

AGENDA
REGULAR MEETING OF THE CITY PLANNING AND ZONING BOARD
THURSDAY, JULY 21, 2016, AT 1:30 PM
COUNCIL CHAMBERS, CITY HALL, VERO BEACH, FLORIDA

I. PRELIMINARY MATTERS

Agenda Additions and/or Deletions

II. PUBLIC COMMENT

III. WORKSHOP

Discussion of Draft Goal, Objectives and Policies (GOPs) for the Land Use Element of the Comprehensive Plan

IV. PLANNING DEPARTMENT MATTERS

V. BOARD MEMBERS' MATTERS

VI. ADJOURNMENT

ANY PERSON AGGRIEVED BY A DECISION OF THE PLANNING AND ZONING BOARD RELATIVE TO SITE PLAN APPROVAL MAY WITHIN TEN DAYS AND IN ACCORDANCE WITH SECTION 64.08(j) FILE AN APPEAL WITH THE PLANNING DIRECTOR OF THE CITY OF VERO BEACH. ANYONE WHO MAY WISH TO APPEAL ANY DECISION THAT MAY BE MADE AT THIS HEARING WOULD NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE THAT INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL WILL BE BASED.

ANYONE IN NEED OF SPECIAL ACCOMMODATIONS FOR THIS MEETING MAY CONTACT THE CITY'S AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR AT 978-4920 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

PUBLIC INVITED TO ATTEND

DEPARTMENTAL CORRESPONDENCE

TO: Chairman Larry Lauffer and Planning and
Zoning Board Members

FROM: Timothy J. McGarry, AICP 
Director of Planning and Development

DATE: July 11, 2016

SUBJECT: **Board Workshop on Draft Goal, Objectives and
Policies (GOPs) for the Land Use Element
of the Comprehensive Plan**

The Board's July 21st meeting will be entirely devoted to a public workshop on the draft GOPs of the Land Use Element. Attached is a copy of the draft.

A copy of the 48-page data and analysis to be contained in the Technical Document for the Comprehensive Plan's Land Use Element will not be presented at the workshop. However, if interested the Board may request a copy or review a copy on line or at the Planning offices. The graphics for the Land Use Element will also be available to be reviewed.

At the workshop, the staff intends to concentrate primarily on the most significant policies. However, the Board will be encouraged to ask any questions regarding those and any other policies. In particular, the staff would be very interested in any policies that the Board believes should be added or eliminated.

The draft GOPs are in a ~~strike-through~~ and underline format. Additionally in red are commentary notes providing a background explanation on the more important draft policies and rationale for some of the specific proposed changes.

Rather than get bogged down in correcting typos or grammar at the workshop, the staff would appreciate your providing any such needed corrections to staff by e-mail, mail, or in person.

TJM/uf
Attachment

CHAPTER 2
LAND USE ELEMENT
GOAL, OBJECTIVES, AND POLICIES

1.4 — GOALS, OBJECTIVES AND POLICIES

1.4.0 Goal: To continue to accommodate a distribution of land uses which will perpetuate the type of growth and land development in Vero Beach which is responsive to the social and economic needs of the community, protects natural resources and environmental assets, is consistent with the support capabilities of natural and manmade systems, and maintains the desired quality of life, individual identity and character of the community. This desired quality of life is reflected in the low rise and low density development currently existing in the City of Vero Beach.

GOAL

Growth and development in the City of Vero Beach will result in an efficient distribution and pattern of land uses that 1) provide a compatible and complementary mix of uses to meet the social and economic needs of the community; 2) respect the community character and the quality of life of the community; 3) preserve and enhance coastal, environmental, natural, historic and cultural resources; 4) maintain and enhance the City's distinct overall low density, residential character and diversity of residential neighborhoods; 5) create diversity and sense of place for its commercial areas; 6) provide for reasonable public safety and security from hazardous conditions associated with the City's coastal location; and 7) that provide for the efficient and cost effective use of services and facilities.

1.4.0.0 Land Uses

Objective 1. Future Land Use and Zoning Designations

The City shall regulate manage future development and redevelopment to maintain and enhance the character of the community and protect the natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map and provide for an efficient distribution and compatible pattern of land uses to protect the City's manmade and natural resources.

Policies:

- 1.1 The following future land use designations shall be depicted on the Future Land Use Map:
- CV, Conservation
 - ES, Environmentally Significant

- RL, Residential Low
- RM, Residential Medium
- RH, Residential High
- MR, Mixed Residential
- MHP, Mobile Home Park
- MX, Mixed Use
- C, Commercial
- I, Industrial
- GU, Government/Institutional/Public Use
- P, Park

1.2 The Conservation (CV) Land Use designation shall be applied to those areas which contain or possess lands with qualities and features that play an essential role in the normal functioning of the local, regional and Indian River Lagoon ecosystems or merit preservation as records of once common ecosystems. CV designated parcels include, but are not limited, to publicly owned land or land controlled by public entities through conservation easements for conservation or wetlands mitigation purposes. Lands designated as Conservation (CV) shall remain undeveloped with the following exceptions: open space, environmental education and conservation, public utilities, and compatible, limited passive recreational uses subject to environmental review requirements for development approval in the Land Development Regulations.. These CV lands are candidates for public acquisition.

[The City's wells for potable water have been allowed has been an allowed use in this designation for many years. This oversight is corrected above.]

1.3 The Environmentally Significant (ES) Land Use designation shall be applied to those areas that predominately contain or possess lands that are environmentally sensitive and lands adjacent to environmentally sensitive areas as identified in the Conservation Element. This land use category shall allow very low-density residential development, utilities, open space, conservation and compatible passive recreational uses. The City shall limit the impact of development on environmentally significant lands by encouraging appropriate cluster development and density transfers for residential development in Environmentally Significant (ES) designated land use areas.

1.4 The Residential Low (RL) Land Use designation shall be applied to areas of the City which are suitable for detached, low-density single family dwelling units on individual lots based on existing development patterns, infrastructure capacity, natural conditions and constraints. This land use category shall allow single family-detached residential development and community gardens where allowed under the applicable zoning district. Educational facilities and supportive community services ancillary to the residential uses may be located may be approved if listed as a as-conditional uses with restrictions within land areas designated RL in the applicable underlying zoning district. ~~These uses include parks and recreation uses, schools, cultural and civic uses, utilities and institutional uses and non-residential uses within a master plan development pursuant to Policy 1.21.~~

1.5 The Residential Medium (RM) Land Use designation shall be applied to areas of the City which are suitable for single family, duplex and multifamily residential uses with moderate densities, based on access to adequate public utilities, ~~good street access and collector and local streets~~ and areas which are a transition between single family-~~detached~~ and more intensive uses. This land use category shall allow single family, duplex, and multifamily residential development. Education facilities, supportive community services ancillary with residential uses and institutional uses shall be allowed if listed as a permitted use or may be allowed if listed as a conditional use in the applicable underlying zoning district. ~~Park and recreation uses, public facilities, institutional uses, schools, cultural and civic uses, utilities, professional offices (as permitted by Land Use Element Policy 1.16), and non-residential uses within a master plan development pursuant to Policy 1.21.~~

[The reference to master plan development has been deleted under this policy and Policies 1.6 and 1.7 as this master plan was intended for low-density development (up to 6 dwelling units/acre). This revision is reflected in Table 2-1.]

1.6 The Residential High (RH) Land Use designation shall be applied to areas of the City which are suitable for multifamily residential uses with high densities, ~~based on access to public utilities,~~ adjacent to arterial or collector streets, and which are a transition between moderate density multifamily development and more intensive uses. This land use category shall allow single family, duplex and multifamily residential development, Educational facilities, supportive community services ancillary to residential uses and institutional uses shall be allowed if listed as a permitted use or may be allowed if listed as a conditional use in the applicable underlying zoning district. ~~Park and recreation uses, public facilities, institutional uses, schools, cultural and civic uses, utilities, shall be allowed if a permitted use or may be allowed if a conditional use depending upon the list of allowable uses in the underlying zoning district. professional offices (as permitted by Land Use Element Policy 1.16), and non-residential uses within a master plan development pursuant to Policy 1.21.~~

1.7 The Mixed Residential (MR) Land Use designation shall be applied to areas of the City that are suitable for ~~all types of residential uses~~ with medium densities. Locations shall be limited to areas land that has access to public utilities, where a mixture of housing types would not create a detrimental impact on an established residential neighborhood, and areas that are deteriorating or which have a substantial amount of substandard housing. This land use category shall allow single family, duplex, and multifamily residential development. Educational facilities, supportive community services ancillary to residential uses and institutional uses shall be allowed if listed as a permitted use or may be allowed if listed as a conditional use in the applicable underlying zoning district. ~~Park and recreation uses, public facilities, institutional uses, schools, cultural and civic uses, institutional uses, utilities, professional offices (as permitted by Land Use Element Policy 1.16), and non-residential uses within a master plan development pursuant to Policy 1.21.~~

- 1.8 The Mobile Home Park (MHP) Land Use designation shall be applied to land areas suitable for mobile home parks located adjacent to collector or arterial streets and near commercial uses or a transition area between multifamily and more intensive industrial and commercial uses and/or areas which are suitable for high density residential uses based on access to public utilities, adjacent to arterial or collector streets which are a transition between multifamily and more intensive uses. This land use category shall allow mobile homes in existing approved mobile home parks.

[Note; A significant issue that was glossed over in the existing Comprehensive Plan and Land Development Regulations is the lack of appropriate zoning for several of the mobile home parks within the City. The only mobile home park with any appropriate zoning is the City-owned Citrus Mobile Home Park at the Vero Beach Regional Airport that has an AR-MHP zoning designation. This issue is addressed in Policy 1.28.]

- 1.9 The Mixed Use (MX) Land Use designation shall be applied to those areas that are suitable for medium to large urban scale development and intensities. Those areas shall be limited to lands near in proximity and with access to arterial or collector streets ~~with adequate public facilities, access to and multi-modal transportation alternatives, existing mixed use central locations, including the central core of the city and the downtown area.~~ and shall be located within or immediately adjacent to the existing Downtown area or existing uses in the central core of the City radiating out from the intersection of the Florida East Coast Railway and SR 60. This land use category shall or may allow a broad mixture of residential, mixed residential/nonresidential, and commercial, educational, institutional, nonresidential uses and supportive community services depending upon if the use is listed as a permitted use or conditional use in the applicable underlying zoning district, which may be located in the same building. ~~Additional allowed uses include park and recreation uses, public facilities, institutional uses, schools, cultural and civic uses, utilities, professional office uses, and tourist-oriented facilities.~~
- 1.10 The Commercial (C) Land Use designation shall be applied to those areas that are suitable for small to medium urban scale development and intensities. Those areas shall be limited to lands ~~that are located near existing urban uses centers, or near the center of several neighborhoods, or areas in transition from residential uses to nonresidential uses offices, at high access points such as the intersection of arterial streets, or located adjacent to arterial or collector streets.~~ These uses shall be further limited to high access locations such as the intersections of arterial and collector streets or adjacent to arterial or collector streets. This land use category shall or may allow a broad mixture of residential, mixed residential, marinas, institutional, and nonresidential uses and supportive community services depending upon if the use is listed is listed as a permitted use or conditional use in the applicable underlying zoning district. ~~This land use category shall allow a mixture of highway-oriented commercial uses, such as retail trade, professional offices, business and personal services, residential, cultural and civic uses, public facilities, park and recreation uses, schools, institutional, utilities, tourist-oriented facilities, marinas, and aviation-oriented uses.~~

1.11 The Industrial (I) Land Use designation shall be applied to those areas that are suitable for medium to large urban scale development and intensities. Those areas shall be limited to lands that are located adjacent to major transportation facilities such as airports, arterial streets or railroads, buffered from residential neighborhoods or located with consideration to environmental impacts and other performance standards provided for in the City Land Development Regulations. ~~This land use category shall allow a mixture of highway-oriented commercial uses, such as retail trade, professional offices, business and personal services, residential, cultural and civic uses, public facilities, park and recreation uses, schools, institutional, utilities, light industrial and aviation-oriented uses.~~ This land use category shall or may allow a broad mixture of residential, mixed residential, light industrial, aviation oriented, education and nonresidential uses and supportive community services depending upon if the use is listed is listed as a permitted use or conditional use in the applicable underlying zoning district.

