

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

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**TO:** Indian River County Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator

**FROM:** Patrick J. Murphy; Chief of Long-Range Planning

**DATE:** December 29, 2025

**SUBJECT:** Final Adoption of the 2025 Indian River County Comprehensive Plan Evaluation and Appraisal Report (EAR) Based Amendments

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**HISTORY**

In 1985, Florida enacted the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes. This statute requires that all local governments adopt, maintain, and implement land use plans and development regulations for all future development actions. It also requires that all geographic areas within the state be included within the jurisdiction of a local comprehensive plan and that all development actions be consistent with the adopted plan.

The Comprehensive Plan is not just a document but the County's blueprint for the future. Its Goals, Objectives, and Policies (GOPs) are not just guidelines but crucial tools for effectively implementing public infrastructure and services. They ensure that people have a safe and secure place to live, a healthy economy that provides jobs and services, avenues for traversing the community (bike, pedestrian, car, transit), and quality recreational features. Indian River County (the County) is responsible for providing the necessary public services and facilities, developing strategies, and adopting regulations and standards that implement this blueprint. The Comprehensive Plan also informs and shapes other County plans, capital projects, and programs that affect the community in both large and small ways.

The County's Comprehensive Plan is not set in stone. It is a living document that can be amended from time to time following the parameters established in the Florida Statutes (F.S.) Chapter 163. The State of Florida, recognizing that change occurs over time and that it is important to adapt, requires local governments to review and update their Comprehensive Plan at least every seven (7) years, where appropriate. A local government may adopt amendments at any time during this cycle (as current trends evolve or state laws are adopted) or combine multiple amendments of the Comprehensive Plan at the end of the 7-year period. This ensures that the Plan reflects the adoption of new Growth Management Laws, changing conditions within the community or changes in population, updates to policies that may no longer be accurate or effective, as well as both the perceived and actual success of various Plan implementations. This flexibility is a testament to the Comprehensive Plan's resilience and ability to evolve with the community's needs.

The Florida Legislature amended the statutes specific to how a local government reviews and updates its Comprehensive Plan in 2011. Before that date, communities were required to perform a complete diagnostic of the Plan and identify key items for consideration and discussion. That assessment was then

provided to the Florida Department of Community Affairs (DCA), later known as the Department of Economic Opportunity (DEO), and presently known as Florida Commerce, for review, consideration, and acceptance. This process then provided the opportunity to amend the local Comprehensive Plan. Since that time, communities have had the option to provide a summary letter denoting whether they intend to amend their Comprehensive Plan or if no updates have been deemed necessary. Although the process changed in 2011, the significance of regular review and subsequent amendment of the Comprehensive Plan, including its various elements, has not changed.

Aligned with prior state regulations, the County embarked on its inaugural Comprehensive Plan Evaluation and Appraisal Report (EAR) in 1996, a milestone ratified by the Board of County Commissioners (BCC) and endorsed as sufficient by the Department of Community Affairs (DCA). Subsequently, in 1998, the Comprehensive Plan underwent amendments to assimilate the insights gleaned from the 1996 EAR.

Pre-2011 state mandates required periodic assessments via EARs to evaluate the efficacy of comprehensive plans, adapt to evolving conditions, and identify necessary revisions. Thus, in February 2006, the County commenced its second EAR, diligently adhering to the December 1, 2008, prescribed submission timeline. The BCC sanctioned the findings of the EAR on November 18, 2008, and the state validated them on February 25, 2009. As a natural progression, amendments reflecting the 2008 EAR were seamlessly integrated into the Comprehensive Plan by the BCC on October 12, 2010.

The legislative overhaul in 2011 ushered in streamlined procedures for Plan amendments and evaluation processes, accompanied by the transition from the Department of Community Affairs (DCA) to the Department of Economic Opportunity (DEO). House Bill 5, signed into law by Florida's Governor on May 31, 2023, renamed the DEO to the Department of Commerce, known also as Florida Commerce. Per [F.S. 163.3191](#), the local government must evaluate its Plan to determine if amendments are necessary to reflect a required minimum planning period, changes in state requirements, and/or changes in local conditions. If the local government determines amendments to the Plan are necessary, the local government must prepare and transmit within one (1) year, such Plan amendment(s) for review.

## **PREPARATION & PUBLIC ENGAGEMENT**

In March of 2023, the County initiated a process of completing a comprehensive EAR for the entire comprehensive plan. Since the Plan includes over 1,000 Goals, Objectives, and Policies within its Elements, the county solicited a request for proposal (RFP) for qualified planning consultants to assist with this monumental undertaking. The County selected Kimley-Horn & Associates, Inc., which then evaluated the Plan and had consistent dialogue, in writing, via virtual meetings with Staff to discuss the intention and significance of the goals, objectives, and policies of the respective Elements.

The County, in partnership with Kimley-Horn, hosted public engagement opportunities, including multiple workshops online and in-person, as well as an online survey and interactive map. Involving the public ensures that the diverse needs and viewpoints of the community are considered, leading to more inclusive and representative decision-making. Public engagement also fosters transparency and accountability, as it allows residents to have a voice in shaping the future of their neighborhoods. Overall, public engagement helps build trust, ownership, and support for the EAR process's outcomes.

The County facilitated six (6) public workshops over three (3) separate days, each approximately two (2) to three (3) weeks apart. The workshops were consistently held at 11:00 a.m. and 6:30 p.m. on the days they occurred. Workshops were held at three (3) different locations in the County: North County

Library (November 16, 2023), the Board of County Commissioner Commission Chambers (November 29, 2023), and the Intergenerational Center (December 13, 2023). Four (4) of the six (6) workshops were hybrid meetings, providing the opportunity to attend in person or via Zoom.

At these workshops, County Staff and Kimley-Horn team members explained the EAR process. They provided an overview of the purpose and significance of eight (8) key Plan Elements (out of twelve (12) total Elements). The community workshops focused on Future Land Use, Public Infrastructure, Transportation, Economic Development, Housing, Coastal Management, Conservation, and Parks & Recreation. Key workshop findings will be discussed in the respective Elements of this report.

After thorough Plan evaluation, gaining insight and recommendations from the Staff using the Plan, reviewing historical trends and fresh data for Plan Elements, and actively listening to the community, the Kimley-Horn team recommended to Staff to keep, revise, or remove each goal, objective, and policy.

## **ANALYSIS**

**Demographic Highlights:** As part of preparing the Future Land Use (FLU) Data Inventory & Analysis (DIA), historically maintained data was incorporated into the FLU DIA and updated information was obtained, specifically the years 2010, 2020, and 2022. The demographic makeup of the community impacts not only the FLU Element, but all Elements. The analysis below is based on Countywide data, unincorporated and incorporated, as reported by the U.S. Census Bureau, unless otherwise noted.

- ◊ Based on historical Census population counts from 1980 to 2020 and the University of Florida Bureau of Economic and Business Research (BEBR) 2023 estimate, the unincorporated population has been between 64% - 68% of the total County population.
- ◊ Indian River County's population is aging. This is demonstrated by the increasing proportion of the population becoming 65 or older and by the median age, which has generally increased in the County since 1970—at a faster rate than Florida's median age has statewide.
- ◊ The County's White population grew significantly between 1930 and 2000. Since 2000, the County's racial diversity has been increasing.
- ◊ Per capita income (PCI) from 2000 to 2022 has not increased in the County as substantially as it has statewide, but it is presently estimated to be higher than the statewide PCI. Meanwhile, the County and the State have generally remained close numerically regarding median family and household income, never straying more than \$3,000 apart.
- ◊ As household size decreases, the number of households or dwelling units increases relative to the population. In Indian River County, the average number of persons per household has decreased since 1980, but it was estimated in 2022 to have increased again, closer to its 1980 average. The 2022 average person per household is 2.42.
- ◊ There are 83,801 housing units Countywide, but only 65,735 are occupied.
- ◊ The seasonal population for the County is estimated to be approximately 11.07% of the total unincorporated population.

The current comprehensive plan for the County is comprised of sixteen (16) separate elements and sub-elements that guide development throughout the county. They form the basis for land use regulations and provide a nexus between the community's future vision and the regulation of private

property. The elements include the future land use, sanitary sewer, potable water sub-element, solid waste sub-element, natural groundwater aquifer recharge sub-element, stormwater management sub-element, transportation, economic development, capital improvements, housing, conservation, coastal management, recreation, open space, intergovernmental coordination, public schools, and the property rights elements.

It should be noted that comments identified for each respective Goal, Objective, and Policy may reflect multiple categories. This report provides recommended text language in strikethrough/underline format based on the findings of the EAR.

## **Future Land Use Element**

The Future Land Use Element guides the development of Indian River County and shapes how the County will grow in the next planning period. The purpose of the Future Land Use Element is to designate future land use patterns with corresponding densities and intensities in areas that will best accommodate the projected population change. The Future Land Use Element is the foundation of the County's Comprehensive Plan as it ties together all or portions of the other Elements and establishes the planning framework for moving forward. A summary of the changes that are proposed for the Future Land Use Element are as follows.

- ◊ Remove unnecessary policies, e.g., Policy 1.1 adopts the Map Series, which is typically adopted by right regardless of the presence of a policy.
- ◊ Establish appropriate cross-references to other elements like Conservation, Coastal Management, Public School Facilities, and more
- ◊ Update statutory references, especially related to Developments of Regional Importance (DRIs)
- ◊ Move standards out of the Plan and into the Land Development Regulations (LDRs)
- ◊ Relocate/revise Urban Service Area policies (1.49-1.50) under Objective 1 to Objective 2, whose primary topic is the Urban Service Area
- ◊ Addition of cross-references or recommend revision of Policies more applicable to other Elements of the Comprehensive Plan
- ◊ Remove references to unnecessary historical statistics, e.g., Objective 6 sets a County goal to maintain at least 125,000 agricultural acres in the unincorporated County and noted immediately after how much agricultural acreage there was in 2007.
- ◊ Add additional uses to the RC, Regional Commercial future land use category per direction from the BCC at its regular meeting held on September 10, 2024 (Item 12.H.1).
- ◊ Identify the county's only Area of Critical State Concern, which was signed into law via HB 1489 and became effective July 1, 2023 (FS 380.0553).

These recommended changes are important to improve the Element and better guide development in the County and protect the community's existing character. Many Policies were identified as consistent with the County's vision and feedback received from the community, and therefore no changes were recommended to such Policies. Those policies recommended for change are provided in legislative format, with additions underlined and deletions shown in ~~strike-through~~, as follows:

## Areas of Critical State Concern

~~Within Indian River County, there are no designated areas of critical state concern. In the early 1980's, however, the Hutchinson Island Resource Planning and Management Plan was developed. The study area for that plan included the barrier island in Indian River County. Because the State Department of Community Affairs found the county's comprehensive plan and land development regulations consistent with that plan, no area of critical state concern was designated. [pg. 59 of the FLU Element]~~

Within Indian River County, there is one (1) area of critical state concern, and it is in the far northeastern reaches of the county. The area encompasses the barrier island located south of the Sebastian Inlet, from the Atlantic Ocean to the Indian River Lagoon. The southern boundary is the site of the McLarty Treasure Museum at 13180 Highway A1A. The area was designated as a part of the Brevard Barrier Island Area of Critical State Concern (ACSC) via HB 1489 and signed into law on July 1, 2023. The entirety of this area is wholly located within the Sebastian Inlet State Park (Park'), which is managed by the state of Florida. There are no privately held lands within the 'Park's' boundaries in the County and all land within the 'Park' are managed by the Sebastian Inlet Management Plan, which was adopted in November of 2023 by the Office of Resilience and Coastal Protection, Florida Department of Environmental Protection. Therefore, the County has not adopted a policy to manage state lands that already have a Management Plan in place and are thus regulated at the state level.

In addition, the area of land identified as being within the County's Area of Critical State Concern is further protected with other objectives sprinkled throughout the comprehensive plan. These are objectives are as follows:

- The Future Land Use Element includes objectives that outline natural resource protection policies including coastal habitats and dune systems. It also includes Conservation and Recreation land use designations that provide regulatory protections for sensitive areas. The FLU Element supports lagoon-compatible land use and funding support for water quality improvements.
- The Coastal Management Element includes policies county-wide (which would encompass the ACSC) for such items as hurricane evacuation / protection plans for the manatee, sea turtle and gopher tortoise / estuarine water quality / and natural disaster planning.
- The Intergovernmental Coordination Element promotes collaborative planning with municipalities, special districts, the state of Florida, and the federal government to align infrastructure and land use planning.
- The Stormwater Sub-Element emphasizes BMPs, stormwater system retrofits, and coordination with SJRWMD for lagoon protection projects.
- The Sanitary Sewer Sub-Element focuses on reducing septic system reliance and improving wastewater treatment to limit nutrient loading to the lagoon.
- Figure 4.3 of the Transportation Element identifies critical evacuation routes serving the barrier island

**Objective 1:** Indian River County will have a compact and energy efficient land use pattern; an overall low-density character; and adequate land for utility facilities necessary to support development. ~~By 2030, the overall residential density of the unincorporated portions of Indian River County, within the Urban Service Area, will be 1.75 units/acre.~~

**Policy 1.1:** ~~Indian River County hereby adopts the Future Land Use goal, objectives, policies as well as Figures 2.9, 2.18, 2.20, 2.23, 2.24, 2.25, 2.26, 2.27, 2.29, and 2.33; and The Official Future Land Use Map. [Map Series typically adopted by right, regardless of policy]~~

**Policy 1.5:** ~~In accordance with the Conservation Element, the Conservation Land Use designations shall be applied to those areas that contain or possess lands with qualities and features that play a vital or essential role in the normal functioning of the eCounty's ecosystems and have been so identified in the conservation element or merit preservation as vestiges of once common county ecosystems.~~

**Policy 1.7:** Conservation land use designations shall be depicted on the future land use map (FLUM). The exact boundaries of the C-2 and C-3 Conservation designated areas shall be determined by environmental survey. With one exception, any area which is depicted as a C-2 (wetlands) area or C-3 (upland xeric scrub) area on the Future Land Use Map FLUM, but which is determined by environmental survey not to be wetlands (as defined in the Conservation Element) or xeric uplands (as defined by the presence of xeric scrub vegetation and Orsino fine sand, 0 to 5 percent slopes, or Electra sand, 0 to 5 percent slopes) will have the same land use designation as the contiguous adjacent property.

The exception applies to land located east of the St. Sebastian River and depicted as C-3 on the ~~future land use map~~ FLUM. If determined by environmental survey not to be xeric uplands, then that land shall be designated R, Rural Residential (up to 1 unit/acre).

All areas depicted as C-3 on the ~~Future Land Use Map~~ FLUM which have xeric scrub vegetation and Orsino fine or Electra sands will be deemed environmentally important, notwithstanding whether ~~or not~~ such areas meet the 5-acre minimum threshold for environmental importance established in Conservation Element Policy 6.11 for other districts in the eCounty.

The determination of the exact outer boundaries of C-2 or C-3 areas will be made by the eCounty environmental planning staff based on verification of the vegetation and soils criteria referenced above, as applied to the environmental boundary survey conducted by the landowner/applicant or his agent at the time of application for any development permit (other than a comprehensive plan amendment or rezoning). The eCounty environmental planning staff shall not make its initial determination of importance or sensitivity until after consultation with all appropriate local, state, and federal agencies. Such consultation shall be ongoing, as required for proper coordination, throughout the land development permit approval process.

**Policy 1.8:** C-2 and C-3 designated lands shall be considered for public acquisition, in accordance with policies set forth in the Conservation Element.

**Policy 1.22:** Node size shall be based on the intended use, service area population, existing land use pattern, available services such as transportation, and other demand characteristics. Node configuration shall provide for the most efficient use of land, and of transportation and other public facilities and services, while eliminating sprawl and strip development. [Specify additional considerations available]

**Policy 1.23:** Node configuration shall provide for the most efficient use of land, and of transportation and other public facilities and services, while eliminating sprawl and strip development. [Consolidate with 1.22 due to similar language]

**Policy 1.30:** The Regional Commercial land use designation shall be applied to regional malls and associated retail shopping centers designed to accommodate the needs of the retail market areas that extend beyond the boundaries of the eCounty. These developments will include one or more "magnet" retail stores that are branches of statewide, multiple-state, or national organizations and satellite stores integrated through a common plan of development approved through the Chapter 380, F.S., Development of Regional Impact appropriate state process. In addition to "magnet" retail uses, and to compliment such "magnet" retail uses, these developments may also include multiple-family residential (up to 8 units/acre), hotels and motels, and institutional uses, such as schools, parks, places of worship, and cultural facilities. Sites will typically range in size from 90 to 150 acres to accommodate 750,000 to 1,500,000 gross square feet of leasable area (mall plus peripheral commercial) with a minimum open space ratio of 0.25, a maximum building coverage ratio of 0.40 and maximum impervious surface ratio of 0.75. All Regional Commercial designated land shall be located within the urban service area.

**Policy 1.34:** The eCounty zoning code shall contain provisions for a Professional Office District. That district shall be limited to land that is within the medium and low-density residential land use designations and is located along arterial roadways. The purpose of this zoning district use shall be to encourage infill development and the redevelopment of areas needing redevelopment or revitalization or declining residential areas which are no longer appropriate for strictly single-family use but are not considered appropriate for a broad range of commercial uses, as permitted in other commercial zoning districts.

**Policy 1.38:** The new town land use designation shall be established through the Planned Development (PD) process. For any land to receive the new town land use designation, a PD project must be approved which clusters residential and non-residential uses in a manner which protects agricultural and open space areas, protects natural resources, creates a self-sufficient community, minimizes off-site traffic, and does not increase urban sprawl.

All new town projects shall require submittal and approval of a PD project having the following characteristics:

- a. A proper mix of land uses that results in a sustainable small town rather than merely an amenitized residential community. The mix of land uses shall satisfy the following criteria:
  1. Residential areas; these are areas that provide for single-family and multiple-family residential units, including residential units behind or over businesses.
  2. Shopping areas; these are areas that provide for the sale of goods and services to accommodate the residents of the new town. Allowed uses are retail commercial and personal services.
  3. Work areas; these are areas that provide employment opportunities for the residents of the new town. Allowed uses are office, educational, light industrial, resource management and tourism, and agricultural uses and related industries.
  4. Public facilities and institutional uses, including schools, fire/police stations, cultural and community facilities, and places of worship.

5. Recreational uses; these are areas which provide for active and passive recreational facilities.
6. Natural open spaces and agricultural areas; these are areas which will be preserved due to their environmental importance or will be used for active agricultural production.

b. Activity or town centers shall be mixed-use ~~mixed use~~ centers containing both nonresidential and residential uses, while residential uses not located within town centers shall be in compact neighborhoods.

c. The gross residential density of a new town may exceed the underlying agricultural maximum densities; however, the new town density shall not exceed 1.5 units per acre of gross project area unless development rights are transferred to new towns from off-site properties. In such cases, the overall gross density of the new town shall not exceed 2 units per acre. Consistent with that allowance, new towns may be receiver sites for development rights sent from conservation or agricultural preservation areas that are located outside the urban service area and are not adjacent to the project. Sending areas shall be stripped of development rights as part of the new town approval. Density credits eligible for transfer shall not exceed 1 unit per acre for AG-1 sending areas, 1 unit per 2 acres for AG-2 sending areas, and 1 unit per 4 acres for AG-3 sending areas. Additional density allowances up to 1 unit per 2 acres may be allowed for environmentally significant portions of AG-3 sending areas.

d. Uses within a new town shall be identified in the new town PD project application and shall comply with the following criteria.

1. Commercial, personal services, and office areas shall be provided at a ratio of three (3) to ten (10) acres per 1,000 residential units.
2. Public facilities, including but not limited to water plants, sewer plants, schools (excluding university campuses or similar uses), fire stations, ~~and~~ police stations, and public institutional use areas, should not exceed five (5) percent of the entire PD area.
3. Residential use areas shall constitute at least fifteen (15) percent but not more than thirty-five (35) percent of the entire PD area.
4. Employment areas, including industrial, business, and office uses, shall comprise at least two (2) percent of the entire PD area.

e. The following additional standards shall be met by any new town PD project application.

1. Affordable/Workforce Housing: Affordable and/or workforce housing units shall be provided to ensure that ~~there is~~ housing is available within the project area for workers employed within the project area. Therefore, at least ten (10) percent of the total housing units shall be affordable and/or workforce housing units, as defined in the ~~e~~County's LDRs ~~land development regulations~~. The applicant shall provide sufficient data and analysis to justify the number and percentage of affordable housing units needed by his proposed project. This amount of affordable housing shall then be provided within the project; however, the total amount of affordable housing shall ~~in no case~~ not be less than ten (10) percent of the total number of housing units in the project.
2. Open Space: At least fifty (50) percent of the entire PD area shall be preserved or provided as open space. Open space areas shall be retained as natural areas or used for agriculture, recreation, stormwater management, water supply, or similar uses that complement the rural nature of the area.

- (a). At least seventy (70) percent of the minimum required common open space area shall be located along main project boundaries and shall function as perimeter greenbelts or shall be in the form of a large contiguous block of land. If a proposed new town shares a boundary with land identified as conservation ~~either through easement or by through easement~~ or comprehensive land use designation, then the required greenbelt perimeter/open space block shall have a contiguous boundary with the conservation area. If a new town shares a boundary with multiple existing conservation areas, the project design shall provide greenway connections between conservation areas.
- (b). For purposes of the fifty (50) percent common open space requirement, such green space shall not include conventional, individual private yard areas and shall not include any areas already in conservation. Common open space areas may include agricultural areas (e.g. crop lands, pastures, and equestrian areas), parks and recreation areas, conservation and natural areas (e.g. uplands, wetlands, and re-created natural areas), and water bodies (not to exceed thirty (30) percent of the open space requirement).
- (c). Active recreational uses shall be limited to a maximum of twenty-four (24) percent of the designated open space or twelve (12) percent of the entire PD area, whichever is less.

3. Timing of Land Uses: At the time of new town approval, commitments must be made as to the timing of developing ~~work places~~ workplaces and non-residential uses. ~~A sufficient amount of~~ Enough job-producing and non-residential uses shall be developed in initial project phases to prevent creation of a de-facto residential only or bedroom community and to ensure development of a job-producing “anchor tenant” to sustain the new town’s economy. To ensure that all phases of the project develop as a viable new town development with a mixture of residential, shopping, working, recreational, and open space areas, various uses for each phase of the project shall be approved and developed in a proportional manner. Commercial and personal service uses, office and light industrial uses and residential uses shall generally constitute the same percentage of area for each phase as they constitute in the project as a whole. No more than twenty-five (25) percent of the proposed residential use development will be permitted until at least twenty-five (25) percent of the proposed commercial and personal service, ~~uses and~~ office and light industrial uses occur.

4. Form: The project shall meet the Traditional Neighborhood Design (TND) standards of ~~the provisions in the LDRs Future Land Use Element Policy~~ 18.1. In so doing, the new town shall have a perimeter edge and a center. Along the perimeter edge, a significant greenbelt shall be provided, and that greenbelt shall consist of natural areas, agricultural areas, and/or “no-build” areas designated on large acreage parcels. A project center shall be established for the concentration of residential and commercial uses. Major roadways shall run through or near the project center. The project design shall reflect the following:

- (a). A network of ungated and open to the public interconnected streets in a grid or modified grid pattern.
- (b). An interconnected pedestrian sidewalk/path system that serves and integrates residential and non-residential uses.
- (c). Appropriately sized blocks and pedestrian improvements that provide a layout that maximizes residential development in clusters around town centers. Town

centers shall include but not be limited to public squares or parks, as well as commercial and residential uses.

- (d). Wide sidewalks, street trees, and on-street parking in the town center.
- 5. Integration into Major Street Grid: Each new town project shall have multiple connections to major roads, and extend major roads planned to traverse the rural area in which the project is located.
- 6. Building hHeights: The County shall maintain building height limitations in the land development regulation's respective zoning district regulations to preserve the County's low-density neighborhood character and protect low-intensity commercial areas and nodes. Residential structures shall be limited to a maximum height of 35 feet, while nonresidential and mixed-use structures shall be limited to a maximum height of 50 feet. For all structures, architectural embellishments may exceed the maximum height limitation by no more than 15 feet. The County may adopt provisions and/or incentives as may be adopted by the County in support of this Policy.

**Policy 1.39:** ~~The county shall limit the use of the 301.95 acres of C/I designated property located north of SR 60 and west of 98th Avenue to research/technology/industrial uses only. Those uses include research/technology/industrial parks, light manufacturing and assembly facilities, distribution centers, and accessory commercial uses. For that portion of the 665 acre property that lies west of 102nd Avenue, the Floor Area Ratio shall be limited to .30 and development shall be limited to no more than 2% accessory commercial uses and no more than 49% research/technology uses. This policy shall be implemented through Planned Development (PD) zoning and/or Planned Development Plan requirements. In addition, each preliminary PD plan (site plan) for development of the portion of the 665 acre property that lies west of 102nd Avenue shall:~~

- ~~incorporate a stormwater management and flood protection design that mitigates potential adverse impacts of a flood associated with the failure of federal and privately owned levees within the Upper St. Johns River Basin Project; and~~
- ~~include upland edge buffers between industrial development and any adjacent wetland mitigation bank area; and~~
- ~~provide mass transit infrastructure (bus waiting area shelters, benches, accommodations for pedestrians, bicyclists and accessibility by persons with disabilities).~~
- ~~incorporate a traffic circulation design that meets FDOT S.R. 60 access management requirements and provides shared access and interconnections between facilities.~~

~~On that portion of the 665 acre property lying west of 102nd Avenue, development will be limited to 4.2 million square feet of research, technology, industrial, and accessory commercial uses until I-95 north of S.R. 60 is widened. [Out-dated objective created back in 2010]~~

**Policy 1.42:** To the extent feasible and in accordance with the Public School Facilities Element, the ~~e~~County shall collocate public facilities, such as parks, libraries, and community centers, with schools.

