



CITY OF TITUSVILLE

TITUSVILLE ENVIRONMENTAL COMMISSION

AGENDA

Regular Meeting

January 27, 2026 - 6:00 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 January 14, 2026**

Approve Minutes
- 6. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)**
- 7. OLD BUSINESS**

**A. Wetlands**

Discuss the draft amendment and further changes to the comprehensive plan.

**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 January 14, 2026**  
**Department/Office:** Planning

**Recommended Action:**

Approve Minutes

**Summary Explanation & Background:**

Minutes January 14, 2026

**Alternatives:**

**Item Budgeted:**

**Source/Use of Funds/Budget Book Page:**

**Strategic Plan:**

**Strategic Plan Impact:**

**ATTACHMENTS:**

1. 01.14.26 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, January 14, 2026, at 5:30 pm.

XXX

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

XXX

Vice Chairwoman Thompson made a motion to approve the November 11, 2025 meeting minutes as presented. Member Delgado seconded. There was a unanimous voice vote in favor.

XXX

Jason Miller, John Nico and Kevin Rosa were sworn in as the newest members of the Titusville Environmental Commission.

XXX

**Petitions and Requests from Public Present**

None

XXX

Vice Chairwoman Thompson suggested moving items 7B and 8A before item 7A. The Titusville Environmental Commission members were in agreement with these changes to the agenda order.

XXX

**New Business**

**Election of Officers**

Vice Chairwoman Thompson nominated Michael Myjak to remain as Chairman. There were no other nominations. Michael Myjak accepted.

Vice Chairwoman Thompson made a motion for Michael Myjak to be Chairman. Member Tucker seconded. There was a unanimous voice vote in favor.

Chairman Myjak nominated Laurilee Thompson to remain Vice Chairwoman. There were no other nominations. Laurilee Thompson accepted.

Chairman Myjak made a motion for Laurilee Thompson to be Vice Chairwoman. Member Delgado seconded. There was a unanimous voice vote in favor.

XXX

**Old Business**

**Titusville Environmental Commission Semi-Annual Report**

Vice Chairwoman Thompson said that there was a duplication under the Trees & Urban Forestry topic as bullet point four and six are the same. They requested that bullet point six be removed.

Member Miller said that John Nico can be added as a new member to the Membership Changes topic as well.

Sustainability Program Coordinator Lily Galleo said she will make these changes.

Member Miller volunteered to present the report in person to City Council on January 29, 2026.

XXX

Member Tucker made a motion to approve the Titusville Environmental Commission semi-annual report with changes and authorizes Member Miller to present the report in person to City Council on January 29, 2026. Member Delgado seconded. There was a unanimous voice vote in favor.

XXX

**Wetland Conservation**

Mary Sphar of Cocoa, Florida came to provide her suggestions in written form as a handout to the Titusville Environmental Commission on Policy 1.16.2. Mary Sphar went over the handout. Ms. Sphar stated that this recommendation gets rid of the main problems.

Member Young provided a handout regarding an email he received from Wade Harrison on an easement on his property in SC. Member Young provided detailed comments relating to the email and easements.

The Titusville Environmental Commission had discussion relating to easements.

XXX

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.

XXX

Ms. Sphar provided a handout regarding the need for the best available data from GIS regarding wetlands. Ms. Sphar spoke in detail about her handout.

The Titusville Environmental Commission had discussion regarding the GIS data as it relates to determining wetlands.

Member Miller suggested that the motion that was previously made at the November 2025 meeting be kept as to not constrain the city from using the best available tools to get the data.

Chairman Myjak said that the GIS data can be used, however ground truthing is still important.

Member Nico said he has experience using GIS data and the GIS uses the most up to date data source files to have current information, which is the best available data when using GIS.

XXX

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.

XXX

Mary Sphar provided a handout regarding Partnership for Wetlands Protection: The Need for Land Use Planning and Permitting from June 1995. Ms. Sphar spoke about the 1995 Brevard County advocacy group and what they worked towards as it relates to getting rid of wetland policies. Ms. Sphar said there is a difference in what the city should be doing in land use planning and what the permitting agencies do by their rules.

