

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 8F

From: Staff

Date: February 19, 2016 Council Meeting

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Indian River County Comprehensive Plan  
Amendment No. 16-1ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Indian River County contains proposed text changes to the Potable Water and Sanitary Sewer sub-elements of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendment includes revisions to Policy 5.7 of the Potable Sub-Element and Policy 5.8 of the Sanitary Sewer Sub-Element of the comprehensive plan. The changes allow centralized water and sewer service to places of worship and camp/retreat uses that lie outside the Urban Service Area. For the exception to apply, these uses must be approved for service by Utility Services; the connection to water and/or sewer service is not to be justification for a density increase; and the owner or developer is responsible for all costs associated with making the connection. The proposed text changes modify provisions of these services to clarify that the costs associated with connecting a property and providing for adequate fire protection and line extensions shall be borne by the owner of the property.

The amendment was initiated by a request from representatives of an existing agricultural business, a church, and a camp/retreat that expressed a desire to connect their properties to

county water and sewer lines. The agricultural business can already connect under current policy, but supports the change for the church and camp/retreat so that all three projects can jointly fund and benefit from common improvements to extend the water and sewer lines.

### Regional Impacts

No adverse effects on regional resources or facilities have been identified. However, **Regional Policy 8.1.1.2** states that incentives should be made available to encourage development and/or redevelopment in areas where adequate facilities exist in order to maximize the use of those facilities and services. The Urban Service Area is important for directing growth to areas where public facilities and services can be provided in an efficient and cost effective manner. The proposed amendment expands the current water and sewer connection exception to include places of worship and camp/retreat uses. County Policies 5.7 and 5.8 would provide more encouragement to new development or redevelopment to occur within the Urban Service Area if the amendment language was modified to apply only to existing places of worship or camp/retreats, rather than allowing the exception to apply to all future similarly situated places of worship or camp/retreats.

### Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on January 25, 2016. No extrajurisdictional impacts have been identified.

### Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

### Recommendation

Council should approve this report and authorize its transmittal to Indian River County and the Florida Department of Economic Opportunity.

### Attachments

## **List of Exhibits**

### **Exhibit**

- 1 General Location Map
- 2 Text Changes in Underline and Strikethrough Format



# Exhibit 2

## Text Changes in Underline and Strikethrough Format

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
J.R. SMITH, CLERK

### Appendix A Potable Water Sub-Element Policy 5.7

POLICY 5.7: Consistent with the policies of the *Future Land Use Element* of this plan, centralized water service shall be limited to the following areas:

- Areas within the Urban Service Area;
- Areas where the county has legal commitments to provide facilities and services as of the date of adoption of this plan;
- Areas outside the Urban Service Area where at least a portion of the site is contiguous to an Urban Service Area boundary as depicted on the Official Future Land Use Map or, where located no more than 500 feet from an existing centralized potable water main distribution line that is part of a looped system, or where a place of worship or camp/retreat use is approved for water and/or sewer service by Utility Services. These areas are subject to the following provisions:
  - The maximum density of such land shall be as shown on the Official Future Land Use Map, and the provision of centralized potable water service shall not be justification for an increase in maximum density;
  - Any and all costs associated with connecting a property to the potable water system and providing for adequate fire protection, including costs associated with survey, design, permitting, line extensions, construction, restoration, inspections, and certifications, shall be borne by the owner of the property.
- Development projects located outside of the Urban Service Area that meet the criteria of the policies of the *Future Land Use Element* for:
  - clustering of residential development within agricultural areas;
  - clustering of residential development within privately owned upland conservation areas;
  - clustering development within mixed use districts; or
  - traditional neighborhood design communities.
  - public facilities such as public schools.
  - agricultural businesses and industries (including biofuel plants)
- Areas where, consistent with Potable Water Sub-Element Policy 2.4, the risk of private well contamination is determined to be unacceptably high.

**Bold Underline**: Additions to Ordinance

~~Strike-through~~: Deleted Text from Existing Ordinance

F:\County Development\Comprehensive Plan Text Amendments\December 2015, PW policy 5.7 and SE policy 5.8\POLICY 5.7 underline and strike-thru potable water sub-element-2015.doc

**Appendix A**  
**Sanitary Sewer Sub-Element Policy 5.8**

**POLICY 5.8:** Consistent with the policies of the Future Land Use Element of this plan, provision of centralized sanitary sewer service shall be limited to the following areas:

- Areas within the Urban Service Area;
- Areas where the county has legal commitments to provide facilities and services as of the date of adoption of this plan;
- Areas outside the Urban Service Area where at least a portion of the site is contiguous to an Urban Service Area boundary as depicted on the Official Future Land Use Map or, where located no more than 500 feet from an existing sanitary sewer line that is part of the county sanitary sewer system, or where a place of worship or camp/retreat use is approved for water and/or sewer service by Utility Services. These areas are subject to the following provisions:
  - The maximum density of such land shall be as shown on the Future Land Use Map, and the provision of centralized sanitary sewer service shall not be justification for an increase in maximum density;
  - Any and all costs associated with connecting a property to the sanitary sewer system, including costs associated with survey, design, permitting, line extensions, construction, pumps and lift stations, restoration, inspections, and certifications, shall be borne by the owner of the property.
- Development projects located outside of the Urban Service Area that meet the criteria of the policies of the Future Land Use Element for:
  - clustering of residential development within agricultural;
  - clustering of residential development within privately owned upland conservation areas;
  - clustered development within mixed use districts;
  - traditional neighborhood design communities;
  - public facilities such as public schools; and
  - agricultural businesses and industries (including biofuel facilities)
- Areas where, consistent with Sanitary Sewer Sub-Element Policy 2.4, the lack of centralized sanitary sewer service is determined to be a public health threat.



**Bold Underline:** Additions to Ordinance

**Strike-through:** Deleted Text from Existing Ordinance

F:\Community Development\Comprehensive Plan Text Amendments\October 2015, PW policy 1.7 and SS policy 5.8\0000178 underline and strike thru sanitary sewer sub-element.doc