**Policy 1.46:** Development in ~~t~~Transitional ~~t~~Residential areas shall be limited to the following:

Single Family Residential Uses

- up to 1 unit/acre; or up to 3 units/acre for Planned Development Projects

Recreational Uses

- up to 0.35 FAR

Public Facilities

- up to 0.35 FAR

Institutional Uses

- up to 0.35 FAR

Schools (not including business and vocational schools)

- up to 0.35 FAR

Excavation Activities

Agricultural Uses (as permitted in Future Land Use Element Policy 6.3)

The FAR of mixed-use projects shall be calculated by assigning a portion of the total development area to each use. The sum of the portions assigned to each use must equal the total development area. An exception shall be allowed for accessory residential uses within primarily non-residential projects. That exception shall allow the entire development area to be used to calculate the number of units allowed, without restricting the amount of development areas available for calculating the maximum FAR for primary uses.

**Policy 1.48:** The eCounty shall consider the impact of proposed amendments to the FLUM Future Land Use Map upon the eCounty's jobs/housing balance in a manner consistent with Policy 4.8.

**Policy 1.49:** The eCounty hereby designates the entire urban service area as an Energy Conservation Area. The county shall maintain its urban service area boundary in a manner consistent with Policies 2.1, 2.2, and 2.3.

**Policy 1.50:** ~~Within Energy Conservation Areas, the county shall regulate all new development and redevelopment in a manner that promotes energy conservation. [Consolidate with repetitive policies]~~

**Policy 1.52:** ~~Within the urban service area, the county shall permit mixed use developments that are consistent with Policy 5.6. [Consolidated with Objective 2]~~

**Policy 1.53:** ~~In areas located outside the urban service area, the county shall promote clustered development, such as new towns and agricultural planned developments. New towns shall be consistent with Policies 1.37 and 1.38, while agricultural planned developments shall be consistent with Policy 5.9. [Moved to Objective 2]~~

**Policy 1.54:** ~~In reviewing new development proposals, the county shall require vehicular and pedestrian connections as specified in Policy 4.5. [Remove due to repetition with other policies]~~

**Objective 2:** In unincorporated Indian River County, all residential development greater than 0.2 units/acre, and all non-agriculture related commercial/industrial uses will be located within the urban service area, which shall permit mixed-use developments consistent with Policy 5.6, which contains the infrastructure and services needed to accommodate such development.

**New Policy 2.5:** In areas located outside the Urban Service Boundary, the County shall promote clustered development, such as new towns and agricultural planned developments. New towns shall be consistent with Policies 1.37 and 1.38, while agricultural planned developments shall be consistent with Policy 5.9. [Originally, Policy 1.53. but moved into a new policy under Objective 2]

**Policy 3.1:** For all facilities and services, the minimum levels of service established in this and other elements of the ~~Comprehensive Plan~~ will be maintained.

**Policy 3.2:** ~~Regardless of land use designation or zoning district, no development shall be approved unless it is consistent with the concurrency management system in the capital improvements element, and the levels of service established in this element and other elements of the Comprehensive Plan.~~ **[Redundant]**

**Policy 4.2:** By January ~~2030~~ 2018, Indian River County shall identify and map target areas for redevelopment and infill development.

**Policy 4.3:** ~~For the areas targeted for redevelopment and infill development in Future Land Use Element Policy 4.2, Indian River County shall, by 2019, assess the potential for future development, review infrastructure capabilities and needs, and develop special overlay or use districts and regulations, if warranted.~~ **[Redundant]**

**Policy 4.4:** ~~By January 2020, Indian River County shall work with property owners, developers, and the public to develop and implement a plan to promote development of the areas targeted for redevelopment and infill development. That plan shall examine the feasibility of reduced development fees, streamlined application processing, mixed uses, density bonuses, Traditional Neighborhood Design, home/work linkages and other innovative techniques to promote development in those areas.~~ **[Policy completed]**

**Policy 4.5:** Where proposed development projects abut undeveloped or developed property, the ~~County shall review to determine whether require that such the development must be designed and constructed or guaranteed to accommodate both vehicular and bicycle/ pedestrian interconnections. Interconnections may include shared roadways or driveways that provide local traffic circulation. Exemptions shall be granted where interconnections would create a “funneling effect” through an existing neighborhood or have no potential for providing interconnectivity or through-street benefits (e.g. segments that dead-end into water bodies, built facilities, or environmentally sensitive areas).~~

**Policy 4.6:** ~~By 2011, the county shall adopt traffic calming standards and designs to address concerns about the speed of “cut through” traffic. Traffic calming improvements shall be constructed with project interconnections where necessary~~ **[Updated and moved to the Transportation Element]**

**Policy 4.7:** The ~~County shall require that developers construct sidewalks on both sides of internal project streets in higher density residential developments and mixed-use projects.~~

**Policy 4.8:** ~~When reviewing amendments to the Future Land Use Map, the county shall consider the impact of the proposed amendment upon the jobs/housing balance of the following subareas: north county, central county, and south county. In so doing, the county will not approve amendments where the effect will be to lower the jobs/housing balance in the north county, central county, and south county subareas from their 2005 baseline values.~~ **[Addressed in the Economic Development Element]**

**Objective 5:** Indian River County will have a diverse mix of land uses, development patterns, housing densities, and housing types. ~~By 2030, 25% of the County’s housing units will be in multiple family, mixed use, or traditional neighborhood design projects.~~

**Policy 5.2:** ~~The residential densities depicted on the future land use plan map shall be the maximum densities permitted. Where density bonuses are applicable, density maximums may be exceeded.~~ **[Redundant with County’s LDRs]**

~~**Policy 5.3:** Indian River County zoning districts shall permit a variety of residential building and development styles. [Redundant with County's LDRs]~~

**Policy 5.4:** To prevent the emergence of strip development along U.S. Highway 1, the eCounty shall allow accessory residential uses within commercial areas through mixed-use development. Such accessory residential uses shall be allowed by right in commercial zoning districts.

**Objective 6:** In recognition of the Indian River County's desire to protect agriculture despite the challenges and changes facing the citrus industry, the eCounty's objective is to retain, ~~through 2017~~, at least 125,000 acres of land in the unincorporated eCounty that is used for active agricultural operations. ~~According to the United States Department of Agriculture's 2007 Census of Agriculture, there were 157,196 acres of land that were used for active agricultural operations that year. Of this land, approximately 139,000 acres are located within the unincorporated area of the county. This objective, by itself, does not justify or suggest a need for Future Land Use Amendments from Agricultural Designations. [Old data, no longer applicable]~~

**Policy 6.9:** By 2011, ~~t~~he eCounty shall adopt development regulations allowing small-scale biofuel processing plants and manufacturing facilities that provide critical components, defined as products essential to the construction of the County, State and Federal transportation infrastructure system, as accessory agricultural uses in areas designated AG-2 and AG-3. The equipment, processing areas, and transport facilities of accessory biofuel-processing plants and manufacturing facilities shall occupy no more than ~~20~~ 40 acres or ~~10%~~ 25% of a the total site, whichever is less. Such facilities shall be subject to staff-level site plan approval and shall be located at least 300' away from nearby residential uses. Larger scale biofuel processing plants and critical transportation-infrastructure manufacturing facilities shall be allowed in areas designated AG-1, AG-2, and AG-3 if approved through the special exception process.

**Objective 7:** ~~By 2015, there will be at least 108,500 acres of environmentally important land under federal, state, or county ownership or control within the unincorporated portion of Indian River County will continue to exceed internally set targets for protecting environmentally sensitive lands and will continue to acquire lands to the greatest extent practicable with a goal to increase protected land acreage by 10% by 2035. In 2007, there were 105,186 acres of conservation land in public ownership.~~

**Objective 8:** ~~Through 2015, a~~At least 95% of unincorporated Indian River County's historic properties (as identified in "Historic Properties Survey of Indian River County, Florida", prepared by Historic Property Associates, Inc., April 1989) will continue to be preserved in fair, good, or excellent condition.

**Policy 9.1:** ~~By January 2019, Indian River County shall establish guidelines to ensure that all new county buildings and facilities will be compatible with the architectural character of the surrounding neighborhood. [Unnecessary]~~

**Policy 9.13:** ~~By 2011, t~~he eCounty shall continue to control the visual clutter created by temporary signs by adopting development regulations that establish limits on where temporary signs are to be allowed, on the number of temporary signs allowed permitted, and on the duration that temporary signs may be posted.

**Policy 9.15:** ~~The county shall not require buffers between similar residential uses. [Code-oriented language, not supported by Florida Statutes]~~

**Objective 11:** By 2016, Indian River County will ~~have taken~~ continue to take action to encourage redevelopment or revitalization in the unincorporated County at least three areas.

**Policy 11.1:** By 2019, Indian River County shall continue to develop guidelines and regulations to designate areas in need of redevelopment or revitalization.

**Policy 11.2:** Within one year of designating a redevelopment or revitalization area, Indian River County shall ~~determine the needs and deficiencies as well as remedies and solutions for that area.~~ [Policy completed, no longer needed]

**Objective 13:** By 2015, ~~t~~he County will continue to have a formal coordination mechanism with other federal, state, regional, and local governments and agencies for land use planning activities, provision of facilities and services, and funding and implementation of programs.

**Policy 13.3:** By 2018, ~~t~~he ~~e~~County shall continue to encourage municipalities to enter into Interlocal Service Boundary Agreements (ILSBAs) or Joint Planning Area (JPA) agreements to identify potential areas for annexation, develop criteria for annexation decisions, and execute interlocal agreements with the county to formalize these criteria.

**Objective 17:** Through 2040~~30~~, the ~~e~~County will have no increase in land use designation density or intensity within the Coastal High Hazard Area, in a manner consistent with the policies set forth in the Conservation and Coastal Elements.

## **Objective 18: TRADITIONAL NEIGHBORHOOD DESIGN (TND) COMMUNITIES**

Traditional neighborhood development (TND), or village-style development, is a land-use approach that provides a mix of land uses and housing types connected by pedestrian-friendly streets in a compact setting. The County shall maintain and update LDR criteria for TND (Traditional Neighborhood Design) district regulations as appropriate. By 2045, ~~Between January 1, 1998 and January 1, 2020, ten~~ five (5) percent of new residential development (dwelling units) occurring in unincorporated Indian River County will be ~~located~~ in Traditional Neighborhood Design projects.

**Policy 18.1:** By January 2011, the county shall adopt land development regulations that establish the TND, Traditional Neighborhood Design zoning district. The TND district shall be limited to planned developments. To qualify as a TND development, projects must meet the following criteria:

### **Development Parameters**

1. The minimum contiguous project land area shall be 40 acres.
2. Land shall be under unified control, planned and developed as a whole in a single development ~~or as an approved series of developments or neighborhoods. The project shall be approved under the Planned Development (PD) rezoning process.~~

### **Street Network**

3. In order to disperse traffic by offering many alternative routes and connections between destinations within the project and to appropriate uses on adjacent sites, the street network shall consist of a grid or modified grid pattern and shall accommodate connections to appropriate uses on adjacent sites.
4. Not more than 10% of blocks shall have a block with a perimeter measuring more than 1,800 feet. Within commercial and mixed use areas, no block face dimension should exceed 400 feet.

5. The project shall contain a network of interconnected streets, sidewalks, and pathways.
6. 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.
7. Street trees shall be provided so as to shade sidewalk areas and buffer sidewalk areas from automobile traffic.
8. Streets and adjacent buildings shall be sited and designed to encourage interactions between the street and buildings through the use of amenities such as reduced building setbacks, "build to" lines, front porches, stoops, rear and side yard parking lot locations, and other means.
9. Projects shall decrease the prominence of front yard driveways, garages, and parking lots through one or more of the following: mid block alleys, garages located toward the rear of lots, rear and side loaded garages, garages which are not the predominant architectural feature of the front elevation of buildings off street parking at the rear of buildings, restricted driveway connections to streets, and traffic calming techniques.

#### **Mixing of Uses**

10. The project shall be designed as a compact or clustered development. Projects may include the following mix of uses occurring together in close proximity:
  - single family residential,
  - accessory dwelling units,
  - multiple family residential,
  - commercial and work place,
  - civic and cultural, and
  - open space.
11. The following ratios shall apply to land uses within the project:
  - a. Community open spaces open to the public, such as squares, plazas, or parks, shall comprise a minimum of 5% of the total project area.
  - b. Civic uses, such as post offices, churches, community centers, meeting halls, schools, day care centers and cultural facilities shall comprise a minimum of 1% of the total project area.
  - c. Residential uses shall comprise a minimum of 50% and a maximum of 80% of the total non-conservation and non-agricultural project area.
  - d. Commercial and office uses located on residentially or agriculturally designated land shall not exceed 10% of the total land area designated on the land use plan as residential and agricultural.

12. The vertical mixing of uses is allowed and strongly encouraged around designated town centers, main streets, mixed-use centers, and central squares and greens.

#### **Centers (Locus of Community Activity)**

13. Each project must have at least one public square, town center, or mixed use area within a 1/4 mile walking distance from 50% of the project's residential units and within 1/2 mile walking distance from 75% of the project's residential units.
14. To accommodate increased pedestrian use, 50% of sidewalks in public squares, town centers, or

~~mixed use areas shall have a minimum unobstructed width (clear and passable for pedestrians) of at least seven feet.~~

- ~~15. On street parking shall be allowed within public squares, town centers, or mixed use areas.~~
- ~~16. Off street parking lots within public squares, town centers, or mixed use areas shall be provided only at the rear of buildings.~~
- ~~17. The center shall accommodate space for a transit stop and a civic building.~~

#### **Edges (Perimeter of the Community)**

- ~~18. Project edges located outside the Urban Service Area shall be established and designed for environmental, agricultural, recreational, or other open space uses.~~

#### **Public Buildings**

- ~~19. Public buildings, such as schools, churches, post offices, and community centers, shall be provided in prominent, accessible locations within the project. Such locations generally are at the termination of streets, the perimeter of the neighborhood center, or the frontage along a designated main street of a neighborhood or adjacent thoroughfare plan road. [Policy 18.1 is stricken in its entirety as Traditional Neighborhood Design projects are covered in Section 915.21 of the County LDRs.]~~

**Objective 20:** In the eCounty, sufficient land will be available for material dredged by the Florida Inland Navigation District (FIND). ~~By 2011, a~~All dredged material management areas shall be designated as PUB, Public Facilities, on the eCounty's Future Land Use MapFLUM.

## **Sanitary Sewer Sub-Element**

Indian River County's third major Element is comprised of five (5) sub-elements, which altogether are commonly referred to as an Infrastructure Element. The purpose of the Infrastructure Element is to ensure the availability of wastewater, potable water, solid waste, natural groundwater, and stormwater facilities to meet the existing and projected demands within the County. The Infrastructure Element establishes level of service standards and aims to effectively manage growth and maintain environmental quality while providing safe and adequate facilities for residents and visitors. The *first* sub-element of the Infrastructure Element is the Sanitary Sewer sub-element.

A summary of the changes that are proposed for the Sanitary Sewer Sub-Element are as follows:

- ◊ Revise or remove outdated GOPs, such as Policy 1.6 which is not in alignment with the most recent Health Department regulations and Objective 4 which must comply with 62-600.520 FAC
- ◊ Remove redundant Policies and simplify Policies that provide detailed information which could be handled in a separate policy document or the County's Code, as appropriate
- ◊ Establish prioritization for providing sanitary sewer service

These recommended changes are important to protect the built and natural environment in the County, to update policies to modern standards, and to establish regulations for emergency situations. They are:

**Goal:** Indian River County shall have an efficient system of sanitary sewer disposal that prevents degradation of existing resources, promotes orderly growth and development, optimizes operation, and meets existing and projected demands.

**Objective 1:** Through the time horizon of the plan, the County will strive to maintain there will be sufficient capacity in the regional sanitary sewer system to accommodate all new development within the urban service area, including municipalities the County serves.

**Policy 1.1:** New development within the unincorporated portion of Indian River County shall be approved only when capacity is available, either on-site or off-site, to provide needed sanitary sewer service.

The County and the City of Sebastian adopted an Interlocal Agreement (ILA) providing for the transfer of the City of Sebastian Water and Wastewater System (September 20, 1995), and the County will provide sanitary sewer service within the corporate limits of the City of Sebastian consistent with the provisions of the ILA.

The City of Fellsmere currently maintains its own sanitary sewer collection system and the County, through an easement agreement, treats the City's wastewater effluent. This agreement may be amended based on the mutual consent of both the County and the City of Fellsmere.

**Policy 1.2:** The DEP, on an annual basis, shall inspect all private wastewater treatment plants in Indian River County. [This is not the County's responsibility, nor authority, to regulate]

**Policy 1.5:** The Planning Division, on an as needed basis, shall County will provide summary reports containing capacity and demand information for each public wastewater treatment plant within the eCounty service area as well as Daily Monitoring Reports as required by FDEP.

**Objective 2:** ~~By 2025, at least 60% of all existing units in the county's service area will be connected to the county's regional sanitary sewer system. This will be an increase from 52.7% in 2017. By 2045, the County will steadily increase the number of existing units connected to the County's regional sewer system with a long-range goal for 60% of all users to be connected.~~

**Policy 2.3:** The eCounty shall give priority for the provision of public sanitary sewer services to the subdivisions on the list of subdivisions as identified in Table 3.A.3 designated as requiring sanitary sewer service due to public health threats by DOH.

**Policy 2.4:** The eCounty shall provide public sanitary sewer service to areas where the lack of such service is determined to be a public health threat and shall initiate sewer projects where feasible to serve subdivisions served by septic systems ~~and identified in Table 3.A.3.1 as posing a disproportionately high potential negative impact on Indian River Lagoon water quality.~~ The eCounty shall recover costs through those connecting to the system and directly benefitting from the improvement.

**Policy 2.6:** By 2027~~18~~, ~~t~~The eCounty shall perform a financial analysis for septic to sewer conversion projects. Based on that analysis and available funding, a specific list of subdivisions to be connected to public sanitary sewer system by certain dates will be identified.

**Policy 2.7:** ~~By 2028, the County shall sanitary sewer service to at least five (5) subdivisions identified in Table 3.A.3.1 as posing a disproportionately high potential negative impact on Indian River Lagoon water quality. The county shall recover costs through those connecting to the system and directly benefitting from the improvement. The County shall prioritize providing sanitary sewer service to subdivisions posing critical water quality impacts to the Indian River Lagoon, as identified in Table 3.A.3.1. The County will recover costs for improvements from those connected to the system and directly benefit from the improvement.~~

**Objective 3:** Through the time horizon of the plan, the eCounty will ~~continue to mitigate and prevent~~ ~~have no~~ instances of sanitary sewer facilities contaminating surface water or groundwater resources.

**Policy 3.2:** The eCounty shall regularly monitor all centralized sanitary sewer facilities to ensure that they do not contaminate surface water or groundwater resources.

**Objective 4:** ~~Through the time horizon of the plan, The County will work toward~~ 100% of the wastewater effluent produced by the eCounty centralized sanitary sewer facilities ~~will be~~ reused.

**Policy 4.1:** ~~The county shall continue to reuse wastewater by spray irrigation, with percolation ponds and wetlands as back up. The County's primary means of reuse water disposal shall be to the users identified in the County's Domestic Wastewater Facility Permit (FLA010431). Secondary disposal of reuse water shall be through percolation ponds and wetlands as necessary.~~

**Policy 4.3:** The eCounty shall continue to enforce Land Development Regulations ~~that require~~ developments that use treated wastewater for spray irrigation to construct and dedicate to the county the effluent transmission lines needed to transport the effluent to the development ~~regarding construction and conveyance of reuse transmission and distribution lines. Infrastructure will be dedicated to the County upon completion and acceptance of the reuse system within limits identified and agreed to by the developer and County.~~

**NEW Policy 4.4:** The County shall encourage all new subdivisions and projects of 25 or more lots/units that are within one-quarter of a mile of an existing effluent reuse line to connect to the effluent reuse line. When a project meets the above criteria, developers shall contact the County's Department of Utility Services to discuss the feasibility and parameters to construct an effluent reuse line. [Policy relocated from Potable Water Sub-Element Policy 4.8]

**Objective 5:** By 2022, the county will have completed the sanitary sewer improvements listed in the county's 5 year Capital Improvements Program in order to maximize the use of existing facilities and discourage urban sprawl (current Five Year Capital Improvements Plan is in the Capital Improvements Element of the comprehensive plan). The County shall maintain a 5-year Capital Improvements Program identifying sanitary sewer improvements to maximize the use of existing facilities and discourage urban sprawl.

**Policy 5.1:** In conformance with the review process for the Capital Improvements Element, the county shall maintain a five-year schedule of capital improvement needs for public facilities. [Addressed in separate Element]

**Policy 5.3:** In order to guarantee provision of more than the minimum level of service, the county shall take the following steps:

- begin planning and preliminary design for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 5 years;
- prepare plans and specifications for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 4 years;
- submit a complete construction permit application to the Florida Department of Environmental Protection for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 3 years; and
- submit an application for an operation permit for the expanded facility to DEP when a plant's Average Daily Demand is projected to equal or exceed its capacity within 6 months.

The County will comply with FDEP requirements for evaluating capacity and planning for future improvements as needed to provide sanitary sewer service at the committed Level of Service.

**Policy 5.9:** The county shall install automatic air release valves in all new sewer lines. The County shall require installation of automatic air and vacuum valves on all new sewer lines where County deems necessary and appropriate.

**Policy 6.4:** To ensure proper maintenance and operation, the DEP shall inspect all package treatment plants on an annual basis. [Unnecessary policy]

**Policy 6.5:** The County shall require all new package wastewater treatment plants to be built according to current federal, state, and county requirements. In addition to obtaining a county permit demonstrating compliance with county regulations, any developer building and operating a package wastewater treatment plant must obtain a state permit demonstrating compliance with state and federal regulations. Those regulations include but are not limited to the Federal Water Pollution Control Act of 1972 (PL 92-500) and its amendments through the Clean Water Acts of 1977 (PL 95-217) and 1981 (PL 97-117), Chapters 381 and 403 of the Florida Statutes, and Rules 17-3 and 17-6 of the Florida Administrative Code. Both state and county permits are required for the construction of a plant, and for any future expansion or modification of a plant. [Incorporate stricken language into LDR]

~~**Policy 6.7:** The county shall continue to enforce ordinances requiring pre-treatment of commercial and industrial waste before discharge into the county system. [Policy 6.7 Relocated to Policy 1.7]~~

~~**Objective 7:** By 2020, the number of new septic systems permitted annually will not exceed 200. The County will coordinate with FDEP and the appropriate regulating agencies to limit and discourage the number of new septic systems permitted annually.~~

~~**Policy 7.1:** The county shall limit the use of septic systems to areas that meet the following criteria governing connection to the county sanitary sewer system:~~

~~• Commercial/industrial uses and residential subdivisions identified in Table 3.A.3 may continue to treat their sewage with existing septic systems until centralized sewer service lines are extended to within  $\frac{1}{4}$  mile of the site. At that time, all residential units in those subdivisions and all commercial/industrial uses shall be connected to the county system. Developments whose sewage treatment systems cause a public health problem must connect to the regional system regardless of the distance to sewer lines.~~

~~• Use of septic systems for new development shall be prohibited unless:~~

~~— such development meets the criteria set on the water and wastewater connection matrix; or~~

~~— such development consists of clustered residential development within privately owned upland conservation (C 3) areas. Even under those circumstances, no individual septic systems may be associated with individual residential units. If located outside of any conservation designated areas or areas that are environmentally sensitive or significant, however, centralized community septic systems may be provided to each pod of clustered residential development.~~

~~— Septic systems shall be allowed in areas of development outside of the Urban Service Area when such development meets the criteria of policies of the Future Land Use Element for:~~

~~— clustered residential development within agricultural planned development projects;~~

~~— clustered development within new town projects;~~

~~— traditional neighborhood design communities; and~~

~~— agricultural businesses and industries (including biofuel facilities)~~

**[Policy 7.1 was eliminated completely and moved into the County's LDRs]**

~~**Policy 7.2:** The County shall ensure that, prior to the issuance of development orders or permits for projects to be served by septic systems, or for the repair or replacement of existing septic systems, the applicant has demonstrated that the project complies with Florida Department of Health (DOH) regulations Section 381.0065 FS and Chapter 64E-6, FAC, permit requirements for septic systems.~~

~~**Policy 7.3:** The county in coordination with and through the DOH Indian River, shall require that issuance of permits for repair or replacement of existing septic systems be conditioned upon compliance with DOH regulations Section 381.0065 FS and Chapter 64E-6, FAC, permit requirements for septic systems. [Covered under a previous policy]~~

~~**Policy 7.6:** The County, in coordination with and through the DOH Indian River, shall encourage all septic systems including repairs and modifications to meet a 24 inch separation between the bottom of the drain field and the wet season water table and meet 75 foot setbacks from surface waterbodies and wells. [Addressed in the County's LDRs]~~

## **Potable Water Sub-Element**

Indian River County's third major Element is comprised of five (5) sub-elements, which altogether are commonly referred to as an Infrastructure Element. The purpose of the Infrastructure Element is to ensure the availability of wastewater, potable water, solid waste, natural groundwater, and stormwater facilities to meet the existing and projected demands within the County. The Infrastructure Element establishes level of service standards and aims to effectively manage growth and maintain environmental quality while providing safe and adequate facilities for residents and visitors. The *second* sub-element of the Infrastructure Element is the Potable Water sub-element.

