



CITY OF TITUSVILLE

TITUSVILLE ENVIRONMENTAL COMMISSION

AGENDA

Regular Meeting

March 26, 2026 - 5:30 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

All persons who anticipate speaking on any Public Hearing item must fill out an Oath Card to be heard on that agenda item and sign the oath contained thereon. These cards are located on the table near the entrance to the Council Chamber or may be obtained from the Recording Secretary. This meeting will be conducted in accordance to the procedures adopted in Resolution No. 24-1997.

Those speaking in favor of a request will be heard first, those opposed will be heard second, and those who wish to make a public comment on the item will speak third. The applicant may make a brief rebuttal if necessary. A representative from either side, for or against, may cross-examine a witness.

Anyone who speaks is considered a witness. If you have photographs, sketches, or documents that you desire for the Commission to consider, they must be submitted into evidence and will be retained by the City. Please submit such exhibits to the Recording Secretary.

1. CALL TO ORDER

2. ROLL CALL

3. DETERMINATION OF A QUORUM

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF MINUTES

A. Minutes March 11, 2026

Approve minutes

6. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)

7. OLD BUSINESS

A. Wetlands

8. NEW BUSINESS

9. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT

10. REPORTS

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

Any person who decides to appeal any decision of the Titusville Environmental Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, 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.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Titusville Environmental Commission
From: Bradley Parrish, Community Development Director
Subject: **Minutes March 11, 2026**
Department/Office: Planning

Recommended Action:

Approve minutes

Summary Explanation & Background:

Minutes March 11, 2026

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. 03.11.26 TEC Minutes Draft

The Titusville Environmental Commission (TEC) of the City of Titusville, Florida met in regular session at City Hall in the Council Chamber located at 555 South Washington Avenue on Wednesday, March 11, 2026, at 5:30 pm.

XXX

Chairman Myjak called the meeting to order at 5:30 pm. Present were, Member Beth Ann Tucker, Member Hector Delgado, Member Jason Miller, Member Jonathan Burdette, Member John Nico and Alternate Member William Young. Chairwoman Laurilee Thompson and Alternate Kevin Rosa were absent. Staff present were Sustainability Program Coordinator Lily Galleo and Assistant City Attorney David Melito.

XXX

Member Miller made a motion to approve the February 26, 2026 meeting as presented. Member Young seconded. There was a unanimous voice vote in favor.

XXX

Petitions and Requests from Public Present

Stan Johnson spoke on the City's ditches and canals and the stormwater master plan.

Chairman Myjak asked when the new Stormwater Master Plan will be complete. Ms. Galleo said she believes it is in the budgeting process.

XXX

Member Burdette made a comment about the City Council agenda item regarding drilling down into the brackish layer of the aquifer. Member Burdette does not agree with drilling down into the brackish layer of the aquifer. He said he would rather pursue stormwater reclamation. This would help protect the Indian River Lagoon. Member Burdette asked if the Titusville Environmental Commission would be discussing this item tonight.

Chairman Myjak said he was displeased that this was not brought before the Titusville Environmental Commission for their input. Chairman Myjak said the affluent needs to be dealt with.

Member Tucker said Council Member Stoeckel did ask that this be brought up to the Titusville Environmental Commission for their input.

Sustainability Program Coordinator Lily Galleo said this would be on the Titusville Environmental Commission's next agenda for discussion.

The Titusville Environmental Commission members had some discussion.

XXX

New Business

None

XXX

Old Business

Wetland Conservation

Mary Sphar of Cocoa, Florida continued the discussion on wetland conservation FLUE Policy 1.16.4. Ms. Sphar went over the handout of FLUE Policy 1.16.4 that she provided.

Ms. Sphar asked Assistant City Attorney Melito if the language "of this objective" is sufficient for including all of the policies included? Assistant City Attorney Melito said yes, it would include everything in Policy 1.16.

The Titusville Environmental Commission had discussion with Ms. Sphar.

XXX

Member Miller made a motion to remove the entire first sentence of FLUE Policy 1.16.4. Chairman Myjak seconded.

Roll call was as follows:

Member Miller	Yes
Member Young	Yes
Member Delgado	Yes
Member Nico	Yes
Member Tucker	Yes

*Titusville Environmental Commission
Regular Meeting
March 11, 2026*

Draft

Chairman Myjak Yes

Motion passed.

XXX

Ms. Sphar provided handouts of maps and a handout on Policy 1.16.3. Ms. Sphar made comments about the maps that were provided.

Ms. Sphar went over her suggested changes from the handout on Policy 1.16.3.

The Titusville Environmental Commission had discussion with Ms. Sphar.

XXX

Member Miller made a motion to accept the suggested change provided by Ms. Sphar to Policy 1.16.3 which is to have the language read as follows: "1.8% of each residential development's total Conservation land use on a cumulative basis. Commercial and Industrial uses are not permissible in the Conservation land use category. Member Tucker seconded.

Discussion took place.

Roll call was as follows:

Member Nico	Yes
Member Delgado	Yes
Member Miller	Yes
Member Young	Yes
Member Tucker	Yes
Chairman Myjak	Yes

Motion passed.

