

JEFFREY K. BARTON  
Clerk to the Board



INDEX TO MINUTES OF JOINT PUBLIC WORKSHOP OF

APRIL 19, 2010

BOARD OF COUNTY COMMISSIONERS AND PLANNING AND  
ZONING COMMISSION

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**JEFFREY K. BARTON**

Clerk to the Board



**April 19, 2010**

**JOINT PUBLIC WORKSHOP OF THE BOARD OF COUNTY  
COMMISSIONERS AND THE  
PLANNING AND ZONING COMMISSION**

The Board of County Commissioners and the Planning and Zoning Commission of Indian River County, Florida, held a Public Workshop at the County Commission Chambers, 1801 27<sup>th</sup> Street, Vero Beach, Florida, on Monday, April 19, 2010 to consider the EAR (Evaluation and Appraisal Report) Based Amendments to the County's Comprehensive Plan. Present for the County were Chairman Peter D. O'Bryan, Vice Chairman Bob Solari, and Commissioners Wesley S. Davis, Joseph E. Flescher, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., Assistant County Attorney George Glenn, and Deputy Clerk Maureen Gelfo.

Present for the Planning and Zoning Commission were Chairman Greg Smith, District 4 Appointee; Donna Keys, District 1 Appointee; Sam Zimmerman, District 2 Appointee; Jens Tripson, District 3 Appointee; and Members-at-Large Dr. David Cox and George Hamner.

**1. CALL TO ORDER**

Chairman O'Bryan called the meeting to order at 9:00 a.m.

## **2. PLEDGE OF ALLEGIANCE**

Commissioner Flescher led the Pledge of Allegiance to the Flag.

## **3. DEPARTMENTAL MATTERS**

### **3.A. COMMUNITY DEVELOPMENT**

#### **3.A.1. CONSIDERATION OF EAR (EVALUATION AND APPRAISAL REPORT) BASED AMENDMENTS TO THE COUNTY'S COMPREHENSIVE PLAN**

Community Development Director Bob Keating announced that today's Workshop was for the Board to consider the draft Evaluation and Appraisal Report (EAR) based Comprehensive Plan amendments prior to the transmittal Public Hearing on May 11, 2010. He acknowledged that there has been a lot of input by the public, as well as the Planning and Zoning Commission (P&Z) and other committees, and that there would be further opportunity for public comments today. Using a PowerPoint presentation (on file), he thereafter highlighted some of the proposed revisions to the sixteen (16) individual elements and sub-elements of the Comprehensive Plan.

#### **INTRODUCTORY ELEMENT - CHAPTER 1**

Director Keating explained that the Introductory Element contains data and information, and no objectives or policies. He conveyed that, based on the Bureau of Economic and Business Research's projections, the County's population will increase by slightly over 50,000 people over the next 20 years.

*The Chairman invited public comment. There were no speakers.*

## **FUTURE LAND USE ELEMENT - CHAPTER 2**

*(Clerk's Note: This item was heard commencing at 10:56 a.m., following Potable Water Sub-Element – Chapter 3B, and is placed here for continuity).*

Director Keating reviewed the main points of the following new policy in Objective 5, allowing mixed-use development of residential and commercial areas.

### **OBJECTIVE 5 Diversity of Development**

Indian River County will have a diverse mix of land uses, development patterns, housing densities, and housing types. By 2030, 25% of the County's housing units will be in multiple-family, mixed use, or traditional neighborhood design projects.

**POLICY 5.4:** To prevent the emergence of strip development along US Highway 1, the County shall allow residential uses within commercial areas through mixed-use development. Such accessory residential uses shall be allowed by right in commercial zoning districts.

Discussion ensued as staff addressed the Board's questions and comments on Policy 5.4.

Chairman O'Bryan sought and received confirmation from P&Z Chairman Smith that the committee had no problems with this policy.

*The Chairman opened the floor to public discussion.*

Staff addressed questions posed by **Joseph Paladin**, Black Swan Consulting, regarding whether the policy would apply to existing subdivisions.

**George Beuttell**, 5000 16<sup>th</sup> Street addressed the Board regarding his three acres of property, located on the corner of SR60 and 74<sup>th</sup> Avenue, which he wishes to develop commercially.

Lengthy discussion ensued regarding what circumstances would be necessary in order for Mr. Beuttell to develop his acreage commercially, in accordance with the new policy.

Director Keating advised Mr. Beuttell that he would have to do a Planned Development (PD) project.

Following further discussion on Mr. Beuttell's situation, Chairman O'Bryan requested that the Commissioners discuss this matter with staff and Mr. Beuttell, and bring it back for discussion under "Commissioners Items".

**Mr. Paladin** remarked that if the subject property and the 20 acres abutting it (zoned residential) were owned conjointly, Mr. Beuttell would be able to develop his three acres as 100% commercial.

Staff addressed questions from P&Z member Donna Keys and Commissioner Wheeler, regarding the applicability of the mixed-use policy to mobile home parks.

Continuing with his review of the Future Land Use Element, Director Keating outlined the revisions to the New Town Policies.

**OBJECTIVE 1: Compact, Energy Efficient, Low-Density Development**

Indian River County will have a compact and energy efficient land use pattern; an overall low density character; and adequate land for utility facilities necessary to support development. By 2030, the overall residential density of the unincorporated portions of Indian River County, within the Urban Service Area, will be 1.75 units/acre.

**POLICY 1.37:** The new town land use designation shall be a floating zone which may be overlaid on any property with an Agricultural Land Use designation (AG-1, AG-2, and AG-3). Each new town designation shall be approved as a Planned Development (PD) and shall meet the requirements of Policy 1.38.

*(Clerk's Note: Please see Appendix A of these minutes to view Draft Policy 1.37 in its entirety).*

**POLICY 1.38:** The new town land use designation shall be established through the Planned Development (PD) process. For any land to receive the new town land use designation, a PD project must be approved which clusters residential and non-residential uses in a manner which protects agricultural and open space areas, protects natural resources, creates a self-sufficient community, minimizes off-site traffic, and does not increase urban sprawl.

*(Clerk's Note: Please see Appendix A of these minutes to view Draft Policy 1.38 in its entirety).*

Commissioner Wheeler discussed the advantages of expediting commercial development, such as supermarket construction, within the New Towns.

Director Keating advised that such development is not in the regulations, but included in the Planned Development approval.

Chairman O'Bryan suggested in Policy 1.38(c), that rather than changing the density from 1 to 1.5 units per acre, the density be set at 1 unit per acre, with the allowance of an additional unit per acre for the Transfer of Development Rights (TDR's).

Discussion followed in response to Chairman O'Bryan's remarks.

*The Chairman opened the floor to public discussion.*

**Peter Seed**, 180 Island Sanctuary, representing the Indian River Neighborhood Association, addressed the Board at length, making observations and recommendations on specific components of the New Town policies.

*(Clerk's Note: Chairman O'Bryan turned the gavel over to Vice Chairman Solari at 11:50 a.m.)*

Vice Chairman Solari called a break at 11:50 a.m., and reconvened the meeting at 11:59 a.m., with all members present.

P&Z member Sam Zimmerman asserted that there must be some reasonable incentives for it to make financial sense for a developer to purchase the TDR's.

*(Clerk's Note: Mr. Zimmerman exited the meeting at this time).*

**Mike Gray**, Vero Beach, acknowledged Mr. Zimmerman's points, adding that the New Town concept must be economically viable to developers, and that having to buy TDR's would doom the plan to failure.

**Mr. Paladin** presented his idea to create a mitigation bank for the TDR's.

Director Keating continued his presentation, focusing on policies found in Objective 9.

