

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Jason E. Brown; County Administrator

THROUGH: Roland DeBlois, AICP
Community Development Director

FROM: Bill Schutt, AICP
Chief, Long Range Planning

DATE: July 29, 2019

RE: Stoneridge, LLC Request to Rezone ± 19.24 Acres from RS-3 to RS-6
(RZON-2004110052-83770)

It is requested that the following information be given formal consideration by the Board of County Commissioners at its regular meeting of August 13, 2019.

DESCRIPTION AND CONDITIONS

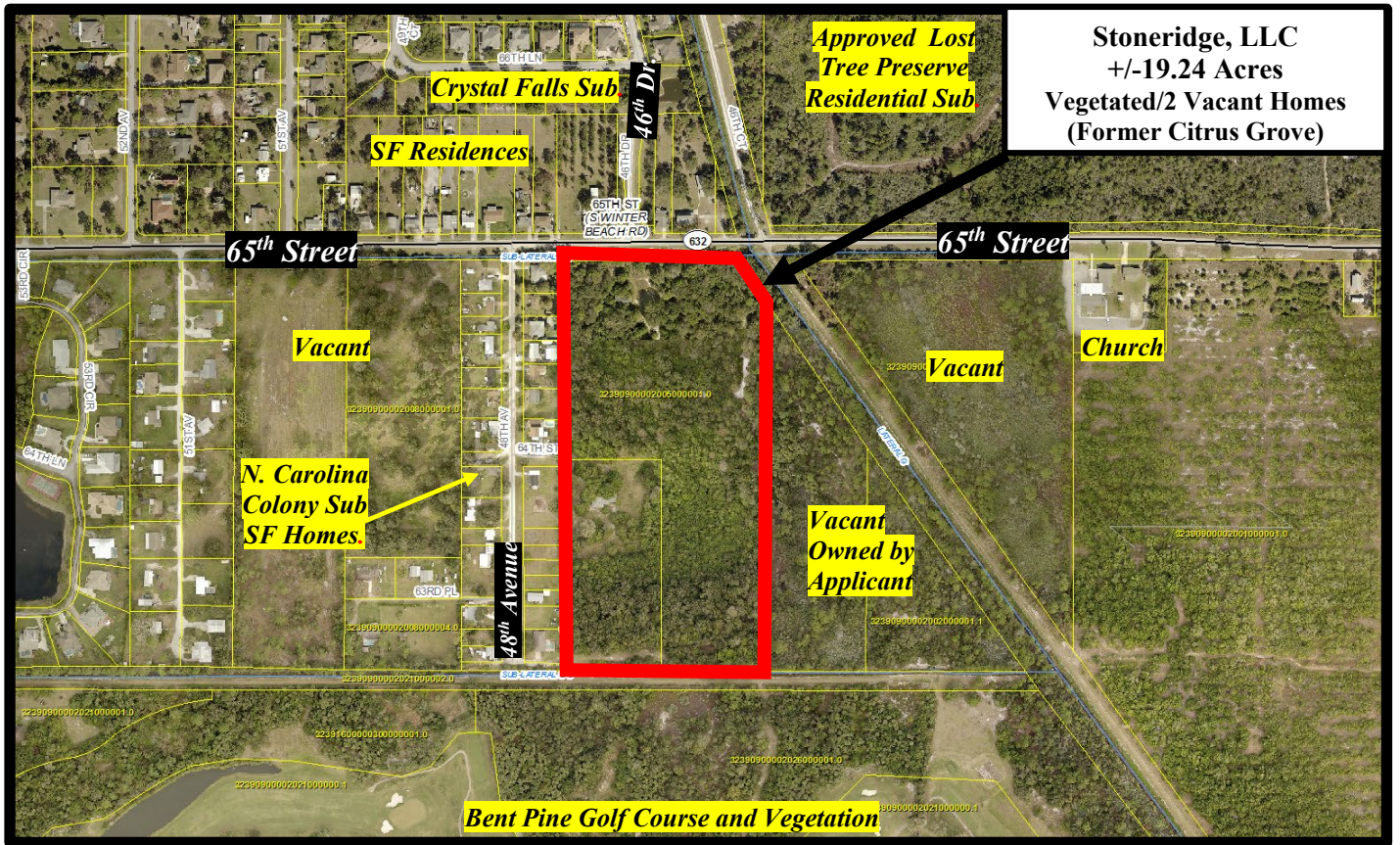
This request is to rezone ±19.24 acres from RS-3, Single Family Residential District (Up to 3 units/acre), to RS-6, Single Family Residential District (Up to 6 units/acre). As shown in Figure 1, the subject property is located south of 65th Street, west of Lateral “G” Canal, and east of 48th Avenue. The purpose of this request is to secure the zoning necessary to develop the ±19.24 acre site at a density consistent with the allowed density of its comprehensive plan land use designation and adjacent properties.