Ms. Sphar provided a handout relating to FLUE Policy 1.16.4. Ms. Sphar spoke of the last sentence in the FLUE Policy 1.16.4 and the problem with the sentence as described in the handout.

Ms. Sphar said that due to time she will continue this discussion and her recommended solution at the next Titusville Environmental Commission meeting.

Chairman Myjak asked that all the Titusville Environmental Commission members look over FLUE Policy 1.16.4 and come back prepared to discuss this at the next meeting.

XXX

**Petitions and Requests from Public Present**

None.

XXX

**Reports**

Sustainability Program Coordinator Lily Galleo provided the dates for the four additional approved Titusville Environmental Commission meeting dates. The Titusville Environmental Commission members had no objections to the dates.

Ms. Galleo said that there is an Arbor Day event on January 16, 2026 at the Pritchard House dedicating a tree for the 250<sup>th</sup> Anniversary celebration of the United States of America.

Ms. Galleo said that she is still in need of feedback for the Urban Forestry Management Plan and asked if the Commission members could please promote this to everyone that they meet. Ms. Galleo said she will provide the link via email.

***Titusville Environmental Commission  
Regular Meeting  
January 14, 2026***

***Draft***

Ms. Galleo said the Stormwater Workshop is on January 22, 2026 in the Council Chamber at City Hall at 5:30pm.

Ms. Galleo said that there will be a Community Conference on March 7, 2026 and she invited all the Titusville Environmental Commission members to attend. Ms. Galleo will provide them with the registration link via email.

Vice Chairwoman Thompson thanked the City of Titusville for hosting the first County Commission Workshop for the Save Our Indian River Lagoon ½ cent sales tax meeting. Vice Chairwoman Thompson said that the meeting was excellent and the video from the meeting can be viewed on YouTube.

Chairman Myjak said that the city’s SOILR presentation was fantastic. Chairman Myjak said that Vice Chairwoman Thompson’s presentation was especially good.

XXX

**Future Agenda Items**

Wetland Conservation

XXX

**Adjournment 7:45 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:**

Discuss the draft amendment and further changes to the comprehensive plan.

**Summary Explanation & Background:**

On October 15, 2025, the Commission discussed the wetlands policies and strategies in the Comprehensive Plan; specifically Future Land Use Element Policy 1.16.2 and Strategy 1.16.2.1.

On October 28, 2025, the City Council granted the Commission's request for staff time to review and revise areas of the Future Land Use Element Policy No. 1.16.2 and any related sections. In addition, Council directed staff to include a review of all wetlands, stormwater, and flooding and to make this advisability a top priority.

On November 12, 2025, the Commission drafted an amendment to the Comprehensive Plan Future Land Use Element Policy 1.16.2.

On November 25, 2025, the City Council authorized the Commission to hold four additional meetings or two meetings per month during January, February, March, and April of 2026.

During the January 14th meeting, Ms. Mary Sphar presented and handed out additional resources for the Commission's consideration. The Commission requested feedback from staff on the proposed changes to FLU Policy 1.16.2

All exhibits submitted by Ms. Mary Sphar at the Commission's January 14th meeting are enclosed for further discussion. In response to a request for staff's opinion on the draft amendment to FLUE Policy 1.16.2, enclosed for the Commission's information are meeting minutes, ordinances, and a report to City Council dated 2018.

**Alternatives:**

**Item Budgeted:**

**Source/Use of Funds/Budget Book Page:**

**Strategic Plan:**

**Strategic Plan Impact:**

**ATTACHMENTS:**

1. Mary Comp Plan Amendment 01\_14\_26
2. Mary Partnership for Wetlands Protection SJRWMD 01\_14\_26
3. Mary Problem Language in FLUE Policy 1.16.4 01\_14\_26
4. Wetlands Confusion and Clarification -- FLUE 1-07-26
5. Mary Box 2 Suggestion 01\_14\_26
6. CPA X-2026 Wetlands
7. RTC 2-27-18 wetland CPA
8. 2018 wetland ordinance
9. 2018 wetland CPA
10. minutes 2-27-18 wetland CPA

Mary Spahr  
TEC 1-14-2026  
7A Item

## Titusville Comprehensive Plan Amendment

### Future Land Use Element Policy 1.16.2:

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.

