



PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, April 15, 2019
4:00 P.M.**

Call to Order
Pledge of Allegiance
Roll Call

1. **Changes to the Agenda** – Agenda items to be added, moved or deleted will be addressed at this time. Items added will be assigned agenda item numbers and items that are moved will retain the same item numbers. A notation will be made that those items will be taken out of order.
2. **Audience Comments** – Three minutes per person to issues not on the agenda.
3. **Approval of Minutes**
 - a. **03/18/2019**
4. **Action Items**
 - a. **ORDINANCE 2019-08 – An Ordinance of the City of St. Pete Beach modifying the annual Capital Improvements Schedule as illustrated in Exhibit A, as per CH. 163.3177(3)(b) F.S..**
5. **Discussion Items**
 - a. **Division 22, Landscaping - Continued discussion items on what changes staff should propose to be modified, added, or removed from the Land Development Code (Staff Report and Draft changes attached).**
6. **Adjournment – Next Meeting: 05/20/2019**

The public is cordially invited to attend.

APPEAL: Florida Statutes Chapter 286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

**Electronic media must be submitted a minimum of 24 hours in advance
to cityclerk@stpetebeach.org**

All agenda material is available for review at City Hall.

PLANNING BOARD MINUTES

MARCH 18, 2019

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Marvin Shavlan, Vice Chairman
Mark Grill, Member
Tom DeYampert, Member
Kristen Bell, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Wesley Wright, Community Development Director
Brandon Berry, Planner I

The Oath of Office was administered to Mr. DeYampert prior to the meeting.

1. Changes to the Agenda

Wesley Wright, Community Development Director, indicated that Mike Clarke, Director of Public Works, is present to discuss bicycle lanes and landscaping.

2. Audience Comments

There were no audience comments.

3. Approval of Minutes

a. 2/25/2019

Vice Chair Shavlan made a motion to approve the 2/25/2019 minutes as presented. The motion was seconded by Member Grill and approved by a roll call vote with Member DeYampert abstaining.

4. Agenda Items

There were no agenda items.

5. Discussion Items

c. Bicycle Lanes and Bicycle Safety

This item was added to the agenda during “Changes to the Agenda” for discussion.

Mr. Clarke reviewed current and upcoming infrastructure projects along Gulf Boulevard and adjacent roadways, and how bike lanes would complement the proposed improvements. Mr. Clarke recommended that the City partner with bicycle organizations that foster rider safety and offer an avenue of funding.

Member Shavlan made a motion that the Planning Board recommend to the City Commission to communicate with Forward Pinellas in regard to bicycle safety design and to consider funding Gulf Boulevard for bicycle safety in its upcoming budget workshop. The motion was seconded by Member DeYampert and unanimously approved by an individual roll call vote.

Member Shavlan made a motion that the Planning Board recommend to the City Commission to consider funding a feasibility study for the bicycle lanes. The motion was seconded by Member Bell and unanimously approved by an individual roll call vote.

a. Signage

Brandon Berry, Planner I, presented examples of approved signs in each District within the City, as well as regulations governing various types of signs such as illumination, size and placement.

b. Landscaping and Lighting

Chairwoman Secka asked the Board to postpone discussion of landscaping issues until the April 15th meeting so that Mike Clarke can be present.

Marlene Hughes, 640 64th Avenue, asked the Board to review the City’s landscaping policies as part of the next discussion.

6. Adjournment – Next Meeting: 04/15/2019

There being no further business to come before the Board, the meeting was adjourned at 5:30 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Tiffany Secka, Chairwoman

Minutes approved on: _____



**DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF FINDINGS REPORT TO THE
PLANNING BOARD**

ORDINANCE NO.: 2019-08

ANNUAL UPDATE OF THE 5-YEAR CAPITAL IMPROVEMENT SCHEDULE

DATE: 15 April 2019

PREPARED BY: Community Development

The purpose of this ordinance is to adopt the Annual Update of the five-year Capital Improvements Schedule for the Capital Improvements Element, Chapter VIII of the Comprehensive Plan and is reflected of the City Commission adopted FY 2018-2019 budget.

BACKGROUND

In accordance with Chapter 163.3177(3)(b), Florida Statutes, The City of St. Pete Beach is required to review the Capital Improvements Element on an annual basis and, specifically to update the five-year Capital Improvements Schedule. Adoption of the annual update of the five-year Capital Improvements Schedule may be accomplished by ordinance and may not be deemed to be an amendment to the local comprehensive plan.

The Capital Improvements Element is required "...to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities..." (F.S. 163.3177(3)(a)). The Element must include a schedule of capital improvements that includes any publicly funded projects to achieve and maintain level-of-service standards.

FINDINGS OF FACT

1. The Finance and Budget Committee reviewed, established priorities, and ranked the Capital Improvement projects on June 6, 2018.
2. The City Commission is required to review the Capital Improvements Element on an annual basis and update the five-year Capital Improvements Schedule in accordance with Chapter 163.3177(3)(b), Florida Statutes.
3. The City Commission will adopt the five-year Capital Improvement Plan for FY 2019 – FY 2023 at an advertised public hearing on April 23, 2019, and this schedule has been prepared utilizing the data provided in that document.

Recommendation.

Upon review of the City's guiding documents and those of the County and State, staff recommends approval of Ordinance Number 2019-08.

Ordinance 2019-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, MODIFYING THE ANNUAL CAPITAL IMPROVMENTS SCHEDULE AS ILLUSTRATED IN EXHIBIT “A”, AS PER CH. 163.3177(3)(b) F.S.; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Statutes chapter 163.3177(3)(a) requires the local government to adopt and incorporate a Capital Improvement Element into its Comprehensive Plan; and

WHEREAS, the Florida Statutes chapter 163.3177(3)(b) requires the Capital Improvement Element be reviewed annually and adopt a Capital Improvements Schedule as part of the City’s budgeting process; and,

WHEREAS, the Florida Statutes chapter 163.3177(3)(b) authorizes the modification of its annual Capital Improvements Schedule by ordinance which is not deemed an amendment to the Comprehensive Plan; and

WHEREAS, the list of Capital Improvements shown in the Schedule includes all metropolitan planning organization’s transportation improvement program to the extent that they were used to ensure the City’s transportation levels of service were maintained; and

WHEREAS, the list of Capital Improvements shown in the Schedule, includes coordination with the water management district regarding water supply resources; and

WHEREAS, the City through the Finance and Budget committee reviewed, established priorities, and ranked Capital Improvement projects on June 6, 2018; and

WHEREAS, the City Commission deems this ordinance is in the best interest, health, safety and welfare of the citizens and visitors of the City.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Capital Improvement Schedule for years 2019-2023 is attached as Exhibit “A”.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon final passage and adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLISHED: _____

Alan Johnson, MAYOR

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2019.