XXX

Ms. Sphar spoke about Strategy 1.16.3.1 and the suggested need for striking the second sentence in this strategy.

Member Miller said this makes a lot of sense because once the Stormwater Plan is updated the verbiage in that will be what is used. Member Miller agreed with the removal of this sentence.

XXX

Member Miller made a motion to remove the entire second sentence in Strategy 1.16.3.1. Member Tucker seconded.

Roll call was as follows:

Member Young	Yes
Member Delgado	Yes
Member Nico	Yes
Member Tucker	Yes
Member Miller	Yes
Chairman Myjak	Yes

Motion passed.

XXX

Ms. Sphar passed out a handout labeled Possible Alternative Wording for FLUE Policy 1.16.3 and its Strategies. Ms. Sphar went over her handout.

The Titusville Environmental Commission had discussion with Ms. Sphar.

Ms. Sphar asked if the Commission would like this to be presented to Community Development Director Brad Parrish for his feedback. The Commission was in favor of Ms. Sphar getting feedback from Mr. Parrish. Chairman Myjak said the Commission needs to be in sync with city staff.

XXX

Petitions and Requests from Public Present

None

XXX

Reports

Member Miller went to the Community Conference meeting and it was very good. Member Miller said he was able to speak to some new citizens who came and said they learned a lot. He would like to get a lot of the community who don't typically come involved.

Member Delgado said the Community Conference event was good.

Member Young said he agreed that the Community Conference event was good. Member Young said that Earth Day is coming up. Member Young said he would like a table setup for the Titusville Environmental Commission at a future Enchanted Forest Earth Day event.

Sustainability Program Coordinator Lily Galleo said they had a table at the Enchanted Forest Earth Day event last year.

Member Nico said he went to the Nanobubble event.

Chairman Myjak spoke about muck.

Sustainability Program Coordinator Lily Galleo brought up Senate Bill 180 and asked what the Commission would like to talk to about at the future meetings.

The Titusville Environmental Commission had discussion relating to all of the future items that need to be discussed. Ms. Galleo made notes of these.

XXX

Future Agenda Items

1. Wetland Conservation
2. Brackish water desalination

XXX

Adjournment 7:52 p.m.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Titusville Environmental Commission
From:
Subject: **Wetlands**
Department/Office: Planning

Recommended Action:

Summary Explanation & Background:

Ongoing wetlands discussion. Review the TEC Motions tracker sheet and continue reviewing Wetland policy in the Comprehensive Plan.

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Wetlands Confusion and Clarification -- FLUE 1-07-26
2. Handouts from 3-11-26
3. TEC Edits and Motions
4. Kimley-Horn PD South
5. Ch 163 Florida Statutes excerpt for TEC

Wetlands Confusion and Clarification

FLUE Policies

Point of Confusion	Suggested Clarification Future Land Use Element policies for Conservation land use
<p>Comprehensive Plan Conservation Element Strategy 1.6.3.2 states: “At a minimum, wetlands 5 acres or more in size <u>shall</u> be designated as a conservation land use.” This is <u>very important</u> because there is a density limitation of one residential unit per 5 acres stated in FLUE Policy 1.16.3.</p> <p>FLUE Policy 1.16.2 contains an outdated loophole allowing removal of some wetlands 5 acres or greater from the Conservation land use. Strategy 1.16.2.1 does not require a wetland delineation when wetlands are suspected on land not designated as Conservation.</p>	<p>Revise the language in Policy 1.16.2 and Strategy 1.16.2.1 so that all wetlands 5 acres and greater in size are designated Conservation land use and always remain in Conservation.</p>
<p>When a property contains only a small portion (less than 5 acres) of a large wetland totaling 5 acres or greater, how should the City ensure that this small part of the larger wetland is designated Conservation land use? How can the City ensure that wetland size determination does not stop at property boundaries?</p>	<p>Add language ensuring that the best available and appropriate data shall be used to determine whether a wetland continuing onto adjacent property is 5 acres or greater in size.</p>
<p>How is compliance with the residential limitation of one unit per five acres to be assessed? Should the density limitation be interpreted as a percentage, such as 1.8% of the Conservation land use?</p> <p>Does “residential uses of one unit per five acres” allow for any residential types other than single-family?</p>	<p>Add language to Policy 1.16.3 specifying a method for assessing compliance with the one residential unit per five acres limitation.</p> <p>Also clarify in this policy whether or not “residential uses of one unit per five acres” can include residential types other than single-family.</p>
<p>How can the City discourage applicants from using “reasonable use of the land” as an excuse to try to wiggle out of the Conservation land residential density limitation?</p> <p>How should the City and the permitting agencies work together to regulate wetlands, but avoid duplication of effort?</p>	<p>Replace the confusing and problematic FLUE Policy 1.16.4 wording with a statement saying that the City shall apply the Comprehensive Plan land use and density requirements when wetland destruction or degradation has been permitted by SJRWMD or any applicable permitting agency.</p>

SUGGESTIONS FOR SMALL CHANGES TO MOTION MADE ON 3-11-2026

Policy 1.16.3:

Allowable uses within the Conservation land use area shall be limited to residential uses of one unit per five acres, conservation, recreation, open space, and stormwater management systems consistent with the policies of the Conservation Element and the land development regulations. The preceding limitation of one (1) dwelling unit per five (5) acres within the Conservation land use category may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of each residential development's ~~the~~ total Conservation land use on a cumulative basis. ~~for residential developments.~~ Commercial and industrial uses are not permissible in the Conservation land use category.