### Purpose of the proposed amendment

The amendment aims to head off potential problems resulting from the fact that conservation easements are no longer guaranteed to be permanent. Also it eliminates the existing conflict of Future Land Use Element Policy 1.16.2 with Conservation Element Strategy 1.6.3.2.

### Arguments for the proposed amendment

- The existing FLUE Policy 1.6.2 wording is not consistent with Conservation Element Strategy 1.6.3.2. The proposed wording eliminates the inconsistency.
- Since the time this policy was changed to include the problematic caveat (now in strike-through), SJRWMD has changed its policies to accommodate requests for removal of conservation easements; the result of this new policy is that conservation easements are not guaranteed to be permanent. Conservation land use is the only land use category that contain density limitations in wetlands. If a conservation easement were to be removed, this legal density limitation on development in wetlands would be lost.
- The amendment with the strike-through does not take away the option to use PD zoning in Conservation land use.

### Arguments against the proposed amendment as currently proposed

TEC is proposing language that gets rid of the two major problems. Additional input from Staff is needed to accurately reflect the options for wetlands less than 5 acres in size. Although TEC will be focusing on major inconsistencies and confusing language, it is prepared to work as a team with Staff to get the minor details exactly right.

Mary Spahr  
TEC 1-14-26  
Double sided.

Position Paper, SJRWMD, written by Margaret Spontak  
"Partnership for Wetlands Protection:  
The Need for Land Use Planning and Permitting"  
Endorsed by SJRWMD Governing Board in June 1995

## **PARTNERSHIP FOR WETLANDS PROTECTION: THE NEED FOR LAND USE PLANNING AND PERMITTING**

While there exist federal, state and regional wetland regulatory permitting programs, each local government must provide the individual attention to their specific geographic areas and unique resource conditions to complement the protection afforded by regulatory efforts. The local government can use land use planning and zoning techniques to protect wetlands in partnership with regulatory efforts. To protect wetlands, the local government can use tools such as conservation future land use categories and compatible land uses in predominantly wetland areas, promoting policies which identify acceptable activities in wetland areas, wetlands overlay zoning, setbacks from wetlands, upland buffer zones of native vegetation, performance standards for development near wetlands, transfer of development rights, and tax incentives. There are many techniques available and the local government has great flexibility to perfect its own system.

**Question 1: Why must local governments address wetland protection when so many other state and federal regulatory agencies already do?**

Permitting is not Planning. Federal, state, regional, and even local wetland regulation programs issue permits for development in wetlands. What these programs do not do is plan future land use, and identify and implement long range goals, objectives and policies based on a comprehensive assessment of natural resources and their wise use, conservation and protection in light of future growth projections and community needs.

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.

Local government planning is often the most effective tool in addressing cumulative impacts of development. Permitting programs are set up to permit development which has been identified by a local government to be appropriate for that specific area, and to allow development according to adopted guidelines. It is the responsibility of the local government to first decide which land uses and activities are appropriate, in a comprehensive analysis, for specific geographic areas within their political boundaries. The total or cumulative impacts of these activities on a given area are usually debated at the local government level when the land use designations are determined for local government comprehensive plans.

Mary Sphas  
TEC 1-14-2026

## Problem language in FLUE Policy 1.16.4

**Last sentence in FLUE Policy 1.16.4:** The allowable impacts shall be based upon site specific evaluation determined through the permitting process conducted by all the regulatory agencies with jurisdiction.