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

Andrew Dickman, City Attorney

Exhibit A
City of St. Pete Beach
FY 2019 - FY 2023 Capital Improvement Plan

Summary

Project Description	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Total	Score
Streets Maintenance: Blind Pass Road Complete Streets Construction	400,000	-	-	-	-	400,000	-
Sanitary Sewer: Inflow and Infiltration Repairs Program	540,000	540,000	540,000	540,000	540,000	2,700,000	97.60
Sanitary Sewer: Lift Station 4 and 10 Repairs	44,000	-	-	-	-	44,000	93.90
Sanitary Sewer: Lift Stations 7 and 17 Repairs	-	44,000	-	-	-	44,000	93.90
Sanitary Sewer: Lift Station 13 Repair and Replacement	-	-	365,000	-	-	365,000	93.90
Sanitary Sewer: Lift Station 14 Repair and Replacement	-	-	-	230,000	-	230,000	93.90
Sanitary Sewer: Lift Station 15 Repair and Replacement	-	-	-	-	370,000	370,000	93.90
Sanitary Sewer: Lift Station 11 Repair and Replacement	-	240,000	-	-	-	240,000	93.90
Sanitary Sewer: Subaqueous Force Main 1 Replacement	350,000	5,350,000	4,100,000	-	-	9,800,000	92.00
Streets Maintenance: Gulf Winds Drive Complete Streets Reconstruction	-	400,000	1,500,000	1,500,000	-	3,400,000	81.90
Sanitary Sewer: Sewer Expansion South	2,000,000	-	-	-	-	2,000,000	81.40
Streets Maintenance: Alley Improvement - 21st Avenue to 22nd Avenue	110,000	-	-	-	-	110,000	81.05
Facilities Maintenance: ADA Program	50,000	50,000	50,000	50,000	50,000	250,000	76.95
Sanitary Sewer: Exposed Force Main 9 Replacement	-	25,000	250,000	-	-	275,000	75.50
Streets Maintenance: Street Rehabilitation Program	650,000	650,000	650,000	650,000	650,000	3,250,000	69.90
Reclaimed Water Improvements	200,000	200,000	200,000	200,000	200,000	1,000,000	62.40
Apparatus Replacements	-	690,000	435,000	950,000	500,000	2,575,000	61.70
Stormwater Management: Conveyance System and Pond Storage Maintenance	200,000	200,000	200,000	200,000	200,000	1,000,000	61.50
Stormwater Management: Local Street Flooding Mitigation Program	400,000	400,000	400,000	150,000	150,000	1,500,000	61.50
Sanitary Sewer: Pump and Lift Station Pump Rehabilitation Program	20,000	-	10,000	10,000	70,000	110,000	61.45
Facilities Maintenance: Library Improvements	400,000	-	-	-	-	400,000	60.55
Facilities Maintenance: Public Works Yard Expansion	15,000	-	-	-	-	15,000	60.00
Parks and Grounds: Public Restroom Renovations	79,000	79,000	79,000	-	-	237,000	59.60
Stormwater Management: Blind Pass Stormwater Basin Connections	10,000	-	200,000	200,000	200,000	610,000	58.05
Streets Maintenance: Vina del Mar and Boca Ciega Bridge Repairs	198,000	-	-	-	-	198,000	58.00
Sanitary Sewer: Exposed Force Mains 6 and 9 Maintenance	50,000	-	-	-	-	50,000	58.00
Parks and Grounds: Hurley Field Renovation	25,000	325,000	-	-	-	350,000	57.45
Stormwater Management: Stormwater Quality Improvements	210,000	210,000	210,000	210,000	210,000	1,050,000	57.30
Parks and Grounds: Playground Equipment Replacement	50,000	-	-	-	-	50,000	56.15
Seawall Maintenance: Maintenance Program	280,000	280,000	280,000	280,000	280,000	1,400,000	55.50
Streets Maintenance: Tidal Influenced Intersection Improvements	110,000	110,000	110,000	-	-	330,000	55.00
Facilities Maintenance: City Hall HVAC Equipment Replacement	110,000	-	-	-	-	110,000	53.00
Facilities Maintenance: Recreation Center HVAC Replacement	110,000	-	-	-	-	110,000	53.00
Seawall Maintenance: Pass-A-Grille Way from 1st Avenue to 12th Avenue	100,000	-	400,000	400,000	400,000	1,300,000	53.00

Exhibit A
City of St. Pete Beach
FY 2019 - FY 2023 Capital Improvement Plan

Summary

Project Description	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Total	Score
Facilities Maintenance: Garbage Dumpster Enclosure Replacement	50,000	100,000	100,000	-	-	250,000	52.00
Facilities Maintenance: Merry Pier Deck and Piling Replacement	257,000	-	-	-	-	257,000	51.50
Streets Maintenance: Gulf Way Resurfacing and Heat Reduction	400,000	500,000	500,000	-	-	1,400,000	50.50
Streets Maintenance: Shell Alley Maintenance Program	100,000	100,000	100,000	100,000	100,000	500,000	49.00
Facilities Maintenance: Security Assessment and Improvements Program	30,000	30,000	30,000	-	-	90,000	47.95
Streets Maintenance: Corey Avenue Street Rehabilitation	250,000	-	-	-	-	250,000	47.20
Streets Maintenance: Concrete, Brick and Masonry Maintenance and Repair	100,000	100,000	100,000	100,000	100,000	500,000	47.20
Facilities Maintenance: Historic Office Building at Pass-A-Grille Park Maintenance	35,000	-	-	-	-	35,000	42.90
Sanitary Sewer: Lift Station Emergency Operations Power and Pumps	108,000	108,000	108,000	108,000	-	432,000	41.50
Streets Maintenance: Corey Avenue Festival Electrical Service	22,000	-	-	-	-	22,000	40.50
Emergency Operations: Portable Radio Replacement	62,000	-	-	-	-	62,000	40.50
Emergency Operations: Generator Power for City Facilities	100,000	100,000	-	-	-	200,000	36.00
Facilities Maintenance: General Maintenance and Improvements Program	50,000	50,000	50,000	50,000	50,000	250,000	33.90
Emergency Operations: Florida Resilient Coastline Planning	25,000	-	-	-	-	25,000	33.00
Emergency Operations: Communications Equipment for Public Works and Fire	30,000	-	-	-	-	30,000	31.00
Parks and Grounds: Facility Grounds and Public Property Beautification Program	50,000	50,000	50,000	50,000	50,000	250,000	28.85
Streets Maintenance: Upham Beach Parking Lot Renovation	68,500	700,000	-	-	-	768,500	27.30
Parks and Grounds: Placemaking Improvements Program	110,000	100,000	50,000	-	-	260,000	22.25
Streets Maintenance: Decorative Street Signage	85,000	50,000	50,000	-	-	185,000	5.20
Beach Maintenance: Sand Dune and Beach Property Improvements Program	25,000	25,000	25,000	-	-	75,000	1.00
Funding Sources	Total	\$8,668,500	\$11,806,000	\$11,142,000	\$5,978,000	\$4,120,000	\$41,714,500
Capital Projects Fund (GF Transfer)	3,169,500	3,247,057	3,114,000	2,280,000	1,280,000	11,810,557	
Capital Projects Fund (Penny for Pinellas)	1,022,000	941,943	400,000	1,350,000	900,000	3,713,943	
Wastewater Fund	1,112,000	957,000	1,708,000	888,000	980,000	4,665,000	
Reclaimed Water Fund	200,000	200,000	200,000	200,000	200,000	800,000	
Stormwater Fund	960,000	815,000	1,265,000	905,000	655,000	3,945,000	
Debt Proceeds	2,000,000	5,350,000	4,100,000	-	-	11,450,000	
Interlocal Agreement	-	190,000	-	-	-	190,000	
Grants	205,000	105,000	355,000	355,000	105,000	1,020,000	
State Appropriation	-	-	-	-	-	-	
Total	\$8,668,500	\$11,806,000	\$11,142,000	\$5,978,000	\$4,120,000	\$41,714,500	



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & ZONING
STAFF REPORT
TO THE
PLANNING BOARD**

Land Development Code Review: Division 22 Landscaping and Tree Protection

Meeting Date: April 15, 2019

Prepared By: Wesley Wright, Director and Brandon Berry, Planner I

Item Summary

Every residential property in St. Pete Beach, when developed, is required to meet specific standards for landscaping coverage as provided in Division 22 of the Land Development Code. This Division defines the acceptable groundcover types and percentages for residential lots, the number of trees that must be planted or retained on site, and for residential properties in the denser residential districts, additional requirements for frontage landscaping and/or buffering between adjacent properties.