On June 27, 2019, the Planning and Zoning Commission voted 4 – 0 to recommend that the Board of County Commissioners approve this rezoning request (see Attachment 5).

Existing Land Use Pattern

This portion of the county is developed with single family and multi-family residential uses. As shown on Figure 1, the subject property contains vegetation and two abandoned homes, and was once a former citrus grove. Figures 2 and 3 show that the property to the south is zoned RM-4, multi-family residential (up to 4 units/acre), and contains the Bent Pine golf course. To the west of the subject property, land is zoned RS-6 and contains the North Carolina Subdivision. To the north of the subject property and across 65th Street, land is zoned RS-3, Single-Family Residential District (up to 3 units/acre), and contains single family homes and a number of 60’ wide lots. Land to the east is zoned RS-6 and is vacant (contains vegetation; property just east of Lateral G canal is approved for development with 70’ wide lots).

Figure 1 - Aerial image of subject property and surrounding uses



(Existing zoning and proposed zoning maps are on next page)

Figure 2 - Existing Zoning of Subject Properties

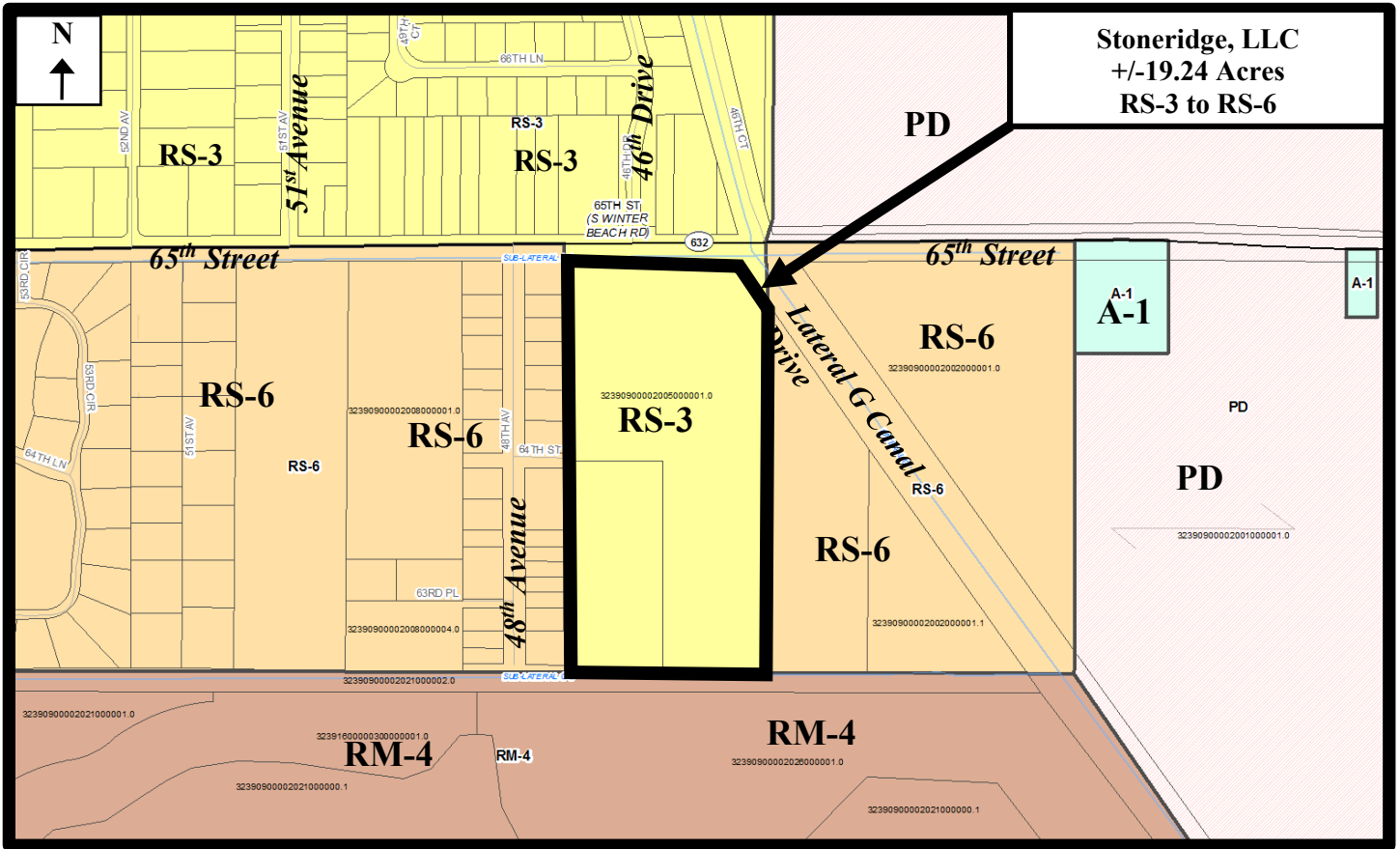
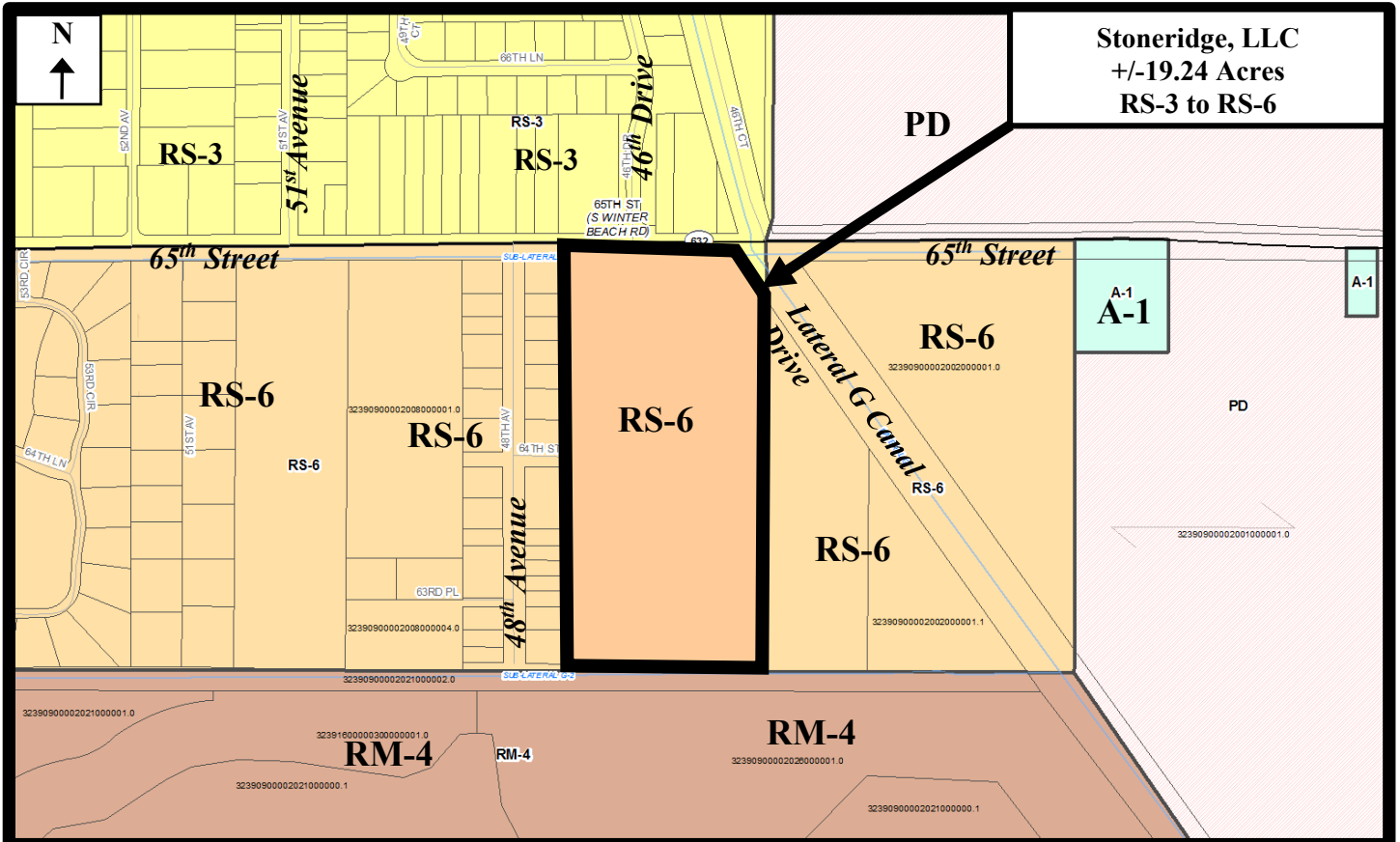


