

AGENDA
REGULAR MEETING OF THE CITY PLANNING AND ZONING BOARD
THURSDAY, SEPTEMBER 1, 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 Recreation and Open Space and Coastal Management Elements 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: August 25, 2016

SUBJECT: **Board Workshop on Draft Goal, Objectives and
Policies (GOPs) for the Recreation and Open Space and
Coastal Management Elements of the Comprehensive Plan**

At the Board's September 1st meeting a public workshop on the draft GOPs of the Recreation and Open Space and Coastal Management Elements will be conducted. A copy of the 15-page data and analysis to be contained in the Technical Document for the Comprehensive Plan's Recreation and Open Space Element will not be presented at the workshop. However, if interested, the Board may request a copy or view a copy on line or at the Planning offices.

The data and analysis for the Coastal Management Element is still under review. It needs further work. The staff will try to have the document available on the City's website and at the Planning offices prior to the workshop date.

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.

As discussed at the previous workshops, 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/tf
Attachment

CHAPTER 7
RECREATION AND OPEN SPACE ELEMENT
GOAL, OBJECTIVES AND POLICIES

7.13 GOAL, OBJECTIVES AND POLICIES

GOAL

7.13.0 Goal: ~~To establish and maintain an~~ The City of Vero Beach's open space and recreation system that will provides a wide variety of indoor-outdoor leisure experiences, which to meets the physical, social, recreational and cultural needs of all population segments of the City and provides with access to a variety of passive recreation resources and open space areas.

7.13.0.0 Access

Objective 1: Access

The City shall Pprovide for public access to active public recreation sites, including beaches, boat ramps and active public open spaces during the planning period.

Policies:

- 1.1 The City will shall maintain existing pedestrian easements to the beach from A1A Ocean Drive.
- 1.2 The City will shall ensure that appropriate vehicular, pedestrian and bicycle access is provided to all parks and shall work with GoLine to provide transit service to major parks and recreation sites.
- 1.3 The City shall acquire and develop access easements or rights-of-way as required to provide adequate access ways which are compatible with the character and needs of the recreation facility or site.
- 1.4 At least every three years, the City shall evaluate its recreational facilities for compliance with Title II of the Americans with Disabilities Act, and, if deficiencies are identified, the City shall endeavor to program capital improvements and other actions needed to remedy any deficiencies commensurate with available financial resources.

7.13.0.1 Public/Private Coordination

Objective 2: Public/Private Coordination

~~By 1991, the City will establish mechanisms~~ The City will continue to shall coordinate public and private resources ~~on an ongoing basis~~ to meet the diverse recreational demands needs of the City's resident, visitor, and seasonal population.

Policies:

~~2.1 The City will coordinate on an ongoing basis with Indian River County public and private groups in the area regarding the provision of recreational services and establish appropriate interlocal agreements.~~

2.1 The City shall coordinate the provision of recreational services and facilities with public and private organizations and enter into appropriate interlocal and license agreements as appropriate.

~~2.2 The City will not shall avoid duplicate duplicating recreation facilities and services which are provided by the private sector, which are available to the public and are adequate to serve the needs of the population.~~

~~2.3 The City shall encourage and support private groups not-for-profit organizations to provide recreation services and facilities to City residents in a manner that is efficient and economical. Where private services and facilities are provided, the City will coordinate its recreation activities, services and facilities to ensure that recreation demands are met efficiently and economically.~~

~~2.4 The City shall work with Indian River County and the Indian River County School District to collate recreation facilities and services at County school sites where appropriate.~~

2.5 The City shall encourage and support non-governmental 501(c)(3) organizations to facilitate the funding of recreation capital improvements.

2.6 The City shall encourage co-sponsorship of recreational and cultural events, such as races, greenmarkets, festivals, art shows and athletic events by allowing the use of City facilities parks and public lands as locations for these events.

2.7 The City shall identify state and federal recreation grant opportunities, and if appropriate, the City shall apply for grants for funding of recreation facilities.

2.8 On a periodic basis the City shall evaluate its recreational fee schedule for both residents and nonresidents to help ensure that user fees are equitable and have a reasonable relationship to the cost of the recreation service.

2.9 On a periodic basis, the City shall evaluate the potential for new revenue opportunities such as, but not limited to facility naming rights and beach and park concessions.

7.13.0.2 Adequate Facilities

Objective 3. Provision of Adequate Facilities

The City shall ~~provide at all times~~ preserve and maintain sufficient ~~supply of~~ open space and recreational lands and facilities to accommodate its permanent and seasonal residents and visitors, recognizing that the current level of parks and recreation facilities will be adequate through the 2035 planning horizon. ~~at the accepted level of service~~

[Note: The existing level-of-service (LOS) standards for recreation and open space are proposed for elimination removing recreation and open space from concurrency requirements of the Plan and Chapter 163, F.S. Instead these former standards will now only be guidelines.]

Policies:

3.1 The City shall use the following standards based on the City's functional (permanent, visitor, and seasonal) population as a guide for evaluating and planning for park, recreation, and open space needs ~~establish and maintain the following minimum level-of-service based on permanent population:~~

1	Public Open Space and Recreation:	15 acres/ 1,000
2.	Community Parks:	1 park/ 25,000
3.	Neighborhood Parks:	1 park/ 5,000

- Public Open Space and Recreation: 15 acres/ 1,000
- Community Parks: 1 park/ 25,000
- Neighborhood Parks: 1 park/ 5,000

[Note: The current amount of public open space and recreation acreage is 19.9 acres per 1,000. The number of Community Parks (Riverside) is one and the number of Neighborhood Parks is 7. Special facilities and beach parks are not included under the Community or Neighborhood Park classifications.]

3.2 The City shall ~~implement~~ follow the standards guidelines for recreational facilities and activities as identified in Tables ~~7-3 7-3~~ and 7-4 of Chapter 7 of the technical document to the Comprehensive Plan ~~These standards shall be used as guidelines in development of recreation facilities and services. shall not be used for concurrency purposes.~~

3.3 The City shall consider the criteria and standards for public parks and recreation facilities in Table 7-2 of Chapter 7 of the technical document to the Comprehensive Plan in the planning and development of new and the evaluation of existing park and recreation facilities.

3.3 The City shall ~~maintain level of service standards for public open space and parks and recreational facilities consistent with the Comprehensive Plan and through the concurrency management system of its Land Development Regulations.~~

~~3.4 The City shall review the need to consider seasonal population in its setting of level of service for recreational facilities in the Evaluation and Appraisal Report to be completed by September 1, 2010.~~

3.4 The City shall consider the preparation of a master plan for Riverside Park and park lands north of Beachland Boulevard abutting the eastern shoreline of the Indian River Lagoon. At a minimum, the master plan should identify by location and type of use, the preferred long-term development of these valuable recreation and open space lands.

3.5 The City shall encourage the linkage of park and open spaces to bicycle and pedestrian trails in pursuant to the pertinent policies of the Transportation Element.

