



**DEPARTMENT OF ENVIRONMENTAL PROTECTION
INDIAN HARBOUR BEACH RESILIENCY PROJECT
AGREEMENT NUMBER: CM745**

Deliverable 3 – June 13, 2019



**LaRue
planning**
1375 Jackson Street, #206, Fort Myers, FL 33901

Deliverable

Comprehensive Plan Amendment Adopted by Council on June 11, 2019

Amendment Package Submitted to DEO on June 13, 2019



CITY OF INDIAN HARBOUR BEACH
2055 SOUTH PATRICK DRIVE
INDIAN HARBOUR BEACH, FLORIDA 32937

Comprehensive Plan Amendment Package
Adopted: June 11, 2019

CITY OF INDIAN HARBOUR BEACH COMPREHENSIVE PLAN AMENDMENT PACKAGE

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City Council, June 11, 2019



June 13, 2019

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning and Development
Department of Economic Opportunity
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, Florida 32399

Reference: City of Indian Harbour Beach Adopted Comprehensive Plan Amendment No. 19-01ER

Dear Mr. Eubanks:

Pursuant to the State Coordinated Review process guidelines, enclosed are three (3) copies (one printed copy and two compact discs) of the above referenced adopted Amendment to the Comprehensive Plan for the City of Indian Harbour Beach.

The following information concerning the adopted amendment is offered:

- The City Council held its adoption public hearing on June 11, 2019 and adopted Ordinance No. 2019-03 approving the amendment as submitted herein.
- The Plan Amendment package contains amendments to the Comprehensive Plan's Conservation and Coastal Management, Infrastructure, Transportation, Recreation and Open Space, Housing, Land Use, Capital Improvements, and Public School Facilities Elements.
- The Plan Amendment is adopted as proposed except for the revisions made in response to the Department's Objections, Recommendations and Comments (ORC) Report. See the attached *Response to ORC Report* outlining the changes.
- Timely comments received from other reviewing agencies required no compliance changes to the Amendment package as originally transmitted.
- The City is relying on data and analysis previously submitted with the transmittal.
- The adopted Comprehensive Plan Amendment package and this transmittal letter have been submitted to the following agencies (via email) on the above captioned date:

East Central Florida Regional Planning Council
St. Johns River Water Management District
Florida Department of Education
Florida Department of State
Florida Department of Transportation, District 5
Florida Department of Environmental Protection
Brevard County Community Development Department

providing planning and management solutions for local governments

1375 Jackson Street, Suite 206 Fort Myers, FL 33901 239-334-3366 www.larueplanning.com

The contact person for this Plan Amendment is:

James G. LaRue, AICP, Planning Consultant
LaRue Planning & Management Services, Inc.
1375 Jackson Street, Suite 206, Fort Myers, FL 33901
239-334-3366 E-Mail: jim@larueplanning.com

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



James G. LaRue, AICP
President

RESPONSE TO:
OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
PROPOSED COMPREHENSIVE PLAN AMENDMENT
CITY OF INDIAN HARBOUR BEACH (19-01ER)

The City has reviewed the Department's ORC Report and is revising the policies as shown in the chart below. The revised objectives and policies (right hand column) have been included in the Conservation and Coastal Management Element of the City's Comprehensive Plan.

Objectives and Policies	
Proposed	Revisions based on ORC Report
<u>Objective CM-7: The City shall address the issues underlying the potential impacts of storm surge and sea level rise over time.</u>	<u>Objective CM-7: Development and redevelopment within the City shall be permitted only when consistent with sound planning practices that protect life and property from the effects of coastal erosion, sea level rise, or damage to environmental systems.</u>
<u>Policy CM-7.1 The City will evaluate sea level rise risks to existing City owned infrastructure and plan for the mitigation of any potential threats. Strategies may include replacement of failing infrastructure, resurfacing existing roads, and modifications to the existing drainage and stormwater retention system.</u>	<u>Policy CM-7.1: The City has evaluated sea level rise risks to existing City owned infrastructure based on National Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Inundation Methodology and plan for the mitigation of any potential threats. Strategies will include relocation of the City police station and modifications to the existing drainage and stormwater retention system.</u>
<u>Policy CM-7.2: The City shall review the Florida Department of Economic Opportunity's "Community Resiliency Initiative: Planning for Sea Level Rise," as well as other state, regional, and federal planning resources, as part of its efforts to establish effective strategies to plan for and adapt to sea level rise. In examining the statewide planning framework, the City can better determine how best to integrate sea level rise adaptation policies into existing processes.</u>	<u>Policy CM-7.2: The City of Indian Harbour Beach designates the Adaptation Action Areas (AAAs) as that area which includes the Coastal High Hazard Area (CHHA) and other areas of the City as may be identified by the City Council in the future as being subject to coastal erosion, flooding, sea level rise, or damage to environmental systems. The City shall inventory and identify possible reimbursable improvements within the designated AAAs.</u>
<u>Objective CM-8: The City shall implement development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in storm surge vulnerable areas.</u>	<u>Objective CM-8: The City shall reduce the amount of surface water runoff, if economically feasible.</u>
<u>Policy CM-8.1: The City will identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.</u>	<u>Policy CM-8.1: The City shall conduct yearly inventories of existing infrastructure focusing on the condition of the stormwater runoff systems.</u>

Policy CM-8.3: In order to reduce flood risk from, or associated with, high-tide events, storm surge, flash floods, stormwater runoff and the impacts related to sea-level rise, the City will consider the use of the development and redevelopment principles, strategies and engineering solutions based on data obtained from the East Central Florida Regional Planning Council, the Florida Building Code and the City's Land Development Code.	<u>Policy CM-8.3: The City shall maximize unpaved landscape to ease stormwater infiltration. The City will utilize native landscaping methods which emphasize salt tolerance and water absorption vegetation. The City will implement landscaping programs through its local development review process, establishing meaningful standards and salient guidelines to promote vegetation that is highly water absorbent to withstand the marine environment and the impacts of tropical winds.</u>
Policy CM-8.4: The City shall consider participating in the National Flood Insurance Program Community Rating System, administered by FEMA.	<u>Policy CM-8.4: The City shall take steps to participate in the National Flood Insurance Program Community Rating System, administered by FEMA. The initial step will be adopting the state model flood damage prevention ordinance.</u>
Policy CM-8.5: The City shall support measures which integrate innovative climate adaptation and mitigation designs, such as low impact development (LID) practices to better manage stormwater runoff.	<u>Policy CM-8.5: The City shall include in its Land Development Code stormwater management controls that emphasize the urban design tools of low impact development (LID). New development in the City's non CHHA portions of the designated AAAs will be incentivized to integrate these innovative climate adaptation and mitigation design tools to better manage stormwater runoff. New development will continue to be directed away from the CHHA portions of the AAAs</u>
Policy CM-13.311.3: Though no area of the City presently requires redevelopment, if and when such conditions emerge, the City shall identify analyze the redevelopment area and work towards eliminating any unsafe conditions and inappropriate uses therein.	<u>Policy CM-13.3-11.3: As procurement opportunities arise (such as the use of grants, or tax deed sales) the City will consider acquiring for use, as public open space, severe repetitive loss properties which have sustained repeated flood losses thereby reducing potential losses due to flooding.</u> Though no area of the City presently requires redevelopment, if and when such conditions emerge the City shall identify the redevelopment area and work towards eliminating any unsafe conditions and inappropriate uses therein.

**CITY OF INDIAN HARBOUR BEACH, FLORIDA
ORDINANCE NO. 2019-03**

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, UPDATING THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT AS MANDATED BY FLORIDA STATUTES SECTION 163.3178; AND UPDATING THE PLANNING PERIOD FOR THE FUTURE LAND USE MAP; AND APPROPRIATE POLICIES IN THE INFRASTRUCTURE; TRANSPORTATION; RECREATION AND OPEN SPACE; HOUSING; FUTURE LAND USE; CAPITAL IMPROVEMENTS; AND PUBLIC SCHOOL FACILITIES ELEMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Indian Harbour Beach, in 1988, adopted the Comprehensive Plan for the City in accordance with Florida Statutes; and

WHEREAS, the City Council updated and amended the Comprehensive Plan in 1999 and 2010; and

WHEREAS, the Florida Legislature passed the Peril of Flood Act in 2015 requiring cities and counties to address the potential of sea level rise and storm surge in their respective communities; and

WHEREAS, these requirements are incorporated in Section 163.3178, Florida Statutes, and specify the Coastal Management Element in each Comprehensive Plan reflect a redevelopment component that will make a community more resilient to flooding, storm surge, and sea level rise; and

WHEREAS, a community survey was initiated, where the public responded to vulnerability assessments regarding the City's future impacts for sea level rise, flooding and storm surge; and

WHEREAS, miscellaneous revisions were made to the Comprehensive Plan to be consistent with the 2019-2029 planning horizon; and

WHEREAS, the City's Local Planning Agency on January 31, 2019 held a duly noticed public hearing on the proposed changes and made recommendations to the City Council; and

WHEREAS, City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, and the proposed amendments are consistent with the City's Comprehensive Plan; and

WHEREAS, a public hearing on the proposed amendments hereinafter described was duly advertised and held by the City Council of the City of Indian Harbour Beach on January 31, 2019 and at such hearings interested parties commenting on the proposed plan amendments were heard; and

WHEREAS, the City Council of Indian Harbour Beach and the Local Planning Agency have complied with the requirements of the Community Planning Act in preparing and noticing these proposed changes to the Comprehensive Plan; and

WHEREAS, the proposed changes to be adopted by this Ordinance comply with the statutory and regulatory requirements of the aforesaid Act.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Indian Harbour Beach, Brevard County, Florida that:

SECTION ONE: This ordinance is adopted in conformity with and pursuant to the Community Planning Act of the Florida Statutes.

SECTION TWO: Changes to the City of Indian Harbour Beach Comprehensive Plan hereinafter are described in Exhibit A.

SECTION THREE: The City Manager is hereby authorized and directed to forward these adopted Comprehensive Plan changes to the Florida Department of Economic Opportunity.

SECTION FOUR: **CONFLICTS.** Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflicts

SECTION FIVE: **SEVERABILITY.** If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this and the provision of this Ordinance are declared severable.

SECTION SIX: **EFFECTIVE DATE.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the State Land Planning Agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the State Land Planning Agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HAR-
BOUR BEACH, BREVARD COUNTY, FLORIDA, ON THIS 11TH DAY OF JUNE, 2019.

CITY OF INDIAN HAROUR BEACH BREVARD
COUNTY, FLORIDA



ATTEST:

X Sue Frank

Sue Frank, MMC
City Clerk

X

Scott Nickle

~~David A. Panicola~~
~~Mayor~~

Scott Nickle
Deputy mayor

First Reading: January 31, 2019

Second Reading: June 11, 2019

Effective Date: _____, 2019

EXHIBIT A



COMPREHENSIVE PLAN
CITY OF INDIAN HARBOUR BEACH, FL
GOALS, OBJECTIVES AND POLICIES

GOALS, OBJECTIVES, AND POLICIES

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I. INTERGOVERNMENTAL COORDINATION

Goals, Objectives, and Policies

Goal. The City shall participate in coordinated activities with State, County, Regional and adjoining community governments, in order to better provide for the public health, safety and welfare of its inhabitants.

Objective IG-1: The City shall coordinate its planning efforts with the plans of school boards, other units of local government providing services but not having regulatory authority over the use of land, and with the planning efforts of Satellite Beach, Melbourne, Brevard County, the East Central Florida Regional Planning Council, and the State of Florida. The measurement of this objective shall be the degree to which the following Policies are implemented.

Policy IG-1.1 The City shall continue to review plans of others to ensure compatibility between uses within Indian Harbour Beach and areas immediately adjacent to the Indian Harbour Beach city limits.

Policy IG-1.2 The City shall review policies of the State, regional entities and Brevard County to ensure conformance of the City's plan with those of these other governments.

Policy IG-1.3 The City shall exchange planning information on a regular basis with the City of Satellite Beach, the City of Melbourne, Brevard County, the Brevard County Housing Authority, the Brevard County School Board, and any other units of local government providing services in the City but not having regulatory authority over the use of land therein.

Policy IG-1.4 The City shall continue to request State and Federal help in order to obtain its own zip code to insure that the City obtains its fair share of State and Federal revenue.

Objective IG-2: The City shall cooperate with any state, regional or local entity having operational and maintenance responsibility for public facilities within Indian Harbour Beach in establishing level of service standards for those facilities. The measurement of this Objective is the degree to which the following policies are implemented.

Policy IG-2.1 The City shall cooperate with the Florida Department of Transportation (FDOT) in establishing level of service standards for State highways within the City. Furthermore, the City shall work toward greater communication with the FDOT on transportation and growth management issues.

Policy IG-2.2 The City shall cooperate with the City of Melbourne in establishing level of service standards for the water system within Indian Harbour Beach.

Policy IG-2.3 When conflicts occur between the City and other governmental entities, Indian Harbour Beach shall consider the use of the Regional Mediation Process in resolving such conflicts

Policy IG-2.4 The City shall coordinate any proposed or requested annexations with Satellite Beach and/or Brevard County.

Policy IG-2.5 When development within Indian Harbour Beach is proposed adjacent to the city limits, the City shall review the proposed development in relationship to the existing comprehensive plans of adjoining governments.

Policy IG-2.6 The City shall, where practicable, coordinate management issues concerning the Banana River and the Atlantic Ocean with other governing entities bordering on said waters.

Policy IG-2.7 The City shall discuss the level of service issues with the following entities: City of Melbourne (for water), Brevard County (for solid waste and sanitary sewer), ECFRPC (for planning assistance), and FDOT (for State Highways).

Policy IG-2.8 The City shall support Brevard County's ongoing program to initiate and monitor data collection projects related to beach dynamics, sand transport and coastal processes and encourage the U.S. Army Corps of Engineers to expedite beach renourishment projects which affect the City.

Objective IG-3: The City shall, through coordination with adjacent units of local government, including Brevard County and the City of Satellite Beach, and coordination with Orange and Osceola Counties, and coordination with regional entities such as the ECFRPC and the SJRWMD, and coordination with State agencies, facilitate the mutual consideration of the impacts of development proposed in this Plan. The measurement of this Objective is the degree to which the following policies are implemented.

Policy IG-3.1 The City shall ensure that the coordination entities cited in Objective IG-3 are made aware of the contents of this Plan as far as proposed development is concerned, and the City shall be receptive to comments from those entities concerning the impacts of the proposed development.

Policy IG-3.2 The City shall discuss its infrastructure services regarding proposed development with City of Melbourne (water), Brevard County (solid waste and sanitary sewer), ECFRPC (planning assistance), and FDOT (State highways).

Policy IG-3.3 The City will participate in City of Melbourne's water supply planning process, including updates to the water supply facility work plan and consumptive use permit, and provide input to the City of Melbourne with respect to population projections, future land use, potential projects, water demand and mutual cooperation guidelines to ensure that Melbourne accounts for and meets the City's current and future water needs.

Policy IG-3.4 The City has adopted a 10-year Water Supply Facilities Work Plan, 2009-2019, that addresses current and projected water needs and sources. The City will coordinate with all applicable local, state, and federal agencies regarding the Work Plan and will coordinate the City's Work Plan with the City of Melbourne's Work Plan and the SJRWMD's Water Supply Plan. The City will update its Work Plan within 18 months of an update to the SJRWMD Water Supply Plan that affects the City.