He outlined the following new policy requiring design guidelines for new residential Planned Developments (PD's).

**OBJECTIVE 9**    **Promote Aesthetic Development**

Through the implementation of land development regulations, Indian River County will have aesthetically pleasing buildings, signs, landscaping, parking areas, and roads.

**POLICY 9.14:** To combat monotony in single-family residential developments, the County shall adopt development regulations requiring that applicants submit design guidelines for all new residential planned developments. Such guidelines shall be project-specific and require approval by the Planning and Zoning Commission prior to release of development plans for construction. PD design guidelines shall address all of the following criteria:

- garage placement and scale;
- variations in building placement;
- frequency of use for a model within the same subdivision;
- building materials (facade and roof);
- building massing and architectural details that relate to articulation;
- the project's appearance from adjacent public streets;
- internal streetscape;
- enforcement mechanisms; and
- any additional requirements deemed necessary by the Planning and Zoning Commission to limit residential monotony within the project.



Director Keating said the below policy removes the requirements for buffers between similar residential uses, such as between a 3-unit per acre subdivision and another 3-unit per acre subdivision.

**POLICY 9.15:** The County shall not require buffers between similar residential uses.

Director Keating directed the Board's attention to the following new policy in Objective 18, to allow Traditional Neighborhood Design projects as administrative permit, rather than special exception, use in multi-family districts.

**OBJECTIVE 18** **Traditional Neighborhood Design (TND) Communities**

Between January 1, 1998 and January 1, 2020, ten percent of new residential development (dwelling units) occurring in unincorporated Indian River County will be located in Traditional Neighborhood Design projects.

**POLICY 18.4:** By January 2011, the County shall amend its land development regulations to permit TND development, on multi-family zoned project sites that are less than 40 acres in size, as an administrative permit use in the County's conventional zoning districts. As is the case for administrative permit uses, the land development regulations shall specify criteria addressing design aspects such as project scale, lot widths, setbacks, mix of uses, street layout, rear alleys, building design, and compatibility with adjacent uses.

Director Keating continued his presentation to focus on the following agricultural policies. He noted that staff had originally recommended that agricultural PD's have a minimum amount of common space; however, since both the Agricultural Advisory Committee (AAC) and the P&Z disagreed, the requirement was removed from the Comprehensive Plan.

**OBJECTIVE 5** **Diversity of Development**

Indian River County will have a diverse mix of land uses, development patterns, housing densities, and housing types. By 2030, 25% of the County's housing units will be in multiple-family, mixed use, or Traditional Neighborhood Design Projects.

**POLICY 5.9:** All Planned Development (PD) projects approved in any agriculturally designated area shall meet the following criteria:

- The density of the project shall not exceed the maximum density of the underlying land use designation; no density transfers from off-site lands, and no density bonuses shall be permitted within PD projects in agriculturally designated areas;
- At least 80% of each Agricultural PD's overall project area shall be open space;
- Residential lots created through the PD process shall not be less than 1 acre with the remainder of the area designated as open space;
- The open space shall be in contiguous areas;
- Common open space, if provided, shall be under the control of an appropriate entity and maintained in perpetuity, through an open space, recreation, conservation and/or agricultural preservation easement(s), to be created through Deed Restrictions, with infill prohibited;
- Agricultural PDs shall implement Best Management Practices submitted to and approved by staff; and
- All recreational amenities shall be depicted on the PD plan; no recreational uses that could constitute a nuisance to adjacent properties shall be permitted.

Director Keating relayed that currently there is a policy in the Comprehensive Plan that new development projects inside the USA have to provide a buffer if the adjacent property is in active agriculture. Staff had recommended removal of that policy and putting buffers only on new development projects that are at the edge of the USA and abutting active agriculture. The AAC agreed with staff's recommendation; however, the P&Z disagreed with the AAC and recommends leaving the policy as written in the Comprehensive Plan.

**OBJECTIVE 6    Agricultural Protection**

In recognition of the Indian River County's desire to protect agriculture despite the challenges and changes facing the citrus industry, the County's objective is to retain, through 2017, at least 125,000 acres of land in the unincorporated County that is used for active agricultural operations.

According to the United States Department of Agriculture's 2007 Census of Agriculture, there were 157,196 acres of land that were used for active agricultural operations that year. Of this land, approximately 139,000 acres are located within the unincorporated area of the County.

This objective, by itself, does not justify or suggest a need for Future Land Use Amendments from Agricultural Designations.

**POLICY 6.4:** The County shall require that residential subdivision projects, site plan projects, and planned development projects located inside the urban service area where new residential lots or units are proposed adjacent to the urban service area boundary include provisions for a special buffer along that boundary. This buffer shall protect adjacent agricultural lands from conflicts with new residential uses.

Within the urban service area, the County shall require subdivision and planned development projects that propose new residential lots adjacent to active agricultural operations to provide special buffers.

Discussion ensued on the requirement for the buffers.

**Mr. Paladin** addressed the Board regarding the open space which was included during the development of Quail Ridge.

Discussion continued on the requirement to construct the agricultural buffer.

Continuing with Objective 6, Director Keating provided an overview of the following new policies:

**POLICY 6.6:** Residential projects created via the affidavit of exemption process shall be limited to nineteen or fewer lots.

**POLICY 6.8:** To facilitate the preservation of agricultural land, the County shall allow the transfer of development rights from agriculture property to eligible receiving sites. Density credits eligible for transfer shall not exceed 1 unit per acre for AG-1 sending areas, 1 unit per 2 acres for AG-2 sending areas, and 1 unit per 4 acres for AG-3 sending areas. Additional density allowances up to 1 unit per 2 acres may be allowed for environmentally significant portions of AG-3 designated land.

Eligible receiving sites are New Town projects, Traditional Neighborhood Design (TND) projects, and projects within the Urban Service Area which are located on land suited for high density. Receiving sites within the Urban Service Area shall be within or adjacent to a commercial/industrial node; shall be designated L-2, M-1, or M-2; and shall not be located within the Coastal High Hazard Area.

Individual sending and receiving sites shall be approved through the PD rezoning process. With the exception of New Towns, transferred density shall not increase a receiving site's density by more than 20% of its base density. In cases where transferred density is being used in conjunction with other density bonuses (e.g. TND, affordable housing), the combined density bonus may exceed 20% of the base density.

**POLICY 6.9:** By 2011, the County shall adopt development regulations allowing small-scale biofuels processing plants as accessory agricultural uses in areas designated AG-2 and AG-3. The equipment, processing areas, and transport facilities of accessory biofuel-processing plants shall occupy no more than 20 acres or 10% of a site, whichever is less. Such facilities shall be subject to staff-level site plan approval and shall be located at least 300' away from nearby residential uses. Larger scale biofuel processing plants shall be allowed in areas designated AG-1, AG-2, and AG-3 if approved through the special exception process.

Director Keating explained that the next policy had originally required vehicular interconnectivity for new development projects unless there were physical constraints. He said that based on the P&Z's recommendation, the policy had been revised to require only bicycle/pedestrian interconnectivity.

**OBJECTIVE 4**      **Efficient Mix of Uses to Reduce Traffic Demand and Greenhouse Gas Emissions**

By 2030, Indian River County will have a land use pattern that maintains the number of daily automobile trips per capita and the length of trips on County roadways at or within 10% of 2005 levels. Those levels were 4.53 daily automobile trips per capita and 18.94 minutes per trip.

**POLICY 4.5:** Where proposed development projects abut undeveloped or developed property, the County shall require that such development be designed to accommodate bicycle/ pedestrian interconnections at a future date when the undeveloped property is developed.