~~7.13.0.3 Public/Private Open Space~~

Objective 4: Public/Private Open Space

~~By September 1990, the City shall will establish standards enforce its standards for the provision and preservation of open space as part of the development approval process to ensure that existing open space areas are conserved and that new development projects provides for sufficient open space and passive recreation opportunities in its plans.~~

Policies:

~~4.1 The City shall establish standards and criteria for the dedication of land, or payment in lieu thereof, for all future private and public developments for open space and/or recreation use, consistent with the acquisition standards set forth in Section 7.7.~~

~~4.2 The City shall incorporate the open space definition and standards reflected in this element into its Land Development Regulations to be adopted September 1, 1990.~~

~~4.3.1 The City shall, through its Land Development Regulations, to be adopted by September 1, 1990, require that all environmentally sensitive areas from which density is transferred and other such areas as are appropriate, be maintained as open space in perpetuity and that this be accomplished through recordation of conservation easements.~~

4.2 The City shall ensure through its Land Development Regulations that sufficient open space is provided in public and private development projects.

~~7.13.0.4 Arts and Cultural Programs~~

Objective 5: Arts and Cultural Programs

~~By 1991, the City will have a program to~~ The City shall facilitate the provision of the arts and cultural activities in the City.

Policies:

- 5.1 The City shall continue to support the provision of cultural activities by encouraging making public property available for private not-for-profit arts and cultural organizations' events and, if appropriate, space for construction of permanent facilities for art and cultural activities. by facilitating the provision of art in public places and by making meeting rooms and community centers available to arts and cultural organizations.
- 5.2 The City shall identify foundation, state and federal arts and cultural grant programs, and where appropriate, the City shall apply for available grant funds for arts and cultural programs and activities.
- 5.3 The City shall support and cooperate with the Cultural Council of Indian River County in carrying out its cultural and arts programs and activities.
- 5.4 The City shall support and coordinate efforts with the Cultural Council of Indian River County in the creation of the Vero Beach Cultural Arts Village pursuant to Objective 11 and supporting policies of the Land Use Element.

7.14 CONCURRENT MANAGEMENT

The City of Vero Beach has identified no additional recreational needs necessary to meet projected population. It will therefore be unnecessary to prepare a system which will respond to additional demand for services.

CHAPTER 5
COASTAL MANAGEMENT
GOAL, OBJECTIVES AND POLICIES

5.8 — GOALS, OBJECTIVES AND POLICIES

GOAL

5.8.0 — Goal: ~~To establish growth management strategies that will allow growth in the coastal zone which does not damage or destroy the natural resources, protects human life and limits public expenditures in those areas subject to destruction by natural disaster.~~

Growth and development and the provision of infrastructure will be accomplished in manner within the coastal zone that protects, maintains and enhances coastal resources and provides for the enjoyment of the social, economic and natural benefits of these resources, while reducing the potential loss of life, and public and private expenditure.

5.8.0.0 Estuarine Quality

Objective 1:

Objective 1. Estuarine Quality

~~The City shall cooperate with other governments in the basin to develop a surface water management program for the Indian River Lagoon which will maintain or improve the existing water quality levels. The management plan shall include recommendations to reduce or mitigate development impacts on water quality.~~

The City shall strive to improve the water quality levels of the Indian River Lagoon through its infrastructure capital improvement programs and administration of its Land Development Regulations and through cooperation with other public and private dischargers to the Indian River Lagoon.

Policies:

- 1.1 The City shall actively cooperate with federal, state, regional, local governments, and other dischargers in meeting the requirements of Section 403.067, F.S., to implement the Central Indian River Lagoon Best Management Action Plan.
- 1.2 The City shall pursue obtaining equitable allocations for Total Maximum Daily Loads (TDML) for non-point and point sources to the lagoon in cooperation with state, regional, local governments, and other dischargers to the Indian River Lagoon.
- 1.3 The City shall comply with reductions of nitrogen and phosphorus indicated in the adopted 2013 Basin Management Action Plan (BMAP) for the Central Indian River

Lagoon or as subsequently amended, once specific target reductions for individual jurisdiction are established.

- 1.4 The City shall participate in the Indian River Lagoon National Estuary Program along with state environmental regulatory agencies, county governments, participating cities, and other stakeholders and work to secure federal/state grants for funding of water quality projects and to coordinate multi-governmental programs and projects in addressing water quality issues in the lagoon.
- 1.5 The City shall participate with other cities and municipalities as part of a “regional compact” sponsored by the Treasure Coast and Space Coast League of Cities to work on approaches to restore the Indian River Lagoon addressing such issues as removing muck, septic tank waste, and other containments degrading this water body.
- 1.6 The City shall implement pertinent policies in the Stormwater Management Sub-Element to improve water quality in the Indian River Lagoon and connecting surface waters.
- ~~1.1. No structures will be allowed in the Indian River which impair water circulation to an extent which would threaten the water quality.~~
- 1.7 All structures to be constructed in, adjacent to, or indirectly affecting the Indian River Lagoon and connecting surface waters shall be located and designed in order to allow for maximum water circulation, to minimize impacts to submerged aquatic vegetation, and other marine resources, and to prevent reductions in water quality.
- 1.8 The City shall prohibit the discharge of any waste and/or pollutant material into surface waters and the City’s municipal separate storm sewer system (MS4).
- 1.9 The City shall prohibit all new point-source dischargers into the Indian River Lagoon and connected surface waters.
- ~~1.2 The City shall establish a Water Quality Board by 1993 with representatives from other governments in the basin to modify their stormwater management ordinances to achieve a decrease in the nonpoint source pollutant loadings generated outside of Vero Beach which discharge to the Indian River Lagoon.~~

[Note: This policy has been made moot by subsequent events and programs.]

- ~~1.31.10 The City shall establish a program for the periodic inspection of Vero Beach stormwater control structures to ensure their proper functioning and maintenance in conjunction with the Land Development Regulations to be adopted by September 1, 1990. The City shall rehabilitate, replace, and upgrade stormwater control structures in accordance with its stormwater management improvement program and the pertinent policies of the Stormwater Management Sub-Element of the Comprehensive Plan to ensure the proper functioning and maintenance of these structures and to further reduce pollutant loadings to the Indian River Lagoon.~~

~~1.4 By 1993, the City shall establish a review process for dredge and fill applications from the Florida Department of Natural Resources, Florida Department of Environmental Regulations U.S. Army Corps of Engineers or other agency with jurisdiction in Vero Beach.~~

~~1.11 All dredge and fill operations shall be required to utilize proper mitigation techniques and devices in addition to obtaining and complying with all applicable federal, state, and local permits.~~

~~1.12 The City shall apply the following site selection criteria for dredged spoil disposal:~~

- ~~• sites shall located closed to the Indian River Lagoon;~~
- ~~• sites shall be altered, non-native upland vegetated 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 and these impacted wetlands are mitigated.~~

~~1.5 By 1991, the City shall participate on the Marine Resources Council to develop estuarine studies, as required by this plan, to be used for the surface water management program.~~

[Note: This policy has been made moot by subsequent events and programs.]

~~1.6 The City shall cooperate with other local governments to incorporate applicable portions of existing studies (such as The Sebastian Inlet Fort Pierce Inlet Barrier Island: A Profile of Natural Communities, Development Trends, and Resource Management Guidelines; Water Quality and Urban Development: Vero Beach Study) into the surface water management plan by 1995. The plan shall provide regulatory or management techniques for addressing, at a minimum, the following issues: ensuring adequate sites for water dependent uses; preventing estuarine pollution; controlling surface water runoff; protecting living marine resources; reducing exposure to natural hazards and ensuring public access.~~

[Note: This policy has been made moot by subsequent events and programs.]

