

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

TO: Board of County Commissioners

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

FROM: Ryan Sweeney; Assistant Planning & Development Services Director

DATE: December 30, 2024

SUBJECT: Consideration of Staff-Initiated Land Development Regulation (LDR) Amendments to Remove Duplexes from the County's Site Plan Review Requirements [Legislative]

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners (BCC) at its regular meeting of January 14, 2025.

BACKGROUND

At its regular meeting of September 12, 2024, the Affordable Housing Advisory Committee (AHAC) directed staff to proceed with formal amendments to the County's land development regulations (LDRs) to remove duplexes from the County's site plan review requirements.

The BCC is now to consider the proposed LDR amendments, conduct a public hearing, and adopt, adopt with modifications, or deny the proposed LDR amendments.

ANALYSIS

Currently, Section 914.06 of the County LDRs requires duplexes to be reviewed and approved through the minor site plan process. The minor site plan process requires submitting a formal site plan application and associated application fee, as well as, a complete plan package including a survey, site plan, drainage plan, utilities plan, landscape plan, and other various plan sheets (as applicable). Also, the minor site plan process requires review and approval via the County's Technical Review Committee (TRC) process, which typically takes anywhere from 3 to 6 months from date of formal application to final approval. Lastly, the minor site plan process typically requires the services of a consulting civil engineer to prepare the application and plan package, and to navigate the process.

Generally speaking, duplexes on individual lots or parcels of record are considered to be an affordable rental product that can help with the County's current housing affordability challenge. However, over the past several years, a number developers and/or affordable/workforce housing builders have indicated that the added cost of requiring duplexes to be reviewed and approved through the minor site plan process serves as an additional hurdle to the provision of affordable/workforce housing. Therefore, the County's AHAC directed staff to explore an option whereby duplexes on individual lots or parcels of record can be reviewed and approved directly through the County's building permit review and approval process.

Upon review and analysis, County staff determined that there is no real value or need for duplexes to be reviewed and approved through the minor site plan process. Specifically, duplexes are already

exempted from the additional stormwater permitting requirements outlined in Chapter 930, with the exception of a duplex proposed within the floodplain. Per the proposed ordinance, any duplex proposed within the floodplain will be required to obtain a Type “C” flood management system permit, just the same as a single-family home within the floodplain. Also, a duplex will be required to provide a conceptual (individual lot) drainage plan as outlined in Section 912.08 of the County LDRs, and that drainage plan can be reviewed via the building permit process.

Duplexes are also exempted from all traffic and parking area design requirements outlined in Section 954.07 and 954.10 of the County LDRs. Therefore, a technical parking lot/area design is not required.

Lastly, the proposed ordinance will only apply to duplexes on individual lots or parcels of record. The individual lot or parcel of record must be appropriately zoned (e.g. RM-6 or RM-8) and must meet all applicable zoning and dimensional criteria (lot size, lot width, setbacks, etc.). The proposed ordinance will not exempt a site plan or subdivision project that is proposing multiple duplex units/lots from the applicable LDR requirements and processes.

PLANNING AND ZONING COMMISSION (PZC) RECOMMENDATION:

At its regular December 12, 2024 meeting, the PZC conducted a public hearing and voted 7-0 to recommend that the BCC adopt the proposed ordinance.

STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the proposed ordinance to remove duplexes on individual lots or parcels of record from the County’s site plan review requirements.

ATTACHMENTS

1. Draft Ordinance
2. Business Impact Estimate