A summary of the changes that are proposed for the Potable Water Sub-Element are as follows:

- ◊ Consider disallowing private potable water plants unless the County does not have sufficient capacity
- ◊ Remove the subsection discussing the Water Supply Plan from page 28-29 of the potable water sub-element and replace it with a new objective (Objective 10) to establish a new Supply Plan
- ◊ Move specific standards (e.g. minimum pressure requirements) to the County's code or an appropriate engineering standards document
- ◊ Simplify unnecessarily specific Policies, such as Policy 2.6, for which the recommendation accomplishes the intent of the original Policy but streamlines the Policy for ease of understanding as well as preventing or reducing future text amendments
- ◊ Incorporate recommendations from the Water Management District as it relates to their review of the County's Water Supply Plan

Potable water is a vital component of life, and Indian River County must ensure its potable water regulations promote safe and clean systems accessible to all residents and visitors. These recommendations will adhere to modern regulations and water standards.

**[Potable Water Sub-Element pg. 28] Water Supply Plan** ~~Because Indian River County is not currently in a SJRWMD Priority Water Resource Caution Area, the county is not required to complete a 10 year water supply facilities work plan at this time. Even though the county is not currently required to develop a water supply facilities work plan, the county is and has been proactive in identifying and working toward establishing an alternative water supply source. For that reason, the county is coordinating with SJRWMD in the district's water supply assessment and in its water supply development related initiatives that affect the county.~~

~~According to the county's alternative water supply analysis, in a best case scenario a new water supply source could not be on line until 2018. That timeframe could be even longer if a surface water reservoir needs to be constructed. Given these constraints, another existing surface water alternative may be a better choice. That is to utilize water from the C-54 Canal. Regardless, the county will need to continue to utilize the UFA as a source to bridge the gap until the new source can be developed.~~

~~Overall, the C-54 strategy could be the most cost effective because the county would continue to utilize existing treatment plant technology and facilities even with surface water as a public water supply source. At such time as a new potable water supply source comes on line, the withdrawals from the UFA could be reduced and used as a reserve source, if that is feasible. Accordingly, the county's policy should be to:~~

- Continue using the UFA as an interim water supply source until such time as a surface water supply source can be brought on line.
- Coordinate with the SJRWMD to obtain authorization to utilize surface water from the District's existing water management and conservation areas. Specific target sources, water availability, permitting requirements, and pipeline routes should be addressed. Requirements for feasibility studies should be determined as required by the SJRWMD. If the source is a new reservoir, then ownership of the reservoir, costs of land, and financing should be addressed.
- Develop a preliminary schedule that addresses the annual steps needed to develop a new surface water supply by 2026. [This text is being replaced with a new Water Supply Plan – Objective 10]

**Goal:** Indian River County shall have an efficient potable water system that prevents degradation of existing resources, promotes orderly growth and development, and meets existing and projected demands, and satisfies interlocal service agreements.

**Policy 1.3:** The County hereby adopts a potable water level of service standard of 250 gallons per day per equivalent residential unit of treatment capacity, a minimum design flow of 500 gallons per minute, a minimum storage capacity of 13.5 million gallons, and a minimum pressure of 40 PSI for potable water facilities.

**Policy 1.4:** Through its computerized permit tracking system and its concurrency management system, the county shall continue to implement procedures to update facility demand and capacity information as development orders and permits are issued. The County shall maintain its concurrency management system, including records for historic and projected demands, and provide monthly capacity reports for potable water facilities.

**Policy 1.6:** The county shall continue to allow the use of private wells in rural areas for single family units and for small retail establishments. The use of private wells must be approved by the appropriate regulatory agencies and be consistent with the attached water and wastewater connection matrix. The County shall continue to allow the use of private wells in rural areas for single-family units and for small retail establishments provided they will not impact Existing Legal Users (ELUs), including the County. Use of private wells must be permitted through the appropriate regulatory agencies and must be consistent with the SJRWMD water and wastewater connection matrix.

**Objective 2:** By 2030, at least 75% of all existing residential units in the county will be connected to a regional potable water system. The County shall continue to promote connecting new and existing residential units to the regional potable water system and reduce the number of private well users.

**Policy 2.1:** The County shall continue to offer its utility line assessment program to areas with private wells within the County Utilities Department service area and offer up to 10-year financing for all utility assessments.

**Policy 2.2:** The county shall continue to offer up to 10-year financing for all utility assessments. [Addressed in Policy 2.1]

**Policy 2.6:** Prior to 2011, the County will coordinate with the City of Vero Beach and the Town of Indian River Shores to prepare a financial analysis of options related to the possibility of consolidation of utility services. This analysis may consist of but is not limited to: the possibility of the County serving utilities to the Town of Indian River Shores, currently served by the City of Vero Beach and the Unincorporated

~~area of the South Barrier Island, currently served by the City of Vero Beach, full consolidation of the City of Vero Beach Utility with the Indian River County Utility or making no changes in the existing utility service areas. Based on the results of a financial analysis of the various service options, the Board of County Commissioners will consider implementing the results that show the best financial and operational benefits. The County will continue to coordinate with other potable water service providers within the County limits for consolidation of utility services where feasible and where financially and operationally beneficial.~~

**NEW Policy 2.7:** ~~The County utilities department shall approve potable water concurrency for new projects only when adequate water supplies and potable water facility capacity are available to accommodate new development project demand.~~ **[Relocated from the Intergovernmental Element]**

**Policy 3.1:** ~~The County shall continue to use the Upper Floridan aquifer as the primary water supply source of potable water and use reverse osmosis as the principal raw water treatment method for its regional potable water system. With that water source and treatment method, the county will provide its customers with good quality water that meets the requirements of the Federal Safe Drinking Water Act, Public Law 93-523; the Florida Safe Drinking Water Act, Section 403.850 – 403.864, FS; Chapter 381, FS; and Rules 62-550, 40C-2, 40C-3, 17-22, and 64E-8, FAC. and employ nanofiltration as its preferred method for water treatment.~~

**Policy 3.2:** ~~The eCounty, through the Environmental Health Department, shall monitor and evaluate all private water treatment plants. The results of this evaluation shall be considered during the prioritization of potable water service expansion.~~ **[Consolidated with Policy 1.2]**

**Objective 4:** ~~By 2020, the county's per capita water use will be less than the 2006 level of 104 gallons/day. The County shall deliver potable water to its customers at a level of service of 104 gallons per capita per day.~~

**Policy 4.2:** ~~The eCounty shall continue to apply the requirements of Chapter 926 of its land development regulations, which require the use of drought tolerant vegetation, the use of efficient irrigation systems, and the preservation of existing native vegetation in accordance with County LDRs.~~

**Policy 4.6:** ~~The eCounty's water pricing system shall continue to be equitable, but shall continue to charge an exponentially increasing unit rate for high volume residential users, as defined by the LDRs. (those using more than three times the Level of Service standard established in policy 1.3).~~

**Policy 4.8:** ~~The county shall require all new subdivisions and projects of 25 or more lots/units that are within a ¼ mile of an effluent reuse line to connect to the effluent reuse line. When a project meets above criteria, developer shall be required to construct an effluent reuse line.~~ **[Policy moved to the Sanitary Sewer Sub-Element as Policy 4.4]**

**Policy 4.9:** ~~By 2013, the Utilities Department shall review its current pricing plans to further discourage excessive water use and to provide incentives to customers for saving water. The Utilities Department will regularly review rate structures and adjust rates as necessary to further discourage water misuse and to provide incentives for water savings.~~

**NEW Policy 4.11:** ~~The County shall continue to implement the Water Conservation Plan associated with its consumptive use permit.~~ **[Recommendation by SJRWMD]**

**Objective 5:** ~~Throughout the time horizon of the plan, the county will have completed all programmed capital improvements shown in~~ The County will continue to address the programmed capital improvements shown in Appendix "A" of the Potable Water Sub-Element in order to maximize the use of existing facilities and discourage urban sprawl.

**Policy 5.1:** ~~In conformance with the review process for the Capital Improvements Element of this plan, the County shall maintain a five-year schedule of capital improvement needs for public facilities.~~

**Policy 5.2:** ~~Proposed capital improvement projects shall be evaluated and ranked according to the following priority level guidelines:~~

- ~~• Level One – whether the project is needed to protect public health and safety, to fulfill the county's legal commitment to provide facilities and services, or to preserve or achieve full use of existing facilities.~~
- ~~• Level Two – whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement costs, provides service to developed areas lacking full service or promotes in-fill development.~~
- ~~• Level Three – whether the project represents a logical extension of facilities and services within a designated service area [Addressed in other County documents/standards]~~

**Policy 5.3:** ~~In order to guarantee provision of more than the minimum level of service, the county shall take the following steps:~~

- ~~• begin planning and preliminary design for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 5 years;~~
- ~~• prepare plans and specifications for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 4 years;~~
- ~~• submit a complete construction permit application to the Florida Department of Environmental Protection for expansion when a plant's Average Daily Demand is projected to equal or exceed its capacity within 3 years; and~~
- ~~• submit an application for an operation permit for the expanded facility to DEP when a plant's Average Daily Demand is projected to equal or exceed its capacity within 6 months.~~

~~The County shall continue to monitor and evaluate average daily demands at water treatment facilities and plan for necessary improvements and expansions to deliver water at the committed Level of Service in accordance with FDEP requirements.~~

**Objective 6:** ~~Through the time horizon of the plan, there shall be no instances of Privately Owned Public Water Plant failures or breakdowns. Privately-owned water treatment plants and systems shall operate within County, state, and federal regulatory requirements.~~

**Policy 6.1:** ~~The county shall limit the use of Privately Owned Public Water Plants to areas that meet the following criteria governing connection to the county potable water system:~~

- ~~• Development served by existing Privately Owned Public Water Plants may continue to receive potable water in that manner until centralized service becomes available. At that time, all development within 1/4 mile of a county water line shall connect to the county public potable water system. The County may consider applications for construction and operation of privately-owned water plants where the development is outside the Urban Service Area and if development conforms to policies in the Future~~

Land Use Element. Developments whose potable water system causes a public health problem must connect to the regional system regardless of the distance to water lines.

- ~~Privately owned public water treatment plants shall be allowed in areas of development outside of the Urban Service Area when such development meets the criteria of policies of the Future Land Use Element for:~~

~~Policy 6.2:~~ The county shall ensure that, prior to the issuance of development orders or permits for privately owned public water treatment plants, the applicant has demonstrated that the project complies with the Federal Safe Drinking Water Act, Public Law 93-523; the Florida Safe Drinking Water Act, Section 403.850 – 403.864, FS; Chapter 381, FS; and Rules 62-550, 40C-2, 40C-3, 17-22, and 64E-8, FAC. [Addressed in Policy 6.3]

~~Policy 6.4:~~ To ensure proper maintenance and operation, the Utilities Department shall inspect all privately owned public water treatment plants on an annual basis. [Addressed in other policies]

~~Policy 6.7:~~ The eCounty shall require all future connections to the regional potable water system to be consistent with the attached water and wastewater connection matrix.

Objective 7: By 2020, the number of new private wells permitted annually will not exceed 300. The County will limit the number of permits issued for new private wells.

Objective 8: By 2026, ~~t~~The eCounty will utilize develop alternative water supply sources ~~for at least 18 mgd of demand. The alternative water source will supplement water obtained from~~ in addition to the Upper Floridan aquifer (UFA) system.

~~Policy 8.1:~~ By 2015, the county shall study and identify a viable alternative water source. The County will conduct feasibility studies and assessments of potential alternative water supply sources. The County will continue to evaluate its source water aquifer to mitigate impacts to ELUs through expansion. [ELU = Existing Lawful Use]

Policy 8.2: By 2020, the eCounty shall obtain all necessary permits to construct the associated infrastructure related to the alternative water support facilities. The County shall incorporate potential alternative water supply projects in the 5-year Capital Improvements Plan.

Policy 8.3: By 2023, the eCounty shall complete all construction plans and specifications associated with the alternative water supply facilities.

~~Policy 8.4:~~ By 2025, the county shall complete the construction of all infrastructure associated with the alternative water supply facilities. [Consolidated with Policy 8.2]

Objective 9: By 2015, all reverse osmosis water treatment plant direct brine discharges into the Indian River lagoon will be eliminated. The County shall eliminate brine discharge from the nanofiltration water treatment process to the Indian River Lagoon.

~~Policy 9.1:~~ By 2010, the county shall identify a viable alternative brine discharge method for the South County RO Plant.

~~**Policy 9.2:** By 2012, the county shall obtain all necessary permits to construct the associated infrastructure related to the brine disposal facilities.~~

~~**Policy 9.3:** By 2013, the county shall complete all construction plans and specifications associated with the brine disposal facilities.~~

~~**Policy 9.4:** By 2015, the county shall complete the construction of all infrastructure associated with the brine disposal facility for the south county RO plant, and the facility shall be operational.~~

#### **NEW Objective 10: Water Supply Planning**

The County shall plan for its water needs and maintain a Water Supply Facilities Work Plan, as required by Florida Statutes.

**Policy 10.1:** The County shall maintain a Water Supply Facilities Work Plan (Work Plan) that is coordinated with SJRWMD's Central Springs / East Coast Regional Water Supply Plan (CSEC RWSP). The Work Plan and related comprehensive plan policies shall be updated, as necessary, within 18 months of an update of the CSEC RWSP that affects the County. [CSEC/RWSP = Central Springs/East Coast/Regional Water Supply Plan]

**Policy 10.2:** The County's 10-Year Water Supply Facilities Work Plan (2023-2033) is incorporated into the comprehensive plan as Appendix A of the Potable Water Sub-Element.

**Policy 10.3:** The Water Supply Facilities Work Plan shall identify the traditional and alternative water supply projects, along with the water conservation and reuse practices, necessary to meet the County's existing and future water demands.

**Policy 10.4:** The Water Supply Facilities Work Plan shall address those projects identified in the SJRWMD CSEC RWSP for Indian River County, and selected by the county for implementation, and any associated implementation schedule.

**Policy 10.5:** The County will monitor and participate, as necessary, in the City of Vero Beach's water supply planning process to ensure that the City's utility accounts for and meets the current and future water needs for the respective unincorporated area within the City's service area.

## **Solid Waste Sub-Element**

Indian River County's third major Element is comprised of five (5) sub-elements, which altogether are commonly referred to as an Infrastructure Element. The purpose of the Infrastructure Element is to ensure the availability of wastewater, potable water, solid waste, natural groundwater, and stormwater facilities to meet the existing and projected demands within the County. The Infrastructure Element establishes level of service standards and aims to effectively manage growth and maintain environmental quality while providing safe and adequate facilities for residents and visitors. The *third* sub-element of the Infrastructure Element is the Solid Waste sub-element.

A summary of the changes that are proposed for the Solid Waste Sub-Element are as follows:

- ◊ Avoid definitive determinations, such as the use of "always" in Objective 1
- ◊ Confirm and update the status of anticipated facilities, such as the Biosolids Facility
- ◊ Continue to emphasize recycling and educate the public to reduce the amount of solid waste
- ◊ Revised the Level of Service to 1.4 tons per equivalent residential unit per year.

These recommended changes are important to improve this Element which protects the citizens, as well as the built and natural environment in the County.

**Objective 1:** Through the time horizon of the plan, the active segment of the landfill will always have sufficient capacity to accommodate demand.

**Policy 1.1:** Design for additional disposal cellsegments of the landfill shall be completed before the active cellsegment of the landfill is at 750% of its capacity, and construction of additional cellsegments shall begin when the active cellsegment is at 7560% of its capacity in order to ensure that the established level of service will be maintained. The current projected capacity and/or lifespan of Segment 3 Cells 1-8 is through the year 2074. This lifespan is contingent upon rigorous recycling and recycling education as well as the unknown factors of population growth and economics.

**Policy 1.2:** New development within the Indian River County Solid Waste Disposal District (SWDD) service area shall continue to be approved only when capacity is available at the active cellsegment of the landfill. If the active cellsegment of the landfill is at 980% of its capacity and a new segment is not ready, additional development shall not be permitted.

**Policy 1.3:** The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by new development:

21.4 tons per capita equivalent residential unit. for permanent population plus weighted seasonal population per year or 4 cubic yards per permanent population plus weighted seasonal population per year

**Policy 1.5:** The SWDD shall maintain a comprehensive solid waste management master plan and shall prepare annual summaries of demand and capacity information for the active segment of the landfill. All future expansion of the landfill and the SWDD facilities shall be consistent with the adopted solid waste level of service standards.

~~Policy 1.6: The SWDD shall maintain at least 3 years of disposal capacity available at all times.~~

~~Policy 1.7: The County shall continue to provide countywide solid waste services to all of the County's municipalities and the unincorporated portion of the County by providing landfill capacity for solid waste disposal, by administering a countywide recycling program, and by studying and implementing new technologies. On-going Ongoing studies shall identify the following:~~

- New technologies for recycling; to include Materials Recovery Facility (MRF), balers, compactors, sorting machines, and education center with classroom for recycling education.
- New methods for safe solid waste disposal;
- Assessment of the feasibility of implementing these new technologies in Indian River County; and
- Cost/benefit analyses for promising technologies.

~~Objective 2: Through the time horizon of the plan, there will be no cases of Improper management or illegal disposal of hazardous waste in the County shall be discouraged and penalized.~~

~~Policy 2.3: The County will continue to require all septic haulers operating in the County to dispose of septic at the Gifford Wastewater Treatment Plant or other sites approved by FDEP until the proposed new Biosolids Facility at the County Landfill is open. [Regulated by the FDEP]~~

~~Policy 2.4: The SWDD shall provide convenient locations at which residents can drop off household hazardous materials free of charge. The County shall maintain its charge mechanism for the collection and management of special wastes such as C&D debris, bio-hazardous waste, and other wastes needing special collection, handling, and disposal.~~

~~Policy 2.7: The County shall close its existing C&D debris landfill cell and switch to co-disposal operation whereby C&D debris is disposed of in a lined Class I landfill commingled with MSW. [Completed policy]~~

~~Policy 2.9: The County shall cooperate with the FDEP and USEPA to continue to perform regular inspections of private licensed waste handlers to ensure that bio-hazardous waste, generated by medical establishments and handled by private firms, is properly managed. When improper management of bio-hazardous waste is found during an inspection, the FDEP and USEPA will may take enforcement action. The County shall continue to inspect for the bio-hazardous waste from the solid waste that enters the landfill.~~

~~Policy 3.6: All future expansion of the landfill and the SWDD facilities shall be consistent with the adopted solid waste level of service standards. [Consolidated with Policy 3.7]~~

~~Objective 4: By 2020, the County will continue to strive to have increased the portion of solid waste recycled to 30% of its waste stream.~~

~~Policy 4.2: By 2022 2030, the SWDD shall re-evaluate establishing a mandatory solid waste collection system that serves properties within the County's Urban Service Area. Upon the establishment of mandatory door-to-door garbage collection, the SWDD shall evaluate the need for and the level of service required from the customer convenience centers. [Partially completed policy]~~

**Policy 4.5:** The SWDD, through radio and newspaper advertisements, informational brochures, the County's website and other (similar) media, or through special events, shall provide general public education on the importance and benefit of the recycling program.

**Policy 4.6:** ~~By 2020, t~~The SWDD shall continue to evaluate the feasibility of the maximum recovery of recyclables from the County garbage stream and their conversion to useful products.

**Policy 4.7:** ~~By 2020, t~~The SWDD shall evaluate the feasibility of transferring the County's solid waste to another regional facility for disposal of solid waste.

## **Natural Groundwater Aquifer Recharge Sub-Element**

Indian River County's third major Element is comprised of five (5) sub-elements, which altogether are commonly referred to as an Infrastructure Element. The purpose of the Infrastructure Element is to ensure the availability of wastewater, potable water, solid waste, natural groundwater, and stormwater facilities to meet the existing and projected demands within the County. The Infrastructure Element establishes level of service standards and aims to effectively manage growth and maintain environmental quality while providing safe and adequate facilities for residents and visitors. The *fourth* sub-element of the Infrastructure Element is the Natural Groundwater sub-element.

A summary of the changes that are proposed for the Natural Groundwater Sub-Element are as follows:

- ◊ Reframe GOPs such as “there will be no...” to “The County will take measures to protect....” To provide the County a level of flexibility without compromising the need
- ◊ Confirm regulatory authority as appropriate, such as the ability of the County to regulate the location of septic systems and permit stormwater management structures directly
- ◊ Promote anti-urban sprawl land use practices, such as clustered development and “agrihoods” which are a type of planned community that integrates agriculture into a residential neighborhood, to be consistent with other Goals, Objectives and Policies

These recommended changes are important to improve this Element which protects water quality.

**Goal:** To protect the function of natural groundwater ~~aquifer~~ recharge areas, to prevent the contamination of groundwater ~~and to extend the life span of the county's aquifers through water conservation, and to promote sustainability of the County's aquifers.~~

**Objective 1:** ~~Through 2020, there will be no instances of contamination of groundwater aquifers or public supply wells within the county. For the purpose of this objective, water quality will be based on primary and secondary maximum contaminant levels (MCLs), as defined by the FDEP in Chapter 17-550, F.A.C. The County will take measures to protect its sources of drinking water within the Upper Floridan aquifer and public supply wells within the county against regulated contaminants, such that treated drinking water can meet primary and secondary maximum contaminant levels (MCLs), as defined by the FDEP in Chapter 62-550, F.A.C.~~

**Policy 1.1:** ~~By 2010, the County shall update as needed the Surficial Primary Recharge Overlay District (SAPROD) map using a geographic information systems (GIS) format.~~

**Policy 1.2:** ~~By 2012, the county will assist the SJR WMD and FDEP in developing a Wellhead Protection Area (WHP A) map for Indian River County by providing the following information:~~

- ~~the location of existing public wellheads;~~
- ~~the proposed location of future public wellheads; and,~~
- ~~potential conflicts between existing and future land uses and public wellhead protection areas.~~

~~The WHPA map will be compatible with the county's G.L.S. database. [Address in County LDRs Section 931.04]~~

~~Policy 1.3: The county shall continue to prohibit the location of septic systems within two hundred feet of a public water supply well, unless otherwise approved by the FDEP or HRS. The County shall coordinate with the Florida Department of Health and the Florida Department of Environmental Protection to ensure onsite sewage treatment and disposal systems (septic systems) are appropriately located in accordance with state laws and regulations to prevent potential contamination of public water supply wells. [County does not have the authority to regulate septic systems]~~

~~Policy 1.4: The county, through its stormwater permitting processes, shall ensure that storm water management structures, except those located within the SAPROD, are designed to function as aquifer recharge areas. [Unfeasible policy]~~

~~Policy 1.5: The eCounty shall continue to protect existing and future public water supply wells, as defined under Chapter 65 550, F.A.C., from contamination by continuing to implement Chapter 931 of the County's land development regulations (LDRs) and by prohibiting any non-residential land use which stores, handles, or produces a toxic degradation or petroleum-based product, or any substance regulated under 40 CFR 302, 40 CFR 122.21, and/or Chapter 487, F.S. from locating within 1,000 feet of a public water supply well. The minimum radial separation distances for land uses and structures from public wellhead regulated areas are as follows, unless superseded by more stringent setback requirements per Chapter 62-532, F.A.C. or Chapter 62-521, F.A.C:~~

- ~ 200 feet for on-site disposal systems, unless approved by the FDEP or DRS;
- ~ 300 feet for wet retention/detention areas, unless approved by the SJRWMD;
- ~ 500 feet for landfill and/or transfer stations, above ground or underground storage—tanks, feed lots and animal facilities, and WWTP effluent discharges, unless approved by the FDEP;
- ~ 1,000 for any mining and/or excavation of waterways or drainage facilities which intersect the water table.

~~Policy 1.7: The county shall continue to prohibit injection wells for the disposal of wastewater. The County will promote beneficial reuse of treated wastewater to the maximum extent feasible to minimize or avoid the need for disposal via injection wells.~~

~~Objective 2: Through 2025, there will be no reduction. The County will work with the SJRWMD to achieve no net reduction in the availability of groundwater from the surficial aquifer. For the purpose of this objective, water quantity will be based on SJRWMD's most recent regional groundwater model.~~

~~Policy 2.2: The county shall use natural groundwater aquifer recharge areas for passive parks and open space. Parks and open space shall be developed in such a manner to allow the passive recharge of the surficial aquifer.~~

~~Policy 2.3: To ensure preservation promote protection of the surficial aquifer, the eCounty shall continue to issue permits for all proposed excavation/mining projects in the unincorporated county that are exempt from SJRWMD and/or FDEP permitting requirements. For proposed excavation/mining projects that are located along the Atlantic Coastal Sand Ridge and are exempt from SJRWMD and/or FDEP permitting requirements, the eCounty shall prohibit the following:~~

- ~ excavation within 1,000 feet of a public supply wellfield;
- ~ excavation within 1,000 feet of any platted subdivision not serviced by potable water; and,
- ~ excavation that results in an average elevation less than 25 feet above mean sea level.