1.12 The Government/Institutional/Public Use (GU) Land Use designation shall be applied to those areas where there is a need for the provision of efficient public service and where adverse effects on adjacent residential neighborhoods and/or environmentally sensitive areas can be avoided. Those areas shall be limited to lands that are located adjacent to major transportation facilities such as airports, arterial streets or railroads, buffered from residential neighborhoods, located with consideration to environmental impacts and other performance standards provided for in the City Land Development Regulations. This land use category shall allow government facilities, cultural facilities, operations and service facilities, correctional institutions, educational facilities, hospitals, transportation terminals, and small-scale recreational facilities compatible with and subordinate to an existing governmental utility.

[Note: The list of uses in this category was specified in Table 1.8 of the adopted 1992 Comprehensive Plan, which was amended in 2014. Those uses listed in that table have been slightly modified and inserted in this policy.]

1.13 The Park (P) Land Use designation shall be applied to land used for active and passive ~~public~~ parks and recreation facilities. including clubs, and cultural and civic activities located in public parks. ~~Public p~~Parks and recreation facilities are not limited to this land use designation.

[Note: The word “public” has been deleted from this policy to reflect that several private non-profit organizations, which have leased park land to build and operate recreational facilities. Clubs and cultural and civic activities have been added as these uses have been traditionally been allowed in City parks.]

1.14 The City of Vero Beach hereby adopts the Future Land Use Map as an integral component of the Comprehensive Plan, as presented in Exhibit A of this policy document.

[Note: The Future Land Use Map includes a change in the future land use designation for the City Police Department’s pistol shooting range. The amendment to change this designation was

sent to DEO which finished its review with no comments. However, the Florida Statutes allow only 6 months to adopt the amendment ordinance from the date of DEO finishing its review. Unfortunately, the City will be unable to adopt the ordinance as it is prohibited from adopting any amendments to the Comprehensive Plan until the updated Comprehensive Plan is submitted to the State. Therefore, the staff is recommending to include this future land use designation change in the updated Comprehensive Plan which must be reviewed by DOE and adopted by the City Council.]

1.14 1.15 The City adopts the maximum density and intensity standards in Table 1-10-2-1 for the land use categories, depicted on the Future Land Use Map.

Table 2-1. Land Use Densities and Intensities

Land Use Category	Maximum Density (per acre)	Maximum Intensity (floor area ratio –FAR)
Residential Low (RL)	0 to Up to 6 dwelling units	0.30 Up to 0.38
Residential Medium (RM)	6 to Up to 10 dwelling units or rooms	0.30 Up to 0.50
Residential High (RH)	10 to Up to 15 dwelling units or rooms Up to 18 dwelling units or rooms ¹	0.40 to Up to 0.50
Mixed Residential (MR)	10 to Up to 12 dwelling units or rooms	0.40 to Up to 0.50
Commercial (C)	8 to Up to 15 dwelling units ² Up to 30 rooms	0.50 to Up to 1.00
Industrial (I)	8 to Up to 15 dwelling units ² Up to 30 rooms	0.30 to Up to 1.00
Mixed Use (MX)	Up to 17 dwelling units or 30 rooms Up to 21 dwelling units ³	0.30 to Up to 2.00
Government/Institutional/ Public Use (GU)	0	Up to 0.50
Mobile Home Park (MHP)	Up to mobile home units	Up to 0.30
Environmentally Significant	0 to Up to 0.2 dwelling units (islands)	Up to 0.30
Park (P)	0	0.10 to Up to 0.40
Conservation	0	Up to 0.01

- Notes: 1. Congregate multifamily housing exclusively for the elderly ~~up to 18 dwelling units//rooms/acre~~ may be allowed.
 2. Efficiency units (500 square feet or less in floor area) ~~up to 18 dwelling units/acre~~ may be allowed.
 3. With a maximum transfer of 4 units of development rights.

[Note: The Mixed Use Zoning District has provisions for the transfer of development rights (up to 4 units per acre); however, the 1992 Comprehensive Plan failed to provide any policy basis to allow density to be increased higher than 17 units per acre. This revision addresses that omission.]

1.16 The following principles shall apply related to the relationship between future land use and zoning designations:

- (a) A use is only allowable in a zoning district if it is listed as a use or within a group of uses in both the future land use and zoning designations for that property.
- (b) Table 2-1 sets forth the maximum density and intensity for each land use designation; however, the specific maximum density and intensity is established by the underlying zoning district with the proviso that the limits set by the zoning district shall not be greater than those established by Table 2-1 for the specific land use designation.
- (c) Where no specific density or intensity is listed in a specific zoning district, the density or intensity listed in Table 2-1 shall prevail.

[Note: This language is needed to help clarify for the public and policy makers, the differences between the application of the future land use and zoning designations and their relationship.]

1.17 Applications requesting amendments to the Future Land Use Map shall be evaluated based on the following criteria:

- (a) Consistency with the goals, objectives and policies of the Comprehensive Plan including any location considerations for specific future land use designations pursuant to Policies 1.1 through 1.13;
- (b) Impact on public facilities and services;
- (c) Environmental impacts;
- (d) Compatibility with surrounding areas in terms of existing land use designations and uses; and
- (e) Other relevant issues.

1.18 Amendments to the Comprehensive Plan text and Future Land Use Map shall only be approved if at least one of the following criteria have been met by the applicant to the satisfaction of the City Council:

- (a) The proposed amendment will correct an oversight in the adopted Plan;
- (b) The proposed amendment will correct a mistake in the approved Plan;
- (c) The proposed amendment is warranted based on a substantial change in circumstances. For a Future Land Use Map amendment the change in circumstances must affect the subject property; or

- (d) The proposed amendment is in the public interest and does not conflict with any goal, objective, or policy of the Comprehensive Plan not subject of the amendment.

[Note: Policies 1.17 and 1.18 have been added to provide a stronger policy framework for making decisions related to amendments to the Comprehensive Plan.]

~~1.15~~ 1.19 The City shall rezone land consistent with ~~Table 1.11~~ Table 2-2, Relationship between Future Land Use Designations and Zoning Districts, and the standards set forth in this policy and elsewhere in this element. The City recognizes that not every zoning district allowed within a future land use designation is appropriate for every site within that designation. Therefore, the City may deny a rezoning request, even if the requested zoning district is consistent with a site's land use designation, if the request does not meet ~~zoning map amendment standards of the land development regulations or other legitimate public purpose~~ the following standards:

~~Additionally, any proposed rezoning of a parcel from R-1AA to R-1A or R-1, or R-1A to R-1 shall be appropriate only if the parcel is adjacent to a non-RL designated property or is adjacent to a residentially zoned single family district of the same or higher density as proposed for the subject parcel.~~

[Note: The paragraph above has been separated from this policy and set up as separate new Policy 1.20.]

- (a) Consistency with the goals, objectives, and policies of the Comprehensive Plan;
- (b) Compatibility with zoning map designations abutting or in the immediate vicinity of the subject property;
- (c) Changed conditions to the subject property and the neighborhood or area in the vicinity in which the property is located that warrant an amendment;
- (d) Maintenance of adopted level of service on roadways, public school facilities, sanitary sewer, potable water, solid waste, storm drainage, and recreation;
- (e) Maintenance of an orderly and logical development pattern; and
- (f) Consistency with the public interest.

[Note: This additional language is drawn from the City's Land Development Regulations. To strengthen the standards for review of rezoning requests, it was thought that incorporating this language into the Comprehensive Plan would be desirable.]

1.20 In addition to the standards of Policy 1.19, any purposed rezoning of a parcel from R-1AA to R-1A or R-1, or R-1A to R-1 shall be appropriate only if the parcel is adjacent to a non-RL designated property or is adjacent to a residentially zoned single family district of the same or higher density as proposed for the subject parcel.

~~1.16 The land development regulations may contain provisions for an office, institutional and financial use zoning district(s), called a Professional Office Institutional (POI) District, that shall be limited to appropriate locations within medium and high residential, mixed use, and commercial land use designations. This zoning district(s) is intended to provide for a transition and/or buffer between medium to high density residential and more intensive non-residential uses and to preserve the essentially residential character of blighted or declining residential areas, which are no longer appropriate for residential use but are not considered appropriate for a broad range of commercial uses as permitted in commercial zoning districts. This zoning district(s) is to be located principally along arterial roadways. Development within this district may be subject to approval through the land development regulations' conditional use process based on specified design and performance standards to ensure compatibility with existing development and to ensure that off-site impacts of the development do not adversely impact on the community character of residential neighborhoods and properties in its immediate vicinity.~~

[Note: Policy 1.16 has been modified and renumbered as Policy 1.24.]

Table 2-2. Relationship Between Future Land Use Designations and Zoning Districts

Zoning District	RL	RM	RH	MR	C	I	MX	GU	MHP	ES	P	CV
R-1AAA											P	
R-1AA	P											
R-1A	P											
R-1	P											
MPZ	P	P	P	P								
RM-8		P		P								
RM-10		P	P	P								
RM-10/12		P	P	P			P					
RM-13			P									
RCLO		P	P	P								
MXD			P				P					
POI		P	P	P	P		P					
DTW							P					
H								P				
GU							P	P				
C-1					P		P					
C-1A					P							
C-1B					P		P					
B-1					P							
M						P	P	P				
C-1M					P							

C-2M	P						
P-1					P	P	P
P-2			P			P	
ALI-1	P	P					
ALI-A1		P					
ALI-A2							P
ALI-MC	P	P					
AR-MHP					P		

P=District Permitted

[Note: Revisions have been made to correct scrivener errors in the last update of the Comprehensive Plan and to address conflicts in several of the designations.]

~~1.17 The City shall review its existing land development regulations for the Professional Office Institutional (POI) District and prepare and adopt revised land development regulations for that district consistent with policies in the Comprehensive Plan by July 2008.~~

[Note: This policy has been updated and moved under Objective 3.]

~~1.18 The City shall review existing land development regulation standards to maintain and enhance the function and value of Environmentally Significant (ES) designated lands based on policies in the Comprehensive Plan and prepare and adopt revised land development regulations by July 2008.~~

[Note: This policy was implemented with amendments to the Land Development Regulations in 2009.]

~~1.19 As part of the Comprehensive Plan's 2010 Evaluation and Appraisal Report, the City shall review the Industrial (I) future land use designation located at the airport to determine its consistency and compatibility with existing and future development of land uses surrounding the airport.~~

[Note: This policy has been made basically moot by the adoption of existing Objective 11 in the Comprehensive Plan related to Land Use Compatibility; however, Policy 1.21 has been inserted to reflect the on-going airport master plan efforts and potential impacts on the Comprehensive Plan.]

1.21 The City shall review future land use designations at the Vero Beach Regional Airport including Industrial (I) and Conservation (CV) upon completion of the Airport Master Plan and a Habitat Conservation Plan for sensitive endangered and threatened species on airport property and proceed to enact amendments to the Future Land Use and Zoning Maps as appropriate.

1.22 The City shall review the future land use and zoning designations of the City's wastewater treatment plant property to determine the desirability and need to designate a portion of the property as Park (P) and Park District (P-2) to accommodate expansion of

the youth sailing facilities and operations and, if appropriate, prepare and enact appropriate amendments to the Future Land Use and Zoning Maps.

~~1.20 The City shall review and update, by July 2009, the data and analysis within the Land Use Element as part of the Comprehensive Plan's 2010 Evaluation and Appraisal Report.~~

[Note: Completed as part of 2010 EAR and this update of the Comprehensive Plan.]

~~1.21 The City shall authorize through its land development regulations a master plan zone district that is a residential zoning district that includes limited non-residential uses to primarily serve residents of the planned development. Development guidelines for the district shall be flexible to allow development of various styles of housing units on smaller than standard individual development sites in order to consolidate open space for recreational, aesthetic and preservation purposes. The minimum site size for a master plan zone shall be 200 contiguous acres.~~

[Note: Existing Policy 1.21 has been modified as Policy 1.23 below to reflect changes in Table 2-2 and to reflect that a MPZ district has been already established.]