This application proposes amendments to add additional standards at the direction of the City Commission. The Commissioners had specifically discussed residential landscaping standards. As a complete document, staff reviewed the entire document and has offered a strike-through and underlined version of staff's recommendations.

The amendments proposed would change the residential standards to increase the trees required, require foundation landscaping, and requires invasive trees to be removed. In addition, the changes provide for clarity and design flexibility. There is also a provision added that encourages a Florida-Friendly yard.

Finally, the amendment further clarifies ground covers and the intent of the ground covers and other material to be utilized. It further clarifies lawn grass as it is the intent to have living grass instead of artificial lawns. There are also pictures proposed to be added to provide examples and further clarity to the Land Development Code.

Current Single-Family and Two-Family Residential Landscaping Standards

When an existing residential dwelling is demolished, the City requires the property owner to provide a sod bond that ensures the lot will be treated with an acceptable lawn grass within 100 working days, except in the case where construction begins, in which the sodding must be completed by the time a Certificate of Occupancy is issued. Sec. 22.4(f), as follows, regulates acceptable alternative groundcovers for residential and commercial properties:

Sec. 22.4. - Type, quality and size of plant material.

[...]

(f) Ground covers. Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance

shall stone or gravel be utilized for more than 20 percent of the minimum required pervious area. A recommended list of ground covers to be used includes, but is not limited to, the following:

Gallardia Pullchella (Gallardia)*
Helianthus Debius (Beach Sunflower)*
Lantana Camara (Dwarf Yellow Lantana)*
Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*
Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederate Jasmine)*
Trachelospernum Jasminoides (Confederate Jasmine)*
Licania michauxii (Gopher Apple)
Scaevola plumieri (Inkberry)
Stachytarpheta jamaicensis (Prone Porterweed)*
Zamia pumila (Coontie)*
Muhlenbergia capillaris (Muhley Grass)*

Most residential districts in the City require at least 30 percent of the lot to be covered in an acceptable groundcover. The City also requires a number of trees for single-family and two-family developments based on the lot size. Credit is given for existing healthy trees retained on site, with the total credit based on the diameter at breast height (DBH) for canopy trees and a fractional credit given for existing small native palms. The minimum number of trees required for new and substantially-improved single-family and two-family dwellings can be seen in the table below:

Sec. 22.5. - Landscaping for single-family and two-family dwellings.

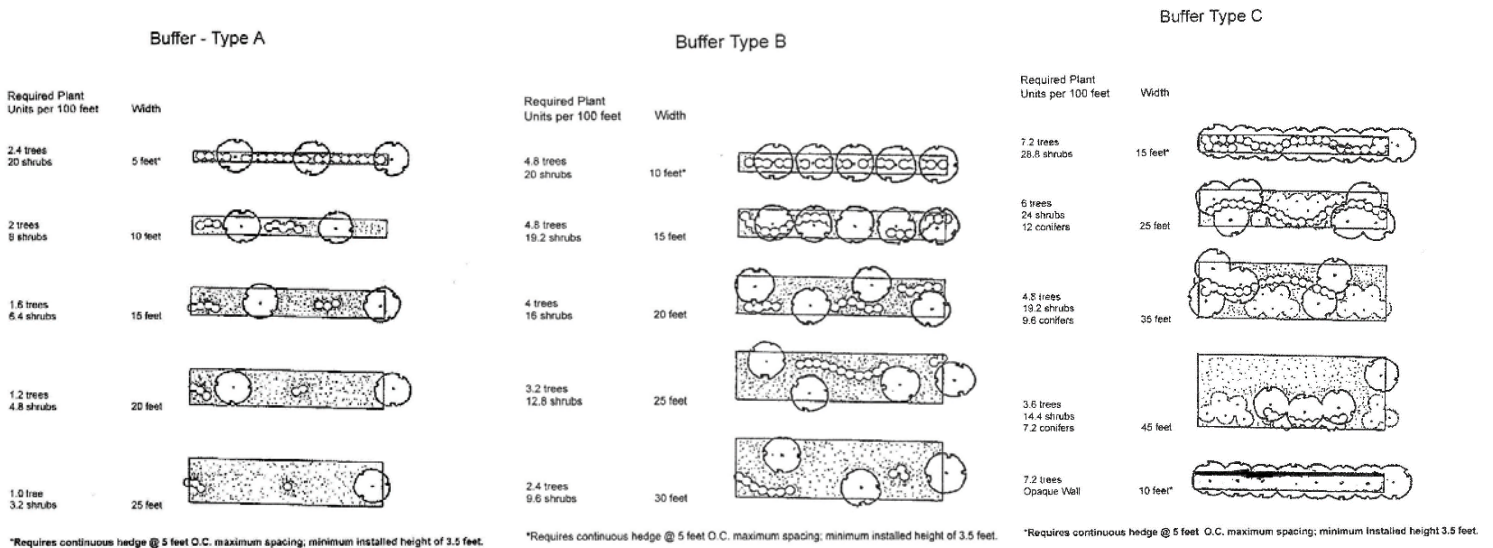
[...]

LOT SIZE	MINIMUM NUMBER OF TREES
3,500 TO 6,000 SQUARE FEET	2 trees
6,001 TO 7,500 SQUARE FEET	3 trees
7,501 TO 10,000 SQUARE FEET	4 trees
10,001 TO 16,000 SQUARE FEET	6 trees
OVER 16,000 SQUARE FEET	8 trees

All developments are also required to provide a front landscaping buffer equal to 10% of the adjacent right-of-way width which contains trees, hedges and groundcover, except for developments in the RU-1, RU-2, and RLM-1 districts.

Current Multi-Family Residential Landscaping Standards

In addition to a front buffer, multi-family (three or more unit) developments must also provide a continuous buffer along the side or rear when adjacent to another multi-family use (Type A), or when adjacent to a single-family or two-family residential use (Type B), as depicted in the sketches below. While the buffer width cannot be reduced based on the provisions of the Land Development Code, the density of plantings may be reduced by up to 50% if a privacy fence of at least five feet in height is installed within the required buffer.



Whenever an addition or renovation is proposed for an existing multi-family development, additional landscaping is typically required. Should an addition not constitute a substantial improvement to the existing building and in cases where the property does not meet the requirements of Division 22, one square foot of landscaping for every square foot of additional building area must be provided on the site. If no buildings are constructed, a dollar amount of landscaping equal to a percentage of the cost of the renovation is required as displayed in the table below. Landscaping that cannot be located on site may be placed in the right-of-way with approval of the City, or payment may be made to the City to provide for landscaping in an appropriate area.

Sec. 22.6. – Landscaping for all other developments.

[...]

COST OF RENOVATION	DOLLAR AMOUNT OF LANDSCAPING REQUIRED
\$1,001.00-\$10,000.00	25 percent of renovations costs
\$10,001.00-\$25,000.00	20 percent of renovations costs
\$25,001.00-\$100,000.00	15 percent of renovations costs
OVER \$100,001.00	10 percent of renovations costs

Comprehensive Plan Objectives and Policies Related to Landscaping

Future Land Use Element

Policy 1.2.3- The City shall identify and promote the use of native and drought tolerant landscape with particular emphasis on Florida-friendly landscaping techniques including use of reclaimed water, and rain sensor irrigation systems to conserve water resources.

Policy 1.2.6- Advanced storm water controls and waterfront considerations to minimize and eliminate pollutant run-off into the intracoastal waterways shall be a priority.

Policy 2.7.1- The City shall ensure that land is developed in such a manner as to protect natural resources through encouraging the planting of native vegetation, restoration of dunes, beach re-nourishment, and regulating construction along the Coastal Construction Control line.

