



Planning and Zoning: Summary of Landscaping Regulations

This is a summary of Chapter 21-Landscaping in North Port's Unified Land Development Code. This chapter includes regulations regarding trees in addition to those found in Chapter 45-Tree Protection. Chapter 21 is 22 pages in length. References to the sections of the ordinance are provided below so that a more comprehensive review can be made by interested parties.

Intent (Section 21-2)

It is the intent of the City Commission of the City of North Port to promote the health, safety and welfare of existing and future residents of and visitors to the City by establishing minimum standards for the installation and continued maintenance of landscaping within the City of North Port.

The preservation of native vegetation is a stated goal in the City's Comprehensive Plan. **(Section 21-3)**

Landscaping helps preserve the quality of ground water; the aesthetics of areas; environmental factors like air quality, aquifer recharge, noise reduction, and shade; increases land value; and through all of these factors has a positive psychological impact on the human mind. **(Section 21-4 A)**

General design principles are to be maintained, not only to insure the positive environmental factors, but to get the most aesthetic benefit as well. Natural and built features of a property should be integrated into the landscaping, native vegetation should be preserved when possible, landscaping should be used in combating erosion, the growth and ultimate size of trees and plants should be accounted for, all these and other factors need to be considered when installing landscaping. **(Section 21-4 B)**

These regulations shall apply to any new property development including new minor site development or to the expansion of existing development. These regulations shall not apply to a development which is governed by a valid site development plan or a valid building permit accepted prior to its effective date. However, the policy of the City shall be to encourage adherence to the provisions and the intent of this chapter for all categories of existing development. **(Section 21-5 A)**

There are exemptions for commercial nurseries, agricultural uses, expansion of single or two-family dwellings, or the expansion of an existing development by <50%. Requirements can be suspended temporarily due to environmental issues like a freeze or drought, but a written agreement that the landscaping requirements will be satisfied when those conditions pass must be agreed. **(Section 21-5 B and C)**

There is a long list of prohibited plants. **(Section 21-6)** To see the complete list reference the code directly.

There are minimum requirements for the number of trees and shrubs to be planted as part of a landscaping plan. Residential single family and duplexes require a 35% canopy and three shrubs for every 2,500 square feet; Multifamily developments require more priority trees and 10 shrubs for every acre; Mobile homes require 2 trees per lot and 3 shrubs for every 2,000 square feet; Agriculture lots require 10 trees per acre; Government uses require 5 trees per acre and 10 shrubs for every 2,000 square feet;;and lastly, for commercial, industrial, parkland, and planned community development, 100% coverage will be sought for any area that is not the building, open storm water systems, or an impervious surface. **(Section 21-7)**



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It is the intent of the City that parking facilities and other vehicular use areas be both functional and aesthetically pleasing. A minimum of ten square feet of landscaping for each parking space shall be provided within the interior of an off-street parking area. Where there are rows of parking, every fourth row of the parking area shall be designed with a solid landscape strip at least ten feet in width where all parking spaces shall abut. Additional requirements, exceptions to, and variations on this layout are available along with diagrams within the code, for a complete rundown please reference the section of the code directly. **(Section 21-8)**

Perimeter buffers required by this section are intended to separate different land uses from each other and are intended to eliminate or minimize potential nuisances. Buffers shall be located generally parallel and within the outer perimeter of a lot or parcel and extending to the lot or parcel boundary line. *Perimeter buffering not to be credited against interior landscaping requirements.* If a development abuts a waterway or park, additional landscape shall be required along the side that abuts the waterway or park. The type of buffer placed between uses varies in type and style dependent on the uses it is buffering, for a complete rundown please reference the section of the code directly. **(Section 21-9)**

All plant materials shall be a minimum of Florida Number One as defined in Grades and Standards Revised, Part II, as published by the Florida Department of Agriculture and Consumer Services. Exceptions and substitutions from this regulation may be reviewed and approved by the Planning and Zoning Department in order to promote the use of slow growing or native plant materials. The size of the trees planted, and the number of different species of tree are specified as well. Shrubs and Lawn areas have their own standards, and special consideration of the Myakka River Protection Zone and its additional regulations in Chapter 57 are also presented. **(Section 21-10)**

There is a Landscape crediting system with several restrictions, for instance no credit is given for preserving trees not located in the permitted clearing area; no credit is given for preserving trees protected by law; and no credit is given for protecting trees that are dead, dying, or infested. **(Section 21-11)**

Street trees will be a necessary component in the development of an area. The planting standards, location requirements, placement, and maintenance all reference various parts of the code. For a complete picture of these requirements please reference the code directly. **(Section 21-12)**

Also present within this chapter is the use of Berms and the various restrictions to insure their effectiveness; the importance of following FDOT regulations for placement of plants to insure visibility; and the requirements and use of Irrigation systems. **(Section 21-13, 21-14, 21-15)**

Prior to the issuance of any permit for major or minor site development, a landscape plan shall be submitted to, reviewed by and approved by the City Manager or designee. This includes to scale renderings of the placement of the various plants to be kept and those to be planted. **(Section 21-16)**

The City Commission may grant a variance from these landscaping regulations after consideration and recommendation by the Planning and Zoning Advisory Board and from the terms of this chapter when such variance will not be contrary to the public interest. Such variance shall not be granted if it has the effect of nullifying the intent and purpose of this chapter. Details on gaining a variance should be referenced from the code directly. **(Section 21-17)**

Enforcement, Interpretations, Conflicts, Appeals, and Severability are all presented at the end of the section and should be referenced directly. **(Section 21-18, 21-19, 21-20, 21-21)**