

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 5Q
From: Staff
Date: February 20, 2009 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Sebastian Comprehensive Plan
DCA Reference No. 09-1

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

The City of Sebastian has proposed one Future Land Use Map (FLUM) amendment, as well as text amendments to the Future Land Use, Housing, Transportation, Intergovernmental Coordination, Public School Facilities and Capital Improvements Elements of the City Comprehensive Plan. The City has requested a formal review of the proposed amendments.

Evaluation

A. Future Land Use Map Amendment

The proposed amendment is for two parcels of land totaling 17.1 acres located on the west side of U.S. 1 at the northern boundary of the City (see Exhibits 2 and 3). The land is being annexed by the City concurrent with the FLUM amendment. The

property contains the Shady Rest Mobile Home Park. The mobile home park contains 117 sites, 79 of which were occupied at the time of the application to the City for the amendment. No specific redevelopment plan for the property has yet been submitted to the City.

The current FLUM designation is Mobile Home Rental Park, a County designation. The proposed designation is Redevelopment Mixed Use (RMU). According to the Comprehensive Plan, the RMU designation is to provide a mixture of residential, commercial, recreational and institutional uses. The desired mix by 2020, according to the City, would be residential (25%), institutional/recreational (20%) and commercial (55%). The RMU designation would allow up to 8 dwelling units per acre. The RMU designation is applied to properties within the Riverfront Community Redevelopment Area to promote vitality and redevelopment.

The present land uses on surrounding properties include a big box retail facility to the north, medical office and an office/retail plaza to the east, a church and vacant lands to the south and residential development to the west. The FLUM designations on surrounding properties are Commercial/Industrial* to the north, RMU and Commercial/Industrial* to the east, Institutional and Low Density Residential* (maximum 6 dwelling units per acre) to the south, and Low Density Residential* to the west.

The public hearings to consider the annexation and FLUM amendment generated a good deal of public comment and opposition. According to the City, the annexation agreement will include a provision giving mobile home park residents five years notice of the plan to redevelop the property. A survey done by the landowner at the time of application indicates there are many comparable housing opportunities in the area for relocation of the mobile home park residents. The City staff recommended approval of the proposed amendment. The Local Planning Agency recommended approval by a 4-2 vote.

* Indian River County FLUM designation.

B. Text Amendments

The City indicates that the proposed text amendments are to fulfill statutory requirements and to update and revise the Data Inventory and Analysis as well as Goals, Objectives and Policies. The City indicates that the proposed amendments to the Future Land Use and Transportation Elements include a complete reorganization of the goals, objectives and policies because of redundancy, achievement or incorrect categorization.

A brief summary of the amendments follows:

A. Future Land Use Element

1. Added Agricultural as a new FLUM category, pursuant to a Stipulated Settlement Agreement with the City of Fellsmere regarding annexed property.
2. Removed the High Density Residential (HDR) FLUM from the comprehensive plan. No property within the City had been assigned the HDR designation.
3. Objective 1-1.3 establishes a new FLUM designation of Very Low Density Residential (maximum 3 dwelling units per acre) to be applied in areas that are considered appropriate for very large lot single-family residential units.
4. Added new Policies 1-1.7.2 and 1-1.7.3 to the Conservation Land Use objective to indicate the City's support for the acquisition of natural areas or open space.

B. Transportation Element

1. The proposed extension of Fleming Street was removed from the Transportation Element maps, as this extension would need to be built through a new County Conservation Area. To mitigate for the loss of this roadway segment on the roadway system, the City has included the extension of Laconia Street to CR 510.
2. Expanded Policies 1.6.4 and 1.6.5 to support the establishment and construction of bike-paths and sidewalks.
3. Committed to the preparation of a Greenways Plan by 2011, in Policy 1.6.2; and gave priority to the financing of Greenways in heavy recreational use areas in Policy 1.6.7.

C. Housing Element

1. New Objective 1.2 is the provision of affordable housing for special needs populations, including the workforce and low and moderate income households.
2. New Policy 1.2.3 lists the incentives the City shall offer which include expedited permitting, and waiver of building permit fees, impact fees and inspection fees in developments with affordable housing units that meet City location/criteria.

D. Intergovernmental Coordination Element

1. Added new text regarding the Interlocal Agreement for School Concurrency.

E. Public School Facilities Element

1. This element replaces the Public School Element. It incorporates new statutory requirements and contains provisions as called for in the Indian River County Public Schools Interlocal Agreement.

