MEMORANDUM

To: Council Members
From: Staff
Date: December 9, 2011 Council Meeting
Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Indian River County Comprehensive Plan
Amendment No. 11-2ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

Background

The proposed amendments consist of three Future Land Use Map (FLUM) changes and text changes to several elements and sub-elements of the comprehensive plan.

Evaluation

A. FLUM Amendment

The purpose of this comprehensive plan land use amendment is to expand and reconfigure the commercially designated area on the site comprising Subject Properties 1 and 2 by swapping the land use designation of Subject Property 1 with the land use designations of Subject properties 2 and 3. Information about the subject properties is described below.

1. Subject Property 1 - Orchid Quay, LLC and William Hunter

   The proposal is to change the existing Future Land Use designation from Medium Density Residential-1, which allows up to 8 dwelling units per acre, to Commercial/Industrial. This 28.56-acre property is located approximately 900 feet south
of CR 510 and east of 46th Avenue. The property is cleared land and has storm water ponds.

2. Subject Property 2 - Orchid Quay, LLC

The proposal is to change the existing Future Land Use designation from Commercial/Industrial to Medium Density Residential-1. This 9.21-acre property is located south of CR 510 and east of 46th Avenue. The property is cleared land and has storm water ponds.

3. Subject Property 3 - TC Property Venture, LLC

The proposal is to change the existing Future Land Use designation from Commercial/Industrial to Low Density Residential-2, which allows up to 6 dwelling units per acre. This 20.11-acre property is located south of 65th Street and west of the FEC railroad. The property is covered with natural communities, including scrub and wetlands. The property contains scrub jay and gopher tortoise habitat.

The proposed amendment involves a reconfiguration of commercial/industrial nodes without a significant change in land use density or intensity. The commercial/industrial designation is being moved to consolidate it in an area along U.S. Highway 1.

B. Text Amendment

The proposed amendment is to change the text of several comprehensive plan elements and sub-elements to ensure the plan has correct references to existing county committees, is consistent with revised state requirements, and reflects correct information. The elements and sub-elements proposed for revision include the Introductory, Future Land Use, Transportation, Capital Improvements, Intergovernmental Coordination, Coastal Management, Housing, Economic Development and Conservation elements, as well as the Solid Waste, and Stormwater Management sub-elements. The proposed amendment will:

- Eliminate references to Chapters 9J-5 and/or 9J-11, Florida Administrative Code and revise the plan to reflect appropriate citations to state law;
- Revise four policies of the Future Land Use Element to reflect the removal of references to three eliminated committees;
- Revise a policy in the Future Land Use Element to add recycling facilities as a use allowed in the agriculturally designated land use categories;
- Revise a table in the Future Land Use Element to indicate the Planned Development zoning district is not permitted under the Mobile Home Rental Park land use category; and
- Amend two policies in the Housing Element to correct typographical errors.

Extrajurisdictional Impacts

Under the informal agreement facilitated by the TCRPC, local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments
and agencies that have expressed an interest in receiving such materials. On October 28, 2011, the TCRPC requested comments from these local governments and organizations regarding any conflicts with the proposed amendments. As of the date of the preparation of this report, no correspondence has been received.

**Effects on Significant Regional Resources and Facilities**

No adverse effects on significant regional resources and facilities have been identified. The development plans for Subject Parcels 1 and 2 should include design criteria to minimize environmental impacts to the Indian River Lagoon, which lies in close proximity to the east of these parcels. The development plan for Subject Parcel 3 should include design criteria to minimize environmental impacts to natural upland and wetland communities and any listed species on this parcel.

**Conclusion**

The proposed amendments are not in conflict or inconsistent with the SRPP.

**Recommendation**

Council should approve this report and authorize its transmittal to Indian River County and the Florida Department of Economic Opportunity.

Attachments
List of Exhibits

Exhibit

1  General Location Map
2  Subject Properties 1 and 2 - Aerial Map
3  Subject Properties 1 and 2 - Existing Future Land Use Map
4  Subject Properties 1 and 2 - Proposed Future Land Use Map
5  Subject Property 3 - Aerial Map
6  Subject Property 3 - Existing Future Land Use Map
7  Subject Property 3 - Proposed Future Land Use Map
Exhibit 2
Subject Properties 1 and 2 - Aerial Map
Exhibit 3
Subject Properties 1 and 2 - Existing Future Land Use Map
Exhibit 4
Subject Properties 1 and 2 - Proposed Future Land Use Map
Exhibit 6
Subject Property 3 - Existing Future Land Use Map
Exhibit 7
Subject Property 3 - Proposed Future Land Use Map