**Problem with the last sentence in FLUE Policy 1.16.4:** It has been interpreted to allow Titusville Staff to defer all decisions on impacts to wetlands to SJRWMD and other regulatory agencies.

### Documentation of the Problem-- Excerpt from P&Z Meeting -- September 16, 2020

NOTE: P&Z Chairman Severs was the Titusville City Attorney for 40 years.

Mr. Quintas was a respected Titusville Planner who no longer works for the City.

Chairman Severs asked [applicant] how he got a permit from the City of Titusville to fill wetlands and destroy the trees and vegetation when he did not have the land use and the zoning.

Chairman Severs asked [applicant] if he received a permit to fill in the wetlands before changing the land use and rezoning. [Applicant] said they received a permit from St. Johns River Water Management District (SJRWMD) and the Army Corps of Engineers. Chairman Severs said he does not care about the SJRWMD because they do not control land use and zoning.

**Chairman Severs asked staff if the City of Titusville has jurisdiction over land use and zoning. Mr. Quintas said yes. Mr. Quintas said that the Conservation Land Use does not control the filling in of wetlands. If someone has a permit from SJRWMD the city cannot stop that.** Mr. Quintas said that one of the objections that has been raised in the past is a land use cannot be changed in conservation areas until the wetlands are filled. This is one of the reasons staff recommended this be done prior to the changing of the land use. If it was wetlands the argument would be why are we changing the land use. Chairman Severs said the rationale seems to be fill in the wetlands so the land use and zoning can be changed. Chairman Severs said he has never seen this done this way. Typically, you would apply for the land use and zoning you would like on the property before you get any permits. [Applicant] said he agrees that he has never seen this done this way before, it is always done upfront. [Applicant] said that this is why it was spelled out on the plans because it is always done upfront before development is started.

Chairman Severs said he does not understand how the permits were issued without the correct land use and zoning. **Chairman Severs said as he understands it, the City of Titusville still controls land use and zoning. He said if the City of Titusville thinks that an area should remain wetlands and conservation because it meets the criteria of the Comprehensive Plan, then the City has a right to say that regardless of what SJRWMD says.**

# 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>

Mary Sphar  
TEC 1-14-26  
Wetlands Item

Dear TEC Members,

I have a suggestion before TEC finalizes its recommendation to deal with Box 2 of the wetlands chart.

You have had some very good discussions about the problem that is the subject of Box 2. I think TEC should ask for detailed information on how Staff, particularly GIS Staff, could determine what was the best available data on the total size of the wetland area (on and off site) that existed in part on the "hotel" property previously alluded to by several people including Council Member Nelson. The size would be calculated before development was started. Approval from City Council for the Comp Plan change was on February 28, 2023.

The mapped wetlands on the approximately 3-acre parcel are 2.86 acres. It seems like common sense, looking at the available maps, that the wetland area continued off the 3-acre property onto the Blue Heron property the City owns to the south.

In fact, Staff noted in their report that the wetland area appears to continue on to the property to the south, which is the City's Blue Heron property: "The wetlands on the subject property are adjacent to, and appear hydrologically connected to, the wetlands on the city-owned property to the south. Combined, the entire wetland (on and off the subject property) has the potential to be 5 acres or more in size."

Thank you,

Mary Sphar

# Titusville Comprehensive Plan Amendment

## Future Land Use Element Policy 1.16.2:

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.

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.

City of Titusville  
"Gateway to Nature and Space"

**REPORT TO COUNCIL**

**To:** The Honorable Mayor and City Council  
**From:** William S. Larese, City Manager  
**Subject:** **Comprehensive Plan Amendment No 1-2017 Relating to Conservation Land Uses**  
**Department/Office:** Planning

**Recommended Action:**

Conduct the second reading and public hearing for the adoption of Comprehensive Plan Amendment (CPA) No. 1-2017 and Ordinance No. 10-2018 amending the Code of Ordinances by amending Ordinance No. 60-1988, which adopted the comprehensive plan of the City of Titusville, by adopting Comprehensive Plan Amendment 2017-01 amending Policy 1.16.2 of the Future Land Use element of the Comprehensive Plan relating to conservation land uses; providing for severability; and providing for an effective date.

