To: Council Members

From: Staff

Date: September 16, 2011 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Vero Beach Comprehensive Plan
DCA Reference No. 11-1ESR

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. The TCRPC comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. The 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 City of Vero Beach has proposed text amendments to the Future Land Use, Traffic Circulation and Capital Improvements Elements of the City Comprehensive Plan. The amendments are being processed under the State Expedited Review Process.

Evaluation

A. Future Land Use Element

Policy 1.15 is to be revised to be more specific regarding the rezoning of properties that have the Future Land Use Map (FLUM) designation of Residential Low (RL). The City indicates that the existing policy does not provide enough protection for historic neighborhoods from the intrusion of incompatible, higher density residential uses. The existing policy language is considered overly broad and too permissive. There are concerns that the redesignation of a former school site may lead to residential densities that are inconsistent with the density of the surrounding neighborhood.
Currently, Table 1.11 under Policy 1.15 indicates that three zoning districts are consistent with the RL FLUM designation. The proposed revisions will provide a firmer and more legally defensible decision making framework for evaluating the consistency of zoning requests. The City considered establishing a new FLUM designation, but instead decided to revise existing policy.

The proposed amendment:

1. Requires any rezoning of land be consistent with the appropriate land use designation in Table 1.11, which replaces the language that refers to using this table as a “guide;”
2. Recognizes that not every zoning district allowed under a land use designation is appropriate for every site within that designation, which strengthens the policy basis to deny rezoning of properties in inappropriate locations;
3. Specifies rezoning requests may be denied even if consistent with that site’s land use designation if the request does not meet zoning map amendment standards or other legitimate purposes; and
4. Establishes criteria for rezoning of RL property that eliminates the potential for “spot” zoning or intrusion of higher density single family development in established lower density single family areas.

B. Traffic Circulation Element

Policy 1.1 is to be revised to change the adopted Level of Service (LOS) on the segment of SR A1A from 17th Street to the south City limits from LOS D to LOS D plus 30 percent. The segment is 1.0 miles in length. The segment will become one of three exceptions to the LOS standards for arterial and collector roadways.

This portion of SR A1A serves residential developments along the southern portion of Orchid Island and some commuter traffic between Fort Pierce and Vero Beach. St. Edwards School, located along SR A1A but south of the City limits, is a major traffic generator. However, there is very little vacant land remaining in the corridor.

Based on a County Traffic Engineering Report of February 11, 2011, the LOS D standard has nearly been exceeded for both the north and south bound lanes of the subject segment of SR A1A. City policy indicates that no development permits can be issued once LOS is exceeded. An expansion is underway of the 17th Street/SR A1A intersection to address capacity and hurricane evacuation issues. Although this project will improve the northbound LOS on SR A1A, the southbound direction will continue to exhibit an LOS deficiency. The portion of SR A1A from the City limits to the south county line, however, has additional capacity remaining.

The Indian River County Metropolitan Planning Organization Long Range Transportation Plan lists no additional improvements for SR A1A. A policy decision has been made not to widen this section of SR A1A to four lanes due to the lack of sufficient financial resources, lack of right-of-way and environmental concerns. City Traffic Circulation Element Policy
1.4 requires the City to consider restrictions to widening where there are special physical and/or environmental constraints. SR A1A is specifically identified as an example of such a facility.

The City indicates that the most viable option to address the LOS issue is to change the LOS standard. The most appropriate LOS to avoid concurrency issues and provide more certainty is the planning and development process for property owners is LOS D plus 30 percent. This would allow a peak hour/peak season capacity of 1,269 vehicles for both the north and southbound lanes of SR A1A. The City considers the proposed amendment to be consistent with other policies in the Traffic Circulation Element. SR A1A is a constrained roadway as defined in City Policy 1.7.

C. Capital Improvements Element

Table 9.1, Level of Service Standards for Facilities, is revised to show the above referenced 1.0 mile segment of SR A1A as LOS D, plus 30 percent.

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 that have expressed an interest in receiving such materials. The City provided copies of the proposed amendment materials to Indian River County, the Indian River County School District, Indian River Shores, Sebastian and Fellsmere. On June 21, 2011, Council sent a memo to Indian River County, the Indian River County Metropolitan Planning Organization, Indian River Shores, Sebastian and Vero Beach seeking comments regarding any potential areas of conflict with the proposed amendments. As of the date of preparation of this report, no comments have been 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

The TCRPC has no comments/recommendations for modification to the proposed amendments and finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

The Treasure Coast Regional Planning Council should adopt the above comments and instruct staff to transmit the report to the City and the State Land Planning Agency.

Attachments
List of Exhibits

Exhibit

1 General Location Map – City of Vero Beach
2 Area Roadway Network Including SR A1A Corridor
3 SR A1A Travel Corridor
Exhibit 1
General Location Map
City of Vero Beach