

**INDIAN RIVER COUNTY, FLORIDA  
M E M O R A N D U M**

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**TO:** Jason E. Brown, County Administrator

**THROUGH:** Stan Boling, AICP; Community Development Director

**THROUGH:** John W. McCoy, AICP; Chief, Current Development

**FROM:** Ryan Sweeney; Senior Planner, Current Development

**DATE:** May 30, 2019

**SUBJECT:** Consideration of a County-Initiated Land Development Regulation (LDR) Amendment to Chapter 926 Regarding Changes to Palm Credits for Canopy Trees

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 11, 2019.

**BACKGROUND**

The proposed LDR amendment is the third and final “installment” of LDR changes based on recommendations from the Development Review and Permit Process Advisory Committee (Committee), and is limited to a single ordinance/topic. The first LDR change “installment” was considered by the PZC on February 8, 2018, and was adopted by the Board of County Commissioners (BCC) on March 13, 2018. The second “installment” was considered by the PZC on August 23, 2018, and was adopted by the BCC on September 18, 2018. At the final January 16, 2019 Committee meeting, staff supported and the Committee recommended adoption of the proposed amendment to provide increased flexibility in the types of palm tree species with large “frond canopies” that can be credited as canopy trees (see attachment 1). At its meeting of March 26, 2019, the BCC considered the draft amendment for the subject LDR change and authorized staff to initiate formal adoption.

The BCC is now to consider the proposed LDR amendment and is to adopt, adopt with modifications, or deny the proposed amendment.

**Planning and Zoning Commission (PZC) Recommendation:**

At its meeting of April 25, 2019, the PZC voted 6-0 to recommend that the BCC adopt the proposed amendment (see attachment 2).

**ANALYSIS**

• **Committee Background, Purpose, and Recommendations**

On July 11, 2017, the BCC established the Development Review and Permit Process Advisory Committee by resolution to review the County’s processes and to make recommendations for streamlining or improving those processes. The Committee consisted of thirteen total members and

one alternate: ten members appointed by individual commissioners, three “at large” members, and one alternate appointed by the full BCC. The Committee ultimately held a total of 11 meetings, and “sunsetting” on January 16, 2019. At its last meeting, the Committee recommended adoption of the proposed ordinance to allow for use of a wide variety of palm species with a large frond spread to be counted as a “canopy tree” for landscape credit purposes, consistent with past and current practice.

- **Proposed Amendment**

Under the current LDRs, certain types of palm tree species familiar to staff can be used in place of conventional canopy trees, provided they meet certain size requirements and provide a functionally equivalent amount of canopy cover compared to “non-palm” canopy trees. For example, a single royal palm (a large frond palm) with a minimum of 10 feet of clear trunk or a grouping of 3 cabbage palms with an average of 10 feet of clear trunk can be counted as a standard canopy tree. However, the LDRs currently list a total of only 5 specific palm types by name that have large frond spreads. There are possibly many other palm species other than the 5 types currently listed that are capable of thriving locally and providing a large “frond canopy” as a single palm. Therefore, staff has prepared an LDR amendment that will allow staff increased flexibility in approving the types of palm species with large frond spreads that can be used in place of a conventional canopy tree.

The proposed LDR amendment will retain the 5 specific palm trees listed by name (providing a defined list of acceptable large frond palms), but will also allow an applicant or developer to propose an unlisted palm type for staff’s consideration provided the palm will have a similar quality large “frond canopy.” Staff is proposing this flexible approach instead of trying to provide an exhaustive list of possible palm species which could be expansive and still incomplete. In conclusion, staff and the PZC support adoption of the proposed code change.

### **RECOMMENDATION**

Staff recommends that the Board of County Commissioners adopt the proposed palm/canopy tree credit amendment ordinance.

### **ATTACHMENTS**

1. Excerpt from January 16, 2019 DRPPAC Minutes
2. Excerpt from April 25, 2019 PZC Minutes
3. Draft Ordinance