TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

From: Staff

Date: September 21, 2012 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of Vero Beach Comprehensive Plan
Amendment No. 12-2ESR

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 City of Vero Beach is proposing one text amendment to the Land Use Element of the comprehensive plan.

Evaluation

The proposed amendment includes adding airport land use compatibility criteria to the objectives and policies of the Land Use Element. The new text (underlined), which includes Objective 11 and Policies 11.1 through 11.10, is proposed to read as follows:

1.4.1.0. Land Use Compatibility with operations of the Vero Beach Municipal Airport

Objective 11:
The City shall regulate the use of lands in order to ensure that future uses are compatible with Vero Beach Municipal Airport operations in order to promote public health, safety, and general welfare.
Policies:

11.1 The City Planning and Development Department shall coordinate with the Vero Beach Municipal Airport and the airport master plan to review amendments to the future land use map or zoning map that may be proposed within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.

11.2 The City Planning and Development Department shall coordinate with the Vero Beach Municipal Airport by providing copies for review and comment of proposed development permit applications, including change of uses that are located within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.

11.3 In accordance with Federal Aviation Administration advisories and Chapter 333, Florida Statutes, Airport Zoning, the City shall prohibit proposed incompatible land uses, activities, or construction within the airport runway protection zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code. Examples of incompatible land uses are uses that could lead to the congregation of people, the attraction of birds, the emission of light, glare, or smoke, or the construction of tall structures.

11.4 The City shall prohibit proposed residential uses and educational facilities, with the exception of aviation school facilities, that are inside the 65 decibel Day-Night Average Sound Level (DNL) noise contour, as adopted in the most recent Vero Beach Municipal Airport FAR Part 150 Noise Study, in accordance with Federal Aviation Administration guidance and Chapter 333, Florida Statutes, Airport Zoning.

11.5 The City shall prohibit proposed land uses such as sanitary landfills or other hazardous wildlife attractants at either end of a runway within five (5) statute miles between the farthest edge of the airport operations area and the hazardous wildlife attractant if the attractant could cause wildlife movement into or across the approach or departure airspace, in accordance with Federal Aviation Administration recommendations.

11.6 The City shall prohibit proposed construction of educational facilities of a public or private school at either end of an airport runway within an area which extends five (5) miles in a direct line along the centerline of the runway, and which has a width measuring one-half the length of the runway, in accordance with Chapter 333, Florida Statutes, Airport Zoning.

11.7 The City shall periodically review and update as necessary existing land development regulations in accordance with federal and state laws.
11.8 The Vero Beach Municipal Airport shall continue to use and improve upon its noise abatement approach and departure procedures as outlined in the most recent Part 150 Noise Study, Noise Compatibility Plan.

11.9 The City shall require prior to substantial improvements or new residential construction in the airport noise impact zone, as defined in Chapter 68, Airport Zoning, of the Vero Beach Code, that the property owner(s) shall either grant an aviation easement to the City of Vero Beach or provide soundproofing sufficient to achieve an outdoor to indoor noise level reduction of 25 decibels.

11.10 The City Planning and Development Department and Airport shall coordinate with Indian River County Community Development Department to review amendments to the future land use map, zoning map, or development that may be proposed within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.

The proposed amendment should ensure compatibility of future land uses surrounding the Vero Beach Municipal Airport.

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 August 29, 2012, the TCRPC requested comments from these local governments regarding any conflicts with the proposed amendment. As of the date of the preparation of this report, no objections to the proposed amendment have been received.

Effects on Significant Regional Resources and Facilities

No adverse effects on significant regional resources and facilities have been identified.

Conclusion

The proposed amendment is not in conflict or inconsistent with the SRPP.

Recommendation

Council should approve this report and authorize its transmittal to the City of Vero Beach and the Florida Department of Economic Opportunity.