

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4K

From: Staff

Date: June 22, 2007 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the Indian River County Comprehensive Plan
DCA Reference No. 07-2

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

Indian River County proposes 12 amendments to the Future Land Use Map (FLUM) and text amendments to the Future Land Use, Transportation, Intergovernmental Coordination and Capital Improvements elements of the County Comprehensive Plan. The County is also proposing an entirely new Public School Facilities Element. The County has asked for a formal review of the amendments by DCA.

Evaluation

Future Land Use Map Amendments

The County proposes to redesignate 12 properties from their existing designation to a new FLUM designation to be called Mobile Home Rental Park (see Table 1). The location of these properties, which total approximately 780 acres in size, is shown on the attached map.

Table 1: Rental Mobile Home Parks in Unincorporated Indian River County over 15 acres in size

Rental Park Name	Address	FLUM Designation	Acres	Number of MH	Number of RV
Shady Rest MHP	13225 US 1	L-2	15.70	117	0
Tanglewood Village MHP	1060 US 1 SW	L-2	17.57	124	18
Holiday Village MHP	1000 SW 27 th Avenue	L-2	18.18	128	0
Midway Estates MHP	1950 South US 1	L-2	28.00	180	0
Ranchland Mobile Park	2055 82 nd Avenue	M-1	16.01	108	0
Beach Cove	100 99 th Street	M-1	31.57	77	0
Countryside South	1405 82 nd Avenue	M-1	64.13	287	0
Heritage Village (Plantation)	1101 Ranch Road	M-1	65.09	436	0
Lakewood Village MHP	1455 90 th Avenue	M-1	71.50	376	0
Heron Cay	1400 90 th Avenue	M-1	129.86	587	0
Countryside North	8775 20 th Street	M-1	147.71	644	0
Village Green	7300 20 th Street	M-1	174.54	780	0
Total			779.86	3844	18

Key to FLUM Designations

- L-2 Low Density Residential (up to 6 dwelling units per acre)
- M-1 Medium Density Residential (up to 8 dwelling units per acre)

The properties are all located within the Urban Service Area. The parks that are within FLUM designation L-2 exist as legal non-conforming uses. As explained in the analysis of the text amendment later in this report, the new designation is intended to provide some protection to mobile home owners in rental parks from the rapid conversion of parks to other uses and the displacement of the owners. This is considered necessary due to the significant role that mobile home parks play in providing affordable housing options and the trend to convert these parks to other uses, leaving those who rent mobile home lots with few options.

Text Amendments

1. New Mobile Home Rental Park (MHRP) Designation - this is a County initiated text amendment to establish a new FLUM designation to be applied to lands that contain mobile home parks in unincorporated Indian River County that are larger than 15 acres in size. The purpose of this amendment is to correct existing non-conformities and to provide protection for mobile home owners from rapid conversion and redevelopment of the rental park site. The new designation is to be applied only to rental mobile home parks. The County plan currently permits mobile home parks in

the M-1 and M-2 designations. The amendment responds to concerns about mobile home park conversions that are happening throughout Florida as a result of escalating real estate values. Policies 1.2 and 1.14 of the Future Land Use Element are revised to reflect the new FLUM designation. New Policies 1.14.1 and 1.14.2 define the location, maximum density (8 dwelling units per acre) and uses allowed in the MHRP designation.

2. Transportation Element Amendments – this element is to be revised to
 - 1) reflect changes in the County traffic study requirements based on a recent study of County practices. Changes are as follows:
 - Changing the edition of the ITE manual cited as a source from the “5th Edition” to the “7th Edition”.
 - Deriving the existing service level using peak direction volume ranges only.
 - Removing ART-PLAN analysis, HCM Analysis and speed delay studies as alternative mechanisms to calculate levels of service.
 - Changing “traffic impact analysis” references to “traffic impact study.”
 - Changing the project traffic study radius of influence to eight miles.
 - 2) revise the level of service standard on a segment of SR 60 (I-95 to 98th Avenue) to be consistent with state standards for Strategic Intermodal System facilities; and
 - 3) to correct minor typographical errors in the analysis section of the element.
3. Adoption of new Public School Facilities Element (PSFE) – related amendments to the Intergovernmental Coordination Element (ICE) and Capital Improvements Element (CIE). All local governments in the State are requested to adopt school concurrency provisions as part of their comprehensive plan by 2008. Indian River was one of six counties and their school board to be pilot communities in complying with new school concurrency requirements. To comply, local governments must:
 - 1) Adopt a Public School Facilities Element;
 - 2) Enter into an Interlocal Agreement with their school board;
 - 3) Amend appropriate sections of their Capital Improvements Element; and
 - 4) Amend appropriate sections of their Intergovernmental Coordination Element.

The County completed its obligations by the fall of 2006. Elected officials have decided on a timeline for implementation of school concurrency in the County.

The new element contains the data and analysis for establishing school concurrency within the County, including the current supply of public school student stations and the anticipated school facility demand. In addition, the PSFE addresses school level of service standards, the need for new school facilities, a summary of anticipated revenues, procedures for implementing school concurrency, and general goals, objectives and policies.

Based on the data, the County will need three new elementary, one new middle and one new high school in the next seven years. The element includes maps showing current public school service area boundaries and a section on level of service standards for public schools.

The proposed amendments to the CIE include the addition of school concurrency level of service standards, the addition of the School District's capital facilities plan as an appendix, and the modification of text of the CIE to reflect information contained within the school district capital improvements schedule.

Proposed amendments to the ICE recognize that an Interlocal Agreement for Coordinated Planning and School Concurrency will be adopted by the County. In addition, the amended ICE outlines general multi-jurisdictional school concurrency implementation requirements and highlights the state growth management legislation requiring school concurrency implementation. Further, amendments to the ICE establish the need for coordination between the County and School District in reviewing residential development projects.

Extrajurisdictional Impacts

On May 15, 2007, the County provided copies of the proposed amendments to other municipalities in the County and to adjacent Counties. Council requested comments from these jurisdictions. No comments have been received as of the completion of this report. There should be no detrimental extrajurisdictional impacts as a result of these amendments.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

No comments/recommendations.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the Strategic

Regional Policy Plan (SRPP) as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and approve their transmittal to the Department of Community Affairs.

Attachment

Appendix A

