

Rick Scott  
GOVERNOR



Cissy Proctor  
EXECUTIVE DIRECTOR

April 7, 2017

The Honorable Joseph E. Flescher  
Chairman, Indian River County Commission  
1801 27th Street  
Vero Beach, Florida 32960

Dear Chairman Flescher:

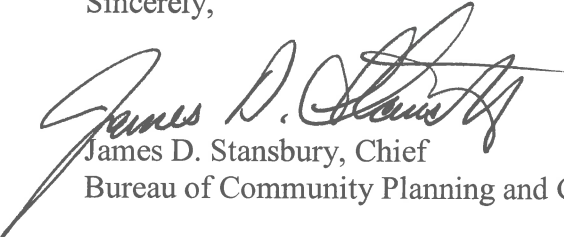
The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Indian River County (Amendment No. 17-1ESR, Ordinance 2017-024), which was received on March 10, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Dan Pennington, at (850) 717-8524, or by email at [dan.pennington@deo.myflorida.com](mailto:dan.pennington@deo.myflorida.com).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/dp

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Stan Boling, AICP, Director, Community Development Department, Indian River County  
Mike Busha, Executive Director, Treasure Coast Regional Planning Council

## Bill Schutt

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**From:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Sent:** Thursday, March 30, 2017 10:49 AM  
**To:** Bill Schutt; DCPexternalagencycomments  
**Subject:** Indian River County 17-1ESR Proposed

To: Bill Schutt, Senior Planner

Re: Indian River County 17-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

**\*Please note the new contact information below.**

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at [Suzanne.e.ray@dep.state.fl.us](mailto:Suzanne.e.ray@dep.state.fl.us) or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to [plan.review@dep.state.fl.us](mailto:plan.review@dep.state.fl.us) or

Florida Department of Environmental Protection  
Office of Intergovernmental Programs, Plan Review  
2600 Blair Stone Rd. MS 47  
Tallahassee, Florida 32399-2400



**Bill Schutt**

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**From:** Hymowitz, Larry <Larry.Hymowitz@dot.state.fl.us>  
**Sent:** Monday, April 03, 2017 3:02 PM  
**To:** 'DCPexternalagencycomments'; Bill Schutt  
**Cc:** Pennington, Dan; Bush, Lois; Stan Boling  
**Subject:** Indian River County 17-1ESR - FDOT District Four Review

I am writing to advise you that the Department will not be issuing formal comments for the proposed Indian River County comprehensive plan amendment with DEO reference number 17-1ESR.

The Department requests one copy, which may be on CD ROM in Portable Document Format (PDF), of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz  
Planning Specialist – Policy Planning & Growth Management  
Planning & Environmental Management - FDOT District Four  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309-3421  
Phone: (954) 777-4663; Fax: (954) 677-7892  
[larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us)

## Bill Schutt

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**From:** Hight, Jason <Jason.Hight@MyFWC.com>  
**Sent:** Wednesday, March 15, 2017 11:13 AM  
**To:** Bill Schutt; DCPexternalagencycomments@deo.myflorida.com  
**Cc:** Wagman, Jason; Wallace, Traci; Chabre, Jane  
**Subject:** Indian River County 17-1ESR (CPTA-285)

Dear Mr. Schutt:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions regarding the content of this letter, please contact Jason Wagman at (941) 723-4505 or by email at [Jason.Wagman@MyFWC.com](mailto:Jason.Wagman@MyFWC.com).

Sincerely,

Jason Hight  
Biological Administrator II  
Office of Conservation Planning Services  
Division of Habitat and Species Conservation  
620 S. Meridian Street, MS 5B5  
Tallahassee, FL 32399-1600  
(850) 228-2055

Indian River County 17-1ESR\_32617

## Bill Schutt

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**From:** Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>  
**Sent:** Monday, April 03, 2017 9:33 AM  
**To:** Bill Schutt; Stan Boling; Vickie Johnston  
**Cc:** 'DCPexternalagencycomments@deo.myflorida.com'; Adam Antony Biblo (adam.biblo@deo.myflorida.com)  
**Subject:** Indian River County proposed comprehensive plan amendment 17-1ESR

Dear Mr. Schutt,

St. Johns River Water Management District (District) staff have reviewed Indian River County proposed comprehensive plan amendment 17-1ESR in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at [sfitzgibbons@sjrwmd.com](mailto:sfitzgibbons@sjrwmd.com).

