# PLANNING AND ZONING BOARD MEETING

**City of Indian Harbour Beach, Florida**
Wednesday, June 3, 2026, at 7:00 PM
City Hall Council Chamber | 2055 South Patrick Drive

## AGENDA

**Planning & Zoning Board**
Bruce Moia – Chair
Jose Fuenmayor – Board Member
Dan Green – Board Member
Veronica Selivanova – Board Member
Scott Syring – Board Member
Linda Jimeian – Alternate Member

**Staff**
David Wiles – Building Official
Maria Lalonde – Administrative Assistant

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION**
3. **ROLL CALL**
4. **ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA**
5. **APPROVAL OF MINUTES**
   a. Planning & Zoning Meeting 05-06-2026
6. **OLD BUSINESS**
   a. **Ordinance No. 2026-07: Storage of watercraft and watercraft trailers**
   b. **Ordinance No. 2026-06: P-2 zoning code amendment**
7. **NEW BUSINESS**
   a. **Ordinance No. 2026-09: Comprehensive Plan Update and Ordinance No. 2026-10: Water Supply Facilities Work Plan 2026-2036**
8. **BOARD MEMBER COMMENTS**
9. **ADJOURN**

## PLEASE NOTE: TWO OR MORE CITY COUNCIL MEMBERS MAY BE PRESENT IN THE AUDIENCE.

ALL PERSONS WISHING TO BE HEARD SHOULD APPEAR IN PERSON AT THESE HEARINGS OR SEND WRITTEN COMMENTS TO THE CITY CLERK. ALL PERSONS AND PARTIES ARE HEREBY ADVISED THAT IF THEY SHOULD DECIDE TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FSS 286.0105. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), ANYONE WHO NEEDS SPECIAL ACCOMMODATION FOR THIS MEETING SHOULD CONTACT THE CITY CLERK AT 321-773-3181 AT LEAST 48 HOURS IN ADVANCE OF THIS MEETING.

# PLANNING AND ZONING BOARD MEETING

**City of Indian Harbour Beach, Florida**
Wednesday, May 6, 2026, at 7:00 PM
City Hall Council Chamber | 2055 South Patrick Drive

## MEETING MINUTES

**Planning & Zoning Board**
Bruce Moia – Chair
Jose Fuenmayor – Board Member
Dan Green – Board Member
Veronica Selivanova – Board Member
Scott Syring – Board Member
Linda Jimeian – Alternate Member

**Staff**
David Wiles – Building Official
Maria Lalonde – Administrative Assistant

### 1. CALL TO ORDER

Chair Moia called the meeting order at 7:00 pm

### 2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

### 3. ROLL CALL

Administrative Assistant Lalonde called roll. In attendance were Chair Bruce Moia, Board Member Selivanova, Board Member Green and School Board Member Hughes. Also in attendance was Alternate Board Member Jimeian.

### 4. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

None.

### 5. APPROVAL OF MINUTES

a. Planning & Zoning Meeting 03.04.2026

Motion to approve minutes by Board Member Selivanova, seconded by Board Member Green, carried 4-0.

### 6. OLD BUSINESS

### 7. NEW BUSINESS

a. **Ordinance No. 2026-07: Storage of watercraft and watercraft trailers**

The following spoke:

- Todd Alspaugh: 1214 Yacht Club Blvd
- Neil Yorio: 211 Wimico Drive

Motion by Board Member Green to deny the new ordinance as written and keep the original ordinance in place, seconded by Board Member Selivanova, carried 2-2 with Chair Moia and Alternate Board Member Jimeian opposing.

b. **Ordinance No. 2026-05: Administrative Platting Code Amendment**

Motion by Board Member Green to approve Ordinance No. 2026-05 to comply with Florida law by providing for administrative approval of final plats, seconded by Board Member Selivanova, carried 4-0.

c. **Ordinance No. 2026-06: P-2 zoning code amendment**

Motion by Board Member Green to approve Ordinance No. 2026-06 to reduce the minimum building setback from a right-of-way in the P-2 zoning district, seconded by Alternate Board Member Jimeian, carried 4-0.

d. **Ordinance No. 2026-08: Reasonable accommodation and recovery residences code amendment**

The following people spoke:

- Todd Alspaugh: 1214 Yacht Club Blvd

Motion by Board Member Selivanova to approve Ordinance No. 2026-08 to comply with applicable law and adopt language that allows a process for reasonable accomodation, including for certified recovery residences, seconded by Board Member Green, carried 4-0.

## 8. BOARD MEMBER COMMENTS

## 9. ADJOURN

Meeting adjourned by Chair Moia at 8:04 pm.

X_____
Chairperson/Board Member

**PLANNING AND ZONING BOARD**
**City of Indian Harbour Beach, Florida**
Wednesday, June 3, 2026

# AGENDA ITEM

**Ordinance No. 2026-07: Storage of watercraft and watercraft trailers**

**Cost:** N/A

**Attachments:** Ord 2026-07 Watercraft and Trailers
Ordinance 2026-07 Business Impact Estimate 12May26

**Staff Recommendation:**

Consider recommending approval of Ordinance No. 2026-07 to allow residents to store watercraft and watercraft trailers in front of their homes under specific circumstances.

**Background Information:**

(The Planning and Zoning Board previously considered this item on May 6, 2026, but due to a voting irregularity, it needs to be re-considered before the matter can go before the City Council.)

January 9, 2018

Ordinance No. 2017-10 was adopted by the City Council, changing the Code from allowing the parking of watercraft and trailers under 35 feet in length in front of homes to a prohibition of parking all watercraft and trailers unless they were parked to the rear of the front principal building line. Additionally, a maximum of 48-hour temporary parking was added to the Code.

March 4, 2025

At the FY26 Budget kickoff workshop, City Council members expressed frustration with the current level of code enforcement and directed staff to include an additional code enforcement officer in the FY26 Proposed Budget (ultimately, the new position was not included in the FY26 Approved Budget due to lower-than-anticipated property tax receipts).

May 13, 2025

At a City Council workshop, staff presented specific code enforcement issues (i.e., vague or unenforceable), one of which was the parking of watercraft and trailers. Staff presented options (i.e., strictly enforce, legalize with size/location limitations, or legalize all parking)—the City Council reached a consensus to start strictly enforcing the current prohibition after a sufficient public education effort.

Early July

Article in July/August Harbour Highlights

October 14, 2025

Code Enforcement agenda item at the City Council meeting. Staff proposed revising the enforcement mechanism for watercraft and trailer parking violations to mirror the process for RV parking violations, with the City Council's consensus to allow staff to develop an ordinance making the changes.

Late October

Article in November/December Harbour Highlights

Mid-November

Staff mailed courtesy letters giving homeowners 90 days' notice before a formal notice of violation letter would be mailed.

City Attorney Bohne developed Draft Ordinance No. 2026-01

December 9, 2025

In response to residents' concerns, the City Council directed staff to pause stricter enforcement and scheduled a workshop to discuss revising the current code prohibition against parking boats in front of single-family homes.

January 14, 2026

After hearing from residents at a workshop, the City Council reached a consensus to have staff draft an ordinance allowing residents with home-based businesses to store

business-related trailers and/or watercraft in front of their homes and to advertise this meeting and two City Council meetings in the next applicable *Harbour Highlights*.

Late February

Article in March/April Harbour Highlights

March 4, 2026

The Planning and Zoning Board reviewed Ordinance No. 2026-01 and voted unanimously to recommend that the City Council not approve the ordinance.

March 10, 2026

The City Council voted not to approve Ordinance No. 2026-01 and advised staff to draft a new ordinance.

March 24, 2026

The City Council reviewed the draft Ordinance No. 2026-07 and offered suggested changes dealing with the maximum watercraft size, definition of improved surface, side setbacks, number of boat trailers, and language requiring watercraft and watercraft trailers to be owned by the property owner.

April 14, 2026

The City Council further reviewed the draft ordinance and discussed height and length restrictions and permitting. The City Council agreed to add a permit requirement.

Late April

Article in May/June Harbour Highlights

May 6, 2026

The Planning and Zoning Board's recommendation will be forwarded to the City Council for the first reading of Ordinance No. 2026-07 on May 12, 2026.

**ORDINANCE NO. 2026 - 07**

**AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 16 OF ARTICLE XIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO PARKING AND STORAGE OF WATERCRAFT AND WATERCRAFT TRAILERS OR COMBINATION THEREOF; AMENDING SECTION 16(c) REGARDING THE PARKING OF WATERCRAFT AND WATERCRAFT TRAILERS ON RESIDENTIAL PROPERTY; AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY; ADDING A NEW SECTION 19-18.1 PROVIDING FOR PARKING REGULATIONS FOR WATERCRAFT, WATERCRAFT TRAILERS OR COMBINATION THEREOF IN RESIDENTIAL ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.**

**WHEREAS,** the City Council desires to promote harmony of residents within residential zoning districts; and,

**WHEREAS**, the City Council desires to afford watercraft owners a reasonable period of time for loading and unloading of personal items prior to and after using their trailer or watercraft; and,

**WHEREAS**, the City Council recognizes the current Code of Ordinances language regulating watercraft parking in residential zones has enforcement challenges; and,

**WHEREAS,** the City Council desires to preserve the residential character and aesthetics of residentially zoned areas of the City; and,

**WHEREAS,** limiting the parking of watercraft and watercraft trailers in residentially zoned areas of the City will promote the general health, safety and welfare and promote the residential character and aesthetics of residentially zoned areas of the City; and,

**WHEREAS**, the City Council desires to modify the parking regulations regarding watercraft and watercraft trailers in residential zones and enforcement mechanisms available to staff regarding violation of trailer and watercraft parking regulations; and,

**WHEREAS**, the City's Planning and Zoning Board on _____2026, held a duly noticed public hearing, reviewed Ordinance No. 2026-____, and forwarded its recommendation to the City Council; and,

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

**SECTION 1:** Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City is hereby amended and shall read as follows:

**" Sec. 16. Parking and storage of vehicles.**

**...**

(c) No watercraft and watercraft trailers, or combination thereof ~~watercraft,~~ ~~shall~~ may be parked or stored in any residential zoning classification except in accordance with Section 19-18.1 of Chapter 19 of the Code of Ordinances of the City. ~~, except to the rear of the front principal building line. Any such vehicles, regardless of their location, shall have attached, at all times, a current vehicle registration license plate or vessel registration, if applicable. A trailer or watercraft may be temporarily parked or stored on the paved portion of the owner's driveway for up to forty-eight (48) consecutive hours."~~

**SECTION 2:** A new Section 19-18.1 is hereby added to Chapter 19 of the Code of Ordinances of the City to read as follows:

"**Sec. 19-18.1. Parking of Watercraft and Watercraft Trailers.**

Watercraft and Watercraft Trailers, as defined in Article XIII, Section 16 of Appendix A, may be parked in residentially zoned areas in accordance with the following:

(1) *Watercraft and Watercraft Trailers exceeding 26 feet.* No watercraft exceeding 26 feet overall in length shall be parked, stored or kept on premises in a residential zone except in the rear yard of such premises or in the side yard of such premises or if parked or kept within a garage or other opaque structure enclosed on at least three sides. In no case shall any part of a watercraft and watercraft trailer block or impair pedestrian travel on any sidewalk.

(2) *Watercraft and Watercraft Trailers, or a combination thereof, not exceeding 26 feet in length.* Watercraft not exceeding 26 feet overall in length may be parked, stored or kept in the front in a residential zone under the following conditions and restrictions:

a. The watercraft and watercraft trailer cannot fit in any side yard or rear yard. For purposes of this subsection, the phrase "cannot fit in any side yard" shall mean the watercraft or watercraft trailer cannot physically fit between the house and the side lot property line or side lot fence. A margin of 12" on each side of the watercraft or watercraft trailer is to be used when determining if sufficient room is available to park a watercraft and watercraft trailer on the side of a house. This measurement may include consideration of permanent improvements such as air conditioning equipment, electric meters, pool equipment and irrigation wells, located in the side yard.

b. The watercraft and watercraft trailer or combination thereof must be parked on a concrete or paved driveway or surface or on a pervious surface composed of solid pavers, gravel, and crushed coquina rock. Such impervious surface shall be maintained and free of grass, weeds, vegetation, debris or other trash and garbage and kept and maintained in a reasonably neat and clean appearance so as not to be or become an eyesore detracting from the aesthetic quality of the premises and neighborhood. In no event shall any such watercraft and watercraft trailer or combination thereof be allowed to encroach on a street or into any right of way or block or impair pedestrian travel on any sidewalk.

c. The watercraft and watercraft trailer or combination thereof shall not be parked on any premises so as to impair or obstruct the visibility or line of sight of the operator of any motor vehicle traveling upon any street or thoroughfare.

d. The height of the watercraft and watercraft trailer shall not exceed 14 feet measured vertically from the finished ground elevation to the top of the watercraft or to the top of any embellishment affixed to the watercraft including, but not limited to, antenna, decks or towers.

e. All open and interior areas of the watercraft must be kept covered with an opaque cover of canvas, nylon, plastic or similar sturdy material securely fastened to the watercraft in such a manner as to effectively prevent ready or easy access into the boat by children under ten years of age and so as to prevent visibility into the interior of the watercraft by persons traveling on public property. The term "open and interior areas of the boat" shall mean areas of the watercraft, other than decks and exterior walkways, designed to be occupied by passengers and operators of the watercraft.

f. The watercraft must bear a current and valid State registration number and decal.

g. The watercraft trailer must bear a current and valid State license plate.

h. The watercraft must be used primarily for recreational purposes.

i. Watercraft trailers must have wheels on all axles and such wheels shall be required to be inflated.

j All watercraft must be affixed to a watercraft trailer.

k. The watercraft and watercraft trailer registration and license plate must identify the same address of the property at which such watercraft and watercraft trailer is parked, stores or kept.

l. The watercraft and watercraft trailer or combination thereof, and watercraft cover must be kept and maintained in a reasonably neat and clean appearance so as not to be or become an eyesore detracting from the aesthetic quality of the premises and neighborhood.

(3) *Permit required, City inspection rights and Authorizations:* Any person desiring to park, store or keep a watercraft and watercraft trailer in the front yard pursuant to subsection (2) must apply for a permit from the City on an application form provided by the City. Such application shall at a minimum contain the following requirements:

a. Name and address of applicant;

b. A provision requiring the submission of a copy of the current watercraft title and watercraft trailer registration;

c. length of the watercraft;

d. length of the watercraft trailer;

e. side yard measurements;

f. a sketch depicting where the watercraft and watercraft trailer will be parked, stored or kept in the front yard;

g. height of water craft as provided for in subsection (2) d, above;

h. A provision requiring the submission of a color photograph of the watercraft and watercraft trailer which is desired to be parked, stored or kept in the front yard.

The applicant, by submitting an application pursuant to this code, authorizes City personnel to enter upon the subject premises to verify the information contained in the application prior to the permit being issued. Upon approval the City shall issue a permit authorizing the parking, storing or keeping of the watercraft and watercraft trailer in the front yard of the premises. The City shall also issue a permit decal which must be placed upon the watercraft. The applicant

does authorize City personnel to enter upon the premises after the permit and decal has been issued for the limited purpose of verifying that the decal has been placed upon the watercraft. The permit and decal are non-transferable to any other watercraft or watercraft trailer.

**SECTION 3:** Section 19-21(a)(1) of Chapter 19 of the Code of Ordinances of the City is hereby amended to read as follows:

**"Sec. 19-21. - Penalties.**

(a) Any person cited for a violation of sections 19-18, 19-19, or 19-20 of this article and Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty, if such penalty is paid within the time period in subsection 19-23(a), according to the following schedule:

(1) Thirty-five dollars ($35.00) for a violation of subsections 19-18(a)(1) through (9); or 19-18(b)(5), or (f) ."

(2) Twenty dollars ($20.00) for a violation of subsections 19-18(b)(1), (3), (4), and (6) through (8); 19-19.

(3) Fifty dollars ($50.00) for a violation of subsections 19-18(b)(2) and (b)(9) and Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City

(4) One hundred dollars ($100.00) for a violation of subsection 19-20.

**Section 4:** Conflicts. Any and all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

**Section 5:** 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 6**. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City's Code of Ordinances.