5.8.0.1 Water-Dependent Uses

Objective 2:

Objective 2. Boat Facilities and Boat Ramp Siting and Construction

~~To develop and adopt guidelines which direct the location and management of water-enhanced, water-related and water-dependent facilities with the highest priority given to the~~

water-dependent uses along the Indian River Lagoon. The City shall manage through its Land Development Regulations and the policies of the Comprehensive Plan the location and design of boating facilities and boat ramps to prevent the loss of estuarine wetlands, mangrove fringe, sea grass beds, and adverse impacts on manatees, and to protect the rights of riparian property owners.

[Note: As most of the City's shoreline is either developed, publicly-owned or held in the public trust for conservation purposes, the primary emphasis of this objective and policies is on docks, boat slips, and boat moorings that are all water dependent uses. This approach follows the one employed by Indian River County in its 2030 Comprehensive Plan. The need to address water-related or water-enhanced uses is not a critical issue. It should also be noted that latter two uses are not very well addressed in the current Comprehensive Plan.]

Policies:

2.1 For the purposes of this objective and policies, a marina is defined as “ a principal use located adjacent to a public navigable waterway that provides some or all of the following: docks, slips, moorings used for the docking, securing, storage, and servicing or repairing of watercraft; indoor and outdoor storage of watercraft and trailers; minor repairs and servicing of vessels; leasing/rental of vessels; sale of marine fuel and lubricants; wastewater pump-out facilities; and the docking of charter fishing and commercial sightseeing vessels, but excluding industrial and commercial fishing craft.” This definition does not include facilities that include only the docking or mooring of vessels.

[Note: The current definition in the Land Development Regulations doesn't refer to “charter fishing” vessels, which are not considered commercial fishing craft.]

2.12.2 The Vero Beach Land Development Regulations, to be adopted by September 1, 1990, shall provide for the development and implementation of performance standards for marinas and marina related facilities which address, but are not limited to, issues such as: setbacks, maintenance and containment of stormwater runoff and wash down water for dry storage areas, and height limitations. The City shall enforce the performance standards for marinas and marina related facilities pursuant to the Land Development Regulations and the policies of this Comprehensive Plan in conjunction with the permitting requirements of applicable federal and state agencies.

[Note: The criteria below are not necessary as these standards are addressed in the City's Land Development Regulations and FDEP permitting requirements.]

Criteria:

A. — If existing marinas meet the City's operational standards, then they should be allowed to continue operations.

- ~~B. Expansion of existing facilities is preferred over development of new marinas. Where existing facilities fail to meet operational and environmental standards, new facilities offer a viable alternative.~~
- ~~C. New marina facilities shall retain all work area runoff in a separate retention area. Stormwater runoff retention areas shall retain the runoff from a ten-year, 24-hour storm.~~
- ~~D. A fuel management/spill contingency plan will be developed and provided to the City of Vero Beach for review prior to operation of any new or expanded marina or within one year of comprehensive plan adoption for any existing marina. The plan shall describe methods for dispensing fuel and all procedures and materials to be used in the case of a fuel spill. The plan shall meet the Vero Beach Fire Prevention Codes and Rules of the State Fire Marshall's Office. The plan shall also reflect methods used by the Department of Natural Resources in containing and mitigating fuel spills to reduce environmental impacts.~~

2.3 Marinas shall only be permitted in the C-1M and C-2M zoning districts subject to specific design and location standards in the Land Development Regulations, this objective and supporting policies, and applicable federal and state permitting requirements.

2.4 As a condition for the development approval of any expansion or substantial modifications to an existing marina, the marina shall be required to provide pump-out wastewater facilities and to meet current performance standards in the Land Development Regulations and FDEP permitting requirements.

[Note: This policy replaces existing Policy 2.3.]

~~2.22.5 The City shall continue to implement regulations governing live-aboards. The regulations shall include, but not be limited to: definitions, mooring locations, pump-out/sewage requirements, fee assessments for community services. The City shall enforce existing regulations governing live-aboards, requiring that such use of vessels shall be confined solely to permitted marinas with pump-out facilities.~~

2.6 Structures for non-water dependent uses shall not be constructed, placed, installed, or maintained over or upon the Indian River Lagoon and connecting surface waters. A water-dependent use shall mean any activity which any only be conducted on, in, over, or adjacent to the Indian River Lagoon and connecting surface waters in order to conduct its primary purpose and, which therefore, cannot be located inland.

[Note: This policy precludes uses such as restaurants, residences, offices, etc. from being located over water.]

~~2.3 When existing marina facilities seek a permit for expansion or modification, then they shall be required to retrofit or modify existing marina facilities to include, but not be~~

~~limited to, consideration of stormwater retention, work area runoff retention, pump-out facilities and thresholds for their use, fuel management plans, and spill contingency plans.~~

~~2.7 The City shall regulate the construction, expansion or modification of new or existing piers, docks, boating slips, and mooring fields through its Land Development Regulations which shall include standards for setbacks from property and riparian lines, the unobstructed width of waterways, and limits on the extension of dock facilities and moored vessels into the waterway. In unusual shoreline configurations, the FDEP guidelines for determining riparian lines shall be applied.~~

~~2.8 No roofed structures shall be constructed or installed over surface waters, except as may be permitted within the C-1M zoning district.~~

[Note: This policy reflects the previous consensus of the PZB regarding covered boat slips and other roof structures over waterways.]

~~2.4 The Vero Beach Land Development Regulations, to be adopted by September 1, 1990, shall develop and adopt standards for new marina siting which shall address the following criteria:~~

~~Criteria:~~

~~A. Marina development is permissible within any area designated for a commercial use on the Future Land Use Map, if it is consistent with the performance standards developed by the City.~~

~~B. At the beginning of the zoning process, all marina development proposals must submit a conceptual plan to be reviewed by the Planning Department.~~

~~C. Commercial/industrial marina development shall be located within the C-1M Marina District. Residential/recreational and commercial/recreational marinas shall be a permitted uses in these zoning categories.~~

~~D. Residential/recreational marinas will be considered with a Binding Site Plan.E. No fueling or repair facilities are permitted within residential zoning classifications.~~

~~E. When locating new marinas or expanding existing marinas, environmentally sensitive habitats as listed in the Conservation Element, Section 6.11.0.7, shall not be degraded.~~

~~F. Marina facilities shall be located where maximum physical advantage for flushing and circulation exists, where the least dredging and maintenance are required, and where marine and estuarine resources will not be degraded.~~

- ~~G. Marina basins shall be sited where there is an existing basin and access channel with an average water depth of three (3) feet below mean low water, except along the shoreline.~~
- ~~H. Marinas and docking facilities should be approved which require minimal or no dredging or filling to provide access by canal, channel or road. Preference shall be given to marina sites with existing channels. In the event that dredging is required, the mooring areas and the navigation access channels shall only be dredged to minimum depths required for access at mean low water. Any required dredging operations shall utilize appropriate construction techniques and materials to comply with state water quality standards, such as turbidity screens, hydraulic dredges, properly sized and isolated spoil deposition area to control spoil dewatering.~~
- ~~I. New marina or substantially expanded facilities shall be designed to take advantage of existing water circulation and shall not adversely affect existing circulation patterns. Improvement of circulation shall be a consideration when expanding or upgrading existing facilities. However, any buffer zone established by the Florida Department of Natural Resources Shellfish Environmental Assessment Section (FDNR-SEAS) shall be maintained.~~
- ~~J. Marinas shall demonstrate that they have sufficient upland areas to accommodate all needed support facilities. These standards include, but are not limited to, adequate parking, work areas and retention areas for stormwater and work area runoff.~~
- ~~K. Marina facilities shall not degrade water quality below existing Florida Department of Environmental Regulation water classification standards.~~
- ~~L. Commercial/recreational and commercial/industrial marinas shall not be located in Aquatic Preserves, or Outstanding Florida Waters, or other environmental areas designated by the City so as to adversely affect these waters.~~
- ~~M. Construction of multislip docking facilities and boat ramps shall be directed to locations where there is quick access to deep, open water, where the associated increase in boat traffic will be outside the areas of high manatee concentration, and where wetlands and seagrass beds supporting manatee habitat will not be degraded.~~
- ~~N. All applicants proposing marina development activities shall demonstrate compliance with all applicable federal, state and local laws which establish any type of additional protective status to adjacent waters beyond the existing Class III status.~~
- ~~O. All applicants will provide hurricane contingency plans that are in compliance with the City and County plans.~~

