



City of Port St. Lucie

Planning and Zoning Department Memorandum

TO: Gregory J. Oravec, City Manager

FROM: Daniel Holbrook, AICP 
Director of Planning and Zoning

RE: Screening of Recycling Dumpsters

DATE: September 18, 2012

RECEIVED

SEP 18 2012

City Manager's Office

Per your request, this memo is being provided to detail the history of the City's code requirements for the provision and screening of recycling dumpsters. The City's code requirements have been amended six times since 1994. Copies of the ordinances and adopted language are attached.

- 1) **Ordinance 94-5** adopted on February 14, 1994, amended Section 153.04(I) of the City's Landscape Code to require that recycling dumpsters be screened from view on all sides by a five foot high masonry wall or wooden fence and be gated. A location for recycling dumpsters was not required to be provided on commercial, office or multifamily sites by this ordinance, rather it was an option. A provision was added in the ordinance that allowed the Site Plan Review Committee to waive the screening of decorative recycling dumpsters after reviewing details for the proposed dumpster location and design. The minutes of the City Council indicate that the new requirement would not affect existing dumpsters, but new projects or projects where there is substantial change would have to comply. A copy of the minutes is attached.
- 2) **Ordinance 02-125** adopted on November 12, 2002 amended Section 153.04 (I) of the Landscape Code to delete the option that a wooden fence could be used for screening, so all future enclosures would be required to be masonry walls. The amendment also required that commercial, office and multifamily development provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized and allowed the Site Plan Review Committee to waive or modify the screening of decorative recycling dumpsters.
- 3) **Ordinance 03-124** adopted on July 28, 2003 amended Section 153.04(I) to require the gate to the recycle dumpster to have a sign indicating "recycle". The provision that the Site Plan Review Committee could waive or modify the screening of decorative recycling dumpsters was deleted and replaced with a provision that the

size of the recycling dumpster enclosure could be modified.

- 4) **Ordinance 06-41** adopted on May 22, 2006 added a provision that properties with a Professional zoning designation could have a 6 ft. by 12 ft. recycling dumpster enclosure instead of the 12 ft. by 12 ft. enclosure required in the other zoning designations.
- 5) **Ordinance 07-09** adopted on January 22, 2007 added the requirement that gates shall be constructed of solid material (wood, metal, etc.)
- 6) **Ordinance 12-01** adopted on January 23, 2012 reorganized the code to move the requirements for location, number, screening and size of refuse collection and recycling areas from Chapter 153, Landscape Code to a new Section 158.232 of the Zoning Code. The code currently requires recycling dumpsters to be screened by a five foot high masonry wall and have a solid gate with a recycle sign.

There are currently sites within the City that have unscreened recycling dumpsters that do not meet the City's code requirements. The property owners have been cited by Code Enforcement. The question remains as to whether or not the City Code should be changed to allow unscreened recycling dumpsters or should the existing code be adhered to.

RECEIVED

JAN 26 1994

City Manager's Office

*Draft - Council Meeting
excerpt 1/24/94*

**ORDINANCE 94-5, ADOPTING REVISIONS TO CHAPTER 153, LANDSCAPE CODE
FOR THE CITY OF PORT ST. LUCIE, FLORIDA, P93-74**

The City Clerk read Ordinance 94-5 aloud by title only.

Mayor Minsky opened the public hearing.

A gentleman came to the lectern and said his name is Fred Cook, a resident of Port St. Lucie. He said that on this particular item, he would like to call Council's attention to the requirement to put fences around the various containers that are placed in various parking lots in the City, i.e., churches, public parking lots, and business areas where people drop off their newspapers. These containers are quite large and are placed at these locations by the people who do the recycling of newspapers. The people in the various areas who have these should not be made to hide them from view because it will be difficult for the those who want to deposit the newspapers in these particular containers if they are fenced. The containers have little doorways on each side, so that the fenced areas around them would have to be quite a bit larger than the container, and the people will probably get discouraged and put the newspapers in the normal recycling by the collection company. This will take away from some of the organizations which are using this particular method of collection of newspapers to get money to keep up their facilities. It will be a hardship because the money is used to maintain the grounds around some of the churches. He asked if Council will take a second look at that particular feature.

Vice-Mayor Christensen referred to Page 7 (I), The Screening of Refuse Collection Areas, which references recycling dumpsters. She said that she never considered those dumpsters for newspaper collection as a recycling dumpster because she interpreted that as businesses having cardboard containers next to their regular garbage dumpster. She said that the type of item Mr. Cook is talking about is in front of shopping centers.