Policy IG-3.5 The City will participate in the development of updates to the SJRWMD's Water Supply Plan and in other water supply development-related initiatives facilitated by the SJRWMD that affect the City.

Objective IG-4: Beginning with an effective date of 2008, the City and the Brevard County School Board will establish a formal process for more effective coordination, sharing information on plans, projects, and developments which affect public school facilities or public school sites.

Policy IG-4.1 The City agrees to be a party to the Interlocal Agreement for Public School Facility Planning and School Concurrency with the Brevard County School Board and shall work with the School Board to implement the terms of the agreement.

Policy IG-4.2 The City shall notify the School Board of all proposed residential development projects as a part of the review process for school concurrency.

Policy IG-4.3 The City shall work with the School Board to maintain the Interlocal Agreement for Public School Facility Planning and School Concurrency.

II. CONSERVATION AND COASTAL MANAGEMENT

Conservation

Goals, Objectives and Policies

Goal. Provide for the preservation and conservation of the City's natural resources so that the economic, social and/or aesthetic value which these resources provide to the community are not destroyed and are available to future generations.

Objective C-1: Maintain or improve current quality of air. The measurement of this objective is the quality of air within Indian Harbour Beach, plus the degree to which the following Policies are implemented.

Policy C-1.1 Join with other municipalities and the County in an effort to prevent major industrial air polluters from locating within the coastal zone.

Policy C-1.2 Prohibit non-permitted open burning of trash and debris within the City.

Policy C-1.3 The City shall encourage alternative forms of transportation in conjunction with new development or new roadway projects (e.g., car pooling, mass transit, etc.).

Policy C-1.4 The City shall cooperate with adjacent governmental entities to determine if a periodic air quality modeling program would be useful and feasible.

Objective C-2: Conservation, appropriate use and protection of the quality and quantity of current and projected water sources and waters that flow into estuarine waters or oceanic waters. The measurement of this objective is the extent to which water resources are conserved, appropriately used and protected plus the degree to which the following Policies are implemented.

Policy C-2. 1 Continue to require a SJRWMD permit or exemption letter prior to issuing a development order.

Policy C-2.2 Continue to work with Brevard County in enforcement of its ordinance requiring recirculation of water used for heat pumps.

Policy C-2.3 Minimize man-induced sedimentation, excessive freshwater runoff, and other non-point source pollution into the Banana River and the Atlantic Ocean by requiring applicants, for development, to receive a SJRWMD

permit.

Policy C-2.4 Cooperate with the St. Johns River Water Management District, Brevard County, and the City of Melbourne to enforce the District's landscape irrigation rule provisions.

Policy C-2.5 The City shall ensure that its Land Development Regulations continue to contain a requirement making development contingent upon the availability of adequate potable water.

Policy C-2.6 The City shall evaluate the City of Melbourne's alternatives for the conservation for existing water supplies and will support Melbourne's Water Supply Facilities Work Plan.

Policy C-2.7 The City shall continue the process for retrofitting Stormwater systems which do not meet existing State standards.

Objective C-3: Conservation, appropriate use and protection of soils and native vegetative communities within the City. The measurement of this objective is the extent to which soils and native vegetative communities are conserved, appropriately used and protected and the degree to which the following Policies are implemented.

Policy C-3.1 The City shall enforce the City's landscaping and tree ordinances to help prevent soil erosion and to protect trees within the City.

Policy C-3.2 The City shall work through its site plan procedure, with private developers to preserve, where possible, indigenous plant communities.

Objective C-4: Conservation, appropriate use and protection of wildlife, wildlife habitat and marine habitat. The measurement of this objective is the extent to which wildlife, wildlife habitats and marine habitats are conserved, appropriately used and protected, plus the degree to which the following Policies are implemented.

Policy C-4.1 The City shall join with other municipalities and the County in an effort to prevent major water polluters from locating within the coastal zone.

Policy C-4.2 The City shall minimize man-induced sedimentation, excessive freshwater runoff, and other non-point source pollution into the Banana River and the Atlantic Ocean.

Policy C-4.3 The City shall, in order to protect regionally significant coastal resources, discourage dredge and fill activities as a means to develop small waterways, and closely coordinate review of such activities with the Florida

Department of Environmental Protection and the U.S. Army Corps of Engineers.

Policy C-4.4 The City shall work, through its site plan procedure, with private developers to preserve, where possible, indigenous animal communities and regionally significant natural vegetative communities.

Policy C-4.5 Cooperate with federal, state and other local agencies to protect endangered and threatened species of animals, including manatees in the Banana River. In this regard, the City shall ensure that development approvals are contingent upon consideration of endangered species.

Policy C-4.6 The City should give all due consideration in review of site plans and other matters before the City to minimize lighting and construction at the beach so as to minimize detrimental effects on wildlife, especially endangered sea turtles during their nesting season.

Policy C-4.7 The City shall continue to enforce the designated mangrove/wetland conservation easement along all undeveloped property fronting the Flamingo Waterway and the Banana River. The configuration of this easement shall be determined by a survey prepared at the time of preliminary development review.

Objective C-5: The City shall be prepared to deal with problems relating to the disposal of hazardous wastes. The measurement of this objective is the degree to which the following Policies are implemented.

Policy C-5.1 The City shall, through its newsletter, disseminate educational material to the public concerning the disposal of hazardous wastes.

Policy C-5.2 The City shall cooperate with appropriate local, State, and Federal agencies in planning for large-scale hazardous waste problems.

Objective C-6: The City shall promote innovative landscaping and paving techniques and other energy conservation measures.

Policy C-6.1 The City shall continue to promote ~~xeriscaping~~ Florida-Friendly and low-water landscaping in place of landscaping in parking areas.

Policy C-6.2 The City shall establish standards in the Landscaping Ordinance that provide for pervious pavement options in parking areas.

Policy C-6.3 The City shall continue to require parkway planting strips between parking areas and street rights-of-way.

Policy C-6.4 The City shall continue to promote drought and freeze-tolerant landscaping and native species in required landscape areas.

Policy C-6.5 The City shall encourage the appropriate placement of solar panels.

Policy C-6.6 The City shall continue to provide energy conservation tips in its City newsletter.

Coastal Management

Goals, Objectives and Policies

Goal. Provide for the preservation and conservation of the City's coastal resources as well as for the restriction of activities damaging to those resources, and for the protection of human life and the limitation of public expenditures in those areas subject to destruction by natural disasters--for the benefit of the community and future generations.

Objective CM-1: The City shall protect, conserve, or enhance as possible the remaining coastal wetlands, living marine resources, coastal barriers, and wildlife habitat. The measurement of this objective is the extent to which these resources are protected, conserved, or enhanced and the degree to which the following policies are implemented. See Objective LU-4 and Policies LU-4.1, LU-4.2, and LU-4.3 of the Future Land Use Element.

Policy CM-1.1 The City shall, through its LDRs, protect, conserve, and where possible, seek restoration of the vital areas of the coastal zone, including, as appropriate, wetlands, water quality, water quantity, wildlife habitat, living marine resources (such as manatees), and beach and dune systems.

Policy CM-1.2 The City shall, through its LDRs, provide for development which is consistent with resource tolerance, carrying capacity and the ability of the City to efficiently provide and maintain necessary services as set out in other elements.

Policy CM-1.3 The City shall continue to work with County, State and Federal governments in maintenance, restoration, and enhancement of the overall quality of the coastal environment, including but not limited to, its amenities and aesthetic values.

Policy CM-1.4 The City shall work with County, State and Federal governments in the orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.

Policy CM-1.5 The City shall continue to identify and implement methods of avoiding irreversible and irretrievable commitments of coastal zone resources.

Policy CM-1.6 In cooperation with State and Federal regulatory agencies and private developers, the City shall monitor development in those areas with overriding environmental limitations to development.

Policy CM-1.7 The City shall investigate and encourage use of ecological planning principles and assumptions to be used in the determination of suitability and extent of permitted development.

Policy CM-1.8 The City shall utilize its Landscaping Ordinance for controlling noxious exotic plants in the coastal zone.

Policy CM-1.9 The City shall use its Land Development Regulations, which include stormwater runoff requirements, wetlands protection and identification, land clearing and tree protection, and coastal construction control line provisions, to limit specific and cumulative impacts on natural resources.

Policy CM-1.10 The City shall support and participate in the County Beach Renourishment Program, the SWIM Program, programs of the Brevard County Office of Natural Resource Management, the Coastal Construction Program, and programs of ~~FDNR~~, FDEP, and SJRWMD along with enforcement of its own Land Development Regulations in order to mitigate future disruptions or degradations.

Objective CM-2: The City shall address natural resource protection including stormwater runoff, land clearing and landscaping, and development review and work to maintain and improve estuarine environmental quality. The measurement of this objective is the quality of the estuarine environment and the degree to which the following policies are implemented. See Objective LU-4 and Policies LU-4.1, LU-4.2, and LU-4.3 of the Future Land Use Element.

Policy CM-2.1 The City shall work toward limiting the specific impacts and cumulative impacts of development upon wetlands, water quality, water quantity, wildlife habitat, and living marine resources through its adopted Land Development Regulations and through support and participation in the SWIM Program, and programs of the FDEP, St. Johns River Water Management District, and the Brevard County Office of Natural Resource Management.

Policy CM-2.2 The City shall continue to enforce its ordinances which minimize man-induced sedimentation, excessive freshwater runoff, and other non-point pollution sources.

Policy CM-2.3 The City shall continue to require SJRWMD development approval in an effort to maintain or reduce the current level of stormwater runoff.

Objective CM-3: The City shall, in order to balance the need to provide public access to the waterfront, and to protect natural resources and private property, design development and redevelopment of waterfront properties to promote water-related and water-dependent activities, encourage the retention of existing marina facilities, and offer incentives for the provision of public access.

Policy CM-3.1 The City shall insure that development along the shorelines is designed to protect the natural and man-made resources and shall encourage the preservation of the two (2) existing marinas located within the City by participating with the County Intergovernmental Coordinating Planning Group to insure the inclusion of these marinas in the countywide marina siting plan.

Policy CM-3.2 The City shall review, update (if necessary) and enforce hazard mitigation regulations relating to building practices; floodplain use; beach and dune alteration; stormwater management; sanitary sewer and septic tanks; and land use; and the City shall adopt the recommendations of the hazard mitigation annex of the local peacetime emergency plan and applicable existing interagency hazard mitigation reports – all with the underlying rationale of reducing the exposure of human life and property to natural hazards.

Objective CM-4: The City shall develop measures for protection of beaches and dunes, establish construction standards which minimize the impacts of man-made structures on beach and dune systems, and work toward restoration of altered beaches and dunes. The measurement of this objective is the development of such measures and the extent to which beaches and dunes are protected and/or restored and the development of standards to minimize the impacts of man-made structures on the beach and dune systems plus the degree to which the following Policies are implemented.

Policy CM-4.1 The City shall through its LDRs closely monitor beachfront development to insure to the greatest extent possible that the dune system is preserved as a natural buffer to storm surge.

Policy CM-4.2 In areas where beaches and dunes are being eroded, the City shall encourage and support a multi-jurisdictional approach to stabilization and restoration projects, preferably utilizing native vegetation as the stabilizing medium.

Policy CM-4.3 The City shall continue to enforce the coastal construction control line law and shall assure that projects within its area of jurisdiction

abide by the setback requirements.

Policy CM-4.4 No new construction shall be allowed that threatens the stability of either the dune systems or the beach itself. Land development projects in beach areas east of S.R. A1A should provide for dune stabilization and preservation. In all cases, existing dune vegetation should be preserved to the maximum extent feasible.

Policy CM-4.5 The City shall continue to prohibit motorized vehicles from operating on the dune system except in emergency situations.

Objective CM-5: The City shall limit public expenditures that subsidize development permitted in the coastal high-hazard area, except for restoration or enhancement of natural resources. ~~The measurement of this objective is the extent to which public expenditures are limited in coastal high-hazard areas, except for restoration or enhancement of natural resources and the degree to which the following Policy is implemented.~~

Policy CM-5.1 The City shall continue to implement the above Objective in its Land Development Regulations.

Policy CM-5.2 The City shall require developers to install any new infrastructure necessary to support their development, thereby limiting the amount of public funds spent to subsidize new development.

Policy CM-5.3 Infrastructure and roadway improvements which are required to meet minimum level of service standards within already developed public rights-of way are allowed. No public buildings shall be constructed east of the Coastal Construction Control Line (CCCL), with the exception of minor structures including public restrooms and picnic shelters, which are customarily provided to support recreation and open space activities, and pedestrian access facilities (in accordance with dune protection design standards).

Objective CM-6: The City shall direct population concentrations away from known or predicted coastal high-hazard area which shall be those areas below the elevation of the Category 1 storm surge elevation as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as defined in Chapter 163, F.S. The measurement of this objective is the extent to which population concentrations are directed away from the coastal high-hazard area and the degree to which the following Policies ~~is~~ are implemented.

Policy CM-6.1 Through the Future Land Use Plan and the City's zoning ordinance, the City shall not allow a net effect increase in development density or intensity in the coastal high-hazard area; however, relocation; mitigation; or

replacement of existing infrastructure away from this area shall only be required in an emergency situation where it is economically feasible to do so or when State funding is anticipated to be needed.

Policy CM-6.2 Any construction activities allowed seaward of the CCCL established pursuant to Florida Statutes Section 161.053, must be consistent with Florida Statutes Chapter 161 [Beach and Shore Preservation].

Objective CM-7: Development and redevelopment within the City shall be permitted only when consistent with sound planning practices that protect life and property from the effects of coastal erosion, sea level rise, or damage to environmental systems.

Policy CM-7.1 The City has evaluated sea level rise risks to existing City owned infrastructure based on National Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Inundation Methodology and plan for the mitigation of any potential threats. Strategies will include relocation of the City police station and modifications to the existing drainage and stormwater retention system.

Policy CM-7.2 The City of Indian Harbour Beach designates the Adaptation Action Areas (AAAs) as that area which includes the Coastal High Hazard Area (CHHA) and other areas of the City as may be identified by the City Council in the future as being subject to coastal erosion, flooding, sea level rise, or damage to environmental systems. The City shall inventory and identify possible reimbursable improvements within the designated AAAs.

Policy CM-7.3 The National Oceanic and Atmospheric Administration (NOAA) Sea Level Rise Inundation Methodology and other reliable hazard assessment tools will be used to model future sea level rise and flood hazards in the City. Public input meetings will be held, and the City shall identify areas vulnerable to these impacts. Analysis shall include the identification of existing, pending, and proposed development and infrastructure that would be inappropriate or unsafe as a consequence of current and future flood hazards.

Policy CM-7.4 Based on sea level rise projection rate curves, the City will plan for future relocation of its police department.

Objective CM-8: The City shall reduce the amount of surface water runoff, if economically feasible.

Policy CM-8.1 The City shall conduct yearly inventories of existing infrastructure focusing on the condition of the stormwater runoff systems.

Policy CM-8.2 The City will be consistent with, or more stringent, if possible,

than the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

Policy CM-8.3 The City shall maximize unpaved landscape to ease stormwater infiltration. The City will utilize native landscaping methods which emphasize salt tolerance and water absorption vegetation. The City will implement landscaping programs through its local development review process, establishing meaningful standards and salient guidelines to promote vegetation that is highly water absorbent to withstand the marine environment and the impacts of tropical winds.

Policy CM-8.4 The City shall take steps to participate in the National Flood Insurance Program Community Rating System, administered by FEMA. The initial step will be adopting the state model flood damage prevention ordinance.