**Section 7:** Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA ON THIS ____ DAY OF _____, 2026

CITY OF INDIAN HARBOUR BEACH
BREVARD COUNTY, FLORIDA

Scott Nickle
Mayor

ATTEST:

Nikki Gold
City Clerk

First Reading: _____, 2026

Second Reading: _____, 2026

# Indian Harbour Beach Business Impact Estimate

*This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).*

Proposed ordinance's title/reference:

ORDINANCE NO. 2026-07

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 16 OF ARTICLE XIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO PARKING AND STORAGE OF WATERCRAFT AND WATERCRAFT TRAILERS OR COMBINATION THEREOF; AMENDING SECTION 16(c) REGARDING THE PARKING OF WATERCRAFT AND WATERCRAFT TRAILERS ON RESIDENTIAL PROPERTY; AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY; ADDING A NEW SECTION 19-18.1 PROVIDING FOR PARKING REGULATIONS FOR WATERCRAFT, WATERCRAFT TRAILERS OR COMBINATION THEREOF IN RESIDENTIAL ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ✘ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☐ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
  a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response:
Ordinance No. 2026-07 will enable residents and residents with home-based businesses that use boats or trailers to store their boat and/or trailer in front of their home. The public purpose of this ordinance to be more friendly to residents.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response:
The direct economic impact on businesses is 1) the elimination of storage fees if the business owner current pays for off-site storage.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response:
As of February 20, 2026, there were 137 home businesses within the City.

7. Additional information the city determines may be useful:

Response:
N/A

**PLANNING AND ZONING BOARD**
**City of Indian Harbour Beach, Florida**
Wednesday, June 3, 2026

# AGENDA ITEM

**Ordinance No. 2026-06: P-2 zoning code amendment**

**Cost:** N/A

**Attachments:** Ordinance 2026-06 P2 setbacks
Business Impact Estimate - Ord. 2026-06 P-2 Zoning

**Staff Recommendation:**

Consider recommending approval of Ordinance No. 2026-06 to reduce the minimum building setback from a right-of-way in the P-2 zoning district.

**Background Information:**

(The Planning and Zoning Board previously considered this item on May 6, 2026, but due to a voting irregularity, it needs to be re-considered before the matter can go before the City Council.)

The P-2 zoning district is intended to apply to areas serving the community's needs for public and semipublic facilities of a governmental, educational, or cultural nature. All properties zoned P-2 are either owned by a government agency, such as Indian Harbour Beach or the School Board of Brevard County, or a utility provider, such as Florida Power & Light.

The City of Indian Harbour Beach owns the P-2 zoned property located at 1116 Pine Tree Drive, at the Y-intersection of Pine Tree Drive and Banana River Drive. The fire station and tennis courts are currently located on this property. The City desires to make improvements to this property to expand the fire station. However, current building setbacks along the road right-of-way are prohibitive and can be reduced without impacting public health, safety or welfare. Optimal placement of government facilities often requires flexibility in site design to maximize the functional utility of public lands.

The proposed amendment to the P-2 zoning code would reduce the minimum setback to the right-of-way line to zero feet. The already established setbacks to side and rear property lines, and to adjacent residential uses, would not change. Refer to the table on the next page for proposed changes to setback requirements.

| P-2 Zoning Setback | Current Minimum Setback Requirement | Proposed Minimum Setback Requirement |
|---|---|---|
| Perimeter (not adjacent to right-of-way) | 25’ | 25’ |
| Perimeter (adjacent to right-of-way) | 25’ | **0’ (if unobstructed sight distance at intersections and driveways is maintained)** |
| Abutting single-family zoning | 35’ | 35’ |
| Arterial or Collector Roadway | 50’ | **0’ (if unobstructed sight distance at intersections and driveways is maintained)** |

Notwithstanding the proposed zero-foot setback allowance, all structures and landscaping would still need to maintain unobstructed sight distance at intersections and driveways. Visibility would be ensured during the required site plan review and approval process.

Building standards differ next to a right-of-way since the structure isn't bordering another private property.

*Findings of Consistency*

The proposed code amendment is consistent and compatible with the adopted Comprehensive Plan and aligns with the goals, objectives, and policies of the City. Allowing public facilities like fire stations to maximize their lot usage, the city can fulfill its infrastructure goals while adhering to safety and character standards.

| Comprehensive Plan Citation | Text | Consistency Rationale |
|---|---|---|
| Policy LU-6.1 | The City shall continue to work toward appropriate development on infill parcels. | Reducing the right-of-way setback allows for more usable space to be created on P-2 zoned properties, therefore allowing more meaningful infill |

| | | |
|---|---|---|
| | | development and reducing urban sprawl. |
| Objective CI-1 and underlying policies | 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 code amendment facilitates the timely expansion of public safety infrastructure and directly supports the “public health, safety and welfare" by modernizing essential services. |

*Business Impact Statement*

See attached Business Impact Estimate. No direct economic impacts to private, for-profit business are anticipated.

**ORDINANCE NO. 2026 - 06**

**AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE XII, SCHEDULE OF DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY; AMENDING SECTION 9B (8), DISTRICT AND INTENT: P-2 INSTITUTIONAL RELATING TO MINIMUM DIMENSIONAL REQUIREMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION, AND AN EFFECTIVE DATE**

**WHEREAS,** the City of Indian Harbour Beach established the P-2 Institutional District to provide for public and semipublic facilities that serve the governmental, educational, and cultural needs of the community; and

**WHEREAS,** the P-2 district explicitly permits essential public safety structures, including fire stations and other public safety buildings; and

**WHEREAS,** the City has identified a critical need to expand and modernize its existing fire station facilities to ensure continued high-quality public safety services for its residents; and

**WHEREAS,** the current setback requirements from the right-of-way can create unnecessary constraints on the functional expansion and development of public and semi-public properties; and

**WHEREAS,** the City Council finds that a zero (0) foot setback from property lines abutting a right-of-way is appropriate for the P-2 district to allow for the efficient use of public land; and

**WHEREAS,** property lines adjacent to single-family residential uses will continue to maintain a minimum of a 35-foot setback; and

**WHEREAS,** the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendments as outlined in this ordinance at its meeting on May 6, 2026, conducted a public hearing with regard to the proposed amendments, and found the same to be consistent with the City of Indian Harbour Beach Comprehensive Plan; and

**WHEREAS,** the City Council hereby adopts the findings of the Planning and Zoning Board as its own and finds the proposed amendments to be in the promotion of the public health, safety, welfare, morals, public order, and aesthetics of the community and the region.

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

**SECTION 1:** Section 9B (8) of Article XIII of Appendix A of the Code of Ordinances of the City is hereby amended and shall read as follows:

**"Sec. 9B. District and intent: P-2 Institutional.**

All principal uses and structures permitted in the P-1 zoning district are permitted in the P-2 zoning district. In addition, the provisions of this district are intended to apply to an area which can serve the needs of the community for public and semipublic facilities of a governmental, educational, or cultural nature. Since the site

and building requirements for such uses vary with the size and type of use, a review and approval of a site plan shall be a prerequisite for approval of any change of zoning to the P-2 classification.

* * * * *

(8) *Minimum dimensional requirements:*

(A) *Minimum lot area:* Fifteen thousand (15,000) square feet.

(B) *Minimum lot width:* One hundred (100) feet.

(C) *Minimum lot depth:* One hundred fifty (150) feet.

(D) *Perimeter yard requirements:* There shall be a minimum setback of at least twenty-five (25) feet for all uses in this district, except for property lines abutting a right-of-way, where the minimum setback shall be zero (0) feet.; and w When a use abuts property zoned for single-family residential use, there shall be a minimum setback of thirty-five (35) feet. Notwithstanding the zero (0) foot setback allowance, all structures and landscaping shall maintain unobstructed sight distance at intersections and driveways.

~~(E) *Arterial and collector street yard requirements:* There shall be a minimum fifty-foot setback when a building fronts on a major or minor arterial or collector street.~~

(F) *Interior setbacks:* There shall meet the requirements necessary for adequate police and fire protection.

(G) *Parking requirements:* The building official and the planning and zoning board will ascertain that off-street parking standards are met on the submitted site plan according to article XV of this ordinance.

(H) *Height requirements:* Thirty-five (35) feet maximum.

(I) *Buffer requirements:* When a P-2 zone abuts a residential zone, a buffer shall be shown on the site plan along with specifications of such buffer."

**(Note to codifier re-letter section 9B consistent with this Ordinance)**

**Section 2:** Conflicts. Any and all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

**Section 3:** Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance are 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 the provisions of this Ordinance are declared severable.

**Section 4**. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City's Code of Ordinances.

**Section 5:** Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA ON THIS ____ DAY OF _____, 2026

CITY OF INDIAN HARBOUR BEACH
BREVARD COUNTY, FLORIDA

Scott Nickle

Mayor

ATTEST:

Nikki Gold
City Clerk

First Reading: May 12, 2026

Second Reading: May 26, 2026

# Indian Harbour Beach Business Impact Estimate

*This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).*

Proposed ordinance's title/reference:
ORDINANCE NO. 2026-06

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE XII, SCHEDULE OF DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY; AMENDING SECTION 9B (8), DISTRICT AND INTENT: P-2 INSTITUTIONAL RELATING TO MINIMUM DIMENSIONAL REQUIREMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION, AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ☒ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☐ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
    a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
    c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

# Indian Harbour Beach Business Impact Estimate

d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response: The proposed amendment to the P-2 zoning code would reduce the minimum setback to the right-of-way line to zero feet. The already established setbacks to side and rear property lines, and to adjacent residential uses, would not change. This will allow for optimal placement of government facilities to maximize the functional utility of public lands and provide for public health, safety, and welfare.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response: No direct economic impacts to private, for-profit businesses are anticipated. This ordinance only applies to P-2 zoned properties, which are only intended for public or semi-public uses, rather than private business enterprise. No compliance costs, no new charges or fees, and no regulatory costs are anticipated.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response: None.

7. Additional information the city determines may be useful:

Response: This proposed ordinance does not impose costs on for-profit businesses in the city.

**PLANNING AND ZONING BOARD**
**City of Indian Harbour Beach, Florida**
Wednesday, June 3, 2026

# AGENDA ITEM

**Ordinance No. 2026-09: Comprehensive Plan Update and Ordinance No. 2026-10: Water Supply Facilities Work Plan 2026-2036**

**Cost:** N/A

**Attachments:**
Ord 202-09 Comp Plan update
Comprehensive Plan Update with FLU Map (Draft)
Preliminary Assessment Final_Compiled 10.31.25
Business Impact Estimate - Ord. 2026-09
ORD 26-10 Water Supply Facilities Work Plan Update Ordinance
Exhibit A to Infrastructure Element - WSFWP
Business Impact Estimate - Ord. 2026-10

**Staff Recommendation:**

Consider recommending approval of Ordinances No. 2026-09 and 2026-10 transmitting amendments to the City of Indian Harbour Beach Comprehensive Plan based on the City's Evaluation and Appraisal of the Comprehensive Plan pursuant to Section 163.3191, Florida Statutes to the Department of Commerce for Coordinated State Review.

**Background Information:**

RVi Planning and Landscape Architecture was hired by the City in 2025 to complete an update to the City's Comprehensive Plan ("Plan") to address changes since the Plan's last major update in 2019. The scope of work was limited to the analysis and drafting of amendments required to address mandatory updates per changes to Florida Statutes since 2019. Additional minor "housekeeping" amendments are also proposed to address current status of plans and/or studies and maps, and update timelines and/or deadlines references throughout the Plan.

Prior to drafting the proposed amendments to the Plan, a Preliminary Assessment Report was completed to analyze the Plan's compliance with Florida Statutes (see Appendix A: State Consistency Review, Preliminary Assessment with Appendices

provided as an attachment to this report). The Report provided a full analysis of the City's demographics (existing and projected through the 2050 long-range planning horizon), land uses, infrastructure, as well as an analysis of all the existing Comprehensive Plan goals, objectives and policies for consistency with State law based upon legislative changes since the last update since 2019. In addition to the Preliminary Assessment Report, the Water Supply Facility work plan was updated in accordance with state statute, with the current and anticipated growth demands within the jurisdiction, and for compliance with the St. Johns Water Management District and the City of Melbourne's Water Supply Facilities Work Plan.

Key findings of the Preliminary Assessment include:

- The long-range planning horizon should be extended to 2050 to comply with State law's minimum 20-year horizon
- The City's population is aging with the largest age group being 65 and older and is projected to increase from 25% in 2010 to 30% in 2050.
- There is a high percentage of home ownership rate with an estimated 78% of households being owner-occupied
- The City is tracking higher than Brevard County in terms of economic characteristics, such as median household income
- The City's Future Land Use Map and public infrastructure can accommodate the projected 2050 population of 9,072 people (a less than 1% increase from the 2025 population of 9,070)

Since the completion of the Report, RVi has been coordinating with Land Development Strategies, the City's consultant, on the updates to the ten (10) elements in the Comprehensive Plan. These elements must be reviewed by the Planning and Zoning Board, recommended for action to the City Council, then sent to the Florida Department of Commerce for review. Following state review, a final hearing before the City Council is required for final adoption of the updated Plan within 180 days of receipt of state comments.

**Proposed Text Amendments:**

The following is a high-level summary of the state-required changes to the Plan's goals, objectives and policies (GOPs) per changes in Florida Statutes since 2019. These changes are shown in strike-through/underline format based on the current Plan in Exhibit A.

As noted above, the planning horizon is proposed to be extended to 2050 to comply with state law's minimum 20-year horizon. While there are no explicit GOPs that address the planning horizon, the data and analysis of available land and infrastructure address the population growth through 2050. Additionally, the planning horizon is proposed for amendment on the Plan's cover page.

In addition to the state-required amendments, updates to the Future Land Use Element are proposed to rename and clarify future land use categories to better align with the City's existing zoning districts and improve consistency between the Future Land Use Map and implementing land development regulations. These modifications are intended to provide greater clarity in the interpretation and administration of the Comprehensive Plan without substantially altering the overall development pattern or intensity currently permitted within the City.

**Intergovernmental Coordination**

- No changes proposed.

**Conservation and Coastal Management Element**

- Remove requirements of obtaining SJRWMD permits prior to development orders.
- Incorporate Coastal High Hazard Map and associated Goals, Objectives and Policies relating to protection of public health, safety and welfare.
- Strengthen verbiage relating to environmental protection measures

**Infrastructure Element**

- Address consistency with 163.3177(6)(c)3, F.S., relating the feasibility of providing sanitary sewer services to these developments with 50 lots or more within the 10-year planning horizon. Modify policy and references to updated Water Supply Facilities Work Plan, proposed for transmittal concurrent with the Comprehensive Plan Update
- Modify policy and references to cite the updated Water Supply Facilities Work Plan (WSFWP).

**Mobility Element**

- Rename from Transportation Element to Mobility Element to more broadly incorporate the vision for multi-modal transportation systems
- Updates address multiple modes of transportation in relation to City context, such as golf cart use

**Recreation and Open Space Element**

- Expand policies to address multi-modal access to park facilities
- Update policies for continual review by the City for recreational facility requirements for new development

**Housing Element**

- Incorporate policies acknowledging implementation considerations related to the Live Local Act and affordable housing opportunities.

**Future Land Use Element**

- Rename from Land Use Element to Future Land Use Element
- Update future land use category descriptions to align with the Future Land Use Map and provide policies/sub-policies for each category to describe the range of uses, densities, intensities, and implementing zoning districts.
- Designate the 0.5-acre oceanfront state-owned parcel currently designated as “Vacant” on the FLUM to “Public/Semi-Public”
- Modify the Land Use Element to establish policies supporting the allowance of Accessory Dwelling Units (ADUs), including corresponding development standard requirements, consistent with the regulatory framework and local authority limitations outlined in Florida Statutes Section 509.032(7)(b)
- Update vested rights for development orders prior to incorporation

**Capital Improvements Coordination**

- Review and analyze public service providers and their plans and update accordingly

**Public School Facilities Element**

- Amend policy to reference Florida Impact Fee Act, as amended, to address consistency credit changes
- Remove outdated Public Schools Facilities Maps prepared by Brevard County
- Address legislative changes relating to proportionate fair share payment agreements

- Reference Brevard School Board 2025-26 to 2029-30 Work Plan

**Private Property Rights Element**

- No changes required
- Formal adoption with this Comprehensive Plan update

**Proposed Map Amendments:**

The proposed Comprehensive Plan map amendments accompanying the text amendments reflect updates since the adoption of the existing comprehensive plan from 2019 and ensure uniformity, generally relating to changes to parcel designations and other updated data from regional partners, as follows:

- **Future Land Use Map –** Updates future land use data based on map amendments since 2019; map legend updated to reflect proposed text amendment changes in the Future Land Use Element
- Assignment of Public/Semi-Public future land use on 0.5 acre state-owned land
- Remove map series in Public School Facilities Element

**Water Supply Facilities Work Plan (WSFWP):**

The purpose of the WSFWP is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction. Chapter 163, Part II, Florida Statutes (F.S.), requires local governments to prepare and adopt their local WSFWP into their comprehensive plans within 18 months after the Water Management District approves a regional water supply plan or its update. Indian Harbour Beach is within the City of Melbourne's potable water service areas. The City of Melbourne's latest 10-Year WSFWP was adopted in 2021; as such, this update to the Comprehensive Plan will include an updated WSFWP.