Mayor Minsky asked Mr. Sickler if this type of recycling dumpster falls under this ordinance. Mr. Sickler answered in the affirmative, and noted that the same discussion took place at the Planning and Zoning Board Meeting. A board member commented that the churches and charities have the same obligation to keep things looking good as any other business, and it moved to keep that in there. It will not affect existing dumpsters, but will affect any new projects or projects where there is substantial change would have to comply.

A gentleman came to the lectern and said his name is Jack Crahan, and he is the President of the St. Lucie County Chamber of Commerce, and a resident of the City. The program of work for the 1993-94 time period has been advocated for the well planned,

ORDINANCE 94-5

AN ORDINANCE ADOPTING REVISIONS TO CHAPTER 153, LANDSCAPE CODE FOR THE CITY OF PORT ST. LUCIE, FLORIDA; PORT ST. LUCIE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That the Port St. Lucie City Code is hereby amended by revising Chapter 153, which said chapter reads as set forth in Exhibit A attached hereto and be reference incorporated herein.

Section 2. This ordinance shall become effective ten (10) days after its final adoption.

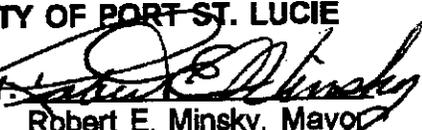
PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida this 14th day of February, 1994.



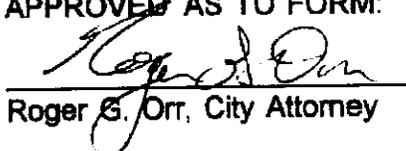
Sandra K. Johnson, City Clerk

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY:


Robert E. Minsky, Mayor

APPROVED AS TO FORM:


Roger S. Orr, City Attorney

cc: Pfanner,
Code Co. 1
File 1

ORDINANCE 94-5

5. When not required. Interior landscaping is not required when the paved portion of the lot is 5,000 square feet or less.
- G. Landscaped buffer area. Where commercial, industrial, institutional, and public facility areas abut property to the side or rear which is designated with a zoned residential or open space land use areas, a landscaped buffer area consisting of an architectural wall, along with trees, shrubs, hedges, or other landscape treatment at least ten feet in depth shall be provided. ~~The landscaped buffer shall be designed not less than six feet in height within two years after planting to form a continuous, opaque screen between the commercial or industrial area and the abutting property. This landscaped barrier shall be located along the common lot line. A six-foot high masonry wall running along a road or drainage right-of-way or wooden fence shall be set a minimum of five feet inside the property line to provide an area on the outside for landscaping and maintenance. in a ten foot wide landscaped buffer area may be substituted for the required six foot high planted buffer. The fence~~ The wall shall be permanently maintained and kept in an acceptable state of repair. In addition, one tree shall be provided for each ~~60~~ 30 lineal feet of such landscaped barrier or fractional part thereof. The remainder of the required landscaped area shall be landscaped with grass, ground cover, shrubs, hedges, or other landscape treatment, excluding paving. A six foot high opaque fence shall be used as a buffer between developed residential homes within the conversion area. Pedestrian access may be required at locations to provide access to the adjoining neighborhoods and for landscape and wall maintenance.
- H. Perimeter landscaping for open lot storage areas. Open lot storage areas shall be landscaped on all sides as in division (G) with the option of wood or chain link opaque fencing in lieu of a wall, except for necessary accessways for ingress and egress from the open lot storage areas, and where the storage area is screened from view from surrounding property by intervening buildings and structures.
- I. Screening of refuse collection areas. Refuse and recycling dumpsters utilized by multi-family residential complexes, and commercial, industrial, and institutional facilities shall be screened from view on all sides and shall be gated. Gates may be left open only on scheduled pick up days, and must be closed following pick up. ~~except for the necessary accessway to allow collection by the city's designated contractor.~~ Such screening shall consist of a five foot high masonry wall or wooden fence. In addition, when feasible one shrub or vine shall be planted at two foot centers along the outside perimeter of the screen. Dumpsters shall be located in an area that minimizes public view. The Site Plan Review Committee may waive the screening of decorative recycling dumpsters after reviewing details for the proposed dumpster location and design.
- J. Other areas. All property, except for land utilized for principal structures, accessory structures, off-street parking areas, other vehicular use areas, and required landscaped areas shall be landscaped with at least grass, ground cover, or mulch.
- K. Single-family residential landscaping. A minimum of four trees per lot is required at the time of issuance of a certificate of occupancy in single-family residential areas. Each tree shall be a minimum of ~~eight twelve ten~~ eight feet overall height when planted with a minimum four foot spread. At planting, the trees shall have a diameter of at least one and five tenths (1.5) inches at a point 4.5 1.5 feet above ground level ~~feet high with a minimum caliper of at least two and five tenths (2.5) inches at a point one foot above ground level~~ and shall be of a type or species indicated as approved desirable trees in Table 1 pursuant to that list adopted by the City Council according to the provisions of 153.21. Existing healthy trees may be used to satisfy this requirement.