~~P. Applicants for marina development shall demonstrate whether the facility will be in public or private ownership. Facilities classified as public shall demonstrate this availability for public use, the economic need for the project and the feasibility of such a development within the local environmental, economic, social and recreational context.~~

[Note: The above policy is not needed as the current Land Development Regulations and zoning and FDEP permitting requirements address new marinas. Furthermore, the lack of privately held lands within the City that would be suitable for such development is extremely limited.]

~~2.5 The Vero Beach Marina Director, the Florida Marine Patrol and Indian River County Health Department shall inspect all marinas located in the City. Items to be inspected and reviewed may including the following:~~

~~Criteria:~~

- ~~A. Pump-out facilities/marine sanitation devices.~~
- ~~B. Compliance with power/sailboat mix, if required.~~
- ~~C. Spill prevention, control, containment and cleanup plans.~~
- ~~D. Waste collection and disposal methods.~~
- ~~E. Required fire fighting equipment.~~

~~2.9 The City shall cooperate with the Florida Fish and Wildlife Conservation Commission (FF&WCC) in that agency's periodic inspections of marinas and other boating facilities.~~

[Note: This policy replaces existing Policy 2.5 and more accurately reflects current laws and oversight responsibilities of the FF&WCC.]

~~2.6 The City shall review shoreline development in order to maximize opportunities for water dependent land uses. The following criteria, at a minimum, shall be utilized.~~

~~Criteria:~~

- ~~A. Water related uses shall be built on uplands.~~
- ~~B. Development which is feasible only through creation of land by dredging and filling of areas below the mean high water line shall not be approved.~~
- ~~C. Water dependent commercial and industrial uses which require siting adjacent to the Indian River Lagoon will be evaluated based on guidelines specified in the Vero Beach Land Development Regulations, to be adopted by September 1, 1990.~~

~~D. Water related commercial and industrial uses may be considered for siting only adjacent to Class III waters of the Indian River Lagoon.~~

2.10 The City shall support the FDEP's Clean Marina programs to bring awareness to marina operators and boaters regarding environmentally friendly practices intended to protect and preserve water quality and the environment.

~~2.7 The Land Development Regulations which are to be adopted by September 1, 1990 shall develop policies for shoreline uses which adhere to the following priorities:~~

~~A. Primary priority:~~

~~1) Nonstructural shoreline protection uses such as native shoreline revegetation and beach nourishment programs which restore degraded natural systems and provide recreational and storm protection benefits to the City; and~~

~~2) Approved water dependent estuarine shoreline uses such as: pervious accessways, small dock facilities and residential multislip dock facilities without commercial fuel tanks or other commercial facilities. These facilities shall demonstrate, during site plan review, compliance with the applicable performance standards stipulated in Policy 2.4 in order to prevent adverse impacts to natural features.~~

~~B. Second priority shall be directed toward water related uses such as:~~

~~1) parking facilities for shoreline access;~~

~~2) residential structures which comply with the coastal construction code for structures within the coastal building zone; and~~

~~3) recreational facilities which comply with applicable codes.~~

~~C. Tertiary priority shall be directed toward: commercial uses which comply with applicable codes.~~

[Note: It is unclear how these priorities were to be applied and the implications for property rights. It is the staff's opinion these shoreline uses are adequately handled through the existing Land Development Regulations, state permitting requirements, and the policies in this update to the Comprehensive Plan.]

5.8.0.2 Beaches and Dunes

Objective 3:

Objective 3. Beaches and Dunes

The City shall continue to implement a its beach and dune management program in coordination with FDEP and Indian River County, which to protects, enhances and restores the naturally functioning beach system.

Policies:

3.1 ~~The City shall enforce Land Development Regulations to be adopted by September 1, 1990 shall include regulations in coordination with FDEP governing the location, construction and maintenance of development adjacent to the Atlantic shoreline within the Coastal Construction Control Line (CCCL). New development seaward of the CCCL shall be governed by the following conditions, at a minimum.~~

~~Criteria:~~

- ~~A. To maintain the existing vegetation on the dune line or replace it with vegetation approved by the Vero Beach Planning Department.~~
- ~~B. No new shore hardening structures shall be permitted.~~
- ~~C. Setbacks or other non-structural methods of shoreline protection shall be given the highest priority.~~
- ~~D. "Soft" shoreline protection devices such as sand filled geotextile containers may be permitted, when it can be demonstrated, through competent engineering studies, that they will exert minimum adverse effects upon shoreline functions or dynamics, as well as adjacent properties. Further, these devices shall not impede public access to or along the shore.~~
- ~~E. All structures constructed seaward of the CCCL shall be constructed to meet existing state statutes.~~
- ~~F. Reconstruction of existing hard erosion control structures shall be permitted subject to meeting current standards.~~
- ~~G. Storage tanks shall be located as far westward of this dune line as possible but not less than 50 feet from the dune line.~~
- ~~H. Septic tanks shall be located landward of the most seaward portion of the habitable structure.~~

[Note: The specific siting and design requirements for construction within the CCCL are established by FDEP in the Florida Administrative Code. The LDRs only come into play in that these regulations establish the requirements for permits and the permitting process and floodplain regulations. Unless the City regulations are more stringent, these specific siting and design requirements are not necessary for listing in this policy and are broadly addressed in Policy 3.2.]

3.2 Construction seaward of the CCCL shall be in accordance with the FDEP permitting requirements of Chapter 62B-33, F.A.C. and City CCCL construction and Land Development Regulations.

3.23.3 The City shall ~~continue to implement~~ maintain programs for re-establishment and maintenance of the primary dune area and for regulation of excavation and construction in accordance with FDEP regulations, the City's Code and Land Development Regulations and. ~~These standards shall include, at a minimum, the following provisions:~~ policies:

Criteria:

- A.(a) ~~Excavations will~~ shall be prohibited unless it is ~~shown~~ demonstrated that they are necessary to mitigate natural disaster occurrences or are ~~FDNR~~ FDEP permitted and monitored projects.
- B.(b) Native dune vegetation shall be maintained on site unless removal or alteration is permitted by both the City and the FDEP Florida Department of Natural Resources, or other appropriate regulatory agency.
- C.(c) New access shall be allowed only at designated cross-overs approved by the City.
- D.(d) Control strategies ~~will~~ shall be utilized at existing non-designated cross-overs, until these can be acquired, improved or alternate access provided.
- E.(e) Dune cross-overs, boardwalks, walkways and other permissible structures seaward of the CCCL shall be elevated above dune vegetation and shall be designed to allow adequate light penetration.
- F.(f) Subject to FDEP approval, ~~Major~~ parallel boardwalks shall be permitted seaward of the CCCL if they are constructed so as not to impact the dune line.
- G.(g) Publicly owned dunes which have been denuded shall be revegetated with ~~approved~~ native vegetation approved pursuant to a permit issued by FDEP.
- H.(h) To encourage private property owners to re-establish dune vegetation which has been destroyed by undesignated access activities, the City shall permit, the following subject to a FDEP permit for re-establishment of dune vegetation, the following:
 - Use of City property for equipment access to beach for dune restoration work.
 - Temporary use of non-hardening protection methods (such as geo-textile bags) to protect restored dunes.