Commissioner Wheeler stressed the importance of having the vehicular interconnectivity in the various developments.

Mr. Smith acknowledged P&Z's recommendation to limit the interconnections to non-vehicular traffic, but believed the County should consider having an allowance for the vehicular interconnection in the future.

P&Z member-at-large George Hamner explained that most of the P&Z Members wanted to see the vehicular interconnection, but could not figure out how to make it work well.

P&Z member-at-large David Cox recalled that P&Z member Sam Zimmerman had not wanted to see traffic routed through residential neighborhoods.

**Peter Seed**, 180 Island Sanctuary, acknowledged the need for all three types of interconnectivity – vehicular, bicycle, and pedestrian.

**Mr. Paladin** felt that any new development should provide interconnectivity for traffic, except when a new development is constructed next to an older established development.

Vice Chairman Solari supported the three types of interconnectivity, and suggested putting an allowance in the policy for having vehicular interconnectivity where practical.

Following further discussion regarding interconnectivity, Vice Chairman Solari suggested re-examining this issue when the full P&Z Commission can be present.

### **SANITARY SEWER SUB-ELEMENT - CHAPTER 3A**

*(Clerk's Note: This item was heard commencing at 9:15 a.m., following Intergovernmental Coordination Element – Chapter 11, and is placed here for continuity).*

Director Keating conveyed that there is a new policy requiring new subdivisions to connect to a reuse water line, should one be in close proximity.

**OBJECTIVE 4**    **Water Conservation**

Through the time horizon of the plan, 100% of the wastewater effluent produced by the County centralized sanitary sewer facilities will be reused.

**POLICY 4.4:**    The County shall require all new subdivisions or residential projects of 25 or more lots/units within one-quarter of a mile of an existing re-use line to connect to the re-use line.

Board Members, P&Z Commission members, and staff made observations on Policy 4.4. Discussion points included the necessity to ensure there was an adequate supply of reuse water to meet the demand, and the desire to provide some type of incentive for developers to supplement their irrigation systems with the reuse water.

Mike Hotchkiss, Capital Projects Manager, provided further details on the requirement for connecting to the reuse water.

Commissioners O’Bryan and Davis remarked on the importance of ensuring that the County has an access easement to put stormwater into the ponds situated within subdivisions.

*The Chairman invited public comments.*

**Mr. Beuttell**, 5000 16<sup>th</sup> Street, addressed the Board regarding the necessity to have sufficient access for maintenance of the stormwater ponds.

Chairman O’Bryan addressed Ms. Keys’ question regarding there was a requirement for stub outs for the reuse water in all new subdivisions.

Continuing with his presentation, Director Keating explained that the policy depicted in Objective 7 below, relates to a proposal to request that the Health Department study the feasibility of a County-initiated septic tank maintenance program.

**OBJECTIVE 7    Septic Tank Systems**

By 2020, the number of new septic tank systems permitted annually will not exceed 450.

**POLICY 7.5:** By 2010, the County shall request that the Indian River County Health Department (IRCHD) initiate a study to determine the feasibility of establishing a regular septic tank maintenance program. The study shall be completed by 2012.

Lengthy discussion ensued, during which several Commissioners expressed their concerns that there were currently no discernible problems arising from septic tanks, and that the study would turn into a government-enforced expense for the homeowners.

Commissioners Solari and Wheeler preferred to see the language in the Comprehensive Plan reflect a septic tank education program, rather than a septic tank maintenance program.

Staff addressed questions posed by Mr. Smith, regarding the basis for the policies associated with septic tank maintenance, and by Ms. Keys, regarding the placement in the Comprehensive Plan of the educational component for septic tank maintenance.

**POTABLE WATER SUB - ELEMENT - CHAPTER 3B**

*(Clerk's Note: This item was heard commencing at 10:43 a.m., following Conservation Element – Chapter 8, and is placed here for continuity).*

Director Keating reported that a new policy pertaining to the County, in coordination with the City of Vero Beach and the Town of Indian River Shores, undertaking a financial study on the possible consolidation of utility services, is found in Objective 2:

**OBJECTIVE 2    Regional Water System Expansion/Correction of Deficiencies**

By 2030, at least 75% of all existing residential units in the County will be connected to a regional potable water system.

**POLICY 2.6:** Prior to 2011, the County will coordinate with the City of Vero Beach and the Town of Indian River Shores to prepare a financial analysis of options related to the possibility of consolidation of utility services. This analysis may consist of, but is not limited to: the possibility of the County serving utilities to the Town of Indian River Shores, currently served by the City of Vero Beach and the Unincorporated area of the South Barrier Island, currently served by the City of Vero Beach, full consolidation of the City of Vero Beach Utility with the Indian River County Utility or making no changes in the existing utility service areas. Based on the results of a financial analysis of the various service options, the Board of County Commissioners will consider implementing the results that show the best financial and operational benefits.

Director Keating explained that Objective 4, pertaining to water conservation, has a new policy to revise the Utilities Pricing Plan to discourage excessive water use; a new policy requiring all new subdivisions of twenty-five or more lots within one quarter of mile of an existing re-use line to connect to the re-use line for irrigation; and a new policy to require that water from retention ponds be used for irrigation.

**OBJECTIVE 4    Water Conservation**

By 2020, the County's per capita water use will be less than the 2006 level of 104 gallons/day.

**POLICY 4.6:** The County's water pricing system shall continue to be equitable, but shall continue to charge an exponentially increasing unit rate for high volume residential users (those using more than three times the Level of Service standard established in Policy 1.3).

**POLICY 4.8:** The County shall require all new subdivisions and projects of 25 or more lots/units that are within a ¼ mile of an effluent reuse line to connect to the effluent reuse line. When a project meets above criteria, developer shall be required to construct an effluent reuse line.

**POLICY 4.10:** The County shall require new developments to use water from retention ponds, instead of water from wells, for irrigation.

Continuing his PowerPoint, Director Keating reviewed the new alternative water supply policies which are required by the state, as follows:



**OBJECTIVE 8**    **Alternative Water Supply**

By 2026, the County will utilize alternative water supply sources for at least 18 mgd of demand. The alternative water source will supplement water obtained from the Upper Floridan Aquifer (UFA).

**POLICY 8.1:** By 2015, the County shall study and identify a viable alternative water source.

**POLICY 8.2:** By 2020, the County shall obtain all necessary permits to construct the associated infrastructure related to the alternative water support facilities.

**POLICY 8.3:** By 2023, the County shall complete all construction plans and specification associated with the alternative water supply facilities.

**POLICY 8.4:** By 2025, the County shall complete the construction of all infrastructure associated with the alternative water supply facilities.

Concluding review of the Potable Water Sub-Element, Director Keating presented the new brine disposal policies in Objective 9, as follows.

**OBJECTIVE 9**    **Brine Disposal**

By 2015, all reverse osmosis water treatment plant direct brine discharges into the Indian River Lagoon will be eliminated.

**POLICY 9.1:** By 2010, the County shall identify a viable alternative brine discharge method for the South County RO Plant.

**POLICY 9.2:** By 2012, the County shall obtain all necessary permits to construct the associated infrastructure related to the brine disposal facilities.

**POLICY 9.3:** By 2013, the County shall complete all construction plans and specifications associated with the brine disposal facilities.

**POLICY 9.4:** By 2015, the County shall complete the construction of all infrastructure associated with the brine disposal facility for the South County RO plant, and the facility shall be operational.

Discussion followed regarding the excessive water use pricing plan; whether a policy could be developed to incentivize homeowners to conserve water; and the use of the retention ponds for irrigation.