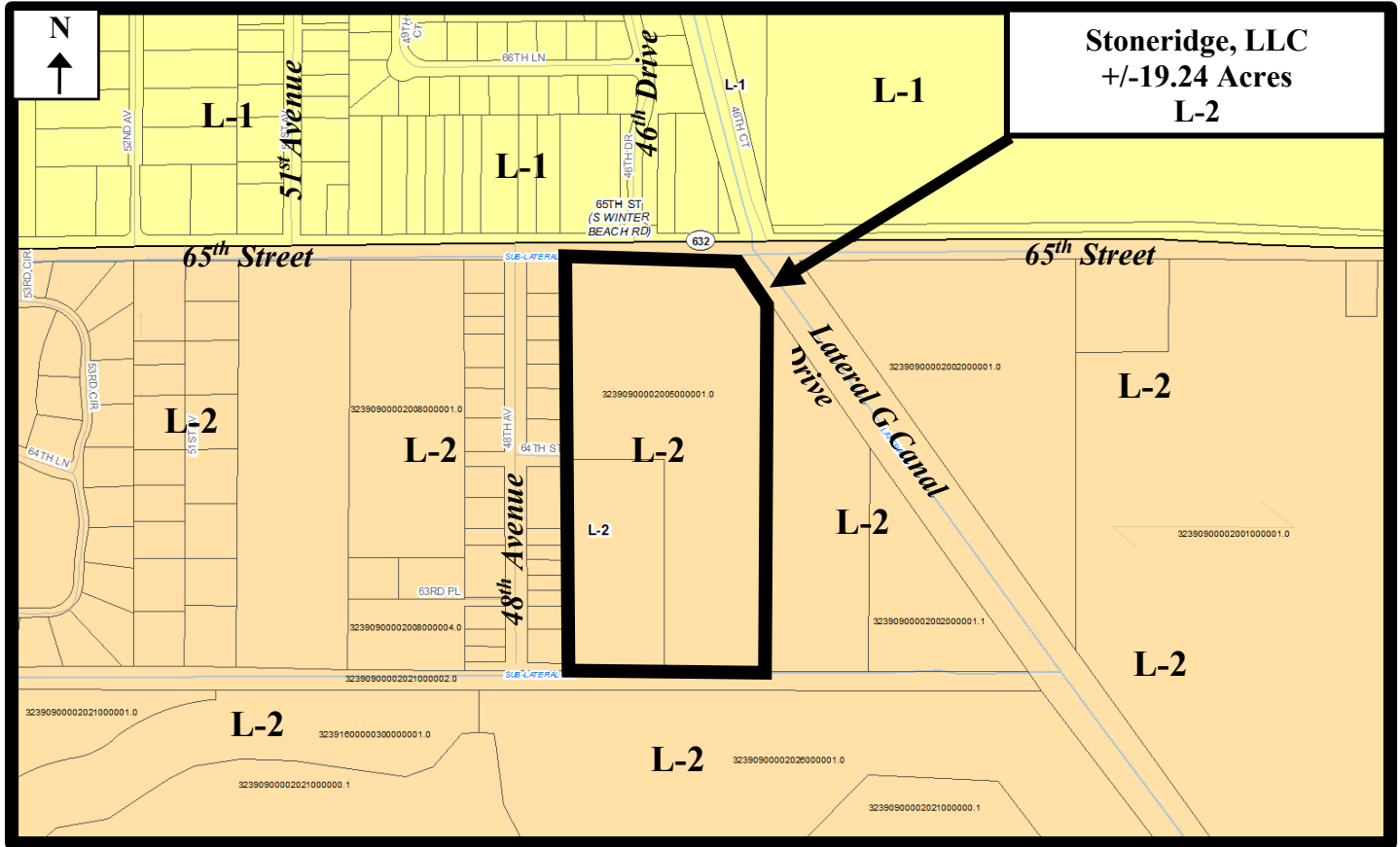
Figure 3 - Proposed Zoning of Subject Properties