- Cooperative effort with State Department of Forestry to sponsor annual seedling sales of salt-tolerant dune restoration plant species for nominal cost to public.

~~I. Through the site plan review process, the City shall require dune restoration for new development or redevelopment.~~

~~3.3 The City may participate in beach stabilization and restoration programs, where necessary, that include local, state and/or federal agencies. The City shall encourage continued study of beach and shore to determine characteristics and causes of beach erosion and buildup.~~

~~3.4 The City shall cooperate with Indian River County and FDEP in the maintenance and updating of the Indian River County Beach Preservation Plan, which shall provide the basis for identifying and programming beach stabilization and nourishment efforts.~~

~~3.5 The City establishes as its highest priority for stabilization and re-nourishment, the beaches at Jaycee Park, Sexton Plaza, and Humiston Park.~~

~~3.4.3.6 The City shall prohibit through its Code of Ordinances and in accordance with Section 161.58, Florida Statutes, unauthorized vehicular traffic on or over the dune and on the beach except for beach cleaning, police vehicles, emergencies and the turtle patrol. Access will be at designated locations.~~

[Note: The City's regulations limit vehicular traffic to FDEP permitted beach cleaning, police and emergency vehicles, turtle patrol and other traffic authorized by the City Manager.]

~~3.7 Access to the beach over dunes for authorized vehicles shall only be at designated access points.~~

~~3.5.3.8 The City should attempt shall promote and support the to provide provision, enhancement and preserve preservation of scenic views of the water through such measures as site design reviews. Priority will be to minimize environmental impacts the development permitting process and the use of development incentives to encourage preservation of scenic views where appropriate and feasible.~~

~~3.6.3.9 The City shall develop an continue to implement enter into interlocal agreements by September 1, 1992 with adjacent municipalities and the State of Florida, Indian River County and other governmental agencies for funding of beach maintenance and restoration programs and shall actively seek funding from "Tourist Tax" dollars for such programs.~~

5.8.0.3 Coastal High Hazard Area

Objective 4:

Objective 4. Coastal High Hazard Area (CHHA) and Flood Hazard Areas

The City shall limit development and Limit future public expenditures for infrastructure and service facilities which subsidize growth within the coastal high hazard Coastal High Hazard Area and regulate development in high risk vulnerability zones vulnerable flood hazard areas of Vero Beach to limit property damage and loss of life, except for expenditures for public land acquisition or enhancement of natural resources.

Policies:

- ~~4.1~~ In accordance with Rule 9J 5.003(17), F.A.C., tThe City designates the “Coastal High Hazard Area” (CHHA) as the evacuation zone for a Category 1 hurricane as established in the local government’s regional hurricane evacuation study (Treasure Coast Regional Planning Council Hurricane Evacuation Study, 1994.
- 4.1 The City hereby designates the “Coastal High Hazard Area” (CHHA) as the areas shown in Figure 2-9 of the technical document to the Comprehensive Plan.
- 4.2 The City shall not fund public facilities built in the coastal high hazard area CHHA unless the facility is for public access, resource restoration or property protection.
- 4.3 The City shall not accept improved roadways for operation and maintenance responsibilities within the CHHA coastal high hazard zone.
- 4.4 If City utility lines are relocated for any purpose, they should be located outside of the CHHA coastal high hazard zone, except where there is no cost-feasible alternative.
- 4.5 The City shall only expend public funds or construct capital improvements within the CHHA in compliance with the pertinent policies of this element and the Capital Improvements Element to limit further development in these vulnerable areas.
- 4.6 Public infrastructure capital improvements in the CHHA shall not be planned or designed to create any capacity beyond that necessary to accommodate the existing overall intensity and density of development.
- 4.7 The City shall not approve any development that would permit the construction of any infrastructure improvements supporting an increase in the overall intensity and density of development within the CHHA.
- 4.8 The City shall limit future development on in CHHA by maintaining or reducing land use densities and intensities in accordance with the Land Use Element.
- 4.9 The City shall not adopt any amendment to the Comprehensive Plan affecting land within the CHHA that would increase out-of-county hurricane evacuation time, except pursuant to the provisions of Section 163.3178(8), Florida Statutes.

[Note: The Florida Statues established an out-of-county hurricane evacuation clearance standard of a maximum of 16 hours for a Category 5 storm event as measured on the Saffir-Simpson

scale. The estimated out-of-clearance time for Indian River County for such a storm event is 24.5 hours.]

4.10 As appropriate, the City shall acquire CHHA and flood prone risk areas for open space, recreation, and conservation purposes as identified and programmed in the Capital Improvements Schedule, subject to available financial resources and funding priorities.

[Note: The Florida Statutes revised the definition of the CHHA. Only small fragments of the CHHA are located on the barrier island. The restrictions on height, density, open space, and parking make little practical sense. Density and intensity restrictions can be controlled by denying any increase the Future Land Use or Zoning Map designation of these properties.]

4.11 The City shall maintain its participation in the National Flood Insurance Program Community Rating System (CRS) and strive to maintain or improve its current CRS rating of 7 to achieve higher flood insurance premium discounts for property owners and to further reduce the risks to property and threat to human life.

4.12 The City shall administrate and enforce the provisions of its floodplain regulations and that are at least or more stringent than the flood-resistant construction requirements in the Florida Building Code and the regulations set forth in 44 C.F.R. part 60.

4.13 The City shall investigate improving the resiliency of new and substantially improved structures to potential flooding from storm events and sea level rise through requiring a one-to two-foot “freeboard” for all residential development in special flood hazard zones.

4.14 The City shall coordinate and ensure consistency of its policies and regulations related to CHHA and special flood hazard areas with the policies and regulations for Sea Level Rise Objective of this element.

Objective 5:

[Note: Objective 5 and supporting policies have been revised and relocated to Objective 4.]

Objective 5. Density on the CHHA Area

~~Limit densities within the coastal high hazard zone and direct future development outside of this area.~~

Policies:

~~5.1 The City shall continue to limit future development on the CHHA area the barrier island through the use of, but not limited to, the following:~~

- ~~1. Building height limitations to 35 feet.~~
- ~~2. Density limitations.~~

3. ~~Open space requirements.~~

4. ~~Parking restrictions.~~

5.2 ~~The City shall continue its program of land acquisition and management for recreation and preservation based on the expenditures designated in the Capital Improvements Element of this plan.~~

5.3 ~~The City shall continue to regulate development and manage natural resources within the Coastal High Hazard Area (CHHA) by maintaining or reducing land use densities and intensities in accordance with the Land Use Element and Objective 8 of this element.~~

5.8.0.4 Hurricane Evacuation

Objective 6:

Objective 5. Hurricane Evacuation

~~Maintain hurricane evacuation times for the Coastal High Hazard Area (CHHA) 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.~~

The City shall maintain an out-of-city estimated evacuation clearance time of 14.0 hours or less for a Category 3 or above hurricane.