*The Chairman invited public comments.*

**Mr. Beuttell** addressed the Board regarding the excessive water use policy.

**SOLID WASTE SUB-ELEMENT - CHAPTER 3C**

*(Clerk's Note: This item was heard commencing at 9:36 a.m., following Stormwater Management Sub-Element – Chapter 3E, and is placed here for continuity).*

Director Keating stated that one of the revised objectives is to increase the amount of recycling that the County would like to achieve.

**OBJECTIVE 4    Recycling and Waste Volume Reduction**

By 2020, the County will have increased the portion of solid waste recycled to 30% of its waste stream.

**POLICY 4.1:** The County shall expand its recycling program by accepting more materials to be recycled to reduce the volume of waste disposed of in the landfill.

**POLICY 4.2:** By 2012, the SWDD shall complete a study to determine the feasibility of establishing a mandatory solid waste collection system. Upon the establishment of mandatory door-to-door garbage collection, the SWDD shall evaluate the need for and the level of service required from the customer convenience centers.

**POLICY 4.3:** The SWDD shall continue to assist the School Board to develop and maintain a course which informs students of the impact of mismanaged solid and hazardous waste as well as the importance and benefits of a recycling program.

**POLICY 4.4:** The County as part of its recycling program shall eliminate open burning in urban areas by maintaining its facility for the recycling of organic waste, including land clearing debris, grass clippings, etc. into compost and mulch.

**POLICY 4.5:** The SWDD, through radio and newspaper advertisements, informational brochures, or through special events, shall provide general public education on the importance and benefit of the recycling program.

*The Chairman invited public comment. There were no speakers.*

## **NATURAL GROUNDWATER AQUIFER RECHARGE SUB-ELEMENT - CHAPTER 3D**

*(Clerk's Note: This item was heard commencing at 9:50 a.m., following Recreation/Open Space Element – Chapter 10, and is placed here for continuity).*

Director Keating announced that the following new policy pertains to adoption of a water conservation ordinance:

### **OBJECTIVE 2 Preserving the Quantity of the Surficial Aquifer**

Through 2025, there will be no reduction in the availability of groundwater from the surficial aquifer. For the purpose of this objective, water quantity will be based on SJRWMD's most recent regional groundwater model.

**POLICY 2.2:** By 2011, the County shall adopt a water conservation ordinance to minimize the unnecessary and wasteful use of groundwater from the surficial aquifer.

Commissioners O'Bryan, Wheeler, and Davis voiced support for Vice Chairman Solari's preference to achieve water conservation through education, not regulation. Vice Chairman Solari advised that he would be meeting with the St. John's River Water Management District (SJRWMD) on Wednesday, April 21, 2010, to evaluate what measures the County can take to move towards a water conservation methodology which the citizens would embrace.

*The Chairman invited public comment. There were no speakers.*

## **STORMWATER MANAGEMENT SUB-ELEMENT - CHAPTER 3E**

*(Clerk's Note: This item was heard commencing at 9:15 a.m., following Sanitary Sewer Sub-Element – Chapter 3A, and is placed here for continuity).*

Director Keating stated that new policies relating to total maximum stormwater discharge limits (TMDLs) are found under Objective 7, as follows:

**OBJECTIVE 7 Stormwater Quality**

Consistent with DCA Rule 9J-5.011(2)(c)(5), the County shall maintain Water Quality Level of Service (WQLOS) based on Pollutant Load Reduction Goals (PLRGs) established by the Saint John’s Water Management District (SJRWMD) for the Indian River Lagoon and, when available, based on Total Maximum Daily Load (TMDL) standards established for the Lagoon.

**POLICY 7.10:** Until Total Maximum Daily Load (TMDL) standards are established for the Indian River Lagoon by the SJRWMD, the County will continue to require, as a minimum, retention of the first one (1) inch of rainfall prior to off-site discharge. Consistent with Chapter 17-25.025(9), F.A.C., an additional 50 percent treatment (1.5 inches) is required for all direct discharge into the Indian River Lagoon due to its designation as an Outstanding Florida Water (OFW).

**POLICY 7.11:** All existing uses shall meet the adopted WQLOS at time of redevelopment, including TMDL standards once established by the SJRWMD.

**POLICY 7.13:** The County shall pursue grant funding to establish stormwater filtration systems on the North and South Main Relief Canals.

*The Chairman invited public comment. There were no speakers.*

**TRANSPORTATION ELEMENT - CHAPTER 4**

*(Clerk’s Note: This item was heard commencing at 9:09 a.m., following Economic Development Element – Chapter 5, and is placed here for continuity).*

Director Keating reported that when the Metropolitan Planning Organization (MPO) completes its update of the Long-Range Transportation Plan, the Transportation Element will need to be amended correspondingly. He stated that the Level of Service standards (LOS) incorporated in Objective 1 basically retain LOS of “D” on most roadways.

**OBJECTIVE 1 Adequate Transportation System**

The County acknowledges that there are no existing roadway capacity deficiencies within the County. Through 2030, the County traffic circulation system will continue to operate at or above the minimum service levels specified in policy 1.1.

**POLICY 1.1 (retain LOS standards policy):** The County hereby adopts traffic circulation level of service standards. These standards are as follows: Level of Service "D" or better shall be maintained on all TRIP grant funded roads as well as all freeway, arterial and collector roadways with the exception of the following two, which will operate at 20% in excess of level of service "E":

- ° 27th Ave – South County Line to SR 60
- ° 43rd Ave – Oslo Road to 16th Street

For SIS/Florida Intrastate Highway System roadways, level of service "B" is adopted for rural areas, and level of service "C" is adopted for urban areas.

Director Keating summarized that Objective 2 pertains to revised safety standards, including bicycle and pedestrian improvements, as illustrated below:

**OBJECTIVE 2**    **Safety**

For the period from 2009 to 2030, crash and fatality rates per vehicle mile traveled will be reduced at least by 1% each year.

**POLICY 2.1:** The County will maintain an accurate crash database.

**POLICY 2.2:** The County will on an ongoing basis review crash records to determine if intersection, operational, or other improvements, including bike/ped improvements, are necessary to enhance safety and will program necessary improvements.

**POLICY 2.3:** In conjunction with the Indian River County School District, the MPO, and municipalities in Indian River County, the County will assess pedestrian access conditions at schools and participate in the Safe Routes to Schools (SRTS) grant program.

Director Keating affirmed for Chairman O'Bryan that the revised objectives would include moving ahead with the sidewalk program.

*The Chairman invited public comment. There were no speakers.*

## **ECONOMIC DEVELOPMENT ELEMENT – CHAPTER 5**

*(Clerk's Note: This item was heard commencing at 9:09 a.m., following Public Schools Facilities Element – Chapter 5, and is placed here for continuity).*

Director Keating presented Objective 4, pertaining to the establishment of two additional industrial/business parks:

### **OBJECTIVE 4 Facilitate Economic Development**

By 2015, the County and municipalities within the County shall have at least two additional established industrial/business/technology/research parks (for a total of 4 parks) with sufficient land and adequate infrastructure to accommodate new or expanding businesses. At least one of these parks should be developed for Biotech/research/technology industries.

Director Keating confirmed for Commissioner Wheeler that expanding one of the existing industrial parks, rather than creating two new parks, would be consistent with the objective.

Director Keating outlined the following policies established in conjunction with Objective 5, relating to the County working with the municipalities to undertake economic development funding and activities.

### **OBJECTIVE 5 Intergovernmental Coordination**

By 2011, there will be an adopted Interlocal agreement between the County and the municipalities that provides for coordinated economic development funding and economic development activities.

**POLICY 5.1:** The County shall involve all necessary stakeholders needed to approve or assist any economic development project wishing to expand or re-locate within the County so the approval process happens expeditiously.

