



TREE PRESERVATION BOARD MEETING

City of Indian Harbour Beach, Florida

Thursday, August 6, 2026, at 7:00 PM

Council Chamber | 2055 South Patrick Drive



AGENDA

Tree Preservation Board

Adam Lucey, Chairman
Leigh McElroy, Vice-Chair
Anastasia Doshna, Voting Member
Beth Mahoney, Voting Member
Paul Oliveri, Voting Member
Jelena Salonina, Alternate Member
Joanna Auter, Alternate Member

Staff

Orrie Covert, Assistant to the City Manager
Gina Sherman, Management Analyst

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1. Call to order
 2. Pledge of allegiance followed by a moment of silent meditation
 3. Roll call
 4. Excusal of Board Members
 5. Old Business
 - a. Review Ordinance 2026-04
 6. Board Member Comments
 7. Public comments
 8. Adjournment

ALL PERSONS WISHING TO BE HEARD SHOULD APPEAR IN PERSON AT THESE HEARINGS OR SEND WRITTEN COMMENTS TO THE CITY CLERK. ALL PERSONS AND PARTIES ARE HEREBY ADVISED THAT IF THEY SHOULD DECIDE TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE 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. FSS 286.0105. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), ANYONE WHO NEEDS SPECIAL ACCOMMODATION FOR THIS MEETING SHOULD CONTACT THE CITY CLERK AT 321-773-3181 AT LEAST 48 HOURS IN ADVANCE OF THIS MEETING.



Tree Preservation Board Workshop

City of Indian Harbour Beach, Florida

Thursday, August 6, 2026

AGENDA ITEM

Wildflower & Tall Grass Ordinance

Attachments: Ord 2026-04 DRAFT, Ord 2026-04 wildflowers & tall grass

Staff Recommendation:

Propose changes and provide direction to the ordinance in a way that has the approval of the Tree Preservation Board while accomplishing its intended purpose.

Background Information:

At the February 10, 2026 City Council meeting, the City will have its first reading of Ord. 2026-04 amending Sec. 10-2. - Lawns and weeds on improved property of the City's Code to include the following language:

"Native plants and/or wildflower areas on improved properties permitted by the city shall be exempt from the maximum height of eight (8) inches. The City strongly encourages property owners to use native plants and Florida-friendly landscaping. Property owners seeking to designate a native plant and/or wildflower area within their lawn must submit a permit application to the City, which will be reviewed by the Tree Preservation Board. The Board will then make a recommendation for approval or denial to the City Manager, who will either approve or deny the permit application. The City Manager's decision may be appealed to the City Council. Permits are valid for three years and may be renewed.

Native plants and /or wildflower areas permitted by the City shall be kept the majority weed-free. Failure to maintain the permitted areas in a majority weed-free condition shall result in said permit being revoked by the City."

On February 18, 2026 the Tree Preservation Board Reviewed the Wildflower ordinance and expressed their concerns regarding the following topics:

1. Permitting process
2. Enforcement
3. Language that discourages native yards
4. Vagueness of definitions (ex: grass, weed, etc.)
5. Possible unintended impacts (increased use of chemicals in lawn care)

- Member Doshna made a motion to recommend revisions to ordinance 2026-04 with consideration of their comments. Seconded by Chairman Lucey. Motion passes 3-0.

At the February 24, 2026 City Council meeting, the City Council requested that the Tree Preservation Board provide specific changes to the language of the ordinance that would help accomplish its intended goal.

At the March 18, 2026 meeting, the Tree Preservation Board Reviewed the Wildflower & Tall Grass ordinance and expressed their concerns regarding the following topics:

- Member Doshna offered some alternative options for accomplishing the intended goal of the ordinance
 - Permits
 - Nothing
 - Voluntary registrations
 - Exemptions
- Member Doshna cited Florida State statute **373.185** claiming that the ordinance is illegal and suggested the city require properties to have a minimum amount of trees planted on their property.
- Chairman Lucey proposed scheduling a workshop regarding the ordinance on May 6th at 7 p.m.

At the April 15, 2026 meeting, the Tree Preservation Board tabled the item for discussion and rescheduled the Workshop for May 7, 2026.

At the May 7, 2026 Workshop, The Tree Preservation Board Reviewed the current proposed Ordinance and made some recommended changes to the document. After their review, it the board decided it would be best to reconvene for another meeting where board members would have the opportunity to review and make revisions to the current draft document before the next meeting to better come to a final decision afterwards.

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 10, MAINTENANCE STANDARDS FOR IMPROVED AND UNIMPROVED PROPERTY REGULATIONS OF THE CITY; AMENDING SECTION 10-2, LAWNS AND WEEDS ON IMPROVED PROPERTY; PROVIDING FOR PROVISIONS RELATING TO NATIVE PLANT AND/OR WILD FLOWER AREAS ON IMPROVED PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, as follows:

Definitions:

Turfgrass: Continuous plant coverage consisting of a grass species that is mowed to maintain an established height.