ORDINANCE 02- 125

AN ORDINANCE AMENDING CHAPTER 153 LANDSCAPE AND LAND CLEARING CODE OF THE CITY OF PORT ST. LUCIE; PROVIDING AN EFFECTIVE DATE.

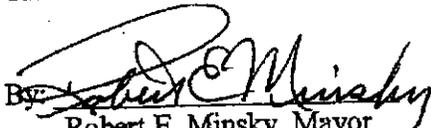
THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That Chapter 153 Landscape and Land Clearing Code is hereby amended as indicated in Exhibit "A" as attached with additions shown as underlined and deletions shown as ~~stricken through~~.

Section 2. That this ordinance shall become effective ten (10) days after its final adoption.

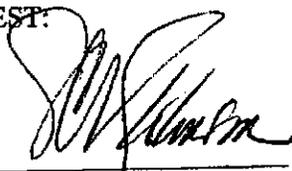
PASSED AND APPROVED by the City Council of the City of Port St. Lucie, this 12th day of November, 2002.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

By: 
Robert E. Minsky, Mayor

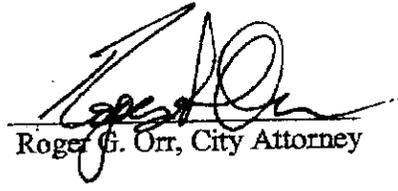


ATTEST:



Sandra K. Johnson, City Clerk

APPROVED AS TO FORM:


Roger G. Orr, City Attorney

(I) **Screening of Refuse Collection and Recycling Areas.** Refuse and recycling dumpsters utilized by multi-family residential complexes, and commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated, unless indicated otherwise. Gates may be left open only on scheduled pick up days, and must be closed following pick up. Such screening for refuse and recycling dumpsters shall consist of a five foot high masonry wall. ~~or wooden fence.~~ In addition, when feasible one shrub or vine shall be planted at two foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least 12 foot by 12 foot in area. Dumpsters shall be located in an areas that minimizes public view. Gates shall not face a street, whenever possible. All uses, excluding single family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than 5 units per acre may be exempt from providing locations for refuse dumpsters provided that the waste service provider agrees to provide this service. Commercial, office, and multifamily development greater than 5 dwelling units per acre shall also provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site Plan Review Committee may waive or modify the screening of decorative recycling dumpsters after reviewing details for the proposed dumpster location and design

(J) **Other Areas.** All property, except for land utilized for principal structures, accessory structures, off-street parking areas, other vehicular use areas, and required landscaped areas shall be landscaped with at least grass, ground cover, or mulch.

(K) **Single-family Residential Landscaping.** A minimum of four trees per lot selected from Appendix C: Type A Tree List is required at the time of issuance of a certificate of occupancy in single-family residential areas. Each tree shall be a minimum of eight feet overall height when planted with a minimum four foot spread. At planting, the trees shall have a diameter of at least 1.5 inches at a point 1.5 feet above ground level and shall be of a type or species indicated as approved trees in Table 1. Existing non-exotic healthy trees may be used to satisfy this requirement.

(L) **Landscaping around of Building Facades.** A landscape strip between 5 and 20 feet shall be located around the perimeter of a building that is visible to the general public, patrons, or residents, unless noted otherwise. Also, refer to §153.04(G)(3) - Landscaping between Buildings and Vehicular Use Areas, §153.03(B) - Multifamily Development, and 153.03 (C) - Industrial Development. Landscaping shall be designed to integrate be complimentary to the building facade. Plantings shall include trees, hedging, and ground cover placed around against the buildings to enhance the public view. There shall be at least 1 shrub for every 1.5 linear feet of a building's perimeter, excluding paved access areas, and the shrubs shall be at least 24" in height at the time of planting. One tree or palm (Appendix C, Table 1, Type A or B) is required for every 30 linear feet of the building's perimeter. Note: A wider landscape strip permits more area to plant required trees and shrubs.

