

**BREVARD COUNTY LANDSCAPING, LAND CLEARING
AND TREE PROTECTION TASK FORCE**

January 27, 2006 Meeting Minutes

Task Force Members Present

Bo Barnavon-Primary Representative, Homebuilders and Contractors Association
Kathleen Burson-Alternate Representative, Florida Native Plant Society
Robert Day-Primary Representative, Brevard Nature Alliance
Jackie Gregory-Primary Representative, Commission District 1
Susan Hall-Alternate Representative, American Society of Landscape Architects
Vaughn Holeman-Primary Representative, District 4
Anthony Koromilas-Alternative Representative, District 1
Rochelle Lawandales-Primary Representative, Commission District 2
Robert Lee-Primary Representative, American Society of Civil Engineers
Maureen Rupe-Primary Representative, Commission District 5
Thomas Schuller-Primary Representative, Florida Farm Bureau
Brad Smith-Primary Representative, American Society of Landscape Architects
Lisa Smith-Primary Representative, Florida Native Plant Society
Earl Underhill-Primary Representative, Florida Forestry Association
Facilitator-Marilyn Crotty, Director, Florida Institute of Government

Task Force Members Absent

Steve Brown-Alternate Representative, Florida Nurserymen and Growers Association
Bud Crisafulli-Alternate Representative, Florida Farm Bureau
Roger Daniels-Substitute Representative, International Society of Arborists
Lynn Girling-Primary Representative, International Society of Arborists
Don Hawthorne-Primary Representative, Garden Club
Billy Kempfer-Alternate Representative, Florida Forestry Association
Charlie Moehle-Alternate Representative, Commission District 2
James Payne-Primary Representative, Cattleman's Association
Jim Spratt-Primary Representative, Florida Nurserymen and Growers Association
Dick Thompson-Primary Representative, Commission District 3
Dan Zrallack-Alternate Representative, American Society of Civil Engineers

County Staff Present

Amanda Elmore-Supervisor, NRMO
Sherry Williams-Special Projects Coordinator, NRMO
Liz McDuffee-Secretary I, NRMO

Signed-in Citizens

None

Call to Order

Marilyn Crotty called the meeting to order at 1:15 pm after a quorum was present. From 1:15 pm – 2:55 pm, there were 10 voting representatives present. From 2:55pm – 5:00pm, there were 11 voting representatives present.

After a short period of discussion, the 12/14/05 minutes were approved as written.

Brad Smith asked for the status of the action items from the 12/14/06 meeting:

- County Attorney's review of the draft Article's wording. This action item will be completed when the task force is done revising the draft.
- Ernie Brown's discussion with Dave Millard (USDA) regarding the necessity of requiring two copies of a completed and signed Conservation Plan from USDA. This action item is still open.
- Staff's checking to see if Land Development's language is consistent with the draft Article's language regarding approval by "a professional civil engineer, landscape architect or professional architect registered in the State of Florida and proficient in site design." This action item is completed. The wording is consistent with Land Development's.

New Article Draft Approvals/Changes

1. Section 62-3635, Agricultural Activities, page 8: With regard to "The agricultural covenant shall be effective for a minimum of three (3) years," add to the Violations section that the three (3)-year covenant begins when the applicant comes in the door or when the violation is discovered (with additional penalty).
2. Section 62-3639, Canopy and Tree Preservation Performance Standards, page 12: Bo Barnavon asked staff to clarify that the percentages listed in the chart are based on the property's "buildable area." Staff will add "of buildable area" after percentage amounts in the chart (e.g., amount of canopy to be preserved is 20% of the buildable area). (It was noted that if there were not enough canopy to preserve, then Section 62-3639, item (3) would apply.) Amanda Elmore also reminded the task force that a "layman's handbook" will be developed to accompany the new Article.
3. Section 62-3640, Landscaping Performance Standards, pages 16 & 17: At Brad Smith's suggestion, the task force agreed to reduce dbh amounts referenced in existing items (7)a. and (7)b. so that they are consistent with current caliper measurements of trees of these sizes. The task force also emphasized that newly planted trees must meet all three conditions (i.e., height, dbh and spread).
 - a) The number five appears twice in the list. This needs to be corrected and the subsequent items renumbered.
 - b) Existing item (7)a.i. (will be changed to (8)a.i.): Change "one and a half inch diameter (dbh)" to "one inch diameter (dbh)."