Policy CM-8.5 The City shall include in its Land Development Code stormwater management controls that emphasize the urban design tools of low impact development (LID). New development in the City's non CHHA portions of the designated AAAs will be incentivized to integrate these innovative climate adaptation and mitigation design tools to better manage stormwater runoff. New development will continue to be directed away from the CHHA portions of the AAAs

Objective CM-~~9.7~~: The City shall work toward reducing its local hurricane evacuation times based upon the most current Brevard County Emergency Management Plan. The measurement of this objective is the length of time required for evacuation in the event of a major storm requiring evacuation plus the degree to which the following Policies are implemented.

Policy CM-~~9.17.1~~ The City shall stress to the public the importance of early and orderly evacuation in the event of a major storm requiring such evacuation.

Policy CM-~~9.27.2~~ The City shall make persons aware of the low elevation of the Eau Gallie Causeway, encouraging early evacuation.

Policy CM-~~9.37.3~~ The City shall maintain and update as required its list of persons requiring help during evacuation.

Policy CM-~~9.47.4~~ The City shall limit development if it would unreasonably increase hurricane evacuation times.

Policy CM-~~9.57.5~~ The City shall coordinate hurricane evacuation procedures and disaster mitigation with Brevard County and neighboring communities.

Objective CM-~~10.8~~: The City shall continue to improve its post disaster redevelopment plan which will reduce the exposure of human life and public and private property to natural hazards. The measurement of this objective is the continued implementation and improvement of a post-disaster redevelopment plan plus the degree to which the following Policies are implemented.

Policy CM-~~10.18.1~~ The City shall establish a mechanism for obtaining input on this matter from affected property owners, the general public, public officials, and experts which will involve meetings among these persons and a means to develop recommendations leading to the preparation of the post-disaster redevelopment plan.

Policy CM-~~10.28.2~~ The City shall use the following as the guiding principle for its post-disaster redevelopment plan: Reducing the exposure of human life and property to natural hazards.

Policy CM-~~10.38.3~~ The City's post-disaster redevelopment plan shall include policies to: distinguish between short-term and long-term reconstruction needs; facilitate the removal, relocation or structural modification of damaged infrastructure and structures; limit redevelopment in areas of repeated damage; and facilitate the adoption of recommendations of interagency hazard mitigation reports into the Comprehensive Plan.

Objective CM-~~11.9~~: The City shall strive to increase the amount of public access to the beach or shoreline consistent with estimated public need. The measurement of this objective is the number of additional public access points to the beach and/or shoreline of the Banana River plus the degree to which the following Policies are implemented.

Policy CM-~~11.19.1~~ The City shall continue to evaluate the number, type, and location of existing shoreline access points to determine if more are needed and how they will be financed.

Policy CM-~~11.29.2~~ The City shall continue to encourage public access at the time of development of the areas along the beach.

Policy CM-~~11.39.3~~ The City shall continue to provide public access to beaches renourished at public expense.

Policy CM-~~11.49.4~~ The City shall continue to enforce the public access requirements of the Coastal Zone Protection Act of 1985.

Policy CM-~~11.59.5~~ The City shall continue to provide transportation or parking facilities for beach and shoreline access, to the extent feasible.

Objective CM-~~12.10~~¹¹: The City shall provide for protection, preservation, or sensitive reuse of historic resources, as these are identified within the City. The measurement of this objective is the extent to which historic resources are protected, preserved or reused in a sensitive manner and the degree to which the following Policies are implemented.

Policy CM-~~12.110.1~~^{11.1} As historic resources are identified, the City shall develop criteria for protection of historic resources, including establishment of performance standards for development and sensitive reuse.

Policy CM-~~12.210.2~~^{11.2} The City shall maintain a list of historic resource sites to be used to cross-check against proposed development.

Objective CM-~~13.11~~¹¹: The City shall continue to enforce its level of service standards, areas of service and phasing of infrastructure in the coastal area. The measurement of this objective is the availability of infrastructure when needed, plus the degree to which the following Policies are implemented.

Policy CM-~~13.111.1~~^{11.1} The City shall require developers to finance and install water and sewer lines, drainage facilities and local streets to serve development as it occurs.

Policy CM-~~13.211.2~~^{11.2} The City shall ensure that required infrastructure is available to serve the development or redevelopment in the coastal area at the densities proposed by the Future Land Use Plan, consistent with coastal resource protection and safe evacuation, by assuring that funding for infrastructure will be phased to coincide with the demands generated by development or redevelopment.

Policy CM-~~13.311.3~~^{11.3} As procurement opportunities arise (such as the use of grants, or tax deed sales) the City will consider acquiring for use, as public open space, severe repetitive loss properties which have sustained repeated flood losses thereby reducing potential losses due to flooding. ~~Though no area of the City presently requires redevelopment, if and when such conditions emerge, the City shall identify the redevelopment area and work towards eliminating any unsafe conditions and inappropriate uses therein.~~

Objective CM-~~14.12~~¹²: The City shall work with County, State and Federal governments in protecting the environment in the coastal zone. The measurement of this objective is the degree to which such cooperation takes place, plus the extent to which the following Policy is implemented.

Policy CM-~~14.112.1~~^{12.1} The City shall coordinate with area resource protection plans such as aquatic preserve management plans, the Surface

Water Improvement and Management (SWIM) program administered by the St. Johns River Water Management District, and work to achieve the goals, objectives and policies of the Indian River Lagoon Comprehensive Conservation and Management Plan.

III. INFRASTRUCTURE GOALS, OBJECTIVES AND POLICIES

Sanitary Sewer

Goals, Objectives and Policies

Goal. The overall goal for this sub-element is provision of sanitary sewer facilities to meet the needs of the existing and future inhabitants of Indian Harbour Beach.

Objective SS-1: Assure that all existing and future residents and businesses and any other users in the City of Indian Harbour Beach have access to sanitary sewer facilities. Measurement of this objective is whether or not sanitary sewer facilities are available for all users and the degree to which the following Policies are implemented.

Policy SS-1.1 The City shall cooperate with Brevard County in the collection and treatment of sewage, through utilization of the South Beaches Area Regional Wastewater Treatment Facility.

Policy SS-1.2 The City shall require developers to install sewage collection facilities and to connect those facilities to the County's system for all new development.

Policy SS-1.3 The City shall continue with its policy of not allowing septic tanks for new development.

Policy SS-1.4 The City shall, in an advisory capacity, cooperate with the County in establishing priorities for replacing facilities, correcting existing facility deficiencies and providing for future facility needs.

Policy SS-1.5 The City shall cooperate with the County in utilization of level of service standards provided by facilities consistent with Section 163.3177 Florida Statutes, ~~as provided by FAC Sub-section 9J5.005(3) and Subparagraph 9J-5.015(3)(b)3.~~ The City hereby adopts the County's level of service standards-- i.e. (1) residential--200 gallons per unit per day; (2) non-residential--200 gallons per equivalent residential unit per day.

Objective SS-2: The City shall encourage maximizing the use of existing sanitary sewer facilities and infill development to discourage urban sprawl. The measurement of this objective is the extent to which development takes place on infill parcels and the degree to which the following Policies are implemented.

Policy SS-2.1 The city shall, in an advisory capacity, cooperate with the County in establishment of priorities for replacement, correction of existing

facility deficiencies and provision for future facility needs.

~~Policy SS-2.2 The City shall cooperate with the County in utilization of level of service standards for facilities as provided by FAC Subsection 9J-5.005(3) and Subparagraph 9J-5.015(3)(b)3.~~

Solid Waste

Goals, Objectives and Policies

Goal. The overall goal for this sub-element is provision of solid waste collection and disposal facilities to meet the needs of the existing and future citizens of Indian Harbour Beach.

Objective SW-1: The City shall assure that all existing and future residents, businesses, and other users in the City of Indian Harbour Beach have access to solid waste collection and disposal facilities. Measurement of this objective is whether or not solid waste collection and disposal are available for all residents, businesses and other users, plus the degree to which the following Policies are implemented.

Policy SW-1.1 The City shall cooperate with Brevard County for disposal of solid and hazardous wastes.

Policy SW-1.2 The City shall support recovery of additional resources from solid waste.

Policy SW-1.3 The City shall cooperate with Brevard County in dissemination of recycling information.

Policy SW-1.4 The City shall monitor the performance of the garbage and trash pickup service to assure the best service available at the lowest possible cost.

Policy SW-1.5 The City shall cooperate with the County, in providing for future facility needs for disposal of solid and hazardous wastes.

Policy SW-1.6 The City shall cooperate with Brevard County in establishing and utilizing level of service standards for facilities ~~as provided by Subsection 9J-005(3) and Subparagraph 9J-5.015(3)(b)3., FAC,~~ as relates to the design capacity for solid waste facilities; and the City hereby adopts the level of service standards established by Brevard County--8.32 ppcpd as the disposal standard.

Objective SW-2: The City shall support maximizing the use of existing solid waste disposal facilities and infill development to discourage urban sprawl for more efficient pickup of solid wastes. The measurement of this objective is the extent to which development takes place

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on infill parcels, plus the degree to which the following Policies are implemented.

Policy SW-2.1 The City shall cooperate with the County in providing for future solid waste disposal needs.

~~Policy SW-2.2 The City shall cooperate with the County in utilization of level of service standards for facilities as provided by Subsection 9J-5.005(3) and Subparagraph 9J-5.015(3)(6)3, FAC.~~

Drainage

Goals, Objectives and Policies

Goal. The overall goal for this sub-element is provision of drainage facilities to meet the needs of the existing and future inhabitants of Indian Harbour Beach.

Objective D-1: The City shall insure that all existing and future residents, businesses and other inhabitants in the City of Indian Harbour Beach are provided with adequate drainage in order to minimize damage that may occur as a result of flooding. Measurement of this Objective is the extent to which flooding is minimized during periods of heavy rainfall, plus the degree to which the following Policies are implemented.

Policy D-1.1 The City shall provide routine maintenance for all parts of its drainage system.

~~Policy D-1.2 The City shall continue to cooperate with the County in achieving goals and objectives set forth in the 208 Area-wide Waste Treatment Management Plan.~~

Policy D-~~1.2~~^{1.3} The City shall through its LDRs control the drainage of stormwater to minimize the impact on the storm sewer system and the Banana River.

Policy D-~~1.3~~^{1.4} The City shall through its LDRs control the development of storm sewers to insure that city maintenance of canals and ditches may be accomplished efficiently.

Policy D-~~1.4~~^{1.5} The City shall cooperate with the SJRWMD in enforcing stormwater regulations for new development.

Policy D-~~1.5~~^{1.6} The City shall establish priorities for replacing facilities, correcting existing facility deficiencies, and providing for future facility needs as a part of its capital improvements program.

Policy D-~~1.6~~^{1.7} The City hereby adopts the following level of service standard for drainage systems: At a minimum, retention of the first one (1) inch of rainfall on site and designed for the 25 year 24 hour storm event.

Policy D-~~1.7~~^{1.8} The City shall evaluate its existing stormwater practices to determine how they can be strengthened to provide for greater retention and detention of runoff.

Policy D-~~1.8~~^{1.9} The City shall continue to request State and Federal help in order to obtain its own zip code to insure that the City obtains its fair share of stormwater utility revenue.

Objective D-2: The City shall maximize the use of existing drainage facilities and infill development to discourage urban sprawl. The measurement of this Objective is the extent to which development takes place on infill parcels plus the degree to which the following Policies are implemented.

Policy D-2.1 The City shall support the use of existing drainage facilities, where feasible, for new development.

Policy D-2.2 The City shall cooperate with the SJRWMD in enforcement of its stormwater management regulations for retention and detention facilities for storage of stormwater runoff.

Policy D-2.3 The City shall establish priorities for replacing facilities, correcting existing facility deficiencies, and providing for future facility needs in an effort to maximize the use of existing drainage facilities.

Policy D-2.4 The City shall establish and utilize level of service standards provided by facilities ~~as provided by FAC Subsection 9J-5.005(3) and Subparagraph 9J-5.015(3)(b)3.~~ as relates to the design storm return frequency for drainage facilities capacity. The City hereby adopts the following LOS standard for drainage systems: At a minimum, retention of the first one (1) inch of rainfall on site and designed for the 25 year 24 hour storm event.

Policy D-2.5 The City shall continue to determine the feasibility of retrofitting areas of existing development with updated stormwater treatment facilities.

Potable Water

Goals, Objectives and Policies

Goal. The overall goal for this sub-element is provision of potable water facilities to meet the needs of the existing and future inhabitants of Indian Harbour Beach.

Objective PW-1: Assure that all existing and future potable water users in the City of Indian Harbour Beach have access to decent, safe and sanitary potable water facilities. Measurement of this objective is whether or not potable water is available for all of the City's users and the degree to which all of the following Policies are implemented.

Policy PW-1.1 The City shall cooperate with the City of Melbourne in provision of potable water for the citizenry of Indian Harbour Beach and maintain its potable water service franchise agreement through the agreement's expiration in 2033.

Policy PW-1.2 The City shall require developers to install potable water distribution facilities and to connect those facilities to Melbourne's water system for all new development.

Policy PW-1.3 Indian Harbour Beach shall cooperate with the City of Melbourne in establishing priorities for replacing facilities, correcting existing facility deficiencies, and providing for future facility needs.

Policy PW-1.4 The City shall cooperate with the City of Melbourne in establishing and utilizing level of service standards provided by potable water facilities consistent with Section 163.3177 Florida Statutes; as provided by Subsection 9J-5.005(3) and Subparagraph 9J-5.015(3)(b)3; the City hereby adopts the City of Melbourne's established minimum level of service standard for potable water of 100 gallons per capita per day and 100 gallons per capita equivalent residential unit per day.

Objective PW-2: The City shall cooperate with the City of Melbourne in encouraging the maximization of existing potable water facilities and shall encourage infill development to discourage urban sprawl. The measurement of this objective is the extent to which use of existing potable water facilities is maximized and the extent to which development takes place on infill parcels, plus the degree to which the following Policies are implemented.

Policy PW-2.1 The City shall cooperate with the City of Melbourne in establishing priorities for replacing facilities, correcting existing facility deficiencies and providing for future facility needs.

~~Policy PW-2.2 The City shall cooperate with the City of Melbourne in establishing and utilizing level of service standards provided by potable water facilities as provided by Subsection 9J-5.005(3) and Subparagraph 9J-5.015(3)(b)3; the City hereby adopts the City of Melbourne's established minimum level of service standard for potable water of 100 gallons per capita per day and 100 gallons per capita equivalent residential unit per day.~~

Objective P W-3: The City shall support water conservation measures to help ensure the availability of potable water to all users in the City, even during times of extended dry weather. The measurement of this Objective is the extent to which conservation measures are taken plus the degree to which the following Policies are implemented.

Policy PW-3.1 The City shall cooperate with the City of Melbourne and the St. Johns River Water Management District in establishing, utilizing and enforcing potable water conservation strategies and techniques.

Policy PW-3.2 The City shall cooperate with Brevard County in enforcement of the ordinance which requires recirculation of water for heat pumps.

Policy PW-3.3 The City shall investigate the feasibility of local implementation of the following water conservation concepts: a water conservation public education program; requirements for installation of low water volume plumbing fixtures; the incorporation of water conservation concepts in landscape regulations; and the identification of areas suitable for use of reclaimed water.