The Planning and Zoning Board's recommendation will be forwarded to the City Council for the first readings of Ordinance No. 2026-09 and Ordinance No. 2026-10 on June 23, 2026. If transmitted, the State will have 60 days to conduct their Coordinated State Review process. Upon completion of Coordinated State Review, the City will receive comprehensive comments from state agencies and complete any necessary updates to the proposed amendments. Upon completion of those updates (if needed), the City will have 180 days to adopt the amendments at a City Council hearing.

Staff recommends that the Planning & Zoning Board recommend that the City Council approve Ordinances No. 2026-09 and 2026-10 to transmit the proposed map and text amendments to the Department of Commerce.

**ORDINANCE NO. 2026-09**

**AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA, PROVIDING FOR TRANSMITTAL OF AMENDMENTS TO THE CITY OF INDIAN HARBOUR BEACH COMPREHENSIVE PLAN; TO AMEND THE TEXT OF THE INTERGOVERNMENTAL COORDINATION ELEMENT, CONSERVATION AND COASTAL MANAGEMENT ELEMENT, INFRASTRUCTURE ELEMENT, TRANSPORTATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, HOUSING ELEMENT, FUTURE LAND USE ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, PUBLIC SCHOOL FACILITIES ELEMENT, AND THE PRIVATE PROPERTY RIGHTS ELEMENT; AMENDING THE FUTURE LAND USE MAP AND OTHER COMPREHENSIVE PLAN MAPS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS,** Article VIII, § 2, Constitution of the State of Florida, as revised in 1968, grants to municipalities those governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and further authorizes such municipalities to exercise any power for municipal purposes, except as otherwise provided by law;

**WHEREAS,** Chapter 166, Fla. Stat., the Municipal Home Rule Powers Act, further affirms the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes the home rule authority of such municipalities; and

**WHEREAS,** Chapter 163, Fla. Stat., Part II, known as the Community Planning Act (the "Act"), requires, authorizes, and empowers municipalities to prepare, adopt, amend, and enforce Comprehensive Plans to guide development within the City and further authorizes the City Council of the City of Indian Harbour Beach to plan for the City's future development and growth, to responsibly guide the future growth and development of the City, to implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations, and to establish, support and maintain procedures to carry out the provisions and purposes of such Act; and

**WHEREAS,** the City finds it is in the City's best interest to amend the text of certain goals, objectives, and policies set forth in the Intergovernmental Coordination Element, Conservation and Coastal Management Element, Infrastructure Element, Transportation Element, Recreation and Open Space Element, Housing Element, Land Use Element, Capital Improvements Element, Public School Facilities Element, and the Private Property Rights Element of the City of Indian Harbour Beach Comprehensive Plan, as fully described in Sections 2 and 3 and Exhibit A ("Comprehensive Plan Amendments" or "Amendments"); and

**WHEREAS,** the City finds it is in the City's best interest to amend the Future Land Use Map and other maps within the Comprehensive Plan; and

**WHEREAS,** the Amendments adopted by this Ordinance are internally consistent with the City of Indian Harbour Beach Comprehensive Plan and its goals, objectives and policies and are in compliance with the Act; and

**WHEREAS,** this Ordinance is to be transmitted to the State of Florida Department of Commerce in accordance with general law; and

**WHEREAS,** the Planning and Zoning Board in its role as the City's local planning agency held the required public hearing for the transmittal of the proposed Comprehensive Plan Amendments to receive and consider comments related to the Amendments and to give its recommendation concerning the same to the City Council on June 3, 2026; and

**WHEREAS,** the City Council held the required public hearings for the transmittal of the proposed Comprehensive Plan Amendments to receive and consider comments related to the Amendments on July 14, 2026; and

**WHEREAS,** based on the matters of record received by the City Council at the required public hearings after proper notice and finding that the proposed Amendments meet the requirements of the Act, the City Council, in the exercise of its home rule and statutory authority, has determined it necessary and desirable, in order to protect the public health, safety and welfare, to adopt these Amendments to the City's Comprehensive Plan.

**IT IS HEREBY ORDAINED BY THE CITY OF INDIAN HARBOUR BEACH AS FOLLOWS**:

**SECTION 1. RECITALS.** The above recitals are true and correct and incorporated herein as legislative findings of the City Council.

**SECTION 2. TEXT AMENDMENT TRANSMITTAL** The City of Indian Harbour Beach, hereby amends the text of the Intergovernmental Coordination Element, Conservation and Coastal Management Element, Infrastructure Element, Transportation Element, Recreation and Open Space Element, Housing Element, Land Use Element, Capital Improvements Element, Public School Facilities Element, and The Private Property Rights Element of the City of Indian Harbour Beach Comprehensive Plan as set forth in Exhibit "A" attached hereto and incorporate herein by this reference (words that are stricken out are deletions; words that are underlined are additions; provisions not included are not being amended).

**SECTION 3. MAP AMENDMENT TRANSMITTAL.** The City of Indian Harbour Beach hereby amends the Future Land Use Map of the City of Indian Harbour Beach Comprehensive Plan as set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

**SECTION 4. EFFECTIVE DATE.** The effective date of the Comprehensive Plan Amendment, if the amendments are not timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that the Comprehensive Plan Amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**SECTION 5. CONFLICTS.** In the event of a conflict or conflicts between this Ordinance and any other ordinances or part thereof, this Ordinance controls to the extent of the conflict.

**SECTION 6. SEVERABILITY.** If any part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part.

PASSED and ADOPTED this 14th day of July, 2026.

_____
Scott Nickle
Mayor

ATTEST:

_____
Nicole “Nikki” Gold
City Clerk




# CITY OF INDIAN HARBOUR BEACH, FL

# COMPREHENSIVE PLAN

Amended: June ~~11~~10, ~~2019~~2026

# COMPREHENSIVE PLAN

# GOALS, OBJECTIVES AND POLICIES

GOALS, OBJECTIVES, AND POLICIES


| | | |
|---|---|---|
| I. | Intergovernmental Coordination Element | I-1 |
| II. | Conservation and Coastal Management Element | II-1 |
| III. | Infrastructure Element | III-1 |
| IV. | ~~Transportation~~ Mobility Element | IV-1 |
| V. | Recreation and Open Space Element | V-1 |
| VI. | Housing Element | VI-1 |
| VII. | Future Land Use Element | VII-1 |
| VIII. | Capital Improvements Element | VIII-1 |
| IX. | Public School Facilities Element | IX-1 |
| X. | Private Property Rights Element | X-1 |
| XI. | ~~Map Series~~ Future Land Use Map | XI-1 |

# I. INTERGOVERNMENTAL COORDINATION ELEMENT

## 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~~ Brevard Public Schools, 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~~Public Schools, 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~~ensure 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~~ Melbourne~~,~~ and/or Brevard County, as necessary.

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), SJRWMD (for stormwater management), Brevard Public Schools (for school concurrency) 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 protects which affect the City.

Objective IG-3: The City shall, through coordination with adjacent units of local government, including Brevard Country 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. l 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~~2026-~~2019~~2036, 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~~ Public Schools 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~~Public Schools and shall work with the ~~School Board~~Brevard Public Schools to implement the terms of the agreement.

Policy IG-4.2 The City shall notify the ~~School Board~~ Brevard Public Schools 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 Brevard Public Schools~~School Board~~ to maintain the Interlocal Agreement for Public School Facility Planning and School Concurrency.

# II. CONSERVATION AND COASTAL MANAGEMENT ELEMENT

## 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.~~ Promote the protection, enhancement, and responsible management of the City's natural resources to maintain and strengthen their ecological integrity and the economic, social, and aesthetic value they provide to the community, ensuring their availability for 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 ensure that the Mobility and Capital Improvements Elements provide adequate transportation facilities to minimize traffic congestion and associated emissions. The City shall also promote compact urban development patterns that support pedestrian, bicycle, and transit mobility thereby reducing reliance on single-occupancy vehicles and improving overall air quality and community livability.~~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 The City shall coordinate with the ~~Continue to require a~~ SJRWMD to ensure that all required ~~–~~permits or exemption letters have been obtained prior to ~~-~~the commencement of construction activities. ~~issuing a development order.~~ Issuance of a local development order or permit shall not

be construed to create any right for an applicant to obtain a state or federal permit, nor shall it create any liability on the part of the City if the applicant fails to obtain such permits or violates state or federal law. Each development order or permit issued by the City shall include a disclaimer and a condition requiring that all necessary state and federal approvals be secured prior to the commencement of development activity.

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.~~ The City shall ensure that development proposals demonstrate consistency with applicable SJRWMD criteria for stormwater management and water quality protection prior to construction. Local review standards shall promote the use of low-impact development practices, enhanced stormwater treatment, and best management practices (BMPs) to supplement state permitting requirements.

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.~~ The City shall implement its site plan review procedures and Land Development Regulations (LDRs) to encourage preservation of native plant communities to the

greatest extent practicable. The City shall continue to provide development incentives, such as credit toward required landscaping or open space, for the preservation of existing native vegetation consistent with Section 9.273 – Landscape Plans of the LDRs.

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,~~ The City shall implement its site plan review procedures and Land Development Regulations to encourage preservation of native plant communities to the greatest extent practicable. The City shall continue to provide development incentives, such as credit toward required landscaping or open space, for the preservation of existing 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~~ consider~~ation~~ the minimization of beach lighting and construction impacts ~~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, in its review of site plans and other matters.

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 implement land development regulations that promote innovative landscaping and paving techniques and other energy conservation measures.

Policy C-6.1 The City shall reduce the use of potable water for irrigation purposes by maintaining LDRs ~~throughout the planning period~~ that require the use of ~~continue to promote~~ Florida-Friendly vegetation or other drought resistant species ~~and low- water landscaping in place of~~ for 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 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 management, land clearing and landscaping practices, and development review, ~~and work~~in order to maintain and improve estuarine environmental quality. The ~~measurement~~ attainment of this objective shall be measured ~~is~~ by 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 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 or face erosion risk, the City shall encourage and support a multi-jurisdictional approach to stabilization ~~and~~ , restoration and erosion ~~projects~~mitigation, preferably utilizing native vegetation and nature based solutions as the stabilizing medium. The City shall actively seek coordination with county, state and federal partners and pursue available funding to implement proactive mitigation measures, prioritizing living shoreline and dune restoration techniques over structural armoring where practicable.

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.

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 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 endeavor to reduce the amount of surface water runoff through the implementation of stormwater best management practices, where technically and ~~, if~~ economically feasible. The attainment of this objective shall be measured by the degree to which the following policies are implemented and demonstrated improvements in stormwater management capacity and water quality outcomes.

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 utilize an integrated set of strategies to improve coastal resilience and stormwater management by:

- Maximizing unpaved and pervious landscaped areas to promote natural stormwater infiltration and reduce runoff;
- Utilizing native, salt-tolerant, and drought-resistant vegetation to improve soil stability, absorb water, and withstand tropical winds; and
- Implementing and enforcing landscape design standards through the local development review process that establish clear, performance-based criteria for vegetation selection, soil treatment, and maintenance within coastal and marine environments.~~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: 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-9.1 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-9.2 The City shall make persons aware of the low elevation of the Eau Gallie Causeway, encouraging early evacuation.

Policy CM-9.3 The City shall maintain and update as required its list of persons requiring help during evacuation.

Policy CM-9.4 The City shall limit development if it would unreasonably increase hurricane evacuation times.

Policy CM-9.5 The City shall coordinate hurricane evacuation procedures and disaster mitigation with Brevard County and neighboring communities.

Objective CM-10: 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-10.1 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-10.2 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-10.3 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: 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-11.1 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-11.2 The City shall continue to encourage public access at the time of development or redevelopment of the areas along the beach.

Policy CM-11.3 The City shall continue to provide public access to beaches renourished at public expense.

Policy CM-11.4 The City shall continue to enforce the public access requirements of the Coastal Zone Protection Act of 1985.

Policy CM-11.5 The City shall continue to provide transportation or parking facilities for beach and shoreline access, to the extent feasible.

Objective CM-12: 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-12.1 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-12.2 The City shall maintain a list of historic resource sites to be used to cross-check against proposed development.

Objective CM-13: 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-13.1 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-13.2 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 proportionately based on development impacts for infrastructure will be phased to coincide with the demands generated by development or redevelopment.

Policy CM-13.3 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.

Objective CM-14: 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-14.1 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~~ ELEMENT

## Infrastructure
### Goals, Objectives and Policies

Goal. Provide and maintain efficient, high-quality public infrastructure and services that meet the needs of existing and future residents, protect the City's coastal and natural resources, and support a safe, resilient, and sustainable community.

Objective I-1: Ensure the provision, maintenance, and improvement of public infrastructure systems that support the City's predominantly built environment, promote redevelopment, and protect the health, safety, and welfare of residents through efficient, coordinated, and environmentally responsible practices.

Policy I-1.1 The City shall maintain and implement the Infrastructure Element, which consists of the following sub-elements: sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge**.** Each sub-element shall be managed to ensure adequate capacity, compliance with adopted level-of-service standards, and coordination with land use decisions. The City shall encourage infrastructure improvements that enhance system efficiency, protect water quality, and support redevelopment and resiliency objectives within the coastal environment.

## 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: Ensure that sanitary sewer facilities are available to serve all existing and future development within the City while maintaining the adopted level of service (LOS). ~~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 that ~~developers to install sewage collection facilities and to connect those facilities to the County's system for~~ all new development~~.~~ provide and fund the design and construction of sewage collection facilities to maintain the adopted level of service (LOS), and ensure connection of such facilities to the County's sanitary sewer system.

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. 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.

# 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 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 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.

# Drainage

## Goals, Objectives and Policies

Goal. ~~The overall goal for this sub-element is provision of~~ Provide and maintain drainage facilities to meet the needs of the existing and future ~~inhabitants~~ residents of Indian Harbour Beach~~.~~, while protecting natural resources and minimizing flood risk through the implementation of best management practices and coordination with applicable state and regional agencies to ensure compliance with adopted regulations and the protection of public and private property.

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 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 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 The City shall through its LDRs require applicants to provide documentation of SJRWMD permit approval or exemption prior to commencement of site construction for new development and redevelopment, and to demonstrate compliance with state and regional stormwater requirements and to ensure maintenance of the adopted level of service (LOS). ~~cooperate with the SJRWMD in enforcing stormwater regulations for new development.~~

Policy D-1.5 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 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 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 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~~ to accommodate new development and redevelopment. When connections to existing systems are proposed, the City shall encourage improvements that enhance system capacity, water quality and resiliency through innovative design solutions including low impact development (LID) techniques and green infrastructure practices such as bioswales, pervious pavements and stormwater reuse. Such enhancements shall be reviewed through the local permitting process to ensure consistency with adopted level of service standards and compatibility with surrounding properties.

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 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~~ 4 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 to ensure the safe, reliable, and sustainable provision of potable water facilities to meet the needs of the existing and future inhabitants of Indian Harbour Beach. This includes promoting resource conservation; coordinating with regional water suppliers and regulatory agencies helping ensure that potable water infrastructure is planned, operated, and improved in a manner that supports public health, accommodates projected growth, enhances system resiliency, and preserves the community's long-term water resources.

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; 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.

Objective ~~P-~~W-3: ~~The~~ The City shall promote and support year-round water conservation practices ~~measures~~ to help ensure the availability of potable water to all users in the City, ~~even during times of~~ including during periods of extended dry weather. ~~The measurement~~ Achievement of this Objective is the extent to which the City implements and advances conservation ~~measures~~ initiatives, adopt efficient water-use and irrigation practices and carries out the ~~are taken plus the degree to which the following~~ Policies that follow.~~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 evaluate and pursue feasible water conservation strategies that reduce potable water demand and enhance long-term resource efficiency. These strategies may include ~~investigate the feasibility of local implementation of the following water conservation concepts: a water conservation~~ public education programs; requirements for ~~installation of~~ low-flow and high-efficiency ~~water volume~~ plumbing fixtures; ~~the incorporation~~ integration of water-saving principles into landscape and irrigation ~~conservation concepts in landscape~~ regulations; promotion of drought tolerant Florida-Friendly landscaping; incentives for retrofitting older structures with water-efficient technologies; and ~~the identification of areas suitable for use of reclaimed water~~ coordination with regional partners to identify additional conservation and reuse opportunities.

Policy PW-3.4 The City hereby adopts its Ten-Year Water Supply Facilities Work Plan (WSFWP), ~~2009-2019~~ 2026-2036, as approved by the City Council on ~~October 27, 2009~~ June 9, 2026. 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 The City will continue to evaluate its Landscaping Ordinance 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 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 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 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~~.~~ and by implementing stormwater management practices consistent with current best practices. These practices include the use of low impact development techniques, preservation and enhancement of natural infiltration areas, incorporation of green infrastructure, and design approaches that minimize runoff and promote on-site retention. Achievement of this objective will be measured by trends in the surficial aquifer level and by the degree to which the following Policies are effectively implemented and advanced.~~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.