Reason for change: To clarify that the 1.8% is to be applied project by project.

Strategy 1.16.3.1:

Impacts to wetlands in the Conservation land use category area shall not cause secondary impacts to adjacent properties. ~~Allowable uses for Conservation land use located in the 100-year floodplain shall comply with the requirement for compensatory storage for fill stated in Conservation Element Objective 1.12 Stormwater Management.~~

Reasons for change: It is premature to suggest such language because the City will be having a workshop on stormwater soon. Lately, "inundation areas" have been the focus, instead of restricting any solution to the 100-year floodplain.

Mary Sphar TEC
3-11-26

FLUE Policy 1.16.4 (Motion made on 1.27.26 and Edits on 2.26.26)

Impacts to areas designated as Conservation land use designation shall be considered if it is unavoidable due to absence of feasible and/or practical alternatives for reasonable use of the land, or the regulations create an inordinate burden on an existing use of the land or a vested right to a specific use of the land, or due to significant site constraint and/or practical design modification constraint. ~~The allowable impacts shall be based upon site specific evaluation determined through the permitting process conducted by all the regulatory agencies with jurisdiction.~~ No wetlands shall be impacted by development activities without appropriate land use review and approval by the City. The City shall apply the land use planning policies of this Objective in a manner consistent with Objective 1.6 of the Conservation Element which pertains to wetlands. Permit approval by a regulatory agency shall not substitute for independent land use review and approval by the City, and the City's land use review and approval shall not be influenced by any action taken in response to a regulatory agency's permitting decision.

Existing FLUE Policy 1.21.1 (partial)

Policy 1.21.1:

The following standards for densities or intensities of use shall apply to each future land use category as indicated below:

Land Use	Objective	Density (Residential Use)	Intensity (Non-Residential Use)
Industrial	1.8	n/a	1.0 FAR ²
Planned Industrial Park	1.8	n/a	1.5 FAR ²
Commercial High Intensity	1.9	n/a	1.0 FAR ²
Commercial Low Intensity	1.9	n/a	1.0 FAR ²
Downtown Mixed Use	1.10	20 du/acre; 30 du/acre In the Downtown Sub-district & Uptown Sub-district.	5.0 FAR ²
Urban Mixed Use	1.11	15 du/acre	1.0 FAR ²
Shoreline Mixed Use	1.12	20 du/acre	1.0 FAR ²
Residential One	1.14	1 du/acre	.2 FAR ²
Residential Two	1.14	2 du/acre	.2 FAR ²
Low Density Residential	1.14	5 du/acre	.2 FAR ²
Medium Density Residential	1.14	10 du/acre	.2 FAR ²
High Density Residential	1.14	15 du/acre	.2 FAR ²
Public/Semi-public	1.15	n/a	.2 FAR ²
Conservation	1.16	1 du/5 acres	n/a
Planned Unit Development	1.19	12 du/acre	.2 FAR ²
Regional Mixed Use ¹	1.20	Policy 1.20.2	Policy 1.20.2

Mary Sphar
TEC 3-11-26

Two Changes in to Policy 1.16.4 in 2010

Change 1 -- A relatively minor change

Pre - 2010 -- **Conditional uses** within the Conservation land use designation shall be considered **if there is no practical alternative to insure reasonable use of the applicant's propertyand**

2010 Change -- **Impacts to areas** designated as Conservation land use designation shall be considered if it is unavoidable due to absence of feasible and/or practical alternatives for reasonable use of the land

Change 2 -- A very big change

Pre - 2010 -- Conditional uses within the Conservation land use designation . . . shall be based upon . . . [conditional use criteria].

2010 Change -- Impacts to areas designated as Conservation land use designation shall be considered if . . . the regulations create an inordinate burden on an existing use of the land or a vested right to a specific use of the land¹, or due to significant site constraint and/or practical design modification constraint².

¹ Comment 1

The words "if the regulations create an inordinate burden on an existing use of the land or a vested right to a specific use of the land" mirror the Bert Harris property rights law passed in 1995 which addresses an inordinate burdens and vested rights. The Bert Harris Act says: "When a specific action of a governmental entity has **inordinately burdened** an existing use of real property or a **vested right** to a specific use of real property, the property owner of that real property is entitled to relief." This law can be used by landowners, and the first sentence in Policy 1.16.4 is not needed for a Bert Harris challenge. The logical target of any Bert Harris challenge would be Conservation Element Strategy 1.6.3.2 (nicknamed the Five Acre Rule). However, the Bert Harris law states: "No cause of action exists under this section as to the application of any law enacted on or before May 11, 1995", and Strategy 1.6.3.2 became part of the Comp Plan before 5/24/1990.

With regard to vested rights, Titusville has vested right procedures which are stated in the Land Development Regulations, Chapter 34, Article VII, Division 3. The first sentence in FLUE Policy 1.16.4 is not needed to guarantee the opportunity for vested rights determination and relief.