1.23 Within the Residential Low (RL) designation, limited non-residential uses to primarily serve residents of a planned development may be allowed under a Master Plan Zone (MPZ) zoning district. The minimum site size for a MPZ zone shall be 200 contiguous acres. The purpose of the MPZ is to provide modifications from lot size, setback, open space, housing types and densities to consolidate open space for recreational, aesthetic, and resource preservation purposes and to allow various styles of housing units on smaller than standard lots allowed under single family zoning districts. The rezoning process shall require both concurrent approval of an amendment to the Zoning Map and the master plan for the planned development.

1.24 Within the Residential Medium (RM) and Residential High (RH) designations, limited office, institutional, and financial uses shall be allowed under the Professional Office Institutional (POI) zoning district designation. This zoning district(s) is intended to provide for a transition and/or buffer between medium to high density residential and more intensive non-residential uses or high volume traffic corridors to preserve the essentially residential character of existing residential areas impacted by high volume traffic corridors or undergoing transition to more office and business uses. Such areas may be no longer appropriate or attractive for low-medium density residential use but are not considered appropriate for a broad range of commercial uses as permitted in commercial zoning districts. This zoning district(s) is to be located principally along arterials or abutting existing office and commercial uses. Development within this district may be subject to approval through the Land Development Regulations' conditional use process based on specified design and performance standards to ensure compatibility with existing development and to ensure that off-site impacts of the development do not adversely impact on the community character of residential neighborhoods and properties in its immediate vicinity.

1.25 Within the Residential Medium (RM) and Commercial (C) designations, a special purpose zoning district may be enacted to establish a "Vero Beach Cultural Arts Village

District” pursuant to Policy 11.2 of this element. Within the special purpose zoning district one or more limited commercial and transient residential uses may be allowed that are not listed as allowable uses under the RM designation.

- 1.26 Prior to enacting an ordinance to create a new zoning district or floating zone not listed on Table 2-1 or authorized pursuant to this element, a text amendment to the Comprehensive Plan shall be required to provide the proper policy basis and authorization for such zoning.
- 1.27 The City shall review the future land use and zoning map designations for existing mobile home parks and consider the necessity to enact appropriate amendments to the Future Land Use and Zoning Maps and/or Land Development Regulations to address significant conflicts and omissions.
- 1.28 The City shall investigate the desirability of creating one or more new, pedestrian-oriented, multi-use zoning districts under the Commercial (C) future land use designation that allows a mixture of permanent and transient residential uses and compatible office and commercial uses with specific development and location standards.

[Note: A major issue for developers and property owners has been the zoning limitations on mixed use. Mixed use development is limited primarily to the Downtown (DTW) and C-1A zoning districts and to a limited extent C-1. However, these districts may be not appropriate for all locations. Furthermore, the City Charter restricts any increased density (dwelling units or rooms) to these districts, which requires either a rezoning or a new zoning district classification.]

1.4.0.1 Growth Management/Urban Sprawl

Objective 2. Growth Management/Urban Sprawl

The City shall regulate and guide future development and redevelopment in an orderly and efficient manner consistent with the adopted level of service standards for public facilities and services and urban sprawl shall be discouraged by the provision of services necessary for development of unserved parcels within the designated urban service area. and in a manner that discourages urban sprawl through the efficient and cost-effective provision or extension of public infrastructure and services to serve development within the designated urban service area, promotes compact and mixed use development providing for walkable and connected communities with a range of housing choices and multimodal transportation system, and provides for public open space and recreation needs, and preservation of natural lands.

[Note: The Objective been comprehensively revised to more clearly meet the requirements of the Florida Statutes and to reflect substantive policy revisions in this update of the Comprehensive Plan.]

Policies:

2.1 The City shall ensure through its Land Development Regulations and pertinent elements of this Plan that adopted level of service standards in the Capital Improvements Element for potable water, sanitary sewer, solid waste disposal, stormwater management, roads, parks and recreation, and schools are maintained pursuant to the concurrency management system policies of the Capital Improvements Element.

~~2.1-2.2~~ The City shall continue to coordinate with the Indian River County for the provision of water supply and/or sewage collection utility systems commensurate with existing and programmed delivery and treatment capacities in the provision and extension of water and sewer utilities to promote the efficient and cost-effective of these services to citizens of Vero Beach and Indian River County.

~~2.2~~ Future annexations of adjacent unincorporated lands shall be restricted to areas included in Indian River County's designated urban service area.

2.3 The City shall restrict its annexation of adjacent unincorporated lands to only those areas included in the Indian River County's designated 2030 Urban Service Area depicted on the County's adopted Future Land Use Map and shall pursue the following policies in the annexation of and provision or extension of services to those areas:

(a) The City will not negotiate annexation agreements with property owners to secure higher intensity or density zoning for the property owner as a quid pro quo for annexation of their property.

(b) The City will not annex any area that will have a negative short-term financial impact on the City's general or enterprise funds unless it is determined by the City Council to be in the City's best interests; and

(c) The City will not annex an area unless it is currently served or will be served by the extension of water and sewer facilities, except where extenuating circumstances and costs make connection to the available County utilities a more practical solution for both the property owner and the City.

[Note: The above policies represent those adopted by the City Council in 2010 with a modification in (c) to address a recent annexation policy decision related to extension of utilities.]

~~2.3~~ Land use designations and regulations shall be used to limit future strip commercial development along roadway thoroughfares.

[Note: It is unclear how this policy limits future strip commercial development without significant revisions in the Land Development Regulations and changes to existing land use designations. Instead a policy that calls for the establishment of incentives for development of

mixed uses along with design standards would be more appropriate as presented in Policy 2.4 below.]

2.4 The City shall establish specific regulatory incentives and building, and site design standards to promote compact and mixed use infill development along arterials and collectors; said incentives and standards shall follow the pertinent policies under Objectives 3,4. and 10 of this element.

2.5 The City shall establish specific incentives and regulations as appropriate to encourage and promote infill and redevelopment in its older residential neighborhoods; said incentives and regulations shall be based upon pertinent policies under Objectives 3, 4, and 12 of this element.

~~2.4 Redevelopment programs and incentives shall be established to foster infill development and revitalization of older areas of the City.~~

2.6 The City shall protect and preserve wetlands and other environmentally sensitive areas and resources through its Land Development Regulations and the policies of the Conservation Element of this Plan by requiring an environmental analysis or assessment of development potentially impacting environmentally sensitive lands through its development review approval process.

2.7 The City shall protect and preserve the historic and archeological resources within the city through its Land Development Regulations and policies of the Conservation Element of this Plan.

1.4.0.2 Land Development Regulations

Objective 3. Land Development Regulations and Administration

~~The City shall establish and maintain land use/development regulations that will reduce and prevent land uses that are inconsistent with community character and incompatible with adjacent development.~~

The City shall administer and maintain Land Development Regulations in a manner consistent with the goals, objectives, and policies of this and other elements of the Comprehensive Plan and shall revise these regulations as needed and appropriate to: 1) improve their readability, clarity, conciseness, and ease of administration; 2) create incentives and standards promoting mixed use, infill, and pedestrian/bicycle connected development in older residential neighborhoods and commercial areas; 3) reduce incompatibility between adjacent uses and maintain community character; and 4) promote diverse and distinctive commercial and neighborhood areas and neighborhoods with a sense of place.

Policies:

3.1 The City's adopted Land Development Regulations shall meet and exceed the requirements of Section 163.3202 (2)(a) through (h) F.S. and shall constitute the City's minimum requirements for land development. Additionally, the Land Development Regulations shall contain or be amended, as appropriate, to include standards, procedures, and requirements for:

- (a) Governing the type, character and density of land use; bulk, height and placement of buildings; open space; conservation and protection of natural resources; landscaping and tree protection; stormwater management; protection of historic resources; mitigation of off-site impacts of development; variances and waivers; and the elimination or reduction in frequency of non-conforming uses and structures;
- (b) Ensuring compliance with Level of Service standards for amendments to the Future Land Use Map and Zoning Map and the approval of development permits;
- (c) Processing and reviewing applications for development approval including specific review thresholds, and for major projects requiring a quasi-judicial hearing by the Planning and Zoning Board, requirements for the posting of property, and notification to property owners in proximity to a proposed project;
- (d) Providing density bonuses, transfer of development rights, planned developments and other incentives to encourage and promote mixed use development, infill and redevelopment, affordable and workforce housing, and other techniques consistent with the Comprehensive Plan and Florida Statutes;
- (e) Processing and reviewing development applications that may impact historic and archaeological resources and environmentally sensitive areas; and
- (f) Permitting development within special flood hazard zones pursuant to the City's flood regulations and National Flood Insurance Program.

3.2 The City's Land Development Regulations shall be consistent with the goals, objectives and policies of the Comprehensive Plan.

3.3. The City shall regulate the use and development of land through its Land Development Regulations in a reasonable and transparent manner, that respects private property rights, serves the public interest, and provides for due process and adequate public involvement in the development permitting process.

3.4 In addition to other actions and strategies called for by policies in this element, the City shall maintain and update its adopted Land Development Regulations pursuant to this Comprehensive Plan to accomplish the following:

- (a) Ensure that development complies with the Future Land Use Map, associated density and intensity limits and other objectives and policies of this Comprehensive Plan;
- (b) Reduce existing land uses inconsistent with the Future Land Use Map and other relevant policies of this Comprehensive Plan;
- (c) Ensure compatibility of uses and buffering where appropriate to protect residential and less intense uses from commercial and other higher intensity uses; and
- (d) Reduce the number of nonconforming uses and structures through various incentives and regulatory measures.

~~3.1 Residential neighborhoods shall be protected and/or buffered against encroachment from higher density residential uses and from commercial uses.~~

~~3.2 Commercial uses shall be "clustered" and located near arterial road intersections, in the central core area of the City, or in planned commercial areas along arterial roadways. Proliferation of strip commercial development shall be discouraged.~~

~~3.3 Higher density residential uses shall be located on sites highly accessible to arterial or collector streets and near employment centers and goods and services.~~

~~3.4 Industrial uses shall be located in areas where services and goods are readily available, transportation facilities are close by and noise, odor, glare and other impacts will not affect adjacent land uses.~~

~~3.5 Development shall be planned and regulated in such manner to provide for an orderly transition from low intensity/density uses to higher intensity/density uses.~~

~~3.6 Existing codes shall be enforced by the City to eliminate substandard structures and to encourage upkeep of standard structures.~~

3.5 The City shall enforce its codes governing housing standards, property maintenance, removal of unsafe buildings, and abatement of nuisances to prevent the spread of blighting influences and protect life and property values.

3.6 The City shall rely primarily on the utilization of development incentives through its Land Development Regulations and programs rather than on strictly regulatory approaches to achieve specific growth management and development objectives and policies of this Plan. This approach requires that such development incentives be

commensurate with the public benefits and amenities to be gained At minimum the value of these amenities should be at least equal to or greater than the costs to the public resulting from development bonus incentive awarded for a project. Such incentives should reflect market demand for additional density or floor area to ensure that they will attract the desired investment and that the City will able capture public benefits and amenities associated with these projects. These incentives may include, but are not necessarily limited to the following:

- (a) Density bonuses;
- (b) Flexibility in complying with setback, bulk, open space, parking, and other development standards;
- (c) Floor area bonuses; and
- (d) Transfer of development rights.

3.7 In response to a request or petition from a neighborhood or business association or property owners for the City to draft and enact zoning regulations that only affect a specific geographic area or neighborhood, such as a overlay, special purpose, or historic zoning district, the staff shall prepare a report unless this requirement is waived by the City Council The staff shall prepare the report for Planning and Zoning Board review and recommendation to the City Council for its consideration. The report shall address the following factors to be considered by the City Council in making its decision on whether or not to direct staff to proceed with the preparation of necessary amendments to the Land Development Regulations and Zoning Map:

- (a) Public interest and purpose to be served;
- (b) Level of property owner support in relation to the potential impact of the regulations on individual property owners;
- (c) Recommendations of the Planning and Zoning Board and, if appropriate the Historic Preservation Commission or other City advisory board or commission; and
- (d) Sufficiency of available financial and staff resources to prepare and administer district regulations.

