



**BREVARD COUNTY**  
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE  
MEMORANDUM**

May 1, 2006

TO: Local Planning Agency

FROM: Ernie Brown  
Director, Natural Resources Management Office

RE: Proposed Revisions to Chapter 62, Article 13, Division 2, *Landscaping* and Division 3, *Land Clearing and Tree Protection*  
May 15, 2006 LPA Hearing

On February 22, 2005, the Board of County Commissioners approved the formation of a task force to evaluate and make recommendations on the landscaping, land clearing and tree protection regulations. Per Board direction, the task force was comprised of representatives from organizations representing a wide variety of interests as well as citizen representatives from the Commission Districts (see attached member list). The group, using an independent facilitator, successfully reached consensus on major issues, including agricultural exemptions, tree removal, betterment plans and canopy preservation. NRMO staff provided a support role as needed. A subcommittee of the Task Force successfully tested the revised regulations on sample project sites to ensure that the regulations work as intended. The Task Force meetings were conducted as an open, public process consistent within applicable law.

**Staff requests the Local Planning Agency to consider the proposed landscaping, land clearing and tree protection revisions and to make a recommendation to the Board of County Commissioners.**

Background: On March 16, 2004, the Board authorized staff to proceed with developing draft legislative intents to address agricultural exemptions, tree removal permits and the use of betterment plans for canopy preservation when there are adverse site conditions. On May 25, 2004, the Board directed staff to conduct public meetings in the community and gather public comment on the proposed legislative intents. Three public meetings were held in Titusville, Palm Bay and Merritt Island with an additional meeting in Scottsmeer. A meeting with agricultural interests was also coordinated through the Agricultural Extension Office. Based upon the public comments received, staff revised the legislative intents. On October 12, 2004, the Board tabled the approval of the proposed Legislative Intents to a workshop in January. On January 20, the Commission held the workshop and subsequently directed that a task force be formed.

Cost/Benefit Analysis: This proposal has no impact on the General Revenue Fund. The amendments may reduce costs for new developments by providing flexibility in landscape and tree protection design standards for difficult sites. The landscaping, land clearing and tree protection provisions provide standards for preservation of trees, canopy, heat island mitigation, and landscape buffers.

## **Attachments**

Landscaping, Land Clearing and Tree Protection (LLTP) Task Force Members / Meeting Attendance

LLTP Article XIII. Division 2. Draft

Appendix A-1, State of Florida Non-Native Noxious Invasive Plant List

Appendix A-2, Prohibited Aquatic Plants List

Appendix B, Vegetative Buffers Planting Requirements

Appendix C, Recommended Plants for Brevard County

Attachment 1, Draft Resolution Establishing Compensation Costs for Removal of Trees and Vegetation

Attachment 2, LLTP Task Force Notes

Attachment 3, LLTP Task Force Recommendations

Attachment 4, Comparative Matrix of Current and Proposed Ordinances