**POLICY 5.2:** The County, through the Indian River County Chamber of Commerce and its Economic Development Division, shall request that all local governments within the

County provide information pertaining to possible site locations for economic development prospects.

*The Chairman invited public comment. There were no speakers.*

### **CAPITAL IMPROVEMENTS ELEMENT - CHAPTER 6**

*(Clerk's Note: This item was heard commencing at 9:07 a.m., following Introductory Element – Chapter 1, and is placed here for continuity).*

Director Keating stated that since this element must be updated annually, there were only minor changes.

*The Chairman invited public comment. There were no speakers.*

### **HOUSING ELEMENT - CHAPTER 7**

*(Clerk's Note: This item was heard commencing at 9:12 a.m., following Transportation Element – Chapter 4, and is placed here for continuity).*

Director Keating outlined the following policy to expedite affordable housing project reviews, found under Objective 1, as follows:

#### **OBJECTIVE 1    Housing Affordability**

By 2020, the number of owner-occupied households paying more than 30% of their income for housing will be less than the 19% of owner-occupied households paying more than 30% of their income for housing in 2000, while, the number of renter-occupied households paying more than 30% of their income for rent will be less than the 39% of renter-occupied households who paid more than 30% of their income for rent in 2000.

**POLICY 1.6:** The County shall take all necessary steps to eliminate delays in the review of affordable housing development projects. In order to define delay, the County hereby establishes the following maximum timeframes for approval of projects when an applicant provides needed information in a timely manner:

- Administrative approval - 5 days;
- Minor site plan - 5 weeks;
- Major site plan - 6 weeks;
- Special exception approval - 13 weeks.

Whenever these review times increase by 150% or more due to the work load of the review staff, the County will begin prioritizing the review of affordable housing development project applications. In prioritizing affordable housing development project applications, staff will schedule affordable housing project applications for review before other types of project applications to ensure that maximum review timeframes are not exceeded for affordable housing projects.

Director Keating conveyed that two policies supporting housing near transit stops have been included in Objectives 1 and 2, as follows:

**OBJECTIVE 1    Housing Affordability**

**POLICY 1.9:** The County shall support housing developments near transportation hubs, major employment centers, and mixed use development by expediting the permit process for these types of housing projects.

**OBJECTIVE 2    Balanced Housing Market**

Within its residential areas, Indian River County will have adequate sites to accommodate current and anticipated housing demand for all income groups and groups with special housing needs. These sites shall have an appropriate land use and zoning designation which allows for a balanced housing market with a mixture of housing types, including mobile and manufactured homes.

**POLICY 2.2:** Indian River County shall continue to designate on its future land use plan map sufficient land area with adequate density to accommodate the projected 2020 population. Accordingly, the County's Future Land Use Map residential designations vary in density from 1 unit per acre to 10 units per acre. All of this residentially designated land is located within the Urban Service Area where adequate infrastructure is available to accommodate a wide variety of housing types, including mobile homes, farmworker housing, housing for very low, low, and moderate income households, and group homes and foster care facilities. As structured, the County's land use designations accommodate housing units with a wide range of costs and physical characteristics (lot sizes, setbacks, and land use mixes). These future land use map designations are situated to allow for residential development that has:



1. Proximity to public transportation, employment centers, recreational facilities, and community services such as shopping, personal services, schools, daycare facilities, and health care facilities; and
2. Compatibility with adjacent land uses and existing neighborhoods.

Director Keating outlined the following new policy which would provide the Barrier Island municipalities the opportunity to meet their affordable housing needs by participating in the County's Housing Trust Fund.

**OBJECTIVE 4**      **Housing Assistance/Housing Implementation Program**

Annually, at least 40 income eligible households will receive assistance through [the] County's local housing assistance program.

**POLICY 4.5:** The County shall enter into Interlocal agreements with any County municipality which, because of unusually high property values or coastal high hazard area constraints, cannot meet its affordable housing needs within its jurisdiction, and desires to contribute to the Housing Trust Fund. The amount and method of payment will be established prior to execution.

*The Chairman invited public comment. There were no speakers.*

**CONSERVATION ELEMENT - CHAPTER 8**

*(Clerk's Note: This item was heard commencing at 10:12 a.m., following Coastal Management Element – Chapter 9, and is placed here for continuity).*

Director Keating stated that a new policy for the County to obtain an updated geohydrological study has been included in the following policy, found in Objective 3.

**OBJECTIVE 3**      Groundwater Quality and Quantity

Through 2025, there will be no reduction in the quality or quantity of water in either the surficial aquifer or the Floridan aquifer in Indian River County. For the purpose of this objective, water quality will be based on SJRWMD's most current regional groundwater model.

**POLICY 3.8:** By 2015, the County shall obtain an updated County-wide geohydrological study with seismic profiles, or comparable data.

Director Keating next directed the group's attention to Objective 7, Policy 7.9, which pertains to adoption of a Habitat Conservation Plan (HCP) for the Florida scrub jay.

**OBJECTIVE 7    Wildlife and Marine Habitat**

Through 2025, there will be no reduction in the critical habitat of endangered or threatened aquatic and terrestrial species of flora and fauna occurring in Indian River County. For the purpose of this objective, "critical habitat" is defined as the minimum required sum of environmental conditions in a specific area necessary to sustain a given species. The protection of critical habitat shall be measured and evaluated on a site development basis.

**POLICY 7.9:** By 2015, the County, in cooperation with the USFWS, the City of Sebastian, City of Fellsmere, Indian River County School Board, and other appropriate agencies, will adopt a County-wide Habitat Conservation Plan (HCP) for the endangered Florida scrub jay. Cost-sharing funding for the County-wide HCP will be sought from participating municipalities and agencies, and County mitigation funds will be used to fund the County's share of costs.

A lengthy discussion ensued, wherein staff addressed the Board's and the P&Z members' questions and comments regarding the scrub jay Habitat Conservation Plan.

Commissioner Davis expressed concerns regarding potential costs associated with this policy.

Staff explained that the County had received a grant to do a regional Habitat Conservation Plan from the United States Fish and Wildlife Service (USFWS), and that there was no requirement for matching grant funds.

Concluding the update on Chapter 8, Director Keating stated that the requirement for the County to preserve acreage of upland native plant communities has been revised from a minimum of 1,000 acres to 5,000 additional acres, in Objective 6, as follows:

**OBJECTIVE 6    Upland Vegetation Communities**

Using 2008 conservation land acreage as a baseline, Indian River County shall, by 2020, preserve a minimum of 5,000 additional acres of upland native plant communities to sustain viable populations of native plant and animal species and protect representative stands of each habitat type in Indian River County. The additional acreage shall be preserved through the establishment of conservation easements and/or fee simple acquisition.

Staff confirmed for Chairman O'Bryan that there would be no penalty if the County did not preserve the minimum of 5,000 acres.

*The Chairman invited public comments.*

**Mr. Beuttell** remarked that the County has already spent a lot of bond money acquiring upland conservation lands.

**Mr. Bruce** believed that this was an objective which would not happen until Florida Forever gets funded, unless the County floats another bond for funding.

Commissioner Davis expressed opposition to the stated revision to Objective 6.

Staff addressed Commissioner Flescher's question regarding past acquisitions of conservation lands.

Mr. Hamner suggested leaving Objective 6, in place, but reducing the requirement from the 5,000 acres of upland community.

Director Keating recommended that the amount of upland acreage included in the Objective be reduced to 500 acres, as staff had originally proposed.

After further debate, the Board CONSENSUS was to keep Objective 6 in the Comprehensive Plan, but to change the requirement for the upland communities from 5,000 to 500 acres.