[Note: This policy is intended ensure that the City's limited financial and staff resources are not misdirected on preparing draft regulations that have little support and would tax available financial and staff resources to prepare and properly administer.]

3.8 The City shall conduct a multi-phased and multi-year comprehensive evaluation of the existing Land Development Regulations and prepare appropriate amendments to address needed improvements and weaknesses in the current regulations. This comprehensive

evaluation may consider, but not be necessarily limited to the following, which are not listed in any priority order:

- (a) Reduction in the number of zoning districts from the current 29 by eliminating districts that may no longer be relevant (e.g., Hospital-Institutional District or Residential, Congregate Living and Limited Office District) or consolidation of districts where a majority of uses are duplicated;
- (b) Preparation of purpose statements for all zoning districts to clearly establish the intent and uses intended to be allowed in these districts;
- (c) Consolidation of city-wide regulations, such as accessory structures and setback modifications into one chapter or article similar to what was enacted for off-street parking and loading regulations;
- (d) Incorporation of a matrix that allows users to view and compare allowable uses and development standards for all zoning districts in one location in the code supplemented by illustrative graphics.
- (e) Preparation of specific procedures and process for TDRs;
- (f) Review of and revisions to the criteria and standards for approval of conditional uses to improve their clarity and are appropriate to ensure the proposed conditional use is compatible or in harmony with the immediate neighborhood, protects public health and safety, and is appropriate for the specific location proposed with a site design mitigating any potential conflicts and adverse impacts on nearby uses;
- (g) Review of and comprehensive revisions to the City's sign regulations to bring the regulations in compliance with recent U.S. Supreme Court decisions and case law;
- (h) Review of and revisions to regulations governing non-conforming uses and buildings to eliminate ambiguities and lack of clarity in the existing language and to ensure these regulations are consistent with policies of this Plan to encourage infill and redevelopment while providing some flexibility for "benign" conformities;
- (i) Review of and revisions to definitions, especially use definitions, to eliminate vagueness, inconsistencies, and omissions;
- (j) Amendment of the City's stormwater regulations to incorporate wetlands policies of the Conservation Element of this Plan;

- (k) Revisions to include specific regulations to address “sober houses” and other drug rehabilitation residences and facilities;
- (l) Review of and revisions to the Mixed Use zoning district to address issues and deficiencies raised in the technical document to this Plan;
- (m) Completion of effort to codify the Land Development Regulations as has been previously accomplished for Part II of the City’s Code of Ordinances.

[Note: The comprehensive list above identifies revisions that staff believes need to be eventually addressed. The specific priorities and schedule for completing the above tasks will be established by the schedule in the Implementation chapter of this policy document. It is the staff’s recommendation that the implementation schedule be set by the Planning and Zoning Board through its annual work program. This recommendation is provided in a specific policy in Chapter 1 of the policy document.]

~~3.7 Land development regulations shall include provisions for on site stormwater retention/detention, safe and convenient access and traffic flow, and minimum open space and landscaping sufficient to avoid or minimize impacts on adjacent properties while adequately meeting on-site needs.~~

~~3.8 The following special provisions shall be incorporated in the land development regulations governing residential and/or nonresidential land uses:~~

- ~~a. Transfer of development rights (TDR) provisions designed to minimize development in locations which are difficult to provide urban services and/or which are of environmental interest, including privately owned islands in the Indian River for which there are no public acquisition plans.~~
- ~~b. Density bonuses to encourage infill, redevelopment, and provide affordable housing in designated locations and districts.~~
- ~~c. Floor area ratios (FAR) to limit the bulk of commercial and industrial development to that which fits within the low density character of Vero Beach.~~
- ~~d. Minimum open space and landscaping standards and requirements to conserve native vegetation and buffer potentially incompatible land uses.~~
- ~~e. Site plan application requirements and review procedures for defined types of development which assess potential traffic, drainage and utility system impacts in relation to adopted levels of service.~~

~~f. Procedures to fully consider applications for development where environmentally sensitive areas and resources, including historic or archaeological features, may be involved and to permit adequate time to notify interested parties, determine historic or ecological significance, assess impacts, hear evidence, and define remedial actions where appropriate.~~

~~g. Siting standards and requirements to permit safe and insurable development in areas subject to periodic high water and hurricane threat.~~

~~3.9 The City's land development regulations shall include standards, procedures and requirements governing type, character and density of land use; bulk, height and placement of buildings; open space; conservation and protection of natural resources; and mitigation of off-site impacts of development, and the elimination or reduction in frequency of non-conforming uses and structures.~~

[Note: The above three policies have been incorporated in other policies elsewhere in this element.]

3.9 The City shall protect and preserve wetlands and other environmentally sensitive areas and resources through its Land Development Regulations and the policies of the Conservation Element of this Plan by requiring an environmental analysis or assessment of development potentially impacting environmentally sensitive lands through its development review and approval process.

3.10 Density and intensity calculations for a development site containing wetlands shall be based on the entire area of the property. All development shall be located on the upland portion of the property provided that all other requirements of this Plan and Land Development Regulations are met.

[Note: This policy was revised to make it more clear and relocated from the Conservation Element of the existing Plan.]

3.11 The City shall protect and preserve the historic and archeological resources within the city through its Land Development Regulations and policies of the Conservation Element of this Plan.

1.4.0.3 Disaster Contingency Planning

[Note: The following objective and supporting policies have been moved with revisions to the Coastal Management Element to avoid duplication and potential conflicts.]

Objective 4:

~~The city shall continue its established and ongoing programs for emergency preparedness, emergency evacuation, disaster relief, and coastal construction practices and shall enhance those programs through periodic reviews.~~

Policies:

- 4.1 — ~~The City’s Comprehensive Emergency Management Plan, which addresses disaster preparedness and recovery shall be periodically evaluated and used as a basis for notifying and evacuating residents, providing temporary shelter, and restoring services in the event of future hurricane emergencies.~~
- 4.2 — ~~The City shall maintain an estimated hurricane evacuation time for the Coastal High Hazard Area of seven hours or less for a Category I or above storm and for the entire City a maximum of 12 hours for a Category III or above storm.~~
- 4.3 — ~~Siting standards and requirements shall be enforced to permit safe and insurable development and reconstruction in coastal high hazard areas consistent with applicable rules and regulations of state and federal governments.~~
- 4.4 — ~~The City shall review its comprehensive plan upon the issuance of any Hazard Mitigation Reports to prepare and adopt appropriate amendments to the plan resulting from the report.~~
- 4.5 — ~~The City shall maintain in cooperation with Indian River County and other local governments a Local Mitigation Strategy to identify and prioritize disaster mitigation projects.~~

1.4.0.4 Adequate Public Facilities

[Note: The following objective and supporting policies with revisions have been moved to the Capital Improvements Element to avoid duplication and potential conflicts]

Objective 5:

~~The City shall not permit land development and/or redevelopment which can not be supported by public facilities at adopted levels of service or which could adversely impact the minimum levels of service in other areas of the City.~~

Policies:

- 5.1 — ~~Sites and rights of way for public facilities needed to serve the community shall be identified in the Comprehensive Plan, reserved or dedicated through implementation of land development regulations and/or scheduled for acquisition by the City in its Capital Improvements Element.~~
- 5.2 — ~~A Concurrency Management System (CMS) shall be adopted and administered as provided for under the Capital Improvements Element and through land development regulations to ensure that public facilities needed to support development are available~~

concurrent with the impact of development. The CMS will also provide for periodic monitoring of levels of service conditions by the City.

~~5.3 For all facilities and services, the minimum levels of service established in the Capital Improvements Element (CIE) and other elements of the Comprehensive Plan shall be maintained.~~

~~5.4.1 No development shall be approved unless it is consistent with the Concurrency Management System in the Capital Improvements Element, and the levels of service established in this element and other elements of the Comprehensive Plan.~~

~~5.5 The city shall review proposed developments, assess their impact on services and facilities, and make determinations of adequacy or inadequacy of public facilities and services using the established Concurrency Management System.~~

1.4.0.5 Resource Conservation and Management

[Note: The following objective and supporting policies with revisions have been revised and relocated to the Conservation and Coastal Management Elements to avoid duplication and conflicts.]

Objective 6:

The City shall act to protect and preserve environmentally sensitive areas and resources in the community and promote responsible site development through new land development regulations and standards.

Policies:

~~6.1 By December 2008, environmentally sensitive areas and resources, both natural and historic, shall be defined and mapped in conjunction with Indian River County, state, regional, and federal agencies.~~

~~6.2 The City shall participate in the preparation and implementation of resource management plans prepared by other agencies, which affect land, water, and other resources in the City.~~

~~6.3 In the Environmentally Significant (ES) land use category, future development on undeveloped islands in the Indian River lagoon shall be limited to residential densities not exceeding 0.2 unit per acre, and a transfer of development rights (TDR) procedure shall be available to facilitate transfer of development to other locations in the City.~~

~~6.4 Development of lands north of the Vero Beach municipal airport shall be restricted through their designation as a conservation area in this plan and subsequent land development regulations to protect existing groundwater resources and recharge functions.~~

~~6.5 The City shall enforce and implement regulations, procedures and standards which recognize the need for sensitivity to and compatibility with topography, soils, vegetation and other on-site resources, and which recognize the need to avoid or mitigate off-site impacts to effect the location, type, density and design of future developments permitted in the City.~~

~~6.6 No property shall be used as a bridgehead property for an island that is undeveloped when said use shall have for its purpose the connection with any public right of way in the City of Vero Beach. Further, if said property is not within the City's jurisdiction but is immediately contiguous thereto, the City shall prohibit, by the erection of barriers, any connection with the City right of way.~~

~~6.7 By December 2008, environmentally sensitive lands within the City shall be inventoried and a map of these lands maintained within the City Planning and Development Department. The City Land Development Regulations shall include protection standards to maintain and enhance the function and value of identified environmentally sensitive lands. Environmentally sensitive lands shall include all lands identified by the City and those lands identified in the development review process herein. Review and evaluation of environmentally sensitive lands shall include at a minimum, the following:~~

- ~~● Endangered or threatened wildlife or marine life habitats.~~
- ~~● Threatened or endangered vegetative species.~~
- ~~● Tidal flow pattern.~~
- ~~● Hydric soils and wetlands.~~
- ~~● 100-year flood zones.~~
- ~~● Aquifer recharge potential.~~
- ~~● Beach and dune conditions.~~
- ~~● Unique habitat characteristics.~~
- ~~● Upland native vegetation.~~
- ~~● Wellhead protection areas.~~

~~6.8 By July 2008, the City shall review and revise as necessary its land development regulations to reflect environmental regulations and policies outlined in the Comprehensive Plan.~~

~~6.9 The City shall provide protection to environmentally sensitive lands through land development regulations that limit building densities, require mitigation for impacted areas, permit the transfer of development rights, permit clustering of density on-site and provide for setbacks, and promote the use of conservation easements, dedications, and public acquisition.~~

~~6.10 Any development activity in areas designated as environmentally sensitive or important as defined in the Conservation Element shall require an environmental survey prepared by a professional biologist or environmental scientist as part of the approval of a development order. Based upon the results of the environmental survey, development~~

~~projects shall be required to provide a site design, which minimizes impacts upon endangered and threatened plants and animals.~~

