

CITY COUNCIL

CITY OF PUNTA GORDA

4/1/2015

 Print**New Business***

Title: Discussion regarding current landscape regulations and effect in the Historic District due to occasional influx of brackish water associated with heavy rains and minor flooding.

Funds: N/A

Recommended Action: City Council approval to obtain additional input for an amendment to the Land Development Regulations.

Summary: It has come to staff's attention that several developed properties within the boundaries of W. Virginia Ave., between US 41 South and Shreve St. over to W. Retta Esplanade have removed a large percentage or all of the required living groundcover and replaced it with primarily inorganic mulch material such as shell or rock. In speaking with one of the residents, it was learned that the occasional ground flooding within this area effectively kills much of the groundcover due to the occasional influx of brackish water. Larger woody plants and shrubs seem to be able to survive - and the recommendation would not include any changes to this portion of the landscape regulations. However, the ground cover does not seem to be able to survive, at least in some areas within this general boundary. Property owners have indicated that annual replacement of the ground cover is quite costly. Due to the numerous properties which are affected, staff recommends a relaxation of the ground cover regulations within this area to acknowledge the issue and provide reasonable accommodation for the condition.

In reviewing the regulations regarding the use of living groundcover, most provisions are directly related to development outside of the downtown district where there are no curbs, and gutters and drainage areas must be maintained on the private property and in the right-of-way. Because of the manner in which the downtown/historic district area was developed, primarily with the curb and gutter, many of the regulations are not reasonably applicable.



In the Chapter 26, Section 8.13, Soil Conservation, the limitation on the use of organic and inorganic mulch is primarily limited in the defined 'drainage areas', which includes the swale, six feet along seawalls, and three feet along each side property line. In the downtown areas, there are no swales, per se, and no seawalls.

Chapter 26, Section 12.4(d), Residential Landscape Requirements, does state that the entire building site be completely covered with groundcovers including but not limited to sod, organic mulch and planting beds. Additionally, this section states that "*In no case may inorganic mulch exceed ten percent of any yard area not covered by the building footprint*".

Without an amendment to the existing regulations, the property owners would have to remove the inorganic mulch, pavers or other hardscape and replace with groundcover or apply for a variance to the regulation.

Department/Division: Urban Design

EXHIBITS:

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| 1.  Examples |
| 2.  Applicable Code Sections |