CALL TO ORDER
Kerry Karl, Chair, called the meeting to order at 1:00 p.m.

ROLL CALL
Roll call was taken, with Member Surrette arriving later and Member Malmborg being absent. All other members were present in person or virtually.

Chair Karl asked for a motion to allow Member Lites to participate virtually.

Member Anderson motioned to allow Member Lites to participate virtually. Member Jamison second the motion. Motioned carried unanimously.

Ginger Adair, Environmental Management Director, explained the voluntary disclosure forms left at each members’ seat. Members were instructed to complete the form at their discretion and leave it for staff collection at the close of the meeting.

Member Zelenski’s handouts were provided to all members present.

DISCUSSION OF GUIDING PRINCIPLES
Chair Karl requested an update from Member Anderson regarding her review of the Comprehensive Plan. Member Anderson recognized Member Gow for the statements she had provided, which had been distributed to all members. Chair Karl requested that everyone take a moment to review the handout and provide comment.

Member LeFils inquired about the minutes from the previous meeting. Chair Karl responded that the minutes had not been distributed and that they would be provided at the next meeting.

Chair Karl stated that item 2 on Member Gow’s list provided a broad guiding principle.

Vice Chair Lammers added that she had also reviewed the Comprehensive Plan Future Land Use Element and felt that the goals and objectives provided guidance. She added item 1 on the list states, “conservation of valuable natural resources”, which should be considered as an overarching goal. She then offered, “conservation of the natural function of the natural resource systems”.

Member Karl echoed maintaining natural vital systems.

Member LeFils requested that staff be able to give presentations, rather than allowing too much discussion on principles.
Member Zelenski offered information regarding a recent survey by the 1,000 Friends of Florida, which found that 86% of those surveyed were not accepting of the way development is occurring and the Land Development sections of the Code.

COMMITTEE GOAL SETTING
Chair Karl moved on to the goal setting portion of the meeting. She noted the PowerPoint presentation from the first meeting that included the Council list of items for the Committee to review. Member Gow stated she believed the goals would include the items on the list, but additional items may also be added.

Ms. Adair clarified that the list provided was not in any particular order, and the Committee could choose the order. She provided an example of how Low Impact Development (LID) should be considered concurrently with the grant process.

Member Gow suggested Code updates be considered first, followed by creation of new items.

Ms. Adair offered that LID should not be last, and that adaption would be new, and grant driven as well.

Chair Karl summarized the goals should be flexible, and as things come up, the staff will notify the committee.

Member Anderson discussed sea level rise timing being of the essence considering Hurricanes Ian and Nichole. She recommended it be moved up on the list.

Member Morrisey echoed the sentiment of keeping things in line with what staff is working on and receipt of grants. She did note her sense of urgency regarding the Indian River Lagoon, its effects on manatees and the importance of habitat protection and the intercoastal.

Member LeFils made a motion to adopt the list, with no reference to order, and to allow other items to come forward as necessary.

Member Jamison seconded the motion. Motion passed unanimously.

PRESENTATION – LID
Ms. Adair provided a basic LID primer, discussing terminology and defining concepts. She noted that LID techniques are utilized on site, during development, and focus on using living features or engineered functions that mimic natural function.

Discussion ensued regarding scale of development, making LID attainable, and possible code revisions to allow for LID techniques that may not be currently allowed by the St. Johns River Water Management District (SJRWMD).
Member Morrissey asked for clarification on the conflicts from SJRWMD. Member Lites discussed pervious paving, water tables, and exfiltration without raising sites. Clay Ervin, Director of Growth and Resource Management further clarified that SJRWMD models are based on gray infrastructure and the difficulty of calculating the use of green verses gray.

Further discussion ensued regarding gray infrastructure and possibly incentivizing the use of green infrastructure.

Member Zelenski offered this might be an opportunity for interlocal agreements and the county to facilitate assistance.

Ms. Adair noted success of some municipalities using design manuals to facilitate the process.

Ms. Adair then continued with the presentation, discussing green infrastructure elements and showing examples of success of two projects in Volusia County. She discussed the Department of Economic Opportunity grant that will be used to have the University of Florida review the code, recommend updates to Council, and create a guidebook. She noted that it is a long process and offered staff will bring updates to the Committee regularly.

Discussion ensued regarding clustering of lots, vertical construction, and revisions to the Zoning Ordinance, Land Development Code, and Comprehensive plan.

PRESENTATION – TREE PROTECTION
Ms. Adair explained the difference between Chapter 50 as the minimum standard, which is required in municipalities, and Chapter 72 of the Land Development Code as the implementing ordinance, which is specific to the unincorporated areas of the county. She recommended the review of Chapter 50 provide a collective understanding and then looking at Chapter 72 to determine potential changes.