² Comment 2

The phrase “significant site constraint and/or practical design modification constraint” is similar to regulatory permitting language that has been in Florida permitting agencies’ Applicant’s Handbooks for many years, including 2008 and 2009 when the language in Policy 1.16.4 was being revised. From the current *Environmental Resource Permit Applicant’s Handbook, Volume I*, effective June 28, 2024 :

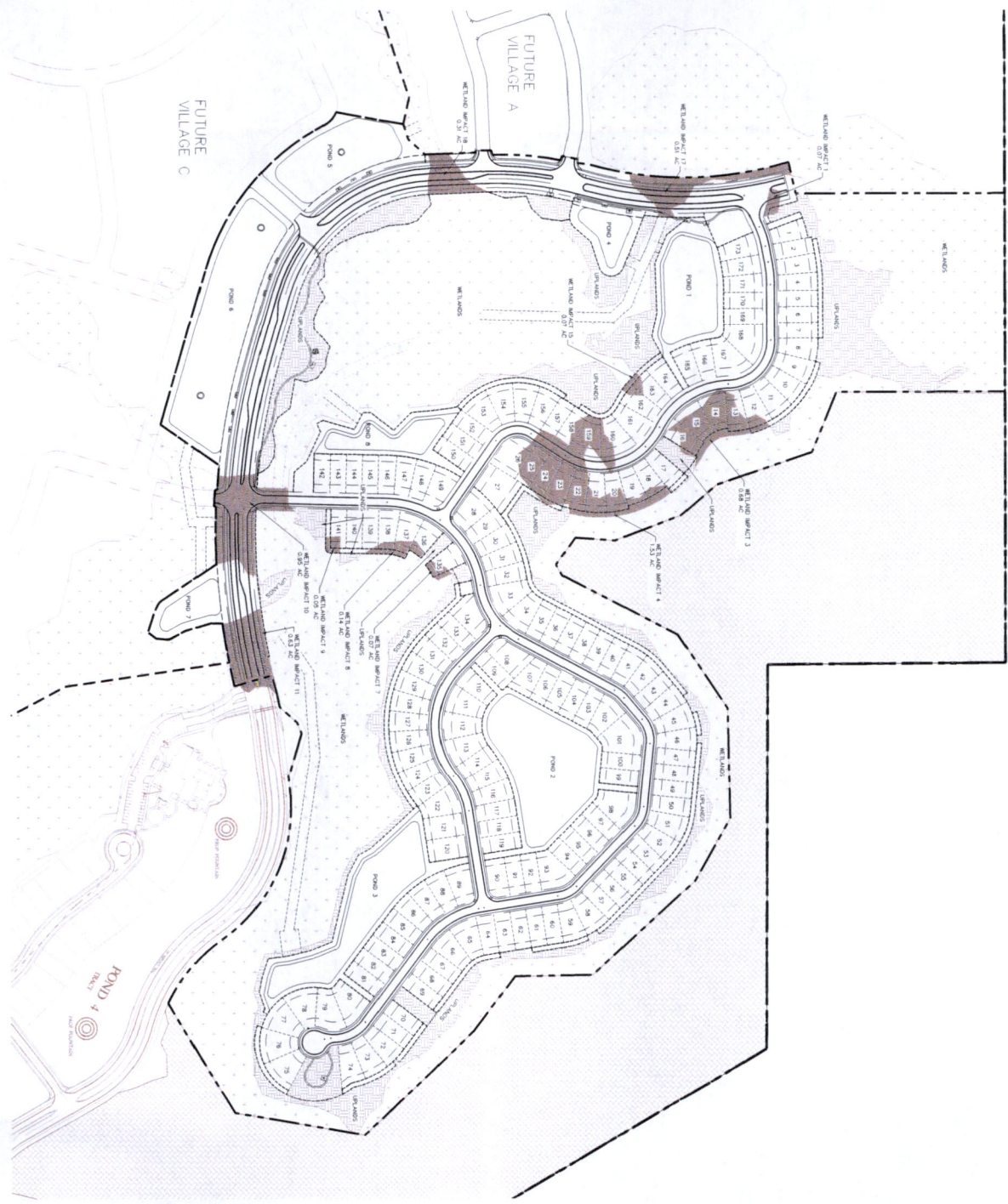
10.2.1.1 Except as provided in subsection 10.2.1.2, below, if the proposed activity will result in adverse impacts to wetland functions and other surface water functions such that it does not meet the requirements of subsections 10.2.2 through 10.2.3.7, below, then the Agency in determining whether to grant or deny a permit shall consider whether the applicant has implemented **practicable design modifications** to reduce or eliminate such adverse impacts.

The term "modification" shall not be construed as including the alternative of not implementing the activity in some form, nor shall it be construed as requiring a project that is significantly different in type or function. A proposed modification that is not technically capable of being completed, is not economically viable, or that adversely affects public safety through the endangerment of lives or property is not considered "practicable."