- ~~6.11 The City shall adopt a wetland no-net-loss policy and regulations that preserve and enhance the natural functions and values of wetlands. These regulations shall consider the types, functions, sizes, conditions and locations of wetlands and address building setbacks, protection from solid and liquid wastes including pesticides and herbicides, dredging or filling of wetlands, incorporation of wetlands into a site's development scheme, and mitigation of lost or destroyed wetlands.~~
- ~~6.12 The City shall direct future land uses, which are incompatible with the protection and conservation of wetlands and wetland functions, away from wetlands. The type, intensity or density, extent distribution and location of allowable land uses, and the types, sizes, values, functions, conditions, and location of wetlands, are land use factors, which shall be considered when directing incompatible uses away from wetlands.~~
- ~~6.13 Stormwater will be managed to control stormwater runoff, minimize impacts on existing city, county, and/or state drainage facilities and to protect and enhance surface water, ground water and other natural resources in the City.~~
- ~~6.14 The City shall protect and enhance the quantity and quality of natural groundwater prime aquifer recharge areas by requiring site design that minimizes impervious coverage, clusters development onto less vulnerable areas and at a minimum maintains the groundwater flow rates and volumes at predevelopment rates. The city shall regulate development of the prime aquifer recharge areas. Regulations may include an overlay district that restricts land uses, implements special siting requirements for septic tanks to mitigate soil drainage characteristics, and regulates other factors that impact the recharge capability of the land.~~
- ~~6.15 The City shall protect public water supplies through its land development regulations by designating appropriate wellhead protection areas, based upon policies in the Comprehensive Plan, Conservation Element and Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element.~~
- ~~6.16 The City shall continue to extend the city water system, consistent with the "Potable Water Sub Element" enabling the acquisition of small public water systems, thereby reducing the number of residents using the shallow aquifer, which is subject to groundwater pollution threats.~~
- ~~6.17 The City in cooperation with the Health Department, shall continue to regulate the siting of septic tanks including siting requirements to address soil characteristics that may impact septic system function and extend the City sewer system, consistent with the Sanitary Sewer Sub Element, to connect existing development on septic systems.~~
- ~~6.18 The City shall coordinate with state, federal and local agencies to identify and protect vegetative communities that provide habitat for threatened and endangered species and~~

~~migrating birds and/or support unique plant and animal communities identified in the "Conservation Element."~~

~~6.19 The City adopts the following dredged spoil disposal site selection criteria:~~

- ~~• sites shall be located close to the Indian River Lagoon;~~
- ~~• sites shall be altered, non-native upland vegetation areas;~~
- ~~• sites shall not abut residential land unless sites are sufficiently large to accommodate adequate buffers;~~
- ~~• sites shall not be habitat for endangered and threatened or protected species; and~~
- ~~• sites shall not be wetlands, unless wetlands are degraded/non-functional, in such cases the wetland impacts shall be mitigated.~~

~~6.20 The City shall redesignate land that The Florida Inland Navigation District (FIND) has acquired for dredged spoil disposal to the GU, Government/Institutional/Public Use, land use designation.~~

~~6.21 The Land Development Regulations shall require an environmental impact analysis of development within environmentally sensitive districts or lands abutting the Indian River.~~

~~6.22 Land use activity shall be prohibited which results in the alteration, degradation or destruction of coastal and estuarine resources except when necessary to prevent a public hazard or provide public benefits which exceed those lost as a result of such activity. Public benefits include floodplain protection, natural habitat for threatened and endangered plants and animals, natural aquifer groundwater recharge and recreation.~~

~~6.23 The City shall continue to work with the county and provide technical, monetary and political support to conservation programs aimed at land acquisition on the barrier island and in other coastal conservation areas.~~

~~6.24 The City shall review all proposed land use changes for consistency with policies set forth in the Conservation and Coastal Management Elements.~~

~~6.25 The City shall regulate development of areas which are prone to flooding and areas within the 100 year floodplain in a manner that is consistent with the regulations established by the National Flood Insurance Program.~~

~~6.26 The City shall provide standards in the Conservation Element of the Comprehensive Plan and amend its land development regulations, by July 2008, to require, as conditions warrant, vegetative and other appropriate protection buffers of up to 50 feet for wetlands, unaltered and altered shorelines, manmade canals and the Indian River Lagoon.~~

~~6.27 The City shall encourage the preservation of mature trees on land development sites by providing landscape credit for the on-site preservation of mature trees and trees of special concern, and other appropriate incentives for the purpose of preserving existing mature trees on-site.~~

1.4.0.6 ~~Redevelopment~~

~~Objective 7:~~

Objective 4. Redevelopment and Infill Principles and Strategies

The City shall encourage and facilitate urban infill and redevelopment using through its land development regulations Land Development Regulations, infrastructure improvement programs, economic tax incentives, and shall work in cooperation with business and neighborhood organizations and to implement a long-range strategy strategies for attracting private investment in the revitalizing revitalization and enhancement of its Downtown commereial core and older residential areas its Downtown, commercial districts, special purpose districts, older multi-family zoned residential areas, and potential mixed-use redevelopment areas .

[Note: This objective and supporting policies are being revised to provide a broad policy framework for guiding redevelopment and infill regulations and programs. The specific redevelopment and infill strategy appropriate for specific areas are addressed under their individual objectives and supporting policies for a distinct commercial district, residential neighborhood or geographic area, if appropriate.]

Policies:

~~7.1 The city shall adopt standards and regulations for the mixed use "MX" land use district shown on the Future Land Use Map to encourage infill and redevelopment of the downtown and older central area of Vero Beach, such standards to include higher residential densities and commercial floor area ratios than found in other districts.~~

~~7.2 The City shall coordinate with applicable downtown agencies and organizations to assist in identifying and articulating local issues and needs.~~

~~7.3 The City shall reinforce downtown as a mixed use office, employment and governmental center as well as a unique cultural, arts, entertainment and residential enclave, with shopping and dining opportunities that support the district and its surrounding neighborhoods.~~

4.1 The development incentives identified in Policy 3.6 of this element shall be considered for application through the following implementation techniques:

(a) Overlay zones;

(b) Floating zones;

(c) Special purpose zones;

(d) Planned development projects. and

(e) Other appropriate techniques.

- 4.2 The City shall consider adopting redevelopment and infill incentive strategies specifically tailored to help achieve the objectives and comply with their supporting policies for the Downtown, commercial districts, residential areas and other potential infill and redevelopment areas identified in this element.
- 4.3 In considering the appropriate infill and redevelopment incentives requiring revisions to the Land Development Regulations for specific commercial and residential neighborhood areas, the City staff should first consult with realtors, builders, representative business and neighborhood organizations, property and business owners, residents, and other stakeholders to determine the specific incentives that may be appropriate to meet identified market demand and needs in that specific neighborhood within the City.
- 4.4 The City shall make developers aware of potential redevelopment and infill projects the availability of the tax abatement program for improvements to historic structures and tax abatement incentives for job creation projects authorized in the City Code.
- 4.5 Wherever feasible and appropriate, the City shall consider implementation of redevelopment and infill regulatory incentive techniques in conjunction with supporting public infrastructure, streetscape, and other public common area improvements.
- 4.6 Funding constraints on the level of public funds available for specific capital improvement projects to facilitate the implementation of infill and redevelopment objectives and policies of this Plan shall likely require that such projects be funded partially or fully through grants, private donations, special assessments or special taxing districts, except where such projects can be implemented through cash contributions or the installation of improvements by developers in return for receiving a development bonus incentive.

[Note: This policy is a general policy needed as the many of the policies in the Plan and the Vision Plan called for further public investment; however, the reality is the level of available funding for capital projects is limited. Without significant changes, implementation of capital projects to meet the infill/redevelopment strategies will require reliance on grants, private donations or taxing of property owners benefiting from the project through a special assessment or special taxing district.]

1.4.0.7 Historic and Archeological Resources

[Note: This objective and supporting policies with revisions have been revised and relocated to the Conservation Element.]

Objective 8:

~~The City shall protect, preserve or where appropriate promote adaptive re-use of the historic and/or archeological resources in the City.~~

Policies:

- ~~8.1 The City shall update and maintain the historic resources survey and adopt, by July 2008, an historic preservation ordinance to provide appropriate protection for significant historic resources. Ordinance criteria shall include, but not be limited to, the following:~~
- ~~A. The ordinance shall provide protection for the resources listed on the National Register of Historic Places, the Florida Master Site File, the Local Register of Historic Places and those to be discovered in the future.~~
 - ~~B. The ordinance should outline standards for the identification and evaluation of historic resources.~~
 - ~~C. The ordinance shall establish procedures for the review of all development and redevelopment proposals, including those for infrastructure for the impact upon designated historic resources.~~
 - ~~D. If a determination is made that there will be a potentially negative impact to a historic resource, the City shall notify the Division of Historic Resources of the Department of State and City preservation agent.~~
 - ~~E. Efforts shall be made to preserve the resource. Where preservation is not a feasible alternative, the resource shall either be relocated with information regarding the resource recorded, or elements of the resource shall be salvaged for further study.~~
- ~~8.2 By July 2008, the land development regulations shall require that all public and private development and redevelopment proposals, including those for infrastructure, shall be reviewed for the impact upon designated archeological and/or historic resources and establish requirements to preserve, reduce or mitigate impacts to these resources.~~
- ~~8.3 By July 2008, the land development regulations shall require that public and private development and redevelopment activities, including those for infrastructure, shall cease where historic or archaeological artifacts are discovered to allow for an evaluation of historical significance. The regulations shall include, but not limited to, the following criteria:~~
- ~~A. Immediately upon discovery, notification shall be given to the Division of Historical Resources of the Department of State.~~
 - ~~B. Ground disturbing activities shall be suspended within 20 feet of the discovery for up to 30 days from the date of notification to allow for an initial evaluation of significance. If the resource is found to be potentially significant, activities shall be further suspended for up to 30 days to allow for further evaluation. Ground disturbing activities shall be undertaken with caution in the surrounding area. Efforts shall be taken to evaluate the site in a timely and reasonable manner. The~~

~~property owner should be allowed to hire a professional archaeologist to evaluate the site.~~

~~C. — Where the discovery is determined to be historically significant, efforts shall be made to preserve the resource. — Where preservation is not a feasible alternative, either the resource shall be relocated with information regarding the resource recorded, or elements of the resource shall be salvaged for further study, at the expense of the State of Florida.~~

~~8.4 — By July 2009, the City shall evaluate the land development regulations to determine whether a transfer of development rights procedure would encourage the protection of historic resources from the potential impacts of development and redevelopment.~~

~~8.5 — Historic and/or archeological resources and their environments shall be included in public acquisition programs for recreation, open space and conservation areas. The future use of these historic resource areas shall include, but not be limited to, the following:~~

~~A. — Any development, public access or activities planned for these sites shall be passive in nature and shall not endanger the integrity and character of the resource.~~

~~B. — Exact locations of known archaeological sites purchased shall not be publicized to protect these resources from vandalism.~~

~~8.6 — The City shall explore by July 2009, the feasibility of becoming a designated certified local government and participating in Florida's Certified Local Government historic preservation program.~~

~~8.7 — The City shall map, by July 2009, locations of potential archaeological resources.~~

Objective 5. Downtown

The City shall reinforce the Downtown as a mixed-use office, employment, and government center, as well as a unique cultural, arts, entertainment, and residential enclave, with shopping and dining opportunities that support the district and its surrounding historic residential neighborhoods and the Vero Beach Cultural Arts Village.

[Note: This objective statement was taken with minor revisions from existing Policy 7.3 and the Vision Plan. The supporting policies follow recommendations in the Vision Plan and the 2010 EAR with some updating. Recommendations in the Vision Plan about preparing a Master Plan and design standards have not been identified in these policies as it still has been not determined at this time whether there is sufficient need or property owner support for such efforts, particularly recognizing the limitations on the City budget and staffing.]

Policies:

5.1 The Downtown is defined by this Plan as that area of the City designated DTW on the City's Zoning Map.

5.2 The primary policy focus for enactment and application of infill and development incentives and strategies for the Downtown shall be those that will attract investment in residential and transient residential development and specific commercial uses to serve nearby existing residential neighborhoods such as a grocery and food stores. Additional residential and transient residential development is needed to provide customers both day and night for existing restaurants, retail establishments, and art galleries, to enhance the long-term viability as a regional destination with an active downtown scene, and to support the critical mass of development that further spurs public and private investment in the Downtown. The development of nonresidential uses to serve adjacent neighborhoods in walking distance of the Downtown and its residents is intended to help attract needed investment and increase the population in these older neighborhoods, which in turn will benefit businesses in the Downtown.

Additionally, the development bonus incentives shall be considered for a development that limits first floor uses to retail businesses, restaurants, arts and cultural activities and other uses that promote active store front and pedestrian traffic with office, residential, and transient residential uses restricted to the 2nd floor and above.