Policy 2.8.5- The City shall require that future drainage out-falls associated with both new development and redevelopment are designed to prevent the direct discharge of runoff into either Boca Ciega Bay or the Gulf of Mexico.

Policy 2.8.6- The City shall employ stormwater best management practices, such as the use of the use of vegetated swales, rain barrels, rain gardens, pervious parking areas, underground ex-filtration or sand filtration and catchments' systems where the lack of space prohibits the use of retention or detention ponds.

Coastal and Conservation Element

Objective 1.4- The City shall conserve, appropriately use and protect native vegetation.

Policy 1.4.1- The City shall require that all new development preserve at a minimum 25 percent of the native vegetation on site when applicable. This should not be interpreted to allow development in wetland, or protected areas.

Policy 1.4.2- Native vegetation shall receive priority in the landscaping.

Policy 1.4.3- The City shall encourage shorelines lacking wetland vegetation to be planted with native vegetation in order to minimize potential flood damage, stabilize the shoreline and trap sediments and other non-point source pollutants, and provide additional habitat for fish and wildlife.

DIVISION 22 - LANDSCAPING AND TREE PROTECTION ^[1]

Footnotes: --- (1) ---

Editor's note— Ord. No. 2005-38, § 2, adopted Nov. 8, 2005, amended Div. 22, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Div. 22 pertained to similar subject matter. See also the Code Comparative Table.

Sec. 22.1. - Purpose and intent.

It is the intent and purpose of these regulations to provide standards for landscaping and tree protection to improve the appearance of the city, as well as assist in the natural control of air and water pollution and soil conservation. Emphasis shall be placed upon landscaping as a means of achieving beauty in the community. It will be required on all projects, and in some projects and areas it will be the primary tool available. Landscaping is considered extremely important to the aesthetic and environmental goals of the city.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.2. - Applicability.

The minimum requirements set out in this section are applicable to each zoning district relative to tree protection, the landscaping of certain setback areas and additional required on-site landscaping, including vehicular use areas. Landscape design and planning shall be integrated into the overall design concept and not be considered merely as an afterthought. Towards this end, proposed landscaping schemes will be evaluated as to their relationship to the existing natural landscape, developed and other proposed landscape, including those on adjacent properties and street rights-of-way and the building or buildings proposed. The city may require additional landscaping if it deemed important for buffering or screening.

NEW DEVELOPMENTS- All new development must meet the buffering requirements of this division.

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EXISTING DEVELOPMENTS- Existing landscapes that do not comply with the provisions of this division must be brought into conformity when:

1. The vehicular use area is altered or expanded in any manner other than restriping or re-marking;

2. The building square footage is increased by more than 20 percent; and/or

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3. There has been a discontinuance of use for a period of 180 days or more.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.3. - General requirements.

- (a) *Plan approval.* All new construction, except single-family and two-family dwellings as regulated under section 22.5, must have a site plan and landscape plan approved by the city prior to the issuance of a building permit.
- (b) *Screening of certain areas.* Screening shall be employed for parking lots as required, and to mask from the public view such service areas as trash and garbage areas, outside equipment of unaesthetic character, and accessory buildings or areas not enhancing or in keeping with the aesthetics of the project or the neighborhood.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (c) *Installation.* All landscaping shall be installed in accordance with the approved landscape plan prior to issuance of a certificate of occupancy and shall be installed in accordance with accepted landscape practices within the area. All plant material listed as Category I by the Florida Exotic Pest Plants Council (FEPPC) shall be removed prior to issuance of certificate of occupancy.
- (d) *Maintenance.* The owner and tenant, or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping in accordance with section 22.10, and landscaped areas shall be so maintained as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. If trees, shrubs or other landscape material should die, such materials must be replaced within 30 days.
- (e) *Protection of landscaped areas.* All landscaped areas shall be protected from vehicular encroachment by curbs, wheel stops or other similar device.
- (f) *Preservation of existing plant material.* In instances where healthy plant material exists on a site prior to its development, in part or in whole, for purposes of off-street parking or other vehicular use areas, or in conjunction with other landscaping requirements, an applicant will be encouraged to retain such landscaping. The city manager may adjust the application of the standards set out in this section to allow credit for such plant material if, in his opinion, such an adjustment is in keeping with and will preserve the intent of this section.
- (g) *Reclamation.* In the event construction activity ceases on a zoning lot that has been cleared of vegetation, the owner shall be required to restore sufficient vegetation and/or provide such other means, as determined by the city, to ensure the stability of the soil on the lot.

(h) Florida-Friendly landscaping. In Florida, landscapes that are designed to conserve natural resources are called Florida-Friendly Landscaping. The Department of Environmental Protection has discontinued the use of xeriscaping in statute and adopted Florida Friendly Landscaping. Florida-Friendly Landscaping (FFL) means using low-maintenance plants and environmentally sustainable practices. The public is encouraged to design, install, and maintain healthy landscapes that use a minimum of water, fertilizer, and pesticides. The nine principles of the Florida-Friendly yard are: right plant, right place; water efficiently; fertilize appropriately; mulch; attract wildlife; manage yard pests responsibly; recycle yard waste; reduce stormwater runoff; and protect the waterfront. A Florida-Friendly yard is an environmentally sound yard that conserves and protects Florida's waterways, soil, wildlife, and energy. Using the right plants in the right place can filter harmful stormwater runoff, improve the landscape's soil, provide wildlife habitat, and create shade for energy efficiency in the home. Landscaping also adds beauty and creates pleasant outdoor living spaces to increase the value of residential property.

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FIGURE 9A. Traditional Development Landscape

Number of Trees= 4
Number of Plants= 55
Variety of Trees= 1 species
Variety of Plants= 2 species



Information and pictures obtained from U.S. Department of Agriculture, UF/IFAS Extension Service, University of Florida, and The Institute of Food and Agricultural Sciences (IFAS)

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(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.4. - Type, quality and size of plant material.

- (a) *Quality.* Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the Florida Department of Agriculture, or equal.
- (b) *Invasive exotic plant materials.* No plant listed by the Florida Exotic Pest Plants Council shall be counted towards the required landscaping. In addition, the invasive exotic plant materials shall be removed from all properties.
- (c) *Trees.* Except as otherwise provided herein, all trees planted under the provisions of this Code shall be of a species having an average crown of greater than 15 feet at maturity and having a trunk which can be maintained in a clean condition, free of branches, from grade to five feet above grade. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the trees so as to create the equivalent of a 15-foot crown spread.
 - (1) Canopy trees shall have a minimum height of 12 feet and a DBH dimension of three inches at the time of planting.



A recommended list of canopy trees and palms to be used includes but is not limited to the following types:

Quercus virginiana (Live Oak)

Conocarpus erectus (Buttonwood)

Conocarpus erectus serviceus (Silver Buttonwood)*

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

Tabebuia Caraba (Silver Trumpet/Yellow Flower)*

Pinus elliottii (Slash Pine)

Tabebuia argentia (Gold Tree)

Swietenia mahogani (Mahogany)



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Mahogany tree

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Celtis laevigata (Sugarberry)

Platanus occidentalis (Sycamore)

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Juniperus silicicola (Southern Red Cedar)

Bucida buceras (Black Olive)

- (2) One of the following palms is equivalent to one required canopy tree when planted at the required height of 12 feet of clear trunk:

Phoenix dactylifera (Medjool Date Palm)*

Phoenix canariensis (Canary Island Date Palm)

Roystonea elata (Royal Palm)*



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Royal Palm

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Cocos nucifera (Coconut Palm)*

Or any single or multi-stemmed palm known to be of equivalent mature size.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (3) Three of the following palms are equivalent to one required canopy tree when planted at the required height of eight feet of clear trunk:

Syragus romanzoffiana (Queen Palm)



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Queen Palm

Acoelorrhaphe wrightii (Paurotis Palm)

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Sabal palmetto Cabbage Palm (Sabal Palm)*

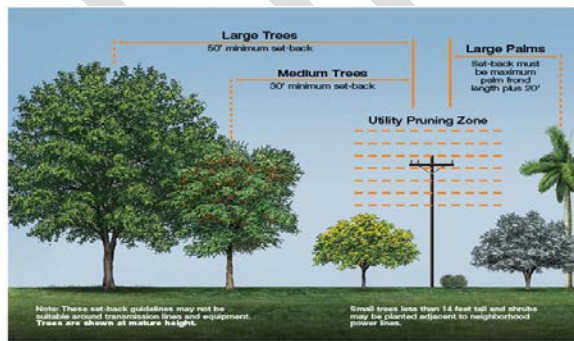
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Washingtonia robusta (Washingtonian Palm)

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Or any single palm known to be of equivalent mature size.

