

~~ON MOTION BY Todd Brognano, SECONDED BY Jordan Stewart. The members voted unanimously (7-0) to approve staff's request for major site plan approval with associated conditions as listed in the staff report on this Quasi-Judicial matter.~~

Chairman Day read the following into record.

### Public Hearing

**A.** Consideration of a staff initiated land development regulation (LDR) amendment to Section 930.07(2)(i) to allow for exceptions to the cut and fill balance requirements for commercial / industrial developments in flood hazard areas **[Legislative]**

Chairman Day asked if any members had any ex-parte communication or conflict that would not allow them to make an unbiased decision. There were none.

Ms. Rebeca Guerra, Chief of Code Enforcement and Environmental Planning, gave some further explanation of the definitions of Special Flood Hazard Area (SFHA) and "cut and fill", and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. Ms. Guerra gave a brief overview and some background for the request to change the cut and fill requirements and history of the County's participation in FEMA's national flood insurance program.

Ms. Guerra reviewed the LDR amendment process and outlined the four requirements that must be met for the waiver of cut and fill requirements. Ms. Guerra pointed out that these strict requirements limit the number of parcels affected while allowing them to develop. Ms. Guerra ended her presentation by recommending that the PZC recommend that the BCC approve the LDR amendment to Section 930.07(2)(i) with the associated requirements.

Chairman Day asked if there were any Commissioner questions.

In response to a commissioner question, Ms. Guerra clarified there is a provision that a waiver would not be allowed for structures or fill within the floodway of the St. Sebastian River. Ms. Guerra said the amount of parcels in the county under 5 acres in size which are zoned commercial or industrial at the time this would be adopted is a small number at approximately 258 parcels, and the total cumulative acreage is approximately 212 acres. Mr. Matson spoke about the benefit to economic development and how this will take a burden away from the property owner with diminutive impact on flooding. Ms. Mitchell asked if this change would affect our Community Rating System (CRS) in regard to the discounted rates we receive from FEMA. Ms. Guerra responded that we currently have a CRS rating score of "5" and that this proposed change would not negatively affect this rating.

There was discussion about cut and fill requirements. Mr. Sweeney clarified that you cannot bring in or export fill, and that this change only affects certain properties meeting the criteria that they are commercial/industrial zoned, in a flood plain, and under the size of five acres. Deputy County Attorney Bill DeBraal asked if FEMA looks at whether or not we've made any changes to our ordinances that would affect our flood plain rating when determining our CRS score. Ms. Guerra responded they checked with FEMA regarding this proposed amendment and were told it would not affect our current rating. There was further discussion and Mr. DeBraal suggested trying to get this communication put in writing to avoid any potential future problems. Upon discussion of the language of the amendment, Ms. Guerra said the use of the word "node" could be changed to "areas" and said the wording will be revisited to see if it can be made more concise in the interest of clarity.

Chairman Day opened the floor for public comment.

There being none, Chairman Day closed the floor for public comment.

There being no further Commissioner questions, Chairman Day called for a Motion.

**ON MOTION BY Beth Mitchell, SECONDED BY Todd Brognano, the members voted unanimously (7-0) to approve staff recommendations with its associated conditions on this legislative matter.**

#### Commissioners Matters

Mr. Alan Polackwich thanked staff as tonight ends his 8 years of service to the Planning and Zoning Commission. Mr. Polackwich spoke about his time in various roles at IRC with appointments to the Environmental Control Hearing Board, Planning and Zoning Commission, and School Readiness Coalition Board, as well as his time as County Attorney. The PZC and staff thanked Mr. Polackwich and wished him happiness in his future endeavors.

#### Planning Matters

Mr. Sweeney provided an informational update and informed the PZC that the BCC adopted the recommended amendment to the County's land development regulations (LDRs) in order to allow automobile parking and storage within the CL, Limited Commercial zoning district as an administrative permit use.

Mr. Mucher said he's been asked about the suitability of the large storage facility east of the police station and presented the idea that perhaps it should only be suitable in a light industrial area. Mr. Sweeney responded that there are a lot of controls in place for self-storage that limit their location.

Mr. Mucher asked why the new Publix at 82<sup>nd</sup> and Route 60 is progressing so slowly. Mr. Sweeney responded and said there are many variables involved.