**Policy 2.4:** The eCounty shall preserve the ~~aquifer recharge~~ hydraulic function of palustrine wetlands by adopting the Comprehensive Wetlands Management Program, as described in the Conservation Element.

**Policy 2.5:** The eCounty will require all wet detention/retention ponds where practical and feasible with a surface area greater than one (1) acre be designed to utilize for irrigation to maximize the beneficial use of stormwater runoff for irrigation.

**Policy 2.6:** ~~By 2011, the county shall contact the U.S. Geological Survey and request an updated county-wide geohydrologic survey.~~ **[Outdated policy]**

**Objective 3:** ~~Through 2025, there will be no reduction in the availability of groundwater from the Floridan aquifer. The County will work with the SJRWMD to achieve no adverse impacts to the availability of groundwater from the Upper Floridan aquifer.~~ For the purpose of this objective, Floridan aquifer quantity will be based on SJRWMD's most recent regional groundwater model.

**Policy 3.2:** The eCounty shall coordinate with the SJRWMD and the IRFWCD to encourage the use of low volume irrigation systems to prevent over pumping from the Floridan aquifer.

**Policy 3.3:** The eCounty shall continue to require that new developments install a minimum of 50% water-conserving ~~xeriscape plant~~ Florida Landscape material, as specified in the Landscape ordinance.

**Policy 3.6:** The eCounty shall implement the policies of Potable Water Sub-Element Objective 8.

**Objective 4:** ~~By 2012, Indian River County will develop and maintain~~ have written intergovernmental coordination agreements with local governments and state agencies to ensure protection of the natural groundwater aquifer system.

**Objective 5:** By ~~2015~~2035, the County shall protect a minimum of 1000 additional acres of aquifer recharge areas for the surficial aquifer through conservation easements and fee simple acquisition compared to 2009 baseline data.

## **Stormwater Sub-Element:**

Indian River County's third major Element is comprised of five (5) sub-elements, which altogether are commonly referred to as an Infrastructure Element. The purpose of the Infrastructure Element is to ensure the availability of wastewater, potable water, solid waste, natural groundwater, and stormwater facilities to meet the existing and projected demands within the County. The Infrastructure Element establishes level of service standards and aims to effectively manage growth and maintain environmental quality while providing safe and adequate facilities for residents and visitors. The *fifth* sub-element of the Infrastructure Element is the Stormwater sub-element.

A summary of the changes that are proposed for the Stormwater Sub-Element are as follows

- ◊ Update terminology (e.g., drainage system to stormwater management system)
- ◊ Reframe County goals to be achieved “to the maximum extent practical” rather than setting all or nothing goals
- ◊ Remove specific standards that can or should be referenced in other official documents, such as the County Code or engineering documents
- ◊ Revise or remove GOPs related to proposed improvements or activities which have already been accomplished. Indicate whether the program is ongoing or define the new goal date
- ◊ Verify consistency within the sub-element, such as between Policy 3.1 and Policies 2.9 and 2.10
- ◊ Consider developing a funding plan as part of a Stormwater Master Plan for the County
- ◊ Ensure consistency with State standards
- ◊ Collaborate with appropriate agencies to develop and implement plans for surface water management projects

These recommended changes and updates to the Stormwater Sub-Element are important to ensure the prevention of runoff pollution and reduce flooding within the community.

**Goal:** Indian River County shall provide and maintain a system which reduces the risk of property damage and inconvenience from long term flooding, promotes stormwater recharge of the shallow aquifer, reduces stormwater pollutant loading of the Indian River Lagoon and receiving waters and provides proper floodplain management; an efficient and effective stormwater management system which, to the maximum extent practical, provides proper floodplain management; reduces risk of property damage and promotes personal safety; promotes stormwater recharge of the shallow aquifer; minimizes erosion and water quality degradation; and reduces stormwater pollutant loading of the Indian River Lagoon and receiving waters.

**Objective 1:** By 2030, all existing and new development in the unincorporated section of Indian River County will be protected from flooding from a 25 year/24 hour storm event. To the maximum extent practical where attainable, by 2030, the County shall actively manage a floodplain program to minimize flood risk for existing development within the unincorporated section of Indian River County. New developments will continue to meet current or more stringent regulations as may be passed from time to time.

**Policy 1.1:** The eCounty hereby adopts the following level-of-service standard for all new drainage systems within the unincorporated eCounty: New development requiring major site plan approval or subdivision platting, where impervious area exceeds 5,000 square feet, shall construct a drainage system capable of mitigating the impacts of a 25 year/24 hour design rainfall event using the Natural Resource Conservation Service (NRCS) Type 2 modified rainfall curves (FLMOD). Post development runoff shall not exceed pre-development runoff unless a maximum discharge rate has been adopted for the applicable drainage basin and the discharge does not exceed that rate. If a maximum discharge rate has not been adopted for the applicable basin, post development discharge may not exceed pre development discharge. In cases where downstream flooding has occurred the 100 year/24 hour design rainfall event shall be considered.

**Policy 1.2:** The finished floor elevation of any new building constructed within a SFHA}, as designated on the most current Flood Insurance Rate Maps (FIRMs) of the National Flood Insurance Program (NFIP), shall be subject to the following requirements:

→ "AE" zone structures must be elevated a minimum of six (6) inches above the base flood level; "A" zone structures must be elevated a minimum of 18 inches above the crown of the road or at the elevation required by the DHRS, whichever is higher; if no base flood data are available, the structure must be elevated at least three (3) feet above the highest natural elevation or the ground surface prior to construction next to the proposed walls of the structure;

→ "VE" zone structures must be elevated so that the bottom of the lowest horizontal structural member of the lowest floor is elevated one half (1/2) foot or more above the base flood level. All new buildings shall be above the 100 Year storm event along with any required appropriate freeboard protection. Elevations shall be defined by Flood Insurance Rate Maps, National Flood Insurance Program requirements, engineering studies and as defined in the County Stormwater Management and Flood Protection ordinance and codes.

**Policy 1.3:** The eCounty shall ensure that adequate storm water management facilities are constructed and maintained to prevent major flooding of the road network of Indian River County during storm events.

**Policy 1.5:** All major bridges shall be designed to withstand a 100 year/3 day storm event. At a minimum, all bridges either being replaced or requiring structural designs for repairs shall be placed above the 100-year flood elevation / FIRM / FIS elevation when located on an arterial roadway or thoroughfare plan road as defined in LDR 952.08 to allow for safe emergency passing. All other bridges shall be placed above the storm frequency and duration in accordance with FDOT Drainage Manual. All bridges shall be designed for hydraulics, scour, and to be structurally in accordance with FDOT design manuals, index and specifications. [Best engineering practices]

**Policy 1.7:** Within all new subdivisions, wide appropriately sized backlot and front yard drainage easements, as well as side lot swales to provide for localized runoff routing, will be required where centralized retention/detention facilities are not provided.

**Objective 2:** By 2020, all drainage basins in Indian River County shall, at a minimum, meet the Flood Protection Level of Service (FPLoS) for a 10 year/24 hour storm event. Stormwater Management Facilities shall meet current or more stringent regulations as may be passed from time to time.

**Policy 2.1:** ~~In existing developments, the county shall reconstruct existing drainage systems and restore design capacity when road paving is programmed under the county's Petition Paving Program. Under the County's Petition Paving Program, Stormwater Management Systems associated with the road shall be repaired, reconstructed, or rehabilitated to meet LDR stormwater management facility design criteria.~~

**Policy 2.2:** By ~~2020~~2040, to the maximum extent practical, all existing reconstructed roadways in the eCounty shall be improved to meet the following level-of-service standard:

1. Minimum road crown elevation for existing roads shall be raised during resurfacing/rebuilding to the flood elevation resulting from the 2-year/24-hour storm event on local streets.
2. The center two lanes of rebuilt roads shall be at or above flood levels resulting from a 10 year/24-hour storm event on Arterial and, Collector and Thoroughfare Plan roads as defined by Land Development Regulations Chapter 952 – Traffic.

**Policy 2.2:** By ~~2012~~2040, all drainage basins within the eCounty shall meet a 10-year /24-hour storm event level-of-service standard.

**Policy 2.4:** The cCounty shall require all new development sites to be designed with stormwater management systems considering low-impact design best management practices and design criteria that increase the removal of nutrients from stormwater discharges to ensure reductions of any pollutant loadings to a water body. Stormwater management systems shall be consistent with the design and operation regulations adopted by the Florida Department of Environmental Protection and the St. Johns River Water Management District retention systems capable of accommodating 1.25 times the impervious surface area, or 01.5 inches times the project area.

**Policy 2.5:** By ~~2012~~, the county will adopt a Stormwater Master Plan. In developing the Stormwater Master Plan, the county will analyze each basin in the unincorporated county, identify existing conditions and problems in each basin, and identify projected growth in each basin. As a result of that analysis, the county will identify a design storm parameter, discharge rate, land use allowance, and structural improvement plan for each basin. The county will coordinate with the City of Sebastian and will prioritize analysis of the areas within and adjacent to the St. Sebastian River basin. [Covered in Objective 3 of this Sub-Element]

**Policy 2.6:** To ensure stormwater management facilities function properly, the eCounty will continuously evaluate and adjust established defined levels of maintenance practices for public and private stormwater management facilities and will conduct inspections on a routine basis.

**Policy 2.9:** By ~~2012~~2027, the eCounty will conduct a comprehensive inventory of all stormwater management facilities in all ~~of~~ the drainage sub-basins under the county's jurisdiction.

**Policy 2.10:** By ~~2012~~2030, the eCounty shall establish a Geographic Information System (G.I.S.)-based inventory of all stormwater management facilities under the county's jurisdiction.

**Objective 3:** ~~By 2012, Indian River County will have an adopted Stormwater Master Plan, which will guide all incorporate all improvements to publicly maintained stormwater management facilities in Indian River County over a 20-year time frame in the Capital Improvement Plan.~~

**Policy 3.1:** ~~By 2027, Indian River County will complete a stormwater Management Plan, which will guide all improvements to stormwater Storm water Mmanagement Ffacilitiesy Improvements shall be~~

~~included within the Indian River County Infrastructure CIP. A 20 Year Improvement Program for storm water management facilities will be included as part of the Indian River County Stormwater Master Plan, once adopted.~~

**Policy 3.4:** By 2030~~12~~, with the Stormwater Management Plan, the eCounty shall consider establishing a stormwater utility to fund maintenance and improvements of existing stormwater management facilities.

**Objective 4:** By 2011, Indian River County ~~will have~~ has established and continues to nurture formal cooperative relationships with the incorporated municipalities and F.S. 298 Special Drainage Districts having jurisdiction in Indian River County.

**Policy 4.2:** By 2010, the county, in cooperation with the SJRWMD, shall request a formal meeting with representatives from all of the F.S. 298 Special Drainage Districts in the county to discuss the following issues: ~~conducting comprehensive basin inventories, adopting maximum discharge limitations, and setting level of service standards for water quality and flood protection.~~ **[Outdated policy]**

**Policy 6.1:** The eCounty will continue to require on-site retention/detention in accordance with SJRWMD and FDEP performance standards, as outlined in the Storm water Management and Flood Protection ordinance.

**Policy 6.2:** ~~The county will continue to require reuse of storm water runoff for irrigation of golf courses and other developments with wet detention/retention ponds with a surface area greater than one acre. The County will continue to request that the lowest quality of water available be used for irrigation purposes in accordance with SJRWMD program requirements.~~

**Policy 6.3:** ~~By 2012, the county shall explore the feasibility of developing storm water parks in the unincorporated county to recharge the surficial aquifer.~~

**Objective 7:** Consistent with ~~the Central Indian River Lagoon Basin Management Action Plan, the County shall endeavor to maintain Water Quality Level of Service (WQLOS) DCA Rule 9J-5.011(2)(e)(5), the county shall maintain Water Quality Level of Service (WQLOS) based on Pollutant Load Reduction Goals (PLRGs) established by the SJRWMD for the Indian River Lagoon and, when available, based on Total Maximum Daily Load (TMDL) standards established for the Lagoon.~~

**Policy 7.1:** The eCounty shall cooperate with the IRLNEP, SJRWMD, FDEP, ~~FDOH, DHRS, Marine Resources Council (MRC)~~, and other organizations in conducting an inventory pollutant loadings to the Indian River Lagoon (IRL).

**Policy 7.2:** Where practical, ~~the eCounty will reduce the loading of suspended solids within storm water runoff by paving unpaved county roads within developed areas where the roads' drainage systems discharge into the IRL either directly or indirectly.~~

**Policy 7.5:** ~~Indian River County will continue to require sodding or grassing of steep slopes constructed in conjunction with all Transportation Improvement Projects. Indian River County will require sodding or stabilization for all disturbed soils consistent with state and federal requirements.~~

**Policy 7.6:** In accordance with Program Goal I of the Indian River Lagoon Comprehensive Conservation and Management Plan and Goal I of the Surface Water Improvement Management (SWIM) Plan, the eCounty shall reduce continue to pursue the reduction of the amount of non-point source pollution entering the Indian River Lagoon by applying for SWIM funds and Section 319 Grants to funding assistance through available sources to improve the pollutant removal efficiency of existing stormwater management facilities and, where feasible, to construct new regional stormwater management facilities.

**Policy 7.7:** The county shall work towards the elimination all point sources of pollution from private sewer plants and septic tanks contributing to water quality problems and nutrient enrichment of the Indian River Lagoon and the Upper St. Johns River Basin (as indicated in the Sanitary Sewer Sub-Element policies) by:

- ~ Where practical, continuing to expand sanitary sewer service within the Urban Service Area;
- ~ Requiring annual evaluation of private sewer plants;
- ~ Requiring monitoring of septic tanks;
- ~ Reusing irrigation quality wastewater for spray irrigation;
- ~ Requiring new developments to connect to a regional wastewater treatment facility; and
- ~ Other policies contained the Sanitary Sewer Sub-Element.

**Policy 7.8:** In compliance with the Indian River Lagoon Act of 1990, the eCounty shall continue to comply with existing regulations prohibiting the discharge of effluent from domestic wastewater treatment plants into the Indian River Lagoon.

**Policy 7.9:** The eCounty, in cooperation with the Indian River Soil and Water Conservation District (IRSWCD), shall advise all existing and newly Agricultural Exempt properties require all new groves and replanted groves to implement conservation plans, and non-structural best management practices (BMPs) as required by State of Florida Statutes. Non-structural BMPs, as defined by the Natural Resource Conservation Service (NRCS), include land use planning, preservation of wetlands and floodplains, education, and erosion control. BMPs (Best Management Practices) shall be in accordance with the Florida Department of Agricultural and Consumer Services (FDACS), the Natural Resources Conservation Service (NRCS), and the St. Johns River Water Management District (SJRWMD) or other applicable BMP manuals as allowed by FDACS. The County shall create a single web page providing education directly to Agriculturally Exempt properties. Web page shall be referenced by all County permitting departments.

**Policy 7.10:** Until Total Maximum Daily Load (TMDL) standards are established for the Indian River Lagoon by the DEP, the county will continue to require, as a minimum, retention of the first one (1) inch of rainfall prior to off site discharge. Consistent with Chapter 17-25.025(9), F.A.C., an additional 50 percent treatment (1.5 inches) is required for all direct discharge into the Indian River Lagoon due to its designation as an Outstanding Florida Water (OFW). [Addressed in County LDRs]

**Policy 7.13:** The county shall pursue grant funding to establish storm water filtration systems on the North and South Main Relief Canals. [Handled in other documents – CP policy not needed]

**Policy 8.3:** The eCounty shall promote infill development by improving and maintaining the existing drainage facilities public management facilities in the developed areas of the eCounty.

## **Transportation Element:**

The purpose of the Transportation Element is to plan for a multi-modal transportation system that is safe and meets the needs of residents and visitors. This Element encourages improved transportation and mobility planning, establishes Level of Service (LOS) Standards for the major roadways, and recognizes the need to provide transportation alternatives to increase accessibility and provide a comprehensive transportation system. A summary of the changes that are proposed for the Transportation Element are as follows:

- ◊ Review and revise thresholds and levels of service standards based on new FDOT Context Class LOS and other Policies
- ◊ Incorporate Proportionate Share into appropriate Policy Language
- ◊ Remove Traffic Impact Study requirements in favor of referring to County Code
- ◊ Encourage incorporation of FDOT's "Target Zero" principles in the design of transportation facilities

These recommended changes are important to better reflect the current and future transportation needs, assess bicycle, pedestrian, and public transit systems, assist in emergency management processes such as hurricane evacuation routes, and prevent excessive vehicle congestion.

**Objective 1:** The eCounty acknowledges that there are no existing roadway capacity deficiencies within the County. Through 20402045, the county traffic circulation system will continue to operate at or above the minimum service levels specified in policy 1.1.

**Policy 1.1:** The eCounty hereby adopts traffic circulation level of service standards as follows:

- Level of service "D" or better shall be maintained on all TRIP grant funded roads as well as all freeway, arterial and collector roadways with the exception of the following two, which will operate at 20% in excess of level of service "E":
  - 27th Ave – South County Line to SR 60
  - 43rd Ave – Oslo Road to 16th Street
- Level-of-Service "D" plus 20% during peak hour, peak season, peak direction conditions on the following roads until such time that a major capacity improvement, as specified below, is constructed. At such time that the major capacity improvement is constructed, the level of service for that improved road shall be "D" during peak hour, peak season, peak direction conditions,
  - CR510 – 66th Avenue to US Highway 1 (scheduled for widening)
  - 37th Street – US Highway 1 to Indian River Boulevard (scheduled for widening or alternately mitigated by extension of Aviation Boulevard from US 1 to 37th Street)

During the time period before major capacity improvements are provided for these two roads, proposed major development projects approved by the planning and zoning commission or board of county commissioners that will impact either or both of the roads may, based on a traffic study approved by the Public Works Director, be approved with conditions related to provisions for interim roadway improvements that mitigate project impacts on one or both roads.

For SIS/Florida Intrastate Highway System roadways, targets of level of service "B" are desirable for ~~is adopted for~~ rural areas, and level of service "C" is desirable adopted for urban areas.

**Policy 1.4:** A development project shall be approved for purposes of transportation concurrency if the projected impacts of the project does not serve to reduce service levels of any roadway on the traffic circulation system below the standards identified in Policy 1.1, or if proportionate share for the identified roadway improvement is provided. Conditions applicable to this policy are as follows:

- Development projects shall be defined as any activity which requires issuance of a development order. This includes: comprehensive plan amendment, rezonings, site plan approval, preliminary plat approval, preliminary PD approval, DRI development order approval, preliminary PD approval, and DRI development order approval. Projected project traffic shall be based on the application of ITE trip rates (Trip Generation, 127th Edition or subsequent editions), Indian River County trip rates, or applicant derived/county approved trip rates for the proposed use(s) to the project.
- Existing service level will be derived by using the peak hour/peak season/peak direction traffic volume ranges. Volume shall be the sum of existing demand plus committed demand. This is described in the concurrency management system component of the Capital Improvements Element.
- Capacity shall be calculated as specified in the state road category of the appropriate table in the most current version of Florida's Level of Service Handbook, using peak hour/peak season/peak direction default table assumptions and appropriate adjustment factors. As an alternative, capacity may be determined by ART-PLAN analysis, HCM analysis, speed delay studies, or other generally accepted capacity determination methodology approved by the Public Works Director. For capacity determination purposes, a roadway improvement may be considered to be in place and the capacity to be provided by the improvement may be counted as available if the referenced improvement is listed in the first three years of the county's adopted five Year Schedule of Capital Improvements (appendix A of the Capital Improvements Element) or in the first three years of the adopted Florida Department of Transportation five year work program, is scheduled to be under construction not more than three years after issuance of the project's first building permit, and where the county issues a development order for the project needing the improvement approving this allowance.

If based on the above analysis the proposed development does not meet approval requirements, the developer may choose to conduct a more detailed traffic impact analysis as described in Policy 1.5.

**Policy 1.5:** The eCounty through its land development regulations, shall require submission of a traffic impact study for all projects projected to generate/attract 400 or more average daily trips. in compliance with Code of Ordinances Chapter 952.07.

The traffic impact study will be the basis for identifying site related improvements required by a project as well as for assessing consistency with adopted level of service standards.

Minimum requirements for traffic impact studies are described below:

— All traffic impact studies shall be performed by registered professional engineers who specialize in transportation engineering and/or by qualified professionals in the field of transportation planning who specialize in traffic impact studies.

— The study area boundary shall include all intersections within 8 miles of the project where the project generated peak hour traffic meets or exceeds 8 trips on a 2 lane road or 15 trips on a 4 or more lane road. Projected project traffic shall be based on the application of ITE trip rates (Trip Generation, Current Edition), Indian River County trip rates, or applicant derived/county approved trip rates for the proposed use(s) in the project.

~~Trip distribution and assignment shall be based on one of the following techniques:~~

~~a) Trip distributions based on studies of existing similar developments in proximity to the proposed site.~~

~~b) Experienced judgment and knowledge of local condition. This method requires approval and concurrence from the county.~~

~~e) A combination of "a" and "b".~~

~~d) Special zip code analysis for a representative land use in proximity to the proposed site.~~

~~e) FSUTMS travel model results including trip tables by trip purpose.~~

~~f) Gravity model.~~

~~Existing levels of service shall be calculated for all signalized and major unsignalized intersections within the study area for afternoon peak hours during the peak season. Existing peak hours will be identified from traffic counts between 7:00 and 9:00 a.m., 11:30 a.m. and 1:30 p.m., and 4:00 and 6:00 p.m., using 15 minute intervals. Counts not taken during the peak season shall be factored, based on county traffic counts in the project area, to represent peak season conditions. Level of service calculations shall be based on the Operational Analysis methodology described in the latest edition of the Highway Capacity Manual.~~

~~Future levels of service shall be calculated for the buildout date of the proposed project, as well as for any intermediate development phases. Conditions with and without the proposed development shall be evaluated and documented. Conditions with the development shall be based on a combined traffic volume of the projected peak hour/peak season traffic generated by the site and the projected peak hour/peak season background traffic. The background traffic shall be calculated based on one of the following methods:~~

~~a) Increase the existing peak season traffic to the buildout date based on historical growth trends over a minimum of 5 years and a maximum of 10 years. Traffic generated by committed developments, which would impact the study area, shall also be included subject to appeal to reviewing agencies.~~

~~b) Increase the existing peak season traffic to the buildout date based on an interpolation using traffic volumes projected by the county. The county reserves the right to require method "a" to be used if it feels traffic projections may be inaccurate due to recent changes in land use or roadway improvements.~~

~~Roadway improvements which are committed and scheduled to be complete at or before the project buildout, or development phase date, may be included when calculating future levels of service.~~

~~Roadway improvements, which are necessary to maintain projected peak hour peak season peak direction conditions at a level of service consistent with Policy 1.1, shall be identified.~~

**[Policy 1.5 is covered in Chapter 952 of the County's LDRs]**

**Policy 1.7:** By 2023, the county shall consider imposing part or all of the ELMS one to five cent local option gas tax. **[Policy completed]**

**New Policy 1.7:** By 2030, the County will study and consider a mobility planning approach in lieu of transportation concurrency.

**Policy 1.12:** The County hereby adopts the 2040~~5~~ Cost Feasible Plan projects list (Table 4.9.3) and, in so doing, acknowledges the MPO Long Range Transportation Plan as the means of maintaining level of service and mobility in the county.

**New Policy 1.13:** The County shall adopt traffic-calming standards and designs to address concerns about the speed of "cut-through" traffic. Traffic calming improvements shall be constructed with project interconnections where necessary. **[previously Policy 4.6 in the FLU Element]**

**Objective 2:** For the period from 2009 to 2030, crash and fatality rates per vehicle mile traveled will be reduced ~~at least by by at least 1% each year across the five previous year rolling average. The County shall incorporate FDOT “Target Zero” principles in the design of transportation facilities.~~

**Objective 3:** By 2035~~40~~, the eCounty will ~~have acquired~~~~seek to acquire~~ the right-of-way needed for all county collector and arterial roads and all mass transit corridors within the urban area where improvements are identified in the 2040~~5~~ Cost Feasible Long Range Transportation Plan.

**Objective 4:** Through 2030~~5~~, 80% percent of roadways in Indian River County will operate at Bicycle and Pedestrian Level of Traffic Stress 3 or better. Bike/Ped LOS “D” or above.

**Policy 4.1:** The eCounty hereby adopts the MPO Bicycle/Pedestrian Plan. Implementation of the plan in the unincorporated county will occur through the incorporation of improvements identified in that plan in its TCIP. The plan will be used as a basis for applying for and programming federal enhancement project funds. Funds will be used to program improvements such as the construction of new bicycle and pedestrian lanes and paths, and the retrofit of existing lanes and paths. The implementation schedule will be determined by the priority ranking of each roadway segment as contained in the MPO Bicycle/Pedestrian Plan. The following programs shall also be implemented by the county according to the plan: an off-road facilities program, a safety improvement program, and a mode shift program. These programs will be implemented as the funding, right-of-way, or other necessary resources become available. The Plan shall be updated every 5 years and shall include a summary of bicycle and pedestrian improvements that have been implemented since the previous update.