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~~MOBILITY ELEMENT

### Goals, Objectives and Policies

Goal. The City of Indian Harbour Beach seeks to develop a safe, efficient, and multi-modal transportation system created in coordination with regional and state agencies that meets the mobility needs of all users; supports the City's Land Use and Comprehensive Plan goals; provides convenient access to key destinations and adjacent land uses; integrates and enhances bicycle, pedestrian, transit, and vehicular connections; promotes cohesive and sustainable development patterns; uses public resources efficiently; and complements the City's coastal character and natural environment while enhancing overall public health, safety, and welfare.~~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~~ME-1: ~~—~~In coordination with areawide agencies, Brevard County, and the State of Florida, the City of Indian Harbour Beach shall plan for and maintain a safe, convenient, and energy-efficient multi-modal transportation system that serves all users, including motorists, bicyclists, pedestrians, transit riders, and micro-mobility users such as electric bikes (e-bikes), electrics scooters, and golf carts. The effectiveness of this objective shall be measured by improvements in safety, accessibility, and energy efficiency across all modes, as well as by the degree to which the following policies are implemented. ~~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~~ME-1.1 The City shall continue to develop and implement a program to continually improve local streets in order to maximize safe and efficient travel

for all users, including motorists, bicyclists, pedestrians, transit riders, and micro-mobility users, while reducing accidents and minimizing the loss of life and property. ~~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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-1.8 The City shall continue to monitor traffic conditions along Pine Tree Drive and Banana River Drive to assess roadway safety, traffic volumes, travel speeds, and overall operating conditions. Monitoring efforts shall be used to identify potential safety concerns, evaluate the need for traffic calming or intersection improvements, and ensure that these corridors continue to operate safely and efficiently for all users.~~The City shall continue to monitor the traffic on Pine Tree and Banana River Drives.~~

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

Policy ~~TE~~ME-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~~ME-1.12 The City shall continue to plan for and provide sidewalks and pedestrian pathways that link neighborhoods to bus stops and transit facilities. In coordination with regional transit agencies, the City shall also encourage and support the installation and maintenance of transit stop infrastructure, including shelters, seating, lighting and signage. ~~The City shall continue to plan and provide for sidewalks/pedways which link neighborhoods to bus stops.~~

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

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

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

Objective ~~TE~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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~~ME-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 ELEMENT

## 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, including the handicapped and elderly are provided with a system of accessible facilities and programs to meet their needs for active and passive recreation. This includes creating opportunities that ensures equitable access to park facilities for all individuals.

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~~ maintain the Algonquin Park site as a community park and develop additional park space that can accommodate the handicapped and elderly.

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.

Policy R-2.2 The City shall work with County, State, ~~and~~ federal governments, and the Brevard Public Schools Board for funding and/or development of recreation facilities such as bikeways that provide multi-modal throughout Indian Harbour Beach.

Policy R-2.3 The City shall require ~~certain~~ that all new development is reviewed for consistency with adopted recreational level of service standards and shall ensure that sufficient recreational facilities ~~to be provided as a part of large developments.~~ are available or provided to serve new development.

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 ELEMENT

## 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~~.~~, with an adequate inventory available in a variety of types, sizes, and location throughout the city meet the needs of both current and future residents.

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.

Policy H-1.3 Per Section 163.3202, F.S land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.

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 maintain a ~~continue to allow the~~ housing market based on ~~to operate according to~~ the free enterprise system~~.~~, While also seeking to align market demand with the City's vision and to provide a diverse range of housing options.

Policy H-2.5 The City may consider mechanisms like the Live Local Act to promote affordable housing, uphold design standards that reflect the City, and ensure neighborhood compatibility. Affordable housing options will prioritize the health, safety, and wellbeing of all residents.

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 sup- porting 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. 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 Florida Department of Children and Families 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 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 continue to participate and provide support in the ~~periodically~~ exchange of information with that agency relative to any potential historic places in Indian Harbour Beach.

Policy H-6.5 The City shall promote the protection of historically significant

housing through a variety of means, of which, may be embraced by the City Indian Harbour Beach:

1. Provide for local incentives that encourage rehabilitation and adaptive use of such structures;

2. Development of regulations that discourage incompatible exterior alterations and the wanton demolition of historically significant housing;

3. Assistance to the property owners interested in participating in local, state, and federal historic preservation programs.

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.~~an appropriate mix of owner occupied and vacation rental units. Vacation rental units shall apply to be registered with the City and shall provide all required documentation pursuant to Land Development Regulations set forth in Sec. 10-102.

Policy H-9.3 The City shall ~~continue to promote single-family and other~~ attempt to balance low density and high 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.

Policy H-9.5 The City may support the development of accessory dwelling units (ADUs) within single-family residential zoning districts to provide greater housing choices and promote affordability, while ensuring compatibility within existing neighborhoods.

Policy H-9.6: The City may permit accessory dwelling units if development standards align with the Land Development Regulations and the requirements

for size, height, setbacks, and design that ensure neighborhood compatibility. This policy promotes housing diversity while protecting the health, safety, and wellbeing of the Indian Harbour Beach community.

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.

Policy H-14.6 The City shall promote the efficiency of rehabilitated units where feasible and support development that advances energy efficiency and the sustained use of existing residential land and housing

# VII. FUTURE LAND USE ELEMENT

## Goals, Objectives and Policies

Goal. The overall future land use goal for the City of Indian Harbour Beach is to maintain community character and quality of life through a viable predominantly-residential community supported by adequate business services and small light industrial uses~~.~~, while protecting and enhancing the City's natural resources and coastal environment.

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. The City's concurrency management program shall identify transportation facilities necessary to maintain current levels of service and may include proportionate fair-share contributions, mobility fees, or other mitigation strategies to address development-related impacts.

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.~~ the revitalization and redevelopment of aging or underutilized commercial areas through incentives, updated zoning provisions, and public–private partnerships that support mixed-use redevelopment and the adaptive reuse of vacant or obsolete buildings. The measurement of this objective is the continued reduction of blighted or vacant areas and the successful implementation of the following policies.

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

and building codes with redevelopment incentives and zoning updates that encourage mixed-use projects and adaptive reuse of vacant commercial buildings.

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 and redevelopment 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. as listed in Table 3.3.A – Future Land Use.

| **Table 3.3.A – Future Land Use** | | | |
|---|---|---|---|
| **Future Land Use Map Designation** | **General Description/Implementing Zoning Districts** | **Maximum Density (dwelling units per acre – du/ac)** | **Maximum Intensity (Floor Area Ratio – FAR)** |
| Neighborhood Residential (NR) | Intended for residential projects within where public services such as water and wastewater facilities are present or planned. This category generally includes low density to medium density single-family development.<br>Implementing Zoning Districts: R-1AAA, R-AA, R-1A and Planned Unit Development (PUD) | 4.3 dwelling units per acre (du/ac) | N/A |
| Urban Residential (UR) | Intended to provide a buffer between low-density residential uses and more intense uses, such as high-density residential or commercial.<br>Implementing Zoning Districts: R-2, R-3 and Planned Unit Development (PUD) | 7-15 du/ac | N/A |
| Commercial (COM) | Commercial uses include neighborhood and | N/A | 1.5 FAR |

| | | | |
|---|---|---|---|
| | commercial scale commercial and office development that serves neighborhood or community or village needs.<br><br>Implementing Zoning Districts: C-P, B-1, and Planned Unit Development (PUD) | | with 40% building coverage |
| Mixed Use (MU) | The purpose of this land use designation is to promote the development of sustainable commercial projects by providing maximum opportunity for innovative site planning for living, shopping, and working environments. No more than 60% of the total Mixed-Use site shall be used for residential purposes. Total new residential development associated with Mixed-Use Development within the City shall not exceed 427 units.<br><br>Implementing Zoning Districts: R-2, R-3, C-P, B-1 and Planned Unit Development (PUD) | 15 du/ac | 1.5 FAR with 40% building coverage |
| Industrial (IND) | This land use is designed for activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Adequate buffering should be provided from adjacent land uses; and transitional uses (such as commercial, mixed-use, or higher density residential uses) should be provided between industrial and lower density residential areas.<br><br>Implementing Zoning Districts: M-1 | N/A | 1.5 FAR |
| Public and Semi Public (PSP) | Intended to provide areas for public utility facilities, public and semi public facilities of a governmental, educational, or cultural nature.<br><br>Implementing Zoning Districts: P-1 and P-2 | N/A | N/A |
| Recreation and Open Space (ROS) | Uses permitted in this category are limited to public and private open spaces, public/private parks, public recreation facilities and public beach or water access points. | N/A | N/A |

~~A. R-1AAA, Single-Family Residential: maximum 2.5 units/acre.~~
~~B. R-1 AA, Single-Family Residential: maximum 3.1 units/acre.~~
~~C. R-1 A, 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-3.3.1 Per Section 163.3167, F.S., the City will allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect.

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.~~ promote land use compatibility and preserve the community's predominantly residential character by reducing, eliminating, or preventing existing or proposed uses that are clearly inconsistent with surrounding development. The City shall apply the principles, criteria, and regulations of the Comprehensive Plan and Land Development Code Regulations to ensure that redevelopment and new development are designed and located in a manner that is compatible with adjacent neighborhoods in terms of scale, intensity, building design, access, lighting, and buffering. When appropriate, the City shall encourage the transition or redevelopment of incompatible uses through zoning amendments, design standards, and incentives that support a cohesive community fabric.

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~~Policy LU-4.~~2~~ 1 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 enforce regulations for the protection of natural resources and 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 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-5.~~1~~ 2 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.~~ promote appropriate infill development through updated zoning, incentive programs, and design standards that encourage redevelopment consistent with the surrounding community and efficient use of existing public facilities.

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~~ Utilities 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 Brevard Public Schools~~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 provide mixed-use developments where feasible in the Commercial ~~utilize the City's mixed use~~ future land ~~development~~ use category~~ within the 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.~~ the redevelopment and beautification of older commercial areas and structures through incentive programs and flexible design standards that promote the addition of landscaping, improved site design, and enhanced architectural character. Where feasible, redevelopment and renovation projects shall incorporate streetscape improvements, shade trees, and pedestrian amenities to strengthen the visual quality and economic vitality of established corridors.

# VIII. CAPITAL IMPROVEMENTS ELEMENT

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. 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%; e 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 at the time of the issuance of a certificate of occupancy. {Section 163.31 80(2), 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.

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.

Objective CI-7: The City shall work with the Brevard Public Schools~~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 Brevard Public Schools~~School Board of Brevard County's~~ Five-Year Work Program. The City hereby adopts by reference the Brevard Public Schools~~School Board of Brevard County's~~ Five-Year Work Program for the planning period 20222~~17~~-~~18~~ 23 through 20255~~1~~-26~~2~~, 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.

FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE

| Funding Source | Project Name | FY 24-25 | FY25-26 | FY 26-27 | FY 27-28 | FY 28-29 |
|---|---|---|---|---|---|---|
| General Fund | Transportation (paving and sidewalks) | 626,300 | 287,000 | 272,600 | 290,000 | 308,500 |
| | City Hall Baffle Box | 250,000 | - | - | - | - |
| | Algonquin Sports Complex expansion | 1,000,000 | - | - | - | - |
| | Building infrastructure | 113,000 | 961,000 | 43,000 | 20,000 | 51,900 |
| | Park Improvements | 366,500 | 536,000 | 128,200 | 303,100 | 141,000 |
| School District | See Brevard County School Board work plan | | | | | |
| State Legislative Appropriations/ SOIRL 1/2 cent sales tax/ Stormwater Utility Fund/ State ARPA | Muck removal (Dredging) | - | - | - | 6,325,000 | 6,325,000 |
| | City Hall baffle box | 447,000 | - | - | - | - |
| | Algonquin Sports Complex baffle box | 60,000 | - | 742,000 | - | - |
| | Canal seawall replacement | - | 150,000 | 150,000 | 339,500 | 100,000 |
| | Misc. drainage improvements | - | 25,000 | 30,000 | 35,000 | 40,000 |
| | Stormwater projects | 2,734,575 | - | - | - | 1,438,100 |
| | Park improvements | - | - | - | - | - |
| ARPA Fund | Algonquin Sports Complex expansion | 1,852,214 | - | - | - | - |

# IX. PUBLIC SCHOOL FACILITIES ELEMENT

Goals, Objectives, and Policies

Goal. In conjunction with Brevard Public Schools the City of Indian Harbour Beach seeks ~~To~~ 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 Brevard Public Schools ~~school district's~~ five-year capital facilities work program.

Objective PSFE-1: Maintain adequate school facilities in Brevard ~~County~~ Public 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~~2020-~~2012~~2025, the tiered LOS will be terminated.

| **TIERED LEVEL OF SERVICE - SCHOOL YEAR ~~2007~~2020-~~08~~ 21 to 2024~~11~~-~~12~~25** | | | | | |
|---|---|---|---|---|---|
| **Facility Type** | **~~2007~~2020-~~2108~~** | **~~2008~~2021-~~0922~~** | **~~2009~~2022-~~1023~~** | **~~2010~~2023-~~1124~~** | **~~2011~~2024-~~1225~~** |
| Elementary Schools | ~~127~~77% | ~~130~~72% | ~~115~~74% | ~~105~~73% | ~~100~~72% |
| Middle Schools | ~~122~~80% | ~~120~~74% | ~~100~~70% | ~~100~~66% | ~~100~~63% |
| Junior / Senior High Schools | ~~133~~79% | ~~135~~77% | ~~110~~75% | ~~105~~74% | ~~100~~76% |
| High Schools | ~~139~~80% | ~~130~~80% | ~~115~~80% | ~~100~~78% | ~~100~~79% |

Source: https://www.brevardschools.org/documents/departments-and-programs/planning-and-project-management/planning-reports/facilities-planning-and-project-management-files/student-accommodation-plans/6754193~~Brevard County School Board Staff - July 2008~~

Policy PSFE-1.2 The City hereby adopts the Brevard Public Schools~~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 Brevard Public Schools~~School District.~~ , including charter schools 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 Brevard Public Schools~~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 Brevard Public Schools ~~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 Brevard Public Schools~~School District~~ within 45 days of receipt of the proposed change.

c. The modification of a CSA shall be effective upon adoption by the Brevard Public Schools~~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 Brevard Public Schools~~School District~~ determines that a school change is appropriate considering the appropriate use of the school and utilization requirements, the Brevard Public Schools~~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 Brevard Public Schools ~~School District~~ within forty five (45) days of receipt.

3. The change in school use shall become effective upon final approval by the Brevard Public Schools~~School Board~~.

Objective PSFE-2: The City shall ensure a school concurrency evaluation shall be performed by the Brevard Public Schools~~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 Brevard Public Schools ~~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 Brevard Public Schools~~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 Brevard Public Schools ~~School District~~ for review.

C. The Brevard Public Schools ~~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 Brevard Public Schools ~~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 Brevard Public

Schools ~~School District~~ shall issue a SCADL verifying available capacity in the adjacent CSAs.

4. If capacity is not available in the contiguous CSAs, the Brevard Public Schools ~~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 Brevard Public Schools ~~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 Brevard Public Schools ~~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 Brevard Public Schools ~~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:

If mitigation is approved, the City and the Brevard Public Schools ~~School District~~ enter into an enforceable binding agreement with the developer and the improvement(s) will be included in the Brevard Public Schools~~School District's~~ annually adopted Five-Year Capital

Facilities Work Program and reflected in the next update to the Capital Improvements Element.

A. If mitigation is denied, the City must deny application based upon no available school capacity.

B. 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 Brevard Public Schools~~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 Brevard Public Schools ~~School District~~ and the developer.

Policy PSFE-2.8 The City shall notify the Brevard Public Schools ~~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 Brevard Public Schools~~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 Brevard Public Schools~~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 Brevard Public Schools ~~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 Brevard Public Schools~~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 Brevard Public Schools~~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 Brevard Public Schools~~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 The City shall continue to contain school concurrency provisions in its LDRs to implement school concurrency.

Policy PSFE-3.7 The City, in conjunction with the Brevard Public Schools~~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 Brevard Public Schools~~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 Brevard Public Schools~~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 Brevard Public Schools~~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 Brevard Public SchoolsSchool 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 Brevard Public SchoolsSchool 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.~~

# X. PRIVATE PROPERTY RIGHTS ELEMENT

Goal, Objective, and Policies

Goal. The City shall recognize and respect all judicially acknowledged or constitutionally protected private property rights when making local decisions.

Objective PR-1: Decisions made by the City shall reflect the private property rights of each land owner.

Policy PR-1.1 Local decisions made by the City shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy PR-1.2. Local decisions made by the City shall consider the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances

Policy PR-1.3. Local decisions made by the City shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy PR-1.4. Local decisions made by the City shall consider the right of a property owner to dispose of his or her property through sale or gift.