- (4) Required canopy trees may be replaced with under-story trees when the mature height of the canopy trees will conflict with overhead power lines, excluding service drops. Appropriate setbacks of trees from such power lines, as referenced by Florida Power and Light's "Plant the Right Tree in the Right Place" publication shall be required, a copy of which is on file at the office of the city clerk, and at a minimum setback as shown below:



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Alternative plans for the location of required tree plantings may be considered where buffers are located directly adjacent to overhead utility lines.

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- (5) Accent/under-story trees shall be a minimum of eight feet in overall height and a tree DBH dimension of two inches at the time of planting.
- (6) The following is a recommended list of accent/under-story trees to be used:

Jatropha Hastata Compacta (Jatropha)*

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Coccoloba Uvifera (Sea Grape)

Coccoloba diversifolia. (Pigeon Plum)

Tecoma stans (Yellow Elder)

Persea borbonia (Redbay)

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Ilex vomitoria (Yaupon Holly)*

Callistemon vaminalis (Weeping bottlebrush)

Eriobotrya japonica (Loquat)

Myrica cerifera (Wax Myrtle)

Lagerstroemia indica (Crepe Myrtle)

- (d) Credit for saving existing trees. No credit shall be given to canopy trees identified by these regulations as nuisance trees. ~~The following trees shall be considered nuisance trees:~~ All plants listed by the Florida Department of Environmental Protection as "invasive species" are prohibited for use in buffer zones. In addition, the following trees and shrubs are specifically prohibited for use in buffer zones:

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Malalueca quinquenervia (Punk Tree)

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Schinus terebinthifolius (Brazilian Pepper)

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Brazilian Pepper

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Casuarina spp. (Australian Pine)

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Cupaniopsis anacardioides (Carrotwood)

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Melia azedarack (China Berry)

~~and~~ Sapium sebiferum (Chinese Tallow)

Dioscorea bulbifera (Air Potato)

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[Ficus benghalensis \(Banyan Tree\)](#)

[Mimosa pigra \(Catclaw Mimosa\)](#)

[Cupania anacoardioides \(Carrotwood\)](#)

[Lygodium spp. \(Climbing Fern\)](#)

[Ficus nitida \(Cuban Laurel\)](#)

[Acacia auriculiformis \(Earleaf acacia\)](#)

[Eucalyptus spp. \(Eucalyptus\)](#)

[Dalbergia sissoo \(Indian Rosewood\)](#)

[Syzygium jambolana \(Java Plum\)](#)

[Leucaena leucocephala \(Lead tree\)](#)

[or any tree listed by the Florida Pest Plant Council.](#)

Credit is given for existing canopy trees, in good health as provided below:

- (1) Credit is given at the following ratios for existing canopy trees in good health to be preserved:

4"—10" DBH = 1 tree

10"—20" DBH = 2 trees

Over 20" DBH = 3 trees

- (2) Credit is given at the ratio of three palms to one tree for existing native palms.

- (3) A maximum ten percent required parking credit may be allowed for the purpose of preserving native trees.

- (e) *Shrubs and hedges.* Shrubs and hedges shall be a minimum of two feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous unbroken solid visual screen within one year after time of planting. A recommended list of shrubs and hedges to be used includes, but is not limited to, the following:

Rapholepis Indica (Dwarf Indian Hawthorne)*

Conocarpus erectus (Buttonwood)

Coccoloba Uvifera (Sea Grape)



[Sea Grape](#)

[Allamanda Cathartica](#) (Dwarf Allamanda)*

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Plumbago Capensis (Blue Plumbago)*

Serenoa Repens (Saw Palmetto)*

Penta Lanceolata (Pentas)*

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Chrysobalanus icaco (Cocoplum)

Myrica pumila (Dwarf Wax Myrtle)

Ilex vomitoria (Dwarf Yaupon Holly)

Lantana involucrata (Beach Lantana)

Viburnum obovatum (Walter Viburnum)*

- (f) *Ground covers.* Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall stone, ~~or~~ gravel, or other similar material be utilized for more than 20 percent of the minimum required pervious area, these areas for utilization of stone, gravel, or other similar material shall be limited to planters and landscaped islands. A recommended list of ground covers to be used includes, but is not limited to, the following:

Gallardia Pullchella (Gallardia)*

Helianthus Debilus (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

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Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospernum Jasmine Minima (Varegated Dwarf Confederate Jasmine)*

Trachelospernum Jasminoides (Confederate Jasmine)*



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Confederate Jasmine

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Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)

Stachytarpheta jamaicensis (Prone Porterweed)*

Zamia pumila (Coontie)*

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

Muhlenbergia capillaris (Muhley Grass)*

- (g) *Lawn grass.* Grass areas shall be planted in species normally grown in permanent lawns in the city area. Grass areas may be sodded, plugged or sprigged, except that solid sod shall be used in swales or other areas subject to erosion. Artificial turf, synthetic turf, astro turf and/or any other similar artificial lawns shall be prohibited. Grass areas shall be utilized and this section shall not be construed as to allow stone, gravel, shell, sand, mulch, recycled rubber, or any other similar material to be used as a replacement or the main covering material. A recommended list of ground covers to be used includes but is not limited to, the following:

Stenotaphrum secundatum (St. Augustine)

Paspalum vaginatum (Seashore Paspalum)



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Seashore Paspalum

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(Ord. No. 2005-38, § 2, 11-8-05; Ord. No. 2017-30, § 2, 2-27-18)

Sec. 22.5. - Landscaping for single-family and two-family dwellings.

All new or substantially improved single-family and two-family dwellings shall be landscaped in accordance with this subsection prior to the issuance of a certificate of occupancy.

- (a) *Trees required.* All trees shall meet the standards of section 22.4. The number of trees required to be preserved or planted upon construction of a single-family and two-family dwelling shall be as follows:

Lot Size	Minimum Number of Trees
3,500 to <u>Lots 56,000 square feet or less</u>	2 trees
56,001 to 87,500 <u>square feet</u>	3 trees
87,501 to 110,000 <u>square feet</u>	4 trees
110,001 to 16,000 <u>square feet</u>	6 trees
Over 16,000 square feet	8 trees

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (b) *Credit for remaining trees.* If, on a zoning lot for a single-family or two-family dwelling, existing trees can be saved and will remain in good condition when construction is complete, credit shall be given pursuant to section 22.4(d).
- (c) *Other materials.* The remainder of the required landscaped areas shall be adequately landscaped with shrubs, grass, ~~ground cover~~ or other landscape treatment as described in subsection 22.4.

