

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, CONCERNING AMENDMENTS TO ITS LAND DEVELOPMENT REGULATIONS (LDRS); PROVIDING FOR AMENDMENTS TO CHAPTER 914, SITE PLAN REVIEW AND APPROVAL PROCEDURES; BY AMENDING SECTION 914.07, ADMINISTRATIVE APPROVALS AND MODIFICATIONS TO APPROVED SITE PLANS; AND SECTION 914.14(4), CONCEPTUAL SITE PLANS, SUBMITTAL AND INFORMATIONAL REQUIREMENTS; AND BY PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; CODIFICATION; SEVERABILITY; AND EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT THE INDIAN RIVER COUNTY LAND DEVELOPMENT REGULATIONS (LDRS) CHAPTER 914, SITE PLAN REVIEW AND APPROVAL PROCEDURES, BE AMENDED AS FOLLOWS:

SECTION #1:

Amend LDR Section 914.07 - Administrative approvals and modifications to approved site plans by creating sub-section 914.07(1)(c); as follows:

- (1) [Generally.] Administrative approvals apply to all uses which require site plan approval under section 914.04 of this chapter. The intent of the Administrative Approval process is to provide a mechanism for minor alterations to the condition of a site or structure or the establishment of minor facilities and structures.
 - (a) Threshold. Administrative approval is required for additions, removals or alterations, or the establishment of a new facility or structure to a project site, which constitutes an increase of less than one thousand five hundred (1,500) square feet of new impervious surface.
 - (b) Administrative approvals may be required for other types of structures or site modifications, when specifically required in other sections of the land development regulations.
 - (c) **Conceptual administrative approvals may be obtained in order to satisfy the conceptual site plan approval requirements for affordable housing “grant” applicants seeking funding assistance. Conceptual administrative approvals shall be initially reviewed at a formal pre-application conference, if required, per Section 914.06(2), and then shall follow the administrative approval review procedures of Section 914.07(2).**

SECTION #2:

Amend LDR Section 914.14(4) Conceptual site plans; submittal and informational requirements; as follows:

- (a) The intent of the conceptual site plan and process is to approve the use, scope, level of intensity, and scale of the proposed project. Also, the concept plan may address and allow approval of specific and detailed, project-wide, design requirements (eg. drainage, landscaping, parking provisions) that satisfy applicable development regulations. Such plans may be approved for the level of detail covered by the site plan application, as reviewed and approved by staff. Approval of the conceptual plan shall vest the project in relation to county development regulations, at the level of detail of information and design indicated on the approved plans. The design of the overall project will be considered as it relates to general site plan requirements and any applicable specific review criteria contained in Chapter 971. Conceptual site plan applications may be submitted as requests for approval of special exception, administrative permit, or permitted uses. If a conceptual site plan request is approved, a separate and complete, "final" site plan application shall be submitted, reviewed, approved, and released (as specified in this Chapter 914), prior to issuance of a building permit for all or a portion of the development project. **Conceptual site plan approval for affordable housing projects seeking funding assistance shall follow the conceptual administrative approval process outlined in Section 914.07(1)(c).**

SECTION #3: SEVERABILITY

If any clause, section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be unconstitutional or invalid for any cause or reason, the same shall be eliminated from this Ordinance and the remaining portion of this Ordinance shall be in full force and effect and be as valid as if such invalid portion thereof had not been incorporated therein.

SECTION #4: REPEAL OF CONFLICTING ORDINANCES

The provisions of any other Indian River County ordinance that are inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

SECTION #5: INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Indian River County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION #6: EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Department of State.

This ordinance was advertised in the Press-Journal on the ____ day of _____, 2018, for a public hearing to be held on the ____ day of _____, 2018, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman Peter D. O'Bryan _____

ORDINANCE 2018-____

Vice Chairman Bob Solari _____

Commissioner Susan Adams _____

Commissioner Joseph E. Flescher _____

Commissioner Tim Zorc _____

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

The Chairman there upon declared the ordinance duly passed and adopted this _____ day of _____, 2018.

BY: _____

Peter D. O'Bryan, Chairman

ATTEST: Jeffrey R. Smith, Clerk of Court and Comptroller

BY: _____

Deputy Clerk

This ordinance was filed with the Department of State on the following date: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Dylan Reingold, County Attorney

APPROVED AS TO PLANNING MATTERS

Stan Boling, AICP; Community Development Director