~~EXHIBIT A~~

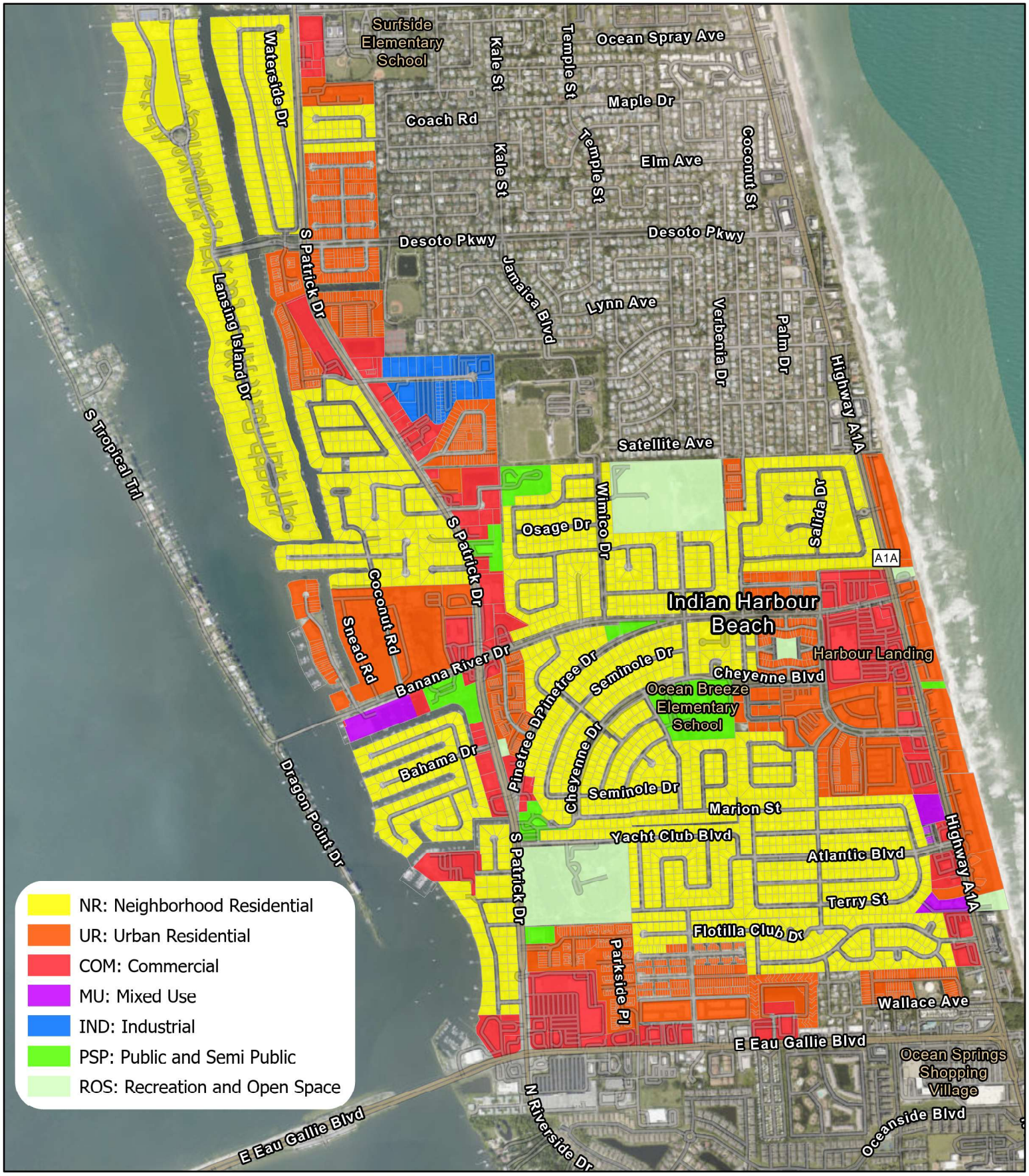
~~MAP SERIES~~

~~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~~




RVi
111 N. Magnolia Avenue
Suite 1350
Orlando, FL 32801
Tel: 407.680.0650
www.rviplanning.com

# Indian Harbour Beach • **Future Land Use Map**

- Indian Harbour Beach, FL
- Date: 5/21/2026
- # 18000123
- Indian Harbour Beach

0 750 1,500 3,000

Feet

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CITY OF INDIAN HARBOUR BEACH COMPREHENSIVE PLAN UPDATE

# Preliminary Assessment Report

October 31, 2025



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# EXECUTIVE SUMMARY



*Source: Wikipedia*

The Comprehensive Plan ("Plan") is the long-range framework for the planning of activities that affect the local government – the City's "blueprint" for growth and guiding future decisions. It is the foundation upon which all land use decisions in the City are based.

The principles and strategies contained in the Plan are expressed through goals, objectives, and policies (GOPs), which guide the City's decisions as well as implementing land use regulations. The GOPs in the Plan ensure that the City is well-prepared to manage growth, safeguard its natural resources and assets, and align infrastructure development with current and future needs.

The City's Comprehensive Plan should support responsible, long-term land use planning, consistent with the minimum 20-year horizon required by Florida Statutes. This planning includes ensuring the delivery of public services and infrastructure necessary to sustain and enhance both the natural and built environments, as well as the overall quality of life for residents. Aligning the Plan with the City's vision is essential, as it serves as the primary tool for achieving the City's goals.

The purpose of this Preliminary Assessment—also known as the Evaluation and Appraisal Report (EAR)—is to deliver a thorough analysis of the current City of Indian Harbour Beach Comprehensive Plan, as it relates to the Plan's alignment with the City's vision and long-range growth projections and consistency with state laws. This report lays the groundwork for the assessment by presenting key findings and recommendations aimed at aligning the Plan with the requirements of the Florida Statutes and ensuring the City's policies guide efficient use of infrastructure, appropriate levels of growth, and protection of Indian Harbour Beach's unique coastal character and natural resources. It is intended to support mandatory updates to the Comprehensive Plan, as well as optional amendments or changes beyond those legally required. The proposed "optional" amendments will need review and input from Staff and the public with approval to proceed with optional changes by City Council.

This Preliminary Assessment Report provides an analysis of changes in Indian Harbour Beach since 2019 when the current Comprehensive Plan was last evaluated through the Evaluation and Appraisal Report (EAR) process. The Plan has been amended several times since 2019 but has not been substantially updated to address changes to Florida Statutes over the past 6 years.

The preliminary assessment includes profiles of the City's population, education, economics, and housing as required to address the minimum planning horizon, which is increased to 25 years or through the year 2050 for purposes of this update. It reports on existing land use and summarizes any improvements or policy changes since the last Evaluation and Appraisal Report. Two significant supplementary documents are provided in this Preliminary Assessment that will help to shape required statutory amendments: A State Consistency Review (Appendix A) and an "Element – by – Element" review the Comprehensive Plan to evaluate consistency with changes to Florida Statutes since the last update (Appendix B).

This Preliminary Assessment Report concludes that: 1) the Comprehensive Plan must be amended to reflect changes in state requirements since the last update; 2) some policies are out of date and have

been accomplished or should be re-directed to address current needs; and 3) trends and conditions in the City of Indian Harbour Beach suggest optional amendments/updates to the Elements are not required but can be pursued in the future to strengthen the community vision for preservation of the City's coastal charm and quality of life.

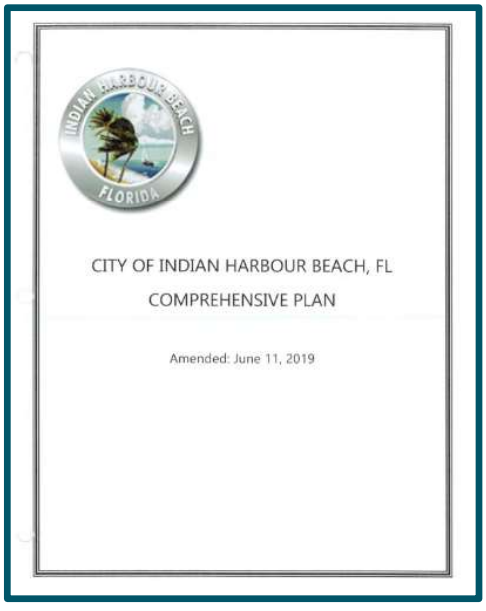
Following input and direction on the recommendations of this Report, the Consultant will prepare the statutory Plan amendments. This process will include local review by the public, City Staff, the Planning & Zoning Board and City Council. Following Council transmittal, amendments are reviewed by the state agency (Florida Department of Commerce) and other reviewing agencies, such as the Department of Environmental Protection and the Department of Transportation.

Upon receipt of state comments, the final step is formal adoption of the amendments through final public hearings. Full implementation of an amended plan would necessitate further changes to the City's Land Development Regulations (LDRs).

## BACKGROUND AND PLANNING CONTEXT

***City Description***

The City of Indian Harbour Beach is in east Brevard County on a barrier island between the Atlantic Ocean to the east and the Indian River Lagoon to the west. The location lies north of the City of Melbourne and south of the City of Satellite Beach. The City is proximate to Kennedy Space Center and Cape Canaveral a and is within a prominent employment area known as the "Space Coast" due to the clustering of space exploration, research and development industries in the area. The City's current 2025 population estimate is 9,070 people according to the Shimberg Center for Housing Studies, which is a nominal increase of just 845 people since 2010 when the population estimate was 8,225 people.




Of the City's roughly 2.6 square miles, approximately 0.6 square miles is water. The City's main thoroughfares are Eau Gallie Boulevard, which connects the barrier island to the mainland, S. Patrick Drive and Highway A1A (Jimmy Buffett Memorial Highway), providing north-south connectivity to adjacent communities. While the City lacks a historical urban core, downtown, or Community Redevelopment Area (CRA), the City has distinctive "zones" that lay the groundwork of the City's land use framework. These "zones" include the Eau De Gallie Boulevard. commercial corridor, where the bulk of the City's retail and service-based businesses are located; the AIA corridor characterized by a mix of commercial uses, high density multi-family, timeshares, as well as civic space and beach access providing a distinctive resort zone of the City. South Patrick Drive provides the bulk of the civic uses, including City Hall, the Police Department and Gleason Park, as well as office, retail and residential neighborhoods. The low-density residential core branches off Pine Tree Drive, as well as the western Lagoon-front neighborhoods.

***Adopted Comprehensive Plan Vision***

The current Comprehensive Plan based on the 2019 Evaluation and Appraisal Report has no explicit vision or mission statement. However, the Plan's Future Land Use Element provides the following context for the document as its first 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."***

It is noted that this goal will generally guide and inform the long-range planning process. However, establishment of an overarching Vision Statement for the whole of the Comprehensive Plan is recommended as part of this update.

The following section reports on the changes that have occurred, both characteristically and legally, in the City since the last Plan was adopted in 2019. The goal of this section is to highlight what areas of the Plan may need to be amended based on these changes.

## CHANGED CONDITIONS SINCE 2019 PLAN UPDATE

***Background of Comprehensive Plan Updates***

Florida Statutes require municipalities and counties to adopt and implement a local comprehensive plan to describe how they will provide the required services to meet the current and future needs of the community, while protecting the natural environment.

The City's current Comprehensive Plan was last updated through the EAR process in 2019. The Plan identified a planning timeframe for the next ten years (until 2030). It is composed of ten (10) elements, including the recently adopted Private Property Rights Element, that each contain goals, objectives, and policies (GOPs) organized by topic area. Each element's GOPs are based upon data and analysis including demographics, infrastructure calculations, environmental data, and property information.

The City's Plan includes multiple maps depicting the City's Future Land Use categories, as shown in the Future Land Use Map (FLUM), as well as the Brevard County school map series, which includes the location of schools throughout the county. One of the most important maps is the City's FLUM, which depicts future land use categories that specify what general range of uses are allowed on each property. The FLUM is implemented through the Zoning Map and the Land Development Regulations.

Local comprehensive plans in Florida are required to meet a number of requirements, in particular Chapter 163.3177, F.S. The statutes require that comprehensive plans provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area.

Chapter 163.3177, F.S. also requires that comprehensive plans identify procedures for monitoring, evaluating, and appraising the implementation of the plan. Historically, this process was known as the Evaluation and Appraisal Report, or "EAR". Statutes require the EAR to be conducted every seven (7) years

by a jurisdiction to ensure the adopted GOPs are still relevant and appropriate. Indian Harbour Beach last conducted an EAR in 2018-2019.

***Preliminary Assessment Process: Purpose and Outcomes***

The first step in the process of updating the Comprehensive Plan is assessing the current GOPs in relation to local and state-level changes. Following the issuance of this Assessment Report, the Consultant will begin the Plan update process, including the drafting of updated elements, and their respective GOPs. These amendments will be transmitted to Florida Commerce and applicable state agencies under the State's Coordinated Review Process. Following comments from the State, the City Council may then conduct final adoption hearings to ratify the amendments. Full implementation of the amended Comprehensive Plan will require amendments to the City's Code of Ordinances/Land Development Regulations.
Figure 1: The Comprehensive Plan Update, graphically represents this process.

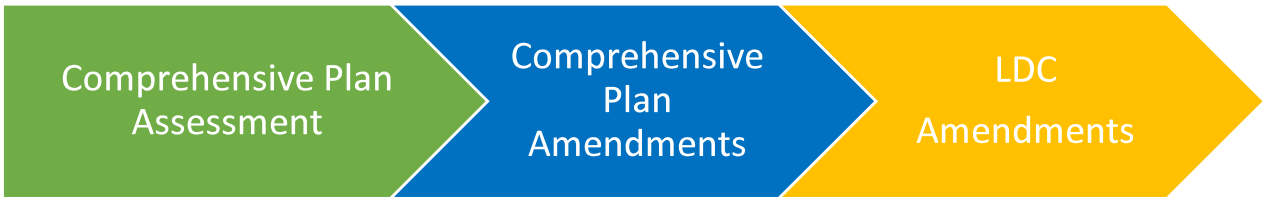



***Figure 1: The Comprehensive Plan Update Process***

The next section of this Assessment presents data that the City can use as part of its Plan update and will provide context for some of the recommendations and observations that appear later in this Report. As noted above, this analysis is based upon the newly established long-range planning horizon of 2050.

***Population Demographics***

By 2050, Indian Harbour Beach is not projected to experience population growth due to the extent of the City's build out. However, there are still several population-related considerations the City may need to address. Although the broader Space Coast region has seen consistent growth over recent decades, Indian Harbour Beach has remained a largely built-out, stable residential community. This relative stability can influence local planning priorities differently than in faster-growing areas, particularly in terms of community character, housing needs, and maintaining aging public infrastructure. The following datasets provide an overview of the demographics of the City's permanent population.

***Population Growth***

The following estimates are generated from the Shimberg Center for Housing Studies and are based on 2020 U.S. Census data and population projections by the Bureau of Economic and Business Research (BEBR) at the University of Florida. [1][2][3] Shimberg and BEBR both provide data on the permanent

[1] Shimberg manages the Florida Housing Data Clearinghouse and provides population estimates for household projections at the sub-county (e.g., municipal) level, while BEBR generally provides population estimates at the county level.
[2] For more information about the BEBR methodology to estimate population, please see: https://bebr.ufl.edu/articles_publication/behind-the-numbers-the-population-estimation-process/
[3] The data used for this analysis appears is available through the Florida Housing Data Clearinghouse managed by the Shimberg Center. Please see: http://flhousingdata.shimberg.ufl.edu/population-and-household-projections/results?nid=518

population. Shimberg focuses on municipalities, while BEBR typically provides estimates at the county level.

***Table 1: Permanent Population Estimates***

| Year | 2010 | 2020 | 2025 | 2030 | 2040 | 2050 |
|---|---|---|---|---|---|---|
| Permanent Population | 8,225 | 9,019 | 9,070 | 9,218 | 9,252 | 9,072 |

***Population Growth and Implications for Housing***

The City's population is projected to remain "flat", increasing from an estimated 9,070 people in 2025 to approximately 9,072 by 2050 with an average household size of 2.37 persons. This projected increase of only 0.02% is indicative of long-term demographic stability and very limited land area to accommodate new population growth. In the absence of sweeping policy decisions encouraging the annexation of vacant lands into the City and/or the redevelopment at higher densities, the City will remain at virtual build-out with a fixed population around 9,000 people. In contrast, Brevard County is anticipated to experience an 8.55% population increase, rising from 606,607 in 2025 to 658,447 by 2050, with an average household size of 2.43. Subsequent sections of this Assessment evaluate how the Future Land Use Map aligns with the projected population growth and its capacity to accommodate it.

***Population Age***

The age composition of the population may influence the City's decision-making as the proposed amendments progress. Data from the Shimberg Center for Housing Studies indicates that the most notable demographic shift will occur among residents aged 65 and older. As shown in Table 2 below, this age group is projected to increase from approximately 25% to 30% of the City's total population. Similarly, in Brevard County, individuals 65 and older make up the largest age group, comprising 24.9% of the population per the U.S. Census Bureau. This trend suggests the City's population will continue to age with lower percentages of working families with children.