**The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval, 4-0.**

**Summary Explanation & Background:**

The City's Comprehensive Plan and Land Development Regulations currently require that wetlands five (5) acres or greater in size be designated as Conservation land use and Open Space/Recreation (OR) zoning. In many instances, this has resulted in significant areas of wetlands being protected. However, the limited options for designation of wetlands has limited the use of conservation subdivisions in which wetlands could be protected by conservation easements or through plat limitations. These options would provide an excellent measure of protection and flexibility for property owners seeking to develop conservation subdivisions.

**Alternatives:**

1. Adopt CPA 2017-1 as written.
2. Adopt CPA 2017-1, with changes.
3. Do not adopt CPA 2017-1.

**Item Budgeted:**

**Source/use of funds/Budget Book Page:**

**Strategic Plan:**

**Strategic Plan Impact:**

The proposed comprehensive plan amendment is intended to provide greater protection of wetlands while increasing development options; thereby enhancing quality of life and

encouraging responsible development.

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
<input type="checkbox"/> <u>Ordinance No. 10-2018</u>	2/16/2018	Backup Material
<input type="checkbox"/> <u>Ad</u>	2/21/2018	Backup Material

**ORDINANCE NO. 10-2018**

**AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY ADOPTING COMPREHENSIVE PLAN AMENDMENT 2017-01 AMENDING POLICY 1.16.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO CONSERVATION LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Titusville, pursuant to Chapter 163, Florida Statutes, desires to amend its Comprehensive Plan adopted by Ordinance No. 60-1988; and

**WHEREAS**, a first and second public hearing has been held on the Comprehensive Plan amendments before the Local Planning Agency and the local governing body; and

**WHEREAS**, the City of Titusville has received and considered the written objections, recommendations, and comments of the State Land Planning Agency and any other person, agency, or governing body; and

**WHEREAS**, the City of Titusville finds that said Comprehensive Plan Amendment has been processed in accordance with the applicable law and desires to amend the Comprehensive Plan.

**WHEREAS**, the City Council of the City of Titusville desires to amend the Future Land Use Element of the Comprehensive Plan in order to provide for alternative methods to preserved wetlands.

**NOW, THEREFORE, BE IT ENACTED by the City of Titusville, Florida as follows:**

**Section 1.** The City of Titusville's Comprehensive Plan is hereby amended by adopting Comprehensive Plan Amendment 2017-1 amending Policy 1.16.2 of the Future Land Use Element to read as follows:

**Policy 1.16.2** 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 groundtruthed. 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 upland areas to be permitted for preservation for state and/or federal listed wildlife species.

**Strategy 1.16.2.1** When Conservation Land Use is present on a specific site, a property owner shall submit a preliminary environmental assessment, including a wetland delineation when wetlands are present, prior to any future development. If the environmental assessment indicates that only wetlands are present and the wetlands are to be preserved rather than mitigated, the City shall accept the

wetland delineation and amend the Future Land Use Map to align the Conservation Land Use with that delineation.

**Strategy 1.16.2.2** When Conservation Land Use is present on a specific site, a property owner shall submit a preliminary environmental assessment, including a wetland delineation when wetlands are present, prior to any future development. If the environmental assessment indicates that state and/or federal listed wildlife are present within the areas of the site that are designated as Conservation Land Use, the City shall not amend the Conservation Land Use until the property owner submits an environmental study which confirms the presence and potential locations of the state and/or federal list wildlife species. If the study identifies a location or locations on the site for suitable habitat for preservation, and these areas are accepted by the permitting agencies as preservation for the identified species, then the City shall amend the Conservation Land Use to include these areas.