Weed:

Vegetation:

Prohibited landscaping materials:

Unkept Properties: Any area where vegetation is allowed to grow without a plan, resulting in the blockage of public sidewalks or street signs, evidence of neglect, accumulation of "noxious weeds" (invasive species defined by the State), encroachment into utilities and drainage easements, or neighboring properties, and growth that harbors trash or creates a fire hazard within 10 feet of a structure.

Native Landscapes: Intentional plantings of species indigenous to the region, including Pollinator

Gardens: Managed areas designed to support bees and butterflies. Wildflower Meadows: Managed tall-grass areas that are trimmed or thinned.

Preamble:

WHEREAS, the City of Indian Harbour Beach recognizes the environmental, aesthetic, and ecological benefits provided by native Florida vegetation, trees, and pollinator-supporting landscapes; and

WHEREAS, native and Florida-friendly landscapes may reduce irrigation demand, fertilizer use, stormwater runoff, and long-term maintenance requirements while supporting wildlife habitat and coastal resiliency; and

WHEREAS, the City desires to encourage intentional, maintained, and responsibly managed native landscaping practices that are compatible with surrounding neighborhoods and public safety; and WHEREAS, the City further recognizes that unmanaged or neglected vegetation may create adverse impacts relating to visibility, drainage, invasive species proliferation, fire hazards, vermin, and general nuisance conditions; and

WHEREAS, it is the intent of the City Commission to distinguish between intentionally designed native plant landscapes and uncontrolled vegetative overgrowth or property neglect; and

WHEREAS, the City finds that allowing properly maintained native landscape areas through a permitting or approval process may promote environmental stewardship while preserving reasonable code enforcement standards and neighborhood compatibility; and
WHEREAS, the City supports educational and voluntary efforts relating to native vegetation, pollinator habitat, tree preservation, and sustainable landscaping practices consistent with the goals of Tree City USA and the City's Tree Preservation initiatives;

Section 1. Section 10-2 of Chapter 10 of the Maintenance Standards for Improved and Unimproved Property of the City of Indian Harbour Beach is amended to read as follows:

Sec. 10-2. -Lawns and weeds on improved property.

All improved property in the city shall be maintained in a manner such that turf grass shall be kept to a height of eight (8) inches or less. All other Noxious Weeds and Invasive Plants and prohibited landscaping materials, as defined in section 107-10 of the land development regulations shall either be completely removed or shall be kept to a height of eight (8) inches or less. Nothing herein shall apply to approved trees, shrubs or vegetation pursuant to chapter 107 of the land development regulations.

All improved property in the city shall be maintained in a manner such that all ground areas in open spaces in front of the forward property line shall be covered with native lawns, turf grass or pervious groundcover, including but not limited to, such things as low growing plants, mulch, stone, or other natural material designed to cover-up or cover over bare dirt, ground or soil. Noxious Weeds and Invasive Plants, as listed in 5B-57.007 of the Florida Administrative Code, as amended from time to time and prohibited landscaping materials, as defined in section 107-10 of the land development regulations are not permitted as ground cover. Nothing in this section shall prohibit xeriscaping or the use of Florida Friendly plants.

Native plants and/or wildflower areas on improved properties shall be exempt from the maximum height of eight (8) inches. The City strongly encourages property owners to use native plants and Florida-friendly landscaping.

Properties already certified by National Wildlife Federation (NWF), UF/IFAS Florida-Friendly Landscaping™ (FFL) Program, Florida Native Plant Society (FNPS), North American Butterfly Association (NABA) Certified Butterfly Garden, and Wild Ones Certified Native Habitat Program are automatically exempt.

Section 2: Conflicts. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 3: Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the

Ordinance which can be given effect without the invalid provision or application, and to this and the provision of this Ordinance are declared severable.

Section 4. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City’s Code of Ordinances.

Section 5. Effective Date. This ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, ON THIS ____ DAY OF _____, 2026.

CITY OF INDIAN HAROUR BEACH
BREVARD COUNTY FLORIDA

X

Scott Nickle
Mayor

ATTEST

X

Nicole "Nikki" Gold
City Clerk

First Reading: February 24, 2026

ORDINANCE NO. 2026-04

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CITY OF INDIAN HAROUR BEACH
BREVARD COUNTY FLORIDA

X

Scott Nickle
Mayor

ATTEST

X

Nicole "Nikki" Gold
City Clerk

First Reading: February 24, 2026

Second Reading: March 10, 2026

Ordinance No. 2026-04

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