Future Land Use Pattern

As shown on Figure 4, the subject property and adjacent properties to the south, east, and west are designated L-2, Low-Density Residential-2, on the Comprehensive Plan's Future Land Use Map. The L-2 designation permits residential uses with densities up to 6 units/acre. To the north, across 65th Street, the land is designated L-1, Low-Density Residential-1, on the county's Future Land Use Map. The L-1 designation permits residential uses with densities up to 3 units/acre.

Figure 4 - Future Land Use of Subject Properties



Environment

The subject property contains two vacant single-family homes and contains an abandoned citrus grove that is now overgrown with a mix of vegetation and trees. Based on County records, no wetlands or any other environmentally sensitive habitat have been identified on the property. According to Flood Insurance Rating Maps, the subject property lies within Flood Zone X.

Utilities and Services

The subject property lies within the Urban Service Area of the County.

Water Service is available to the site from the North County Reverse Osmosis Plant, which currently has sufficient capacity to accommodate the additional demand generated by the subject rezoning request. Wastewater service is available to the site from the Central Regional Wastewater Treatment Plant, which also currently has sufficient capacity to accommodate the additional demand generated by the subject rezoning request.

Transportation System

The subject property abuts 65th Street on its north side. This roadway is classified as an urban collector road on the future roadway thoroughfare plan map. Located within an approximate 80 foot existing public road right-of-way and canal right-of-way (Sub-Lateral G-3), this segment of 65th Street is a two lane paved road. There are currently no planned road improvements for this section of 65th Street listed in the County's Comprehensive Plan.

Zoning District Differences

Both of the respective zoning districts' share a purpose statement. That purpose statement, found in the County's Land Development Regulations (LDRs), is as follows:

Single-family residential districts: The single-family districts are established to implement the policies of the Indian River County Comprehensive Plan for managing land designated for residential uses, providing single-family housing opportunities, and ensuring adequate public facilities to meet the needs of residents. These districts are also intended to implement the county's housing policies by providing opportunities for a varied and diverse housing supply.

The RS-3, Single-Family Residential District (up to 3 units/acre) and the RS-6, Single-Family Residential District (up to 6 units/acre) are the County's two most prevalent single-family zoning districts. In terms of permitted uses and size and dimension criteria, there are both similarities and differences between the existing RS-3 district and the proposed RS-6 district (see Attachment 3).