Basically what this language is implying is that in some cases, an applicant’s project can be granted a permit even if it is not going to really meet the environmental criteria. This can happen if enough mitigation is offered. As Margaret Spontak stated in her memo *Partnership for Wetlands Protection: The Need for Land Use Planning and Permitting*:

It is a losing proposition to attempt to achieve proper land use planning through a regulatory program. By the time a developer requests a permit application, it is too late for planning. All that can be done at this point is to minimize the negative impacts as best the regulatory agency can. The burden has been passed on to the permitting staff rather than dealt with as a land use policy and a natural resource protection policy in the comprehensive plan and implemented through local government land development regulations.

Titusville’s land use planning policies should not duplicate permitting policies of regulatory agencies. Land use decisions should not involve evaluating whether wetland impacts can be considered due to “significant site constraint and/or practical design modification constraint.” Therefore, this phrase is not appropriate in FLUE Policy 1.16.4.



- LEGEND**
- PROPERTY BOUNDARY
 - WETLANDS (PROPOSED BY BROWNS)
 - WETLAND IMPACTS
 - CONSERVATION ELEMENT
 - UNLANDS

VILLAGE B WETLAND IMPACTS & MITIGATION
 TOTAL WETLAND IMPACTS: 4.94 ACRES
 MITIGATION FOR WETLAND IMPACTS WILL BE PROVIDED BY PURCHASE OF WETLAND RESTORATION CREDITS
 NOTE: ALL WETLAND IMPACTS SHOWN ARE A PRELIMINARY APPROXIMATION AND ARE SUBJECT TO CHANGE DURING FINAL DESIGN



PRELIMINARY FOR REVIEW ONLY NOT FOR CONSTRUCTION

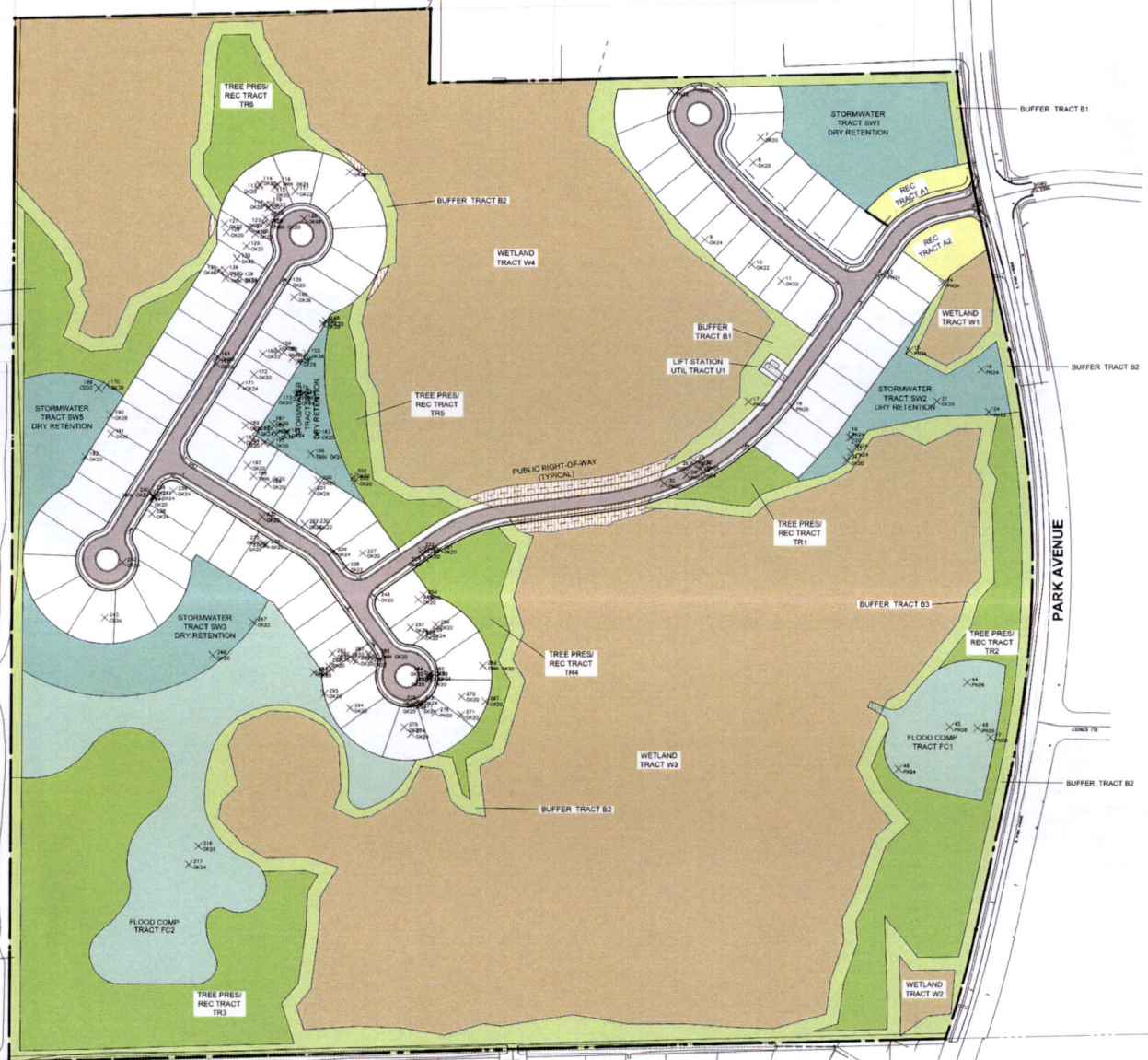
SHEET NUMBER C3.0	VERONA - VILLAGE B	WETLAND IMPACTS	K-H PROJECT 049903200	LICENSED PROFESSIONAL BRIAN S. ASHBY, P.E.	Kimley»Horn	CITY OF TITUSVILLE COMMENTS	06/01/21 BAW
			DATE 08/19/2021	SCALE AS SHOWN		CITY COMMENTS	06/25/21 JL
CITY OF TITUSVILLE	FLORIDA		DESIGNED BY CNS		189 S ORANGE AVE, SUITE 1000, ORLANDO, FL 32801	CITY OF TITUSVILLE COMMENTS	08/23/21 PJT
			DRAWN BY BAW		PHONE: 407-898-1511		
			CHECKED BY BSA	DATE	WWW.KIMLEY-HORN.COM CA 00000696	No.	REVISIONS
						DATE	BY