5.2 In cooperation with Downtown non-governmental advocacy organizations, such as Main Street Vero Beach, the City shall support programs, actions, and other activities to promote and enhance the Downtown, including special events, signage, artistic banners, historic street signs, public art and other techniques to specifically identify the area as a separate and unique from other commercial districts in the city and region.

5.3 Through its Historic Vero Beach Economic Advisory Committee in coordination with Main Street Vero Beach and other business owners and tenants, and property owners, the City shall identify, as needed, specific issues and needs facing the Downtown and potential programs and changes in regulations to address these issues and needs.

5.4 At a minimum, the Historic Vero Beach Economic Advisory Committee shall annually update and submit for approval to the City Council its Economic Development Plan in March prior to start of the City annual operating and capital budgeting process. The Economic Development Plan, which should be updated in coordination with Main Street Vero Beach, Cultural Council of Indian River County's Leadership Team for the Cultural Arts Village and other Downtown business, civic and public interest groups, should identify specific public and private capital improvement projects for implementation, funding sources, both public and private, and an implementation schedule for these capital projects that are intended to attract private investment to enhance the Downtown as a vibrant mixed-use destination.

- 5.5 In its annual capital budgeting process, the City Council shall consider the recommendations presented in the Historic Vero Beach Economic Advisory Committee's Economic Development Plan in appropriating funds from the Tax Increment Trust Fund and other City funds for capital improvement projects.
- 5.6 The City shall emphasize in its capital improvements programs and projects for the Downtown and amenities to be provided by developers in return for development bonuse incentives, such projects as the widening of sidewalks, provision of benches and art in public spaces, installation of landscaping and on-street parking spaces, installation of period street lighting and way finding signs, and other appropriate improvements proposed for public and common areas recommended by the Historic Vero Beach Economic Advisory Committee in its annual Economic Development Plan.
- 5.7 The City shall encourage and support the use of public right-of-way, where appropriate, for outdoor dining venues and cafe, to provide more opportunities for open air dining experiences and to increase social interaction and activity in the Downtown.
- 5.8 Where appropriate, the City shall maintain and add to the number of on-street parking spaces not only to expand the available parking supply, but to create a more pedestrian friendly and walkable environment created by placing parked vehicles between pedestrians and the through traffic and by having a calming effect on through traffic created by the presence of on-street parking.
- 5.9 The City shall support the lane reduction of east- and west-bound lanes of SR 60 between 20th Avenue and the Florida East Coast tracks pursuant to the policies in the Transportation Element of this Plan. As an interim measure, the City shall seek in consultation with the Indian River County MPO and FDOT a reduction in the speed limits on these segments and changes in traffic signal time at the intersection of 14th Avenue and SR 60 east-bound to allow for safer pedestrian access across this street that creates a barrier for north-south pedestrian movements in the Downtown.
- 5.10 With input from the Historic Vero Beach Economic Advisory Committee and Main Street Vero Beach, the City shall consider the future expansion of Go-Line's transit services in the Downtown at an appropriate time after completion of the new Go-Line main transit hub on 16th Street, including a possible circulator route for special events and to improve linkage between business establishments and public parking areas in the Downtown.

Objective 6. Royal Palm Pointe

The City shall endeavor to make Royal Palm Pointe as a regional active, mixed-use residential, commercial, and entertainment district that is primarily based on restaurants, recreation and boutique retail venues that are enhanced by the waterfront location.

[Note: The objective statement is modified version of the goal statement taken from the Vision Plan.],

Policies:

- 6.1 The general boundaries of Royal Palm Pointe are shown in Figure 2-9 of the technical document to this Plan.
- 6.2 With input from property and business owners, stakeholders, and interested public, the City shall explore the need and desirability to replace the Marine (CM-1) and C-1A and C-1B (Commercial) zoning districts with a single purpose district or revisions to existing underlying zoning districts through overlay zoning. The intent of the special purpose district is to assure creation of an active mixed-use area by requiring ground floor retail, commercial, restaurants, recreational, and entertainment uses in all new buildings as recommended in the 2005 Vision Plan and to promote increased boating and marina facilities and activities available to the public. Development standards either voluntary and/or mandatory will need to be considered, which depending upon their specificity, will require preparation of design guidelines and standards. Development incentives may be considered to be provided to developers in return for meeting higher development standards or provision of on-site or off-site public amenities.

[Note: The provisions of Policy 3.7 shall apply in the consideration of any special purpose district or overlay zoning.]

- 6.3 The City shall continue to work with property and business owners regarding parking, landscaping, signage, lighting, and streetscape improvements in the right-of-way.

Objective 7: Cardinal Drive/Ocean Drive Commercial District

The City shall maintain Cardinal Drive/Ocean Drive Commercial District as a pedestrian-oriented, mixed use destination and quality-oriented boutique retail center for both visitors and residents that is characterized by small-scale specialty retail and services, restaurants, entertainment venues, and quality residential and transient (hotel) residential development along with offices and supporting uses.

Policies:

- 7.1 The Cardinal Drive/Ocean Drive Commercial Overlay District as shown on the City's Zoning Map shall serve as the boundaries of the Cardinal Drive/Ocean Drive Commercial District for the purposes of this Plan.
- 7.2 In cooperation with Oceanside Business Association, the City shall support programs, actions, and other activities to promote and enhance the Cardinal Drive/Ocean Drive Commercial District, including special events, signage, artistic banners, historic street signs, public art and other techniques to specifically identify the area as a separate and unique from other commercial districts in the city and region.
- 7.3 The City shall work with the Oceanside Business Association and other business groups, owners and tenants, and property owners to identify specific issues and needs facing the

Cardinal Drive/Ocean Drive Commercial District and potential programs and changes in regulations to address these issues and needs.

- 7.4 The City shall continue to work with property and business owners regarding parking, landscaping, signage, lighting, and streetscape improvements in the right-of-way.
- 7.5 The City shall continue to work with the Indian River County Chamber of Commerce, Oceanside Business Association, and business and property owners in monitoring and addressing parking issues in the commercial district and options to address problems such as the provision of circular shuttle service for employees and visitors to open up available public parking for visitors and shoppers.
- 7.6 The City shall continue to monitor and evaluate the value and effectiveness of the Cardinal Drive/Ocean Drive Commercial Overlay District regulations, including the development incentives and standards of these regulations, to determine the need for any amendments to the regulations to better achieve the following specific purposes of the overlay district:
- (a) Promotion of small-scale specialty retail services, restaurants, and supporting services on the ground floor with office, residential, and hotel uses above the ground floor;
 - (b) Retention and promotion of small to medium scale quality hotel development and redevelopment compatible with the commercial uses and overall pedestrian-oriented character of the district;
 - (c) Provision of development that exhibits the physical design characteristics of pedestrian-oriented storefront shopping districts; and
 - (d) Promotion of the health and well being of residents by encouraging outdoor physical activity and social interaction.

Objective 8. Beachland Boulevard Corridor

The City shall maintain Beachland Boulevard Corridor from Mockingbird Drive to Eagle Drive as a premier office corridor particularly for professional services and banking and financial activities.

[Note: This objective comes directly from the “Goal” language in the 2005 Vision Plan, except the eastern boundary of the corridor is “Eagle Drive” not “Ocean Drive.” The corridor between Eagle Drive and Ocean Drive is mostly retail and is included in the Cardinal Drive/Ocean Drive Overlay Commercial District.]

Policies:

- 8.1 The general boundaries of the Beachland Boulevard Corridor are as shown in Figure 2-9 of the technical document to this Plan.
- 8.2 The City shall encourage development and redevelopment through its development review process that achieves the following outcomes:
- (a) Maintenance of common landscape setback with adjoining properties;
 - (b) Building setbacks consistent with adjoining properties;
 - (c) Main entrances and orientation of new buildings to face Beachland Boulevard;
 - (d) Major parking areas located behind buildings with cross-access between parking lots;
 - (e) Maintenance of significant canopy trees; and
 - (f) Installation of monument signage rather than pole signage.

[Note: Although the Vision Plan called for implementation of specific regulations to secure the above outcomes with the subsequent adoption in 2007 of a Beachland Boulevard Master Plan, the staff has determined that other than need for signage regulations, that the need for such regulations is not necessarily needed at this time. The staff had prepared draft overlay district regulations several years ago, but decided not to go forward due to higher priorities and constraints on staff resources, as well the absence of any real perceived need. Except for one vacant lot, the corridor is almost fully developed with well established and maintained office and financial buildings and properties. Therefore, other than signage this policy calls for working with developers to achieve these outcomes “voluntarily” rather than through mandatory regulations. However, Policy 8.3 provides for creation of an overlay district if necessary. Policy 8.5 addresses signage in the corridor.]

- 8.3 The City shall continue to monitor any changes in development and businesses in the Beachland Boulevard Corridor in cooperation with property and business owners to ascertain the need for enacting development standards through application of an overlay zoning district to achieve the outcomes envisioned in Policy 8.2.
- 8.4 The City shall cooperate with property and business owners related to maintaining an improving landscaping in the public right-of-way including such elements as vegetation, signage, public lighting, and street furniture.
- 8.5 The City shall consider the creation of an signage overlay district for the Beachland Boulevard Corridor compatible with the low-speed traffic character and the tree canopy

of the boulevard corridor as part of the City's effort to comprehensively amend its sign regulations pursuant to Policy 3.8.

[Note: The traffic speed and characteristics of the corridor along with the tree canopy warrant low rise, monument signs. The Planning office received many complaints when a pole sign was erected by a bank on Beachland Boulevard several years ago.]

Objective 9. Miracle Mile Corridor

The City shall endeavor to enhance the existing character, marketability, and long-range sustainability of Miracle Mile corridor and facilitate its evolution into a more mixed-used pedestrian oriented commercial district.

[Note: The Vision Plan contained rather broad and vague language that calls for "allowing for the evolution of Miracle Mile to accommodate changing commercial trends. It is clear that the evolution is toward mixed-use pedestrian development and away from the highly auto-oriented linear strip development patterns with acres of parking in-front of the buildings. Therefore, the staff has revised the goal statement from the Vision Plan to reflect a specific outcome desired for this commercial corridor based on discussions with developers and property owners.]

Policies:

9.1 For purposes of this element, the general boundaries of Miracle Mile Corridor are the properties centered on 21st Street between U.S. Highway 1 and Indian River Boulevard as shown in Figure 2-9 of technical document to this Plan.

9.2 The City shall investigate the need and support for a new mixed-use zoning district or a special purpose zoning district to be enacted and applied to some or all of the Miracle Mile Corridor under the Commercial (C) future land use designation. Any new zoning district should consider providing development incentives for eligible properties that meet specific mixed use development standards to be established for the district. In considering such an regulations, some attention should also be given to retrofitting existing parking lots to improve safety, stormwater retention, and pedestrian movements and connectivity between parking areas; consolidating landscaping areas into larger more contiguous planting areas that have greater visual impact; and retrofitting and improving on-site storm drainage.

[Note: Most of the concepts in Policy 9.2 come from the Vision Plan. However, one recommendation of the Vision Plan to limit individual building occupants to a maximum of 40,000 square feet of floor areas is not included in any of the supporting policies under this objective. That limitation would have nixed the move of Publix across 21st Street to occupy 60,000 square feet of floor space. The staff believes this floor space limitation was most likely recommended to preclude "big box" stores. However, the Miracle Mile location and trends in the national retail market to down-size make it very unlikely that such an event would occur.]

9.3 The City shall cooperate with property and business owners related to maintaining and improving landscaping in the public right-of-way including such elements vegetation signage, public lighting, and street furniture with the understanding any landscaping and streetscape improvements.

Objective 10. U.S. Highway 1 Corridor

The City shall endeavor to improve the overall appearance, character, mix of uses, property maintenance, and development quality in the U.S. Highway 1 Corridor.

[Note: This objective is based on the vague goal statement in the Vision Plan, which was combined with the Miracle Mile. The Vision Plan focused mostly on the Miracle Mile with little attention to U.S. 1.]