With respect to lot size and potential number of lots, under RS-3 zoning, the minimum lot width is 80' and new conventional subdivision development typically yields an actual density of 2.0 – 2.5 units. Under RS-6 zoning, the minimum lot width is 70' and new conventional subdivision development typically yields an actual density of 2.5-3.2 units per acre.

ANALYSIS

In this section, an analysis of the reasonableness of the rezoning request will be presented. Specifically, this section will include an analysis of the request's:

- Impact on public facilities;
- Consistency with the county's comprehensive plan;
- Compatibility with the surrounding area; and
- Potential impact on environmental quality.

Impact on Public Facilities

The subject property is located within the Urban Service Area, an area deemed suited for urban scale development. Within the Urban Service Area, the comprehensive plan establishes standards for: Transportation, Potable Water, Wastewater, Solid Waste, Stormwater Management, and Recreation (reference Future Land Use Element Policy 3.1). Adequate provision of those services is necessary to ensure the continued quality of life enjoyed by the community. To ensure that the minimum acceptable standards for those services and facilities are maintained, the comprehensive plan requires that new development be reviewed for a concurrency determination. For rezoning requests, that review is undertaken as part of the conditional concurrency determination application process.

As per section 910.07 of the County's Land Development Regulations (LDRs), conditional concurrency review examines the available capacity of each facility with respect to a proposed project. Since rezoning requests are not projects, county regulations call for the concurrency review to be based upon the most intense use of the subject property based upon the requested rezoning district.

For residential rezoning requests, the most intense use (according to the County's LDRs) is the maximum number of units that could be built on the site, given the size of the property and the maximum density under the proposed zoning. The site information used for the concurrency analysis associated with this rezoning request is provided below.

- | | |
|---|---|
| 1. Size of Area to be Rezoned: | ± 19.24 acres |
| 2. Existing Zoning District: | RS-3, Single-Family Residential District (up to 3 units/acre) |
| 3. Proposed Zoning District: | RS-6, Single-Family Residential District (up to 6 units/acre) |
| 4. Most Intense Use of Subject Property Under Existing Zoning District: | 57 Single-Family Units |
| 5. Most Intense Use of Subject Property Under Proposed Zoning District: | 115 Single-Family Units |

*Note: a 6 unit per acre density under RS-6 zoning would be allowed only if approved as a Planned Development special exception project involving a public hearing process similar to a rezoning. As stated previously in this report, conventional RS-6 subdivision projects are limited by the RS-6 seventy foot (70') minimum lot width requirement and typically yield an actual density of 2.5 – 3.2 units per acre or 48-61 lots in the case of the subject site.

Transportation

As part of the concurrency review process, the applicant submitted a Traffic Impact study. A Traffic Impact Study reports the number of peak hour/peak season/peak direction trips that would be generated by the most intense use of the subject property under the proposed zoning district, and it assigns peak trip data to the County's thoroughfare roadway network within the project's area of influence. That area of influence is defined in section 910.09(4)(b)3 of the County's LDRs as roadway segments that receive eight (8) or more peak season/peak hour/peak direction project trips for two-lane roadways or fifteen (15) or more peak season/peak hour/peak direction project trips for four-lane (or wider) roadways.

For this rezoning request, the county's Traffic Engineering Division reviewed and approved the applicant's traffic impact study. According to the approved traffic impact study, the existing level of service on impacted roadways would not be lowered by the traffic generated by development of 115 single-family units on the subject property.

Water

With the proposed rezoning, the subject property could accommodate up to 115 residential units. Development on the subject property will be served by the North County Reverse Osmosis Plant, which currently has sufficient existing and planned capacity to accommodate the additional demand generated by the 115 unit theoretical maximum associated with the proposed rezoning.

Wastewater

County wastewater service is available to the site from the Central Regional Wastewater Treatment Plant, which currently has sufficient existing and planned capacity to accommodate the additional wastewater generated by the 115 unit theoretical maximum associated with the subject request.

Solid Waste

Solid waste service includes pick-up by private operators and disposal at the county landfill. A review of the solid waste capacity for the active segment of the county landfill as well as planned expansions of the landfill indicates that the county landfill can accommodate the additional solid waste generated by the site under the proposed rezoning.