Mary Spahr 3/11/20 TEC

Mary Sphar 3/11/26

LEGEND

- WETLAND (OPEN SPACE)
- WETLAND IMPACTS
- WETLANDS (OPEN SPACE)
- STORMWATER MANAGEMENT
- FLOOD COMMINGLED STORMWATER
- RECREATIONAL (OPEN SPACE)
- BUFFER (OPEN SPACE)
- TREE PRESERVATION



TREE DEMOLITION TABLE

NO.	DATE	DESCRIPTION	STATUS
1	11/11/20	DESIGNED	DESIGNED
2	11/11/20	DRAWN	DRAWN
3	11/11/20	CHECKED	CHECKED
4	11/11/20	DATE ISSUED	DATE ISSUED

TREE MITIGATION TABULATIONS

TREE LOSS	3,826 TREES TO BE REMOVED (INCHES)
TOTAL	190 ADDITIONAL INCHES OF DIAMETER LOSS (TWIS)
MITIGATION	4,016 TOTAL TREES LOSS (INCHES)
	430,394 PROPOSED AREA OF TREE PRESERVATION (SF)
	4,334 MITIGATION FROM PRESERVATION (INCHES)
	4,016 TOTAL TREES LOSS (INCHES)
	0 ADDITIONAL MITIGATION REQUIRED (INCHES)

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHKD
1	11/11/20	DESIGNED	MBV	
2	11/11/20	DRAWN	MBV	
3	11/11/20	CHECKED	MBV	
4	11/11/20	DATE ISSUED	MBV	

MBV CONSULTANTS
 15200 BAYSHORE BLVD. SUITE H
 P.O. BOX 303010 JACKSONVILLE, FL 32230-3010
 (904) 722-0800 FAX (904) 722-0808

PROPOSED TREE MITIGATION PLAN

HUNTINGTON PARK (PARK AVENUE PD)

FLORIDA
 TITUSVILLE BREVARD COUNTY

NOT FOR CONSTRUCTION
 THIS PLAN IS A PRELIMINARY SET AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE DESIGNER. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS PLAN.

SHEET EX-04

17-1090
 PRELIMINARY SET



CANAL TYPE	CROSS SECTIONS		RECOMMENDED DESIGN
	RECOMMENDED DESIGN	MINIMUM DESIGN	
I			<p>A = 368 S P = 86 FT R = 5.58 F R^{1/2} = 3.15</p>
II			<p>A = 288 S P = 56 FT R = 3.15 F R^{1/2} = 2.9</p>
III			<p>A = 248 S P = 51 FT R = 4.86 F R^{1/2} = 2.8</p>
IV			<p>A = 208 S P = 46 FT R = 4.52 F R^{1/2} = 2.7</p>
V			<p>A = 120 S P = 35 FT R = 3.43 F R^{1/2} = 2.2</p>
VI			<p>A = 102 S P = 32 FT R = 3.18 F R^{1/2} = 2.17</p>
VII			<p>A = 70 S P = 25 FT R = 2.63 F R^{1/2} = 1.9</p>
VIII			<p>A = 48 S P = 22 FT R = 2.18 F R^{1/2} = 1.88</p>

NOTE: DIMENSIONS GIVEN FROM TOP OF WATER TO GRADE ARE MINIMUM.
TOTAL CANAL WIDTHS AT GRADE ARE VARIABLE DEPENDING UPON EXISTING GRADE. GIVEN DIMENSIONS ARE NOMINAL.
ROADWAYS BETWEEN CANAL BANK AND SPOIL BANK ARE VARIABLE DEPENDING UPON EXISTING GRADE. GIVEN DIMENSIONS ARE NOMINAL.
GIVEN HEIGHTS OF SPOIL BANKS ARE APPROXIMATE.

Mary Sphar
TEC 3-11-22

Possible Alternative Wording for FLUE Policy 1.16.3 and its Strategies

Policy 1.16.3:

Allowable uses within the Conservation land use area shall be limited to residential uses of one unit per five acres, conservation, and passive recreation. The limitation of one (1) dwelling unit per five (5) acres may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of each residential development's total Conservation land use on a cumulative basis.