**Policy 4.2:** By 2020~~28~~, the eCounty shall evaluate utility easements, railroad rights-of-way and drainage canal rights-of-way as locations for off road trails. This evaluation will be based upon safety and cost considerations as well as negotiations with appropriate agencies which control these easements and rights-of-way.

**Policy 4.8:** The eCounty will install bike-ped signals at all new signalized intersections ~~and will install bike racks on its buses.~~

**Objective 6:** By 2015~~28~~, the eCounty will have a system which ensures that all transportation requirements, procedures, and improvements are coordinated with all applicable governmental entities and will have entered into two new formal coordination agreements with adjacent local governments. This coordination shall continue through the time horizon of this plan.

**Policy 6.4:** The eCounty will coordinate with CareerSource Research Coast, the Sebastian and Vero Beach Chambers of Commerce, local businesses, other MPOs and FDOT to develop regional TDM programs. The county will participate in Regional Transit Authority activities with other Treasure Coast T/MPOs and the Space Coast TPO. The county will coordinate with FDOT and the Florida East Coast Railroad (FEC) on future passenger rail service.

**Objective 7:** Through 2030~~45~~, the eCounty’s transit system will continue to operate at or above the minimum service level specified in policy 1.1.

**Policy 7.3:** The eCounty shall hereby adopts the MPO’s Transit Development Plan as amended by the MPO.

**Objective 8:** By 203045, all three geographic sub-areas of Indian River County will have a jobs-housing balance between .8 and 1.2

**Objective 9:** Through 203045, all future county aviation and intermodal facility expansion will be developed in a manner consistent with existing and future land use.

**Objective 10:** Between 2009 and 2030, the total number of vehicle miles traveled in Indian River County will increase by no more than the rate of growth of the overall population of Indian River County. [No longer statutorily required]

**Objective 11:** Through 203045, the County will ensure that all bridges on major roads have a structurally safe rating and at least 80% of major roads have a pavement maintenance rating of 3.0 on the 5-point Federal Highway Administration scale.

## **Economic Development Element:**

The Economic Development Element sets forth the County's policies for economic growth and diversification. Economic Development contributes not only to the tax base for the County but it also creates opportunities for residents and entrepreneurs.

A summary of the changes that are proposed for the Economic Development Element are as follows:

- ◊ Remove specificity of data, such as specific FY dollar amounts
- ◊ Update the planning horizon, targets, and timeframes

The proposed changes are important for Indian River County to understand existing conditions, constraints, and opportunities, all of which are necessary to strategically increase Economic Development. Minimal changes, however, are recommended for this element.

**Objective 1:** Through the plan time horizon, the eCounty's will endeavor to maintain its average annual unemployment poverty rate will be no more than one percentage point higher than the State of Florida's average annual unemployment rate as reported by the Florida Agency for Workforce Innovation, Labor Market Statistics Center, Local Area Unemployment Statistics Program, in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics (2007 average annual unemployment rate: Florida = 4.0% and Indian River County = 5.8%).

**Objective 2:** Between 2025+0 and 2045+0, Indian River County will increase the number of jobs in the eCounty's new high wage target industries by 1,000.

**Policy 2.2:** The eCounty shall encourage the expansion of existing industries and attraction of new industries that are within the target industries list (Policy 2.5) by offering the following county adopted economic development incentives and assistance: "The county shall encourage the expansion of existing industries and attraction of new industries that are within the target industries list (Policy 2.5) by offering the following county adopted economic development incentives and assistance:

- Local Jobs Grant Program;
- Traffic, Water, and Sewer Impact Fee Financing;
- Utility Deposit Waivers;
- Expedited permitting;
- Maintenance of sufficient infrastructure capacity (roads, water, sewer);
- Provision of Industrial Revenue Bonds;
- Provision of job training through Indian River State College;
- Provision of workforce training incentives from CareerSource Research Coast;
- Assistance with federal or state grant applications (such as Community Development Block Grants);
- State Qualified Target Industry Tax Refund Program; and

**Objective 4:** By 2030+5 and as may be needed to support the local economy, the eCounty and municipalities within the County shall identify have at least two additional opportunities to encourage established industrial/business/technology/research parks (for a total of 4 parks) with sufficient land and

adequate infrastructure to accommodate new or expanding businesses. At least one of these parks should be developed for Biotech/research/technology industries.

**Objective 5:** By ~~2030~~<sup>2011</sup>, there will be an adopted Interlocal agreement between the County and the municipalities that provides for coordinated economic development funding and economic development activities.

**Objective 6:** Through the plan time horizon, ~~the County will work to encourage tourism will increase within the County, in order to maximize to the point that by FY 2014/15 the County's annual local option tourist tax revenue, will be at least \$1,600,000 (FY 2007/08 tourist tax revenue = \$1,496,835.35).~~

## **Capital Improvements Element:**

The Capital Improvements Element ensures the fiscal capability of the County to fund needed public facilities, guides the funding of those identified improvements, and schedules the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required. The Capital Improvements Element is updated annually, so few changes are expected to be necessary. A summary of the changes is as follows:

- ◊ Update Planning Horizon and agency references, e.g., the Florida Department of Economic Opportunity (DEO) recently rebranded to Florida Commerce
- ◊ Duplicative policies (between the Capital Improvements Element and other Elements) were identified, but it was noted that these may be kept without issue for ease of reference

These proposed amendments are minor in nature but would improve the accuracy of the Element, ensuring it can be implemented appropriately. A capital improvements plan is a necessary tool in implementing the Comprehensive Plan as a whole, and this will ensure the needs of the community will continue to be addressed and met.

**Policy 1.2:** The eCounty and the School District shall undertake only those capital improvements included within this element's adopted capital improvements program. Pursuant to Section 163.3177(3)(b) F.S., the Capital Improvements Element will be reviewed every year. If any facility identified in the Schedule of Capital Improvements is delayed or deferred in construction, or is eliminated from the capital improvements program, and this delay, deferral, or elimination will cause the level-of-service to deteriorate below the adopted minimum level of service standard for the facility, a comprehensive plan amendment will be required to adjust the Schedule of Capital Improvements. The annual update of the capital improvement element shall be done with a single public hearing before the Board of County Commissioners and a copy of the ordinance amending the Capital Improvements Element shall be transmitted to ~~DEO~~the state land planning agency.

**Objective 2:** Through 2045~~30~~, development in coastal high hazard areas will not increase beyond the density or intensity levels indicated on the current Future Land Use Map.

**Policy 2.1:** The coastal high hazard area is defined as the area of the county designated as evacuation zones for a category one hurricane.

**Objective 3:** Through 2045~~30~~, adopted levels-of-service will be maintained for all concurrency facilities.

**Objective 4:** Through 2045~~30~~, new developments will bear a proportionate share of the cost required to maintain adopted level-of-service standards.

**Objective 5:** Through 2045~~30~~, the eCounty will ensure that it is able to fund and provide required services and facilities.

## **Housing Element:**

Neighborhoods play an important part in determining the vitality, stability, and way of life of the residents within a community. The Housing Element ensures that there is adequate and safe housing for all current and anticipated future residents of Indian River County. A summary of the changes that are proposed for the Housing Element are as follows:

- ◊ Add Policy under Objective 1 related to Accessory Dwelling Units (supports Vision).
- ◊ Continue to encourage infill development to prevent urban sprawl.
- ◊ Clarify expedited permit review process – This does not need to be defined in Plan, but it is discussed in Policies 1.6, 1.8, and 1.9, and one must consider how these function together. The exact process should be defined in a separate policy document for ease of amendment.
- ◊ Implement more generalized language in objectives and policies to reduce need for frequent text amendments.
- ◊ Promote universal design.
- ◊ Two new policies are suggested under Objective 8 which reflect historic preservation, as well as the rehabilitation and adaptive reuse of historically significant housing.

The proposed changes are important for the County to maintain its current housing stock, to promote infill development as a context-sensitive solution, and to be prepared to adapt quickly to changing community needs. The recommendations outlined also encourage the County to collaborate with other municipalities and entities.

**Vision:** Goals, objectives, and policies considered appropriate for assuring an adequate and affordable supply of housing in the eCounty, conservation of the housing stock, prevention of blight and removal of blight-housing, and identification of roles and responsibilities for achieving stable housing conditions in the eCounty are set forth in the following section. The County will coordinate with adjacent Counties and municipalities within the County to provide affordable, attainable housing.

**Goal:** The County will work to ensure a sufficient supply of decent, safe, sanitary housing options, including affordable housing, that is responsive to the diverse housing needs of the County's existing and future population, while encouraging the preservation and enhancement of the County's existing housing stock and historic structures. A housing supply which permits all households to enjoy safe, healthful, and affordable living accommodations which meet accepted standards of affordability and which are located in pleasant environments where a sense of civic pride and personal well-being can be achieved. [Reworded for clarity and consistency with remainder of Element]

**Objective 1:** By 2020, tThe County shall strive to reduce number of owner occupied households paying more than 30% of their income for housing will be less than the 19% of owner occupied households paying more than 30% of their income for housing in 2000, while the number of renter occupied households paying more than 30% of their income for rent will be less than the 39% of renter occupied households who paid more than 30% of their income for rent in 2000. [Removed target date and percentage baselines. Generalized objective for achievability]

**Policy 1:** By 2015, The County Planning Department shall continue to monitor all codes, ordinances, regulations, policies and procedures regarding residential development review and construction shall be

~~reviewed by the Community Development Department staff to determine their impact on housing development costs. Those components which unnecessarily increase the cost of housing without impairing the health, sanitation, fire safety, structural integrity and maintenance requirements shall be eliminated.~~

**Policy 1.2:** ~~The county shall encourage infill development by providing infrastructure to infill areas, removing blighting influences, stabilizing neighborhoods, and providing private developers with information regarding available funding.~~ **[Discussed in other policies]**

**Policy 1.3:** The County shall coordinate with the Florida Housing Finance ~~Agency Corporation~~ (FHFA) to identify federal, state and other sources of funding, such as Community Development Block Grant (CDBG) funds and Low-Income Housing Tax Credit Program funds, earmarked for very low-, low-, and moderate-income housing and actively pursue those funds for local use by applying for funds when appropriate. The eCounty shall also assist and support private applicants applying for these funds.

**Policy 1.4:** The eCounty shall continue to participate in housing bond programs (such as the Escambia County bond program) ~~in order~~ to provide below market rate loans to very low-, low-, and moderate-income households for home purchases. The county shall inform financial institutions of the availability of the bond programs.

**Policy 1.5:** ~~By 2012, the eCounty shall, establish and maintain a web based permitting process, and the County will regularly request and review user feedback to determine what changes are necessary to ease or better the online permitting process.~~

**Policy 1.6:** ~~The County shall maintain timeframes for reviews in its land development regulations. The county shall take all necessary steps to eliminate delays in the review of affordable housing development projects. In order to define delay, the county hereby establishes the following maximum timeframes which may be modified upon Board priorities and staffing considerations for approval of projects when an applicant provides needed information in a timely manner:~~

- ~~• Administrative approval – 5 days;~~
- ~~• Minor site plan – 5 weeks;~~
- ~~• Major site plan – 6 weeks;~~
- ~~• Special exception approval – 13 weeks.~~

~~Whenever these review times increase by 150% or more due to the work load of the review staff, the county will begin prioritizing the review of affordable housing development project applications. In prioritizing affordable housing development project applications, staff will schedule affordable housing project applications for review before other types of project applications to ensure that maximum review timeframes are not exceeded for affordable housing projects.~~ **[Addressed in Chapter 914 of the County's LDRs]**

**Policy 1.7:** As part of the adoption process for any eCounty regulation which could affect housing development, eCounty planning staff shall prepare a Financial Impact Statement (FIS) to assess the anticipated impact of the proposed regulation on the cost of housing. When proposed regulatory activities are anticipated to increase the estimated cost per unit for the development of housing, the ~~Financial Impact Statement~~ FIS shall include an estimated increased cost per unit projection. The ~~financial impact statement~~ FIS then will be reviewed by the ~~Professional Services Advisory Committee~~, the Planning and Zoning Commission, and, if possible, the Affordable Housing Advisory Committee. Those groups shall consider the regulation's effect on housing cost in making their recommendation to

the BOCC Board of County Commissioners. The BOCC Board of County Commissioners will consider the financial impact statement FIS in making its final decision on the adoption of any proposed regulations.

**Policy 1.8:** The eCounty shall expedite permits review for the following types of residential housing projects:

- Residential projects utilizing new construction technologies, including green building programs and Energy STAR® Program and/or other technologies to support alternatives beyond Green and Energy STAR®.
- Residential projects near transportation hubs, major employment centers, and mixed-use developments.
- Affordable/Attainable housing developments
- Farmworker housing developments

The County shall establish, by resolution or ordinance, policies and procedures for expedited review, including rules for prioritization and defining delay as it relates to expedited reviews.

**[Consolidates the topic of expedited permit review into one policy and calls for the establishment of policies and procedures *outside* of the Plan]**

**Policy 1.9:** The county shall support housing developments near transportation hubs, major employment centers, and mixed-use development by expediting the permit process for these types of housing projects.  
**[Addressed in the County's LDRs]**

**Policy 2.2:** Indian River County shall continue to designate on its future land use plan map sufficient land area with adequate density to accommodate the projected 2020 2030 population of 184,400. Accordingly, the county's Future Land Use Map residential designations vary in density from 1 unit per acre to 10 units per acre. All of this residentially designated land is located within the Urban Service Area where adequate infrastructure is available to accommodate a wide variety of housing types, including mobile homes, farmworker housing, housing for very low-, low-, and moderate-income households, and group homes and foster care facilities. The Urban Service Boundary (USB) Study conducted in 2025 found that sufficient capacity is available within the existing USB to accommodate the projected growth through the 2050 planning horizon. As structured, the county's land use designations accommodate housing units with a wide range of costs and physical characteristics (lot sizes, setbacks, and land use mixes). These future land use map designations are situated to allow for residential development that has:

1. Proximity to public transportation, employment centers, recreational facilities, and community services such as shopping, personal services, schools, daycare facilities, and health care facilities; and
2. Compatibility with adjacent land uses and existing neighborhoods.

The County's Residential Land Use Districts

District	Net Acres	Max Density	Type of Residential Development
M-2	1071	10	MF, SF, Mobile Home, Farmworker housing, Group homes
M-1	5158	8	MF, SF, Mobile Home, Farmworker housing, Group homes

L 2	13532	6	MF, SF, Farmworker housing, group homes
L 1	12574	3	MF, SF, Farmworker housing, group homes
R	956	1	SF, Farmworker housing, group homes

**[Updated target year and removed extemporaneous information]**

**Policy 2.5:** The eCounty shall maintain its affordable housing density bonus provision for planned development projects, allowing eligible affordable housing projects with a market value of affordable housing units not to exceed 2 ½ times the eCounty's median household income, to receive ~~up to a~~ between 10% - 20% density bonus based on the following table.

Very Low Income (VLI) and Low Income (LI) Affordable Units as Percentage of Project's Total Units	Density Bonus (Percent increase in allowable units)	Additional Density Bonus for Providing Additional Buffer and Landscaping based on one of the following options (percent increase in allowable units)		Range of Possible Density Bonus Percentage (Percent increase in allowable units)
		Option I	Option II	
More than 30%	10%	5% or	10%	10% - 20%

**Objective 3:** ~~By 2015, the County will strive to keep the number of sub-standard housing units (units lacking complete plumbing and units with no heating facilities) below 5%. will be 10% less than the number of sub-standard units identified in 2010 census.~~

**Policy 3.1:** ~~The Indian River County shall continue to enforce its adopted Maintenance Code, as identified in the LDRs. Property Maintenance Code shall continue to be the county's standard for public health, safety, and welfare with regard to occupancy limits based on unit size, provision of adequate plumbing facilities, and prevention of exterior physical deterioration. This code will be enforced by the building division and code enforcement section staffs.~~

**Policy 3.4:** ~~The county shall improve the appearance of housing units within low income neighborhoods by participating in the World Changers Program. [Outdated policy]~~

**Objective 4:** ~~Annually, at least 40 as many income eligible households as feasible will receive assistance through eCounty's local housing assistance program.~~

**Policy 4.3:** ~~The county shall maintain its current policy of financing water and sewer capacity charges for newly constructed housing units. [Outdated policy]~~

~~**Policy 4.5:** The county shall enter into interlocal agreements with any county municipality which, because of unusually high property values or coastal high hazard area constraints, cannot meet its affordable housing needs within its jurisdiction, and desires to contribute to the Housing Trust Fund. The amount and method of payment will be established prior to execution. [Rolled into Policy 9.2]~~

~~**Policy 4.10:** The eCounty shall assist non-profit housing organizations in establishing Community Land Trusts (CLTs) and Community Development Corporations (CDCs) by providing technical support to those organizations.~~

~~**Policy 4.11:** The county shall assist non-profit organizations in establishing Community Development Corporations (CDC) by providing technical support to those organizations. [Consolidated with 4.10]~~

~~**Policy 4.13:** The county shall create a new private/public housing trust fund. [No longer pursued]~~

**Objective 5:** ~~By 2020, the eCounty, through assessment process or grants, will have provided paved roads, drainage facilities, and/or centralized water systems to at least 5 additional existing subdivisions currently without sufficient infrastructure.~~

~~**Policy 5.2:** The county shall send a memorandum to property owners of subdivisions lacking infrastructure to inform them of opportunities for obtaining infrastructure improvements to existing neighborhoods. [Discontinued policy]~~

**Objective 6:** ~~By 2020, The County will have sufficient lands in residential areas to accommodate group homes and care facilities and will have at least 1,215 beds in group homes and care facilities.~~

**Policy 6.3:** The eCounty shall enact regulations requiring that all foster and group home developments include barrier-free incorporate universal design features.

~~**Policy 6.4:** The eCounty shall maintain its land development regulations that allow group homes and foster care facilities in all residential districts. Group homes must obtain a valid license from the Department of Children and Families and meet all the requirements of Ch. 419, F.S.~~

**Policy 6.5:** The eCounty shall provide supporting infrastructure and public facilities needed for the development of group homes, foster care facilities, and residential care facilities within the Urban Service Boundary.

~~**Objective 7:** Through 2015, Indian River County will preserve the existing farmworker housing stock and ensure that there will be no net loss in the number of farmworker housing units within the county (in 2009, farmworker camps in the county had a 414 person capacity). to the greatest extent possible.~~

**Policy 7.1:** In accordance with the Future Land Use Element and in alignment with the County's Visioning Study, the eCounty shall provide assistance to help private agricultural businesses to secure funding for construction and/or rehabilitation of farmworker housing. The county's assistance will include, but not be limited to, providing information regarding rural and farmworker housing needs, ensuring the availability of lands with sufficient density and adequate infrastructure to support farmworker housing developments, and providing funding assistance for farmworker housing development.

**Objective 8:** ~~By 2020, at least 200 of Indian River County's historic properties will be in excellent or good condition. The County shall preserve housing resources identified as historically significant and, where possible, maintain these resources for residential uses or adaptive reuse.~~

**Policy 8.1:** ~~Technical assistance shall be provided by the County staff to individuals and organizations having individual or collective interests in conserving historic or architecturally significant structures, neighborhoods, and areas. Assistance will, at a minimum, include preparation of applications for the Historic Preservation Grants In Aid program administered by the Division of Archives, History and Records Management Bureau of the Florida Department of State. The County shall assist property owners of historically significant housing in applying for and using available state and federal assistance programs.~~

**Policy 8.2:** The eCounty shall maintain and implement its Historic and archeological resource protection Ordinance. (Ch. 933, LDRs).

**New Policy 8.3:** ~~The County shall encourage the continued identification, analysis, and preservation of the County's historical resources. Such efforts may include determination of their significance and vulnerability, as well as implementation of historic preservation management policies.~~

**New Policy 8.4:** ~~The County shall assist in the rehabilitation and adaptive reuse of historically significant housing through available technical and economic assistance programs. These efforts shall be coordinated with the State Division of Historical Resources (DHR).~~

**Objective 9:** ~~By 2012, Indian River County will have continue to engage in interlocal agreements with the municipalities within the eCounty to provide housing assistance to very low-, low-, and moderate-income households as well as ensure local jurisdictions are able to provide sufficient affordable housing.~~

**Policy 9.2:** ~~The county will inform the municipalities within the county of the existence of the county's housing trust fund and of the opportunity for the municipalities to contribute to the fund in order to meet their share of county housing needs. The County shall enter interlocal agreements with any county municipality which, because of unusually high property values or coastal high hazard area constraints, cannot meet its affordable housing needs within its jurisdiction, and desires to contribute to the Housing Trust Fund. The amount and method of payment will be established prior to execution.~~

## **Conservation Element:**

The Conservation Element sets the foundation for the County to protect and preserve its natural environment and resources. The Element ensures resiliency and protects the quality of natural systems within the community. A summary of the changes that are proposed for the Conservation Element are as follows:

- ◊ Substantial removal of codified regulations, with reference to said regulations replacing the specific details in the Plan.
- ◊ Define what size qualifies as small as it relates to the County's wetland mitigation policy.
- ◊ Remove guidance on what factors the "Land Acquisition Guide" must include, in favor of following the recently established Land Acquisition Process created by Conservation Lands staff following Resolution 2022-016 (environmental bond referendum).
- ◊ Revise the criteria for reviewing lighting plans for beachfront development.
- ◊ Incorporate the Beach Preservation Plan

These recommended changes are important to the ongoing conservation measures in the County.

**Objective 1:** Through ~~2020~~2045, air quality within Indian River County will continue to exceed state and federal minimum ambient air quality standards.

~~Policy 1.1: The county shall require that a burn permit be issued by the Fire Division prior to allowing burning of land clearing debris associated with development within the Urban Service Area. Issuance of a burn permit will be contingent upon the use of an air curtain incinerator, minimum separation distance from residential developments, wind direction, and/or any other conditions imposed by the Fire Division. The County shall regulate land clearing debris burning through the Land Development Regulations (LDRs).~~

**Policy 1.2:** In coordination with the ~~Office~~ Bureau of Radiation Control and the Indian River County Health Department, the county shall make available information on the detection and control of radon gas.

~~Policy 1.3: The county shall coordinate with the State Division of Forestry to ensure that appropriate fire prevention methods are implemented for the burning of land clearing debris outside the Urban Service Area. [Regulated in County LDRs, Chapter 925]~~

~~Policy 1.4: To reduce air borne pollution, the county will ensure that land clearing and tree removal associated with urban development meets the criteria contained in county land development regulations. These criteria include, but are not limited to: phased clearing, minimizing cleared areas, and stabilizing cleared areas with ground cover. Bona fide agricultural operations will remain exempt from permitting requirements. [Regulated in County LDRs, Chapter 927]~~

**Objective 2:** By ~~2020~~2045, water quality throughout the Indian River Lagoon and the St. Sebastian River shall, at a minimum, meet State Class III water quality standards, and State Class II standards, where practicable.

**Policy 2.1:** Consistent with Policy 2.1 of the Coastal Management Element, the county hereby adopts the State designation of Class II- "shellfish propagation or harvesting," as defined in the FDEP's 2008-2022 Surface Water Quality Standards report, as the minimum water quality standard for the following portions of the IRL located within Indian River County: from the north county line south to the CR 510 causeway east of the Intracoastal Waterway (ICW); south of the CR 510 causeway to the North Relief Canal, and from the ~~northern tip of Round Island SR 60~~ to the south county line.

**Policy 2.4:** ~~The county shall require Storm water Pollution Prevention Plans (SWPPs) for all new development projects that are subject to site plan or plat approval. [Regulated in County LDRs, Chapter 930, and through NPDES permitting requirements]~~

**Policy 2.5:** ~~Consistent with SJRWMD Rule 40C-2, F.A.C. Consumptive Use Permit requirements, the county shall prohibit the use of Floridan aquifer artesian flow wells to recharge new artificially created surface waterbodies in conjunction with urban development, except for four inch or less diameter wells with working valves. [Rule 40C-2 no longer contains this]~~

**Policy 2.7:** ~~The eCounty shall prohibit the creation of new navigable canals or waterways connected to the Indian River Lagoon or St. Sebastian River. Excavation of any existing canal shall not be for the purpose of obtaining fill. Maintenance dredging of existing artificial navigable canals shall be the minimum necessary to accomplish the dredging purpose and shall be permitted in accordance with FDEP Rule 40C-4.051(11)(b), F.A.C., and under Section 10 of the Rivers and Harbors Act of 1899, as administered by the U.S. Army Corps of Engineers with FDEP and the USACE.~~

**Policy 2.8:** ~~The county, in its land development regulations, shall require littoral zone vegetation plantings for artificially created ponds on project sites exceeding ten (10) acres in area. When littoral zones are required, the following minimum requirements shall apply:~~

- ~~— A minimum of 30 percent of the waterbody surface area or 21 square feet per lineal foot of shoreline, whichever is less, shall be planted with native littoral vegetation, and shall be maintained permanently as part of the waterbody;~~
- ~~— A minimum of one (1) tree, consisting of a native freshwater wetland species, shall be planted for every 500 square feet of littoral zone coverage;~~
- ~~— The water management system shall be designed to prevent siltation and eutrophication;~~
- ~~— A design and management plan, specifying remedial methods for correcting potential siltation, eutrophication, and/or infestation by nuisance species, shall be required;~~
- ~~— Consistent with Florida Administrative Code (FAC) Section 40C-42.026(4)(d), the planted littoral zone area shall consist of a 6:1 or flatter slope. [Moved to Chapter 934 of the LDRs]~~

**Policy 2.9:** ~~Consistent with Policy 4.2 of the Stormwater Management Sub-Element, the eCounty shall, by 2012, request a formal meeting with representatives from all of the F.S. 298 Special Drainage Districts in the eCounty to discuss the following issues: conducting comprehensive basin inventories, adopting maximum discharge limitations and pollutant load reduction goals (PLRGs), and setting level-of-service standards for water quality and flood protection.~~

**Policy 2.11:** Consistent with Policy 7.6 of the Stormwater Management Sub-Element, Program Goal I of the Indian River Lagoon Comprehensive Conservation and Management Plan and Goal I of the Surface Water Improvement Management (SWIM) Plan, the county shall reduce the amount of non-point source pollution entering the Indian River Lagoon by applying for SWIM funds and Section 319

Grants to improve the pollutant removal of efficiency of existing stormwater management facilities and where feasible, to construct new regional stormwater management facilities.

