

**INDIAN RIVER COUNTY, FLORIDA
M E M O R A N D U M**

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP; Community Development Director

THROUGH: John W. McCoy, AICP; Chief, Current Development

FROM: Ryan Sweeney; Senior Planner, Current Development

DATE: October 8, 2018

SUBJECT: Second Hearing for Adoption of a Land Development Regulation (LDR) Amendment to Chapters 911 and 971 Regarding the Review and Approval Process for Places of Worship

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of October 16, 2018.

BACKGROUND & ANALYSIS

On September 18, 2018, the Board of County Commissioners (BCC) conducted the first of two public hearings to consider a land development regulation (LDR) amendment that will change the use classification and the review and approval process for places of worship from special exception to administrative permit, and also change one of the specific land use criteria for places of worship. The proposed LDR amendment was conceptually presented to the Board of County Commissioners (BCC) by the County Attorney's Office at its March 1, 2016 meeting (see attachment 2). At its September 18 meeting, the BCC considered the specific, proposed LDR amendment, did not recommend any proposed changes to the ordinance, and by a 5-0 vote set the second, final hearing to consider adoption of the proposed LDR amendment at the October 16, 2016 regular meeting (see attachment 1).

As discussed at the September 18 meeting, the proposed amendment will address County Attorney concerns by making the place of worship approval process more objective, consistent with case law. As proposed, the review criteria will be more objective and remain consistent with past practice regarding appropriate locations and access for places of worship.

The BCC is now to conduct the final hearing and consider adoption of the proposed ordinance.

RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the proposed places of worship ordinance.

ATTACHMENTS

1. Excerpt from Draft September 18, 2018 BCC Minutes
2. Excerpt from March 1, 2016 BCC Minutes
3. Proposed Ordinance