(M) **Removal of Exotic Vegetation.** All new development and redevelopment shall be required to remove all pestilent exotic vegetation including, at a minimum, *Melaleuca leucadendra* (Punk Tree), *Schinus terebinthifolius* (Brazilian Pepper), and *Casuarina species* (i.e., Australian Pine), *Acacia auriculiformis* (Earleaf Acacia), *Albizia lebbek* (Woman's Tongue), *Bishofia javanica*

ORDINANCE 03-104

AN ORDINANCE AMENDING CHAPTER 153 LANDSCAPE AND LAND CLEARING CODE OF THE CITY OF PORT ST. LUCIE; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

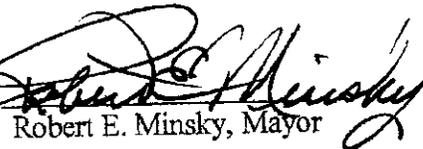
Section 1. That Chapter 153 Landscape and Land Clearing Code is hereby amended as indicated in Exhibit "A" as attached with additions shown as underlined and deletions shown as ~~stricken through~~.

Section 2. That this ordinance shall become effective ten (10) days after its final adoption.

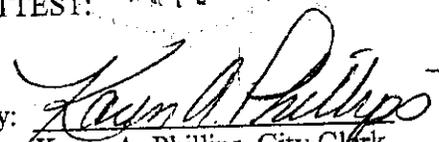
PASSED AND APPROVED by the City Council of the City of Port St. Lucie, this 28th day of July, 2003.



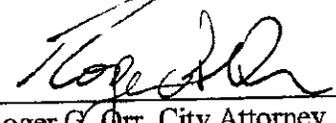
CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: 
Robert E. Minsky, Mayor

ATTEST:

By: 
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By: 
Roger G. Orr, City Attorney

(3) **Curbing.** All interior landscaping areas shall be curbed to prevent vehicular encroachment. Required curbing shall conform to FDOT type D or F.

~~(4) **Shade Trees.** At least 75% of the shade trees located within landscape islands shall be evergreen. See Appendix C Table 1 located at the end of this chapter. Relocated to 153.04 (C)(7)(g).~~

(I) **Screening of Refuse Collection and Recycling Areas.** Refuse and recycling dumpsters utilized by at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated, ~~unless indicated otherwise.~~ Gates may be left open only on scheduled pick up days and must be closed following pick up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least 12 foot by 12 foot in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single-family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than 5 units per acre ~~shall~~ may be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up ~~this~~ service. Commercial, office, institutional, and multifamily development greater than 5 dwelling units per acre shall ~~also~~ provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site Plan Review Committee may ~~waive or modify~~ the size required screening of decorative for the recycling dumpsters enclosure after reviewing details for the proposed dumpster location and design, and considering the size of the building and type of use.

(J) **Other Areas.** All property, except for land utilized for principal structures, accessory structures, off-street parking areas, other vehicular use areas, and required landscaped areas shall be landscaped with at least grass, ground cover, or mulch.

(K) **Single-family Residential Landscaping.** A minimum of four trees per lot selected from Appendix C: Type A Tree List is required at the time of issuance of a certificate of occupancy in single-family residential areas. Each tree shall be a minimum of eight feet overall height when planted with a minimum four foot spread. At planting, the trees shall have a diameter of at least 1.5 inches at a point 1.5 feet above ground level and shall be of a type or species indicated as approved trees in Table 1. Existing non-exotic healthy trees may be used to satisfy this requirement.

(L) **Landscaping around Building Facades.** A landscape strip between 5 and 20 feet shall be located around the perimeter of a building that is visible to the general public, patrons, or residents, unless noted otherwise. Also, refer to §153.04(G)(3) - Landscaping between Buildings and Vehicular Use Areas and §153.03(B) - Multifamily Development, ~~and 153.03 (C) - Industrial Development.~~ Landscaping shall be designed to be complimentary to the building facade. Plantings shall include trees, hedging, and ground cover placed around the buildings. There shall be at least 1 shrub for every 1.5 linear feet of a building's perimeter, excluding paved access areas, and the shrubs shall be at least 24" in height at the time of planting. One tree or palm (Appendix C, Table 1, Type A or B) is required for every 30 linear feet of the building's perimeter. Note: A wider landscape strip permits more area to plant required trees and shrubs.