Stormwater Management

All developments are reviewed for compliance with county stormwater regulations, which require on-site retention, and preservation of floodplain storage and minimum finished floor elevations when located within a floodplain. In addition, development proposals must meet the discharge requirements of the county Stormwater Management Ordinance. Since the site is located within the C-1 Drainage Basin and the Indian River Farms Water Control District (IRFWCD), development on the property will be prohibited from discharging any runoff in excess of two inches in a twenty-four hour period, which is the approved IRFWCD discharge rate.

In this case, the minimum floor elevation level of service standard does not apply, since the property does not lie within a floodplain. Both the on-site retention and discharge standards do apply. The stormwater management level of service standard will be met by limiting off-site discharge to the IRFWCD's maximum discharge rate of two inches in twenty-four hours, and maintaining on-site retention of the stormwater runoff for the most intense use of the property.

As with all development, a more detailed review will be conducted during the development approval process.

Recreation

A review of county recreation facilities and the projected demand that would result from the most intense development that could occur on the property under the proposed zoning district indicates that the adopted levels of service would be maintained.

Concurrency Summary

Based upon the analysis conducted, staff has determined that all concurrency-mandated facilities, including transportation, stormwater management, solid waste, recreation, water, and wastewater, have adequate capacity at this time to accommodate the most theoretically intense use of the subject property under the proposed rezoning.

As with all development, a more detailed concurrency review will be conducted during the development approval process.

Consistency with Comprehensive Plan

Rezoning requests are reviewed for consistency with all applicable policies of the comprehensive plan. Rezoning requests must also be consistent with the overall designation of land uses as depicted on the Future Land Use Map. In this case, the subject property is designated L-2, Low Density-2, on the Future Land Use Map. Since RS-6 zoning is allowed in the L-2 district, the proposed zoning is consistent with the Future Land Use Map.

Other than the Future Land Use Map, the goals, objectives, and policies are the most important parts of the comprehensive plan. Policies are statements in the plan that identify the actions which the county will take in order to direct the community's development. As courses of action committed to by the county, policies provide the basis for all county land development decisions. While all comprehensive plan policies are important, some have more applicability than others in reviewing rezoning requests. Of particular applicability for this request are the following objectives and policies:

- Future Land Use Element Objective 1

Future Land Use Element Objective 1 states that the county will have a compact land use pattern which reduces urban sprawl. By allowing the site to be developed in a manner that is consistent with the site's land use designation, the request allows a more compact land use pattern within the

Urban Service Area and reduces the chances that urban sprawl will occur. For these reasons, the request is consistent with Future Land Use Element Objective 1.

- Future Land Use Element Policies 1.11 and 1.12

Future Land Use Element Policy 1.11 states that these residential uses must be located within the Urban Service Area. In addition, Future Land Use Element Policy 1.12 states that the L-2, Low-Density Residential-2, land use designation is intended for residential uses with densities up to 6 units/acre.

Since the subject property is located within the county's Urban Service Area, is located within an area designated as L-2 on the county's Future Land Use Map, and the proposed zoning district would permit residential uses no greater than the 6 units/acre permitted by the L-2 designation, the proposed request is consistent with Policies 1.11 and 1.12.

- Future Land Use Element Policy 2.2

Future Land Use Element Policy 2.2 states that the county shall encourage and direct growth into the Urban Service Area through zoning and LDRs. Since the proposed rezoning would allow and encourage more development on the subject property and the subject property is within the Urban Service Area, the request implements Future Land Use Element Policy 2.2.

While the referenced policies are particularly applicable to this request, other Comprehensive Plan policies and objectives also have relevance. For that reason, staff evaluated the subject request for consistency with all applicable plan policies and objectives. Based upon that analysis, staff determined that the request is consistent with the Comprehensive Plan.