(d) ~~Foundation.~~ Foundation landscaping shall be required for at least 50 percent of each side of a single-family or two-family dwelling located along an improved right-of-way. Such landscaping shall be incorporated into a minimum of a five-foot wide landscaping bedding adjacent to the single-family or two-family dwelling. These areas shall have a minimum of ornamental grasses/flowers, ground covers, and at least one under-story tree or two shrubs.

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Foundation Landscaping

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(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.6. - Landscaping for all other developments.

- (a) *New multifamily and all nonresidential developments.* New multifamily and all nonresidential developments shall be landscaped in accordance with the applicable provisions of this section.
- (b) ~~*Additions to existing buildings.* When the cost of any addition to or renovation of an existing multifamily or nonresidential building is determined to be a substantial improvement, as defined in Division 2, the property shall be landscaped in accordance with paragraph (a) prior to the issuance of a certificate of occupancy. If the proposed addition or renovation will not constitute a substantial improvement and if the property does not comply with the requirements of this division, one square foot of landscaping for each one square foot of additional building area shall be required. If no buildings are constructed, landscaping equal to the following table shall be required.~~

Cost of Renovation	Dollar Amount of Landscaping Required
\$1,001.00 — \$10,000.00	25 percent of renovations costs
\$10,001.00 — \$25,000.00	20 percent of renovations costs
\$25,001.00 — \$100,000.00	15 percent of renovations costs
Over \$100,001.00	10 percent of renovations costs

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EXISTING DEVELOPMENTS- Existing landscapes that do not comply with the provisions of this division must be brought into conformity when:

1. The vehicular use area is altered or expanded in any manner other than restriping or re-marking;
2. The building square footage is increased by more than 20 percent; and/or
3. There has been a discontinuance of use for a period of 180 days or more.

In the event that the required landscaping cannot be placed on the property in such a way as to permit proper maintenance, said landscaping may be placed in the public right-of-way with the approval of the city. If that is not practical, a payment in accordance with the table above may be made to the city for landscaping in an appropriate area.

- (c) *Changes in use.* Changes in use of existing buildings shall require the landscaping of the property to bring it into full compliance with all the standards provided in this section.
- (d) *Community Redevelopment District (CRD).* All new projects within the CRD abutting Gulf Boulevard and Blind Pass Road are encouraged to utilize plant material marked with an (*) within the front setback. The landscaping standards in the CRD or any other overlay that has landscaping standards shall use those standards, if standards are not outlined in the CRD or any other overlay the standards in this division shall apply.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.7. - Development standards.

- (a) *Front setback areas.* Required landscaping in front setback areas in all districts, except RU-1, RU-2 and RLM-1, shall be as follows:
 - (1) *Minimum size of landscaped areas.* Except where driveways and walkways providing ingress and egress crossing the property line, the entire length of the property frontage shall be landscaped and shall have a minimum depth from the front property line inward to the property equal to ten percent of the adjacent right-of-way width.
 - (2) *Minimum number of trees.* The total number of trees shall not be less than one for each 180 square feet or fraction thereof of the area to be landscaped.
 - (3) *Other materials.* The remainder of the required landscaped areas shall be adequately landscaped with a mixture of shrubs, grass, ground cover or other approved landscape treatment.
- (b) *Vehicular use areas.* Except along the boundary of a vehicular use area that is landscaped in accordance with paragraph (a) preceding, other vehicular use areas, where such areas will not be entirely screened visually by an intervening building or structure from any abutting property line there shall be provided landscaping between such areas and such property lines as follows:
 - (1) *Planting area.* A strip of land at least six feet in depth, located between the property line and the vehicular use area shall be landscaped.
 - (2) *Minimum number of trees.* The minimum number of trees is one tree for each 30 linear feet or fraction thereof.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (3) *Minimum size of landscaped areas.* Except for driveways crossing property lines, the entire boundary of the vehicle use area shall be landscaped.
- (4) *Hedge required.* Unless otherwise approved during the site plan review process, a hedge in accordance with section 22.4 of at least two feet in height shall be placed along the entire length of such landscaped area.
- (5) *Other materials.* The remainder of the required landscaped area shall be landscaped with grass, ground cover or other approved landscaping treatment.

(c) *Interior landscaping for vehicular use areas.*

~~(1) — Area to be landscaped.~~

- ~~a. — Minimum area per parking space. Off-street parking areas shall have at least 20 square feet of interior landscaping for each parking space, excluding those spaces abutting a perimeter for which landscaping is required by other parts of this section.~~
- ~~b. — Minimum area relative to other vehicular use areas. In addition, other vehicular use areas, such as loading areas or vehicle storage lots, shall have two square feet of landscaping area for each 100 square feet or fraction thereof.~~
- ~~c. — Determination of size of vehicular use areas. Where the property contains both parking areas and other vehicular use areas, the two types of areas may be separated for the purposes of determining the other vehicular use areas by first multiplying the total number of parking spaces by 300 and subtracting the resulting figure from the total square footage of paved areas.~~
- ~~d. — Minimum size of landscaped areas. Each separate landscaped area shall contain a minimum of 400 square feet and shall have a minimum dimension of at least ten feet, unless otherwise specifically provided for elsewhere in this Code.~~

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(1) **Parking Areas.** Every 10 spaces shall be designed with 400 square feet of landscaping to be placed in medians or islands, and shall include at least one tree, and six shrubs. No median or island shall be less than five feet in width, and no more than 10 spaces shall be continuous without landscaping. Grouping of landscaped islands is encouraged to promote the healthy growth of larger trees. Alternative designs are subject to approval as outlined in this LDC.

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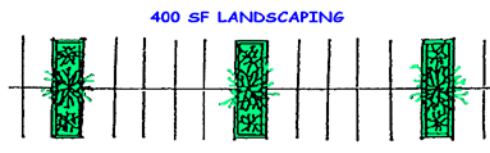
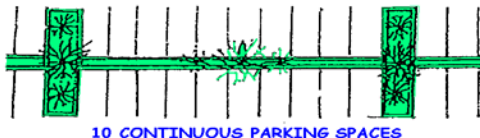
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- a e. **Parking areas with fewer than 20 parking spaces.** On properties with fewer than 20 total parking spaces, interior landscaping required above may be added to the perimeter landscape areas pursuant to paragraph (3) below.

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- (b) **Foundation.** Foundation landscaping shall be required for at least 50 percent of each facade length located along an improved right-of-way, parking area, or which includes a customer entrance. Such landscaping shall be incorporated into a minimum of a five-foot wide landscaped bedding area located between, and in addition to the required building sidewalk and the first

vertical wall of the building façade. Large commercial planters or alternative designs may be used to meet this criteria.

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(2) *Plant materials.*

- a. *Generally.* Each separate landscaped area shall include at least one tree, as specified in section 22.4(c), with the remaining area adequately landscaped with shrubs, ground cover or other approved landscaping material.
- b. *Minimum number of trees.* The total number of trees shall not be less than one for each 100 square feet or fraction thereof of required interior landscaping areas.
- c. *Location of landscaped areas.* Such landscaped areas shall be located in such a manner as to divide and break up the expanse of paving and at strategic points to guide traffic flow and direction.

(3) *Exception.* In off-street parking areas and other vehicular use areas where the strict application of this section will seriously limit the function of such area, the required landscaping may be permitted to be located along the perimeters of the area, including such perimeters which may be adjacent to the building on the site. Such landscaping shall be in addition to all other landscaping requirements.

- (d) *Walkways, pedestrian connections and additional landscaped areas.* Pedestrian walkways shall be landscaped with additional shade or ornamental trees equal to an average of one shade tree per 50 linear feet of walkway, unless the walkway is adjacent or included within an existing compliant buffer or frontage planting. One shade tree shall be planted for each 200 square feet of separate additional landscaped area.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.8. - Buffer requirements and installation standards.

