the front edge of the main structure to the edge of the pavement or unpaved road.

- (B) All side and rear yards shall be sodded or seeded. On large lots where extensive areas of nature vegetation are left intact, front, side and rear yards shall be sodded or seeded up to the natural vegetation areas.
- (C) A minimum of 4 12' x 5' 2" DBH (diameter at breast height - 48 to 52) Florida #1 or better canopy trees per half acre or any portion thereof shall be planted or preserved. At least half of these trees shall be placed in the front yard when lot size and septic set back allow. Trees shall be defined in **Section 3.6.4(A)(5)(b)** of this Ordinance. Palms may be substituted on a 2 palms for one canopy tree basis, with a minimum 12' height. Florida #2 may be substituted if appropriate for the site and specific location.
- (D) Requirements for sodding or seeding single family residential yards shall not preclude other landscaping such as ground cover, mulched planting beds, or shrubs as described in other sections of this Ordinance.

3.6.4. Non-Residential and Multi-Family Residential Requirements

(A) General Provisions

(1) Installation

All landscaping shall be installed in a professional manner according to accepted planting practices with the quality of plant materials as Florida #1 or better as hereinafter described and with an automatic irrigation system capable of watering all landscaping (see Irrigation below).

(2) Planting Requirements

A minimum of one (1) tree 12' x 5' 2" DBH Florida #1 or better canopy shall be planted or preserved for every 1750 square feet of area of a residential lot or major fraction thereof. A minimum of one (1) 12' x 5' 2" DBH Florida #1 or better canopy tree shall be planted or preserved for every 2500 square feet of non-residential lot or fraction thereof. Florida #1 may be substituted if appropriate for the site and specific location.

(3) Maintenance

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 dead material on a continual basis. Replacement plants or trees shall also be replaced within 90 days of death.

(4) Irrigation

Automatic irrigation systems with separate zones for turf and planter beds shall be required for all landscapes. Installation of rainfall or moisture sensing devices shall be required for use in all new development and redevelopment within the Village.

(a) Water Application

Since deep watering promotes deep root growth and healthier plant material, water shall not be applied at a precipitation rate of less than 1/2 inch per application.

(b) Watering Hours

Unless otherwise restricted, irrigation should occur between the hours of midnight and 6 a.m. in order to reduce fungus growth and loss of water due to evaporation.

(5) Plant Materials

(a) Quality

Plant materials used in conformance with the provisions of this Ordinance shall conform to the standards of Florida No. 1 or better as given in "Grades and Standards for Nursery Plants", Part II, 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 Ordinance.

(b) Trees

- (i) Trees shall be species having an average mature spread of crown of greater than fifteen (15) feet in St. Lucie Village and have trunks that can be maintained in a clean condition. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of fifteen (15) foot crown spread.
- (ii) Tree species shall be a minimum of 12' x 5' 2" DBH when installed. 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 seven (7) feet from trunk in all directions, and for which the construction requirements shall be four (4) inch thick concrete reinforced with number six (6) road mesh (6.6.6) or equivalent.
- (iii) The following trees shall be removed during construction and will not be used to meet the requirements of this section: Rosewood, Silk Oak, Norfolk Pine, Loquat, Carrotwood, Melaleuca quinquenervia (Cajaput, Paperbark or Punk tree), Schinus terebinthifolius (Brazilian Pepper), and Casuarina Spp, (Australian Pine). Fifty (50) percent of the required trees shall be species other than palm trees.
- (iv) Species Mix: 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 number of species to be planted shall vary according to the overall number of trees required to be planted. The minimum number of species to be planted are indicated in **Table 3**. Species shall be planted in proportion to the required mix. This mix shall not apply to areas of vegetation required to be preserved by law. Fifty percent (50%) of all

trees must be native's conducive to the site (ex: soil, salt, water, etc.).

(v) Native or site specific plants and vegetation shall be used to the extent possible to meet the requirements of this section.

(vi) Use of larger tree sizes: Credits for the preservation or use of trees larger than the minimum size will be as indicated in **Table 4**. Fractional measurements shall be attributed to the next lowest category.

(vii) Steps shall be taken, beginning during the time of construction, to prevent soil erosion.

(c) Shrubs and Hedges

Shrubs shall be a minimum of eighteen (18) inches in height above grade immediately after planting and in a three (3) gallon minimum container. Hedges, where required, shall be planted and maintained so as to form a two (2) foot or higher continuous, unbroken, solid visual screen within a maximum of one (1) year after the time of planting with a 24-30" maximum on center spacing.

(d) Vines

Vines shall be in a three (3) gallon container (minimum size) and a minimum of eighteen (18) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements with a maximum 36" on center spacing.

(e) 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 nine (9) months after planting with an on center spacing of 12-18".

(f) Lawn Grass

Grass areas shall be planted in species normally grown as permanent lawns in St. Lucie County. Grass areas shall be sodded or seeded, (if approved for bahia) and must have irrigation to be established. Solid sod only 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. Sod on steep slopes shall be pinned or staked.