Policies:

10.1 The primary focus of any infill and development incentives and strategies the U.S. Highway I Corridor shall be, but not necessarily limited to those that create well designed mixed use projects and more cross-connections for both vehicles, pedestrian, and bicycle traffic between adjacent properties, and provide enhanced landscaping along ROW frontage and buffers between residential and commercial areas. These strategies are intended to provide a more attractive travel corridor and entrance to the City with breaks in the overwhelming linear, highway oriented commercial development located on both sides of U.S. Highway 1.

[Note: This policy is based on the strategies identified in the Vision Plan.]

10.2 The City shall review existing regulations for planned developments to determine the need and desirability to amend the regulations to better implement Policy 10.1 and to proceed to enact such amendments if it is determined that such amendments are needed and desirable.

[Note: Rather than complicate matters due to the length of the corridor, the staff proposes to review the existing Planned Development regulations (applied in the case of the Hampton Inn Suites hotel). A Planned Development is allowed as a conditional use in C-1 zoning district. The existing regulations could be tweaked or expanded to specifically fit the U.S. Highway 1 Corridor which is predominately zoned C-1.]

10.3 Through its Historic Vero Beach Economic Advisory Committee in coordination with other business owners and tenants, and property owners, the City shall identify, as needed, specific issues and needs facing the U.S. Highway 1 Corridor and potential programs and changes in regulations to address these issues and needs, including the development and enactment of any infill and redevelopment incentives.

10.4 The City shall continue to enforce its property maintenance and nuisance code provisions and the site plan maintenance requirements of its Land Development Regulations to

eliminate blighting influences, protect and enhance property values, and to improve the overall appearance of the U.S. Highway I Corridor.

10.5 The City shall further investigate and consider alternatives for the redevelopment of the MR future land use designated area in the U.S. Highway 1 Corridor north of the Main Relief Canal in conjunction with transportation alternatives for connecting with 37th Street and providing access to vacant properties to the north of the neighborhood.

Objective 11. Vero Beach Cultural Arts Village

The City shall support the creation of a “Vero Beach Cultural Arts Village” centered on the Edgewood Subdivision that builds upon the historic residential character of that neighborhood, produces a viable residential and limited commercial neighborhood with complementary creative environments for living, working, selling, dining, and entertainment, and results in a destination for the gathering and interaction of diverse groups of residents and visitors.

[Note: This objective was based on the legislative intent language of the resolution adopted by the City Council to approve the “Cultural Arts Village Report” as a guide to be followed in implementing the report’s recommendations to create the village.]

Policies:

11.1 The City shall support the creation of the Vero Beach Cultural Arts Village (“Village”) by continuing to provide staff assistance in the implementation of the recommendations of the *Cultural Arts Village Report* consistent with the constraints on the City’s financial and staffing resources and project priorities.

11.2 The City shall prepare amendments to its Land Development Regulations and Zoning Map to create a special purpose district for the Village with input from the appropriate representatives of the Cultural Council of Indian River County’s (Cultural Council) Leadership Team. In preparing the draft ordinances, the following guidelines should be considered:

- (a) The boundaries of the special purpose district shall generally follow those identified in the *Cultural Arts Village Report*, dated March 3, 2016, excluding any properties zoned Downtown (DTW).
- (b) For purposes of this special zoning district, the term “arts” shall apply all forms of creative and imaginative expression, such as, but not be limited to the fine arts, music, creative writing and poetry, music, film, and the performing arts.
- (c) The allowable uses to be considered for the special purpose district may include, but are not necessarily limited to the following:

- Single family, duplex, and multi-family dwellings including multiple dwellings on one site.
 - Parks, including amenities facilities associated with parks, except for active sports and recreation fields or facilities.
 - Art studios, offices, and display areas or galleries either separately or in combination with the artist's home with specific limitations on the amount of floor area occupied by the non-residential functions.
 - Bed and breakfast lodging establishments with limitations on the number of rooms available for occupancy and a requirement that the manager or owner live on site.
 - Limited retail uses related or directly involved with the arts, such as book stores, art galleries, and graphic arts supply stores, with limitations on the amount of floor area.
 - Cafes and restaurants with limitations on the amount of floor area with the possible exclusion of establishments that derive more than 50 percent of their revenue from the sale of alcoholic beverages.
 - Limited personal service uses related or directly involved with the arts, such as art, music and dance studios, with limitations on the amount of floor area.
- (d) Existing lawfully established uses in the RM 10/12 or POI zoning districts that would no longer be allowable in the new special purpose district should be considered for special vesting provisions, if warranted.
- (e) Limitations on the number of stories to be allowed in the district regulations consistent with the specific design and site standards of (g) below should be considered.
- (f) All uses that are to be allowed either by right or by conditional use should be specifically identified to the maximum extent practicable to eliminate problems in administering the regulations of the special purpose district.
- (g) Specific design standards and guidelines to be applied to new development or substantial improvements to existing development should be included in the regulations for the special purpose district, including requirements for design approval by the City's Architectural Review Commission, as part of the development permitting approval process.

11.3 The City shall work with the Cultural Council's Leadership Team and any successor organization representing the Cultural Arts Village in implementing the recommendations of the *Cultural Arts Village Report*.

Objective 12. General Neighborhood Principles and Strategies

The City shall endeavor to reinforce Vero Beach as a "community of neighborhoods" through strategies that promote neighborhood conservation/preservation and neighborhood revitalization and stabilization.

[Note: This objective is based on the goal statement in the Vision Plan for neighborhoods.]

Policies:

12.1 Pursuant to the requirements of Policy 3.7 of this element, the City shall consider on a neighborhood-by-neighborhood basis the need, desirability, and level of support for enacting specific neighborhood conservation, preservation, revitalization, and stabilization strategies that would involve the enactment of specific regulations for that neighborhood such as, but not limited to an overlay district, historic district, or other special purpose district that only affects properties within that specific neighborhood.

12.2 Any infill and redevelopment incentives or regulations to be considered for application in the City's multi-family zoned residential districts or mixed residential districts shall provide for a variety of housing types in scale and architectural styles by allowing development of small lots, clustering of dwelling units, accessory housing, apartments, townhouses, and bungalow courts consistent with specific site and building design guidelines consistent with the existing community character. These incentives should be structured to bring benefits to the community and neighborhood as a whole, not just builders and newcomers.

12.3 The City shall consider amendments to the Land Development Regulations to create provisions for Residential Group Projects to create incentives with specific design standards for infill and redevelopment in residential neighborhoods. Such projects could be approved through a conditional use process and would modify and/or allow for waivers from underlying development standards to facilitate residential infill development.

12.4 Any redevelopment and infill strategies to be implemented in the City's older, historic residential neighborhoods shall consider measures to protect and enhance the City's historic structures in those neighborhoods.

12.5 In the City's older, historic residential neighborhoods, the City shall preserve the historic gridiron pattern and connectivity of existing streets and alleyways by denying property-owner initiated petitions for abandonment of public right-of-way or license applications for permanent private use of public right-of-way unless the City Council deems that the

right-of-way is no longer needed and that its abandonment will not adversely impact the connectivity of existing streets or alleyways.

12.6 Neighborhood, homeowners, and civic and business associations may request to be identified and recognized as a neighborhood contact organization for a specific neighborhood upon written request to the City. As a neighborhood contact organization, the organization shall be notified by the City Planning and Development Department prior to any public hearing for proposed future land use and zoning changes, amendments to comprehensive plan policies, major site plans and project architectural review, and conditional uses that may affect the neighborhood. Any neighborhood contact organization should be willing to assist the City staff in coordinating any City planning, code enforcement, community policing, and other public programs in the neighborhood and act as the liaison between the neighborhood and City staff.

[Note: This policy and other policies under this Objective are based on the policies for the Original Town Neighborhood (Existing Objective 12) and intended to apply to all residential neighborhoods.]

12.7 In conjunction with the recognized neighborhood contact organization, property owners, residents, and businesses, the City shall promote the stabilization and enhancement of the neighborhood through the following actions consistent with the constraints on the City's financial and staff resources:

- (a) Provide Police Department support for a Neighborhood Watch Program and increased community policing in the neighborhood in response to the needs of residents and businesses.
- (b) Support neighborhood efforts to improve traffic and pedestrian safety through the City's traffic calming program.
- (c) Work to identify, prioritize and budget needed neighborhood public infrastructure improvements with input from the recognized neighborhood association and other stakeholders as part of the City's Five-Year Capital Program, such as additional street and alley lighting, drainage facilities, sidewalks, roadway improvements, and other public improvements.
- (d) Identify appropriate federal and state grants programs to secure financial assistance for construction of infrastructure improvements identified in the City's Five-Year Capital Program.
- (e) Support efforts to establish neighborhood identification signs at gateway entrances and specialized neighborhood street signage with the historical street names to help better create a sense of place and neighborhood identification.
- (f) Support efforts to stabilize and improve the overall appearance of the

neighborhood through comprehensive code enforcement of zoning, housing, and property maintenance regulations and through the active participation of property owners and residents with City code enforcement and solid waste personnel in comprehensive cleanup programs.

- (g) Provide outreach support by the City's professional staff to property owners, residents, and businesses, if requested by the neighborhood contact organization in addressing planning, historic preservation, code enforcement, police, and public service issues that affect the neighborhood.
- (h) Work with the Indian River County MPO, the GoLine transit service and neighborhood contact organization to coordinate the location of bus stops and routes in the neighborhood.

12.8 The City through its Historic Preservation Commission shall encourage and promote the preservation of the historic character of the Original Town, Osceola Park, Edgewood, and other older neighborhoods and the preservation of individual historic homes with the following actions:

- (a) Educating and encouraging property owners in applying for designation on the Vero Beach's local historic register and in renovating and restoring designated historic structures and obtaining property tax abatement for eligible renovations.
- (b) Providing assistance through the City staff and historic preservation professionals or volunteers to the neighborhood contact organizations and property owners interested in pursuing neighborhood designation on the National Register of Historic Places.
- (c) Advising the City Council in coordination with the Planning and Zoning Board on any historic or overlay districts and regulations to be considered specifically for a neighborhood.

Objective 12 13. Original Town Neighborhood

The City, with the active support of Original Town property owners, residents, businesses, and civic/business associations, shall work to stabilize the underlying physical fabric of this historic inner city neighborhood and its remaining residential areas by encouraging quality residential infill and redevelopment along with appropriate public infrastructure investment, and regulatory programs that promote increased home ownership and housing opportunities and retain the historic residential character of the neighborhood while limiting further intrusion of incompatible nonresidential uses.

Policies:

~~12.113.1~~ The City recognizes the boundaries of the Original Town neighborhood for planning purposes by adopting the map in Figure 2-2. The adopted map shall be used to describe the geographic limits for application of specific comprehensive plan policies and implementation activities related to the Original Town neighborhood under Objective 12. The perimeter boundaries of the Original Town Neighborhood for application of specific comprehensive plan policies under this objective and Plan are described as follows:

- East: 15th Avenue
- North: 24th Street
- West: 20th Avenue
- South: 20th Place

~~12.213.2~~ The City recognizes the Original Town Neighborhood Association as a neighborhood contact organization for City staff pursuant to Policy 12.5 of this element. Other civic and business associations may request to be identified as a neighborhood contact organization upon written request to the City and approval by City Council. As a neighborhood contact organization, the organization shall be notified by the City prior to any public hearing for proposed future land use and zoning changes, amendments to comprehensive plan policies, major site plans and project architectural review, and conditional uses that may affect the neighborhood. Any neighborhood contact organization shall be willing to assist the City staff in coordinating any City planning, code enforcement, community policing, and other public programs in the neighborhood and act as the liaison between the neighborhood and City staff.

~~12.313.3~~ The Notwithstanding the provisions of Policy 12.5, City shall preserve the historic gridiron pattern and connectivity of existing streets and alleyways by denying property-owner initiated petitions for abandonment of public right-of-way or license applications for permanent private use of public right-of-way.

~~12.4~~ 13.5 To protect the integrity and viability of remaining predominately residential areas of the Original Town neighborhood, any request for a change in the zoning map designation from residential to nonresidential for properties north of 22nd Street, shall be required to demonstrate that, in addition to meeting the criteria for a rezoning in the Land Development Regulations, such a change:

- (a) Is warranted based on a substantial change in circumstances to the subject property or adjacent properties; and
- (b) Will not adversely impact on the viability of existing residential uses and lead to further expansion of nonresidential uses along a predominately residential street.