~~**Policy 2.12:** By 2010, the county will expand sanitary sewer service to all areas identified throughout the county by the SJRWMD as being "high" and "medium" priority areas of pollutant loading from on-site (septic) disposal systems. [Completed policy]~~

~~**Policy 2.15:** The county shall monitor water quality data available from other agencies for the Indian River Lagoon and St. Sebastian River to determine the success or failure of water quality improvement projects, including the St. Sebastian River muck removal project, the Sebastian Stormwater Park, the Main Relief Canal Pollution Control Facility, and the Spoonbill Marsh project, and use the information to assess the need, design, and location of future water quality improvement projects. [Repeated in Policy 2.11 in Coastal Element]~~

**Policy 2.16:** The eCounty shall seek support federal and state funding for implementation of the Indian River Lagoon Master Plan and Management Plan Comprehensive Everglades Restoration Plan.

**Policy 2.17:** The County shall continue to implement the St. Sebastian River and Indian River Lagoon Aquatic Preserve Shoreline Protection Buffer Zone, as regulated in County LDR Section 929.07. ~~For parcels created after June 18, 1991 along the St. Sebastian River, a 100 foot shoreline protection buffer shall be provided. The shoreline protection buffer shall be measured from the mean high water mark of the river or 50 feet from the landward boundary of jurisdictional wetlands along the river or any tributary, whichever is greater, to any construction. For parcels of record which existed prior to June 18, 1991, a 50 foot shoreline protection buffer for unplattd parcels, and a 25 foot buffer for existing platted lots is required on land parcels bordering the St. Sebastian River or an Indian River Lagoon aquatic preserve, measured from the mean high water line to any construction. In no case, however, with reference to parcels or lots of record which existed prior to June 18, 1991, shall the buffer(s) exceed twenty percent (20%) of the parcel or lot depth perpendicular to the applicable waterway. Shoreline protection buffers shall not apply to platted lots with existing seawalls.~~

—o Within the shoreline protection buffer, no development shall be permitted with the exception of docks, boat ramps, pervious walkways and elevated walkways which provide the property owner with reasonable access to the waterway.

—o No more than twenty percent (20%) or 25 feet, whichever is greater, of any shoreline may be altered for reasonable access. Native vegetation in the remainder of the shoreline protection buffer shall remain unaltered, except as may be allowed through county trimming regulations.

—o Shoreline alteration shall be prohibited, unless it is in the public interest or prevents or repairs erosion damage, or provides reasonable access to the water, does not adversely impact water quality, natural habitat or adjacent shoreline uses, and is permitted by all applicable jurisdictional regulatory agencies. [Addressed in Section 929.07 of the County LDRs]

**Policy 2.18:** The eCounty shall take actions recommended in the 2008 update to the Indian River Lagoon Master Plan and Management Plan Comprehensive Conservation and Management Plan (CCMP), including actions to eradicate invasive flora and fauna, reduce sedimentation and assess potential climate change impacts to lagoon resources.

**Objective 3:** Through 2025, there will be The County shall continue to maintain no reduction in the quality or quantity of water in either the surficial aquifer or the Floridan aquifer in Indian River County. For the purpose of this objective, water quality will be based on SJRWMD's most current regional

groundwater model.

**Policy 3.1:** Consistent with Policy 1.5 of the Natural Groundwater Aquifer Recharge Sub-element, the eCounty shall continue to enforce existing LDRs land development regulations that protect existing and future public water supply wells from contamination by prohibiting any non-residential land use which stores, handles, or produces a toxic or petroleum-based product, or any substance regulated under 40 CFR 3 02, 40 CFR 122.21, and/or Chapter 487, F.S., from locating within 1,000 feet of a public water supply well. The following minimum radial separation distances shall apply to the previously mentioned land uses:

- 200 feet for on-site disposal systems, unless approved by the FDEP or DHRs;
- 300 feet for wet retention/detention areas, unless approved by the SJRWMD;
- 500 feet for landfill and/or transfer stations, above ground or underground storage tanks, feed lots and animal facilities, and WWTP effluent discharges, unless approved by the FDEP;
- 1,000 feet from surficial aquifer public supply wells for any mining and/or excavation of waterways or drainage facilities which intersect the water table.

**Policy 3.3:** By 2010, the county will update the Surficial Aquifer Primary Recharge Overlay District (SAPROD) map into a Geographic Information System (G.I.S.) format. **[Map updated]**

**Policy 3.6:** By 2012, the county will establish The County will continue to enforce an emergency water conservation plan consistent with the SJRWMD's District Water Shortage Plan, as specified in Chapter 40C-21, F.A.C. The eCounty's emergency water conservation plan shall include the following criteria:  
~ local enforcement procedures relating to the District Water Shortage Plan;  
~ availability of public information on water conservation techniques; and  
~ advertisement of water restriction requirements and water conservation techniques in the local press during drought conditions.

**Policy 3.7:** By 2012, the county will coordinate with the SJRWMD and the FDEP to delineate and establish scientifically based wellhead protection areas (WHPAs) for all public water supply wells.  
**[Policy Completed]**

**Policy 3.8:** By 2015, the county shall obtain an updated countywide geohydrological study with seismic profiles, or comparable data. **[Redundant to Groundwater Policy 2.6]**

**Objective 4:** Through 20202045, the County will strive for there will be no reduction in flood storage capacity or the other natural functions and values of floodplains in Indian River County.

**Objective 5:** Through 2020, tThere will be no net loss of the natural functions and values of wetlands or deepwater habitats in Indian River County, where practical and feasible.

**Policy 5.2:** Indian River County shall require the restoration and management of wetlands as mitigation for the limited filling of degraded wetlands, provided that the following criteria, as defined in LDR Chapter 928, are met and FDEP and/or SJRWMD regulations are met.

- The benefits of the restoration and management of natural functions shall offset the losses of wetland functions associated with the limited wetland filling;
- A conservation easement shall be established to ensure protection; in addition, Indian River Mosquito Control District (IRMCD) will be granted access easements to allow for mosquito inspection;

