

**10.A.2. [18-1586](#)**

Transmittal Public Hearing: County Initiated Request to Amend (Update) the Text of the Sanitary Sewer Sub-Element for Septic to Sewer Conversion and the Associated Text of the Future Land Use Element; and Amend the Text of the Coastal Management Element for Sea Level Rise and Associated Text of the Future Land Use Element of the County's Comprehensive Plan (Legislative)

**Recommended Action:** Based on the analysis, staff and the Planning and Zoning Commission recommend that the Board of County Commissioners adopt the attached resolution for transmittal of the following proposed Comprehensive Plan text amendments to state and regional review agencies: 1. Amendments to: a. The Sanitary Sewer Sub-Element and corresponding Future Land Use Element, and b. The Coastal Management Element and related Future Land Use Element after review and consideration of the next staff report, and 2. Announce its intention to hold and advertise a final public hearing at the adoption stage of the plan amendment process.

**Attachments:** [Staff Report](#)  
[Comprehensive Plan Text Amendment Application](#)  
[Staff Report July 5, 2017 - BCC Agenda - Septic to Sewer Evaluation/Ranking Report](#)  
[Unapproved Minutes of the February 8, 2018 Planning and Zoning Commission meeting](#)  
[Proposed Revisions to the Sanitary Sewer Sub-Element](#)  
[Proposed Revisions to the Future Land Use Element](#)  
[Transmittal Resolution](#)

Community Development Director Stan Boling relayed the State's preference in having Comprehensive Plan Amendments transmitted together, and suggested that the motion and voting follow the Presentations, Public Hearings and Discussion on this item and Item 10.A.3., as they both involve policy updates and text amendments to the Sub-Elements and Elements of the County's Comprehensive Plan. There were no objections from the Board.

Director Boling used a PowerPoint Presentation to highlight the process involved in bringing the text amendments back for a Final Hearing and relayed the policy changes and objectives involved in the proposed updates related to the Sanitary Sewer Sub-Element.

A discussion ensued concerning the proposed regulations for new construction, the proposed reduction in septic permits to be issued in the future, a request for additional information on mandatory septic to sewer hookups, and for allowing the Developmental Review and Permit Processing Committee an opportunity to provide feedback and guidance.

County staff noted that the majority of permits issued were septic repair permits

and the proposed septic permit numbers were goals rather than regulations.

Director Boling explained that there were requirements and regulations to be followed and that nothing in the proposed policy changes would prohibit the Board from looking at each project individually.

Chairman O'Bryan opened the Public Hearing.

Joseph Paladin, President of Black Swan Consulting, addressed the Board conveying his experience and opinion regarding septic-to-sewer connections.

There being no other speakers, the Chairman closed the Public Hearing.

**The Board deferred the vote to Item 10.A.3.**

**10.A.3. [18-1596](#)**

Transmittal Public Hearing: County Initiated Request to Amend the Text of the Coastal Management Element and Future Land Use Element of the County's Comprehensive Plan Relating to Sea Level Rise (Legislative)

**Recommended Action:** Staff recommends that the Board of County Commissioners (1) adopt the resolution for transmittal of the proposed comprehensive plan text amendment to the state and regional review agencies, and (2) announce its intention to hold and advertise a final public hearing at the adoption stage of the plan amendment process.

**Attachments:** [Staff Report](#)

[Florida Statutes Section 163.3178](#)

[Senate Bill 1094](#)

[Draft Minutes from the February 8, 2018 PZC Meeting](#)

[Proposed amendments to the Coastal Management Element](#)

[Proposed amendment to Policy 17.5 of the Future Land Use Element](#)

[Coastal Management Element Objective 5 & Capital Improvements](#)

[Element Objective 2](#)

[Transmittal Resolution](#)

Director Boling used a PowerPoint Presentation to provide background on the Coastal Management Element of the Comprehensive Plan related to Sea Level Rise, along with future Sea Level Rise projections and scenarios regarding Sea Level Rise Inundation. He explained that storm surges were not included in the numbers projected, and detailed the proposed amendment revisions.

Discussion ensued amongst the Board and County Attorney Dylan Reingold regarding the County's responsibility when issuing building permits in areas that could be impacted by a rising sea level.

The Chairman opened the Public Hearing.

Bob Johnson, Coral Wind Subdivision, addressed the Board with comments and concerns.

County Administrator Jason Brown explained that the County is continually planning for storm resiliency.

There being no other speakers, the Chairman closed the Public Hearing.

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to: 1) approve staff's recommendation; and 2) approve Resolution 2018-035, approving the transmittal of proposed Indian River County Comprehensive Plan text amendments to State and Regional Review**

**Agencies.** These text amendments relate to: a) the Sanitary Sewer Sub-Element for Septic To Sewer Conversion and the associated text of the Future Land Use Element; and b) the Coastal Management Element for Sea Level Rise and the associated text of the Future Land Use Element. The motion carried by the following vote:

**Aye:** 4 - Chairman O'Bryan, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

**Absent:** 1 - Vice Chairman Solari

## **B. PUBLIC DISCUSSION ITEMS**

### **C. PUBLIC NOTICE ITEMS**

- 10.C.1. [18-1605](#)** Notice of Scheduled Public Hearing for April 3, 2018: Ocean Trail, LLC's Request for Vacation of the Hideaway Cove Subdivision Plat [PVSD-79-04(221) / 2000120037-80175] (Legislative)

**Recommended Action:** This notice of public hearing is provided for the Board's information. No action is needed at this time.

County Attorney Dylan Reingold announced the Public Hearing, which is scheduled for April 3, 2018.

**No Action Taken or Required**

- 10.C.2. [18-1607](#)** Notice of Scheduled Public Hearing for April 3, 2018: Ocean Trail, LLC's Request for Abandonment of the west 20 feet as shown as additional right-of-way dedication, on the plat of Hideaway Cove Subdivision [ROWA-17-11-05 / 2000120037-80055] (Legislative)

**Recommended Action:** This notice of public hearing is provided for the Board's information. No action is needed at this time.

County Attorney Dylan Reingold announced the Public Hearing, which is scheduled for April 3, 2018.

**No Action Taken or Required**

The Chairman called for a recess at 10:32 a.m., and reconvened the meeting at 10:45 a.m. With the exception of Commissioner Solari, all members were present.

## **11. COUNTY ADMINISTRATOR MATTERS**

## **12. DEPARTMENTAL MATTERS**