[Note: The Florida Statutes establish an out-of-county evacuation clearance time for a Category 5 storm event of 16 hours or less for areas within the CHHA. However, no specific statutory language governs hurricane evacuation time for all other areas. It was the staff's decision to modify the existing hurricane evacuation clearance time to reflect that the time is applied for residents to exit the City and increase the clearance time for a Category 3 storm event from 12 hours to 14 hours. This figure is more in line with the recent estimate of 19 hours for the out-of-county hurricane evacuation clearance time. Supporting policies reflect the need for the City to work with the Indian River County Department of Emergency Management Services and other governments in the region to continue to work on updating evacuation protocols and related issues.]

Policies:

~~6.15.1~~ The City shall use promote and support the use of public service announcements, and the local cable-access stations, social media, and websites to promote awareness of the County and City Comprehensive Emergency Management Plan and hurricane evacuation procedures.

~~6.25.2~~ The City shall coordinate with other municipalities and appropriate agencies to develop Evacuation Zone Management Plans designed to maintain evacuation times. The following shall be considered at a minimum: The City shall participate with the Treasure Coast Regional Planning Council, Indian River County Department of Emergency Management Services, other localities, governmental agencies, and other appropriate

governmental and nongovernmental agencies in preparing up-to-date hurricane evacuation plans as an element of the County Comprehensive Emergency Management Plan.

Criteria:

A. ~~— Roadway and other infrastructure improvements and funding mechanisms.~~

B. ~~— Programs designed to improve the behavioral response to hurricane evacuation orders.~~

C. ~~— Land use strategies.~~

~~6.35.3~~ The City shall utilize hurricane evacuation times, as well as volume to capacity ratios, in determining the timing and priority of roadway improvements as contained within the ~~Traffic Circulation Element of this Plan.~~ The City shall support on-going public education efforts of Indian River County Department of Emergency Services to educate public about hurricane evacuation procedures and to improve behavioral response to evacuation orders.

~~6.45.4~~ The City's Comprehensive Emergency Management Plan shall be consistent with the ~~local regional Indian River County~~ and state Florida emergency management and evacuation plans.

~~6.6.5.5~~ The City shall coordinate with Indian River County's Department of Emergency Services to ensure the operations of the Florida East Coast Railroad, and other agencies as necessary, to stop train flow during hurricane evacuations. ~~do not interfere with hurricane evacuations.~~

~~5.6~~ The City shall investigate with the Indian River County's Department of Emergency Services the feasibility and desirability of retrofitting primary shelters to increase hurricane-proofing.

[Note: No hurricane shelter is available in Indian River County in a Category 5 hurricane. The only two structures that meet this standard are the County jail and the Emergency Operations Center. The County does not designate any buildings as a "Refuge of Last Resort." Any such retrofitting would require partial or full state funding.]

~~5.7~~ The City shall continue to coordinate with the State of Florida, the Treasure Coast Regional Planning Council (TCRPC), Brevard, Broward, Indian River, St. Lucie, Martin, and Palm Beach Counties concerning evacuation routes and populations involved to assess the impact of regional growth on local evacuation times.

~~5.8.0.5 Post-Disaster Recovery and Redevelopment~~

Objective 8:

Objective 6. Pre-Disaster Contingency Planning and Post-Disaster Recovery and Redevelopment

~~Projected post-disaster recovery in Vero Beach shall be reduced to eliminate or lessen the future risk to human life, and public and private property from natural hazards via recovery and redevelopment strategies.~~

The City shall maintain and update its on-going programs for emergency preparedness for various disaster events and for post-disaster recovery and redevelopment.

Policies:

6.1 The City shall participate with Indian River County and other localities in the maintenance and periodic updating of the Indian River County Comprehensive Emergency Management Plan (CEMP) that outlines the concept of operations, direction and control, and responsibilities of all agencies and resources in preparing for and recovering from a disaster.

~~8.16.2 The City shall create maintain for ready deployment a Recovery Task Force in accordance with Part II, Disaster Recovery Plan (2006) of the City Comprehensive Emergency Management Plan, as amended, by 1992 to hear receive preliminary damage assessments and direct post-disaster recovery and redevelopment efforts activities. The Recovery Task Force shall consist of the following:~~

Criteria:

~~A. City Members of the Recovery Task Force may include the City Manager, Planning Director, City Engineer, Public Works Director, Utilities Director, City Attorney and other members as appointed by the City Council. Staff of the member departments may also serve on the Recovery Task Force as necessary.~~

~~8.2 6.3 Consistent with the Indian River County CEMP and the City Comprehensive Emergency Management Plan, the City shall perform an initial damage assessment, immediately following a disaster event, in order to determine the extent of damage, and prioritize allocation of recovery resources, and prepare necessary groundwork for state and federal inspectors.~~

~~8.3 The Comprehensive Emergency Management Plan, Disaster Recovery Plan, shall specify procedures for implementing programs for immediate repair, replacement, and cleanup. Long-term rebuilding and redevelopment shall be addressed in a City mitigation plan as specified in the City Comprehensive Emergency Management Plan, Disaster Recovery Plan. Factors to be considered for short-term work include, but shall not be limited to:~~

~~A. Repairs to potable water, wastewater and power facilities;~~

~~B. Removal of debris;~~

- ~~C. Stabilization or removal of structures in a perilous condition;~~
- ~~D. Repairs required to make structures habitable; and~~
- ~~E. Roadway repairs required for vehicular access to emergency facilities or predesignated support facilities.~~

~~These considerations shall receive first priority in determining emergency building permits and distribution of City crews and equipment.~~

6.4 The City Recovery Task Force shall follow the procedures and priorities for immediate repair, replacement, and clean up as specified in the City's Disaster Recovery Plan unless it is determined that a compelling unforeseen circumstances require a change in priorities or procedures.

8.46.5 The City shall review all non-emergency and long-term redevelopment proposals utilizing development permit applications for redevelopment of all structures substantially damaged in a storm event located within the CCCL in accordance with the Land Development Regulations and the following criteria:

- (a) For purposes of this policy, substantial damage shall mean buildings or structures damaged in a storm event by more than 50 percent of their assessed value according to most recent Indian River County Property Appraiser's records plus 15 percent or an independent appraisal approved by the Building Official.
- (b) All reconstruction of substantially damaged structures shall comply with all current FDEP coastal zone construction requirements, the Florida Building Code, and City Land Development Regulations, except as stated otherwise in this policy. Where there is a conflict among these regulations, the more strict regulation shall apply.
- (c) Except for structures containing a nonconforming use, substantially damaged structures located seaward of the CCCL shall be permitted to be reconstructed contingent upon meeting the following conditions:
- (d) The reconstructed structure shall be relocated landward (west) of the CCCL unless no economically feasible alternative location exists on the property.
- (e) The reconstruction on the subject property shall result in no increase in the amount of floor area, no increase in residential or transient density, no decrease in the amount of open space, no increase in height, and no increase in the amount of lot coverage over pre-storm existing conditions for the property.

(f) Any structure relocated in accordance with 6(d) above shall meet all setback requirements to the maximum extent practical with the approval of the Planning and Zoning Board.

(g) Any substantially damaged utility lines, including but not limited to sewer, water, gas, electric and telecommunications shall be relocated landward (west) of the CCCL, whenever practical.

(h) Any substantially damaged underground storage tanks located seaward of the CCCL shall be relocated as far landward (west) of the dune line as possible, but not less than a minimum of 50 feet from the dune line.