- c) Existing item (7)b. (will be changed to (8)b.): Add a reference to “institutional” uses. Also add “institutional” references throughout the Article wherever appropriate.
 - d) Existing item (7)b.i. (will be changed to (8)b.i.): Change “four (4)-inch diameter (dbh)” to “three (3)-inch diameter (dbh).”
 - e) Existing item (7)b.ii. (will be changed to (8)b.ii.): Change “two (2)-inch diameter (dbh)” to “one (1)-inch diameter (dbh).”
 - f) Existing item (7)b.iii. (will be changed to (8)b.iii.): Change “two and a half (2.5)-inch diameter (dbh)” to “one (1)-inch diameter (dbh).”
4. The task force asked staff to research heights for large and medium trees and revise Appendix C accordingly. Brad Smith suggested that staff refer to Florida Nurserymen and Growers Association literature.
5. Section 62-3640, Landscaping Performance Standards, pages 17 & 18:
- a) Existing item (10) (will be changed to item (11)): Change “In no event shall synthetic plants ... be used in the landscape.” to “In no event shall synthetic plants ... be used for landscape credits.”
 - b) Existing item (16)c. (will be changed to item (17)c.):
 - i. Change “inorganic or organic mulches” to “organic or non-synthetic inorganic mulches.” (An example of non-synthetic inorganic mulch would be rocks.)
 - ii. The statement, “Dyed mulches are not permissible.” will be left in the Article with a note for the Board since the task force did not reach consensus (six for prohibition of dyed mulches, three against and one abstention). However, Tom Schuller and Lisa Smith will perform further research and report their findings back to the task force with the hope of achieving consensus.
5. Section 62-3640, Landscaping Performance Standards, page 19:
- a) Existing item (16)h. (will be changed to item (17)h.): The task force asked staff to research language and make a recommendation concerning the definition of “weeds.”
 - b) Existing item (18) (will be changed to (19), Removal criteria: Change “... *may* be approved for removal” to “... *shall* be approved for removal.”
6. Section 62-3641, Landscape Buffers, page 20:

- a) Formatting change: Combine (1) and (1)a. Change (1)b. to (2).
 - b) Add reference to “institutional” to existing (1)a. (will be combined into (1)).
- 7. Section 62-3642, Maintenance and Inspections, item (1), page 21: Add reference to “institutional” in the sentence beginning “For multi-family, residential subdivisions, commercial and industrial projects,”
- 8. Section 62-3643, Incentives for Increased Canopy and Tree Preservation and Increased Landscaping, pages 21, 22 & 23:
 - a) Item (1), page 21: Change “associated native understory” to “root protection zone.”
 - b) Item (2), page 22: Staff will remove references to the old points system and rewrite this section to correlate it with the percentage of number of acres saved.
 - c) Item (2)e., page 22: Change “four (4) centers” to “four (4)-foot centers.”
 - d) Item (2)f., page 23: Change “height of 5-18 inches” to “height of 15-18 inches.”
- 9. Section 62-3644, Waivers and Alternative Landscape Enhancement Plans, pages 23, 24 & 25:
 - a) Item (1)a.ii., page 23: Change “Provides sufficient tree plantings to achieve a tree canopy equal to 30% of the site at the time of development.” to “Provides sufficient tree plantings to achieve a tree canopy equal to a minimum of 5% greater than that required by ordinance.” (Total buildable area)
 - b) Item (1)a.v., page 23: Move “Reduction of parking requirements up to 30% in order to preserve existing protected trees and their canopy.” to the Incentives section.
 - c) Item (1)a.v., page 23: Add that the plan shall show that parking requirements do not exceed the minimum required by Land Development.
 - d) Item (2)a.i., page 24: Change “planted tree” to “replacement tree.” Change “at least six (6) inches dbh” to “at least five (5) inches dbh.” (To be consistent with caliper measurements)
 - e) Item (3), Compensation, pages 24 and 25: Remove dollar figures from this section, put them in a Resolution, then reference the Resolution. Double the amounts listed in a. and b.

- f) Item (3)c., page 25: Change “*was* 100% forested” to “*is* 100% forested.”

10. Section 62-3645, Appeals and Variances: Approved as written.

11. Appendices A-D, pages 27 – 47:

- a) The task force asked that Jim Spratt and other appropriate organizations (e.g., Florida Native Plant Society) review all the appendices and provide comments. The task force asked that in particular, Appendix A, item (2) should be reviewed.
- b) Cite references for the appendices.
- c) Appendix C: The combined classification for Large/Medium Trees will be separated into two classifications.

Board Recommendations

The task force began developing a list of recommendations that it will present to the Board with the draft Article. (These items are relevant to the task force’s work but outside of its scope.)

- 1) Bo Barnavon asked that the Board be informed that the draft Article is intended to reflect all landscaping regulations; therefore other landscaping regulations should be deleted (e.g., the 15-foot Land Development buffer requirement would become obsolete).
- 2) A pre-design walk-through site evaluation should be done.
- 3) Modifications to stormwater design may be necessary.
- 4) Increased-density incentives may not be implementable unless other provisions are waived (e.g. zoning for lot size).
- 5) The trust fund money should be spent for acquisition, restoration and maintenance of preserved land.

Citizen’s Comments

There were no citizen’s comments.

Next meeting

The next scheduled LLTP task force meeting will be held on Monday, February 13th from 1 PM to 5 PM at the Agriculture Center. A subcommittee, consisting of Brad Smith, Kathleen Burson and Susan Hall, will hold a public meeting on Friday, February 10th at 12:30 to test the draft Article against actual projects. The subcommittee meeting will be held at Brad Smith Associates, Inc., 2090 W. Eau Gallie Blvd., Suite B, Melbourne, FL.

Please check the Natural Resources web site at http://natres.brevardcounty.us/landscaping_meetings.cfm to review material before the next meeting.

Please let staff know if you will be unable to attend any scheduled task force meeting. If a quorum of eight members is not present for the meeting, then no official business can be conducted. Staff will continue to make reminder calls to task force members the day before meetings.

The meeting was adjourned at 4:43 PM.