Staff addressed Mr. Beutell's questions regarding the requirements for new developments to set aside upland preservation areas.

*The Chairman called a break at 10:31 a.m., and reconvened the meeting at 10:43 a.m., with all members present.*

### **COASTAL MANAGEMENT ELEMENT - CHAPTER 9**

*(Clerk's Note: This item was heard commencing at 9:50 a.m., following Natural Groundwater Aquifer Recharge Sub-Element – Chapter 3D, and is placed here for continuity).*

Director Keating outlined Policies 4.2 and 4.3, under Objective 4 Beaches and Dunes, pertaining to the Dune Stabilization Setback Line (DSSL) and a requirement that by 2012, all new oceanfront developments to hook up to public sewer if available.

#### **OBJECTIVE 4 Beaches and Dunes**

Through 2030, all natural functions of the beach and dune system in Indian River County shall be protected and no unmitigated human-related disturbance of the primary dune system shall occur.

**POLICY 4.2:** In light of the potential for increased coastal erosion from climate change, sea level rise and other factors, the County shall, by 2012, evaluate the location of the Dune Stabilization Setback Line (DSSL) and consider relocating that line further west.

**POLICY 4.13:** To alleviate the potential adverse health and environmental impacts associated with beach erosion damage to on-site disposal systems (OSDS), the County, by 2012, shall require all new oceanfront developments to hook up to public sewer if available.

A lengthy discussion ensued, during which staff addressed the Board's comments and queries regarding Policy 4.13.

A brief discussion ensued on the possibility of a sewer line being run in the vicinity of the Sebastian Inlet Park.

*The Chairman opened the floor to public comment.*

**Bob Bruce**, 12396 Highway A1A, discussed the difficulty of plumbing the Ambersand Beach subdivision, and felt the Policy was a huge unfunded mandate.

Discussion ensued regarding how the Policy would impact the Ambersand Beach lots, should the sewer lines be run in the area.

Staff divulged that it is State law that once a sewer line is available, a property owner must hook up to the sewer system.

Mr. Smith believed that scientific analysis should be used to determine whether it is or is not necessary to hook up to sewer.

Mr. Hamner stated that in view of the State mandate, it made no sense to maintain the requirement for all new oceanfront developments to hook up to public sewer.

The Commissioners agreed, and directed staff to remove Policy 4.13 from the Comprehensive Plan.

Concluding his review of the Coastal Management Element, Director Keating presented the following policy pertaining to construction of a boat ramp at Gifford Dock Road, and found in Objective 8:

**OBJECTIVE 8    Public Access**

By 2012, the number of public access points to natural resources within the coastal zone of Indian River County, including beaches, the St. Sebastian River, and the shoreline of the Indian River Lagoon, will be increased by a minimum of five public access points.

**POLICY 8.3:** By 2012, the County shall seek funding from the Florida Inland Navigation District (FIND) Waterway Assistance Program to construct a boat ramp at the eastern terminus of Gifford Dock Road (a.k.a. 45<sup>th</sup> Street), on the Indian River Lagoon.

Director Keating responded to Chairman O’Bryan’s query regarding the FIND Grants.

**RECREATION/OPEN SPACE ELEMENT - CHAPTER 10**

*(Clerk’s Note: This item was heard commencing at 9:37 a.m., following Solid Waste Sub-Element – Chapter 3C, and is placed here for continuity).*

Director Keating presented the following new policies pertaining to the Recreation Department under Objectives 1 and 3:

**OBJECTIVE 1    Adequate Parklands and Recreation Facilities**

Through 2030, adopted recreation levels-of-service will be maintained to ensure that adequate parklands and recreation facilities are available and accessible for public use.

**POLICY 1.6:** By 2012, the Recreation Department shall evaluate the existing user fee structure and include full cost recovery for adult programs.

**POLICY 1.9:** By 2011, the Recreation Department shall evaluate new funding options, including privatization and partnerships.

**OBJECTIVE 3    Parkland Development**

By 2020, the County will have developed at least 65 percent of its currently undeveloped existing park acreage.

**POLICY 3.4:** By 2012, the Recreation Department shall update the North County Regional Park and the South County Regional Park Master Plans.

Director Keating divulged that Objective 9, Arts and Cultural Programs, has been revised to include a cultural plan for the County, which staff has been working on with the Cultural Council.

**OBJECTIVE 9   Arts and Cultural Programs**

By 2012, the County will have a comprehensive cultural plan for the County (this plan will be developed by the Cultural Council of Indian River County [CCIRC]).

**POLICY 9.1:** By 2012, the County shall participate with the Cultural Council of Indian River County in developing a comprehensive cultural plan for the County and shall encourage public/private partnerships, as appropriate.

**POLICY 9.2:** The County shall, when possible, support cultural and heritage activities by providing financial support through tourist tax revenue.

**POLICY 9.3:** The County shall cooperate with the CCIRC to establish a program for art in public places. This will involve the coordination, administration and display of loaned, local artwork in appropriate public buildings and open spaces.

**POLICY 9.4:** The County shall support the sale of the “State of the Arts” License plates promoted by the Cultural Council of Indian River County. The CCIRC, as the County’s designated Local Arts Agency, will receive and dispense funds related to the sales of the Arts License Plates, as required.

**POLICY 9.5:** The County shall consider the Cultural Council of Indian River County (CCIRC) as the County’s designated cultural agency and a Quasi-Nonprofit Agency. As such, the Cultural Council shall represent the various arts and culture groups in the County, serving as a liaison for all cultural requests to the County. In so doing, the Cultural Council shall annually submit a funding request to the County on behalf of the County’s arts and culture organizations. That funding request shall include the following information:

- Detailed information about the organization's accomplishments during the last fiscal year, specifically as related to funding received from the County.
- Detailed budget information pertaining to any funds that the organization is requesting;
- The organization’s proposed goals and activities for the upcoming fiscal year; and a copy of the organization’s most recent audit, if applicable.

**POLICY 9.6:** Through the Cultural Council, the County shall support cultural and heritage organizations’ applications for state, federal and private foundation grants. The County’s support may include providing customized demographic information, leveraging the County’s grant eligibility, providing letters of support, and providing other support as appropriate.

**POLICY 9.7:** The County shall assist the Cultural Council with the dissemination of a calendar of cultural events in Indian River County prepared by the CCIRC. This assistance will involve making information available at government facilities.

**POLICY 9.8:** The County will assist the Cultural Council in providing avenues for nonprofit and artist networking such as:

A. Providing workshops, seminars and one-on-one assistance for cultural organizations, artists and educators to enhance their effectiveness, viability and long-term survival.

B. Promoting the use of its web-based tools to support and facilitate business transactions within the cultural community.

C. Providing opportunities for cultural leaders of all kinds to meet and learn from each other, creating networks that foster collaboration and cooperation.

**POLICY 9.9:** The Board of County Commissioners shall, upon request by the CCIRC, designate October of each year as National Arts and Humanities month.

A lengthy discussion ensued among Commissioners, with input from Mr. Hamner and staff, regarding the inclusion of the Cultural Plan in the Comprehensive Plan, and the implications of designating the Cultural Council as a Quasi-Nonprofit Agency under the County. Several Commissioners were apprehensive that the stipulations in the Cultural Plan would lead to expenditure of funds in a tight budget, for what could be considered a “want”, and not a “need”.

*The Chairman opened the floor to public comment.*

**Barbara Hoffman**, Vice Chairman of Cultural Council of IRC, addressed the Board regarding the benefits of having the Cultural Plan included in the Comprehensive Plan, and affirmed that the Cultural Council’s plans for the future did not look to the County as a financial resource.