Policy PW-3.4 The City hereby adopts its Ten-Year Water Supply Facilities Work Plan (WSFWP), 2009-2019, as approved by the City Council on October 27, 2009. The WSFWP is incorporated into the Comprehensive Plan as Exhibit A of the Infrastructure Element.

Policy PW-3.5 The City will continue to enforce the Florida Building Code with respect to requiring such measures as low volume toilets and water flow restrictions on spigots and showers.

Policy PW-3.6 The City will continue to cooperate with the SJRWMD during declared water shortage emergencies by conserving water resources and enforcing water shortage emergency declarations, orders, and plans.

Policy PW-3.7 ~~By June 2010, t~~The City will ~~amend~~ continue to evaluate its Landscaping Ordinance ~~to~~ and establish incentives for the utilization of waterwise landscaping and irrigation standards.

Policy PW-3.8 The City will continue to require functioning rain sensor devices for automatic irrigation systems for new and existing systems, in accordance with the Florida Building Code.

Policy PW-3.9 ~~By June 2010, the City will~~ continue to maintain a leak detection program for all City facilities and establish a program to replace inefficient plumbing devices in City facilities.

Policy PW-3.10 The City will work with the City of Melbourne and the SJRWMD to promote water conservation education through the use of the City's newsletter and the dissemination of literature.

~~Policy PW-3.11 By June 2010, the City will conduct and establish a program to conduct indoor/outdoor water audits, including irrigation audits of City facilities and encourage the public to do the same.~~

Policy PW-~~3.11~~3.12 The City will work with the City of Melbourne to encourage its residents to participate in the City of Melbourne's water conservation programs.

Policy PW-~~3.12~~3.13 The City will encourage its residents to evaluate the need for the replacement of inefficient plumbing devices and appliances and will promote and encourage the use of low impact development techniques such as the Florida Water Star program (a point-based new home certification program) for water-efficient developments.

Natural Groundwater Aquifer Recharge

Goals, Objectives and Policies

Objective AR-1: Assure that, to the extent feasible, stormwater is allowed to percolate for recharge of the shallow aquifer through the protection and use of recharge areas and natural drainage features. The measurement of this objective is the level of the surficial aquifer plus the degree to which the following Policies are implemented.

Policy AR-1.1 The City shall regulate land use and development to protect the functions of natural drainage features and groundwater aquifer recharge areas. This policy will be carried out, in part, by the City's enforcement of its requirement for a SJRWMD permit for retention and detention of Stormwater and its land use regulations.

Policy AR-1.2 The City shall cooperate with Brevard County in enforcement of the ordinance requiring recirculation of water for heat pumps which are connected to wells.

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Policy AR-1.3 The City shall evaluate its existing regulations to determine how they can be strengthened to provide for greater retention and detention of runoff.

IV. TRANSPORTATION

Goals, Objectives and Policies

Goal. The City of Indian Harbour Beach, through cooperation with areawide and state transportation agencies, shall strive to develop and coordinate a comprehensive transportation system that: serves the needs of all segments of its population; is in support of the Land Use and other elements of the Comprehensive Plan; provides adequate and safe access to adjacent land uses; promotes sound development policies; is an efficient and effective use of public resources; and promotes the efficient utilization of energy resources--all to protect and enhance the public health, safety and welfare.

Objective TE-1: In conjunction with areawide agencies, Brevard County and the State of Florida, the City of Indian Harbour Beach shall provide for a safe, convenient and energy efficient multi-modal transportation system. The measurement of this objective is the safety, convenience and energy efficiency of the City's transportation network and the degree to which the following policies are implemented.

Policy TE-1.1 The City shall continue with development of a program to provide for the continual improvement of local streets so as to maximize safe travel for vehicles and pedestrians and reduce loss of life and property by reducing accidents.

Policy TE-1.2 The City shall work with the Space Coast Transportation Planning Organization and the Florida Department of Transportation in developing and utilizing level of service standards at peak hour on all roads within the City's jurisdiction. The City hereby adopts level of service standard "E" for all roadways maintained by the City and level of service "D" for all State maintained roadways as the minimum acceptable level of service (with a desirable level of service "C"); plus use of "interim" LOS standard in event of "F" condition.

Policy TE-1.3 The City shall implement its policy of requiring all new developments within the City to prepare a circulation plan that illustrates adequate access to the City circulation system; provides for the adequate design of local street systems; and coordinates with the existing street patterns of the area.

Policy TE-1.4 The City shall require dedication or condemnation of future rights-of-way for major components of the overall transportation network designated in the City's Comprehensive Plan when development takes place in a previously undeveloped area and when such future rights-of-way traverse or abut the property to be developed. Furthermore, with respect to S.R. A1A, the

City shall take steps to protect and preserve right-of-way to comply with the Maximum Through Lane Standards as described in the Florida Transportation Plan by using such strategies as building setback requirements, donation/dedication of right-of-way by developers, advance right-of-way acquisition, or enactment of a right-of-way protection ordinance.

Policy TE-1.5 The City shall continue to implement its policy of consideration of bicycle and pedestrian ways in the planning of transportation facilities by requiring such routes alongside principle city streets where economically feasible and safe.

Policy TE-1.6 At any time that a roadway within the City attains an existing level of service "F" condition, the City shall apply an "interim" level of service standard based upon the City's commitment to maintain and not permit further degradation of operating conditions on said roadway, and also based upon City adoption of a strategy and timetable to enhance the operating conditions of said roadway.

Policy TE-1.7 The City shall continue to implement its strategy to control access of driveways and roads to S.R. A1A and South Patrick Drive; techniques utilized include limiting the issuance of access and connection permits to the minimum necessary to provide safe access; using shared access points; using frontage roads; or locating access points to parcels with frontage along two or more roadways on the roadway of lower functional classification.

Policy TE-1.8 The City shall continue to monitor the traffic on Pine Tree and Banana River Drives.

Policy TE-1.9 The City shall work with the TPO to establish transportation demand management programs to modify peak hour travel demand and reduce the number of vehicle miles traveled per capita within the City and the area.

Policy TE-1.10 The City shall work with the TPO, the County Office of Emergency Management, and FDOT to insure the timely and safe evacuation of its residents during hurricanes or other disasters.

Policy TE-1.11 The City shall continue to participate in the county-wide proportionate fair share ordinance as a method for assessing developers for transportation improvements.

Policy TE-1.12 The City shall continue to plan and provide for sidewalks/pedways which link neighborhoods to bus stops.

Policy TE-1.13 The City shall support a multi-modal transportation system which provides for a safe, convenient, and energy efficient system.

Policy TE-1.14 The City shall continue to coordinate with the State, County, and adjacent municipalities in the provision of bikeway and pedway facilities.

Policy TE-1.15 The City shall work with Brevard County and the TPO to provide for adequate and affordable public transportation choices.

Policy TE-1.16 The City shall continue to add bicycle and pedway facilities to roadways within the City as funding becomes available.

Objective TE-2: As development takes place in conjunction with the Future Land Use Plan, the transportation system of such development shall be coordinated with the overall transportation network for the City to insure that existing and proposed population densities, housing and employment patterns, and land uses are consistent with the transportation modes and services proposed to serve these areas. The measure of this objective is the degree to which the following policies are implemented.

Policy TE-2.1 The City shall implement its policy or requiring all new developments within the City to prepare a transportation plan that illustrates adequate access to the City transportation system; provides for the adequate design of local street systems; and coordinates with the existing street patterns of the area.

Policy TE-2.2 The City shall require dedication or condemnation of future rights-of-way for major components of the overall transportation network designated in the City's Comprehensive Plan when development takes place in a previously undeveloped area and when such future rights-of-way traverse or abut the property to be developed. Furthermore, with respect to S.R. A1A and South Patrick Drive, the City shall take steps to protect and preserve right-of-way to comply with the Maximum Through Lane Standards as described in the Florida Transportation Plan by using such strategies as building setback requirements, donation/dedication of right-of-way by developers, advance right-of-way acquisition, or enactment of a right-of-way protection ordinance.

Policy TE-2.3 The City shall continue to implement its policy of consideration of bicycle and pedestrian ways in the planning of transportation facilities.

Objective TE-3: The City shall work with the TPO, Brevard County and FDOT to assure that the plans and programs of these entities effectively interrelate. The measurement of this objective shall be the degree to which the following policy is implemented.

Policy TE-3.1 The City shall work with the Florida Department of Transportation, Brevard County, the Space Coast Transportation Planning Organization, and any other appropriate transportation planning bodies to assure the necessary exchange of information to coordinate the plans and programs of all the agencies involved as they relate to the overall transportation network within the City.

Objective TE-4: The City shall protect existing and future rights-of-way from encroachment. The measurement of this objective is the lack of encroachment on existing and future rights-of-way and the degree to which the following policy is implemented.

Policy TE-4.1 The City shall require dedication or condemnation of future rights-of-way for major components of the overall transportation network designated in the City's Comprehensive Plan when development takes place in a previously undeveloped area and when such future rights-of-way traverse or abut the property to be developed. Furthermore, with respect to S.R. A1A, the City shall take steps to protect and preserve right-of-way to comply with the Maximum Through Lane Standards as described in the Florida Transportation Plan by using such strategies as building setback requirements, donation/dedication of right-of-way by developers, advance right-of-way acquisition, or enactment of a right-of-way protection ordinance.

Objective TE-5: The City shall continue to annually coordinate with and provide input to the Brevard County Space Coast Area Transit Agency to assure that there is the provision of efficient public transit services based upon existing and proposed major trip generators and attractors, safe and convenient public transit terminals, land uses, and the accommodation of the special needs of the transportation disadvantaged. The measure of this objective shall be the degree to which the following policies are implemented:

Policy TE-5.1 The City shall utilize its representatives who sit on the TPO Technical Advisory Committee and the TPO representative from the South Beaches Coalition to provide information and discussion of transit related issues in order to have a more efficient service.

Policy TE-5.2 The City shall, on an annual basis, provide input to the Space Coast Area Transit Agency regarding the needs of its residents with respect to land use, existing and proposed major trip generators and attractors and the special needs of the transportation disadvantaged.

Policy TE-5.3 The City shall work with the Space Coast Transit Agency and the TPO to assure that there are safe and convenient public transit terminals to serve the system.

Policy TE-5.4 The City shall work with the Space Coast Transit Agency to establish numerical indicators against which the achievement of the mobility goals of the City can be measured. Such numerical indicators include modal split, annual transit trips per capita, and automobile occupancy rates.

V. RECREATION AND OPEN SPACE

Goals, Objectives and Policies

Goal. The overall goal of the Recreation and Open Space Element is to assure that Indian Harbour Beach residents of all ages are provided with a system of facilities and programs to meet their needs for active and passive recreation.

Objective R-1: The City shall provide access to all of its identified recreation sites, including the Atlantic Ocean Beach and the Banana River. The measurement of this Objective is whether or not all citizens of the community have access to such sites, plus the degree to which the following Policies are implemented_

Policy R-1.1 The City shall continue with its current efforts to obtain additional public beach access points prior to total development of the area east of S.R. A1A.

Policy R-1.2 The City shall continue to investigate the feasibility of acquiring land on the Banana River to provide access to the River.

Policy R-1.3 The City shall continue to develop the Algonquin Park site as a community park.

Objective R-2: The City shall cooperate with other public and private entities in the provision of resources to meet recreation demands. The measurement of this Objective is the degree to which the following Policies are implemented.

Policy R-2.1 The City shall continue to provide access to the Banana River and Indian River by means of Oars & Padde Park, ~~encourage the development of the Cochran property which has access to the Banana River.~~

Policy R-2.2 The City shall work with County, State, and federal governments for funding and/or development of recreation facilities such as bikeways.

Policy R-2.3 The City shall require certain recreational facilities to be provided as a part of large developments.

Policy R-2.4 The City shall continue to work with Brevard County and the FDOT to extend the pedway along S.R. A1A.

Objective R-3: As deficiencies in recreational areas occur, the City shall seek new areas and facilities to overcome the deficiencies. The measurement of this Objective is the

degree to which the following Policies are implemented.

Policy R-3.1 The City shall monitor the need for additional recreational and open space areas. Currently, no deficiencies have been determined to exist. Should such deficiencies occur, the City will seek new areas to overcome the deficiencies.

Policy R-3.2 The City shall promote the enhancement and preservation of existing recreational facilities and strive to prevent their being converted to other than recreational uses in the future.

Policy R-3.3 The City hereby adopts the following recreational level of service standards: 4.5 acres/1000 population for overall parkland; one acre/1000 population for the provision of public open space.

VI. HOUSING

Goals, Objectives and Policies

Goal. Assure that existing and future residents of the City of Indian Harbour Beach have safe and sanitary housing at an affordable price.

Objective H-1: The City shall continue to periodically review and update the regulations and limitations regarding housing construction in the different zoning districts of the City in order to maintain and/or upgrade existing standards of housing in terms of floor space, lot size, etc. The measurement of this objective is the actual review and update of these regulations, plus the degree to which the following Policies are implemented.

Policy H-1.1 The City shall continue to periodically review and update the regulations and limitations regarding housing construction.

Policy H-1.2 The City shall continue to adopt its updates to the Florida Building Code, the Standard Housing Code, the Excavation and Grading Code, the Amusement Device Code, the Standard Unsafe Building Abatement Code, the National Electric Code and similar codes within one (1) year after code standards are issued.

Objective H-2: The City shall work with the public and private sectors to assure adequate and affordable housing for the existing population, anticipated population growth, and households with special needs. The measurement of this objective is the adequacy of housing to meet the aforementioned needs and the degree to which the following Policies are implemented.

Policy H-2.1 The City shall continue to work with private and non-profit sectors to improve coordination among participants involved in housing production.

Policy H-2.2 The City shall continue to periodically review the regulatory and permitting process and will improve it as deemed necessary.

Policy H-2.3 The City shall continue to utilize existing and updated standards addressing the quality of housing, stabilization of neighborhoods and identification of historically significant housing (should any be identified within the City).

Policy H-2.4 The City shall continue to allow the housing market to operate according to the free enterprise system.

Objective H-3: The City shall work towards the prevention and/or elimination of substandard housing conditions and towards the structural and aesthetic improvement of existing housing. The measurement of this objective is the quality of the housing stock within the City, plus the degree to which the following Policies are implemented.

Policy H-3.1 In order to minimize the amount of substandard housing, the City shall continue to enforce its adopted building and housing codes.

Policy H-3.2 The City shall continue to utilize existing and updated principles and standards to guide conservation, rehabilitation and demolition techniques and strategies to upgrade housing within the City.

Objective H-4: The City shall continue to investigate the possibility of providing adequate sites for low and moderate income families and for mobile homes. The measurement of this objective is whether such sites are identified plus the degree to which the following Policies are implemented.

Policy H-4.1 The City shall continue to encourage fair housing practices.

Policy H-4.2 The City shall continue to cooperate with the Brevard County Housing Authority under the Section 8 Rental Assistance Program for low and moderate income families.

Policy H-4.3 The City shall develop principles and criteria guiding the location of housing for low and moderate income families, including supporting infrastructure and public facilities.

Objective H-5: The City shall work towards identifying adequate sites in residential areas or areas of residential character for group homes and foster care facilities licensed or funded by the Florida Department of ~~Children and Families Health and Rehabilitative Services~~. The measurement of this objective is the number of sites available for such facilities and the degree to which the following Policies are implemented.

Policy H-5.1 The City shall permit group home facilities and foster care facilities as defined by the ~~State of Florida, Department of Children and Families Health and Rehabilitative Services~~, in residential districts within the City.