(i) Any substantially damaged non-habitable structure shall be relocated landward (west) of the CCCL in accordance with criteria 2 above.

~~A. Structures seaward of the CCCL shall be permitted for reconstruction as long as current coastal zone construction requirements are met.~~

~~B. If utility lines, including but not limited to sewer, water, gas, electric and cable TV, must be relocated after a storm event, they should be permanently located landward (west) of the CCCL where the City Engineering Department determines that locational and engineering criteria are met.~~

~~C. Underground storage tanks located seaward of the CCCL shall be relocated as far landward (west) of the dune line as possible but not less than 50 feet from the dune line.~~

~~D. Biohazardous incinerators or businesses which utilize or generate large quantities of hazardous materials (as defined within the Solid Waste and Hazardous Materials Element) shall be relocated landward (west) of the CCCL.~~

[Note: No such uses are permitted on the barrier island.]

~~E. Water dependent commercial uses seaward of the CCCL which are damaged by more than 50 percent of their assessed value shall be permitted for reconstruction seaward (east) of the CCCL only if consistent with the coastal zone construction requirements.~~

~~F. Water related commercial uses seaward (east) of the CCCL which are damaged by more than 50 percent of their assessed value should be relocated landward (west) of the CCCL unless the project has no alternative location.~~

~~G. Water enhanced commercial uses seaward (east) of the CCCL which are damaged by more than 50 percent of their assessed value should be relocated landward (west) of the CCCL if in compliance with existing building and zoning codes and adequate land is available.~~

[Note: The above three criteria are intended to be addressed through the new policies. It should be stated that no water dependent uses are permitted on the ocean side of the barrier island, only commercial (water enhanced) uses.]

H. — ~~If non-habitable minor structures, which are damaged by more than 50 percent of their assessed value, are reconstructed, they shall be relocated and constructed in compliance with the coastal zone construction requirements.~~

~~8.5 6.6 In the event of a disaster, all infrastructure and other City-owned improvements, shall be analyzed to determine the cost effectiveness of relocation versus repair. The City shall evaluate all damage to City infrastructure and improvements subsequent to a disaster to determine the appropriate course to take, either repair in place or relocate based on an evaluation of cost-effectiveness and future risk factors.~~

~~8.6 6.7 The City shall evaluate and identify areas susceptible to repeated damage by hurricane storm erosion and flooding.~~

~~8.7 6.8 The City shall continue to monitor the erosion to beaches in Vero Beach and address any erosion issues that may arise as a result of storm events. The City shall request the Florida Department of Environmental Protection to forward information on the projected 30-year erosion line to determine erosion rates for Vero Beach, with special emphasis on areas with high erosion rates.~~

~~8.8 6.9 The City shall City's post-disaster redevelopment and mitigation plan shall be coordinated its post-disaster redevelopment and mitigation plan with other local, regional and state entities; and shall review and incorporate any appropriate As additional interagency hazard mitigation reports are received, they shall be reviewed and incorporated into this plan, as they are received appropriate.~~

~~8.9 Consistent with the Capital Improvements Element, the City shall only expend public funds for capital improvements in coastal high hazard areas that:~~

[Note: This policy has been revised and relocated under Objective 4.]

- ~~1. — Maintain adopted level of service standards;~~
- ~~2. — Replace existing capacity and upgrade the level of wastewater treatment required for reduction of pollutant loadings;~~
- ~~3. — Do not support or encourage a net increase in the overall density and intensity of development beyond that indicated on the Future Land Use Map;~~
- ~~4. — Support public beach and shoreline access, natural resources protection and enhancement, parks and recreation uses, or similar projects;~~
- ~~5. — Provide for public safety or protection of public property including the relocation of vulnerable public facilities; and~~

~~6. Do not adversely impact hurricane evacuation times.~~

~~8.10 Capital improvements in the coastal high hazard areas shall not be planned or designed to create any capacity beyond that necessary to accommodate the existing overall intensity and density of development of these areas as indicated on the Future Land Use Map.~~

[Note: This policy has been revised and relocated under Objective 4.]

~~8.11 The City shall not approve or enter into any development or other similar contractual agreements with developers or property owners that would permit the construction of any infrastructure improvements supporting an increase in the overall intensity and density of development within the coastal high hazard areas as indicated on the Future Land Use Map.~~

[Note: This policy has been revised and relocated under Objective 4.]

~~8.12 6.10 Consistent with the Land Use Element, 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 emergencies. The City's Comprehensive Emergency Management Plan shall be periodically updated to ensure consistency with the Land Use Element and Indian River County CEMP.~~

~~8.13 6.11 The City shall enforce Siting standards and requirements shall be enforced to permit safe and insurable development and reconstruction in coastal high hazard areas CHHA consistent with applicable rules and regulations of state and federal governments.~~

~~8.146.12 The City shall review its Comprehensive this Plan upon the issuance of any hazard mitigation reports ~~to~~ and prepare and adopt appropriate amendments to the plan resulting from the report.~~

~~8.156.13 The City shall maintain, in cooperation participate with Indian River County and other local governments, in maintaining an up-to-date a Local Mitigation Strategy ~~to~~ that identify and prioritize disaster mitigation projects. ~~identifies and sets priorities for the funding of mitigation projects.~~~~

~~8.166.14 The City shall continue to enforce federal, state and local setback and elevation the requirements of the Land Development Regulations and the policies herein to promote the protection and safety of life and property within the coastal high hazard area coastal zone.~~

[Note: City has no obligation or real authority to enforce federal and state regulations unless required by law or statute to enforce such provisions. The area of concern that needs to be addressed is larger than the CHHA, which is reflected in expanding the scope of the policy to the coastal management zone which is basically the City east of US Highway 1.]

~~8.17 6.15 The City shall continue to regulate development and redevelopment and manage natural resources within the coastal high hazard area coastal zone as fined in Policy 8.1 by~~

continuing to develop and enforce Land Development Regulations which address vesting provisions, floodplain management, land use densities, beach and dune disturbance and emergency seawall permit applications.

[Note: This policy has been expanded to include the entire "coastal zone" rather than the limited area designated as CHHA.]

5.8.0.6 Coastal Access

Objective 9:

Objective 7. Coastal Access

The City shall maintain existing public access facilities to the beach, estuarine and river shorelines and work to acquire additional public access where appropriate and cost-feasible. ~~and by September 1, 1995, develop an alternative program for the acquisition of public access facilities consistent with the financing ability of the City.~~

Policies:

~~9.17.1~~ Where appropriate and cost-feasible, The the City shall continue to acquire, improve or provide alternative access to beaches, including but not necessarily limited to cross-over structures, parking facilities, and walkways. Access shall be consistent with the standards in the Conservation and Recreation and Open Space Elements. This plan shall include the following:

Criteria:

- A. ~~Cross over structures.~~
- B. ~~Parking facilities.~~
- C. ~~Access shall be consistent with the standards included in the Recreation and Open Space Element.~~

~~9.27.2~~ The City shall ~~continue to~~ pursue state grant funds for dune re-vegetation as needed to be used when constructing dune cross-overs as replacement of unimproved dune access.

~~9.37.3~~ As appropriate and desirable, The the City shall continue discussions negotiate lease agreements with the Florida Department of Transportation to provide secure public waterfront access on or under causeways and bridges the Barber Bridge and Alma Lee Lloyd Bridge.