~~treatment, and management; and~~

~~~ The restoration and management plan shall be consistent the Uniform Mitigation Assessment Method (UMAM) utilized by FDEP and SJRWMD, and with U.S. Army Corps of Engineers regulations, as defined in Section 404 of the Clean Water Act.~~

**Policy 5.3:** Indian River County shall require a buffer zone of native upland edge vegetation to be retained around wetland and open water habitats which are constructed or preserved on new development sites. Buffer width and exceptions to this requirement can be found in Land Development Regulations Section 928.07.

**Policy 5.4:** In recognition of the many natural functions and values of estuarine wetlands, and in recognition of the need to protect these resources from incompatible land uses for the sake of the public interest, ~~all the environmentally sensitive estuarine wetlands habitats shall be deemed environmentally sensitive and are designated C-2, Estuarine Wetlands Conservation within the Conservation District~~, on the comprehensive plan future land use map. Consistent with Future Land Use Policy 1.31, the specific boundaries of estuarine wetlands and the C-2 designation shall be determined on a site-by-site wetland survey basis.

**Policy 5.5:** The eCounty shall continue to accept fee-in-lieu payments as a last alternative for mitigation of wetlands alteration when on-site mitigation is not practicable, but only when consistent with the State's Uniform Mitigation Assessment Method (UMAM) and only in cases where the affected wetland is a small (~~less than 0.50-acre~~), isolated, disturbed wetland with minimal functional value. Funds obtained from fee-in-lieu payments will be earmarked for acquisition, restoration, or management of similar wetlands elsewhere in the eCounty.

**Objective 6:** ~~Using 2008 conservation land acreage as a baseline, Indian River County shall, by 2020, continue to preserve a minimum of 500 additional acres of upland native plant communities to sustain viable populations of native plant and animal species and protect representative stands of each habitat type in Indian River County. The additional acreage Such lands~~ shall be preserved through the establishment of conservation easements and/or fee simple acquisition.

**Policy 6.2:** ~~Using 2008 conservation land acreage as a baseline, the county shall, by 2015, restore and manage, or assist in the restoration and management of, a minimum of 100 additional acres of xeric scrub vegetation in coordination with the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC), to ensure that use and management of the property is compatible with the maintenance of viable populations of endemic plants and/or animal species. The following sites shall be included: the North Sebastian Conservation Area Addition; the Cypress Bend Community Preserve; and the Sand Lakes Conservation Area. The County shall restore and manage, or assist in the restoration and management of, xeric scrub vegetation at the North Sebastian Conservation Area Addition, Cypress Bend Community Preserve and the Sand Lake Conservation Area, in coordination with the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC), to ensure that use and management of the property is compatible with the maintenance of viable populations of endemic plants and/or animal species.~~

**Policy 6.4:** The eCounty shall continue to ~~pursue their land acquisition process to obtain ecologically valuable parcels, review its environmental land acquisition guide on a regular basis, and shall update the guide as deemed appropriate.~~

a. ~~The land acquisition guide shall include factors to be considered to assess and prioritize acquisition proposals, such as:~~

- 1. resource values/physical features, such as proximity and value to other resources, recreational trail systems and greenways;
- 2. environmental values, such as lands verified or expected to support rare, endangered, or threatened species;
- 3. water quality protection, such as whether or not such lands buffer natural surface waters or preserve aquifer recharge areas;
- 4. management considerations, such as feasible multiple public use of the property, compatible with resource conservation;
- 5. financial considerations, such as funding availability;
- 6. market considerations;
- 7. social and economic values, such as historic preservation, environmental education, recreation, and scenic aspects;
- 8. agriculture protection, such as preservation of active agricultural use lands through the acquisition of agriculture conservation easements; and
- 9. the need for acquisition to protect the natural community where appropriate protection cannot be afforded by land development regulations.

b. The land acquisition guide shall identify methods of land acquisition to be considered that may be appropriate, depending on any given proposal, including purchase, donation, exchange, installment sale, and use of intermediaries (e.g. Natural Conservancy).

c. Land acquisition shall be considered only after all "non acquisition" options for environmentally sensitive or environmentally important lands protection have been explored and rejected as inappropriate, including easements, rental (lease), withdrawal (public domain), zoning, acquisition by other entities, cooperative agreement, permit restrictions, administrative regulation, and "no action". [A land acquisition process was recently created by Conservation Lands Staff following Resolution 2022-016 (environmental bond referendum), Administered by the Park Dept].

**Policy 6.5:** The eCounty shall require the preservation of native vegetative communities on county-owned land to the maximum extent feasible, in accordance with the LDRs, unless otherwise in the public interest.

**Policy 6.8:** The eCounty shall continue to require the removal of and restrict the planting of nuisance exotic vegetation identified on the Florida Exotic Pest Plant Council's (FLEPPC's) Category I list and the Florida Invasive Species Council Plant List.

**Policy 6.10:** The eCounty shall continue to utilize G.I.S. computer mapping data of vegetative communities, imperiled species, wetlands, cultural resources and other similar available environmental data in the evaluation and regulation of land development activities.

**Policy 6.13:** The eCounty shall continue to prohibit the disturbance of dune vegetation oceanward of the county dune stabilization setback line, with the exception of dune walkover construction and other similar minor structures that may be allowed subject to approval from the FDEP Bureau of Beaches and Coastal Systems permitting requirements.

**Objective 7:** Through 20252040, there will be no reduction in the critical habitat of endangered or threatened aquatic and terrestrial species of flora and fauna occurring in Indian River County. For the purpose of this objective, "critical habitat" is defined as the minimum required sum of environmental conditions in a specific area necessary to sustain a given species. The protection of critical habitat shall be measured and evaluated on a site development basis by the USFWS for each protected species.

~~Policy 7.3: The eCounty shall take measures, as set forth in the policies of Objective 5 and Objective 6 of this element, to protect significant upland, wetland and deepwater communities that provide habitat for threatened or endangered species, as well as non-threatened, non-endangered species. The County shall continue to implement its adopted Wetlands and Deepwater Habitat Protection Ordinance to ensure maximum protection of wetlands and deepwater habitats by discouraging development activities adjacent to or in such areas that may adversely affect wetlands and deepwater habitats, and to encourage restoration of already degraded or destroyed systems. No alteration of wetlands or deepwater habitat shall be allowed unless a wetlands/deepwater habitat alteration permit has been issued by County environmental planning staff.~~

~~Policy 7.4: The county shall regulate land development activities, as set forth in Objectives 1, 7 and 16 of the Future Land Use Element. [Redundant]~~

~~Policy 7.5: By 2011, the county, in cooperation with the FDEP Bureau of Protected Species and Florida Marine Patrol, shall evaluate the need to revise manatee protection and speed zones in certain areas of the St. Sebastian River and the IRL, to protect the Florida manatee and to promote boating safety. The County created a Manatee Protection and Boating Safety Comprehensive Management Plan in 2000. The County shall use this MPP when reviewing proposals for new and expanded multi-slip docking. The County shall continue to enforce the Manatee protection rules that are established by FWC, encourage the regulation of designated manatee speed zones, and promote boating safety.~~

~~Policy 7.8: The eCounty will apply the following criteria when reviewing the lighting plans for beachfront development proposals in the unincorporated county:~~

- ~~a. --No light illuminate any area of the beaches during the period of the year when sea turtles nest (March 1 to October 31). Outdoor lighting shall be held to the minimum necessary for security and convenience;~~
- ~~b. --Floodlights shall be prohibited;~~
- ~~c. --Wall mounted light fixtures shall be fitted with hoods and low wattage bulbs; All exterior light fixtures and pole lights shall be fitted with shields and directed downward so that no light directly or indirectly illuminates the beach. Such lighting shall be lamped with a long wavelength (560 nm) light source such as amber or red-light emitting diodes (LED), low pressure sodium, or true red neon as recommended by the Florida Fish and Wildlife Conservation Commission;~~
- ~~d. --Low-profile downward directed luminaries, with or shields shall be used in parking lots, balconies, and along dune crosswalks; required for pole mounted lighting;~~
- ~~e. --Tinted or filmed glass shall be used in windows and glass doors fronting the ocean on single and multi-family structures; and,~~
- ~~f. --Shielding requirements for pole mounted fixtures and security lighting may be reduced if low pressure sodium bulbs are installed as an alternative to mercury vapor and high pressure sodium bulbs. Tinted or filmed glass shall be used in windows and glass doors within line-of-sight of an observer standing anywhere on the beach on single and multistory structures.~~

~~Policy 7.9: By 2015, tThe eCounty, in cooperation with the USFWS, the City of Sebastian, City of Fellsmere, Indian River County School Board, and other appropriate agencies, will adopt a county-wide countywide Habitat Conservation Plan (HCP) for the federally threatened endangered Florida scrub jay. Cost-share funding for the countywide HCP will be sought from participating municipalities and agencies, and eCounty mitigation funds will be used to fund the County's share of costs.~~

**Policy 7.10:** By 2011, ~~t~~The eCounty will establish one or more state certified recipient sites for relocation of displaced gopher tortoises to eCounty -owned conservation land. In establishing gopher tortoise recipient site(s), the eCounty will collect fees from developers relocating gopher tortoises to eCounty lands, with the fees to be used to fund management of such sites for gopher tortoises. In establishing recipient site(s), the eCounty will identify and reserve certain receiving areas for eCounty government projects.

**Policy 7.11:** The eCounty shall take actions recommended by the Committee for a Sustainable Treasure Coast to sustain quality natural systems in Indian River County, including use of land acquisition, development cluster requirements, conservation easements, transfer of development rights and mitigation banks to conserve natural systems. **[Committee no longer exists]**

**Objective 8:** ~~Using 2008 recreational and open space land acreage as a baseline, t~~The eCounty, by 204520, shall increase, by a minimum of 500 acres, the amount of recreational and open space land accessible to the public for resource-based passive recreation, compatible with natural resource conservation by 20%. All areas credited as meeting the minimum recreation space requirement shall be preserved and maintained as recreation space.

**Objective 9:** ~~Through 2025, t~~The eCounty will shall continue to provide opportunities for the commercial use of natural resources. ~~Notwithstanding, t~~There will be no adverse environmental impacts in Indian River County attributed to the commercial use of natural resources.

**Policy 9.1:** The eCounty, through ~~the LDRs Chapter 934~~, shall regulate and issue permits for all proposed excavation/mining projects in the unincorporated county. County regulations for excavation/ mining projects shall include:

- ~ a requirement that a national pollutant discharge elimination system (NPDES) pollution prevention plans addressing wind and water erosion be depicted on mining site plans and approved by County engineering staff prior to Planning and Zoning Commission review;
- ~ a requirement that baseline water quality data be collected at project outfall points;
- ~ a requirement that applicants monitor discharge at outfall points to ensure no increase in levels of turbidity at outfall points and compliance with state and federal water quality standards; and
- ~ a requirement of comprehensive dust and spillage control plans as part of mining site plans.

**Policy 9.3:** ~~The county shall support the City of Sebastian's efforts to preserve and reestablish working waterfronts in Sebastian by seeking grants to restore the Archie Smith Fish House to a demonstration working waterfront. [The structure was removed]~~

**Objective 10:** ~~Through 2025, t~~There will be no adverse off-site soil erosion impacts associated with land development and agricultural activities, and beach shoreline systems will be stabilized.

**Policy 10.3:** The eCounty shall undertake beach shoreline stabilization activities including continue to implement the Beach Preservation Plan (BPP) including beach shoreline stabilization and conduct updates at least every five years for the following activities:

- ~ monitoring of the experimental Pre-fabricated Erosion Protection ("PEP") reef to determine the need for supplemental beach stabilization, such as sand renourishment;
- ~ determining additional funding sources for public beach stabilization projects, including consideration of establishing a beach taxing district. The County should also continue to use the Tourist Development Tax and the Local Option Sales Tax to match State funds for financing future Indian River County beach projects,

~ coordinating with the Sebastian Inlet Tax District and the City of Vero Beach on beach restoration projects; and

~ continuing meetings of a beach preservation and restoration advisory committee concerning recommendations unrelated issues.

**Policy 10.4:** To protect existing dune communities and reduce shoreline soil erosion, the eCounty shall continue to prohibit development encroachment ~~oceanward of the county dune stabilization setback line (DSSL), excavation or manmade structure seaward of the county dune stabilization setback line (DSSL), with the exception of dune approved dune walkovers and or other similar minor structures subject to approval as defined by the FDEP Bureau of Beaches and Coastal Systems. By 2012, the county will evaluate the location of the DS SL and will consider relocating the DSSL westward.~~

**Policy 10.5:** The eCounty hereby adopts the following specific criteria pertaining to shoreline stabilization within the unincorporated portion of Indian River County and ~~all oceanfront properties lying within the municipal limits of the City of Vero Beach:~~

~ ~~Rigid permanent shoreline protection structures shall be permitted if: The bulkhead or seawall is necessary to protect real property improvements from a twenty-five-year or less intensity storm event, utilizing methods approved by the Division of Beaches as Shores of the Florida Department of Natural Resources;~~

~ ~~Only structures vulnerable to erosion from a 15 year or less storm event shall be permitted to construct rigid shoreline stabilization structures;~~

~ ~~Rigid structures may be permitted if the County engineering department and the Division of Beaches and Shores of the Florida Department of Natural Resources recommendations include the utilization of a rigid structure over other alternatives;~~

~ All shoreline stabilization projects shall be approved by the ~~Community Development Planning and Development Services~~ Department, excluding those projects eligible for an emergency permit under Chapter 161, F.S., as authorized by the Public Works Director;

~ Rigid shoreline stabilization structures shall not be permitted on vacant properties;

~ The ~~subject~~ property owner(s) shall be required to assume responsibility for and agree to mitigate any adverse environmental impacts attributed to the stabilization project, including increased down-drift erosion to the adjacent property, throughout the life of the stabilization project;

~ Construction activity oceanward of the County's DSSL ~~Dune Stabilization Setback Line (D.S.S.L.)~~ shall be avoided to ~~the~~ maximum extent possible; and prohibited during sea turtle nesting season (March 1 to October 31) unless expressly approved by the Florida Department of Environmental Protection (FDEP).

~ The County should continue to enforce its sea turtle protection ordinance in order to protect sea turtles along the County's beaches. Efforts shall be made to make beachfront lighting ordinances within the County uniform;

~ It is the policy of the Indian River County Board of County Commissioners (BOCC) that no light illuminate any area of the beaches of unincorporated Indian River County, Florida, during the period of the year when sea turtles nest (March 1 to October 31). Lighting associated with such construction or development must be in compliance with FWC recommendations;

~ New coastal construction occurring seaward of the primary dune during any portion of the marine turtle nesting season shall be conducted during daylight hours only. Any person who anticipates beginning or continuing coastal construction during any portion of the nesting season or any person whose coastal construction project will permanently alter natural shoreline

characteristics shall prepare a sea turtle protection plan in accordance with FDEP requirements. A copy of the approved sea turtle protection plan shall be provided to the City prior to commencement of construction. Daily logs, monitoring results, and all similar records maintained pursuant to the FDEP-approved sea turtle protection plan shall be provided to the City by the permit holder responsible for implementing and conducting the sea turtle protection plan;

- ~ Restored and stabilized dunes shall be vegetated with authorized native, salt-tolerant plants suited to the beach/dune environment and irrigated by hand watering methods only in a manner that does not broadcast water seaward of the toe of the primary dune;
- ~The County shall enforce the St. Sebastian River and Indian River Lagoon Aquatic Preserve Shoreline Protection Buffer Zone established in the Indian River County Upland Habitat Protection Ordinance.
- ~The preservation of existing native vegetation shall be required along the shoreline. The use of rigid structural alternatives will not be permitted unless non-structural methods have proven ineffective. The proposed seawall is part of a comprehensive plan for shoreline stabilization and revegetation, which includes a mitigation plan for all adversely impacted shoreline and aquatic vegetative species. The proposed seawall is adjacent to buildable upland property and does not increase the seaward (outward) projection of the property. Coordination with reviewing agencies must be complete and permits approved.
- ~ Daily monitoring of sea turtle nesting activity shall be conducted by an individual certified by the FDEP in conjunction with any construction activity oceanward of the D.S.S.L. during sea turtle nesting season. In the event a nest is discovered, the FDEP Bureau of Protected Species Management and the Environmental Planning Section shall be notified immediately. The individual responsible for sea turtle monitoring shall submit a nesting activity report to the Environmental Planning Section and FDEP Bureau of Protected Species Management on a weekly basis.
- ~ All dune vegetation oceanward of the D.S.S.L. removed or damaged as a result of construction activity shall be replanted with native dune vegetation material capable of obtaining a minimum height of four (4) feet above the existing grade within two (2) years of planting; The contractor shall be required to meet on site with the County's Coastal Engineer or a designee assigned by the Public Works Director prior to commencing construction;
- ~ Prior to commencing construction, the applicant shall have received a Notice to Proceed from the FDEP's Bureau of Beaches and Coastal Systems;
- ~ Nighttime construction activity associated with shoreline stabilization projects shall be prohibited during sea turtle nesting season; and,
- ~ Storage of construction materials on the beach/dune system during sea turtle nesting season shall be prohibited.

**Policy 10.6:** The eCounty shall require the banks of properties bordering the St. Sebastian River and the Indian River Lagoon Aquatic Preserve to be stabilized in conjunction with construction of a single-family residence and single-family docks, in accord with all requirements listed in Policy 10.5. The preservation of existing native vegetation shall be required along the shoreline. When excessive shoreline erosion is present, the planting of native vegetation, especially red mangroves, in conjunction with installation of rip-rap will be encouraged. The use of rigid structural alternatives will not be permitted unless non-structural methods have proven ineffective or are otherwise impractical. Where structural alternatives are deemed appropriate, they will be required to be located on the upland portion of the site.

**Objective 11:** Through 2025, there will be no new sites in Indian River County where domestic or industrial waste is improperly managed or illegally disposed. The County shall continue to implement programs and legislation that monitor and ensure proper waste disposal activities.

**Policy 11.2:** To maintain compliance with Title III (Emergency Planning and Community Right-to-Know Act) of the federal Superfund Amendments and Reauthorization Act (SARA), the eCounty Emergency Services Department will maintain an update-to-date comprehensive inventory of the location, storage, manufacture, handling and/or transport of all hazardous materials in Indian River County. Regulated industries/facilities are required to submit annual reports to the State of Florida Emergency Response Commission and the local municipal fire department for hazardous and/or extremely hazardous substances stored, used or manufactured on site.

**Policy 11.4:** Existing known hazardous waste contaminated sites, identified on FDEP's Contamination Locator Map, as well as newly identified sites determined through assessments but not yet mapped by FDEP, shall be monitored and remediated, when feasible.

**Objective 12:** By 2020, 80% of To the greatest extent possible, the eCounty's conservation lands shall be restored to viable ecological condition and improved for compatible passive recreational public access.

**Policy 12.2:** By 2010, the county shall adopt an interagency management agreement on implementation of the Sebastian Area-wide Florida Scrub-jay Habitat Conservation Plan. [Outdated]

**Policy 12.3:** By 2010, tThe eCounty shall enter into and maintain a written inter-local interlocal agreement with the City of Vero Beach regarding management of the Orange Islands Conservation Area.

**Policy 12.4:** For land tracts acquired through the Environmental Lands Program, the eCounty shall require a site-specific management plan to be adopted within one year of acquisition. Such management plans shall be subject to the review and recommendations of the County Conservation Lands Advisory Committee (CLAC) Environmental Lands Acquisition Program (ELAP). The County will, where feasible, construct public access improvements within two years of management plan adoption.

**Policy 12.5:** The eCounty shall coordinate with federal, state, and local agencies, as well as nonprofit organizations, in acquiring and managing natural areas and open space. solicit grants from regional, state and federal agencies to supplement management funds for acquired lands. Funding will be used for the following purposes:

1. restoration and enhancement of impacted wetland and upland areas;
2. establishment and/or improvement of public access;
3. promotion of environmental education/awareness;
4. eradication of nuisance exotic vegetation;
5. posting of signage and boundary markers; and
6. prescribed burning on scrub lands.

**Policy 12.9:** By 2010, tThe eCounty will establish and maintain a dedicated funding source for ongoing management of eCounty -owned and managed environmental lands.

**Policy 12.10:** By 2010, the county shall evaluate the need to hire additional conservation land management staff and establishment of a distinct Conservation Lands Management Section within the Parks Division or Planning Division.

## **Coastal Management Element:**

The Coastal Management Element sets the foundation for the County to protect and preserve its coastal resources as well as protect life and property from natural disasters. The Element ensures the resilience of the community. A summary of the changes that are proposed for the Coastal Management Element are as follows:

- ◊ Establish that Boat Facility Siting Zones will be established in the County's Manatee Protection and Boating Safety Comprehensive Management Plan and streamline Policy language related to requirements for projects to meet specific criteria.
- ◊ Move regulatory language from the Plan to the LDRs.
- ◊ Suggested new policies to encourage coordination with appropriate agencies to fund and implement beach stabilization projects and establish a prioritization process for shoreline stabilization and beach renourishment projects based on benefit-cost ratios.

These recommended changes are important to better reflect the threats of flooding and sea level rise and the importance of conservation measures.

**Objective 1:** Through ~~2020~~2040, there will be no reductions in the overall amount of terrestrial and marine resources within the coastal zone of Indian River County compared to 2009 baseline data.

**Policy 1.7:** ~~When the~~ With each Manatee Protection and Boating Safety Comprehensive Management Plan (MPP) ~~undergoes its five year evaluation~~, the eCounty shall reassess evaluate, as appropriate, the appropriateness of manatee protection speed zones.

**Policy 1.11:** Indian River County shall continue to ~~promote~~ monitor both commercial and private fishing activities within the eCounty through management of marine habitats and permitting of fishing resources.

**Objective 2:** ~~Through 2020, there will be no reduction in~~ The County will continue efforts to improve the water quality of the Indian River Lagoon ~~or~~ and the St. Sebastian River.

**Policy 2.1:** The eCounty hereby adopts the State designation of Class II - "shellfish propagation or harvesting," as defined in the ~~2008~~ 2022 Florida Department of Environmental Protection's Surface Water Quality Standards report, as the water quality standard for the following portions of the IRL located within the unincorporated county: ~~Sebastian Inlet extending south to C.R. 510, east of the Intracoastal Waterway (ICW); South of C.R. 510 extending to an east west line transecting the North Relief Canal (both sides of the ICW); south of an east west line transecting the north tip of Round Island and east of the ICW. (Ref. Figure 9.10) as noted in 62-302 F.A.C.~~

**Policy 2.2:** The eCounty hereby adopts the State designation of Class III suitable for "Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife," as defined in the ~~2008~~ 2022 Florida Department of Environmental Protection's Surface Water Quality Standards report, as the minimum water quality standard for the following portions of the IRL located within Indian River County: ~~Sebastian Inlet extending south to C.R. 510, west of the ICW; south of an east-west line transecting the North Relief Canal extending to an east west line transecting the north tip of Round Island (both sides of the ICW); south of an east west line transecting the north tip of Round Island east of the ICW(Ref. Figure 9.10). as defined in 62-302 F.A.C.~~

**Policy 2.4:** The eCounty shall implement the recommendations to reduce non-point source pollution entering the Indian River Lagoon contained in the Indian River Lagoon National Estuary Program's (IRLNEP) 2008 2019 Indian River Lagoon Comprehensive Conservation and Management Plan (CCMP), and the SRJWMD's Surface Water Improvement and Management (SWIM) Plan.

**Policy 2.5:** By 2010 2045, the eCounty will establish Total Maximum Daily Loads (TMDLs) established by FDEP and EPA for each drainage basin within the eCounty.

**Policy 2.12:** Indian River County shall ~~support seek~~ state and federal funding for implementation of the Indian River Lagoon Comprehensive Everglades Restoration Plan.

**New Policy 2.13:** To ensure coordinated management of the Indian River Lagoon, the County shall continue active participation with the Indian River Lagoon National Estuary Program (IRLNEP) by:

- Providing information to the IRLNEP on environmental issues related to land development;
- Participating in meetings of the IRLNEP.

The County will continue coordination with the SJRWMD on the SWIM plan and with other agencies that regulate the Indian River Lagoon. The County will continue to coordinate with the SJRWMD on the SWIM plan by:

- Applying for SWIM funds for implementation of programs designed to improve surface water quality;
- Submitting regular reports to the SJRWMD on progress of the programs.

The County will continue to coordinate drainage related issues with the municipalities in the county and the 298 drainage districts by implementing policies of the drainage sub-element. [Relocated policy from Intergovernmental Coordination]

**Objective 3:** Through 20302040, there shall be no loss of estuarine wetlands, mangrove fringe, seagrass beds, or reductions in water quality associated with the development or expansion of boat facilities or boat ramps in Indian River County.

**Policy 3.2: Boat Facility Siting Zones** (1-9), as described in the Analysis section of the MPP, are hereby established. The purpose of these Zones is to provide the public with guidance as to the potential for the siting of new boat facilities or for the expansion, rearrangement, or conversion of an existing boat facility. The regulatory criteria to be applied to each zone represent the baseline criteria that all proposed projects must meet. In these Zones, specific criteria will be applied to each request for a new boat facility or the expansion, rearrangement, or conversion of an existing boat facility. These criteria are as follows:

1. The siting of new boat facilities, or the expansion or slip conversion of existing boating facilities, shall be prohibited in the following areas of Indian River County:

- All of the St. Sebastian River west of the U.S. 1 Bridge; and
- All of the Pelican Island National Wildlife Refuge.

2. The siting of new boat facilities, or the expansion, slip conversion or rearrangement of existing boating facilities, shall be prohibited in the following areas:

- Within the Town of Orchid;
- Within the Town of Indian River Shores;
- Within the area known as the Jungle Trail Narrows; and
- Within any area designated as both a High Manatee Use area and a High Watercraft related Manatee Mortality area, as defined in the MPP"

The County's MPP shall establish the Boat Facility Siting Zones (1-9) and the baseline criteria that all proposed projects must meet. The siting of new residential marinas, or the expansion, rearrangement or slip conversion of existing residential marinas, may be allowed in prohibited areas (defined in the County's MPP) under certain conditions which are outlined in the MPP.

**Policy 3.3:** The following boat ramp siting criteria shall be used to evaluate any new boat ramp or the rearrangement or expansion of an existing boat ramp. These criteria shall be applied to all boat ramps (e.g., new, existing, private, public, commercial, recreational, multi-family, or individual single family).

1. The rearrangement of existing boat ramps shall not be subject to the boat ramp siting criteria unless any one of the following are true:

- a. The rearrangement will result in more lanes than currently exist (i.e., expansion);
- b. The rearrangement will result in the boat ramp being able to increase the volume of traffic (e.g., increase the number of parking spaces, make the boat ramp more accessible, deepen or widen the access channel);
- c. The rearrangement will result in the boat ramp being able to be used by larger vessels (e.g., increase the size of the parking spaces, deepen or widen the access channel); or
- d. The rearrangement or the associated construction will destroy, alter, or disturb any native upland, shoreline vegetation, or SAV;

2. The siting of new or the rearrangement or expansion of existing boat ramps shall be prohibited in the following areas of Indian River County:

- All of the St. Sebastian River west of the U.S. 1 Bridge;
- All of the Pelican Island National Wildlife Refuge;
- The area known as Jungle Trail Narrows;
- Town Limits of Orchid;
- Town Limits of Indian River Shores;
- If the proposed site is within a High Manatee Use area AND a High Watercraft related Manatee Mortality area, as defined in this MPP.

3. The siting of new or the rearrangement or expansion of existing boat ramps shall be prohibited when one or more of the following conditions are met:

- a. The footprint of the new boat ramp or the rearrangement or expansion of the existing boat ramp (including all proposed lanes, docks, access walkways, finger piers, mooring areas, turning basins, and ingress and egress pathways) has a SAV coverage of ten (10) percent or greater using a scientifically acceptable method of coverage determination and such determination is made between the months of May through October;
- b. The site, whether new or existing, is located within a High Manatee Use area, AND a High Watercraft related Manatee Mortality area as defined in the MPP; or
- c. The site, whether new or existing, is located such that new dredging will be required or necessary to provide access to the ICW or to deeper water AND the site is located within or on land adjacent to a FDEP designated Aquatic Preserve. This does not include manmade waterbodies such as canals or basins, or privately owned submerged bottom.

In the event that all the required or necessary dredging is determined by the FDEP or the SJRWMD to be maintenance dredging, then this subsection [3(c)] does not apply. The determination of maintenance dredging shall be made in writing by the FDEP or SJRWMD

and submitted to County Planning staff. It is the responsibility of the applicant, the property owner, or developer to secure this written documentation. If any of the required or necessary dredging is determined to not be maintenance dredging (i.e., new dredging) then that part of the proposed project involving the proposed new dredging and any other activity or structures associated with the proposed new dredging, is prohibited. **[Recommend adoption by ordinance into LDRs]**

~~**Policy 3.4:** Within the unincorporated portion of Indian River County, private residential marinas shall be permitted with administrative permit approval in the following Residential Single family (RS), and Residential Multi family (RM) zoning districts: RS 1, RS 2, RS 3, RS 6, RT 6, RM 3, RM 4, RM 6, RM 8, and RM 10. [This is code-oriented language and will be moved into the LDRs]~~

~~**Policy 3.5:** Within the unincorporated portion of Indian River County, public/private residential marinas shall be permitted with special exception approval in the following Residential Single family (RS), and Residential Multi family (RM) zoning districts: RS 1, RS 2, RS 3, RS 6, RT 6, RM 3, RM 4, RM 6, RM 8, and RM 10. [This is code-oriented language and will be moved into the LDRs]~~

~~**Policy 3.6:** Within the unincorporated portion of Indian River County, recreational marinas shall be permitted in general commercial (CG) and heavy commercial (CH) zoning districts. Recreational marinas shall be permitted with special exception approval in the following zoning districts: office commercial residential (OCR), neighborhood commercial (CN), and limited commercial (CL). [This is code-oriented language and will be moved into the LDRs]~~

~~**Policy 3.7:** Within the unincorporated portion of Indian River County, commercial marinas shall be permitted in the following zoning districts: heavy commercial (CH), light industrial (IL), and general industrial (IG). Commercial marinas shall be permitted in the general commercial (CG) zoning district with administrative permit approval. [This is code-oriented language. Will be moved into the LDRs]~~

**Policy 3.9:** Concurrent with the five year evaluation and update of the MPP, the eCounty shall coordinate with the Town of Indian River Shores, the Town of Orchid, the City of Sebastian and the City of Vero Beach concerning siting of marina/boat facilities and the overall implementation of the MPP. That coordination shall include holding public workshops and soliciting comments from the staff and elected officials of those municipal governments.

**Policy 3.10:** In the event that an existing marina is destroyed by a natural disaster, the marina may be re-built within the same footprint of the damaged structure provided that the marina was in compliance with regulations at the time of its construction. Existing Marinas that are re-built shall be consistent with the County codes and policies listed under Objective 4 of in the MPP.

**Policy 3.13:** By 2010, ~~the County Environmental Planning Section, in cooperation with the FWC's Bureau of Protected Species Management, will shall~~ produce a ~~Boat Facility Siting Map~~ titled ~~Constraints to Boat Facility Siting in the IRL~~. This map will display ~~the areas of high, medium, and low constraints throughout the county~~. Density thresholds and limitations for development shall apply to sites within these locations. This map will be kept on file in the ~~Community Development Planning and Development Services~~ Department and will be used to conduct site-specific reviews of boat facility siting and expansion proposals.

**Policy 3.14:** ~~A maximum density threshold of one (1) powerboat slip per 100 feet of shoreline along the IRL shall apply in Zone 1, Zone 2, Zone 4, the portion of Zone 6 lying within the Town of Indian River Shores, Zone 8, and Zone 9. [This is code-oriented language and will be moved into the LDRs]~~

**Policy 3.15:** The eCounty shall encourage the expansion and upgrading of existing boat facilities as an alternative to constructing new boat facilities. ~~by considering the removal of the 1:100 powerboat shoreline density ratio on a case by case basis from the following Marina Siting Zones: Zone 3, Zone 5, the portion of Zone 6 lying within the City of Vero Beach, and Zone 7. As a minimum a 1:100 powerboat shoreline density ratio may be applied, if warranted, using the criteria in Section 1.2.~~

**Objective 4:** Through 2030 2040, all natural functions of the beach and dune system in Indian River County shall be protected and no unmitigated human-related disturbance of the primary dune system shall occur.

**Policy 4.1:** The eCounty shall continue to recognize the 1981 Florida Department of Natural Resources (FDNR) Environmental Protection Coastal Construction Control Line (CCCL), as established by Chapter 161.053, F.S., and recorded on June 10, 1981, in Plat Book 10, Pages 93-93H, as being the eCounty's line of regulatory prohibition, or Dune Stabilization Setback Line (DSSL). Construction encroachment, except for the following, shall be prohibited oceanward of the DSSL:

- federal, state and locally permitted erosion control stabilization and beach renourishment projects;
- the construction of dune cross-over structures and other minor structures;
- public navigational projects, markers or other control structures;
- maintenance and/or restoration of legal nonconforming structures not requiring greater than 50 percent construction, per Federal Emergency Management Agency (FEMA) regulations;
- use of emergency equipment and/or activities, such as removal of ordnance and debris, to protect life and/or loss of upland property;
- structural and non-structural stabilization techniques to protect coastal buildings from a 15-year or less storm event.