Discussion ensued regarding potential changes to Chapter 50 being vetted, requiring city buy in, and substantial outreach. Mr. Ervin explained the amendment process as recommendations being distributed to the cities, environmental agencies, VBIA, VCARD for comment and then taken to Council as a policy decision.

Member Gow inquired about previous outreach with local governments. Ms. Adair explained meetings that had been held with the municipalities that included minimum standards. She added staff later reached out to the cities individually to better understand the knowledge base.

Member Jamison offered that a one size does not fit all with respect to the differences between the east and west sides of the county. She asked that the Committee be sensitive to that.

Ms. Adair continued the presentation, noting that Chapter 50 sets the baseline but allows for individuality as well. She presented information on the definitions, historic trees, removal of historic trees, and the size of trees in relation to historic significance.
Discussion ensued regarding the addition of a table based on tree specimen and the size the species would be considered historic, tree lifespans, and living conditions.

Member Lefils requested typical tree data.

Ms. Adair continued with the presentation of Chapter 50, including penalty, purpose and intent, adoption of municipalities, and how those municipalities can choose if they will adopt and enforce, or if the county will act to enforce. She added that going to court is the only remedy to cities adopting but not enforcing or asking the county to enforce.

The specific municipalities that have adopted, but do not enforce, were discussed as were those who do not have standards that meet the minimum of Chapter 50. Ms. Adair clarified that no cities choose to have the county to implement on their behalf.

Member Gow questioned why the consistency review was not being handled by VGMC. Mr. Ervin responded that VGMC was established for Comprehensive Plan review consistency only.

Member Morrissey requested an enforcement item be added to a future agenda.

Ms. Adair continued the presentation including local government ordinances, punishments, tree removal permit process, administrative procedures, standards of review, and exemptions from removal requirements.

Discussion ensued about exemptions, potential loopholes, and agricultural exemptions as determined by the Property Appraiser’s office and have a 3-year rebuttal presumption. Ms. Adair noted the number of years could be revisited in the review of Chapter 72.

The presentation continued, including exemptions, tree protection and replacement, and minimum tree coverage.

Discussion ensued regarding tree planting requirements, best practices, and potential burden to developers.

Member Gow requested explanation of impervious surface being too close, affecting the life of a tree. Keith Abrahamson, County Forester, explained that removal is dependent on root zone capacity and the points that a tree could be saved or would be deemed as effectively destroyed and require replacement.

Member Anderson inquired how long a tree is required to stay alive and healthy post-construction, without requiring replacement. Mr. Abrahamson responded no replacement is required if there is an act of God and staff is contacted to document 2 years of decline.
Ms. Adair completed the presentation, discussing cross-sectional area review and providing a graphic to further explain, protection of specimen trees, tree preservation areas, relocation standards, and the size of trees to be counted for replacement and then becoming protected and requiring preservation.

**Chapter 72**
Ms. Adair distributed strike through, underlined, copies of the Code. She provided an overview of the purpose and intent, penalty for removal without permit, manual and guides, historic tree removal process, driplines, exemptions, emergency provisions, nuisance trees, and deteriorated trees.

Member LeFils asked about state law impacts to trees on single-family lots. Ms. Adair explained a landscape architect or certified arborist must provide a determination letter.

Discussion ensued regarding whether historic trees should remain protected once a single-family residence becomes owner occupied.

Member Fitzsimmons offered that timelines of platting and if the regulation was in effect at that time should be considered. Ms. Adair clarified that no new platted lots are being approved if they contain a historic tree. A question was then raised if a tree becomes protected once it achieves historic status. Ms. Adair replied in the affirmative.

**DISCUSSION**
Chair Karl then noted the time and asked the Committee to review the remaining portion of Chapter 72 as homework and provide comment to staff in advance of the next meeting. She also noted that data sets should be provided. It was then agreed that comments on Chapter 72 should be assembled in a separate document, rather than track changes for ease of ADA compliance. Ms. Adair offered that consideration should be given to graduated recommendations based on specific areas of the county.

Chair Karl asked if the longer meeting format was preferred. Consensus was to keep the longer meeting format and change the location if needed.

It was agreed upon that all comments would be submitted to Ms. Adair by close of business on December 16 to allow time for staff to compile and redistribute.

Ms. Adair noted data sets for distribution would include common trees, typical life spans and size ranges.

The next scheduled meeting will be held on Wednesday, January 4, 2023.

**ADJOURNMENT**
The meeting was adjourned at 4:00.