Strategy 1.16.3.1

The Conservation land use designation shall remain on wetlands that are impacted as allowed in this policy.

Strategy 1.16.3.2

Mitigation for allowed impacts for residential development in wetlands designated as Conservation land use shall consist of preservation and maintenance of remaining wetland acreage. The required preservation shall at a minimum be proportional to the cumulative wetland impacts and shall be documented by deed restriction.

Strategy 1.16.3.3

Consistent with Policy 1.21.1, which states density and intensity limitations, commercial and industrial uses are not permissible in the Conservation land use category.

Strategy 1.16.3.4:

Impacts to wetlands in the Conservation land use category area shall not cause secondary impacts to adjacent properties.

Impacts to Wetlands Greater than 5 Acres in Size

Development Name	Do Wetland Impacts Limitations Apply?	Percentage of Wetlands Impacted	Number of Houses Sited in Wetlands (excludes impacts on edges of lots)
Huntington Park	YES	1.8%	ZERO
Verona Village D	NO	1.8%	ZERO
Verona Village B	NO	12.0%	11

TEC Suggested Edits

FLUE Policy 1.16.2 (Motion made on 11.12.26)

As of 2009, the wetlands shown as Conservation Land Use on the Future Land Use Map were established using the National Wetlands Inventory Map of 1988. These wetlands shown on this map have not been ground truthed. In order to provide more accurate mapping of wetlands, when the City receives a wetland delineation on specific sites, the delineations will be accepted by the City of Titusville and the Future Land Use Map will be amended accordingly. The Conservation Land Use shall be amended to include all wetland areas on the site to be preserved, ~~unless such wetlands are preserved by a conservation easement as part of a Planned Development (PD) or other master-planned development, and any other~~ along with any upland areas to be permitted for preservation for state and/or federal listed wildlife species.

Rationale for proposed changes to FLUE Policy 1.16.2

The wording in strike-through was added in 2017 to accommodate clustered development patterns, including conservation subdivisions, using Planned Development (PD) zoning. At that time, PD zoning was not was not allowed in Conservation land use. This was changed on February 27, 2018 with the passage of Ordinance 6-2018, rendering the language in strike-through no longer needed to accomplish its original purpose. Since 2017, problems with the language have surfaced. First of all, it is inconsistent with Conservation Element Strategy 1.16.3.2 (“Five Acre Rule”). Second, SJRWMD conservation easements are no longer guaranteed to be permanent, and the amendment aims to head off potential problems resulting from that fact.

FLUE Policy 1.16.3 (Motion made on 2.26.26 and edits on 3.)

~~Permitted- Allowable~~ uses within the Conservation land use area shall be limited to residential uses of one (1) unit per five (5) acres, conservation, recreation, open space, and stormwater management systems consistent with the policies of the Conservation Element and the land development regulations. ~~The preceding limitation of one (1) dwelling unit per five (5) acres within the Conservation land use category may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of each residential development’s total Conservation land use on a cumulative basis. Commercial and industrial uses are not permissible in the Conservation land use category.~~

Rationale (via Mary Sphar Suggestions for small changes to motion made on 3-11-2026)

To clarify that the 1.8% is to be applied project by project

Strategy 1.16.3.1:

Impacts to wetlands in the Conservation land use category area shall not cause secondary impacts to adjacent properties.

Rationale (via Mary Sphar Suggestions for small changes to motion made on 3-11-2026)

It is premature to suggest such language because the City will be having a workshop on stormwater. Lately, “inundation areas” have been the focus, instead of restricting any solution to the 100-year flood plain.

FLUE Policy 1.16.4 (Motion made on 1.27.26 and Edits on 2.26.26 and 3.11.26)

~~Impacts to areas designated as Conservation land use designation shall be considered if it is unavoidable due to absence of feasible and/or practical alternatives for reasonable use of the land, or the regulations create an inordinate burden on an existing use of the land or a vested right to a specific use of the land, or due to significant site constraint and/or practical design modification constraint. The allowable impacts shall be based upon site specific evaluation determined through the permitting process conducted by all the regulatory agencies with jurisdiction. No wetlands shall be impacted by development activities without appropriate land use review and approval by the City. The City shall apply the land use planning policies of this Objective in a manner consistent with Objective 1.6 of the Conservation Element which pertains to wetlands. Permit approval by a regulatory agency shall not substitute for independent land use review and approval by the City, and the City’s land use review and approval shall not be influenced by any action taken in response to a regulatory agency’s permitting decision.~~

TEC MOTIONS

10/15/2025	Member Miller made a motion to recommend to City Council to have city staff look at Policy 1.16.2 and specifically into the language regarding conservation easements. Seconded by Member Burdette. There was a unanimous voice vote in favor. Member Miller made a motion recommending that city staff review and find the best place within the Comprehensive Plan Future Land Use Element Wetland Policy 1.16 to include the language that decisions on these smaller parcels are made using the best and available appropriate data, I E and GIS or staff reports. Member Tucker seconded.
11/12/2025	Vice Chairwoman Thompson made a motion to recommend removing the following sentence from FLUE Policy 1.16.2 “unless such wetlands are preserved by a conservation easement as part of a Planned Development (PD) or other master-planned development”. Member Young Seconded.