Policy H-5.2 The City shall continue to review, and update as needed, principles and criteria guiding the location of group homes and foster care facilities, including supporting infrastructure and public facilities.

Policy H-5.3 The City shall continue to establish principles and criteria as needed for guiding the location of group homes and foster care facilities licensed or funded by the Florida Department of ~~Health and Rehabilitative Services~~ Children and Families which foster nondiscrimination, and encourage the development of community residential alternatives to institutionalization including supporting infrastructure and public facilities.

Objective H-6: The City shall continue to work towards the conservation and rehabilitation of housing, including the identification of historically significant housing and the demolition of dilapidated housing. The measurement of this objective is the quality of the housing stock and the degree to which the following Policies are implemented.

Policy H-6.1 The City shall continue to enforce its building and housing codes and update these codes as necessary.

Policy H-6.2 The City shall continue to utilize existing and updated principles and standards to guide conservation, rehabilitation and demolition techniques and strategies to upgrade housing with the City.

Policy H-6.3 Should housing in the City obtain historical significance, the City shall identify such housing and work with the owner and historic preservation agencies to preserve it.

Policy H-6.4 When Brevard County establishes a Local Register of Historic Places, the City shall periodically exchange information with that agency relative to any potential historic places in Indian Harbour Beach.

Objective H-7: The City shall provide necessary relocation housing. The measurement of this objective is the provision of relocation housing, as needed.

Policy H-7.1 If and when housing is eliminated by City action, relocation housing and/or assistance shall be provided by the City as required by the Florida Statutes.

Objective H-8: The City shall continue the formulation of housing implementation programs. The measurement of this objective is the end product and the degree to which the following Policy is implemented.

Policy H-8.1 The City shall continue to investigate various housing implementation programs in order to formulate such programs for Indian Harbour Beach.

Policy H-8.2 The City will continue to address its affordable housing needs and coordinate with Brevard County and the mainland cities to help provide for meeting the need.

Policy H-8.3 The City will coordinate with Brevard County, the Housing Authority, other governmental jurisdictions and the private sector for housing the special needs population groups including the establishment of criteria for guiding the location of housing for the very-low income, the low income and the moderate income households.

Objective H-9: The City shall continue to encourage a variety of housing types within the City, to provide for the varied life-styles and needs of existing and future residents, and the City shall promote housing policies that reflect sound land use principles and development practices. The measurement of this objective is the extent to which housing variety occurs within the City and the extent to which housing policies reflect sound land-use principles and development practices, plus the degree to which the following Policies are implemented.

Policy H-9.1 The City shall continue to encourage attractive well-planned residential developments such as Planned Unit Developments to provide a variety of housing types and cost ranges.

Policy H-9.2 The City shall continue to encourage housing development for owner-occupied units.

Policy H-9.3 The City shall continue to promote single-family and other low density housing types to balance the high-density residential development in the community.

Policy H-9.4 The City shall continue to encourage innovative housing development and creative residential land use arrangements through the development regulation process.

Objective H-10: The City shall continue to insure that all housing development is adequately served by private and public facilities and services to meet the needs of its population. The measurement of this objective is the extent to which new development is served by private and public facilities and the degree to which the following Policies are implemented.

Policy H-10.1 Residential locations shall continue to be established in accordance with the goals, objectives and policies of the Sanitary Sewer, Drainage, Solid Waste, Potable Water and Natural Groundwater Aquifer Recharge Element.

Policy H-10.2 The City shall continue to require large scale residential development to provide an adequate range of services and facilities in accordance with the character of the development, and reduce the direct or indirect cost to the public sector of providing such services and facilities.

Policy H-10.3 The City shall continue to require developers to install infrastructure to serve new development. Such infrastructure will include sanitary sewer lines, potable water lines, drainage facilities, and streets.

Objective H-11: The City shall continue to encourage a supply of housing in the City to meet the needs of existing and future residents, especially those of lower incomes and/or with special housing needs. The measurement of this objective is the extent to which housing needs are met for the general populace, lower income families and those with special needs, plus the degree to which the following Policies are implemented.

Policy H-11.1 The City shall continue to encourage housing starts sufficient to meet the needs of the City.

Policy H-11.2 The City shall continue to communicate with Brevard County, the Housing Authority, and the City of Melbourne to coordinate Federal, State and local resources to increase the supply of affordable housing, if economically feasible, to low and moderate income households and elderly/handicapped residents.

Objective H-12: The City shall protect existing and future neighborhoods from impacts that would negatively affect the quality of the residential environment, and where such impacts exist, take corrective actions, as feasible. The measurement of this objective is the extent to which negative impacts are minimized and the degree to which the following Policies are implemented.

Policy H-12.1 The City, through the Local Planning Agency, shall continue to implement a neighborhood conservation plan to specifically address the existing and future character of neighborhoods and provide input into other plan elements, especially the Land Use Element.

Policy H-12.2 The City shall continue to enforce the housing code to reduce existing and possible future housing deterioration and to protect existing neighborhoods from potentially blighting influences.

Policy H-12.3 The City shall continue to utilize the Land Use Element principles to protect residential neighborhoods from incompatible land uses.

Objective H-13: The City shall continue to encourage equal housing opportunities for all persons regardless of age, sex, race, religion or ethnic background. The measurement of this objective will be the degree to which the following Policies are implemented.

Policy H-13.1 In cooperation with areawide agencies, the City shall continue to enforce the local fair housing ordinance.

Policy H-13.2 The City shall continue to encourage the private housing development sector to establish positive measures to expand housing opportunities to all segments of the population of the metropolitan area in which Indian Harbour Beach is located.

Objective H-14: The City shall promote Green Building Standards for new development and redevelopment projects.

Policy H-14.1 The City shall continue to encourage low density residential development along the Banana and Indian Rivers to help protect them and preserve the quality of life.

Policy H-14.2 The City shall promote the use of renewable energy resources in all new and redevelopment construction.

Policy H-14.3 The City shall encourage the appropriate placement of solar panels.

Policy H-14.4 The City shall continue to enforce the energy saving requirements of the Florida Building Code.

Policy H-14.5 The City shall encourage Leadership in Energy and Environmental Design (LEED) standards in development and redevelopment projects.

VII. LAND USE

Goals, Objectives and Policies

Goal. The overall future land use goal for the City of Indian Harbour Beach is to maintain community character through a viable predominantly-residential community supported by adequate business services and small light industrial uses.

Objective LU-1: The City shall coordinate future land uses with the appropriate topography, soil conditions, and the availability of facilities and services. The measurement of this objective is the coordination of land uses with the above parameters and the degree to which the following policies are implemented.

Policy LU-1.1 The City shall continue to require soil borings before development takes place to assure that the soil is capable of bearing the structure(s) proposed.

Policy LU- 1.2 The City shall continue to require developers to provide for the local sanitary sewer and water systems to serve their developments.

Policy LU-1.3 The City shall continue to require developers to provide for the following on-site infrastructure improvements for their projects: drainage and stormwater management, open space, safe and convenient traffic flow, and vehicle parking.

Policy LU-1.4 The City shall continue to apply adopted level of service standards to a proposed development before allowing the development to take place.

Objective LU-2: Should blighted areas occur, the City shall work toward redevelopment or renewal of such areas. The measurement of this objective is the continuing lack of blighted areas and the degree to which the following policy is implemented.

Policy LU-2.1 The City shall continue to enforce its housing and building codes in an effort to prevent any blighted areas.

Objective LU-3: The City shall continue to work toward the elimination, reduction, or protection of uses inconsistent with the community's predominantly residential character and future land uses. The measurement of this objective is the consistency and compatibility of land uses within the City and the degree to which the following policies are implemented.

Policy LU-3.1 The City shall continue to enforce its various ordinances which regulate the land use categories included on the future land use map (Zoning Ordinance), subdivisions (Subdivision Regulations), signage (Sign Ordinance), and areas subject to seasonal or periodic flooding (Federal Flood Insurance Program Regulations).

Policy LU-3.2 The City shall continue to require new development to be compatible with adjacent land uses.

Policy LU-3.3 The City shall continue to enforce its requirements pertaining to densities and intensities of land use in each land use category--i.e.

- A. R-1AAA, Single-Family Residential: maximum 2.5 units/acre.
- B. R-1AA, Single-Family Residential: maximum 3.1 units/acre.
- C. R-1A, Single-Family Residential: maximum 4.3 units/acre,
- D. R-2, Multi-Family, Low-Density: maximum 7 units/acre.
- E. R-3, Multi-Family, Medium-Density: maximum 15 units/acre.
- F. Commercial: limit commercial uses to 40% lot coverage and a height limitation of 35 feet. Allow Mixed-Use Development of commercial/professional and residential use not to exceed 15 dwelling units per gross acre. Up to 60% of the site can be used for residential density calculation. Total new residential development associated with Mixed-Use Development within the City shall not exceed 427 units.
- G. Light-Industrial: Not to permit additional use beyond the existing approximate 18.19 acres.
- H. The zoning regulations impose various restrictions on institutional and commercial land uses.

Policy LU-3.4 The City shall continue to strive to reduce, eliminate, or prevent existing or proposed land uses which are clearly incompatible with the primarily residential character of the community through the application of principles, criteria, and regulations contained in the Comprehensive Plan and applicable portions of the City Code.

Objective LU-4: The City shall continue to enforce regulations for the protection of natural resources and historic resources.

Policy LU-4.1 The City shall continue to enforce Land Development Regulations which protect environmentally sensitive wetlands. These regulations shall define method of determination; permitted and prohibited uses; and mitigation measures. The City will, also, continue to strictly enforce its land clearing and tree protection ordinance and its landscaping ordinance.

Policy LU-4.2 The City shall continue to maintain a file for historically significant properties, and these shall be designated as such and protected.

Policy LU-4.3 The City shall continue to maintain a file which identifies the location of archaeological sites. This file shall be used to cross-check against locations of proposed development before the issuance of a development order.

Objective LU-5: The City shall continue to coordinate coastal area population densities with the local hurricane evacuation plan. The measurement of this objective is the density of population in the coastal area and the degree to which the following policy is implemented.

Policy LU-5.1 The City shall not increase the net density or intensity of land use within the coastal high-hazard area which shall be those areas below the elevation of the Category 1 storm surge elevation as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model as defined in Chapter 163, F.S.

Objective LU-6: The City shall continue to attempt to prevent urban sprawl. The measurement of this objective is the extent to which urban sprawl is prevented and the degree to which the following policy is implemented.

Policy LU-6.1 The City shall continue to work toward appropriate development on infill parcels.

Objective LU-7: The City shall continue to ensure the availability of suitable land for utility facilities necessary to support proposed development. The measurement of this objective is the availability of land for utility facilities.

Policy LU-7.1 The City shall continue with its policy of requiring developers to provide local sanitary sewer and water lines at the time of development.

Policy LU-7.2 The City shall continue to cooperate with the City of Melbourne for locating and obtaining land for additional water facilities if they are required to be located within Indian Harbour Beach at some future date.

Policy LU-7.3 The City shall continue to cooperate with the Brevard County Water Resources Department for locating and obtaining land for additional sanitary sewer facilities which may be required to be located within the City at some future date.

Objective LU-8: The City shall continue to work toward the use of innovative land development regulations. The measurement of this objective is the extent to which innovative land development techniques are allowed and the degree to which the following policy is implemented.

Policy LU-8.1 The City shall continue to allow planned unit developments (PUD's) with proper review.

Objective LU-9: The City shall continue to allow schools in the Commercial and Institutional land use categories.

Policy LU-9.1 The City shall work with the School Board to collocate schools with libraries, parks, and community centers.

Objective LU-10: The City shall promote the preservation of neighborhood characteristics that encourage pedestrian and bicycle use and which have access to public transit routes.

Policy LU-10.1 The City shall continue to allow where feasible medium-high density development near streets served by public transit.

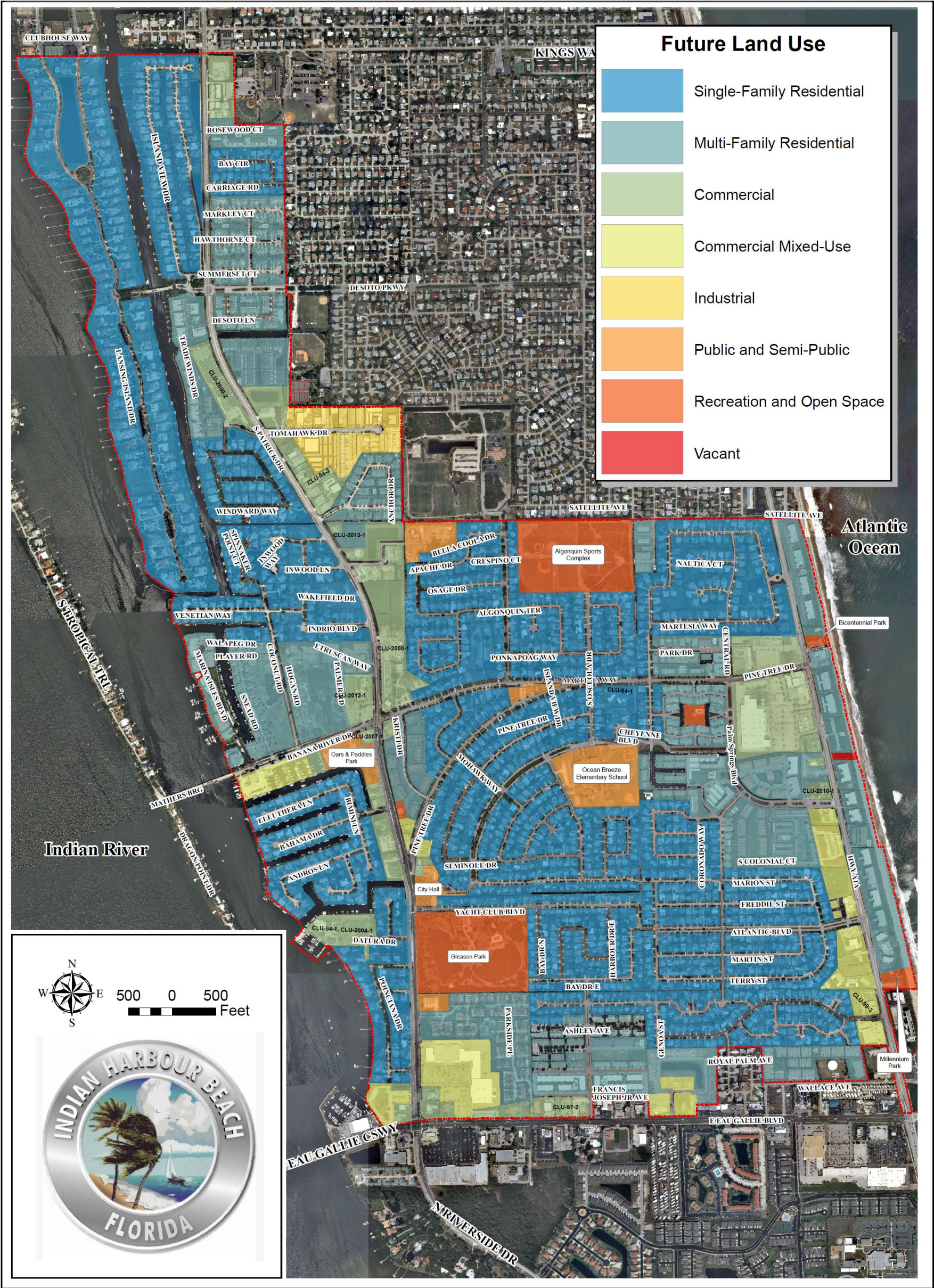
Policy LU-10.2 The City shall continue to encourage low density residential development along the Banana and Indian Rivers to help protect them and preserve the quality of life in the City.