TABLE 3
REQUIRED SPECIES MIX

REQUIRED NUMBER OF TREES	MINIMUM NUMBER OF SPECIES
11-20	2
21-30	3
31-40	4
41+	5

TABLE 4
CALCULATION OF TREE SIZE CREDITS

CROWN SPREAD OF PROPOSED TREES	and	HEIGHT OF PROPOSED TREE	=	NUMBER OF TREE CREDITS
17 or more feet		25 feet and above		4
13-16 feet		17-24 feet		3
6-12 feet		13-16 feet		2
less than 6 feet		12 feet or less		1

(g) Synthetic Lawns

Synthetic or artificial turf shall not be used in lieu of the plant requirements in this Ordinance.

(h) Synthetic Plants

Synthetic or artificial materials in the form of trees, shrubs, ground covers, or vines shall not be used in lieu of the plant requirements in this Ordinance.

(6) Low Maintenance, Site Specific Landscaping

Low maintenance, site specific landscaping practices shall be required of all new development and redevelopment within the Village.

(7) Replacement Requirements

Vegetation that is required to be planted or preserved by this code shall be replaced by equivalent vegetation if it is not living within one year of issuance of a certificate of occupancy. Preserved trees which subsequently die shall, within 90 days of death and on a continual basis, be replaced by the requisite number of living trees according to the standard established in subsection E above.

(B) General Landscaping Requirements

(1) Required Landscaping Adjacent to Public Rights-of-Way

When any off-street parking area or other vehicular use area will not be entirely screened by an intervening building or structure from an abutting right-of-way, the area shall be designed and landscaped as follows:

- (a) A strip of land at least ten (10) feet along a right-of-way of less than 100 feet or 15 feet along a right-of-way of 100 feet or greater in depth shall be located between the abutting right-of-way and the off-street parking area which shall be landscaped to include one (1) tree for each thirty (30) linear feet of abutting right-of-way or major fraction thereof. Such trees shall be located between the abutting right-of-way and off-street parking area. In addition, a hedge, wall, or other durable landscaping barrier shall be placed along the interior perimeter of the landscaped strip. If such a barrier is of non-living materials, for each ten (10) feet or major fraction thereof, one (1) shrub or vine shall be planted abutting such barrier. Such shrubs or vines shall be planted along the street side of such barrier, unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier.
- (b) All property lying between the right-of-way and off-street parking area other than the required landscaped strip shall be landscaped with at least grass or other natural ground cover.
- (c) Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the parking or other vehicular use areas.

(2) Perimeter Landscaping Relating to Abutting Properties

- (a) 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 that goes in at a height of 42" in a seven (7) gallon container and not less than six (6) feet in height within two (2) years after planting to form a continuous screen 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. A six (6) foot high masonry wall set in a ten (10) foot wide landscaped buffer area may be substituted for the required six (6) foot high planted buffer.
- (b) In addition, one (1) tree shall be provided or preserved for each thirty (30) linear feet or major fraction thereof of such landscape barrier. Such trees shall be located between the common lot line and the off-street parking area or other vehicular use area. Each such tree shall be planted in at least one hundred (100) square feet of planting area with a minimum dimension of at least ten (10) feet. Each such planting area shall be landscaped with grass, ground cover, or other permeable material in addition to the required tree. Trees shall not be planted under overhead powerlines.
- (c) When a proposed parking area abuts an existing hedge, wall, or other durable landscape barrier on abutting property, said existing barrier may be used to satisfy the landscape barrier requirements of this subsection provided that said existing barrier meets all applicable standards of this Ordinance and protection against vehicular encroachment is provided by hedges.

(3) Parking Area Interior Landscaping

- (a) Surface parking and other vehicular use areas shall have at least one (1) square foot of interior landscaping for each forty (40) 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 (100) square feet and shall have a minimum dimension of at least ten (10) feet and shall include at least one (1) tree with the remaining area adequately landscaped with shrubs, ground cover, or other authorized landscaping materials not to exceed three (3) feet in height. The total number of trees planted or preserved shall not be less than one (1) for each one hundred (100) square feet or major fraction thereof of required interior landscaped area.
- (b) 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.
- (c) Design of mandatory terminal islands: Each row of parking spaces shall be terminated by landscape islands which measure not less than ten (10) feet in width and eighteen (18) feet in length. At least one (1) tree shall be planted or preserved in each mandatory terminal island.

- (d) Design of interior grade-level tree planting areas:
Trees required to be planted or preserved by this subsection may be distributed throughout the interior of an off-street parking area in any way that encourages adequate shading of parked motor vehicles and visual access. Grade level tree planting/preservation areas shall be located at the common intersection of four (4) parking spaces. The minimum area of a tree planting area shall be one hundred (100) square feet. The minimum dimensions shall be ten (10) feet by ten (10) feet. Trees shall be planted or preserved on center at the point of intersection of the four parking spaces. The ground within the tree planting/preservation area shall receive appropriate landscape treatment, including mulch or ground cover. No parking asphalt or concrete base material to be in any landscape areas.
- (e) Curbing requirements: Mandatory terminal islands shall be surrounded with a continuous, raised curb. Interior tree planting areas shall either be protected from the encroachment of motor vehicles by equally effective techniques.
- (f) Street signage: Low monument signs that can be seen below the tree canopy (8' tall or less) are encouraged so trees do not block signs.