Sincerely,  
Steve Fitzgibbons

Steven Fitzgibbons, AICP  
Intergovernmental Planner  
Governmental Affairs Program  
St. Johns River Water Management District  
7775 Baymeadows Way, Suite 102  
Jacksonville, FL 32256  
Office (386) 312-2369  
E-mail: [sfitzgibbons@sjrwmd.com](mailto:sfitzgibbons@sjrwmd.com)  
Website: [www.sjrwmd.com](http://www.sjrwmd.com)  
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



[www.sjrwmd.com/epermitting](http://www.sjrwmd.com/epermitting)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

### Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

## Bill Schutt

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**From:** Stephanie Heidt <sheidt@tcrpc.org>  
**Sent:** Friday, April 21, 2017 3:18 PM  
**To:** 'DEO CPA Reports (DCPexternalagencycomments@deo.myflorida.com)'; Stan Boling; Bill Schutt  
**Cc:** 'Eubanks, Ray' (Ray.Eubanks@deo.myflorida.com); 'Adam.biblo@deo.myflorida.com'; Thomas Lanahan; 'Pennington, Dan'  
**Subject:** Indian River County Comprehensive Plan Amendment No. 17-1ESR  
**Attachments:** 3C\_Indian\_River\_County\_171ESR.pdf

Council has reviewed the above-referenced amendments in accordance with the requirements of Chapter 163, *Florida Statutes*. A copy of the report approved by Council at its regular meeting on April 21, 2017 is attached.

Please send one copy of all materials related to these amendments directly to our office once they are adopted by your governing body.

If you have any questions, please feel free to contact us.

Stephanie Heidt, AICP  
Intergovernmental/Brownfields Coordinator  
Treasure Coast Regional Planning Council  
772.221.4060 Office  
772.475.3863 Cell  
[sheidt@tcrpc.org](mailto:sheidt@tcrpc.org)

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 3C  
From: Staff  
Date: April 21, 2017 Council Meeting  
Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Indian River County Comprehensive Plan  
Amendment No. 17-1ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council 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.

The amendment package from Indian River County was received on March 8, 2017 and contains proposed text changes to the Future Land Use Element of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendment includes revisions to Policy 5.6 of the Future Land Use Element of the comprehensive plan. The changes to the regulations for mixed use planned developments in residentially-designated areas will provide special provisions for the area located at the southeast corner of State Road 60 and 66<sup>th</sup> Avenue adjacent to the Indian River State College (IRSC) campus. The special provisions are to support economic development initiatives authorized by the Board of County Commissioners in 2013 and are the result of coordination between County staff, IRSC, and private property owners.

The revisions will allow for a larger planned development size (80 acres vs. 40 acres), a greater commercial proportion of land area (50% vs. 25%), a greater commercial proportion of land area when vertical integration is used (60% vs. 30%), and a greater proportion of commercial floor area (60,000 sq.ft. vs. 25,000 sq.ft.) when compared with the typical regulations. In addition, the



revisions will add specific implementation timing that will tie commercial development to progress on associated residential construction and require the creation of new access points to SR 60 and 66<sup>th</sup> Avenue shared between the planned development and IRSC. Through these changes, the County believes it will achieve the best accommodation of IRSC growth and economic development through new mixed use development including commercial and residential uses and shared access.

The generally applicable mixed use planned development provisions of Policy 5.6 are also proposed to be modified to add live/work/commercial flex space to the list of allowable uses in the mixed use planned developments.

### Regional Impacts

No adverse effects on regional resources or facilities have been identified.

### Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on March 8, 2017. No extrajurisdictional impacts have been identified.

### Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

### Recommendation

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

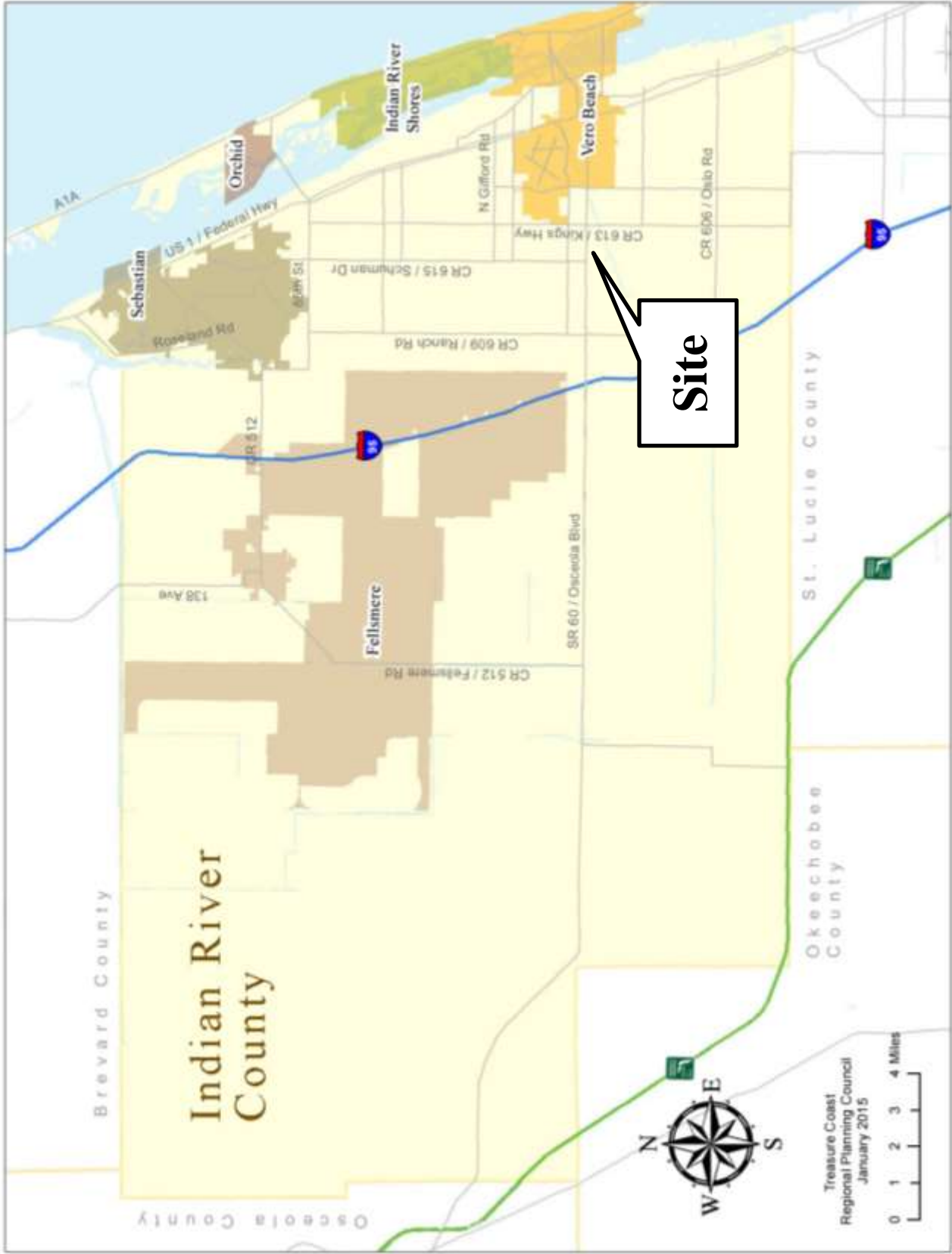
### Attachments

# List of Exhibits

## Exhibit

- 1 General Location Map
- 2 Proposed Text Amendment in Strikethrough and Underline

**Exhibit 1  
General Location Map**



## Exhibit 2

# Proposed Text Amendment in Strikethrough and Underline

### APPENDIX A - MIXED USE POLICY 5.6

Policy 5.6: By 2011, Indian River County shall adopt development regulations allowing mixed use PDs in residentially-designated areas. All mixed use PDs in residentially designated areas shall meet all of the following criteria:

#### Development Parameters

1. The maximum project area for a mixed use PD in a residential area shall be 40 acres unless the property is located within the SR 60/IRSC preferred location area. The SR 60/IRSC preferred location area is an area adjacent to the SR 60/58<sup>th</sup> Avenue Commercial/Industrial Node, the SR 60/66<sup>th</sup> Avenue intersection, and the Indian River State College campus. In the SR 60/IRSC preferred location area, the maximum mixed use PD project area shall be 80 acres. Mixed use projects not located in the SR 60/IRSC preferred location area exceeding 40 acres shall be designed as Traditional Neighborhood Design (TND) developments and shall comply with Future Land Use Element Policies 18.1, 18.2, and 18.3.
2. Mixed use PDs shall be limited to areas designated L-1, L-2, M-1, and M-2 and shall be located along SR 60, US 1, Indian River Blvd., 58<sup>th</sup> Avenue, CR 510 (west of the Indian River Lagoon), CR 512, or Oslo Road. Alternatively, mixed use PDs in M-1 and M-2 designated areas may be located on sites that are adjacent to C/I nodes.