- (a) *Generally.* A buffer shall be defined as specified land area together with its planting and landscaping sufficient to visibly separate one land use from another or to shield or block noise, lights, or other nuisances requirements. Buffers are required along the perimeter of the proposed development. The existing use or where vacant, the permitted use of the abutting property will determine the type of buffer required for the proposed development. Buffers may also contain a barrier, such as a fence, wall, hedge, or berm, where such additional screening is necessary to achieve the desired degree of buffering between adjacent uses.

Where practical, native species or species recognized as Florida Friendly Landscaping™ should be planted to meet the requirements. All buffer plantings should be chosen to minimize the need for artificial irrigation. However, artificial irrigation must be provided where buffer vegetation will not survive without such irrigation.

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Landscaped buffers shall be required to separate transient accommodation and nonresidential uses from residential or institutional uses, where such area abuts property zoned or in fact used primarily for residential or institutional purposes, to eliminate or minimize potential negative effects such as dirt, noise, litter, glare of lights, signs, parking areas, or to provide spacing to reduce the adverse impacts of noise, odor, or danger from fires or explosions. The size and nature of the buffer shall be determined by the site plan process. Buffers shall be subject to the following provisions:

- (1) A buffer may be used for passive recreation, when appropriate upon approval of the approving authority.
- (2) A buffer may be used for utility or drainage easements, provided that the requirements of such use and the buffer requirements are compatible.
- (3) A buffer may be used for satisfaction of minimum setback requirements.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (4) A buffer may be used for satisfaction of minimum open space requirements.
- (5) A buffer may be used for storm water retention or detention areas so long as the required buffer plantings are provided and the design and landscaping of the buffer does not interfere with proper functioning of the drainage system and the design water depth does not harm the viability of the plantings.
- (6) A buffer may be used for passive recreation such as pedestrian or bicycle trails subject to the following limitations:

- a. No plant material is eliminated.
- b. The total width of the buffer is maintained.

c. Not more than 20 percent of the width of the buffer is impervious surface.

d. All other requirements of these regulations are met.

- (7) A buffer may be used for installation of underground utilities and utility structures provided such structures do not exceed four feet in height so long as the location and use of the utility lines does not interfere with required buffer plantings.
- (8) The following uses shall not be allowed in a required buffer: principal structures, accessory structures, swimming pools, tennis courts, or similar active recreation uses; storage facilities, or parking facilities.
- (9) Buffers shall remain part of the zoning lot for which they are required.
- (10) The required buffer shall not contain any development, impervious surfaces, or site features that do not function to meet the standards of this section. No grading, development, or land-disturbing activities shall occur within the buffer unless approved as part of a development permit. Storm water detention, retention or treatment areas and easements shall be shown on the approved landscape plan and such areas shall not occupy more than 50 percent, horizontally, of the width of the buffer.
- (11) The arrangement of required plants and trees shall be distributed in a relatively uniform manner and as depicted on the approved landscape plan.
- (12) Existing trees and vegetation within a required buffer, which meet these requirements may be counted toward the total buffer plant material requirements. If existing trees and plants do not fully meet the standards for the type of buffer required, additional vegetation shall be planted.

(b) *Location of buffers.* The buffers required by these regulations shall be located along the perimeter of a zoning lot where required, extending the entire length of the zoning lot, except at approved entrances or exits to the property or in required sight triangles. Buffers shall extend to the zoning lot line or right-of-way line, except where easements, covenants, or natural features may require the buffer to be set back from the property line.

- (1) Buffers shall not be located on any portion of an existing, dedicated, or proposed right-of-way, road easement, alley, or private street.
- (2) Where an existing utility easement is partially or wholly within a required buffer, the developer shall design the buffer to eliminate or minimize plantings within the easement. Such design may necessitate choosing a buffer with more land area or fewer required plantings.
- (3) All general landscape requirements of these regulations shall be met.

(c) *Landscape buffer along public streets.* Landscape buffers along "A" and "B" streets shall meet the following guidelines:

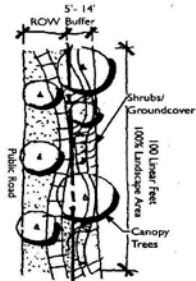
- (1) A five- to 15-foot landscape buffer shall be required along public streets and shall include shade trees and groundcover.

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- (2) All planted shrub and groundcover areas shall achieve ~~a 100~~100-percent coverage of their planting area within one year.
- (3) Permitted features for front buffers - sidewalks, signs, low wall and picket fences (wrought iron, wood or PVC).
- (4) Additional features such as a knee walls and decorative picket fencing are permissible with the following standards.



- a. Knee wall - maximum 24 inches.
- b. Decorative fencing - maximum 48 inches and must have at least 50 percent of required buffer planting adjacent to right-of-way.

- (5) Prohibited features in front buffers - chain-link fences, ~~walls greater than two feet~~, loading, service or dumpsters areas or similar items may not be placed in the front buffer or in any additional "open space" adjacent to the street or any direction visible from the street.

(d) *Buffer requirements.* The following types of buffers shall be required for the uses described and illustrated on the following pages.

- (1) Commercial use adjacent to single-family or two-family residential — Type C
- (2) Transient accommodation use adjacent to single-family or two-family residential — Type C
- (3) Mixed use adjacent to single-family or two-family residential — Type B
- (4) Commercial use adjacent to mixed-use with residential component — Type B
- (5) Multi-family use adjacent to single-family or two-family residential — Type B
- (6) Commercial use adjacent to commercial use — Type A
- (7) Commercial use adjacent to transient accommodation use — Type B
- (8) Multi-family use adjacent to multi-family use — Type A

(9) Commercial use to multi-family use- Type C

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- (e) *Fencing within buffers.* Fencing for the purpose of security or protection is allowable within all buffers provided the fence is in compliance with the applicable standards of these regulations. Developments proposing a privacy fence five feet or more in height within a required buffer may be allowed a 50 percent reduction in the density of plantings. The required plantings shall be in front of the fence so that the buffers are not hidden to the public. Such request shall be submitted in writing by the applicant and shall include provisions by the owner for maintenance of the buffer and the fencing.

Buffer - Type A

Required Plant Units per 100 feet	Width	
2.4 trees 20 shrubs	5 feet*	
2 trees 8 shrubs	10 feet	
1.6 trees 6.4 shrubs	15 feet	
1.2 trees 4.8 shrubs	20 feet	
1.0 tree 3.2 shrubs	25 feet	

*Requires continuous hedge @ 5 feet O.C. maximum spacing; minimum installed height of 3.5 feet.

Buffer Type C

Required Plant Units per 100 feet	Width	
7.2 trees 28.8 shrubs	15 feet*	
6 trees 24 shrubs 12 conifers	25 feet	
4.8 trees 19.2 shrubs 9.6 conifers	35 feet	
3.6 trees 14.4 shrubs 7.2 conifers	45 feet	
7.2 trees Opaque Wall	10 feet*	

*Requires continuous hedge @ 5 feet O.C. maximum spacing; minimum installed height 3.5 feet.

Buffer Type B

Required Plant Units per 100 feet	Width	
4.8 trees 20 shrubs	10 feet*	
4.8 trees 19.2 shrubs	15 feet	
4 trees 16 shrubs	20 feet	
3.2 trees 12.8 shrubs	25 feet	
2.4 trees 9.6 shrubs	30 feet	

*Requires continuous hedge @ 5 feet O.C. maximum spacing; minimum installed height of 3.5 feet.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

(f) *Plant sizes and design requirements.*

- (1) Trees in buffers of ten feet or less should be small or medium. Trees in buffers of more than ten feet may be small, medium, or large provided, however, at least one-half of the required trees shall be large. Trees used in required buffers may be used to meet the required plantings for the property, provided the trees meet or exceed all size, type, and location requirements for replacement trees as specified in these regulations.
- (2) Alternative designs for required buffers may be approved by the city manager upon a finding that such alternative design meets the intent of these regulations and sound landscaping practices. In no case is the city manager authorized to reduce the width of a buffer or the total number of plants required on the site.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.9. - Preservation standards.