*Source: Homes.com*

***Table 2: Population as Percent of Total***

| Age | Year | | | | |
|---|---|---|---|---|---|
| | 2010 | 2020 | 2030 | 2040 | 2050 |
| 0-14 | 12% | 12% | 13% | 13% | 13% |
| 15-34 | 18% | 17% | 17% | 17% | 17% |
| 35-54 | 28% | 23% | 24% | 24% | 23% |
| 55-64 | 15% | 17% | 12% | 13% | 15% |
| 65 and older | 25% | 28% | 32% | 31% | 30% |

***Housing Characteristics***

The Shimberg Center for Housing Studies, drawing on data from the U.S. Census Bureau's 2019–2023 American Community Survey 5-Year Estimates, provides insight into housing conditions across Florida,

including homeownership rates and household tenure by age. In Indian Harbour Beach, an estimated 78% of households are owner-occupied, with approximately 817 full-time rental households. This compares to Brevard County's average homeownership rate of 76%. The City's higher-than-average homeownership and relatively low rental activity align with projected national trends for 2025 and reflect a stable, well-established residential community. This dynamic can also create challenges relating to affordability and sufficent workforce housing supply.

***Table 3: Home Ownership by Age 2019-2023 Estimate*** [4]

| Age of Householder | Owners | Margin of Error (+/-) | Renters | Margin of Error (+/-) | Homeownership Rate |
|---|---|---|---|---|---|
| 15-34 | 114 | 75 | 333 | 257 | 26% |
| 35-54 | 655 | 173 | 294 | 294 | 69% |
| 55-64 | 704 | 174 | 72 | 72 | 91% |
| 65 and older | 1,479 | 276 | 118 | 118 | 93% |
| **Total** | **2,952** | **257** | **2,911** | **817** | **78%** |

The City's housing stock by unit type according to the Shimberg Center for Housing Studies appears in Table 4 below [4]. Although a large portion of the City is designated for Multi-Family future land use, it is notable that 64% of the existing housing stock consists of single-family attached and detached homes.

***Table 4: Housing Units by Type, 2019-2023 5-Year Estimates*** [5]

| Single-Family (Attached/ Detached) | Multi-Family | Mobile Homes | Other | Total |
|---|---|---|---|---|
| 3,034 *(64%)* | 1,696 *(36%)* | - | - | 4,730 *(100%)* |

*Owner-occupied units by structure type and Renter-Occupied Units by Structure Type

Other notable statistics for housing may be important as the City develops its Plan amendments:

- In 2023, the median gross rent in Indian Harbour Beach is $1,674 per month.[5]
- The median monthly owner costs with a mortgage is $2,173 per month.[5]
- The median value of owner-occupied housing is $387,400.

***Economic Characteristics***

The U.S. Census provides information using a 5-Year Estimation process between census years. The most recent 2019-2023 estimations show that the median household income in the City of Indian Harbour Beach was $98,046.[6] This is considerably higher than the median wage of $78,538 in the U.S, and the

[4] All estimates provided by Shimberg Center for Housing Studies.
See: http://flhousingdata.shimberg.ufl.edu/comprehensive-plan-data/results?nid=518
[5] From the U.S. Census Quick Facts for Indian Harbour Beach, FL. See:
https://www.census.gov/quickfacts/fact/table/indianharbourbeachcityflorida,US,brevardcountyflorida,cocoacityflorida/HSG860223
[6] See: https://www.census.gov/quickfacts/fact/table/indianharbourbeachcityflorida,US/PST045224
[7] US Bureau of Labor Statistics: https://www.bls.gov/regions/southeast/news-release/occupationalemploymentandwages_palmbay.htm

median wage in Brevard County, $75,817[6]. There is a 14.8% poverty rate for Indian Harbour Beach, as compared to 11.1% nationally, and 10.3% in Brevard County. These statistics also interplay with the demand for diverse housing types for all income levels noted in the previous section.
According to the Bureau of Labor Statistics for the Palm Bay-Melbourne-Titusville Statistical Area, 11.8% of the total area's employment work is in the Office and Administrative Support major occupational group (compared to 11.8% nationally). This occupational group is the highest in the area, followed by Transportation and material moving (8.9%) and Food preparation and serving related (8.8%).[7]

***Education Characteristics***

The U.S. Census estimates that 98.5% of the City's population over 25 years of age are high school graduates, while 55.2% also have a bachelor's degree or higher. This is considerably higher than the United States education rate of 89.4% of the population over 25 years of age having obtained a high school degree and 35% who have achieved a bachelor's degree or higher. In Brevard County, 93.1% of the population over 25 years of age have obtained a high school degree and 33.5% have achieved a bachelor's degree or higher.




In summary, the City of Indian Harbour Beach compares positively to national and regional demographic trends. Its population is aging, and there is a high rate of homeownership, primarily consisting of single-family homes. These features align with the City's vision to uphold a high quality of life, maintain stable population levels, and preserve existing low-density residential neighborhoods. To further support these goals, optional amendments to the Comprehensive Plan should consider strategies to protect quality of life, established development patterns, while considering policy changes to accommodate an aging population, such as mobility, housing options and local services and infrastructure.

## Existing Land Use, Development Potential, and Annexations

***Existing Land Use***

The Future Land Use Element within the Plan identifies the types, densities and intensities of various land uses in the City of Indian Harbour Beach and specifies where these land uses are permitted within the City's long-range planning horizon, which is currently 2030 and will be expanded to 2050 via this update.

The Future Land Use Map and supportive Future Land Use Element Goals, Objectives & Policies provide the framework for implementing the City's Zoning Map and the City Code/Land Development Regulations (LDR). The LDRs provide the details of specific allowable uses for each parcel of land within the City, along with the form of allowable development based upon setbacks, maximum building height, lot coverage, and other spatial elements. The result of the Future Land Use Map and Zoning Maps is realized through the built form of Indian Harbour Beach's development and redevelopment patterns.

[7] See: https://www.bls.gov/regions/southeast/news-release/occupationalemploymentandwages_palmbay.htm

**Table 5: Total Land Area by Future Land Use**, below summarizes the distribution of the adopted future

| Total Land Area by Future Land Use | | |
|---|---|---|
| **Future Land Use Category** | **Total Acreage** | **% of Total Land Area** |
| Single-Family Residential (SFR) | 573.43 | 53% |
| Multi-Family Residential (MFR) | 258.70 | 24% |
| Commercial (COM) | 95.51 | 9% |
| Commercial Mixed-Use (CMU) | 48.40 | 4% |
| Industrial (IND) | 16.48 | 2% |
| Public & Semi-Public (PSP) | 30.22 | 3% |
| Recreation & Open Space (ROS) | 56.44 | 5% |
| **TOTAL** | **1,079.18 acres** | **100%** |

land use categories based on the Future Land Use Map data as of June 2019. The table indicates the largest land use allocation, which is the Single-Family Residential (SFR) category, representing approximately 573.43 acres, or 51%, of the City's total acreage. Multi-Family Residential (MFR) is the next largest future land use with 258.70 acres or 24% of the total land area. The remaining mixed-use and non-residential categories only represents 25% (combined 247 acres) of the City's total land area.

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| Recreation & Open Space (ROS) | 56.44 | 5% |
| **TOTAL** | **1,079.18 acres** | **100%** |


***Vacant Land***

An additional analysis was conducted on vacant lands in the City. The included Vacant Lands Map demonstrates the location of all parcels in the City with vacant land use codes (0010, 0903, 1000, 8080, 8060) per the Brevard County Property Appraiser. Table 6: Vacant Land by Future Land Use, provides a breakdown of vacant acreage and density potential within each future land use category. The table correlates vacant lands with the potential density of their assigned Future Land Use category.

This analysis indicates that there are approximately 10.0 ± acres of developable vacant land within the City, representing approximately 1% of the land area. The combined Single-Family Residential (SFR) and Multi-Family Residential (MFR) future land use categories encompass approximately 3.0 ± vacant acres, or 30% of the available vacant land. Based on the analysis, the vacant lands within a residential future land use category generate a maximum development potential of 29 dwellings. This estimate does not include allowable residential in categories allowing mixed use, as this category has no vacant lands available. The Commercial (COM) future land use category contains 6.4 acres of vacant lands. Residential uses are not permitted in this category; therefore, these lands produce no potential housing stock unless

the Future Land Use Map is amended or the Live Local Act is utilized for affordable housing per § 163.04151, F.S.

It is evident that the City has an absence of land for new development, which aligns with the static population projections over the next 25-year planning horizon. However, there remains potential to add housing units through infill development, particularly on underutilized or below-density multi-family designated properties.

***Table 6: Vacant Land by Future Land Use***

| Vacant Land by Future Land Use | | | | |
|---|---|---|---|---|
| **Future Land Use Category** | **Maximum Allowable Density** | **Vacant Acres** | **% of Total Land Area** | **Estimated Remaining Unit Potential** |
| Single-Family Residential (SFR) | 4 du/acre | 1.4 | 14% | 5 DUs |
| Multi-Family Residential (MFR) | 15 du/acre | 1.6 | 16% | 24 DUs |
| Commercial (COM) | - | 6.4 | 65% | - |
| Commercial Mixed-Use[1] (CMU) | 15 du/acre | | 0% | 0 DUs |
| Industrial (IND) | - | | 0% | - |
| Public & Semi-Public (PSP) | - | | 0% | - |
| Recreation & Open Space (ROS) | - | | 0% | - |
| Vacant/Unassigned | - | 0.5 | 5% | - |
| **TOTAL** | **-** | **9.9 Acres** | **100%** | **29 DUs** |

[1]/ 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 total.

### *Annexations*

The City considers annexation requests from property owners who wish to voluntarily become part of the city and whose properties are contiguous to existing City limits.

Since the adoption of the current Comprehensive Plan in June 2019, there have been no annexations of land into Indian Harbour Beach. Due to the geographic nature of the City, opportunities for annexations are limited. As the eastern boundary of the City abuts the Atlantic Ocean, the western boundary is bound by the Banana River/Indian River. The City of Satellite Beach creates the City's northern boundary with no enclaved unincorporated parcels. Should annexations be considered, south of the City includes several parcels north of Eau Gallie Boulevard. that are located in unincorporated Brevard County and could potentially benefits from annexation into the City. These properties include a mix of residential and commercial developments. Please refer to the Potential Annexations Map.

### *Infrastructure Analysis & Capital Improvements*

Previously, § 163.3177, F.S. required that cities annually update their Capital Improvements Element (CIE) and Five-Year Schedule of Capital Improvements. However, Chapter 163.3177 was modified in two important ways upon passing of the 2011 Community Planning Act.[8]

[8] The Community Planning Act was pursuant to House Bill 7202.

First, Section 163.3117(3)(a)(4) previously required that the capital improvements element cover a 5-year period and identified whether projects were funded or unfunded and be accompanied by a priority. This section of Florida Statutes no longer requires the demonstration of financial feasibility.

Second, Section 163.3177(3)(b) modifies the requirements for local governments to annually review the capital improvements element. The City is no longer required to transmit the adopted amendment to the state land planning agency, adopt a long-term concurrency management system, or to address financial feasibility.

***Potable Water***

The City of Indian Harbour Beach neither owns nor operates any water supply facilities or transmission mains within its jurisdiction. Potable water is provided by the City of Melbourne. The City of Melbourne currently supplies drinking water to Melbourne, Melbourne Beach, Indialantic, Indian Harbour Beach, Satellite Beach, Palm Shores, Melbourne Village, and certain unincorporated areas of Brevard County on the barrier island south of the Pineda Causeway. Indian Harbour Beach will continue to coordinate with Melbourne to ensure a reliable potable water supply for its residents and will uphold its water franchise agreement until its expiration in 2033.

Melbourne's water treatment facilities include John A. Buckley Surface Water Treatment Plant and the Joe Mullings Reverse Osmosis treatment facility. The Joe Mullins Reverse Osmosis Water Treatment Plant (RO WTP), operational since 1995, has a capacity of 5 million gallons per day (MGD) and a 4-million-gallon groundwater storage tank, sourcing raw water from four Floridan Aquifer wells 650–850 feet deep that each produce about 3.1 million gallons per day. In contrast, the John A. Buckley Surface Water Treatment Plant draws its water from Lake Washington—one of the few surface water supplies for drinking water in Florida—which is the third uppermost lake connected to the St. Johns River.

Indian Harbour Beach's Level of Service (LOS) standard for potable water in Potable Water Element Policy PW-1.4 of the current Comprehensive Plan is 100 gallons per capita per day (GPCPD) per Equivalent Residential Connection (ERC), or 100 gallons per day per ERC.

The John A. Buckley Water Treatment Facility has a maximum capacity of 20.0 MGD while the Joe Mullins Reverse Osmosis Water Treatment Plant (RO WTP) has a maximum capacity of 5 MGD for a total of 25 MGD. The planned expansion to the reverse osmosis facility should increase its capacity to 10 MGD increasing the Capacity to 30 MGD. Current demand is 23.50 MGD. Thus, based on the expected population growth to 9,072 residents by 2050, there will be more than adequate potable water to serve the population through the long-range planning horizon. [9]

It is noted the City's Water Supply Facilities Work Plan (WSFWP) is dated 2009-2018 and requires updating per state law.

***Wastewater/Sanitary Sewer***

Sanitary sewer service and facilities are provided by Brevard County. Indian Harbour Beach is served by the County's South Beaches Area Regional Wastewater Treatment Facility. The wastewater receives

[9] City of Melbourne Comprehensive Plan: https://library.municode.com/fl/melbourne/codes/comprehensive_plan?nodeId=CHVINELGOOBPO

advanced treatment and filtration, resulting in safely recycled water suitable for lawn irrigation and many other uses. The permitted plant capacity is 8 MGD[10].

The City's Level of Service (LOS) standard for Sanitary Sewer under the Capital Improvements Element Policy CI-1.4 of the current Comprehensive Plan is shown is 200 GPD per ERC.

Based on the projected low rate of population growth in Indian Harbour Beach, there is sufficient existing capacity in the City's wastewater treatment system to serve the population through the long-range planning horizon.

***Septic Conversion Laws***

Per Section 163.3177(6)(c)3, F.S., local governments containing any developments of more than 50 residential lots with a density of more than one dwelling unit per acre are required to consider the feasibility of providing sanitary sewer services to these developments within a 10-year planning horizon. The City is in compliance with this state law, as there are no residential lots served by septic tanks in the City. The only properties still on septic are commercially developed and not subject to the statute change.

***Stormwater***

The current Level of Service (LOS) standards for water quality on drainage systems are retention of the first one (1) inch of rainfall on site and systems designed for the 25-year, 24 hour storm event. The LOS is monitored by the Public Works Department through the Site Plan review process, and the St. Johns River Water Management District (SJRWMD) through the Environmental Resource Permit (ERP) process.

***Solid Waste***

Indian Harbour Beach provides its citizens and businesses curbside collection of solid waste, bulk trash, green waste, bulk green waste, recyclables, commercial dumpsters, and roll-off services. Collection services are currently provided through Waste Management. The LOS standard is 8.32 lbs Capita for disposal standard. Landfill services are provided by Brevard County.

***Parks & Recreation***

The City of Indian Harbour Beach Public Works Department is responsible for the City's Park facilities. There currently are five (5) parks in the City with an estimated total acreage of 84+ acres.

Policy R-3.3 of the Recreation and Open Space Element establishes a LOS standard of 4.5 acres per 1,000 population. Based on the projected 2050 population projection of 9,072 people, the City only requires 40 acres of park space for park concurrency through the long-range planning horizon.



Gleason Park Lake

[10] Domestic Wastewater Facilities Qlik: https://qlik.dep.state.fl.us/anon/sense/app/e7e83275-ce98-48d5-ac71-d3dd820fbde2/sheet/8e215150-ce72-4f3e-ab38-93e7cd67b2ac/state/analysis

Table 9 provides an inventory of all parks facilities within the City along with facilities provided and approximate acreage.

*Table 9: Parks and Recreation Facilities Inventory*

| Park Name | Park Type | Approximate Acreage |
|---|---|---|
| Algonquin Sports Complex | Sports Complex (Baseball, little league, softball, and 1 soccer field) | 12.8 acres |
| Bicentennial Beach Park | Passive Recreation (Pavilion, Picnic tables, Boardwalk ) | 40 acres |
| Gleason Park | Active Recreation (Playground, Swimming Pool, Walking Path and Exercise Area) | 27 acres |
| Millennium Beach Park | Active Recreation (Playground, Boardwalk, Pavilions) | 1.84 acres |
| Oars & Paddles Park | Active Recreation (Pavilion, Playground, Picnic Tables) | 4.7 acres |
| | **TOTAL** | **85.84 acres** |

Based upon the projected population in 2050 of 9,072 people, the City has more than adequate park space for the long-range planning horizon based on the current LOS.

