

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Jason E. Brown; County Administrator

FROM: Stan Boling, AICP; Community Development Director

DATE: January 5, 2018

SUBJECT: Consideration of Two “Early” Recommendations from the Development Review and Permit Process Advisory Committee: Changes to LDR Chapters 910, 913, 914, 952, and 971; and Payment Timing Option for Certain Fire Construction Plan Review Fees

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

BACKGROUND

At its meeting of December 14, 2017, the Development Review and Permit Process Advisory Committee (Committee) made two unanimous recommendations for the Board of County Commissioners to consider. The first recommendation was for the Board to authorize the formal process for adopting an “early” set of LDR (land development regulation) changes to the preliminary plat and site plan processes together with a change to the current threshold for applicant traffic study submittals. None of the proposed changes affect actual development criteria or traffic standards. The second Committee recommendation involves providing an option for an applicant of a project requiring a large Fire Construction plan review fee (over \$5,000) to submit a portion of the fire review fee up-front with the remaining portion paid prior to or at the time of building permit issuance.

The Board is now to consider each recommendation. With respect to the recommended LDR change, the Board needs to consider authorizing staff to initiate the formal adoption process for the proposed LDR amendments. Regarding the Fire fee payment timing recommendation, the Board needs to consider adopting the attached Fire fee resolution.

ANALYSIS

So far, the Committee has met three times, focusing its initial work on identifying any development review process “bottlenecks” and determining improvements for the preliminary plat and site plan approval processes. In addition, the Committee has focused on traffic study submittal requirements and the timing of paying large Fire Prevention’s construction plan review fees that typically arise with large commercial projects. In addition to its initial work to date, the Committee will continue to work on development review process items (site plans, subdivisions/plats) and will then work on building permit process items, followed by consideration of development review fees.

At its November 8th and December 14th meetings the Committee identified development review process improvements. Those include raising the traffic study submittal threshold (Chapter 910 and 952) and making a number of changes to the preliminary plat (Chapter 913) and site plan (Chapter 914) processes as described in further detail in attachment #3. The Committee also discussed changing certain administrative permit uses and small-scale conventional residential projects (fewer than 25 units) from PZC (Planning and Zoning Commission) approval to staff-level approval. Those changes would save 14 – 28 days in approval time for affected projects. Staff supports all of the proposed LDR changes. See draft LDR amendment ordinances attachments #4 – #8.

At its December 14th meeting the Committee also discussed providing relief for the payment timing of Fire Prevention’s construction plan review fees for large commercial projects. For larger ALF, retail, and place of assembly projects, Fire Prevention reviews and project inspections can take a significant amount of staff time and corresponding fire construction plan review fees for large projects can run into tens of thousands of dollars. Fire construction plan review fees are based on project value and were established by Board resolution. The current fire fee resolution requires payment of the entire fire construction plan review fee up-front, at the time of building permit submittal (see attachment #9). Over the last 12 months, four projects had fire prevention plan review fees over \$5,000. After thorough discussion, the Committee unanimously recommended providing an option for projects with high fire construction plan review fees (over \$5,000), whereby an applicant could pay 25% of the fee at the time of building permit submittal and the remaining 75% prior to or at the time of building permit issuance. Staff is in agreement with the proposed fee payment option. That option is proposed in the attached resolution (see attachment #10) which needs to be adopted by the Board to put the option into effect.

The Committee desires Board consideration of these “early” recommendations to provide process streamlining and improvements expeditiously, recognizing that future recommendations are likely to require further LDR amendments. Staff supports the Board’s early consideration of the recommended initiatives rather than waiting several more months for a single, large compilation of various Committee recommendations.

RECOMMENDATION

The Development Review and Permit Process Advisory Committee and staff recommend that the Board of County Commissioners:

1. Authorize staff to initiate the formal LDR amendment process for the attached draft LDR amendments, and
2. Adopt the attached resolution providing a fire construction plan review fee payment timing option for projects subject to a large fee.

ATTACHMENTS

1. Minutes from November 8, 2017 Committee Meeting
2. Minutes from December 14, 2017 Committee Meeting

3. Summary of LDR Changes
4. Chapter 910 draft ordinance
5. Chapter 913 draft ordinance
6. Chapter 914 draft ordinance
7. Chapter 952 draft ordinance
8. Chapter 971 draft ordinance
9. Memo from Emergency Services Director
10. Proposed Resolution on Fire Construction Plan Review Fee Payment Option