ORDINANCE 06-41

COUNCIL ITEM 8A
DATE 5/22/06

COUNCIL ITEM 10A
DATE 5/8/06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY PORT ST. LUCIE, FLORIDA: AMENDING SECTION 153.04 'SCREENING OF REFUSE COLLECTION AND RECYCLING AREAS'; PROVIDING AN EFFECTIVE DATE.

Section 1. That Section 153.04, Code of Ordinances of the City of Port St. Lucie, Florida, is hereby amended as follows:

§ 153.04 LANDSCAPING REQUIREMENTS

To ensure that the landscaping provided is adequate to meet the intent of this subchapter, the following requirements are specified:

(l) **Screening of Refuse Collection and Recycling Areas.** Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated. Gates may be left open only on scheduled pick up days and must be closed following pick up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least 12 ft. by 12 ft. in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single-family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than 5 units per acre shall be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up service. Commercial, office, institutional, and multifamily development greater than 5 dwelling units per acre shall provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site Plan Review Committee may modify the size required for the recycling dumpster enclosure after reviewing and considering the size of the building and type of use. For those properties with a P (Professional) zoning designation, a 6 ft. by 12 ft. recycling dumpster is permitted.

Additions to text are indicated by underline; deletions by ~~strikeout~~.

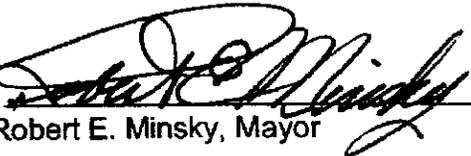
ORDINANCE 06-41

Section 2. This ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida,
this 22nd day of May, 2006.

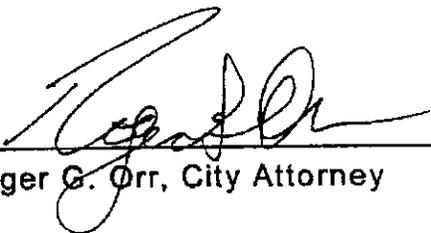


CITY COUNCIL
CITY OF PORT ST. LUCIE

By: 
Robert E. Minsky, Mayor


Karen A. Phillips, City Clerk

APPROVED AS TO FORM:


Roger G. Orr, City Attorney

Additions to text are indicated by underline; deletions by ~~strikeout~~.

REVISED

COUNCIL ITEM 8I
DATE 1/22/07

ORDINANCE 07-09

AN ORDINANCE AMENDING THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, AMENDING SECTION 153.04(I) SCREENING OF REFUSE COLLECTION AND RECYCLING AREAS; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That Port St. Lucie City Code, Section 153.04(I) 'Screening of Refuse Collection and Recycling Areas', is hereby amended to read as follows:

§ 153.04(I) Screening of Refuse Collection and Recycling Areas. Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated. Gate facing shall be constructed of a solid material with the option of using wood, metal or other "solid" material Gate framework shall be constructed of metal. Gates may be left open only on scheduled pick up days and must be closed following pick up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least 12 feet by 12 feet in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single-family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than 5 units per acre shall be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up service. Commercial, office, Institutional, and multifamily development greater than 5 dwelling units per acre shall provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site Plan Review Committee may modify the size required for the

Additions to text are indicated by underline; deletions by ~~strikeout~~.

REVISED

ORDINANCE 07-09

recycling dumpster enclosure after reviewing and considering the size of the building and type of use. For those properties with a P (Professional) zoning designation, a 6 ft. by 12 ft. recycling dumpster is permitted.

Section 2. This ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie,

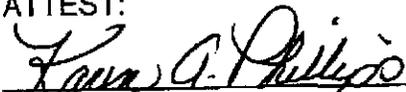
Florida, this 22nd day of January 2007.



CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: 
Patricia P. Christensen, Mayor

ATTEST:


Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

BY: 
Roger G. Orr, City Attorney

Additions to text are indicated by underline; deletions by ~~strikeout~~.