***Transportation***

Objective TE-1 of the Transportation Elements states, "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

Per Policy TE-1.2, the City coordinates with the Space Coast Transportation Planning Organization (TPO) and the Florida Department of Transportation (FDOT) in developing and utilizing level of service standards (LOS) at peak hour on all roads within the City's jurisdiction. The current LOS standards adopted into the Comprehensive Plan are: LOS "E" for all roadways maintained by the City and LOS "D" for all State and County maintained roadways.

*Table 10: Major Roadway Facilities LOS*[11]

| City of Indian Harbour Beach Jurisdictional Roadways | Minimum LOS |
|---|---|
| Banana River Dr. (east of S. Patrick Dr.) | E |
| Pine Tree Dr. | E |

| Other Jurisdictional Roadways | Jurisdiction | Minimum LOS |
|---|---|---|
| Banana River Dr. (west of S. Patrick Dr.) | Brevard County | D |
| SR A1A | FDOT | D |
| S. Patrick Dr. (SR 513) | FDOT | D |
| Eau De Gallie Blvd. (SR 518) | FDOT | D |

[11] Space Coast TPO: https://www.spacecoasttpo.com/what-we-do/performance-measures/all-data-downloadable-files

***Public Schools Facilities***

The City of Indian Harbour Beach is within the Brevard Public Schools District which is the 49th largest district in the U.S. and the 10th largest district in Florida. With 84 schools, 15 special centers, and 12 charter schools, the district educates its students in 17 different municipalities across the Space Coast. Brevard Public Schools has a current strategic plan for 2025-2030. The City of Indian Harbour Beach is serviced by the following public schools through Brevard Public School District:

***Table 11: Public Schools Serving City of Indian Harbour Beach[12]***

| Grade Level | School | Location |
|---|---|---|
| PK-6 | Ocean Breeze Elementary School | 1101 Cheyenne Drive<br>Indian Harbour Beach, FL 32937 |
| 7-8 | Delaura Middle School | 300 Jackson Avenue<br>Satellite Beach, FL 32937 |
| 9-12 | Satellite High School | 300 Scorpion Court<br>Satellite Beach, FL 32937 |
| 7-8 | Hoover Middle School | 2000 Hawk Haven Drive<br>Indialantic, FL 32903 |

**Dependent on school capacity, residents may not be limited to the schools that are located within their specific zone. Adjacent Concurrency Service Areas may have capacity which allows for students to attend other schools within the zone.*

Brevard Public School publishes a Student Accommodation Plan for 2024-2025, which was last updated in March of 2024. The data is as of the 2023-2024 School Year. The Total enrollment and capacity statistics for the schools detailed above, are shown below

***Table 12: Brevard Public Schools Enrollment Data*** [12]

| School | Total Enrollment By Student | Total Capacity By Student | Available Capacity by Student |
|---|---|---|---|
| Ocean Breeze Elementary School | 529 | 654 | 125 |
| Delaura Middle School | 823 | 960 | 125 |
| Satellite High School | 1,551 | 1,506 | 45 |
| Herbert C. Hoover Middle School | 442 | 680 | 238 |

Brevard Public Schools also provides Enrollment Projections to the year 2028. The projections show a decline in student enrollment, resulting in adequate capacity within the school system serving Indian Harbour Beach. This will need continual monitoring through the long-range planning horizon through partnerships between the City and School District, as directed by the Comprehensive Plan.

[12] Our Schools: https://www.indianharbourbeach.org/1237/Our-Schools

***Table 13: Brevard Public Schools Five-Year Enrollment Projections*** [13]

| School | 2024 | 2025 | 2026 | 2027 | 2028 |
|---|---|---|---|---|---|
| Ocean Breeze Elementary School | 513 | 494 | 477 | 459 | 437 |
| Delaura Middle School | 517 | 432 | 411 | 439 | 429 |
| Satellite High School | 1,497 | 1,483 | 1,393 | 1,287 | 1,269 |
| Hoover Middle School | 475 | 498 | 470 | 479 | 463 |

[13] Student Accommodation Plan: https://files-backend.assets.thrillshare.com/documents/asset/uploaded_file/4493/Bps/e1c1fd03-44df-4a4d-854f-799da3870505/2024-2025_SAP_Electronic_Version-Reduced.pdf?disposition=inline

## Summary of Public Outreach Approach

The following is a summary of the public outreach opportunities throughout the Comprehensive Plan Amendment process.

- ✓ Planning & Zoning Board Introductory Presentation conducted on July 2, 2025
- ✓ City Council Introductory Presentation conducted on July 8, 2025
- ✓ Community Workshop conducted on August 21, 2025
- ✓ Project Website
- ✓ Electronic Public Survey
- ✓ Planning & Zoning Board Transmittal Hearing
- ✓ City Council Transmittal Hearing
- ✓ City Council Adoption Hearing

**Community Workshop Response:**

On August 21st, a community workshop was held at the Indian Harbour Beach City Council Chambers. Due to inclement weather, only two (2) residents attended the meeting, one being a City Council member and the other being a member of the Planning and Zoning Board. The Consultant team and attendees discussed the topics of land use, mobility, housing/neighborhoods and natural resources/coastal resiliency. During the discussion, attendees expressed a strong desire to preserve the character of their beach town as an oasis from heavy tourism, noting opposition to additional hotels and concerns over the spread of short-term rentals. The attendees emphasized maintaining single-family residential character while discouraging high-density development.

While supportive of low-impact commercial uses and small local businesses within the city limits, they opposed additional big-box commercial development, further noting that there are no vacant areas to accommodate such uses. Attendees also highlighted the need for enhanced pedestrian and bicycle infrastructure, including wider sidewalks.

Regarding accessory dwelling units, participants voiced concerns but remained open to the concept if clear standards are in place to prohibit their use as short-term rentals. They expressed interest in annexing small business properties but opposed annexations that would introduce large-scale density or commercial development.

Environmental priorities were also a key focus, with concerns raised about “muck” accumulation, its negative effects on water quality, and the need for canal clean-up efforts. Attendees stressed the importance of stormwater runoff filtration and advocated for increased funding to protect water resources and marine species, noting the decline of clams and oysters once common in local waters.

Given the low turnout, it is recommended that a follow-up workshop will be conducted virtually, accompanied by an online survey that will be made available in advance through the City’s website and social media platforms.

# Comprehensive Plan Element Review

This Element Review section includes a comprehensive examination of all Elements of the Comprehensive Plan ("Plan"). The purpose of this review is to determine the continued applicability of the Plan's goals, objectives and policies as they relate to compliance with Florida Statutes and the City's vision for the future. The following section also inventories amendments adopted to the Plan since 2019.

The state-mandated or "state consistency" review subsection under each Element below is a summary of the Comprehensive Plan changes required for compliance with Section §163.3191(2)(f), Florida Statutes. This Section is supplemented by the State Consistency Review and Policy-by-Policy review that appears in Appendix A of this report. The detailed analysis of each Goal, Objective and Policy in the entirety of the adopted Comprehensive Plan is in Appendix B.

***Plan Changes Since 2019 Adoption***

To understand the processing of Comprehensive Plan changes since the last adopted Comprehensive Plan, the following analysis documents changes that have been made since 2010. This analysis will help guide the update process and provides key indicators on where revisions are needed to address changing conditions.

***Comprehensive Plan Amendments***

Since adoption of the Current Comprehensive Plan, the amendments have been largely "housekeeping" amendments, such as adopting the Private Property Rights Element per state law and the annual Capital Improvements Plan (CIP). Only two (2) amendments were related to land use changes, totaling 4.2 acres converted from Commercial to Public / Semi-Public and Commercial to Multi-Family Residential.

***Table 14: Comprehensive Plan Amendments Since 2019***

| Ordinance No. | Amendment Summary |
|---|---|
| Ordinance 2020-01 | Annual Capital Improvements Element update for FY 2019/20 – FY 2023/24 |
| Ordinance 2020-04 | Small-Scale Map Amendment – Commercial to Public/Semi public (3.24 acres) |
| Ordinance 2021-01 | Annual Capital Improvements Element update for FY 2020/21 – FY 2024/25 |
| Ordinance 2021-12 | Private Property Rights Element and related policies and objectives |
| Ordinance 2022-02 | Small-Scale Map Amendment – Commercial to Multi-Family Residential (1.05 acres) |
| Ordinance 2022-08 | Annual Capital Improvements Element update for FY 2021/22 – FY 2025/26 |
| Ordinance 2023-09 | Annual Capital Improvements Element update for FY 2022/23 – FY 2026/27 |
| Ordinance 2024-10 | Annual Capital Improvements Element update for FY 2024/25 – FY 2028/29 |

## Element-By-Element Review

The following section provides an "Element-by-Element" review that summarizes the overall analysis that is detailed in Appendix B. Please note, during the amendment process, additional changes to Elements may be required/warranted. This is intended as a preliminary "road map" of the major statutory changes required and not an exhaustive list.

***Overall Observations***

The following are overarching observations relating to the Plan as a whole:

- The planning horizon should be extended to 2050 to comply with state law's minimum 20-year horizon
- Consider adopting an overarching Vision Statement in the introduction section of the Plan to provide context to the Elements' goals, objectives and policies.
- Reorganize the Elements in terms of hierarchy of content relating to the Plan (Future Land Use, Infrastructure, Transportation, etc.)
- Strengthen goal verbiage throughout to provide clear vision and better anchor the supportive objectives and policies

***Intergovernmental Coordination***

- No changes required

***Conservation and Coastal Management Element***

- Incorporate FEMA Floodplain Map and associated Goals, Objectives and Policies relating to floodplain protection
- Incorporate Coastal High Hazard Map and associated Goals, Objectives and Policies relating to protection of public health, safety and welfare.
- Strengthen verbiage relating to environmental protection measures

***Infrastructure Element***

- Review all specific LOS standards references
- Address consistency with 163.3177(6)(c)3, F.S., relating the feasibility of providing sanitary sewer services to these developments with 50 lots or more within the 10-year planning horizon. Modify policy and references to current Water Supply Facilities Work Plan
- Modify policy and references to cite the current Water Supply Facilities Work Plan (WSFWP). *[Note: it appears the City must adopt a local Water Supply Facilities Work Plan based upon the City of Melbourne's WSFWP.*

***Transportation Element***

- Update to Mobility Element to more broadly incorporate the vision for multi-modal transportation systems
- Updates to LOS standards per the Space Coast Transportation Planning Organization and the Florida Department of Transportation

- Updates to mobility fee policy at the City's discretion
- Updates address multiple modes of transportation in relation to City context, such as golf cart use

***Recreation and Open Space Element***

- Incorporate Parks & Recreation Map

***Housing Element***

- Consider establishing policies supporting the allowance of Accessory Dwelling Units (ADUs)
- Consider establishing policies relating to aging in place and senior housing options
- Consider incorporating guidance for Live Local Act implementation
- Modify affordable housing policies to fully offset all costs to the developer for any requirements to provide affordable housing

***Future Land Use Element***

- Rename to "Future Land Use Element"
- Update future land use category descriptions to align with the Future Land Use Map and provide policies/sub-policies for each category to describe the range of uses, densities, intensities, and implementing zoning districts.
- Redesignate the 0.5-acre parcel currently designated as "Vacant" on the FLUM to "Public/Semi-Public"
- Consider modifying the Land Use Element to establish policies supporting the allowance of Accessory Dwelling Units (ADUs), including corresponding development standard requirements, consistent with the regulatory framework and local authority limitations outlined in Florida Statutes Section 509.032(7)(b)
- Update vested rights for development orders prior to incorporation

***Capital Improvements Coordination***

- Review all specific LOS standards references
- Review and analyze public service providers and their plans and update accordingly

***Public School Facilities Element***

- Review all specific LOS standards references
- Amend policy to reference Florida Impact Fee Act, as amended, to address consistency credit changes
- Recommend removal or update of outdated Public Schools Facilities Maps prepared by Brevard County
- Address legislative changes relating to proportionate fair share payment agreements
- Reference Brevard School Board 2025-26 to 2029-30 Work Plan

***Private Property Rights Element***

- No changes required

**Conclusions**

In summary, there are several Comprehensive Plan Elements that require updates to remain compliant with state law. Due to the relatively recent 2019 update and the City's continued proactive maintenance efforts, the Plan already reflects several key statutory changes. Most of the proposed amendments focus on maintaining statutory compliance—particularly in areas related to infrastructure planning and state preemptions affecting certain uses and regulations. Additional, optional amendments may be considered in order to refine Goals, Objectives, and Policies that support the City's vision for high-quality development and redevelopment, preservation of neighborhood character, and a continued high quality of life for Indian Harbour Beach residents.

## APPENDIX A: STATE CONSISTENCY REVIEW

The following analysis was conducted utilizing all of the changes that have occurred to the State Comprehensive Plan since 2019, when the City adopted its most recent Comprehensive Plan. Where inconsistencies were identified, such as a requirement not currently addressed in the City of Indian Harbour Beach's Comprehensive Plan, the appropriate Element is identified for update. Where changes to the State Comprehensive Plan do not apply to the City, such as military base legislation, "Not Applicable" has been denoted in the "F.S. Change Applicability to City of Indian Harbour Beach" column.

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| **2020: [Chapter 2020-2, section 27, Laws of Florida, Effective May 18, 2020; Chapter 2020-27, sections 4 and 5, Laws of Florida, Effective July 1, 2020; Chapter 2020-58, section 1, Laws of Florida, Effective July 1, 2020; Chapter 2020-122, section 2, Laws of Florida, Effective July 1, 2020; Chapter 2020-150, section 28, Laws of Florida, Effective July 1, 2021]** | | | | | |
| **1** | Coastal Management – Amends subsection (2)(k) to update statutory references; paragraph edits to remove outdated deadlines | Section 163.3178, F.S | Not Applicable *NOTE: relating to designated deep water ports* | N/A | N/A |
| **2** | Allows a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use; removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction | Section 163.31771, F.S | Applicable/Not Required | Accessory Dwelling Units not addressed in Current Plan. Optional change per Appendix B. | N/A |
| **3** | Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district | Section 163.31801, F.S | Applicable/Not Required | Transfer of Impact Fees Credits not addressed in Current Plan. | N/A |
| **4** | Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an | Section 163.31801, F.S | Applicable/Not Required | Impact fee increases not addressed in current Plan. | N/A |

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| | ordinance or resolution imposing such an impact fee unless the result is to reduce the total<br>mitigation costs or impact fees imposed on an applicant.<br>• Amends subsection (4) to clarify that a local government must provide credit against the<br>collection of an impact fee of any contribution related to public education facilities<br>regardless of any charter provision, comprehensive plan policy, ordinance, or resolution.<br>• Renumbers existing subsections (8) and (9) as subsections (9) and (10).<br>• Adds a new subsection (8) that sets forth the provisions by which impact fee credits are<br>assignable and transferable and renumbers subsequent subsections | | | | |
| **5** | Provides guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, | Section 163.3168, F.S | Not Applicable | N/A | N/A |
| **6** | To alter the governmental entity that approves onsite sewage treatment and disposal systems from the DOH to DOEP | Section 163.3180, F.S., | Not Applicable | N/A | N/A |
| **2021: Chapter 2021-7, sections 6 and 7, Laws of Florida, Effective July 1, 2021; Chapter 2021-63 section 1, Laws of Florida, Effective June 4, 2021; Chapter 2021-16, Chapter 2021-178, Chapter 2021-186, Chapter 2021-201, Laws of Florida, Effective July 1, 2021; Chapter 2021-195, sections 1-3, Laws of Florida, Effective July 1, 2021; Chapter 2021-206, sections 1 and 3, Laws of Florida, Effective July 1, 2021]** | | | | | |
| **1** | Provides a definition for "Farm operation." to subsection (2)(B) | Section 163.3162, F.S | Not Applicable | N/A | N/A |
| **2** | Provides a definition for "Farm operation." to subsection (3)(B) | Section 163.3163, F.S | Not Applicable | N/A | N/A |

| | Changes to Chapter 163, F.S. | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| 3 | Definitions, added a new definition of "Infrastructure" and "Public facilities; reorganization of paragraphs; provide additional regulations pertaining to impact fee credits; new section - impact fees may be increased, sets forth limitations | Section 163.31801, F.S. | Not Applicable *NOTE: Plan contains no definitions* | N/A | N/A |
| 4 | State land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections. | Section 163.3168, F.S. | Not Applicable | N/A | N/A |
| 5 | Solar Facility Approval Process,- applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021 | Section 163.3205, F.S. | Applicable | N/A | N/A |
| 6 | Clarify that requirements pertaining to development orders with comprehensive plans related to plans after January 1, 2016 | Section 163.3167, F.S. | Not Applicable NOTE: pertains to newly incorporate municipalities after 2016 | N/A | N/A |
| 7 | Required and Optional Elements of Comprehensive Plan; Studies and Surveys - requires each local government to include in its comprehensive plan a property rights element | Section 163.3177, F.S | Applicable/Not Required | Property Rights Element approved under Ord. No. 2021-12 | N/A |
| 8 | Amendment or Cancellation of a Development Agreement - allow a party to a development agreement and a local government | Section 163.3237, F.S | Not Applicable | N/A | N/A |