- (a) *Construction barriers.* During the development of the property, the owner of the property shall be responsible for the erection of any and all barriers or protective guards necessary to protect any existing or installed vegetation from damage during construction.
- (b) *Wall.* Wherever a change of grade is planned, the trees to be preserved shall be protected by a wall so as to preserve the existing grade for the tree's root system.
- (c) *Topsoil.* Wherever a change of grade is planned, the topsoil stripped on site shall be preserved for the new landscaping to be installed.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.10. - Maintenance standards.

- (a) *Landscaped areas.* All required landscaped areas must include an in-ground automatic irrigation system. The plantings in any landscaped area must be properly maintained in order for the landscaped area to fulfill the purposes for which it was established. Such maintenance shall include all actions necessary to keep the landscaped area free of litter and debris and to keep plantings healthy and orderly in appearance. Where reclaimed water is not used to irrigate, the developer is required to use drip or micro-spray irrigation systems.
- (b) *Buffers.* The plantings, fences, walls, and berms that constitute a buffer must be properly maintained in order for the buffer to fulfill the purpose for which it is established. Such maintenance shall include all actions necessary to keep the buffer free of litter and debris, and to keep plantings, walls, fences, and berms in good repair and neat appearance. All buffer material shall be protected from damage by motor vehicles or pedestrians which could reduce the effectiveness of the buffer.
- (c) *Damage.* In the event that any vegetation or physical element functioning to meet the standards of this division is severely damaged, it shall be replanted or replaced within 30 days. In the event that the damage is found to be caused by a catastrophic event, a grace period of 180 days shall be granted for replacement.
- (d) *Pruning.* Trees shall be pruned in accordance with the pruning standards of the American National Standards Institute (ANSI publication A300); however, the topping of trees is prohibited. Topping shall be considered a violation of Section 22.11 of this division. The definition of 'tree removal' shall include the felling and/or topping of trees, pruning of more than 30 percent of the crown of any tree, and causing damage to the branches, trunk, or root system of any tree to shorten its life. Determination of such damage can be provided by a Forestry Consultant, Certified Arborist, or other professionally qualified individual.

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Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019



Over pruned tree

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(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.11. - Tree protection.

It shall be unlawful for any person to remove or cause to be removed any tree having a DBH of three inches or more or any palm with a height of eight feet or more overall without first having obtained a tree removal permit from the city in accordance with section 22.13. Diameter at breast height or DBH means the measurement of a single-stemmed or multi-stemmed tree at four and one-half feet above grade.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.12. - Tree removal permit required.

Approval of a tree removal permit shall be regulated by the following:

- (a) *Mangroves*. Mangroves shall be removed only in accordance with the provisions of F.S. §§ 403.9321 through 403.9333.



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Mangroves

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- (b) *Approved permits*. Tree removal permits issued by the city, in accordance with the administrative regulations pertaining thereto, shall be valid for a period of three months from the date of issuance.
- (c) *New development or redevelopment*. When the development of a vacant property or the redevelopment of an existing developed property is proposed, the following requirements shall be followed:

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- (1) Where no trees having a three-inch DBH or greater exist on a site proposed for development, an applicant for a development permit shall verify in writing at the time of permit application that no protected trees exist. Such verification shall be in the form of a notarized statement which shall be filed with the application.
 - (2) Where such trees do exist on a site proposed for development or redevelopment and are proposed for removal or relocation, a plan showing in what manner removed trees will be replaced or where such trees will be relocated shall be submitted with the application.
 - (3) Where such trees will remain, a plan shall be submitted showing how such trees will be protected during the development process.
- (d) *Standards for approval.* In determining whether or not a permit should be issued, the city manager shall consider and base his decision on the following:
- (1) The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interference with utilities;
 - (2) The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property;
 - (3) Whether the tree has been determined to be an historic or specimen tree, meaning a tree which has been determined to be of notable historic or high value to the city because of type, size, age or community association;
 - (4) Impact upon the urban and natural environment including:
 - a. *Ecological impacts.* Whether the removal of trees will have an adverse impact upon existing biological and ecological systems, microclimatic conditions which directly affect these systems, or whether such removals will create conditions which may adversely affect the dynamic equilibrium of associated systems.
 - b. *Noise pollution.* Whether the removal of trees will significantly increase ambient or point source noise levels to the degree that a public nuisance is anticipated to occur.
 - c. *Wildlife habitat.* Whether the removal of trees will significantly reduce the available habitat for wildlife existence and reproduction or result in the emigration of wildlife from adjacent or associated ecosystems.
 - (5) The ease with which the applicant can alter or revise any proposed development to eliminate the need to remove the tree; and
 - (6) Whether the tree is one of the Category I exotic invasive plants, as listed by the Florida's Exotic Pest Plants Council, and all plants listed by the Florida Department of Environmental Protection as "invasive species" are prohibited, including, but not limited to the Australian Pine (*Casaurina* spp.), Chinese Tallow (*Sapium sebiferum*), Carrotwood (*Cupianopsis anacardioides*), Punk (cajeput) tree (*Melaleuca quinquenervia*), and Brazilian Pepper (also known as the Florida Holly) (*Schinus terebinthefolius*).
- (e) *Replacement of removed trees.* Trees removed under the provisions of this section shall be replaced as follows:
- (1) *New developments.* Where trees were removed to accommodate a new development, replacement trees shall be governed by the landscaping requirements of this Code for new developments.
 - (2) *Other properties.* Replacement of removed trees shall be required within six months of the date of issuance of the tree removal permit as follows:
 - a. When the removed tree is of a native species, the replacement tree shall also be of a native species.
 - b. Except as provided in paragraph d herein, removed trees four-inches DBH or smaller shall be replaced by one tree for each tree removed.

Planning Board
City of St. Pete Beach
Proposed Landscaping Revisions
April, 2019

- c. Except as provided in paragraph d herein, removed trees larger than four-inches DBH shall be replaced by two trees for each tree removed.
- d. When the total number of trees on the property meet or exceed the requirements in section 22.4 for single-family and two-family properties, replacement trees shall not be required.
- (f) *Denial of a tree removal permit.* In the event a tree removal permit is denied, the city manager shall specify the reasons for such denial in writing. Applicants may appeal a denial in accordance with section 3.14 of this Code.
- (g) *Removal of hazardous trees required.* It shall be unlawful for any owner of real property to allow, suffer or permit any tree which has been damaged or injured to remain upon the real property when the tree creates and constitutes a hazard endangering the life or limb of any person or surrounding adjacent property.



[Hazardous fallen tree](#)

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(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.13. - Relocation by the city.

In some instances where the trees to be removed are healthy and desirable, with the permission of the owner, the city shall have the option to relocate the tree at its expense. If the city chooses relocation under this provision, such relocation shall be accomplished within 15 working days of the issuance of the permit. If the city fails to remove the tree within the 15-working day period, the permit holder shall be allowed to proceed as provided in the permit.

(Ord. No. 2005-38, § 2, 11-8-05)

Sec. 22.14. - Tree removal permit requirements.

- (a) Any person desiring a permit to remove a tree as required by this section shall make written application, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, to the city manager.
- (b) Failure to obtain the required permit shall result in a penalty charge equal to twice the cost of the original permit or \$100.00, whichever is greater.

(Ord. No. 2005-38, § 2, 11-8-05)