Chairman O’Bryan felt that it would be prudent to review each policy under Objective 9, prior to taking formal action.



## **INTERGOVERNMENTAL COORDINATION ELEMENT - CHAPTER 11**

*(Clerk's Note: This item was heard commencing at 9:12 a.m., following Housing Element – Chapter 7, and is placed here for continuity).*

Director Keating presented the following new policy, under which the County will coordinate with the City of Vero Beach and Indian River Shores to study options relating to the consolidation of utility services. The County will also be evaluating the Electric Service Agreement with the City of Vero Beach.

### **OBJECTIVE 2    Coordination of Level of Service Standards**

By 2015, the County will have an adopted formal mechanism for coordination of adopted comprehensive plan level-of-service standards with municipalities, adjacent counties, the region, and the state.

**POLICY 2.7:** Prior to 2011, the County will coordinate with the City of Vero Beach and the Town of Indian River Shores to prepare a financial analysis of options related to the possibility of consolidation of utility services. This analysis may consist of, but is not limited to: the possibility of the County serving utilities to the Town of Indian River Shores, currently served by the City of Vero Beach and the Unincorporated area of the South Barrier Island, currently served by the City of Vero Beach, full consolidation of the City of Vero Beach Utility with the Indian River Co. Utility or making no changes in the existing utility service areas. Based on the results of a financial analysis of the various service options, the Board of County Commissioners will consider implementing the results that show the best financial and operational benefits. The County shall also review its agreement with the City of Vero Beach for provision of electricity to portions of the unincorporated county to determine the best available option for the unincorporated County residents being currently served by the City.

Director Keating advised that under the following updated policy, the County would continue to work on and adopt an Interlocal Service Boundary Agreement.

### **OBJECTIVE 4    Coordination of Annexation Areas**

By 2020, the number of enclave areas in the County will be reduced by fifty percent (50%) compared to the 2008 number.

**POLICY 4.1:** By 2000, The County shall continue to work with the municipalities within the County to develop and adopt an Interlocal Service Boundary Agreement (ISBA).

*The Chairman invited public comment. There were no speakers.*

**PUBLIC SCHOOL FACILITIES ELEMENT - CHAPTER 12**

*(Clerk's Note: This item was heard commencing at 9:08 a.m., following Capital Improvements Element – Chapter 6, and is placed here for continuity).*

Director Keating pointed out that this element was recently adopted in 2007, and was not reviewed as part of the EAR, thus there were very few changes.

*The Chairman invited public comment. There were no speakers.*

Concluding his presentation, Director Keating advised that the Public Hearing for transmittal of the EAR based amendments would be held on May 11, 2010. After the hearing, staff would make any changes directed by the Board and send the amendments to the Department of Community Affairs (DCA). After review, DCA will send an Objections, Recommendations, and Comments Report (ORC) to the County and after addressing any objections DCA has, staff will present the EAR based amendments for final adoption at a Public Hearing in August 2010.

**Mr. Beuttell** brought before the Board a slogan he had developed pertaining to the high costs of utilities for County residents using the City of Vero Beach Electric.

**Bob Adair**, 7060 33rd Street, Chairman of the Agricultural Advisory Committee, referring to Policy 6.4 of the Future Land Use Element, believed it was important to maintain the buffers in order to preserve active agricultural operations inside the Urban Service Area.

Mr. Smith congratulated staff for the outstanding job they did, and additionally acknowledged the P&Z Commission members who have laboriously worked on the amendment process.

The Board also extended accolades to staff and the Planning and Zoning Commission.

Commissioner Davis requested that staff bring back further information about Objective 6 in the Future Land Use Element on Agricultural Protection, wherein Policy 6.5 discusses the requirement to have a deed restriction prohibiting host plants recorded and established on a site.

#### **4. ADJOURNMENT**

There being no further business, the Vice Chairman declared the meeting adjourned at 12:41 p.m.

ATTEST:

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Jeffrey K. Barton, Clerk

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Peter D. O'Bryan, Chairman

Minutes Approved: \_\_\_\_\_



APPENDIX A

Policy 1.3437: The new town land use designation shall be a floating zone which may be overlaid on any property with an agricultural land use designation (AG-1, AG-2, and AG-3). Each new town designation shall be approved as a Planned Development (PD) and shall meet the requirements of Policy 1.3538.

The size, density, and design of a new town shall allow for a sustainable new town population with an adequate level of commercial activity, as well as a sufficient greenbelt area. The new town shall be designed to accommodate a build-out population of at least 5,000 persons (approximately 2,500 residential units).

No new town designation shall be approved except as an amendment to the Future Land Use Map of the Comprehensive Plan. Such amendments shall identify the location of the district-new town on the future land use map and shall update the plan's data and analysis section to reflect the population impacts of the district-new town. ~~Compliance with all new town designation requirements shall indicate that a proposed new town district amendment is consistent with the comprehensive plan and warrants approval.~~ A new town amendment shall meet the following criteria:

- a. ~~No~~ No new town ~~district~~ shall be established unless it meets the following minimum size requirements:

<u>LOCATION OF NEW TOWN</u>	<u>MINIMUM SIZE (CONTIGUOUS ACRES)</u>
• <u>East of Interstate 95</u>	<u>1,500</u>
• <u>West of Interstate 95</u>	<u>4,000</u>
 <u>BOUNDARY TO BOUNDARY DISTANCE FROM URBAN SERVICE AREA</u>	 <u>MINIMUM SIZE</u>
 * one mile or less	 1200 acres

~~\* more than one mile but less than six miles~~ \_\_\_\_\_ 2400 acres  
~~\* more than six miles~~ \_\_\_\_\_ 3600 acres

- b. ~~no~~ ~~No~~ new town district shall be established unless it is located on or has access to an arterial road.
- c. ~~no~~ The number of new town projects shall be limited as follows:
  - East of Interstate 95: 2
  - West of Interstate 95: 2 ~~new town district shall be designated within 6 miles of an existing mixed use district~~
- d. ~~no~~ ~~No~~ new town district shall be approved unless it is consistent with the Concurrency Management System.
- e. ~~no~~ ~~No~~ new town district shall be approved without a finding that the ~~district~~ new town, as approved, will have no adverse impact on natural resources.
- f. ~~no~~ ~~No~~ new town district shall be approved unless the ~~project amendment~~ application is supported by sufficient data and analysis to justify the need for the ~~project~~ new town. The need justification can be met by data and analysis which shows that the project's projected population together with the projected population of any other approved new town projects will not significantly increase the county's residential allocation factor for the time horizon of the comprehensive plan.

Policy 1.3538: The new town land use designation shall be established through the Planned Development (PD) process. For any land to receive the new town land use designation, a PD project must be approved which clusters residential and non-residential uses in a manner which protects agricultural and open space areas, protects natural resources, creates a self-sufficient community, minimizes off-site traffic, and does not increase urban sprawl.

All new town projects shall ~~be approved as Florida Quality Developments pursuant to Chapter 380, F.S., and such designation shall require~~ submittal and approval of a PD project having the following characteristics:

- a. A proper mix of land uses that results in a sustainable small town rather than merely an amenitized residential community. The ~~project shall have the following mixture~~ mix of land uses shall satisfy the following criteria:
  - 1. ~~1.~~ 1. Residential areas; these are areas that provide for single-family low density, ~~single family medium density, and/or multiple-family medium density~~

residential development units, including residential units behind or over businesses.

2. ~~2.~~—Shopping areas; these are areas that provide for the sale of goods and services to accommodate the residents of the project new town.- Allowed uses are retail commercial and personal services.