COUNCIL ITEM 8B
DATE 1-23-12

COUNCIL ITEM 10A
DATE 1/9/12

ORDINANCE 12- 01

AN ORDINANCE AMENDING OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA TO MOVE THE REGULATIONS REGARDING REFUSE COLLECTION AND RECYCLING AREAS FROM CHAPTER 153, LANDSCAPE; LAND CLEARING TO CHAPTER 158, ZONING, AND TO ADD A NEW SECTION TO CHAPTER 158 REGARDING SHARED DUMPSTER ENCLOSURES; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That Section 153.04(K) Screening of Refuse Collection and Recycling Areas is hereby amended as follows:

§153.04(K) Screening of Landscaping For Refuse Collection and Recycling Areas.
~~Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated. Gate facing shall be constructed of a solid material with the option of using wood, metal or other "solid" material. Gate framework shall be constructed of metal. Gates may be left open only on scheduled pick up days and must be closed following pick-up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen dumpster enclosure wall. Dumpster enclosures shall measure at least 12 foot by 12 foot in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multi-family development that is less than 5 units per acre shall be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up service. Commercial, office, institutional and multi-family development greater than 5 dwelling units per acre shall provide one or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The Site plan Review Committee may modify the size required for the recycling dumpster enclosure after reviewing and considering the size of the building and type of use. For these properties with a P (Professional) zoning designation, a 6 ft. by 12 ft. recycling dumpster is permitted.~~

Section 2. That Section 158.232 Refuse Collection and Recycling Areas is hereby added as follows:

§158.232 Refuse Collection and Recycling Areas.

(A) Location and Number. Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall

ORDINANCE 12- 01

be located in areas that minimize public view. Gates shall not face a street, whenever possible. All uses, excluding single-family residential uses, that generate refuse shall provide one or more locations for enclosed and gated refuse and recycling dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multi-family development that is less than 5 units per acre shall be exempt from providing locations for refuse and recycling dumpsters provided that the waste service provider agrees to provide curbside pick-up service.

(B) Screening. Refuse and recycling dumpsters shall be screened from view on all sides and shall be gated. The enclosure shall consist of a five-foot high masonry wall. Gate facing shall be constructed of a solid material with the option of using wood, metal or other "solid" material and shall have a sign attached indicating "recycle". Gate framework shall be constructed of metal. Gates may be left open only on scheduled pick up days and must be closed following pick-up.

(C) Size. Dumpster enclosures shall measure at least 12-foot by 12-foot in area. The Site plan Review Committee may modify the size required for the recycling dumpster enclosure after reviewing and considering the size of the building and type of use. For those properties with a P (Professional) zoning designation, a 6 ft. by 12 ft. recycling dumpster is permitted.

(D) Shared Enclosures. For site plans involving less than 10,000 square feet of gross floor area for nonresidential developments or less than 50 dwelling units, dumpster enclosures may be located along or across adjoining property lines and serve two adjacent properties. The affected property owners must enter into a recorded agreement providing for perpetual joint use and maintenance of the enclosure.

ORDINANCE 12- 01

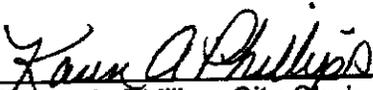
Section 3. This Ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 23RD day of January, 2012.

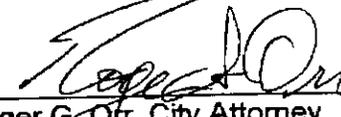
CITY COUNCIL
CITY OF PORT ST. LUCIE

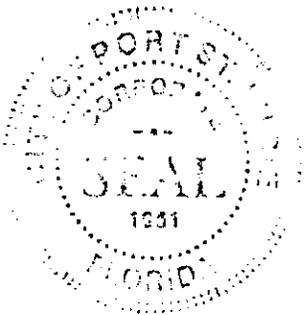
By: 
JoAnn M. Faiella, Mayor

ATTEST:

By: 
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

By: 
Roger G. Orr, City Attorney



size of the recycling dumpster enclosure could be modified.

- 4) **Ordinance 06-41** adopted on May 22, 2006 added a provision that properties with a Professional zoning designation could have a 6 ft. by 12 ft. recycling dumpster enclosure instead of the 12 ft. by 12 ft. enclosure required in the other zoning designations.
- 5) **Ordinance 07-09** adopted on January 22, 2007 added the requirement that gates shall be constructed of solid material (wood, metal, etc.)
- 6) **Ordinance 12-01** adopted on January 23, 2012 reorganized the code to move the requirements for location, number, screening and size of refuse collection and recycling areas from Chapter 153, Landscape Code to a new Section 158.232 of the Zoning Code. The code currently requires recycling dumpsters to be screened by a five foot high masonry wall and have a solid gate with a recycle sign.