

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

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP; Community Development Director

FROM: Bill Schutt, AICP
Senior Economic Development Planner, Long Range Planning

DATE: June 22, 2017

SUBJECT: Consideration of Land Development Regulations (LDR) Amendment for Mixed Use Regulations Consistent with Proposed Policy 5.6 Provisions for SR 60/IRSC (Indian River State College) Mixed Use Development

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of July 11, 2017.

BACKGROUND

Currently, the county is in the process of adopting certain amendments to its Future Land Use Element mixed use development policy (Policy 5.6). Those proposed amendments, if adopted, will modify certain requirements for mixed use projects for the “SR 60/IRSC preferred location area”; the area adjacent to the SR60/58th Avenue node, the IRSC campus at 66th Avenue, and the SR 60/66th Avenue intersection. Among the proposed changes are an increase in the mixed use PD project maximum area from 40 acres to 80 acres, allowing an increased proportion of project area for commercial use from 25% to up to 50% with a cap of 30 acres, and an increase in individual commercial building maximum area from 25,000 sq. ft. to 60,000 sq. ft., and requiring provision of significant infrastructure improvements for SR60 access, 66th Avenue access, a bridge over Lateral A canal, and signalization at 66th Avenue/“18th Street”. A Board hearing (final hearing) for adopting the proposed Policy 5.6 amendments is scheduled for July 11, 2017, immediately prior to consideration of the subject LDR (land development regulations) amendment.

As structured, the county’s LDRs implement comprehensive plan policies and must be consistent with the comprehensive plan. In fact, the LDRs are subservient to the comprehensive plan and, whenever there is a conflict between the two, the comprehensive plan prevails. In many cases, changes to a comprehensive plan policy require changes to a corresponding LDR section. In this case, changes to mixed use Policy 5.6 require changes to the mixed use development regulations of Chapter 915. To keep the county’s mixed use regulations up to date with respect to the Policy 5.6 amendments, staff has prepared an LDR amendment to Chapter 915 that matches changes proposed to Policy 5.6 (see attachment #2).

PZC ACTION

At its May 25, 2017 meeting, the Planning and Zoning Commission (PZC) conducted a public hearing and considered the proposed ordinance. The PZC voted 6-0 to recommend that the Board of County Commissioners (BCC) adopt the proposed ordinance subject to Board adoption of the proposed Policy 5.6 comprehensive plan amendments (see attachment #1).

The BCC is now to conduct a public hearing, consider the proposed ordinance, and approve, approve with modifications, or deny the proposed ordinance.

ANALYSIS

- Mixed Use Developments

Currently, the county's mixed use development regulations contained in LDR Section 915.20 closely mirror and implement the existing Future Land Use Element Policy 5.6. That policy, however, may change on July 11, 2017, when the Board considers adopting changes to several provisions of Policy 5.6. Those changes, if adopted, will allow commercial development within mixed use projects in a "preferred location" adjacent to a Commercial Industrial Node, the Indian River State College campus, and State Road 60/66th Avenue intersection. Those mixed use policy changes are fully addressed in staff's report for the County-initiated plan amendment request. As structured, the proposed 915.20 LDR amendment reflects the specific changes being considered for Policy 5.6. Because the Policy 5.6 changes provide specific and detailed standards, the proposed LDR amendment simply incorporates Policy 5.6 wording.

The proposed Section 915.20 amendment has been scheduled for Board consideration on July 11, 2017, immediately following the Board's adoption hearing on the Policy 5.6 proposed changes. If the Board adopts the Policy 5.6 amendment, it can then immediately adopt the proposed Section 915.20 amendment to bring the LDRs in line with the amended Policy 5.6.

RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the proposed LDR amendment ordinance.

ATTACHMENTS

1. Minutes from May 25, 2017 PZC
2. Proposed Ordinance to Amend LDR Chapter 915