

**Subject:**

An ordinance of Pinellas County, Florida creating Chapter 58, Article XIX, entitled “Tree Protection,” providing for tree protection, permitting, mitigation, and enforcement procedures.

**Recommended Action:**

Conduct a public hearing and take public comment the proposed ordinance.

This is the first and only reading of the proposed ordinance. This item is related to LDR-25-02, an ordinance amending Chapters 166 and 138 of the Land Development Code and a fee resolution setting dollar amounts for the Tree Bank contribution in lieu of plantings as allowed by the code.

These amendments will provide more flexibility with the following:

- Move tree permitting and replacement requirements from LDC chapters to create a stand-alone tree code in Chapter 58 (Environment). This new ordinance is being brought before the Board for approval with the LDC amendments during the second required public hearing.
- Redefine tree replacement requirements for permitted tree removal based on a simple but practical methodology.
- Revise and simplify the tree rating system for more consistent application and outcomes.
- Revise minimum trees per lot requirement for residential properties.
- Clarify language pertaining to existing development and compliance with previously approved site plans.
- Designate Tree Bank Fund payment in lieu of replanting amounts for residential and commercial properties. The fee resolution is being brought to the Board for approval along with the new tree ordinance at the second required public hearing for the LDC amendments.
- The Local Planning Agency recommended approval of the Ordinance (Vote: 6-0). No one from the public appeared in support or opposition.
- The proposed LDC amendments were brought before the Board on December 16, 2025. No comments were provided by the Board and no one from the public appeared in support or opposition.
- Staff has received no formal public comment in support or opposition to the proposed amendments at this time.

Fiscal Impact - General Fund: The proposed ordinance is projected to impact the General Fund, with a 10% increase in "Tree Only" permits generating approximately \$3,090.00 in additional revenue. Tree Bank Fund: The ordinance's revised mitigation methodology is projected to reduce Tree Bank Fund contributions by about 60%, from an estimated \$300,000.00 to \$120,000.00.

### **Strategic Priorities:**

Resilient Infrastructure and Environment

1.4 Improve environmental quality

Smart Service Delivery

4.4 Pursue continuous improvement

### **Summary:**

Chapters 138 and 166 of the Land Development Code are being revised to more effectively regulate the county's tree permitting process, revise landscaping requirements for residential and commercial properties, and revise tree mitigation requirements for permitted tree removals. Provisions related to tree permitting from Chapters 138 and 166 are being combined into a stand-alone tree ordinance in Chapter 58 (Environment), and remaining provisions in Chapter 166 (Habitat Protection) and chapter 138, Article X, Division 3 (Landscaping Requirements) are being updated.

The overarching goal with the update is to achieve improved outcomes in tree canopy retention and replacement by incentivizing retention of highest quality trees and promoting tree replanting on private property with a "right tree, right place" approach. The drivers include the formulation of a practical methodology to calculating tree mitigation requirements, calibrating tree planting requirements on residential lots, and providing a flexible approach to landscape compliance on non-residential and multifamily sites.

The following is a summary of updates:

- Move tree permitting and replacement requirements from LDC chapters to create a stand-alone tree code in Chapter 58 (Environment).
- Redefine tree replacement requirements for permitted tree removal based on a simple but practical methodology.

- Revise and simplify the tree rating system for more consistent application and outcomes.
- Revise minimum trees per lot requirement for residential properties.
- Clarify language pertaining to existing development and compliance with previously approved site plans.
- Designate Tree Bank Fund payment in lieu of replanting amounts for residential and commercial properties.
- Update Approved Species List to provide more tree replanting options that are aligned with current best practices.
- Update Nuisance and Invasive Species List to align with current horticultural recommendations and promote voluntary removal of these species.

### **Background Information:**

The LPA recommended approval of the LDC Ordinance during the November 12, 2025, public hearing (Vote: 6-0). The proposed Tree Ordinance was provided as reference but was not considered at the hearing. No one appeared at the hearing and no correspondence has been received.

The Board considered the LDC amendments at the first reading on December 16, 2025. The proposed Tree Ordinance was also provided as reference, though it was not being considered during the hearing. No one appeared at the hearing and no correspondence has been received.

### **Fiscal Impact:**

Fiscal Impact - General Fund: The proposed ordinance is projected to impact the General Fund, with a 10% increase in "Tree Only" permits generating approximately \$3,090 in additional revenue. Tree Bank Fund: The ordinance's revised mitigation methodology is projected to reduce Tree Bank Fund contributions by about 60%, from an estimated \$300,000 to \$120,000.

### **Staff Member Responsible:**

Kevin McAndrew, Director, Building & Development Review Services

**Partners:**

N/A

**Attachments:**

Ordinance

Business Impact Estimate

Legal Ad