**Section 2. Severability.** If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 3. Effective Date.** The effective date of this plan amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administrative Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs first. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

PASSED AND ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2018

---

**Walt Johnson, Mayor**

**ATTEST:**

---

**Wanda F. Wells, City Clerk**

01-25-18 PM

# CITY OF TITUSVILLE NOTICE OF PUBLIC HEARINGS AND PROPOSED ENACTMENT OF TITUSVILLE CITY ORDINANCES WITH RESPECT THERETO

**PLEASE TAKE NOTICE** that at a regular meeting of the City of Titusville City Council to be held on **Tuesday, February 27, 2018** in the Council Chamber, on the second floor of City Hall, 555 South Washington Avenue, Titusville, FL, **commencing at 6:30 p.m.**, the City Council will hold public hearings to hear interested persons with regard to the City of Titusville adopting the following amendments to the Comprehensive Plan:

**Comprehensive Plan Amendment No. 1-2017** - Proposes to change Policies within the Future Land Use Element of the Comprehensive Plan, specifically amending Policy 1.16.2 of the Future Land Use Element of the Comprehensive Plan and relating to Conservation Land Uses. At the same meeting, the City Council proposes to enact the following ordinance:

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY ADOPTING COMPREHENSIVE PLAN AMENDMENT 2017-01 AMENDING POLICY 1.16.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO CONSERVATION LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Comprehensive Plan Amendment No. 2-2017** - Proposes to change Policy within the Future Land Use Element of the Comprehensive Plan, specifically amending Policy 1.21.1 of the Future Land Use Element of the Comprehensive Plan relating to the maximum density within the Downtown Mixed Use (DMU) Land Use Designation by increasing the maximum density to allow a maximum of 30 dwelling units per acre in the Downtown Sub-district of the DMU Zoning District. At the same meeting, the City Council proposes to enact the following ordinance:

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY ADOPTING COMPREHENSIVE PLAN AMENDMENT 2017-02 AMENDING POLICY 1.21.1 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO INCREASE THE MAXIMUM RESIDENTIAL DENSITY IN THE DOWNTOWN MIXED USE LAND USE - DOWNTOWN SUB-DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**PLEASE ALSO TAKE NOTICE** that on **Tuesday, February 27, 2018** in the Council Chamber on the second floor of City Hall, 555 South Washington Avenue, Titusville, FL 32796, **commencing at 6:30 p.m.**, the Titusville City Council will hold a public hearing to hear interested persons with regard to enacting the following ordinances:

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY INCREASING THE DENSITY CRITERIA IN THE DOWNTOWN MIXED USE (DMU) - DOWNTOWN SUB-DISTRICT; BY AMENDING SECTION 28-324 (C) DENSITY/INTENSITY STANDARDS TABLE; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AN EFFECTIVE DATE AND INCORPORATION INTO THE CODE.

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING CHAPTER 29 "SPECIAL DISTRICTS AND OVERLAYS" OF THE CODE OF ORDINANCES AND LAND DEVELOPMENT REGULATIONS; SPECIFICALLY AMENDING ARTICLE IV "WETLAND AND CONSERVATION AREA (WCA)", SECTION 29-71 "INTENT" TO EXPAND PROTECTION OPTIONS FOR WETLANDS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; FOR AN EFFECTIVE DATE AND FOR INCORPORATION INTO THE CODE.

**PLEASE NOTE** that on **Wednesday, February 7, 2018**, at a meeting commencing at **6:00 p.m.**, the **Planning and Zoning Commission, acting as Local Planning Agency**, will hold public hearings to hear interested persons with regard to the proposed amendments to the Comprehensive Plan and the proposed ordinances for recommendation to the City Council. This meeting and the public hearings will be held in the Council Chamber, on the second floor of City Hall, 555 S. Washington Avenue, Titusville, FL 32796.

The proposed Comprehensive Plan Amendment applications and proposed ordinances may be inspected by the public at the City of Titusville Planning Department during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. (excluding holidays and weekends). All interested parties are hereby advised that they may appear at said meetings and public hearings and be heard with respect to the proposed Comprehensive Plan Amendments and proposed ordinances.