**Policy 4.2:** In light of the potential for increased coastal erosion from climate change, sea level rise and other factors, the eCounty shall, by 2012, will continue to evaluate the location of the DSSL through 2040 and consider relocating that line further west.

**Policy 4.3:** To ensure appropriate protection of the beach and dune system, the county shall review all proposed beach and dune projects in the unincorporated area of the county and within the city limits of Vero Beach and shall review and submit comments regarding permit applications of all appropriate federal, state and local agencies governing beach and dune management. Shoreline stabilization criteria will follow Policy 10.5 of the Conservation Element.

**Policy 4.6:** ~~Indian River County shall protect and preserve natural beach and dune systems by adopting the specific criteria for shoreline stabilization within the unincorporated portion of Indian River County and within the municipal limits of the city of Vero Beach, as outlined in Policy 10.5 of the Conservation Element.~~ **[Consolidated with 4.3]**

**Policy 4.9:** ~~County staff will attend meetings held by the Sebastian Inlet Tax District and will participate in evaluating technical studies prepared by the District.~~ **[Unnecessary policy]**

**Policy 4.10:** The eCounty shall continue to monitor the Prefabricated Erosion Prevention (PEP) reef to evaluate the effects of the reef on shoreline stabilization.

**Policy 4.11:** The eCounty shall continue to study alternatives to fund shoreline stabilization for the areas of critical erosion identified in the 2008 2022 Florida Department of Environmental Protection's Critically Eroded Beaches in Florida report.

**New Policy 4.12:** The County shall coordinate with all state and federal agencies in the funding and implementing of beach stabilization projects. [Moved from Objective 10]

**New Policy 4.13:** Indian River County shall permit the utilization of local funds for shoreline stabilization and beach renourishment projects. Priority shall be given to those projects which demonstrate the best benefit-cost ratio while having the least impact to the offshore reef, and the nearshore beach and dune ecological communities. [Moved from Objective 10]

**Objective 5:** Through 2030 2040, there will be no expansion of infrastructure within the Coastal High Hazard Area (CHHA) other than that which is deemed necessary to maintain existing levels-of-service.

**Policy 5.1:** The County hereby designates the "Coastal High-Hazard Area" (CHHA) as the area below the storm surge line of a category 1 hurricane, as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computer model. The CHHA shall be depicted on the County's Future Land Use Map series. Figure 9.11 of this element is hereby adopted as the county's CHHA designation map.

**Objective 6:** Through 2020 2040, Indian River County will maintain an estimated evacuation time of 12 hours or less for a Category III hurricane.

**Policy 6.7:** The County shall prohibit the location of new adult congregate living facilities, nursing homes, and other similar medical facilities that serve the county's special needs population within the CHHA. [Consolidated with Policy 15.7]

**Policy 7.6:** The county shall continue to regulate development and manage natural resources within the Coastal Zone by:

- Continuing to enforce LDR Chapter 932 Coastal Management, and LDR Chapter 402 Coastal Construction Code;
- Preserving flood storage capacity in the 100 year floodplain, in accordance with the policies listed under Objective 5 of the Stormwater Management Sub Element;
- Maintaining or reducing land use density allowances in the Coastal High Hazard Area (CHHA) in accordance with the policies under Objective 17 of the Future Land Use Element and Objective 11 of this element;
- Minimizing beach and dune disturbance in accordance with Coastal Management Element Policy 4.8 and County Code Chapter 932; and
- Reviewing, in coordination with the FDEP Bureau of Beaches and Coastal Systems, all emergency seawall permit applications within the unincorporated area of Indian River County and within the City Limits of Vero Beach." [Addressed in a different objective and separate policies]

**Policy 7.8:** By 2012, The County shall establish maintain formal procedures in its Local Mitigation Strategy (LMS) to address the removal of marine debris, including boats abandoned in the Indian River Lagoon.

**Objective 8:** By 2012, the number of public access points to natural resources within the coastal zone of Indian River County, including beaches, the St. Sebastian River, and the shoreline of the Indian River Lagoon, will be increased by a minimum of five public access points.

**Policy 8.3:** By 2012, the county shall seek funding from the Florida Inland Navigation District Waterway Assistance Program to construct a boat ramp at the eastern terminus of Gifford Dock Road (a.k.a., 45th Street), on the Indian River Lagoon. [Completed]

**Policy 8.4:** "The eCounty shall prohibit the net loss of public access and facilities by:

- requiring any displaced or removed public access to be replaced at a minimum of a one-to-one (1:1) ratio;
- requiring private property owners will be encouraged to provide public access, through the dedication of private easements, to beaches which are renourished or enhanced with public funds. This requirement may include provisions for the establishment, relocation or enhancement of public accesses provided that such established, relocated or enhanced accesses will not adversely impact existing residential neighborhoods or adversely impact existing natural resources; and
- providing public vehicular parking at more than 50 percent of all new public beach accesses."

**Policy 8.5:** ~~By 2015, t~~The eCounty will add a limited beach access facility to the Captain Forster Hammock Preserve oceanfront.

**Objective 9:** ~~Through 2020, there will be no a~~Adverse impacts will be minimized to the historic integrity of roads, sites or structures deemed historically or archaeologically significant in Indian River County.

**Policy 9.1:** ~~Consistent with Policy 8.2 of the Future Land Use Element, the Indian River~~ eCounty shall ~~continue to~~ use incentives such as transfer of development rights, tax relief, mitigation, and public acquisition to protect and preserve historic and archaeological resources ~~in the Coastal Zone consistent with Future Land Use Policy 8.2.~~

**Policy 9.2:** The eCounty shall pursue state and federal funding to acquire and/or to preserve cultural and historic sites in coastal areas recognized as important and/or significant.

**Policy 9.3:** The eCounty shall provide developers with incentives, such as transfer of development rights, tax incentives and others, in return for preserving historic resources in coastal areas.

**Policy 9.4:** The eCounty shall require developments in coastal areas which include historical resource sites to submit archaeological surveys prior to commencing construction activities. Developers shall be required to preserve these resources while maintaining a reasonable use of the land.

**Policy 9.5:** The eCounty shall recognize and ~~properly~~ manage its historical resources by implementing ~~Objective 8~~ of the Future Land Use Element.

**Policy 9.6:** ~~By 2012, t~~The eCounty will develop and maintain management plans for the following scenic/ historic roads: Jungle Trail, Fellsmere Grade, Quay Dock Road, Old Winter Beach Road, and Gifford Dock Road.

**Objective 10:** Through ~~2030~~~~2040~~, the level of service (LOS) for traffic circulation, recreational facilities, stormwater management, and potable water and sewer service in the coastal zone of Indian River County will be consistent with the LOS standards set forth in the concurrency section of the Capital Improvements Element.

**Policy 10.2:** ~~The eCounty shall coordinate with all state and federal agencies in the funding and implementing of beach stabilization projects.~~ **[Moved to Objective 4]**

**Policy 10.3:** ~~Indian River County shall permit the utilization of local funds for shoreline stabilization~~

~~and beach renourishment projects. Priority shall be given to those projects which demonstrate the best benefit cost ratio while having the least impact to the offshore reef, and the nearshore beach and dune ecological communities. [Moved to Objective 4]~~

**Objective 11:** Through ~~2030~~2040, there will be no increase in the density of land use within the Coastal High Hazard Area.

**Objective 12:** Boating Safety and Law Enforcement

The County shall continue to work with local, state, and federal authorities on safe boating initiatives that protect boater safety and the environment. This includes:

1. Partnering with the Florida Fish and Wildlife Commission on the implementation of speed zone changes within the Indian River Lagoon to reduce the likelihood of boat/manatee conflicts.
2. Working with FWC on the identification of potential derelict vessels to facilitate a prompt removal timeline.
3. Continue to work with the United States Coast Guard to monitor channel markers under our responsibility and replace/update as needed.

The County shall further the initiatives set forth within the Indian River County Lagoon Management Plan which support safe boating practices and reduce the potential for hazards within the Indian River Lagoon. Such initiatives include:

1. Removing derelict vessels from within the Indian River Lagoon to prevent both ecological impacts as well as obstructions within the waterway.
2. Promote FDEP's Clean Marina Program on best practices to protect the waterways.
3. Providing education to marinas and boaters on best management practices for boat care and maintenance.
4. Work with local municipalities to implement Anchoring Limitation Areas within the participating municipal jurisdictions as established by Ordinance No. 2025-012. Amend ordinance as needed to continue to promote boater safety and navigation and efficient derelict vessel removal.
5. Encouraging local law enforcement to patrol Indian River Lagoon waters to ensure compliance with mooring, waste disposal, and anchoring limitation area regulations.

~~Through 2015, the annual boating accident rate in Indian River County will be at or below the 1995 baseline rate of 131 accidents per 100,000 registered boaters. Furthermore, there will be no incidence of watercraft related human fatalities. [Not Achievable]~~

**Policy 12.1:** By 2010, the county shall request that the FWC adopt the following speed zone amendments for Indian River County:

- ~~Gifford Cut: Extend the “unregulated” speed zone north toward Channel Marker 127;~~
- ~~Wabasso Causeway: Establish a year round slow speed zone within 300 feet of the western shoreline of Wabasso Island, continuing 300 feet north and south of Wabasso Causeway (C.R. 510); and~~
- ~~Create a 400 foot “Idle Speed” zone, within the ICW, centered under each bridge over the Indian River Lagoon; and~~

- Eliminate the “Slow Speed” zone in the ICW north of the Barber Bridge (SR 60)."

**Objective 13:** ~~By 2010, informational kiosks displaying manatee protection practices, safe boating practices, and the designated speed zones of the inland waters of the county will be installed at all public boat ramps in Indian River County.~~

**Policy 13.1:** ~~By 2010, the County shall obtain funding from the FIND and the FWC to construct informational kiosks at boat ramps and other strategic locations, such as fishing piers.~~

**Policy 13.3:** ~~By 2010, the County shall initiate a monofilament line recycling program by placing marked collection receptacles at boat ramps, marinas, bridges, and strategic locations.~~

**Policy 13.5:** ~~By 2010, all rental vessels, including personal watercraft, in Indian River County shall be required to display stickers or plasticized cards with boating safety and manatee protection information, to the greatest extent practicable.~~

**Objective 14:** ~~Through 2015, the annual number of manatee mortalities in Indian River County shall be no more than five (5), excluding unusual events such as red tide or disease outbreaks. Of these annual mortalities, no more than one (1) mortality shall be watercraft related. [Addressed in the MPP]~~

**Policy 14.1:** ~~The county, in cooperation with the City of Vero Beach Utilities Department and the FWC Bureau of Protected Species Management will ensure that disruptions to outflow, and/or inadequate temperatures to sustain manatees during winter are minimized, and that all necessary precautions to minimize hazards at the power plant are initiated. [Power Plant no longer exists]~~

**Policy 14.2:** ~~The county shall continue to assist the Indian River Mosquito Control District to identify and retrofit any remaining culverts or pipes that pose a threat of manatee entrapment.~~

**[Objective 14 and its two (2) policies are not reasonable have been removed]**

**Objective 15:** ~~Through 2060, the County shall adopt, implement, and pursue strategies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of sea level rise.~~

**Policy 15.1:** ~~By 2022, Public properties and infrastructure, including but not limited to water and wastewater facilities, stormwater systems, roads, bridges, governmental buildings, hospitals, coastal wetlands, transit infrastructure and other public assets that may be at risk to sea level rise impacts shall be identified. Based on risk inventory findings, resiliency improvements and relocation of infrastructure shall be considered as part of capital improvement plans, where warranted.~~

**Policy 15.3:** ~~Beginning in 2022, and every 5 years thereafter, the County shall review the best available data on local sea level rise projections and County sea level rise inundation maps and shall update inundation maps and related analysis, as warranted.~~

**Policy 15.6:** ~~By 2023, the County shall re-evaluate flood zone requirements and mitigation strategies within the AAA review the best available data on local sea level rise projections and County sea level rise inundation maps and shall update inundation maps and related analysis, as warranted.~~

**Policy 15.7:** ~~The County shall prohibit the location within the AAA of new adult congregate living~~

facilities, nursing homes, and other similar facilities that serve special needs populations within the CHHA and AAA.

**Policy 15.8:** ~~No increase in land use designation density shall be approved by the County for properties that lie within the AAA. [Removed overly restrictive policy]~~

## **Recreation and Open Space Element:**

Indian River County includes public and private recreation sites including parks, natural areas, waterway access, and recreation facilities. The Recreation and Open Space Element ensures that the County has a comprehensive system of public recreation and open space that meets the needs of existing and projected users and that enhances the natural resources of the community. A summary of the changes that are proposed for the Recreation and Open Space Element are as follows

- ◊ Establish new objective related to the development of a Parks and Recreation Master Plan and relocate master plan related policies throughout this Element under that objective. Since the Master Plan is underway as of 2024, additional revisions may become necessary to this Element to ensure alignment between the two. The Parks and Recreation Master Plan 2025-2035 will be incorporated into this Element by reference.
- ◊ Modernize language: “universally accessible” versus “handicap accessible.”
- ◊ Due to a lack of uniform standards for recreation levels of service (LOS), revisions to such LOS should be deemed appropriate by County Staff based on local knowledge, community feedback, and comparisons to existing conditions in similar communities.

These recommended changes are important to better provide suitable recreation and cultural opportunities for the community and preserve the County’s open space.

**Objective 1:** Through 2030 2045, adopted recreation levels-of-service will be maintained to ensure that adequate parklands and recreation facilities are available and accessible for public use.

**Policy 1.1:** The eCounty hereby adopts a recreation level-of-service standard of 6.61 4 recreation acres per 1,000 permanent population ~~plus weighted seasonal population~~. **[Note: The NRPA standard is 3.13 acres per 1,000 persons]**

**Policy 1.2:** For level-of service purposes, the eCounty shall measure parkland acres per 1000 population by summing the total eCounty-owned park acreage and dividing by the current estimate of unincorporated county permanent population, ~~plus weighted seasonal population~~.

**Policy 1.3:** The eCounty shall maintain its concurrency management system, which allows proposed developments only if there is sufficient parkland to serve the proposed development and when the County reaches 80% capacity, the County shall evaluate whether proportionate share as a concurrency management option is appropriate.

**Policy 1.4:** The eCounty hereby adopts the facility standards identified in Table 10.1 as guidelines to be used in developing parklands and should consider alternative parks/facilities to include.

**Policy 1.5:** ~~By 2018, the county shall complete a needs analysis of its recreation services. This analysis will include an assessment of the type of parks and facilities needed in Indian River County, the quantity of facilities needed, the location where those facilities are needed, the current use of facilities, and a comparison of county needs to national standards for recreation services, and unique local conditions relevant to recreation services.~~ **[Completed policy]**

**Policy 1.6:** ~~By 2018, the Recreation Department shall evaluate the existing user fee structure and include full cost recovery for adult programs~~ **[Completed policy]**

~~Policy 1.7: By 2017, the Recreation Department shall revise its fee structure for county recreational programs and reservation of county park facilities to include a surcharge for out of county residents. [Consolidated into Policy 1.6]~~

~~Policy 1.8: By 2018, the Recreation Department shall evaluate the current per capita expenditure in the north and south areas (with S.R. 60 as a dividing line) and utilize the collected data to guide placement of needed park facilities in each area. [Completed policy]~~

~~Policy 1.9: By 2018, the Recreation Department shall evaluate new funding options, including privatization and partnerships. The Division shall seek and consider a wide variety of funding and revenue options including public-private partnerships, grants, selling facility naming rights, selling concessions, and other opportunities.~~

~~Policy 1.10: By 2017, the Recreation Department shall evaluate new revenue opportunities such as facility naming rights, beach and park concessions, and others. [Consolidated into 1.9]~~

~~Policy 1.13: The Parks, Recreation, & Conservation Department shall continue to apply charge user fees for those facilities and programs where the benefit is quantifiable and where the fee can be effectively implemented.~~

~~Objective 2: By 2020, the county will have 461 acres of parkland south of S.R. 60. The County will continue to develop parkland south of S.R. 60 to meet area needs.~~

~~Policy 2.1: By 2018, the county will, based on funding availability, complete remaining improvements identified in the South County Regional Park Master Plan. [Addressed in the Parks and Recreation Master Plan 2025-2035]~~

~~Policy 2.2: The eCounty shall, based on funding availability, include active recreation facilities such as baseball fields, basketball courts, tennis courts, jogging trails, swimming pools and others in its future south county parks if those facilities are consistent with the 2012 updated south county regional park master plan.~~

~~Policy 2.3: The eCounty shall give parkland acquisition priority to the area south of SR 60, west of 43rd Avenue.~~

~~Objective 3: By 2020 Through the planning horizon, the eCounty will have developed at least 65 percent of its currently undeveloped existing park acreage.~~

~~Policy 3.1: By 2020, the county shall complete phase II of the Treasure Shores Park.~~

~~Policy 3.2: By 202518, the eCounty shall incorporate develop a new master plan for the fairgrounds, indicating needed facilities and necessary structures, into a Parks Master Plan.~~

~~Policy 3.3: The county shall add facilities to existing parks having undeveloped area. Some parkland will remain undeveloped for a variety of reasons, including environmental, regulatory, and aesthetics. [Completed policy]~~

~~Policy 3.4: By 202518, the Parks, Recreation, & Conservation Department shall update the North County Regional Park and the South County Regional Park Master Plans.~~

**Objective 4:** Throughout the time horizon of the plan, all new parks and recreational facilities will be located near population centers and will be ~~handicap~~ universally accessible.

**Policy 4.3:** The eCounty shall provide ~~vehicular, pedestrian, and bicycle~~ multi-modal access consistent with the Bikeway/Sidewalk Development Plan to all eCounty-owned parks in conjunction with park development.

**Objective 5:** ~~A Parks and Recreation Master Plan will identify the number of access points to major water resources and t~~Through the time horizon of the plan, the current 57 access points to the eCounty's major water resources, including the Atlantic Ocean, Indian River Lagoon, St. Sebastian River, and freshwater lakes, will establish policies for these to be maintained.

**Objective 6:** ~~A Parks and Recreation Master Plan will identify target program numbers to be provided t~~Through the time horizon of the plan, at least 142 recreation programs per year will be provided.

**Policy 6.1:** ~~The county shall provide supervised recreation activities at all appropriate park sites.~~

**Policy 6.2:** The eCounty may allow private leisure and recreation groups to use park areas for recreation programs and activities, pursuant to conditions provided in the County's Code. ~~provided that the following conditions are met:~~

- ~~The area of the park to be used must not currently be in use by the general public or designated for future use on the park master plan;~~
- ~~A lease specifying duration of use, characteristics of use, insurance requirements, and other applicable conditions must be executed by the Board of County Commissioners;~~
- ~~A site plan or temporary use permit must be approved by the planning department;~~
- ~~Any improvements made to the leased site must be done and paid for by the lessee with the improvements conveying to the county when the lease expires.~~

**Policy 6.3:** ~~By 2018, t~~The Parks, Recreation, & Conservation Department, as part of a Parks and Recreation Master Plan, shall conduct a survey to determine the demand for existing recreational programs and to prioritize demand for new programs.

**Policy 6.4:** The ~~Recreation Department Division~~ shall annually ~~identify~~ CORE ~~consider~~ recreation programs, and services as part of its annual budget request.

**Policy 6.5:** ~~By 2018, t~~The Parks, Recreation, & Conservation Department shall ~~establish~~ monitor and maintain an automated recreational program system which allows users to reserve park facilities or to sign up for recreation programs online.

**Policy 6.7:** ~~The Recreation Department shall coordinate with the IRC school district to structure an agreement for public access to school recreational facilities. [Completed policy]~~

**Policy 6.8:** ~~The County shall manage the county's shooting range to make it available to all county residents. [Completed policy]~~

**Objective 7:** Through the time horizon of the plan and through implementation of a Parks and Recreation Master Plan, there will be no decrease in the amount of publicly-owned or publicly-controlled open space within the eCounty.

**Policy 7.2:** Consistent with Policy 5.4 of the Transportation Element, the eCounty hereby designates the following roadways as scenic/historic roads:

- Jungle Trail (management plan developed)
- Fellsmere Grade (management plan drafted)
- Quay Dock Road
- Old Winter Beach Road
- Gifford Dock Road

**Policy 7.3:** Consistent with Policies 5.4 and 5.5 of the Transportation Element, By 2015 the eCounty shall develop updated management plans as warranted for each of the scenic/historic roads. These management plans shall meet statutory requirements for the preservation of scenic/historic roads provide for the protection of open space resources adjacent to these roads and shall designate areas suitable for open space acquisition. These roads will be used as access ways, open space, and corridors incorporating passive and active recreational activities while maintaining their primary historical importance.

**Objective 8:** By 2011, the eCounty Parks, Recreation, & Conservation Department's staff shall meet with municipalities' staff as needed for the provision of countywide programs and for special events will have agreements with municipalities for county-wide programs and for special events that impact other jurisdictions.

**Policy 8.1:** The county shall continue to coordinate with the St. Johns River Water Management District through representation on the district's regional recreation advisory committee. [Completed policy]

**Policy 8.3:** By 2011, the county shall coordinate with the school board to exchange the county's 16th Street complex for an equal value regional park property within the unincorporated area of the county. [Completed policy]

**Policy 8.4:** The eCounty Recreation Department's staff shall meet with municipalities' staff as needed for the provision of countywide programs and for special events will have agreements with municipalities for county-wide programs and for special events that impact other jurisdictions.

**Objective 9:** By 2012, the county will have a comprehensive cultural plan for the county (this plan will be developed by the Cultural Council of Indian River County (CCIRC)). [Objective 9, and all the following policies in this objective, have been stricken as these policies are no longer pursued]

**Policy 9.1:** By 2012, the county shall participate with the Cultural Council of Indian River County in developing a comprehensive cultural plan for the county and shall encourage public/private partnerships, as appropriate.

**Policy 9.2:** The County shall, when possible, support cultural and heritage activities by providing financial support through tourist tax revenue.

**Policy 9.3:** The County shall support the sale of the “State of the Arts” License plates promoted by the Cultural Council of Indian River County. The CCIRC, as the County’s designated Local Arts Agency, will receive and dispense funds related to the sales of the Arts License Plates, as required.

**Policy 9.4:** The County shall support the sale of the “State of the Arts” License plates promoted by the Cultural Council of Indian River County. The CCIRC, as the County’s designated Local Arts Agency, will receive and dispense funds related to the sales of the Arts License Plates, as required.

**Policy 9.5:** The County shall consider the Cultural Council of Indian River County (CCIRC) as the county’s designated cultural agency. As such, the Cultural Council shall represent the various arts and culture groups in the County, serving as a liaison for all cultural requests to the county. In so doing, the Cultural Council may annually submit a funding request to the county on behalf of the county’s arts and culture organizations. That funding request shall include the following information:

- Detailed information about the organization’s accomplishments during the last fiscal year, specifically as related to funding received from the county.
- Detailed budget information pertaining to any funds that the organization is requesting;
- The organization’s proposed goals and activities for the upcoming fiscal year; and a copy of the organization’s most recent audit, if applicable.

**Policy 9.6:** Through the Cultural Council, the County shall support cultural and heritage organizations’ applications for state, federal and private foundation grants. The county’s support may include providing customized demographic information, leveraging the County’s grant eligibility, providing letters of support, and providing other support as appropriate.

**Policy 9.7:** The county shall assist the Cultural Council with the dissemination of a calendar of cultural events in Indian River County prepared by the CCIRC. This assistance will involve making information available at government facilities.

**Policy 9.8:** The county will assist the Cultural Council in providing avenues for nonprofit and artist networking such as:

- A. Providing workshops, seminars and one on one assistance for cultural organizations, artists and educators to enhance their effectiveness, viability and long term survival.
- B. Promoting the use of its web based tools to support and facilitate business transactions within the cultural community.
- C. Providing opportunities for cultural leaders of all kinds to meet and learn from each other, creating networks that foster collaboration and cooperation.

**Policy 9.9:** The Board of County Commissioners shall, upon request by the CCIRC, designate October of each year as National Arts and Humanities month.

## **Intergovernmental Coordination Element:**

The Intergovernmental Coordination Element guides the intergovernmental coordination processes for Indian River County. This Element identifies coordination strategies for all other Elements of the Comprehensive Plan and ensures effective coordination between the County and other jurisdictional agencies to meet residents' needs. A summary of the changes that are proposed for the Intergovernmental Coordination Element are as follows:

- ◊ Amend the goals, objectives, and policies to identify procedures to work through inconsistencies in plans among the local governments rather than stating that they will never occur.
- ◊ Amend policies to acknowledge programs already put in place by shifting from creating to monitoring.
- ◊ Move policies more applicable to other elements, such as Potable Water Sub-Element or Coastal Management, into those elements
- ◊ Implement changes required by the St. Johns River Water Management District (SJRWMD).

These changes are important to ensure seamless execution of the updated Comprehensive Plan and to mitigate inconsistencies within the document.

**Objective 1:** Through the time horizon of the plan, the County will minimize ~~there will be no~~ inconsistencies or conflicts between the eCounty's comprehensive plan, the plans of municipalities within the eCounty, the plans of adjacent counties, the plans of the school board, and the plans of other units of local government providing services but not having regulatory authority over the use of land.

**Policy 1.1:** The eCounty shall utilize the Treasure Coast Regional Planning Council's and the ~~Department of Community Affairs Florida Commerce (fka DEO)~~ review and comment process for comprehensive plan and plan amendment proposals of other local governments ~~in order~~ to ensure consistency between the County Comprehensive Plan and the local comprehensive plans of municipalities within the county, and the comprehensive plans of Brevard, St. Lucie, Okeechobee, and Osceola counties.

**Policy 1.2:** ~~The county shall continue to utilize the Comprehensive Plan Technical Advisory Committee to provide coordination between Indian River County planning activities and the planning activities of the municipalities within the county.~~ **[Removed; Covered by Policy 1.5]**

**Policy 1.3:** ~~By 2012, t~~The eCounty shall continue to support establish interlocal agreements with all municipalities, requiring that applications for changes in land use or zoning for areas located within 500 feet of corporate boundaries be referred to the affected agency (city or county) for staff review and comment prior to any changes in land use or zoning are adopted.

**Policy 1.7:** ~~By 2012, t~~The eCounty shall maintain contact with staffs of the municipalities in the eCounty and the adjacent counties to develop joint notification and plan review procedures.

**Policy 1.8:** ~~To ensure coordinated management of the Indian River Lagoon, the county shall continue active participation with the Indian River Lagoon National Estuary Program (IRLNEP) by:~~

- ~~• Providing information to the IRLNEP on environmental issues related to land development;~~
- ~~• Participating in meetings of the IRLNEP.~~

~~• The county will continue coordination with the SJRWMD on the SWIM plan and with other agencies that regulate the Indian River Lagoon. The county will continue to coordinate with the SJRWMD on the SWIM plan by:~~

- ~~• Applying for SWIM funds for implementation of programs designed to improve surface water quality;~~
- ~~• Submitting regular reports to the SJRWMD on progress of the programs.~~

~~The county will continue to coordinate drainage related issues with the municipalities in the county and the 298 drainage districts by implementing policies of the drainage sub element.~~  
**[Moved to Coastal Management Element]**

**Policy 1.9:** ~~By 2011, the eCounty shall continue to coordinate with enter into an agreement with the Fellsmere Farms Water Control District to ensure access to and use of the water control district's canal/road rights-of-ways by adjacent property owners and to establish maintenance responsibilities for the access roads.~~

**Policy 1.11:** ~~By 2015, The eCounty staff shall continue to coordinate with the staffs of local municipalities and adjacent counties and to prepare a report identifying inconsistencies and conflicts between the eCounty plan and each local plan and identify ways to resolve inconsistencies and conflicts.~~

**Policy 1.12:** ~~The eCounty shall request that the legislature prohibit the sale of conservation land by water management districts unless the land sale is approved by the local government in whose jurisdiction the land is located.~~  
**[This policy lacks accountability]**

**Objective 2:** ~~By 2015~~  
~~tThe eCounty will continue to maintain have an adopted formal mechanism for coordination of adopted comprehensive plan level-of-service standards with municipalities, adjacent counties, the region, and the state.~~

**Policy 2.2:** ~~By 2011, tThe eCounty shall compare its comprehensive plan level-of-service standards with the level of service standards adopted by the municipalities within the county and meet with municipal staff to discuss the possibility of developing countywide level-of-service standards.~~

**Policy 2.4:** ~~The county utilities department shall approve potable water concurrency for new projects only when adequate water supplies and potable water facility capacity are available to accommodate new development project demand.~~  
**[Moved policy to Potable Water Sub-Element]**

**Policy 2.6:** ~~The eCounty utilities department will participate with the SJRWMD in the development of the SJRWMD's Water Supply Assessment and District Regional Water Supply Plan and other water supply development-related initiatives by reviewing and commenting on the SJRWMD's assessment reports and by implementing recommendations of the SJRWMD's water supply plan.~~  
**[Revisions provided by SJRWMD]**

**Policy 2.7:** ~~The County shall, as warranted, coordinate with local municipalities to assess the financial and operational viability of consolidating or otherwise revising the established utility service areas. The resulting assessment will be presented to the Board of County Commissioners for consideration. As part of this, the County will review its existing interlocal agreements for the provision of utility services. Prior to 2011, the County will coordinate with the City of Vero Beach and the Town of Indian River Shores to prepare a financial analysis of options related to the possibility of consolidation of utility services. This analysis may consist of, but is not limited to: the possibility of the County serving utilities to the Town of Indian River Shores, currently served by the City of Vero Beach and the Unincorporated~~

~~area of the South Barrier Island, currently served by the City of Vero Beach, full consolidation of the City of Vero Beach Utility with the Indian River Co. Utility or making no changes in the existing utility service areas. Based on the results of a financial analysis of the various service options, the Board of County Commissioners will consider implementing the results that show the best financial and operational benefits. The county shall also review its agreement with the City of Vero Beach for provision of electricity to portions of the unincorporated county to determine the best available option for the unincorporated county residents being currently served by the City.~~

**Objective 3:** By 2028+2, ~~t~~he eCounty will determine the feasibility of have an shall establish ~~ing~~ ed a formal coordination mechanism with municipalities and adjacent counties to ensure that development in one jurisdiction does not adversely affect the adequacy of public facilities and services in other jurisdictions.

**Policy 3.2:** By 2028+2, ~~t~~he eCounty shall identify all facilities and services which can be affected by the plans and developments in other jurisdictions and monitor facility and service capacity through multi-jurisdictional coordination.

**Policy 3.3:** By 2028+2, ~~t~~he eCounty shall enter into interlocal agreements with the municipalities within the county to exchange information and to coordinate the timing, location, and capacity of public facility improvements to ensure that required services will be available when needed and economically feasible.

**Policy 3.5:** ~~The eCounty shall maintain the level of service standards set in various elements of the comprehensive plan and notify other local governments of the level of service standards.~~ **[Moved to Objective 2]**

**Policy 3.6:** ~~By 2012, t~~he eCounty shall enter into a formal coordination agreement with adjacent counties and the municipalities in Indian River County to identify joint planning areas (JPA) and to address, at a minimum, the following areas:

- Improvement in communication between the county and various local, regional, and state agencies
- Identification of local and regional resources
- Identification of activities having extra-jurisdictional impact
- Identification of locally unwanted land uses
- Identification of expected impacts
- Notification of affected jurisdictions
- Development of measures to mitigate impacts
- Development of a process to resolve disputes

**Objective 4:** ~~By 2020, the number of enclave areas in the county will be reduced by fifty percent (50%) compared to the 2008 number. The County will continue to reduce the number of enclaves within Indian River County.~~

**Policy 4.3:** ~~By 2010, t~~he eCounty shall identify and inventory parcels, owners, and existing uses of enclaves maintain active database of enclaves.

**Policy 4.4:** ~~By 2011, t~~he eCounty shall notify enclave landowners of annexation procedures and assist them in requesting annexation in appropriate municipalities every two years.

**Objective 5:** Through the time horizon of the plan, consistent with the Public School Facilities Element, the eCounty, municipalities, and the school board shall maintain a formal agreement for sharing information, for coordinating plans and projects, for implementing school concurrency, for planning infrastructure improvements, for siting school facilities, and for co-locating facilities.

**Policy 5.2:** Consistent with the Future Land Use Element, ~~W~~ithin its residential any applicable districts, the eCounty shall designate sufficient lands to accommodate the projected needs for schools.

**Policy 5.5:** The eCounty shall ~~obtain~~ coordinate with the school board input on proposed sidewalk and road construction projects.

**Policy 5.9:** The eCounty shall review site plans for school development projects consistent with the development standards identified in appropriate Florida Statutes Ch. 163, F.S., Ch. 1013 F.S., and the 2008 Interlocal Agreement for Coordinated planning and School Concurrency. ~~Site plan review for school projects shall include but not be limited to:~~

- compatibility with the surrounding properties
- environmental concerns
- health, safety, and welfare concerns

~~With respect to compatibility, the following standards shall apply:~~

- ~~Schools will be designed to minimize adverse traffic impacts on adjacent properties.~~
- ~~Outside lighting will be designed to shield adjacent properties from school light sources.~~
- ~~Play areas, athletic areas and other outside areas will be designed to limit noise impacts on adjacent properties.~~
- ~~School buildings will be designed to complement the surrounding area in terms of height, bulk, landscaping, and architectural design.~~
- ~~Vegetative buffers, open space areas, and setbacks may be used to mitigate potential compatibility problems.~~

## **Public School Facilities Element:**

The purpose of the Public-School Facilities Element is to ensure coordination between the School District and Indian River County as it relates to school capacities, facility siting, public access to school facilities, and more. A summary of the changes that are proposed by County Staff for the Public-School Facilities Element are as follows:

- ◊ Revise notice requirements related to impact fees and building permits from 10 working days to 30 calendar days

**Policy 2.7:** The County shall notify the School District within ~~4~~30 working days of receiving payment of school impact fees and vesting school concurrency for any residential development.

**Policy 2.8:** The County shall notify the School District within ~~4~~30 working days of issuance of a building permit for an exempt residential use and shall notify the School District of each residential certificate of occupancy issued.

## **Property Rights Element:**

The purpose of the Property Rights Element is to ensure specific rights of property owners are considered in local decision-making. This Element establishes and commits to considering these rights.

Due to the nature of the Property Rights Element and statutory language, no recommendations are provided for this Element. Indian River County's Property Rights Element meets statutory requirements.

However, in review of the existing element it was discovered that the current language includes a scrivener's error in that one of the adopted policies was not inserted into the Plan after it was adopted by the County in January of 2022. Instead, it appears one of the policies (Policy 1.4) was listed twice, instead of inserting the language into Policy 1.3. Correction of this error is captured below:

Policy 1.3 The County shall consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

Policy 1.3 The County shall consider in its decision-making the right of the property owner to privacy and exclude others from the property to protect the owner's possessions and property.

Policy 1.3 1.4 The County shall consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

## **RECOMMENDATION**

County Staff recommends the Board approve the attached comprehensive plan EAR-based amendments and direct County staff to transmit the County's Comprehensive Plan EAR-based amendments to Florida Department of Commerce.

## **ATTACHMENTS:**

1. EAR Amendment Matrix; prepared by Kimly-Horn [the County's Planning Consultant]