

Section 8.13. Soil Conservation

- (a) All drainage facilities as defined herein, located along the seawalls and in the rights-of-way shall be sodded. Drainage facilities located in side yards shall be sodded or planted with approved ground cover or living plants that will provide adequate drainage. Landscape plans must be designed by a qualified professional such as registered landscape architect, master gardener, certified arborist or certified landscape designer and submitted for approval along with the submission of an application for a building permit. All such plans shall be reviewed by the appropriate City departments including Public Works Engineering, Canal Maintenance, Urban Design and the Zoning Official or designee, pursuant to Article 12 of this Chapter, and approved before the issuance of a building permit.
- (b) Mulch materials used in drainage areas around plants shall be organic mulch, such as pine straw or needles, shredded eucalyptus or shredded melaleuca mulch or equivalent shredded organic mulch.
- (c) Organic mulch in the drainage area shall be permitted only as needed around living ground cover or living plants. Using only mulch, with no ground cover or living plant material is prohibited in any yard. Landscape planting must meet requirements found in Article 12 of this Chapter. No more than 10% of the required yard shall be covered in organic mulch unless the design is provided by a registered landscape architect and approved by Public Works Engineering, Canal Maintenance and Urban Design.
- (d) Inorganic mulch, such as, but not limited to, stone and shell, etc. is not recommended and shall not be permitted in the right-of-way or within six feet of the seawall or in any drainage area.
- (1) Inorganic mulch may be used as accent material within landscaped areas of the yard; however, such use is limited to no more than ten percent of the total required yard area and shall not be placed in any drainage area or within six feet of the seawall.
- (e) Drainage facilities with seasonal ground water levels apparent shall be sodded to the existing water elevation. All drainage leaving denuded development sites shall be filtered by sediment barriers. When natural drainage paths cross the site, temporary stormwater control measures such as turbidity screens/siltation barriers shall be used.
- (f) For the purpose of this Section, drainage facilities are defined as follows:
 - (1) The street yard right-of-way area commonly known as the swale, which is the land that lies between the street yard property line and the edge of the pavement;
 - (2) A three foot wide strip of land running along side yard property lines between properties (creating a six foot wide drainage area); or
 - (3) Six feet of land running parallel with and along all seawalls.
 - (4) Multi-family and commercial development projects and private lands designated as “greenbelts” are regulated by a separate stormwater permit issued by the Southwest Florida Water Management District (SWFWMD) and are not subject to this Section.

Chapter 26, Section 12.4(d) Residential Landscape Requirements

(8) Groundcover requirement – all development:

- a. Entire building site must be completely covered with suitable groundcovers including but not limited to sod, organic mulch and planting beds. No exposed soils shall be permitted. Organic mulch may only be used as provided in Subsection 8(e) and in no case may exceed ten percent of any yard unless specifically permitted herein. The use of rubberized pellets is specifically prohibited.
- b. Groundcover plants shall be planted no more than 24 inches apart for 1 gallon pots or 12 inches apart for 4 inch pots. Complete coverage must be maintained within 6 months. Zoning inspections shall be made at three month intervals. Any areas with exposed soils at the end of 6 months shall be covered with sod and maintained. All groundcovers must be maintained at a height of less than 12 inches at all times.
- c. Wherever used, sod shall be installed with no gaps or overlaps, so as to present a finished appearance and prohibit erosion of the planted area.
- d. The use of any inorganic mulch, including but not limited to pebbles or shells to cover the soil surface, is not recommended. In no case may inorganic mulch exceed ten percent of any yard area not covered by the building footprint.
- e. Organic or inorganic mulch may only be used as necessary around trees and landscaped area and may not be used in lieu of sod or approved ground covers for lawn areas.
- f. Building sites exceeding ten percent organic mulch may be permitted based on a design provided by a qualified professional, such as a registered landscape architect, master gardener, certified arborist or certified landscape designer. Alternative planting plans are subject to the review and approval of Public Works Engineering, Canal Maintenance and the Urban Design Divisions.