Policy LU-10.3 The City shall encourage developers to utilize the City's mixed use land development category within the ~~DCA~~Department of Economic Opportunity approved areas.

Policy LU-10.4 The City shall review Conservation Element objectives and policies for consistency when development proposals are submitted for approval.

Policy LU-10.5 The City shall encourage older developed commercial areas to add landscape areas if feasible.

City of Indian Harbour Beach - Future Land Use Map 2029



VIII. CAPITAL IMPROVEMENTS

Goals, Objectives and Policies

Goal. The overall goal for the Capital Improvements Element of the City of Indian Harbour Beach is to provide a program to coordinate the timing and to prioritize the provision of capital improvements which support the goals, objectives and policies of the City's Comprehensive Plan and encourage efficient and fiscally sound utilization of public facilities; this includes the principle that the Capital Improvements Element is to serve as a tool for decision making by the City government.

Objective CI-1: The City shall continue to utilize the Capital Improvements Element as a tool to ensure that capital facilities are made available in a timely manner to satisfy existing deficiencies, accommodate infrastructure needs for planned future growth, and replace obsolete or worn-out facilities. The measurement of this Objective is the degree to which the following Policies are implemented.

Policy CI-1.1 The City shall annually revise and adopt its Five-Year Schedule of Capital Improvements consistent with Chapter 163, F.S. ~~and Rule 9J-5~~ requirements including the assessment of its public facility needs in order to achieve and maintain the City's adopted level of service standards.

Policy CI-1.2 The City shall continue to provide for the correction of existing facility deficiencies in a timely manner.

Policy CI-1.3 The City shall continue to accommodate the public facility needs of new growth on an ongoing basis.

Policy CI-1.4 The City shall continue to evaluate public facilities necessary to correct existing deficiencies and to provide for future growth by determining the capacity of existing and planned facilities to meet the needs of new development. This evaluation shall employ the level of service standards adopted in the Comprehensive Plan for sanitary sewer, traffic circulation, drainage, recreation and open space. These level of service standards are as follows:

A. Recreation and Open Space:

Parks:	4.5 acres/1000 population for all parks.
Open Space:	One acre/1000 population.

B. Sanitary Sewer: (1) 200 gal/residential unit per/day
(2) 200 gal/equivalent residential unit/day

- C. Drainage: retention of the first inch of rainfall on site for new developments, and designed for the 25 year 24 hour storm event.
- D. Solid Waste: 8.32 lbs/capita/day for disposal standard
- E. Traffic Circulation/Transportation: minimum level of Service "E", with desired level of service "C" for City maintained streets and level of service "D" for State maintained roadways, plus use of "interim" LOS Standard in event of "F" condition.
- F. Potable Water: Consumption standard: (1) 100 gal/capita/day
(2) 100 gal/capita/equivalent
residential unit/day
- G. Public School Facilities: The latest adopted Tiered LOS and Financially Feasible Plan to Achieve 100% LOS as referenced in Policy 1.1 of PSFE Goals, Objectives and Policies

Policy CI-1.5 The City shall continue to employ the usual policies and procedures of its legislative, administrative and fiscal system to ensure that the City's share of funds for the capital improvements specified in the Capital Improvements Schedule and Budget and included in the Annual Capital Improvements Budget are identified, made available, authorized, appropriated, and expended for the intended purposes.

Policy CI-1.6 The City shall utilize criteria for ranking improvements. Such criteria will include consideration of the elimination of public hazards; the elimination of existing capacity deficits; local budget impact; locational needs; accommodation of new development redevelopment facility demands; financial feasibility; and plans of State agencies and water management districts that provide public facilities within the City.

Policy CI-1.7 The City shall continue to allocate costs of new public facilities according to benefits received by existing and future residents.

Objective CI-2: The City shall adopt an Annual Capital Improvements Budget as a part of its annual budgeting process which is consistent with the Capital Improvements Schedule and Budget of this Element. The measurement of this Objective is the extent to which it is accomplished and the degree to which the following Policies are implemented.

Policy CI-2.1 Before including an item from the Capital Improvements Schedule of the Comprehensive Plan in the annual Capital Improvements Budget, the City shall continue to ascertain that the item is still needed; that specific funding has been identified and will be available when needed; and that the project is on schedule for commencement during the year in questions.

Policy CI-2.2 The City shall continue to re-evaluate all of its capital improvement needs before finalizing its Annual Capital Improvements Budget to assure that all required capital improvements for the year in question, including, but not limited to those contained in the Capital Improvements Schedule of the Comprehensive Plan, are incorporated in said Annual Capital Improvements Budget.

Policy CI-2.3 The City shall continue to adhere to the following debt management criteria: the ratio of total debt service to total revenue shall not exceed .1, or 10%; the ratio of total capital debt to the taxable portion of the tax base shall not exceed .1, or 10%; there shall be no limitation on the use of revenue bonds as a percentage of bonded debt.

Objective CI-3: The City shall continue to utilize its adopted level of service standards as one criterion for land-use decisions. The measurement of this objective is the degree to which the following Policies are implemented.

Policy CI-3.1 The City shall continue to ensure that updated level of service standards are used in this process.

Policy CI-3.2 The City shall continue to ensure that the level of service standards are stated in such a way that they can be realistically applied to the land-use approval/disapproval process.

Objective CI-4: The City shall continue to provide the public facilities required for developments approved prior to the adoption of the Comprehensive Plan; the City shall continue to ensure that the established level of service standards are met by public facilities required for future growth and redevelopment and that new growth pays for its fair share of these facility costs. The measurement of this objective is the degree to which the criteria of the Objective are met plus the extent to which the following Policies are implemented.

Policy CI-4.1 The City shall continue to utilize its system of developer exactions to help raise funds for growth generated transportation facility improvements and other such capital improvements.

Policy CI-4.2 The City shall continue to require that developers provide the on-site facilities for sanitary sewer, water, drainage, and transportation for their developments.

Policy CI-4.3 The City shall continue to participate in the County impact the program.

Objective C1-5: The City shall continue to limit public expenditure of funds which subsidize development in high hazard areas. The measurement of this objective is the degree to which such expenditures are limited plus the extent to which the following Policies are implemented.

Policy CI-5.1 The City shall continue to require developers in high hazard coastal areas to provide sanitary sewer, water, drainage, and circulation facilities for new development, thereby reducing the amount of public funds needed for such improvements.

Policy CI-5.2 The City shall continue to insure that prior to City approval all proposed development for high hazard coastal areas meet the applicable regulatory requirements.

Objective CI-6: The City shall maintain a concurrency management system to ensure that public facilities and services to support development are available concurrent with the impact of development.

Policy CI-6.1 For sanitary sewer, solid waste, drainage, and potable water facilities, at a minimum, the City shall meet the following standards to satisfy the concurrency requirements:

1. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy, the necessary facilities and services, including adequate water supplies, are in place and available to serve the new development; or
2. At the time the development order or permit is issued, the necessary facilities and services, including adequate water supplies, are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place and available to serve new development ~~the time-at~~ the time of the issuance of a certificate of occupancy. {Section 163.31 80(2)(a), Florida Statutes}

3. The City shall consult with the City of Melbourne prior to the issuance of a building permit to determine whether an adequate water supply to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy.

Policy CI-6.2 For parks and recreation facilities, at a minimum, the City shall meet the following standards to satisfy the concurrency requirement:

1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or
2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the City, or funds in the amount of the developer's fair share are committed; and
 - a. A development order or permit issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy as provided in the adopted City's 5-year schedule of capital improvements; or
 - b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a certificate of occupancy; or
 - c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. ~~to be in place or under actual construction not more than one year after issuance of a certificate of occupancy. [Section 163.3180(2)(b), Florida Statutes]~~

Policy CI-6.3 Transportation facilities (roads and mass transit designated in the adopted City Comprehensive Plan), at a minimum, the City shall meet the following standards to satisfy the concurrency requirement:

1. At the time a development order or permit is issued, the necessary facilities and services are in place or under construction; or

2. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy as provided in the City's five-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program. Transportation projects listed in the CIE schedule shall include the following:
 - a. The estimated date of commencement of actual construction and the estimated date of project completion.
 - b. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or mass transit facility or service and which is listed in the five-year schedule of capital improvements; or
3. At the time a development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after the issuance of a certificate of occupancy; or
4. At the time a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. ~~, to be in place or under actual construction not more than three years after issuance of a certificate of occupancy. [Section 163.3180(2)(c), Florida Statutes]~~

Objective CI-7: The City shall work with the School Board to ensure that capital improvements are provided, when needed, to maintain the adopted Level of Service standards for public schools, to meet the future public school facility needs of the City.

Policy CI-7.1: By December of each year, the City shall adopt as part of its Capital Improvement Element the School Board of Brevard County's Five-Year Work Program. The City hereby adopts by reference the School Board of Brevard County's Five-Year Work Program for the planning period 2017-18 through 2021-22, approved as part of the School District Budget including planned facilities and funding sources to ensure a financially feasible capital improvements program and to ensure the level of service standards will be achieved by the end of the five-year period. This Program includes the latest

School Board Data and Analysis and the latest Tiered LOS Standards for the Planning Period.

CITY OF INDIAN HARBOUR BEACH SCHEDULE OF CAPITAL IMPROVEMENTS

Project No.	Project Name	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Total Project Cost	Consistency With Other Plan elements
	Transportation							
	Buildg. Infrastructure Police Hdqtrs.	\$130,000	\$3,780,000				\$3,910,000	See Obj. CI-1
	School District Five- Year Work Program by Reference 1							See PSFE Policy 4.1
	Sanitary Sewer							
	Solid Waste							

Amended by Ord. 2019-03 ~~2010-16~~
6/11/2019 ~~10/16/2010~~

	Retention/Baffle Bxs. Canal Dredging Drainage	\$200,000 \$150,000 \$216,200	\$150,000 \$216,200	\$216,200	\$8,000,000 \$216,200	\$216,200	\$ 200,000 \$8,300,000 \$1,081,000	See Infrastructure Policy D-2.3
	Potable Water							
	Parks and Recreation							See Rec. and Open Space Obj. R-2 Pol. R-2.2

Note: 1 School Board Projects funded by the School Board

Amended by Ord. 2019-03 2010-16
6/11/2019 10/16/2010

IX. PUBLIC SCHOOL FACILITIES ELEMENT

Goals, Objectives, and Policies

Goal. To provide a public school system that offers a high quality educational environment, provides accessibility for all of its students, and ensures adequate school capacity to accommodate enrollment demand within a financially feasible school district's five-year capital facilities work program.

Objective PSFE-1: Maintain adequate school facilities in Brevard County Schools by adopting a concurrency management system to address the need for correction of school facility deficiencies through a tiered level of service for the short and long term planning periods.

Policy PSFE-1.1 The City hereby adopts the following tiered Level of Service (LOS) standards for public schools, based upon permanent FISH capacity, which shall address the correction of existing school facility deficiencies. Upon achieving the LOS standard of 100% of Permanent FISH capacity by school year 2011-2012, the tiered LOS will be terminated.

TIERED LEVEL OF SERVICE - SCHOOL YEAR 2007-08 to 2011-12					
Facility Type	2007-08	2008-09	2009-10	2010-11	2011-12
Elementary Schools	127%	130%	115%	105%	100%
Middle Schools	122%	120%	100%	100%	100%
Junior / Senior High Schools	133%	135%	110%	105%	100%
High Schools	139%	130%	115%	100%	100%

Source: Brevard County School Board Staff - July 2008

Policy PSFE-1.2 The City hereby adopts the School Board's current public school attendance boundaries, as the Concurrency Service Areas (CSA).

Policy PSFE-1.3 Concurrency shall be measured and applied using a geographic area known as a Concurrency Service Area (CSA) which shall coincide with the school attendance boundaries, as adopted by the School District. Either the City or the School District may propose a change to the CSA boundaries. The following procedures shall be used for modifying a CSA map:

- A. The School District will transmit a proposed CSA map modification with data and analysis to support the change to the Cities, the County, and the

Capital Outlay Committee (COC). Any proposed change to a CSA shall require a demonstration by the School District that the change complies with the public school LOS standard and that utilization of school capacity is maximized to the greatest extent possible. Transportation costs, court approved desegregation plans, and other relevant factors shall be considered in order to maximize the utilization of school capacity to the greatest extent possible.

- B. The City and the COC will review the proposed modification of the CSA and send their comments to the School District within 45 days of receipt of the proposed change.
- C. The modification of a CSA shall be effective upon adoption by the School Board.

Policy PSFE-1.4 The Parties shall observe the following process for changes in the use of schools:

- 1. At such time as the School District determines that a school change is appropriate considering the appropriate use of the school and utilization requirements, the School District shall transmit the proposed school change in use and data and analysis to support the changes to the Capital Outlay Committee and the Staff Working Group.
- 2. The Capital Outlay Committee and the Staff Working Group shall review the proposed changes to the school use and send their comments to the School District within forty five (45) days of receipt.
- 3. The change in school use shall become effective upon final approval by the School Board.

Objective PSFE-2: The City shall ensure a school concurrency evaluation shall be performed by the Brevard County School District to review projected residential development in order to accommodate new students at the adopted level of service for adequate school facility capacity.

Policy PSFE-2.1 The City shall not approve any non-exempt residential development application for a new residential preliminary plat, site plan or functional equivalent until the School District School has issued a School Capacity Availability Determination Letter (SCADL) verifying available capacity.

Policy PSFE 2.2 The City shall consider the following criteria to exempt residential uses from the requirements of school concurrency:

Criteria:

- A. Single family lots of record existing at the time the Public School Facilities Element addressing school concurrency implementation becomes effective,
- B. Any new residential development that has a preliminary plat or site plan approval or the functional equivalent for a site specific development order prior to the commencement date of the School Concurrency Program.
- C. Any amendment to any previously approved residential development that does not increase the number of dwelling units or change the type of dwelling units (single-family to multi-family, etc.).
- D. Age restricted communities with no permanent residents under the age of 18. Exemption of an age restricted community will be subject to a restrictive covenant limiting the age of permanent residents to 18 years and older.

Policy PSFE-2.3 The City, through its land development regulations, and in conjunction with the School District, shall establish a school concurrency review process for all residential projects that are not exempt under Policy 2.2.

The minimum process requirements are described below:

- A. A residential development application including a School Impact Analysis (SIA) is submitted to the City for review.
- B. The City determines application is complete for processing and transmits the SIA to the School District for review.
- C. The School District reviews application for available capacity and issues a School Capacity Availability Determination Letter (SCADL) to the City:
 - 1. If capacity is available within the affected CSA, the School District shall issue a SCADL verifying available capacity.
 - 2. If capacity is not available within the affected CSA, contiguous CSAs are reviewed for available capacity.
 - 3. If capacity is available in the contiguous CSAs, the School District shall issue a SCADL verifying available capacity in the adjacent CSAs.
 - 4. If capacity is not available in the contiguous CSAs, the School District shall issue a SCADL indicating the development is not in compliance with the adopted LOS and offers the developer a 90-day negotiation period for

mitigation.