11/12/2025	Member Browning made a motion to recommend changing the following language in FLUE Policy 1.16.2. Delete the words “and any other” and replacing them with “along with any”. Vice Chairwoman Thompson seconded.
11/12/2025	Member Delgado made a motion to recommend that when a wetland touches the property line the delineation continues to be counted beyond that property line until the entire wetland is fully delineated. Chairman Myjak seconded. Vice Chairwoman Thompson suggested that it should be delineated until it is determined to be five (5) acres in size.
1/14/2026	Vice Chairwoman Thompson made a motion to recommend the changes that have been discussed for FLUE Policy 1.16.2 as amended to staff to get their review and opinion. Member Miller Seconded. There was a unanimous voice vote in favor.
1/14/2026	Vice Chairwoman Thompson made a motion that Ms. Galleo pose a question to the GIS staff asking if the latest version of GIS mapping show that wetlands extend beyond a single property boundary to be five acres or more in size. Member Tucker seconded. There was a unanimous voice vote in favor.
1/27/2026	Member Thompson made a motion for Staff to review and comment on the proposed language added to 1.16.4 “Where the wetland degradation or destruction has been permitted or may be permitted in the future by the applicable regulatory agencies, no wetlands shall be impacted by development activities without appropriate review and approval by the City. The City shall apply the land use planning policies and density requirements for protecting wetlands and their functions as stated in the Future Land Use Element Objective 1.16 and the Conservation Element.
2/11/2026	Vice Chairwoman Thompson made a motion to reaffirm their previous motion from January 14, 2026 in removing the following sentence from Policy 1.16.2, <i>unless such wetlands are preserved by a conservation easement as part of a Planned Development (PD) or other master planned development, and any other.</i> Member Tucker seconded
2/11/2026	Member Miller made a motion to accept the rationale that Mary Sphar provided in her handout to better clarify the removal of the sentence in Policy 1.16.2. Member Delgado seconded.
2/26/2026	Vice Chairwoman Thompson made a motion and Member Tucker seconded it to recommend Option 2 changes to Policy 1.16.3 along with a new strategy labeled 1.16.3.1 to read Policy 1.16.3: Allowable uses within the Conservation land use area shall be limited to residential uses of one unit per five acres, conservation, recreation, open space, and stormwater management systems consistent with the policies of the Conservation Element and the land development regulations. The preceding limitation of one (1) dwelling unit per five (5) acres within the Conservation land use category may be applied as a maximum percentage limiting wetland impacts to not more than 1.8%

	<p>of the total Conservation land use on a cumulative basis for residential developments. Commercial and industrial uses are not permissible in the Conservation land use category.</p> <p>Strategy 1.16.3.1: Impacts to wetlands in the Conservation land use category area shall not cause secondary impacts to adjacent properties. Allowable uses for Conservation land use located in the 100-year floodplain shall comply with the requirement for compensatory storage for fill stated in Conservation Element Objective 1.12 Stormwater Management.</p>
2/26/26	<p>Member Nico made the motion and Vice Chairwoman Thompson seconded to substitute the last sentence of Policy 1.16.4 that currently reads “The allowable impacts shall be based upon site specific evaluation determined through the permitting process conducted by all the regulatory agencies with jurisdiction.” To state</p> <p>No wetlands shall be impacted by development activities without appropriate land use review and approval by the City. The City shall apply the land use planning policies of this Objective in a manner consistent with Objective 1.6 of the Conservation Element which pertains to wetlands. Permit approval by a regulatory agency shall not substitute for independent land use review and approval by the City, and the City’s land use review and approval shall not be influenced by any action taken in response to a regulatory agency’s permitting decision.</p>
3/11/2026	<p>Member Miller made a motion to remove the entire first sentence of FLUE Policy 1.16.4. Chairman Myjak seconded.</p>
3/11/2026	<p>Member Miller made a motion to accept the suggested change provided by Ms. Sphar to Policy 1.16.3 which is to have the language read as follows: “1.8% of each residential development’s total Conservation land use on a cumulative basis. Commercial and Industrial uses are not permissible in the Conservation land use category. Member Tucker seconded.</p>
3/11/2026	<p>Member Miller made a motion to remove the entire second sentence in Strategy 1.16.3.1 that reads “Allowable uses for Conservation land use located in the 100-year floodplain shall comply with the requirement for compensatory storage for fill stated in Conservation Element Objective 1.12 Stormwater Management.” Member Tucker seconded</p>



163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(1) The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. . . . **The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.**

(f) **All mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data** and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

2. Data must be taken from professionally accepted sources. The application of a methodology utilized in data collection or whether a particular methodology is professionally accepted **may be evaluated**. However, the evaluation may not include whether one accepted methodology is better than another. **Original data collection by local governments is not required. However, local governments may use original data so long as methodologies are professionally accepted.**

(2) Coordination of the several elements of the local comprehensive plan shall be a major objective of the planning process. The several elements of the comprehensive plan shall be consistent.