Consistency with the County Land Development Regulations

Rezoning requests must be consistent with all applicable sections of the County Land Development Regulations (LDRs), including Section 902.12(3) standards of review. A copy of those standards are included as Attachment 4 to this report. With this rezoning request, staff determined that the request is consistent with the LDRs, including the review standards listed in Section 902.12(3).

Compatibility with the Surrounding Area

Staff's position is that the requested zoning district is appropriate for the site and that development under this zoning district would be compatible with surrounding land uses. Since the land to the west and to the east of the subject property is zoned RS-6 and developed with single family homes, the requested zoning district will be a continuation of that zoning district in both directions.

At least two factors indicate that the proposed RS-6 zoning district would be appropriate for this portion of the county; these are: the underlying designation on the Future Land Use Map of L-2, Low-Density Residential-2 (up to 6 units per acre); and the development pattern in this portion of the County.

In this case, the proposed RS-6 zoning district is consistent with the property's underlying L-2 land use designation and is compatible with the existing multiple-family zoning district to the south and the existing single-family residential zoning district to the north. While the land to the south of the subject property is zoned RM-4, Multiple-Family Residential (up to 4 units/acre), that property has been developed as a golf course, and is separated from the subject property by a canal. No incompatibilities will be created by establishing RS-6 zoning adjacent to the golf course. Since the RS-3 zoned property to the north is separated from the subject property by 65th Street and a canal, which have a combined 80-foot public right-of-way, that separation will ensure that no incompatibility issues will arise between the subject property and the property to the north as a result of this rezoning request.

Similarly, no incompatibility is anticipated between the subject property and the RS-6 zoned property to the east. This adjacent property is currently owned by the applicant and borders the G-3 Canal. It is anticipated that this property will be developed consistent with the underlying L-2 land use designation on the county's future land use map. In fact, an application has already been submitted to develop this adjacent property and the subject property as a single family residential project at a density slightly over 3 units per acre. That proposal is on hold pending the outcome of the subject rezoning request.

Properties to the west are within the North Carolina Colony Subdivision, which was platted in the 1950's with 50' wide lots. Over time that subdivision has developed with single family homes on varying sized lots as a result of owners combining one or more or portions of adjacent lots so that now the subdivision contains a mixture of lot sizes including 50' wide, 75' wide, and 100' + wide lots. Since that subdivision is zoned RS-6, rezoning the subject property would constitute an extension of the existing RS-6 zoning district, thereby ensuring compatibility.

The aforementioned factors indicate a trend toward continued urbanization in this portion of the county. Therefore, no incompatibilities between these properties and the subject property are anticipated to occur as a result of the proposed rezoning.

For these reasons, staff feels that the requested RS-6 zoning district would be compatible with development in the surrounding area.

Potential Impact on Environmental Quality

The subject property currently contains two vacant single family residential uses and contains remnants of an abandoned citrus grove. Therefore, the site is no longer in its natural state. Since the subject property contains no environmentally important land, such as wetlands or sensitive uplands, development of the site is anticipated to have little or no impact on environmental quality. In addition, the same degree of site alteration is anticipated whether the site is developed as an RS-3 or an RS-6 subdivision. For these reasons, no adverse environmental impacts associated with this request are anticipated.

CONCLUSION

The requested RS-6 zoning district is compatible with the surrounding area and is consistent with the site's land use designation and the goals, objectives, and policies of the Comprehensive Plan. The requested rezoning meets applicable concurrency requirements, will have no negative impacts on environmental quality, and meets all applicable rezoning criteria. Most importantly, the subject property is located in an area deemed suited for low-density single-family residential uses allowed under the requested RS-6 zoning. For these reasons, staff supports the request.

RECOMMENDATION

Based on the analysis, staff and the Planning and Zoning Commission recommend that the Board of County Commissioners approve this request to rezone the subject property from RS-3 to RS-6 by adopting the proposed ordinance.

ATTACHMENTS

1. Summary Page
2. Rezoning Application
3. Table of Uses for Residential Zoning Districts
4. Section 902.12(3) Standards of Review
5. Unapproved Minutes of the June 27, 2019 PZC meeting
6. Rezoning ordinance