#### Mix of Uses

3. To ensure that mixed use PDs contain an appropriate mix of residential and commercial uses, commercial uses shall be allowed to constitute no more than 25% (up to 50% in the SR 60/IRSC preferred location area, not to exceed a total of 30 acres of commercial area) of a project's land area.
4. The vertical mixing of uses is allowed and strongly encouraged. Where residential and/or office uses are designed and located above commercial uses, the amount of commercial area may constitute up to 30% (up to 60% in the SR 60/IRSC preferred location area, not to exceed a total of 30 acres of commercial area) of the project's land area.
5. For purposes of these mixed use regulations, commercial area shall include buildings, parking areas, and adjacent improvements that serve commercial uses. Open space areas and common areas/improvements that are shared with residential uses, however, shall not be treated as commercial area.
6. Commercial uses allowed in mixed-use PDs shall be limited to lodging, institutional, office, retail (including fuel sales), personal service, and restaurant uses, and live/work/commercial flex space.
7. Within mixed use PDs, the Floor Area Ratio (FAR) for commercial uses shall be applied to the commercial area. For the commercial area, the maximum FAR shall be 0.35.

## APPENDIX A - MIXED USE POLICY 5.6

8. Within mixed use PDs, the maximum number of allowable residential units shall be derived by applying the applicable comprehensive plan land use designation density allowance to the entire area of the project and, in addition, may include any applicable density bonuses.
9. Within mixed use PDs, commercial areas may be internal to the project or may be located along a project's boundary, where such boundary abuts a thoroughfare road or is adjacent to C/I-designated property. Where such commercial uses would face residential uses located outside the project, buffering and compatibility improvements shall be required to mitigate any adverse impacts.
10. On-street parking shall be allowed within mixed use projects.
11. All mixed use PDs shall be designed to include a transit stop within the project.

### Building Design and Setbacks

12. Within mixed use PDs, common architectural themes, common hardscape and signage themes, and multiple pedestrian connections shall be required to integrate nonresidential uses with residential uses. Common architectural themes shall apply to both commercial and residential areas of the project.
13. Within mixed use PDs, no individual commercial building shall exceed 25,000 sq. ft. (up to 60,000 sq. ft. in the SR 60/IRSC preferred location area) in commercial floor area. Lodging uses shall be exempt from ~~this~~ these limitations.
14. Where a nonresidential building in a mixed use PD is adjacent to residential buildings located outside the project, the nonresidential buildings shall be compatible with nearby residential buildings. The scale of such nonresidential buildings may be minimized by articulating the building's mass, using sloped roofs instead flat roofs screened by parapets, and/or by planting canopy trees around the building's foundation. For residential buildings adjacent to a mixed use PD, an existing buffer may be used to satisfy the compatibility requirement.

### Street Network

15. Each mixed use PD shall offer alternative routes and connections between destinations within the project and to appropriate uses on adjacent sites by designing and constructing a street network that consists of a grid or modified grid pattern that accommodates connections to appropriate uses on adjacent sites.
16. The project shall contain a network of interconnected streets, sidewalks, and pathways. Streets shall be designed to balance pedestrian and automobile needs, to discourage high automobile speeds, to effectively and efficiently accommodate transit systems, and to distribute and diffuse traffic rather than concentrate it.

## APPENDIX A - MIXED USE POLICY 5.6

17. Street trees shall be provided so as to shade sidewalk areas and buffer sidewalk areas from automobile traffic.

18. For a mixed use project located in the SR 60/IRSC preferred location area, the project shall provide the following:

- a. SR60 access to the IRSC campus in coordination with Indian River State College and County Public Works.
- b. Access from the IRSC campus to 66<sup>th</sup> Avenue at 18<sup>th</sup> Street, including a bridge over the Lateral A Canal, and including 66<sup>th</sup> Avenue/18<sup>th</sup> Street signalization, in coordination with Indian River State College and County Public Works.

### Timing of Construction

19. ~~18.~~ In each mixed use PD not located in the SR 60/IRSC preferred location area, no more than 3 acres or 50% of the total commercial area allowed, whichever is greater, shall be constructed until at least 25% of the proposed residential development has been constructed, and no certificate of occupancy shall be issued for commercial area exceeding 3 acres or 50% of the total commercial area allowed, whichever is greater, unless at least 25% of the total residential development has received certificates of occupancy.

20. For a mixed use PD project located in the SR 60/IRSC preferred location area, no more than 15 acres not to exceed 50% of the total commercial area allowed shall be constructed until:

- a) the infrastructure items in Section 18 above have been constructed or designed and committed to via an enforceable developer's agreement, and
- b) a conceptual or final development plan for the residential development has been approved, and
- c) the infrastructure that serves the residential portion of the project has been constructed or designed and committed to via an enforceable developer's agreement.

F:\Community Development\Comprehensive Plan Elements\2030 supplements for 2030 comp plan\Supplement#13\Future Land Use Policy 5.6.docx

Revision date: January 30, 2017

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