3. ~~3.~~—Work areas; these are areas that provide ~~work~~ employment opportunities for the residents of the project new town. —Allowed uses are office, uses educational, and light industrial, resource management and tourism, and agricultural uses and related industries.

4. ~~4.~~—Public facilities and institutional uses; ~~these are areas which provide for public facilities, cultural facilities, and religious facilities as needed by the residents of the project~~ including schools, fire/police stations, cultural and community facilities, and places of worship.

5. Recreational uses; these are areas which provide for active and passive recreational facilities ~~as needed by the residents of the project.~~

6. Natural open spaces and agricultural areas; these are areas which will be preserved due to their environmental importance or will be used for active agricultural production.

b. ~~All residential and commercial/office uses shall be clustered~~ Activity or town centers shall mixed use centers containing both nonresidential and residential uses, while residential uses not located within town centers shall be in compact neighborhoods.

c. The gross residential density of ~~the a project~~ new town may exceed the underlying agricultural maximum densities; however, the project new town density shall not exceed ~~one~~ 1.5 units/ per acre of gross project area unless development rights are transferred to new towns from off-site properties. In such cases, the overall gross density of the new town shall not exceed 2 units per acre. Consistent with that allowance, new towns may be receiver sites for development rights sent from conservation or agricultural preservation areas that are located outside the urban service area and are not adjacent to the project. Sending areas shall be stripped of development rights as part of the new town approval. Density credits eligible for transfer shall not exceed 1 unit per acre for AG-1 sending areas, 1 unit per 2 acres for AG-2 sending areas, and 1 unit per 4 acres for AG-3 sending areas. Additional density allowances up to 1 unit per 2 acres may be allowed for environmentally significant portions of AG-3 sending areas.

d. Uses within a new town ~~PD~~ shall be identified in the ~~mixed use~~ new town PD project application. ~~The land use mix shall be supported by data and analysis submitted by the applicant which shows that the proposed project will capture one hundred (100) percent~~

of neighborhood, convenience, and community shopping trips and a minimum of fifty (50) percent of employment trips. The following standards serve as a minimum criteria for mixed use project land use distribution and shall comply with the following criteria.

1. Commercial, personal services, and office and light industrial use areas shall constitute at least five (5%) percent but not more than ten (10) percent of the entire PD area. The floor area ratio of areas designated as shopping and working areas should be at least 0.10 shall be provided at ratio of three (3) to ten (10) acres per 1,000 residential units.
2. Public facilities, including but not limited to water plants, sewer plants, schools (excluding university campuses or similar uses), fire stations, and police stations, and public institutional use areas, should not exceed five (5) percent of the entire PD area.
3. Residential use areas shall constitute at least fifteen (15) percent but not more than thirty-five (35) percent of the entire PD area.
4. Employment areas, including industrial, business, and office uses, shall comprise at least two (2) percent of the entire PD area.

e. The following additional standards shall be met by any new town PD project application.

1. Affordable/Workforce Housing: Affordable and/or workforce housing units shall be provided to ensure that there is housing available within the project area for workers employed within the project area. Therefore, At least thirteen-ten (1310) percent of the total housing units shall be affordable and/or workforce housing units. A housing unit shall be considered affordable if it has a market value less than two (2) times 80% of the county's annual household medium income, or it has a monthly rent less than one-twelfth (1/12) times 30% of 80% of the county's annual household medium income, as defined in the county's land development regulations. -The applicant shall provide sufficient data and analysis to justify the number and percentage of affordable housing units needed by his proposed project. -This amount of affordable housing shall then be provided within the project; however, the total amount of affordable housing shall in no case be less than thirteen-ten (1310) percent of the total number of housing units in the project.
2. Open Space: At least fifty (50) percent of the entire PD area shall be preserved or provided as open space. Open space areas shall be retained as natural areas, or used for agricultural agriculture purposes, or used for recreational purposes, stormwater management, water supply, or similar uses that complement the rural nature of the area.



(a) At least seventy (70) percent of the minimum required common open space area shall be located along main project boundaries and shall function as perimeter greenbelts or shall be in the form of a large contiguous block of land. If a proposed new town shares a boundary with land identified as conservation either through easement or by comprehensive land use designation, then the required greenbelt perimeter/open space block shall have a contiguous boundary with the conservation area. If a new town shares a boundary with multiple existing conservation areas, the project design shall provide greenway connections between conservation areas.

(b) For purposes of the fifty (50) percent common open space requirement, such green space shall not include conventional, individual private yard areas and shall not include any areas already in conservation. Common open space areas may include agricultural areas (e.g. crop lands, pastures, and equestrian areas), parks and recreation areas, conservation and natural areas (e.g. uplands, wetlands, and re-created natural areas), and water bodies (not to exceed thirty percent of the open space requirement).

(c) 3. — RActive recreational uses shall be limited to less than a maximum of twenty-five-four (2524) percent of the designated open space, but shall not exceed or twelve (12) percent of the entire PD area, whichever is less.

43. Timing of Land Uses: At the time of new town approval, commitments must be made as to the timing of developing work places and non-residential uses. A sufficient amount of job-producing and non-residential uses shall be developed in initial project phases to prevent creation of a de-facto residential only or bedroom community and to ensure development of a job-producing “anchor tenant” to sustain the new town’s economy. To ensure that all phases of the project develop as a viable new town development with a mixture of residential, shopping, working, recreational, and open space areas, various uses for each phase of the project shall be approved and developed in a proportional manner. -Commercial and personal service uses, office and light industrial uses and residential uses shall generally constitute the same percentage of area for each phase as they constitute in the project as a whole. -No more than twenty-five (25) percent of the proposed residential use development will be permitted until at least twenty-five (25) percent of the proposed commercial and personal service uses and office and light industrial uses occur.

4. 5. — Form: The project shall meet the Traditional Neighborhood Design standards of the Future Land Use Element Policy 18.1. Each new town project shall be buffered from adjacent land uses. At a minimum the following buffer requirement shall be met In so doing, the new town shall have a perimeter edge and a center. Along the perimeter edge, a significant greenbelt shall be provided,

and that greenbelt shall consist of natural areas, agricultural areas, and/or "no-build" areas designated on large acreage parcels. A project center shall be established for the concentration of residential and commercial uses. Major roadways shall run through or near the project center. The project design shall reflect the following:

- (a) A network of ungated and open to the public interconnected streets in a grid or modified grid pattern.
- (b) An interconnected pedestrian sidewalk/path system that serves and integrates residential and non-residential uses.
- (c) Appropriately sized blocks and pedestrian improvements that provide a layout that maximizes residential development in clusters around town centers. Town centers shall include but not be limited to public squares or parks, as well as commercial and residential uses.
- (d) Wide sidewalks, street trees, and on-street parking in the town center.

5. Integration into Major Street Grid: Each new town project shall have multiple connections to major roads, and extend major roads planned to traverse the rural area in which the project is located.

6. Building Height: Residential structures shall be limited to a maximum height of 35 feet, while nonresidential and mixed use structures shall be limited to a maximum height of 50 feet. For all structures, architectural embellishments may exceed the maximum height limitation by no more than 15 feet.

~~i. A setback of at least eighty (80) feet with a type "B" buffer and a six foot opaque feature as set forth in Chapter 926, Landscaping and Buffering of the County Land Development Regulations, shall be provided along all project boundaries.~~

~~ii. No commercial, personal services, office, or light industrial development shall be permitted closer than two hundred (200) feet from any arterial or collector roadway.~~

~~f. The project shall meet the Traditional Neighborhood Design standards of the Future Land Use Element Policy 18.1, for Street Networks, Centers, and Public Building subsections.~~