F. Capital Improvements Element

1. Includes the statutory requirements for an annual update to the Capital Improvements Element.

Extrajurisdictional Impacts

Under the informal agreement established by the Treasure Coast Regional Planning Council (TCRPC), local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments that have expressed an interest in receiving such materials. The City has provided copies of the amendment materials to Indian River County, Vero Beach, Fellsmere, the Indian River County Metropolitan Planning Organization and the Indian River County School District. At the request of the TCRPC, a copy has also been provided to Brevard County. Council provided a memorandum dated January 8, 2009 to these local governments and agencies seeking comments on the proposed amendments. As of the date of the preparation of this report, no comments were received.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

Comments/Recommendations for Modification

1. Section B.1 of the Future Land Use Element lists each FLUM category and indicates that a definition of each category is included. However, the definition of some categories is absent or incomplete. This should be addressed by the City during the EAR amendment process.
2. The City has proposed to eliminate the HDR FLUM designation (allowing up to 12 dwelling units per acre) from the comprehensive plan. As a result, the maximum residential density for the entire City would be 8 dwelling units per acre. Although there is no land in the City to which the HDR FLUM currently applies, the City should retain the designation in the Comprehensive Plan. Residential densities higher than eight may be appropriate to provide for a range of housing types and affordabilities and improve the feasibility of transit

in areas such as the Community Redevelopment Area and along U.S. 1. The City may find such a density appropriate in the future in select areas without compromising its other land use goals.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Future Land Use Map
- 3 Surrounding Land Use – Shady Rest Annexation

**Exhibit 1
General Location Map**

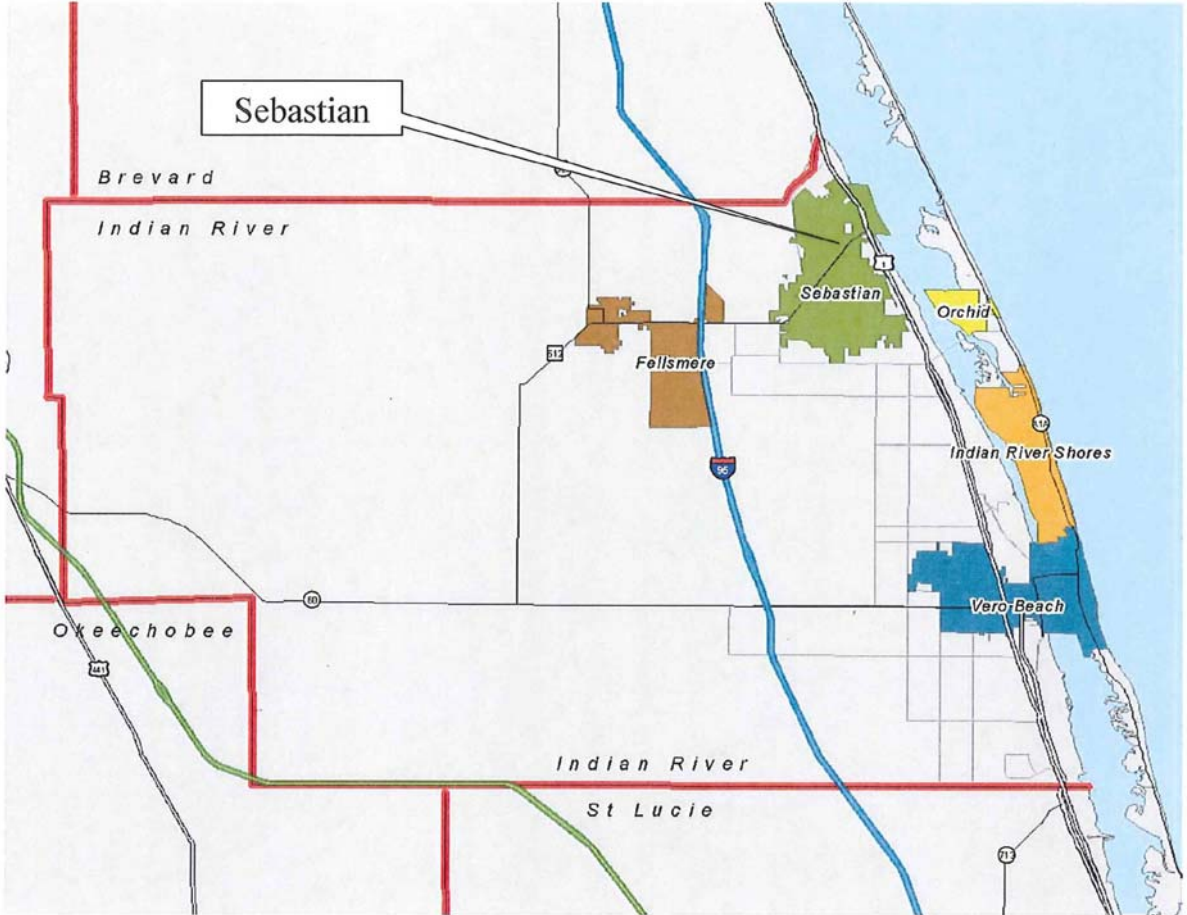


Exhibit 2 Future Land Use Map