Policy PSFE-2.4 The City in conjunction with the School District shall review developer proposed applications for proportionate share mitigation projects to add the school capacity necessary to satisfy the impacts of a proposed residential development. Mitigation options may include, but are not limited to:

- A. Contribution of land or payment for land acquisition in conjunction with the provision of additional school capacity; or
- B. Mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits; or
- C. Donation of buildings for use as a primary or alternative learning facility; or
- D. Renovation of existing buildings for use as learning facilities; or
- E. Construction or expansion of permanent student stations or core capacity; or
- F. Construction of a public school facility in advance of the time set forth in the School District's Five-Year Capital Facilities Work Program.

Policy PSFE-2.5 For mitigation measures in Policy 2.4 (A) thru (F) above, the estimated cost to construct the mitigating improvement will reflect the estimated future construction costs at the time of the anticipated construction.

- A. Improvements contributed by the developer shall receive school impact fee credit.
- B. The cost difference between the developer's mitigation costs and the impact fee credit, if greater, shall be the responsibility of the developer.

Policy PSFE-2.6 The City and the School District shall provide a 90-day negotiation period to allow for the review and negotiation of proportionate share mitigation offers proposed by a developer.

Criteria:

- A. If mitigation is approved, the City and the School District enter into an enforceable binding agreement with the developer and the improvement(s) will be included in the School District's annually adopted Five-Year Capital Facilities Work Program and reflected in the next update to the Capital Improvements Element.

- B. If mitigation is denied, the City must deny application based upon no available school capacity.
- C. The City shall not issue any permits for a residential development until receiving confirmation of available school capacity in the form of a SCADL from the School District.

Policy PSFE-2.7 The City shall, upon acceptance of a mitigation option identified in Policy 2.4, enter into an enforceable binding agreement with the School District and the developer.

Policy PSFE-2.8 The City shall notify the School District when an approved residential development has paid impact fees and when the development order for the residential development expires.

Objective PSFE-3: Beginning with an effective date of 2008, all new public schools built within the City will be coordinated with the School District to be consistent with the City's Future Land Use Map designation to ensure facilities are proximate to appropriate existing and future land uses, serve as community focal points, are co-located with other appropriate public facilities, and will have needed supporting infrastructure.

Policy PSFE-3.1 The City, in conjunction with the School District, shall jointly determine the need for, and timing of, on-site and off-site improvements necessary to support a new school.

Policy PSFE-3.2 The City shall enter into an agreement with the School Board identifying the timing, location, and the party or parties responsible for the planning, constructing, operating, and maintaining off-site improvements necessary to support a new school or school improvement to ensure that the necessary infrastructure is in place prior to or concurrent with construction.

Policy PSFE- 3.3 The City shall encourage the location of schools near residential areas by:

- A. Assisting the School District in the identification of funding and/or construction opportunities (including developer participation or City capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements.
- B. Reviewing and providing comments on all new school sites including the compatibility and integration of new schools with surrounding land uses.
- C. Allowing schools within all residential land use categories.

Policy PSFE-3.4 The City, in conjunction with the School District, shall seek opportunities to co-locate schools with public facilities, such as parks, libraries, and community centers, as the need for these facilities is identified.

Policy PSFE-3.5 The City, in conjunction with the School District, hereby designates the Capital Outlay Committee (COC) as the monitoring group for coordinated planning and school concurrency in Brevard County.

Policy PSFE-3.6 ~~No later than December 1, 2008, the City shall adopt~~ continue to contain school concurrency provisions into its Land Development Regulations (LDR) to implement school concurrency. ~~In the interim, the City shall rely upon the policies in this adopted PSFE and the Interlocal Agreement to implement concurrency.~~

Policy PSFE-3.7 The City, in conjunction with the School District shall identify issues relating to public school emergency preparedness, such as:

The determination of evacuation zones, evacuation routes, and shelter locations.

The design and use of public schools as emergency shelters.

The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

Objective PSFE-4: Beginning with an effective date of 2008 and no later than December 1st of each year thereafter, the City shall include in its Capital Improvements Element (CIE), the School District's annually updated Five-Year Work Program, as adopted by the School Board in September of each year as a part of the School District Budget, which identifies school facility capacity projects necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standard for schools.

Policy PSFE-4.1 The City shall annually update the Capital Improvements Element to incorporate the School District's annually adopted Five-Year Work Program including planned facilities and funding sources to ensure a financially feasible Capital Improvements Program and to ensure the LOS standards will be achieved by the end of the five-year period.

Policy PSFE-4.2 The City shall annually coordinate review of school enrollment projections in conjunction with the School District and other local governments through the Capital Outlay Committee, and provide an annual update of the process, including the annual review of Public School Facilities Element and maintain a public school facilities map series which are

coordinated with the City's Future Land Use Map or Map Series, including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period. The Map Series shall include:

Existing Public School Facilities Maps - type and location of ancillary plants

Five-Year Planning Period Maps - generally planned public school facilities and ancillary plants

Policy PSFE-4.3 The City, in conjunction with the School District, shall coordinate the long range public school facilities map with its comprehensive plan and future land use map. The Map shall be included in the Map Series provided in Policy 4.2.

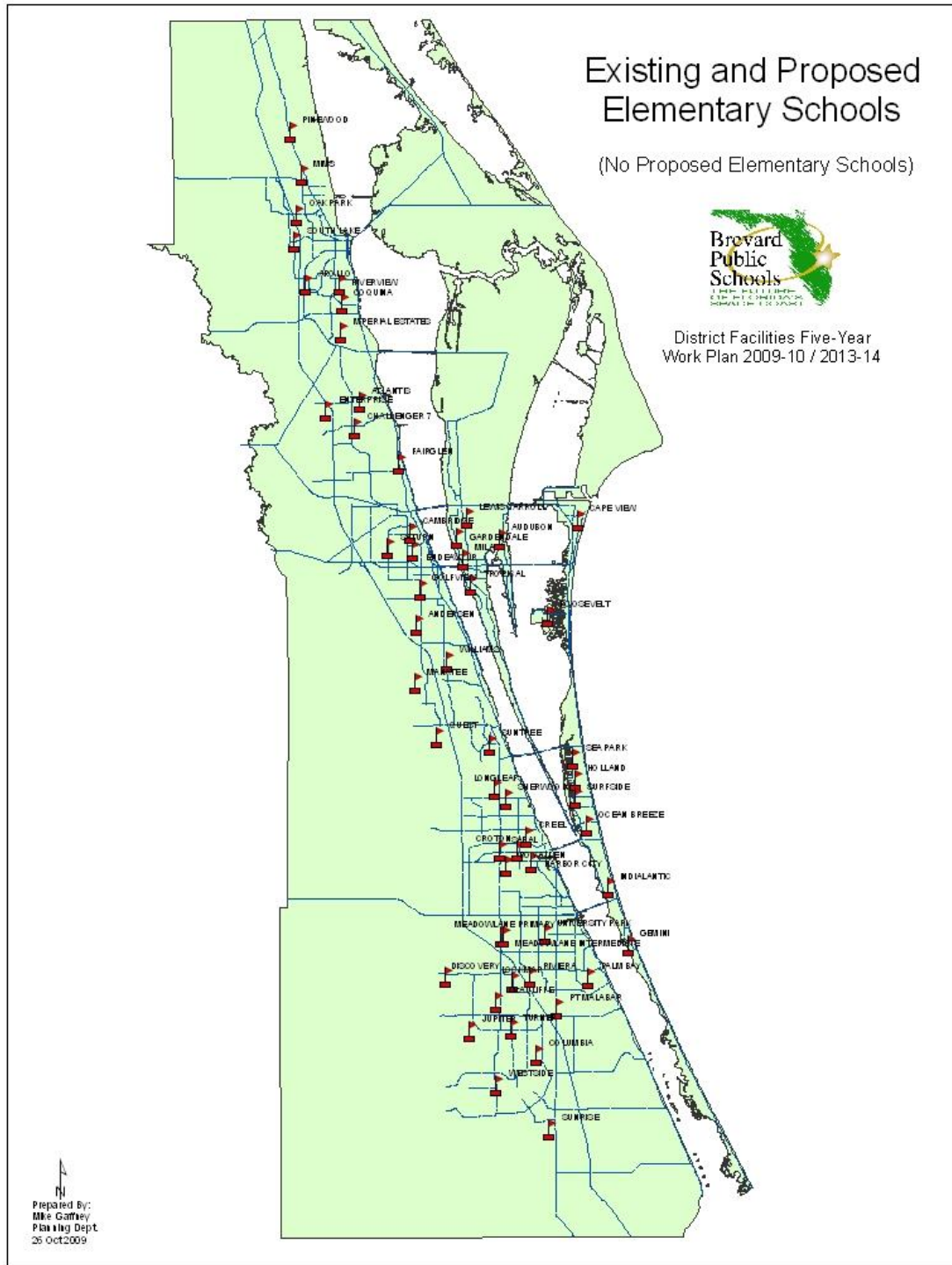
The Long Range Planning Period Map - generally planned areas of future public school facility needs.

EXHIBIT A

MAP SERIES

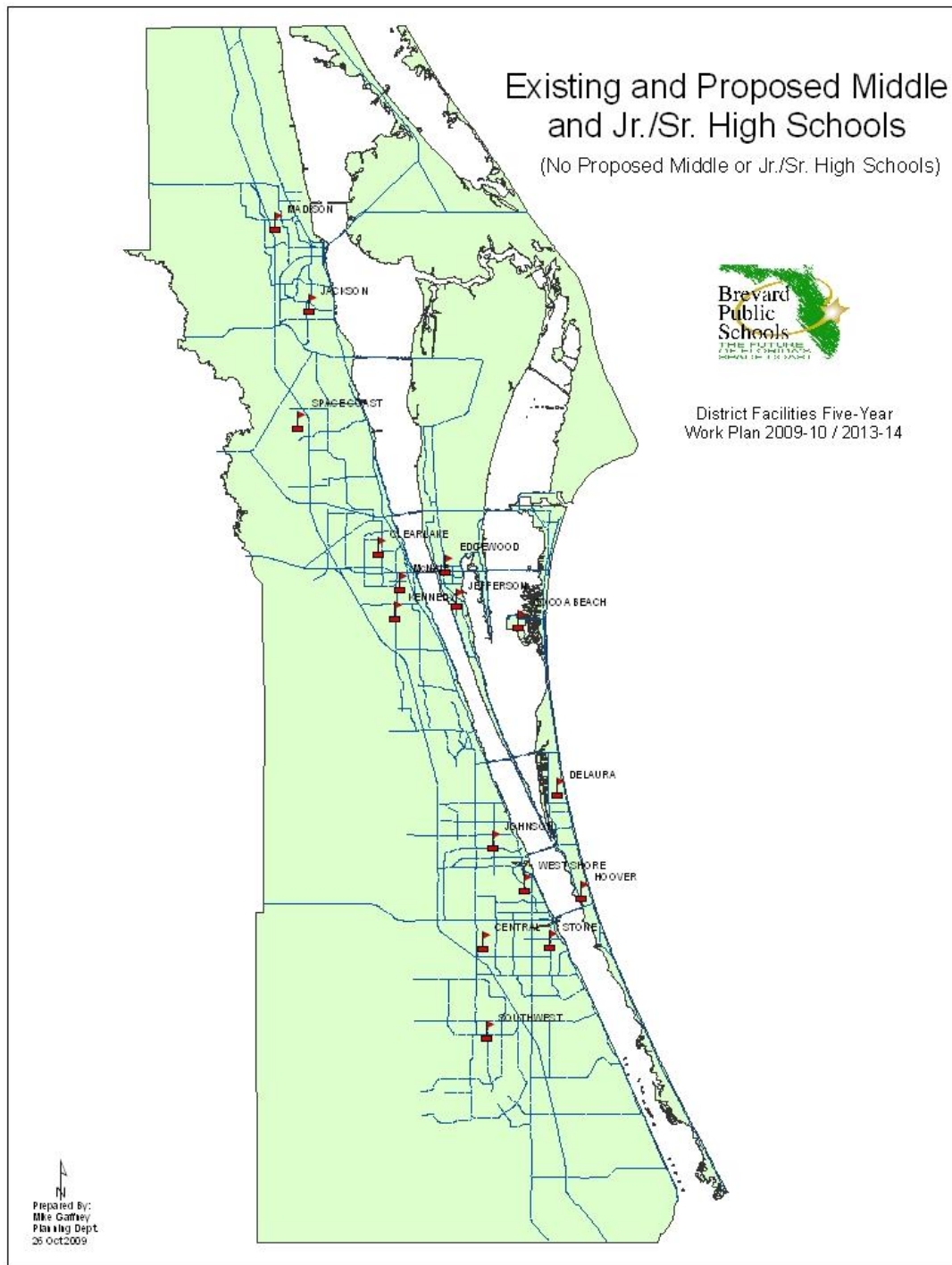
Figure 3a	Existing and Proposed Elementary Schools
Figure 3b	Existing and Proposed Middle and Jr/Sr High Schools
Figure 3c	Existing and Proposed Senior and Jr/Sr High Schools
Figure 4a	Existing Public School Facilities and Ancillary Plants

Figure 3a



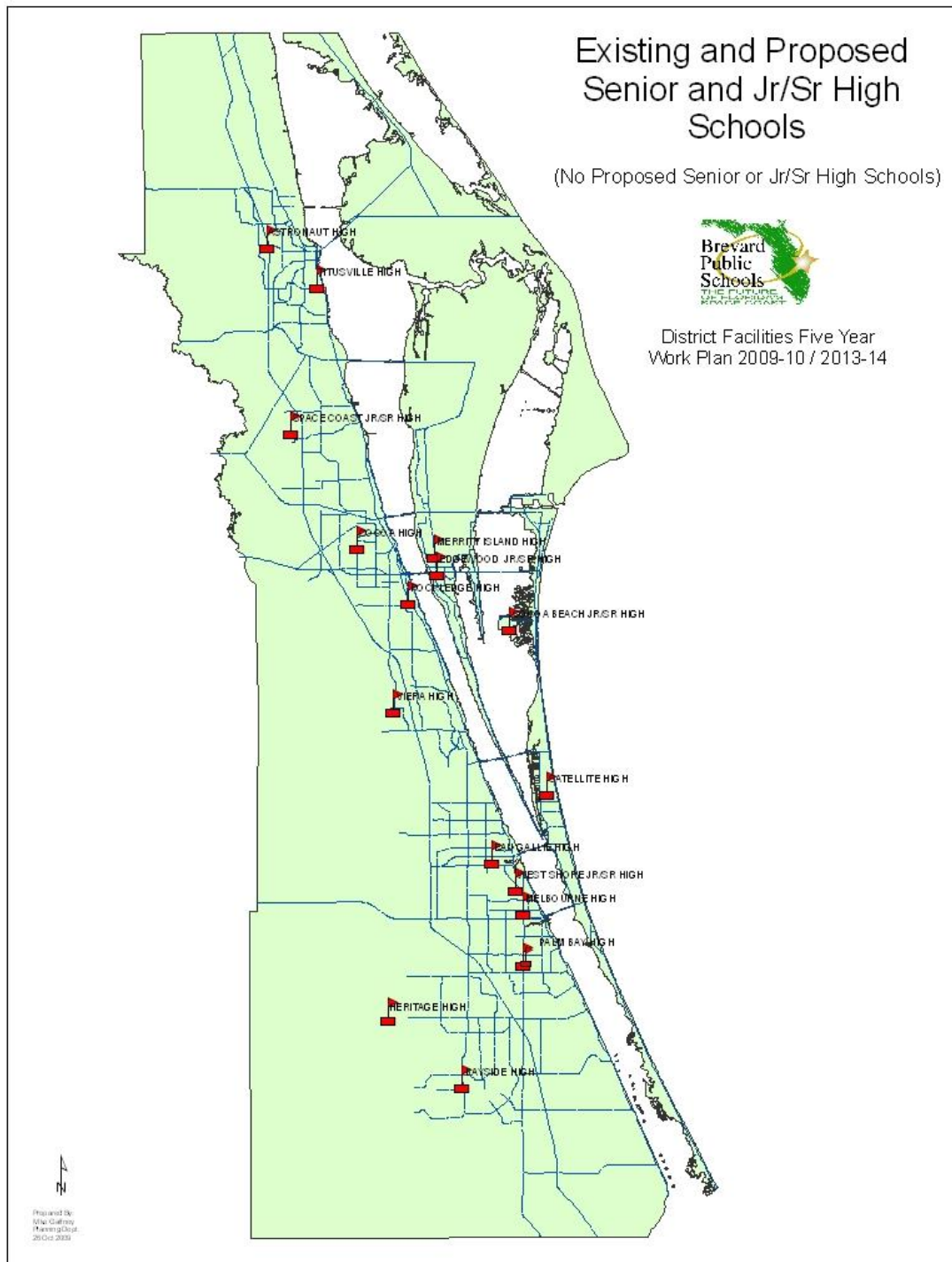
Amended by Ord. 2019-03 2010-16
6/11/2019 10/16/2010