(4) 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:

- (a) 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 ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the two (2) other sides.
- (b) 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.

(5) Landscaped Buffer Areas Between Non-Residential and Residential Uses

- (a) Between non-residential and residential uses: Buffer areas between non-residential and residential uses shall be landscaped with a wall or hedge or other durable landscaped barrier of at least five (5) feet in height that forms a continuous screen between the uses. If such barrier is of non-living material, one (1) shrub or vine shall be provided for every three (3) linear feet

of the barrier or major fraction thereof on the side of the barrier toward the residential use. In addition, one (1) tree shall be planted or preserved for each thirty (30) feet of buffer area. Planting material shall consist of site specific, non-invasive species. Landscaped buffers must be provided with automatic irrigation systems.

- (b) Between wetlands: A minimum ten (10) foot buffer shall be established between any use, residential or non-residential, and any wetland as determined in **Section 5.3.0** of this Code.

(6) Off-Street Loading Spaces

All off-street loading spaces 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 42" in height in a 7 gallon minimum container when planted and that can be expected to reach at least six (6) feet in height within two (2) years. 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.

(7) Existing Off-Street Parking and Loading Lots

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

(8) Required Landscaping for Existing Off-Street Parking

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

(C) Landscape Plan Requirements

- (1) A landscape plan is required for any Non-Residential or Multi-Family site plan or development, and shall include:
 - (a) A separate landscape plan page for the sole purpose of delineating the landscape design and details, and reflecting:
 - (i) Designers name and credentials if applicable (Landscape Architect, Architect, Florida Certified Landscape Designer [FCLD], Engineer, other).
 - (ii) Drawing to scale and show the scale in the details (ex: 1" = 8').
 - (iii) North Arrow.
 - (iv) Client/Job name.
 - (v) Job Address.
 - (vi) Date of Design.
Date and number of revision if it is a revision.

- (b) Plant list with the following details:
 - (i) If symbols used, an abbreviation or symbol description.
 - (ii) Quantity of each plant size plants.
 - (iii) Common or botanical name.
 - (iv) Container size or if Balled and Burlapped.
 - (v) Specification of shrubs (ex: height, container size, on center [o.c.] spacing as/if required, etc.).
 - (vi) Specification of trees, palms (height, spread, caliper).
- (c) Legend should also include:
 - (i) Number of existing trees to remain.
 - (ii) Number of new trees or palms required.
 - (iii) If percentage of natives required, show calculations.
 - (iv) Show number of different tree varieties required.
- (d) Any planting or staking details.
- (e) Irrigation:
 - (i) Automatic Irrigation required.
 - (ii) 100% coverage.
 - (iii) Separate zones for turf than planter beds (not on same zones).
 - (iv) Electronic valves and timer clock required.
 - (v) Note if large trees require individual irrigation (ex: bubblers, micro jet, etc.).
 - (vi) Automatic Rain Shut Off required.
 - (vii) Location of well and size.
- (f) Plans should also show existing conditions that will be incorporated, i.e.:
 - (i) Existing walks, drives, structures, hardscape, trees, etc.
 - (ii) Tree barrier description or detail when existing trees remain.
- (g) Sod:
 - (i) If any is to remain - show the areas, where new sod needed and scope of area to be sodded to be included.
 - (ii) All disturbed areas to be sodded to be denoted on plan.
 - (iii) What type of sod is to be used.

Bahia does not require permanent irrigation coverage, but Floritam and most others do. Bahia does require temporary irrigation to get established during dry periods, however.

(iv) Sod is not required in the bottom of wet detention areas, but should be in dry detention areas.

(v) If and where seed is to be used and if so details of its needs.

- Watering, etc.

(h) Other:

(i) Delineate any existing native/natural micro communities that are to remain undisturbed.

These areas are encouraged and do not require any irrigation.

(ii) Florida #2 trees may be used, but only in non-vehicular, non-pedestrian areas, like buffer areas, or detention areas, that are not abutting vehicle or pedestrian use areas. If #2 material is to be used it should be denoted as such on the plan.

(iii) Any other special details, if desired and applicable, like:

Tree relocating, and procedures;

Balled and Burlapped requirement and/or handling instructions.

2. This ordinance shall become effective immediately upon passage or as soon thereafter as is permissible by law.

3. Except as amended hereby, the St. Lucie Village Zoning Ordinance as adopted by Ordinance 95-3, and subsequently amended, shall remain in full force and effect.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this 21st day of February, 2012.

APPROVED:
BOARD OF ALDERMEN OF THE TOWN OF
ST. LUCIE VILLAGE, FLORIDA

By: William G. Thies
William G. Thies, Mayor

ATTESTED:

By: Diane C. Orme
Diane C. Orme, Clerk

I, DIANE C. ORME, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance 2012-4 which was duly introduced, read and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this 21st day of February, 2012.


DIANE C. ORME, CLERK