Any person who decides to appeal any decision of the City Council or the Planning and Zoning Commission, acting as Local Planning Agency, with respect to any matter being considered at these meetings will 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 request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

**If you have questions** on how the proposed Comprehensive Plan Amendments or ordinances may affect your property, please contact the **City of Titusville Planning Department at 321-567-3782**.

**Wanda F. Wells, MMC, City Clerk • City of Titusville**  
555 South Washington Avenue • Post Office Box 2806 • Titusville, Florida 32781-2806  
Phone 321-567-3686 • Fax 321-383-5704

FT-000000519

**ORDINANCE NO. 6-2018**

**AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING CHAPTER 29 "SPECIAL DISTRICTS AND OVERLAYS" OF THE CODE OF ORDINANCES AND LAND DEVELOPMENT REGULATIONS; SPECIFICALLY AMENDING ARTICLE IV "WETLAND AND CONSERVATION AREA (WCA)", SECTION 29-71 "INTENT" TO EXPAND PROTECTION OPTIONS FOR WETLANDS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; FOR AN EFFECTIVE DATE AND FOR INCORPORATION INTO THE CODE.**

**WHEREAS**, the City of Titusville, Florida is a municipal corporation organized and existing pursuant to Chapter 63-2001, Laws of Florida, Special Acts of 1963, Article VII, Section 2 of the Constitution of the State of Florida, and Chapter 166, Florida Statutes; and

**WHEREAS**, the City of Titusville possesses certain governmental, corporate, and proprietary powers to conduct and perform municipal functions; and

**WHEREAS**, the City of Titusville, pursuant to its Home Rule Powers, possesses full governmental authority to manage and determine growth within its corporate limits subject to and only limited by applicable law; and

**WHEREAS**, the City of Titusville has adopted an comprehensive plan and land development regulations that address wetland delineation and protection, consistent with Chapter 163, Florida Statutes; and

**WHEREAS**, the Titusville City Council desires to provide for additional mechanisms to protect wetlands by amending the Land Development Regulations.

**NOW, THEREFORE, BE IT ENACTED** by the City of Titusville, Florida as follows:

**SECTION 1.** That Chapter 29, "Special Districts and Overlays", Article IV "Wetland and Conservation Area (WCA)", Section 29-71 "Intent" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**ARTICLE IV – WETLAND AND CONSERVATION AREA (WCA)**

**Sec. 29-71. - Intent**

This overlay is intended to allow land uses which are compatible with the function of wetlands and to prohibit negative impacts to wetlands which possess significant functional value. The overall policy for the regulation of wetlands is to achieve no net loss. This overlay applies to all wetlands five (5) acres or greater in size as shown on the U.S. Department of the Interior Fish and Wildlife Service Wetland Maps (1988), and shown as a Conservation Land Use Category on the Future Land Use Map. Wetlands less than five (5) acres and wetlands preserved by a conservation easement as part of a Planned Development (PD) or other master-planned development will be subject to a development review as set forth in Sec. 30-205, and are not required to be designated within the Wetland and Conservation Area overlay.

It is the further intent of the City to coordinate both the identification (actual boundaries) and regulation of wetlands and the habitat contained therein, with the St. John's River Water Management District (SJRWMD) and other applicable state and federal agencies.

**SECTION 2. SEVERABILITY.** If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3. REPEAL OF CONFLICTING ORDINANCES.** All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be become in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

**SECTION 5. INCORPORATION INTO THE CODE.** This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing: Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

**PASSED AND ADOPTED** this \_\_\_\_th day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
**Walt Johnson, Mayor**

ATTEST:

\_\_\_\_\_  
Wanda F. Wells, City Clerk

**ORDINANCE NO. XX-2017**

**AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 601988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY ADOPTING COMPREHENSIVE PLAN AMENDMENT 2017-01 AMENDING POLICY 1.16.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO CONSERVATION LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Titusville, pursuant to Chapter 163, Florida Statutes, desires to amend its Comprehensive Plan adopted by Ordinance No. 60-1988; and

**WHEREAS**, a first and second public hearing has been held on the Comprehensive Plan amendments before the Local Planning Agency and the local governing body; and

**WHEREAS**, the City of Titusville has received and considered the written objections, recommendations, and comments of the State Land Planning Agency and any other person, agency, or governing body; and

**WHEREAS**, the City of Titusville finds that said Comprehensive Plan Amendment has been processed in accordance with the applicable law and desires to amend the Comprehensive Plan.