~~9.4~~ ~~The City shall ensure public access to beaches which are renourished with public funds through a site plan review procedure as outlined in the Land Development Regulations to be adopted by September 1, 1990. These regulations shall address the following criteria.~~

- A. ~~Require private property owners and single family residential or commercial/retail to provide access to beaches.~~

~~B. Allow for the use of publicly owned access points on easements.~~

~~C. Allow the developer/owner to improve, consolidate or relocate public access provided it is consistent with this plan.~~

~~9.5 The City Land Development Regulations, to be adopted by September 1, 1990, shall provide for enforcement of the public access requirements of the 1985 Coastal Zone Protection Act.~~

5.8.0.7 Infrastructure

Objective 10:

Objective 8. Infrastructure

~~The City shall Establish~~ establish levels of service, service areas and phasing of improvements for the coastal zone consistent with ~~the infrastructure elements~~ the pertinent objectives and policies of this plan, and the unique character of the coastal zone.

Policies:

~~8.1~~ 8.1 For purposes of this Plan, the coastal zone is defined as that area of the City of Vero Beach generally located east of US Highway 1, including the Indian River Lagoon and the barrier island.

~~10.1 8.2~~ 8.2 The levels of service, service areas and phasing of improvements for roadways and other transportation modes within the coastal zone shall be ~~those contained within~~ pursuant to the Traffic Circulation Transportation and Capital Improvements Elements.

~~10.28.3~~ 8.3 The levels of service, service areas and phasing of improvements for potable water within the coastal zone shall be ~~those contained within pursuant to the Potable Water Sub-Element and Capital Improvements Element~~ Potable Water Element for the Vero Beach water system.

~~10.3 8.4~~ 8.4 The levels of service, service areas and phasing of improvements for sanitary sewer facilities within the coastal zone shall be ~~those contained within pursuant to the Sanitary Sewer~~ the Sanitary Sewer Sub-Element and Capital Improvements Elements for the City sanitary sewer system.

~~10.4 8.5~~ 8.5 Public facilities shall be in place to meet the demand imposed by development or redevelopment as outlined ~~within the Future Land Use Element, Traffic Circulation Transportation Element and Capital Improvements Elements~~ of this plan.

5.8.0.8 Living Marine Resources and Habitat

Objective 11:

To protect, appropriately use and conserve marine habitat and living marine resources.

Objective 9. Resource Conservation and Management

The City shall act to protect and preserve significant terrestrial and marine resources, historic and archaeological resources, and critical terrestrial and marine habitats for protected, endangered and threatened species in the coastal zone through the policies of this Plan and the administration and enforcement of its Land Development Regulations.

Policies:

9.1 The City shall preserve and protect critical terrestrial habitats for protected, endangered and threatened species pursuant to the pertinent objectives and policies of the Land Use and Conservation Elements and through the administration and enforcement of its Land Development Regulations.

9.2 The City shall preserve and protect wetlands through a no-net loss policy and regulations that preserve and enhance the natural functions and values of wetlands pursuant to the pertinent objectives and policies of the Land Use and Conservation Elements.

9.3 The City shall preserve and protect historic and archaeological resources pursuant to the pertinent policies of the Land Use and Conservation Elements and its Land Development Regulations.

~~11.19.4~~The City shall maintain its program for sea turtle protection which includes relocation of eggs to an approved hatchery and assistance of hatchlings to the water participate with Indian River County and other localities in the implementation of the Marine Turtle Habitat Conservation Plan.

~~10.29.5~~The City shall enforce provisions of its Marine Turtle Protection Ordinance through proactive code enforcement, public education, and the development review and permitting process.

~~11.29.6~~The City shall not permit restoration, alteration or maintenance projects east of the existing dune vegetation line during sea turtle nesting season, from May 1 ~~March 1~~ to October 31 of each year, except for projects necessary to mitigate natural disaster occurrences or ~~FDNR~~ FDEP permitted and monitored projects.

~~12.39.7~~The City shall continue to protect manatees and their habitat by implementing the applicable policies in this element ~~Section 6.11.0.4~~ of the Conservation Element and through its development review and permitting process.

9.8 The City shall protect the habitat of the Florida Scrub Jay through the future land use designation of Conservation for lands on Vero Beach Regional Airport property containing this endangered species' habitat and through implementation of a Habitat Conservation Plan.

~~11.49.9~~The City shall protect the water quality of the Indian River Lagoon by implementing the objective and appropriate policies in Section 6.11.0.1 of the this element and the Infrastructure and Conservation Elements.

~~11.5~~ By 1993, the City shall establish a program between the Vero Beach Planning Department, Indian River County and DNR to monitor the condition of existing submerged aquatic vegetation (SAV) within the Indian River Lagoon and to determine if additional measures are required to protect and conserve the vegetation.

~~11.69.10~~ Beach nourishment projects for the City which ~~require~~ requiring off-shore dredging shall be monitored by the City Planning Department and Indian River County in conjunction with FDEP to prevent damage to the near shore reef.

~~11.79.11~~ The City shall protect and appropriately use the beaches and shoreline by implementing the Objective 3 and supporting policies of this element in Section 5.8.0.2 of the Coastal Element.

~~11.89.12~~The publicly owned spoil islands in the Indian River Lagoon shall be maintained as conservation areas or designated as Conservation by the City as shown on the Future Land Use Map in Exhibit B (Figure 1.5).

~~5.8.0.109~~ **Coordination with Existing Resource Protection Plans**

Objective 12:

~~To establish an intergovernmental coordination mechanism in order to coordinate with existing resource protection plans within the jurisdiction of more than one local government.~~

Policies:

~~12.1~~ The City shall implement the policies found in the Intergovernmental Coordination Element of this plan.

~~12.2~~ The City shall identify by 1993, those resource management plans which require intergovernmental coordination. The 1983 Hutchinson Island Resource Planning and Management plan shall be included.

[Note: Objective 12 and policies will be addressed in the Intergovernmental Coordination Element.]

Objective 10. Sea Level Rise

The City shall investigate and adopt and implement appropriate and cost-effective strategies which increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of sea level rise, changes in rainfall patterns, and extreme weather events.

Policies:

- 10.1 The City shall utilize best practices and initiate mitigation strategies to reduce the risk of flooding in coastal areas that may result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. [Section 163.3178, F.S (Chapter 2015-69, Section 1)]
- 10.2 The City shall collaborate with Indian River County to increase regional resilience by sharing technical expertise, participating in annual summits, assessing local vulnerabilities, advancing agreed-upon mitigation and adaptation strategies, and developing joint state and federal legislation policies and programs.
- 10.3. The City shall coordinate with Indian River County, other local governments, federal, state and regional agencies and private property owners to develop initiatives and goals to address sea level rise.
- 10.4 The City shall investigate the feasibility of the use of Adaptation Action Areas as provided by Section 163.3177(6)(g)(10), Florida Statutes, to identify areas vulnerable to coastal storm surge and sea level rise impacts.
- 10.5. The City shall promote the use of mitigation strategies to increase energy efficiency and conservation, and to reduce greenhouse gas emissions. The mitigation strategies may include, but are not limited to, the adoption of Comprehensive Plan policies or land development regulations pertaining to land use and transportation strategies such as requiring compact residential development, incentives for mixed use and redevelopment projects that maximize internal trip capture, clustering residential densities along transit routes, improving access to transit and non-motorized movement, requiring interconnectivity among adjoining parcels of land, and incentives for green building methods.