Figure 3b



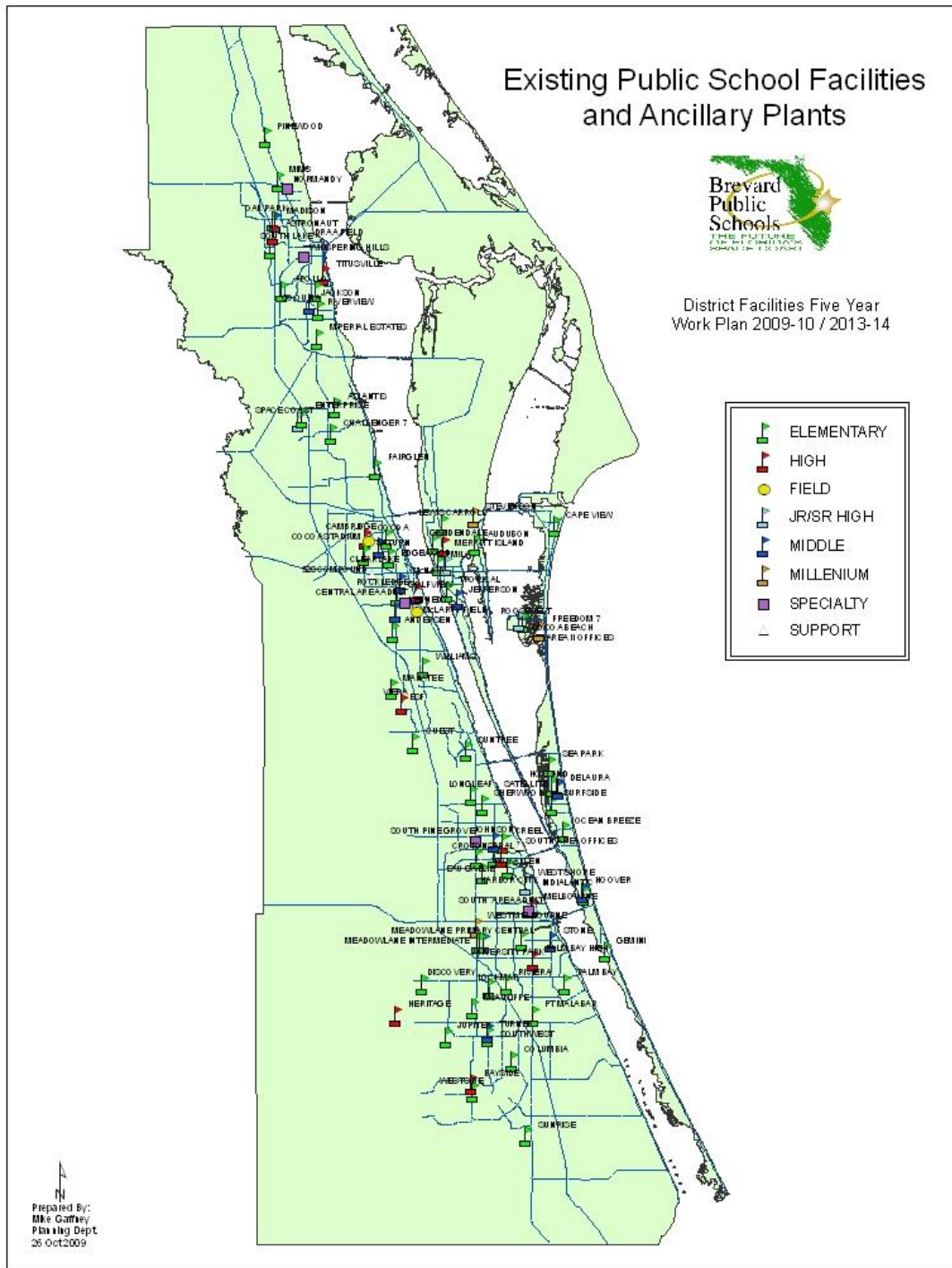
Amended by Ord. [2019-03](#) [2010-16](#)
[6/11/2019](#) [10/16/2010](#)

Figure 3c



Amended by Ord. 2019-03 2010-16
6/11/2019 10/16/2010

Figure 4a



Amended by Ord. 2019-03 2010-16
6/11/2019 10/16/2010

AGENDA AND MINUTES



Indian Harbour Beach City Hall
2055 South Patrick Drive
Indian Harbour Beach, FL 32937
(321) 773-3181 (Phone)
(321) 773-5080 (Fax)

**CITY COUNCIL REGULAR MEETING AGENDA
JUNE 11, 2019
CITY HALL COUNCIL CHAMBER – 7:00 P.M**

CALL TO ORDER

PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

APPROVAL OF MINUTES

Regular City Council Meeting minutes from May 14, 2019

Special Called Council Meeting minutes from May 20, 2019

PRESENTATION

Accept the 2019 Florida Legislative Briefing from our Legislative Consultant, Cari Roth, Attorney at Law, with Dean, Mead & Dunbar

REPORTS

City Manager's Report
City Attorney's Report
Council Comments
Public Comments (Agenda Items Only)

UNFINISHED BUSINESS

1. Public Hearing and Second Reading on Ordinance No. 2019-03 Updating the Conservation and Coastal Management Element as Mandated by Florida Statutes Section 163.3178; Updating the Planning Period for the Future Land Use Map, and Appropriate Policies in the Infrastructure; Transportation; Recreation and Open Space; Housing; Future Land Use; Capital Improvements; and Public Facilities Elements.

NEW BUSINESS

1. Council discussion and direction to staff to prepare an ordinance amending Article XIII, Section 19 of Appendix A of the Code of Ordinances (Zoning Code) pertaining to the regulation of docks and piers

2. Council review and discussion of DRAFT Backyard Chicken Regulation Ordinance

PUBLIC FORUM

ADJOURN



Indian Harbour Beach City Hall
2055 South Patrick Drive
Indian Harbour Beach, FL 32937
(321) 773-3181 (Phone)
(321) 773-5080 (Fax)

CITY COUNCIL REGULAR MEETING

JUNE 11, 2019

CALL TO ORDER

The Regular City Council meeting was called to order at 7:00 p.m. by Deputy Mayor Scott Nickle with the following present:

Deputy Mayor Scott Nickle
Council Member Frank Guertin
Council Member James Nolan

City Manager Mark Ryan
City Attorney Karl Bohne
City Clerk Sue Frank

PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

Deputy Mayor Nickle led the Pledge of Allegiance followed by a moment of silent meditation.

Motion made by Council Member Nolan to excuse Mayor Panicola from the meeting, seconded by Council Member Guertin – motion carried 3-0.

APPROVAL OF MINUTES

The consensus of Council was to approve the Regular City Council Meeting minutes from May 14, 2019 as presented.

The consensus of Council was to approve Special Called Council Meeting minutes from May 20, 2019 as presented.

PRESENTATION

Motion made by Council Member Nolan to accept the 2019 Florida Legislative Briefing from our Legislative Consultant, Cari Roth, Attorney at Law, with Dean, Mead & Dunbar, seconded by Council Member Guertin – motion carried 3-0.

REPORTS

City Manager's Report

ACTION ITEMS

1. Oars & Paddles Park Mobile Vendor

Motion made by Council Member Nolan to extend the pilot program of allowing a food truck in the Oars and Paddles Park for a period not to exceed 120 days, seconded by Council Member Guertin – motion carried 3-0.

2. Smoke Testing Sewer Lateral Repairs Permit Fee Waiver

Motion made by Council Member Nolan to waive the building permit fees for homeowners who will require sewer lateral repairs as the result of the Brevard County Utilities smoke testing, seconded by Council Member Guertin – motion carried 3-0.

3. Modification to the Schedule for Selecting a Replacement City Council Member

Motion made by Council Member Nolan to approve moving the interview and selection process of a replacement Council Member to fill the unexpired term of Council Member Gene Newberry to the Regular City Council Meeting of June 25, 2019, seconded by Council Member Guertin – motion carried 3-0.

B. INFORMATIONAL ITEMS

- East Central Florida Regional Resilience Collaborative
- Interlocal Agreement with Brevard County School Board for a School Resource Officer at Ocean Breeze Elementary School for School Year 2019-2020
- Senate Bill 7014 Government Oversight and Accountability
- Summer Camp and Swim Lessons 2019
- 2019 Preliminary Estimated Taxable Values
- Florida League of Cities 2019 Legislative Policy Committee Meetings
- Letters of Appreciation
- 2019 Florida League of Cities Annual Conference – August 15-17, 2019
- City of Indian Harbour Beach Police Officers' Pension Fund 2018 Annual Report Review by the Florida Division of Management Services
- Ethics Training for Elected Officials
- 2019 Financial Disclosure Form Submittal
- Transportation Impact Fee Trust Fund Agreement Amendment
- National Night Out/Back to School Event– Tuesday, August 6, 2019 Gleason Park
- Ocean Breeze Elementary School
- Banana River Drive/Pine Tree Drive Corridor Study Open House

City Attorney's Report – No report

Council Comments

Council Member Guertin stated that he had attended the Space Coast League of Cities Dinner where City Manager Ryan received the Florida League of Cities Hometown Hero Award.

Public Comments (Agenda Items Only) – No comments

UNFINISHED BUSINESS

Public Hearing and Second Reading on Ordinance No. 2019-03 Updating the Conservation and Coastal Management Element as Mandated by Florida Statutes Section 163.3178; Updating the Planning Period for the Future Land Use Map, and Appropriate Policies in the Infrastructure; Transportation; Recreation and Open Space; Housing; Future Land Use; Capital Improvements; and Public Facilities Elements

Jim LaRue of LaRue Planning, updated Council on the revised Comprehensive Plan amendment.

Deputy Mayor Nickle read the title of Ordinance No. 2019-03 and opened the public hearing.

CITY OF INDIAN HARBOUR BEACH, FLORIDA ORDINANCE NO. 2019-03

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, UPDATING THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT AS MANDATED BY FLORIDA STATUTES SECTION 163.3178; AND UPDATING THE PLANNING PERIOD FOR THE FUTURE LAND USE MAP; AND APPROPRIATE POLICIES IN THE INFRASTRUCTURE; TRANSPORTATION; RECREATION AND OPEN SPACE; HOUSING; FUTURE LAND USE; CAPITAL IMPROVEMENTS; AND PUBLIC SCHOOL FACILITIES ELEMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

There being no speakers, the public hearing was closed.

Motion made by Council Member Nolan to approve the second reading of Ordinance No. 2019-03, updating the Comprehensive Plan of the City, seconded by Council Member Guertin – motion carried 3-0.

NEW BUSINESS

Council discussion and direction to staff to prepare an ordinance amending Article XIII, Section 19 of Appendix A of the Code of Ordinances (Zoning Code) pertaining to the regulation of docks and piers

Mr. Dennis Drake, Lansing Island Drive spoke.

Motion made by Council Member Nolan to direct staff to amend Article XIII, Section 19 of Appendix A of the Code of Ordinances to defer the regulation of docks and piers along the Banana River to the State Regulations, seconded by Council Member Guertin – motion carried 3-0.

Council review and discussion of DRAFT Backyard Chicken Regulation Ordinance

Council directed staff to amend the draft backyard chicken regulation ordinance to include the following:

1. Maximum height of the chicken coop shall be six feet.
2. Chicken coop enclosures shall be screened from neighboring properties with an opaque fence.
3. Reduce the number of violations an applicant can receive before the permit can be revoked.
4. There will be annual inspections at time of permit renewal.
5. Applicant allows access to the property at any time the Building Official and/or Code Enforcement needs to follow up on a complaint.

PUBLIC FORUM

Mr. Charles Bostater, Cat Cay Lane spoke.

Mr. Ryan MacWilliams, Algonquin Drive spoke.

ADJOURN

Motion made by Council Member Guertin to adjourn the meeting at 7:48 p.m., seconded by Council Member Nolan – motion carried 3-0.

X

David A. Panicola
Mayor

ATTEST:

X

Sue Frank, MMC
City Clerk

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Progress Report Form

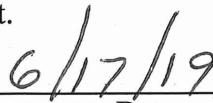
Exhibit A

DEP Agreement No.:	CM745		
Grantee Name:	City of Indian Harbour Beach		
Grantee Address:	2055 South Patrick Drive, Indian Harbour Beach, FL 32937		
Grantee's Grant Manager:	Mark Ryan	Telephone No.:	321-773-3181
Reporting Period:	4/1/19 – 6/30/2019		
Project Number and Title:	Indian Harbour Beach Resiliency Project		
Provide the following information for all tasks and deliverables identified in the Grant Work Plan: a summary of project accomplishments for the reporting period; a comparison of actual accomplishments to goals for the period; if goals were not met, provide reasons why; provide an update on the estimated time for completion of the task and an explanation for any anticipated delays and identify by task. NOTE: Use as many pages as necessary to cover all tasks in the Grant Work Plan. Task 3 of the grant has been completed. Deliverable 3 was submitted and received by DEP on June 17, 2019. No delays were incurred in completing this task. Summary of accomplishments: The City received the Objections, Recommendation and Comment (ORC) report from Department of Economic Opportunity (DEO) on April 12, 2019. DEO had one objection that required revisions to the Amendment. After communication with the DEO reviewer revisions were made and submitted for a courtesy review. The reviewer was in agreement with the changes that were made. On June 11, 2019, staff presented to the revised Comprehensive Plan Amendment to the City Council at an adoption public hearing. Council reviewed the revisions based on the ORC Report and voted unanimously adopt the Plan Amendments and submit to (DEO) for a finding of compliance. The adopted Comprehensive Plan Amendment Package was submitted to DEO on June 13, 2019. Task 3 is the final task of the grant. Therefore, this grant is hereby complete.			

This report is submitted in accordance with the reporting requirements of DEP Agreement No. CM745 and accurately reflects the activities associated with the project.



Signature of Grantee's Grant Manager



Date

Exhibit A, DEP Agreement #: CM745

1 of 1