**WHEREAS**, the City Council of the City of Titusville desires to amend the Future Land Use Element of the Comprehensive Plan in order to provide for alternative methods to preserved wetlands.

**NOW, THEREFORE, BE IT ENACTED by the City of Titusville, Florida as follows:**

**Section 1.** The City of Titusville's Comprehensive Plan is hereby amended by adopting Comprehensive Plan Amendment 2017-1 amending Policy 1.16.2 of the Future Land Use Element to read as follows:

**Policy 1.16.2** 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 groundtruthed. 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 upland areas to be permitted for preservation for state and/or federal listed wildlife species.

**Strategy 1.16.2.1** When Conservation Land Use is present on a specific site, a property owner shall submit a preliminary environmental assessment, including a wetland delineation when wetlands are present, prior to any future development. If the environmental assessment indicates that only wetlands are present and the wetlands are to be preserved rather than mitigated, the City shall accept the

wetland delineation and amend the Future Land Use Map to align the Conservation Land Use with that delineation.

**Strategy 1.16.2.2** When Conservation Land Use is present on a specific site, a property owner shall submit a preliminary environmental assessment, including a wetland delineation when wetlands are present, prior to any future development. If the environmental assessment indicates that state and/or federal listed wildlife are present within the areas of the site that are designated as Conservation Land Use, the City shall not amend the Conservation Land Use until the property owner submits an environmental study which confirms the presence and potential locations of the state and/or federal list wildlife species. If the study identifies a location or locations on the site for suitable habitat for preservation, and these areas are accepted by the permitting agencies as preservation for the identified species, then the City shall amend the Conservation Land Use to include these areas.

**Section 2. Severability.** If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 3. Effective Date.** The effective date of this plan amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administrative Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs first. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

PASSED AND ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2017

---

**Walt Johnson, Mayor**

**ATTEST:**

---

**Wanda F. Wells, City Clerk**

Motion:

Member Diesel moved to approve Street Renaming Application No. 1-2017 to rename Vectorspace Boulevard to Riverfront Center Boulevard and approve related Resolution No. 7-2018, as recommended. Member Stoeckel seconded the motion and the roll call was:

Member Nelson	Yes
Mayor Johnson	Yes
Vice-Mayor Barringer	Yes
Member Stoeckel	Yes
Member Diesel	Yes

The motion carried unanimously

xxx

Comprehensive Plan Amendment No 1-2017 Relating to Conservation Land Uses - City Attorney Broome read Ordinance No. 10-2018 - AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988, WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF TITUSVILLE, BY ADOPTING COMPREHENSIVE PLAN AMENDMENT 2017-01 AMENDING POLICY 1.16.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO CONSERVATION LAND USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, for the second time, by title only.

City Manager Larese highlighted the request as provided in the Council agenda packet. The City's *Comprehensive Plan* and *Land Development Regulations* currently required that wetlands that were five (5) acres or greater in size be designated as Conservation land use and Open Space/Recreation (OR) zoning. In many instances, this had resulted in significant areas of wetlands being protected; however, the limited options for designation of wetlands had limited the use of conservation subdivisions in which wetlands could be protected by conservation easements or through plat limitations. These options would provide an excellent measure of protection and flexibility for property owners seeking to develop conservation subdivisions. The Planning and Zoning Commission, acting as the Local Planning Agency, recommended approval, 4-0.

Mayor Johnson opened the public hearing. As there were no persons that wished to speak, Mayor Johnson closed the public hearing.