~~12.513.6~~ To limit the further encroachment of disruptive conditional uses into the neighborhood that adversely impact the neighborhood's historic residential character and resources. any

proposed new or expansion of an existing conditional use in the Original Town neighborhood shall be required to demonstrate that the proposed project will not adversely impact existing historic residential buildings in addition to meeting all conditional use criteria in the Land Development Regulations. For purposes of this policy the following definitions apply:

- (a) Historic building – any building identified as, eligible for historic designation on the national or local historic registers.
- (b) Adverse impact - The demolition or substantial alterations to the exterior of a historic building that negatively impact its historical authenticity.

~~12.6 The Planning and Development Department staff shall endeavor to investigate and prepare a draft report with recommendations for review by the Planning and Zoning Board by December 31, 2015, identifying specific regulatory changes that can be implemented through an overlay district and/or other amendments to other pertinent sections of the City's Land Development Regulations to encourage and facilitate compatible residential infill development and redevelopment in the Original Town neighborhood. The report will serve as a guide in preparing and implementing desired changes in the Land Development Regulations. Any changes in the Land Development Regulations shall have, as appropriate, performance standards to ensure or promote compatibility with existing historic buildings and neighborhood characteristics.~~

~~Such investigation may cover, but not be necessarily limited to the following concepts:~~

- ~~• Overlay District Amending RM 10/12 district regulations – amendments to the RM 10/12 zoning district regulations through enactment of an overlay district to facilitate residential infill development by modifying underlying development standards and requirements.~~
- ~~• Residential group projects – on a project by project basis, projects to be approved through the conditional use process; modifies and/or allows for waivers from underlying development standards to facilitate residential infill development.~~
- ~~• Residential infill overlay district – applies to all residential lots meeting certain eligibility requirements; modifies underlying development standards to provide more flexibility for residential infill development.~~
- ~~• Conservation or neighborhood stabilization overlay district – applies to all properties in the neighborhood; establishes specific development standards for new and existing development intended to facilitate infill development and additions/renovation to existing development.~~
- ~~• TDRs (“transfer of development rights”) – provides for the transfer of density from one property to another within the RM 10/12 zoning district in the neighborhood as an incentive to attract investment in residential infill projects.~~

[Note: The intent of this policy has been incorporated in other policies of this element.]

~~12.7~~ Any decision regarding the preparation and enactment of overlay district regulations for the neighborhood should consider the following factors:

- ~~• Public interest to be served;~~
- ~~• Level of property owner support in relation to the impact of the regulations on property owners;~~
- ~~• Recommendations of the Planning and Zoning Board, Historic Preservation Commission, and City staff; and~~
- ~~• Sufficiency of available financial and staff resources to prepare and administer the overlay district regulations.~~

[Note: This policy has been relocated, modified, and renumbered as Policy 3.7 to be applied to all situations where regulations are to be considered for a specific neighborhood or district.]

~~12.8~~ The City through its Historic Preservation Commission shall encourage and assist in the preservation of the historic character of the Original Town neighborhood and homes through the following actions:

- ~~• Educate, encourage and assist property owners in applying for designation on the Vero Beach's local historic register and in renovating and restoring designated historic structures and obtaining property tax abatement for eligible renovations.~~
- ~~• Provide assistance to the neighborhood contact organization and property owners interested in pursuing neighborhood designation on the National Register of Historic Places for the area as recommended in the *Historic Resource Survey Update of the Original Town and Osceola Park Area Neighborhoods*.~~
- ~~• Participate in coordination with the Planning and Zoning Board in advising the City Council on any overlay districts and regulations to be considered specifically for the neighborhood.~~

[Note: This policy has been revised as Policy 12.7. It is intended now to be a city-wide policy.]

~~12.9~~ 13.7 In conjunction with the neighborhood contact organization, property owners, residents, and businesses, the City shall promote the stabilization and enhancement of the neighborhood through the following actions consistent with the constraints on the City's financial and staff resources: pursuant to the actions in Policy 12.7 of this element.

- ~~• Continue to provide Police Department support for Neighborhood Watch Program and increased community policing in the neighborhood in response to need of~~

residents and businesses.

- Support neighborhood efforts to improve traffic and pedestrian safety through the City's traffic calming program.
- Work to identify, prioritize and budget needed neighborhood public infrastructure improvements with input from the Original Town Neighborhood Association and other stakeholders as part of the City's Five Year Capital Program, such as additional street and alley lighting, drainage facilities, sidewalks, roadway improvements, and other public improvements.
- Identify appropriate federal and state grants programs to secure financial assistance for construction of infrastructure improvements identified in the City's Five Year Capital Program.
- Support efforts to establish neighborhood identification signs at gateway entrances and specialized neighborhood street signage with the historical street names to help better create a sense of place and neighborhood identification.
- Support efforts to stabilize and improve the overall appearance of the neighborhood through comprehensive code enforcement of zoning, housing, and property maintenance regulations and through the active participation of property owners and residents with City code enforcement and solid waste personnel in comprehensive cleanup programs.
- Provide outreach support by the City's professional staff to property owners, residents, and businesses, if requested by the neighborhood contact organization in addressing planning, historic preservation, code enforcement, police, and public service issues that affect the neighborhood.
- Work with the Indian River County MPO, the GoLine transit service and neighborhood contact organization to coordinate the location of bus stops and routes in the neighborhood.

[Note: The actions listed above to help stabilize and enhance neighbors are now listed under the city-wide policy, Policy 12.7]

Objective 11: 14. Land Use Compatibility with Airport Operations

The City shall regulate the use of lands in order to ensure that future uses are compatible with Vero Beach ~~Municipal~~ Regional Airport operations in order to promote public health, safety, and general welfare.

Policies:

- ~~11.1~~ 14.1 The City Planning and Development Department shall coordinate with the Vero Beach ~~Municipal-Regional~~ Airport and the airport master plan to review amendments to the ~~future land use map or zoning map~~ Future Land Use Map or Zoning Map that may be proposed within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.
- ~~11.2~~14.2 The City Planning and Development Department shall coordinate with the Vero Beach ~~Municipal-Regional~~ Airport by providing copies for review and comment of proposed development permit applications, including change of uses that are located within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.
- ~~11.3~~14.3 In accordance with Federal Aviation Administration advisories and Chapter 333, Florida Statutes, Airport Zoning, the City shall prohibit proposed incompatible land uses, activities, or construction within the airport runway protection zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code. Examples of incompatible land uses are uses that could lead to the congregation of people, the attraction of birds, the emission of light, glare, or smoke, or the construction of tall structures.
- ~~11.4~~14.4 The City shall prohibit proposed residential uses and educational facilities, with the exception of aviation school facilities, that are inside the 65 decibel Day-Night Average Sound Level (DNL) noise contour, as adopted in the most recent Vero Beach Municipal Airport FAR Part 150 Noise Study, in accordance with Federal Aviation Administration guidance and Chapter 333, Florida Statutes, Airport Zoning.
- ~~11.5~~14.5 The City shall prohibit proposed land uses such as sanitary landfills or other hazardous wildlife attractants at either end of a runway within five (5) statute miles between the farthest edge of the airport operations area and the hazardous wildlife attractant if the attractant could cause wildlife movement into or across the approach or departure airspace, in accordance with Federal Aviation Administration recommendations.
- ~~11.6~~14.6 The City shall prohibit proposed construction of educational facilities of a public or private school at either end of an airport runway within an area which extends five (5) miles in a direct line along the centerline of the runway, and which has a width measuring one-half the length of the runway, in accordance with Chapter 333, Florida Statutes, Airport Zoning.
- ~~11.7~~14.7 The City shall periodically review and update as necessary existing ~~land development regulations~~ Land Development Regulations in accordance with federal and state laws.
- ~~11.8~~14.8 The Vero Beach ~~Municipal~~ Regional Airport shall continue to use and improve upon its noise abatement approach and departure procedures as outlined in the most recent Part 150 Noise Study, Noise Compatibility Plan.

~~11.9~~14.9 The City shall require prior to substantial improvements or new residential construction in the airport noise impact zone, as defined in Chapter 68, Airport Zoning, of the Vero Beach Code, that the property owner(s) shall either grant an avigation easement to the City of Vero Beach or provide soundproofing sufficient to achieve an outdoor to indoor noise level reduction of 25 decibels.

~~11.10~~14.10 The City Planning and Development Department and Airport shall coordinate with Indian River County Community Development Department to review amendments to the ~~future land use map~~ Future Land Use Map, zoning map or Zoning Map, or to review permit applications for development that may be proposed within the airport noise impact zone as defined in Chapter 68, Airport Zoning, of the Vero Beach Code.

1.4.0.8 — School Siting Policies

Objective 9:15. School Siting, Level of Service, and Co-Location Policies

~~Future needs for public schools sites will be accommodated on land that is proximate to urban residential areas.~~

In coordination with the Indian River County School District, Indian River County, and other local governments, the City shall accommodate sites for public schools to meet future needs; ensure adequate capacity exists to meet level of service standards; and encourage the co-location of public schools with other public facilities including parks, libraries, and community centers.

[Note: The existing Public School Facilities Element, which was adopted in 2009, expanded upon and made obsolete the supporting policies under existing Objectives 9 and 10. The updated Comprehensive Plan will not contain a Public School Facilities Element as this element is duplicated in the County's Comprehensive Plan and is no longer required under Chapter 163, Florida Statutes. However, it is still a requirement of the "Interlocal Agreement for Coordinated Planning and School Concurrency." The interlocal agreement will need to be amended, which in discussions with Indian River County, should not be a problem. The staff intends to meet all the development review, school siting, and concurrency requirements as follows: (1) adopting by reference Indian River County's Public School Facilities Element, as amended, and general policies for school siting and co-location; and (2) incorporating pertinent policies contained in the existing Public School Facilities Element in the revised Intergovernmental Coordination and Capital Improvements Elements.]

Policies:

15.1 The City hereby adopts by reference the objectives and policies of the latest adopted Public School Facilities Element of the Indian River County Comprehensive Plan, except as may be amended by this Plan.

[Note: The objectives and policies in the Indian River County Public School Facilities Element virtually duplicate those in the City's existing Public School Facilities Element. The exception phrase in the last part of the above policy is to allow some leeway for the City should it have some need to differ from the County's policies.]

15.2 The City shall ensure adequate capacity in the public school system pursuant to Policy 15.1, concurrency management system requirements of the Capital Improvements Element, and the provisions of the “Interlocal Agreement for Coordinated Planning and School Concurrency,” as amended.

15.3 The City shall accommodate the siting and site location of new public schools and shall promote the co-location of public schools with other public facilities pursuant to Policy 15.1, pertinent policies of the Land Use Element, and the provisions of the “Interlocal Agreement for Coordinated Planning and School Concurrency,” as amended.

~~9.1 The development regulations shall permit schools to be located in all residential zoning districts, the mixed use district, the mixed residential district, and the industrial zoning district.~~

~~9.2 The land development regulations shall establish size and site location criteria for future school sites.~~

~~9.3 Prior to establishing a new public school site within the City of Vero Beach, the Indian River County School Board shall establish a need for the school site based on standard school siting criteria utilized throughout Indian River County.~~

~~9.4 In establishing new school sites, the City shall encourage the Indian River County School Board to select sites that are proximate to urban residential areas.~~

~~1.4.0.9 Co-location of Schools~~

Objective 10:

~~The co-location of schools with other public facilities including parks, libraries, and community centers shall be encouraged.~~

Policies:

~~10.1 Prior to location of any park, library or community center or park within Vero Beach, the City shall consider, to the greatest extent possible, co-locating the facility with a school site.~~

~~10.2 In selection of the location of new school sites, the City shall encourage, to the greatest extent possible, that the Indian River County School Board consider co-location with existing park, library and community center sites.~~

~~10.3 If Indian River County proposes construction of a library, community center or park within Vero Beach, the City shall encourage co-location with a school site to the greatest extent possible.~~