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| | to amend or cancel a development agreement without consent of other affected property owners | | | | |
| **9** | Land Development Regulations - Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions | Section 163.3202, F.S | Not Applicable | N/A | N/A |
| **10** | Allows landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect. | Section 163.3167, F.S | Not Applicable | N/A | N/A |
| **11** | Process for Adoption of Small-Scale Comprehensive Plan Amendment – changes to 50 acres or fewer | Section 163.3187, F.S | Applicable | Plan does not reference maximum acreage for small-scale amendments | N/A |
| **2022: [Chapter 2022-83, Chapter 2022-122, section 1, Laws of Florida, Effective July 1, 2022; Chapter 2022-183, section 5, Laws of Florida, Effective July 1, 2022; Chapter 2022-204, section 2, Laws of Florida, Effective July 1, 2022]** | | | | | |
| **1** | Floating Solar Facilities | Section 163.32051, F.S. | Applicable | Plan does not reference solar facilities | N/A |
| **2** | Amending Concurrency<br>Amends subsection (6)(h)2. to revise provisions specifying when school concurrency is deemed satisfied. • Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding | Section 163.3180, F.S. | Applicable | Not Addressed | Public School Facilities Element |

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| | commitment. • Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified | | | | |
| **3** | Updating Military Base Names: update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach. | Section 163.3175, F.S. | Not Applicable | N/A | N/A |
| **4** | Coastal Management, adding Putnam County to the Florida Seaport Transportation and Economic Development Council | Section 163.3178, F.S. | Not Applicable | N/A | N/A |
| **2023: [Chapter 2023-17, section 2, Laws of Florida, Effective July 1, 2023; Chapter 2023-115, section 1, Laws of Florida, Effective July 1, 2023; Chapter 2023-31, section 2, Laws of Florida, Effective July 1, 2023]** | | | | | |
| **1** | Introduces the "Live Local Act", that makes various changes and additions to affordable housing programs at the state and local levels. | Section 125.01055, F.S. | Applicable *NOTE: City is not required to include Live Local Act policies to Plan but may at their discretion* | Not Addressed | Land Use & Housing Element |
| **2** | Local Government Comprehensive Plans; Providing that the prevailing party in a challenge to a plan or plan amendment is entitled to recover attorney fees and costs; providing that the prevailing party in a challenge to the compliance of a small-scale development order is entitled to recover attorney fees and costs, etc. | Section 163.3184, F.S. | Applicable *NOTE: City is not required to include this reference but may at their discretion* | N/A | N/A |
| **3** | Revising the planning periods that must be included in a comprehensive plan; requiring local governments to determine if plan amendments are necessary to reflect a certain minimum planning period; requiring, | Section 163.3191, F.S. | Applicable | Planning Period is 2020-2030 and not consistent with state law | All Elements modified to 2050 planning horizon |

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| | rather than encouraging, a local government to comprehensively evaluate and update its comprehensive plan to reflect changes in local conditions; requiring the state land planning agency to provide population projections if a local government fails to update its comprehensive plan, etc. | | | | |
| **2024: [Chapter 2024-118, section 1, Laws of Florida, Effective May 16, 2024; Chapter 2024-266, sections 1 & 2, Laws of Florida, Effective October 1, 2024; Chapter 2024-22, section 1, Laws of Florida, Effective July 1, 2024; Chapter 2024-136, sections 1 & 2, Laws of Florida, Effective July 1, 2024]** | | | | | |
| **1** | Amends provisions of the Live Local Act, prohibiting counties and municipalities, respectively, from restricting the floor area ratio of certain ad valorem property tax exemption, etc. APPROPRIATION: $100,000,000 | Section 125.01055, F.S. | Applicable *NOTE: City is not required to include Live Local Act policies to Plan but may at their discretion* | Not Addressed | Land Use E& Housing Element |
| **2** | Defines mobility fee, mobility plan | Section 163.3164, F.S. | Applicable *NOTE: City has reference to evaluating mobility fees, further updates are discretionary* | Not Addressed | Transportation Element |
| **3** | Creates an Alternative Mobility Funding Systems and Impact Fees; Authorizes local governments to adopt alternative mobility plan & fee system; provides requirements for application of adopted alternative system; prohibits alternative system from imposing responsibility for funding existing transportation deficiency upon new development; prohibits local governments that do not issue building permits from charging for transportation impacts associated with development; requires local governments that issue building permits to collect for extra jurisdictional impacts; prohibits local governments from assessing multiple charges for same transportation | Section 163.3180, F.S. | Applicable. Certain policies require amendment to clarify permits may not be denied based on failing roadway concurrency. *NOTE: City is not required adopt mobility fees but may at their discretion upon completion of mobility study* | Not Addressed | Transportation Element |

| Changes to Chapter 163, F.S. | | Chapter 163, F.S. Citations | F.S. Change Applicability to Indian Harbour Beach | F.S. Change Addressed in Current Plan (where/how) | Amendment Required and Affected Element |
|---|---|---|---|---|---|
| | impact; revises requirements for calculation of impact fees by local governments & special districts. | | | | |
| **4** | Requires local governments to cooperate with certain major military installations and ranges to encourage compatible land use in associated areas, etc. | Section 163.3175, F.S. | Not Applicable | N/A | N/A |
| **5** | Repeals provisions relating to inactive community redevelopment agencies | Section 163.3756, F.S. (Repealed) | Not Applicable | N/A | N/A |
| **6** | Prohibits the creation of new neighborhood improvement districts after a date certain | Section 163.504, F.S. | Not Applicable | N/A | N/A |

## APPENDIX B: ELEMENT BY ELEMENT REVIEW

The following tables are intended as a summary of observations of the Comprehensive Plan to date related to consistency with the significant changes to Florida Statutes since the last update to the City of Indian Harbour Beach Comprehensive Plan, as well as optional amendments recommended by the Consultant. No required or optional changes have been identified in the Private Property Rights Element.

| Intergovernmental Coordination Element | Analysis | State Required Change | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |

| Intergovernmental Coordination Element | Analysis | State Required Change | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy IG-2.4 The City shall coordinate any proposed or requested annexations with Satellite Beach and/or Brevard County. | Policy does not reference abutting City of Melbourne | NO | Consider adding reference to City of Melbourne |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 does not reference Brevard County School District for school capacity or St. Johns River Water Management District for drainage | NO | Consider adding reference to Brevard County School District and St. Johns River Water Management District |

| Intergovernmental Coordination Element | Analysis | State Required Change | Optional Changes Recommended |
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| 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 protects which affect the City. | Policy remains relevant & appropriate | NO | NO |
| Objective IG-3: The City shall, through coordination with adjacent units of local government, including Brevard Country 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 remains relevant & appropriate | NO | NO |
| Policy IG-3. l 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Per PW 3.4 this Work Plan expired in 2019 | Policy update required to address current Water Supply Facilities Work Plan | NO |

| Intergovernmental Coordination Element | Analysis | State Required Change | Optional Changes Recommended |
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| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |

*II: Conservation And Coastal Management*

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
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| 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. | Policy focuses on preventing destruction as opposed to enhancement | NO | Reword Goal in the positive to strengthen the concept/intent of environmental protection |
| 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 remains relevant & appropriate | NO | NO |

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| Policy C-1.2 Prohibit non-permitted open burning of trash and debris within the City. | Policy remains relevant & appropriate | NO | NO |
| Policy C-1.3 The City shall encourage alternative forms of transportation in conjunction with new development or new roadway projects (e.g., carpooling, mass transit, etc.). | Policy is narrow in its description of multimodal opportunities | NO | Recommend strengthening verbiage to holistically address multi-modal transportation |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy C-2. 1 Continue to require a SJRWMD permit or exemption letter prior to issuing a development order. | Policy is inconsistent with F.S. that precludes local governments from requiring state permits prior to issuance of local development orders | Update/rephrase the policy for consistency with F.S. | NO |
| Policy C-2.2 Continue to work with Brevard County in enforcement of its ordinance requiring recirculation of water used for heat pumps | Policy remains relevant & appropriate | NO | NO |
| 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 is inconsistent with F.S. that precludes local governments from requiring | Update/rephrase the policy for consistency with F.S. | NO |

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
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| | state permits prior to issuance of local development orders | | |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy C-2.7 The City shall continue the process for retrofitting Stormwater systems which do not meet existing State standards. | Policy remains relevant & appropriate | NO | NO |
| 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. | Objective remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy C-3.2 The City shall work through its site plan procedure, with private developers to preserve, where possible, indigenous plant communities. | Policy remains relevant & appropriate. Consider modifications to strengthen language per LDC requirements. | NO | Consider modifications to strengthen language per current LDC requirements |

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
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| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate. Consider modifications to strengthen language per LDC requirements. | NO | Consider modifications to strengthen language per LDC requirements |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate. Consider modifications to strengthen | NO | Consider modifications to strengthen language per LDC requirements |

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
|---|---|---|---|
| | language per LDC requirements. | | |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy C-5.1 The City shall, through its newsletter, disseminate educational material to the public concerning the disposal of hazardous wastes. | Policy remains relevant & appropriate | NO | NO |
| Policy C-5.2 The City shall cooperate with appropriate local, State, and Federal agencies in planning for large-scale hazardous waste problems. | Policy remains relevant & appropriate | NO | NO |
| Objective C-6: The City shall promote innovative landscaping and paving techniques and other energy conservation measures. | Policy remains relevant & appropriate. Consider expanding language to describe intent for objective. | NO | Consider modifications to strengthen language relating to intent and to guide supportive policies |
| Policy C-6.1 The City shall continue to promote Florida-Friendly and low- water landscaping in place of landscaping in parking areas. | Policy lacks direction on implementation | NO | Consider modifications to the policy to strengthen via reference to LDC changes, etc. |
| Policy C-6.2 The City shall establish standards in the Landscaping Ordinance that provide for pervious pavement options in parking areas. | Policy remains relevant & appropriate | NO | NO |
| Policy C-6.3 The City shall continue to require parkway planting strips between parking areas and street rights-of-way. | Policy remains relevant & appropriate | NO | NO |

| Conservation & Coastal Management Element | Analysis | State Required Change | Optional Changes Recommended |
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| Policy C-6.4 The City shall continue to promote drought and freeze- tolerant landscaping and native species in required landscape areas. | Policy remains relevant & appropriate | NO | NO |
| Policy C-6.5 The City shall encourage the appropriate placement of solar panels. | Policy remains relevant & appropriate | NO | NO |
| Policy C-6.6 The City shall continue to provide energy conservation tips in its City newsletter. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| Policy CM-1.5 The City shall continue to identify and implement methods of avoiding irreversible and irretrievable commitments of coastal zone resources. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CM-1.8 The City shall utilize its Landscaping Ordinance for controlling noxious exotic plants in the coastal zone. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 FDEP, and SJRWMD along with enforcement of its own Land Development Regulations in order to mitigate future disruptions or degradations. | Policy remains relevant & appropriate | NO | NO |
| 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. | Objective can more clearly tie to the concept of resiliency and incorporate additional policies building off relevant studies, data, etc. | NO | Consider updating policy to more directly address the term and intent of coastal resiliency |

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| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate but can be expanded/broaded ned to incorporate other forms of mitigation | NO | Consider expanding language as not to limit the stabilization measures |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CM-4.5 The City shall continue to prohibit motorized vehicles from operating on the dune system except in emergency situations. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-5.1 The City shall continue to implement the above Objective in its Land Development Regulations. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-5.2 The City shall require developers to install any new infrastructure necessary to support their development, thereby | Policy remains relevant & appropriate | NO | NO |

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| 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). | Policy remains relevant & appropriate | NO | NO |
| 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 are implemented. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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]. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CM-7.4 Based on sea level rise projection rate curves, the City will plan for future relocation of its police department. | Policy appears outdated as police department has been relocated | NO | Remove policy |
| Objective CM-8: The City shall reduce the amount of surface water runoff, if economically feasible. | Language lacks strength | NO | Revise objective to maintain flexibility but also provide more directive on the intent |
| Policy CM-8.1 The City shall conduct yearly inventories of existing infrastructure focusing on the condition of the stormwater runoff systems. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 | Policy combines multiple strategies | NO | Revise for clarity and emphasis on multi-pronged approach |

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| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| Objective CM-9: 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 remains relevant & appropriate | NO | NO |
| Policy CM-9.1 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 remains relevant & appropriate | NO | NO |
| Policy CM-9.2 The City shall make persons aware of the low elevation of the Eau Gallie Causeway, encouraging early evacuation. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-9.3 The City shall maintain and update as required its list of persons requiring help during evacuation. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-9.4 The City shall limit development if it would unreasonably increase hurricane evacuation times. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-9.5 The City shall coordinate hurricane evacuation procedures and disaster mitigation with Brevard County and neighboring communities | Policy remains relevant & appropriate | NO | NO |
| Objective CM-10: 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 | Policy remains relevant & appropriate | NO | NO |

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| and improvement of a post-disaster redevelopment plan plus the degree to which the following Policies are implemented. | | | |
| Policy CM-10.1 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 remains relevant & appropriate | NO | NO |
| Policy CM-10.2 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 remains relevant & appropriate | NO | NO |
| Policy CM-10.3 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. | Policy remains relevant & appropriate | NO | NO |
| Objective CM-11: 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 remains relevant & appropriate | NO | NO |
| Policy CM-11.1 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 remains relevant & appropriate | NO | NO |
| Policy CM-11.2 The City shall continue to encourage public access at the time of development of the areas along the beach. | Policy does not address redevelopment | NO | Update policy to address redevelopment |
| Policy CM-11.3 The City shall continue to provide public access to beaches renourished at public expense. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-11.4 The City shall continue to enforce the public access requirements of the Coastal Zone Protection Act of 1985. | Policy remains relevant & appropriate | NO | NO |
| Policy CM-11.5 The City shall continue to provide transportation or parking facilities for beach and shoreline access, to the extent feasible. | Policy remains relevant & appropriate | NO | NO |

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| Objective CM-12: 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 remains relevant & appropriate | NO | NO |
| Policy CM-12.1 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 remains relevant & appropriate | NO | NO |
| Policy CM-12.2 The City shall maintain a list of historic resource sites to be used to cross-check against proposed development. | Policy remains relevant & appropriate | NO | NO |
| Objective CM-13: 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 remains relevant & appropriate | NO | NO |
| Policy CM-13.1 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 remains relevant & appropriate | NO | NO |
| Policy CM-13.2 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 places responsibility on City | NO | Consider rephrasing to require developers to ensure infrastructure is concurrent with development and redevelopment |
| Policy CM-13.3 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. | Policy remains relevant & appropriate | NO | NO |
| Objective CM-14: 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 remains relevant & appropriate | NO | NO |

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| Policy CM-14.1 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. | Policy remains relevant & appropriate | NO | NO |

*III: Infrastructure Goals, Objectives and Policies*

| Infrastructure Element<br>Sanitary Sewer Sub-Element | **Analysis** | **State Required Changes** | **Optional Changes Recommended** |
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| 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. | Element lacks overarching infrastructure goal, objective and policies | NO | Consider addition of a goal, objective and policies to broadly address City infrastructure |
| 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 remains relevant & appropriate | NO | Consider simplifying to tie to maintenance of adopted LOS. |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate but does not tie to development impacts | NO | Rephrase policy to tie directly to the requirement for developer-funded improvements |
| Policy SS-1.3 The City shall continue with its policy of not allowing septic tanks for new development. | Policy remains relevant & appropriate. There are no residential septic tanks in the city's jurisdiction) | NO | NO |

| Infrastructure Element<br>Sanitary Sewer Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| 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. The City hereby adopts the County's level of service standards-<br>-i.e. (1) residential--200 gallons per unit per day; (2) non-residential--200 gallons per equivalent residential unit per day. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Solid Waste Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy SW-1.1 The City shall cooperate with Brevard County for disposal of solid and hazardous wastes. | Policy remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Solid Waste Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Policy SW-1.2 The City shall support recovery of additional resources from solid waste. | Policy remains relevant & appropriate | NO | NO |
| Policy SW-1.3 The City shall cooperate with Brevard County in dissemination of recycling information. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy SW-1.6 The City shall cooperate with Brevard County in establishing and utilizing level of service standards for facilities 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. | Policy remains relevant & appropriate | NO | NO |
| 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 on infill parcels, plus the degree to which the following Policies are implemented. | Policy remains relevant & appropriate | NO | NO |
| Policy SW-2.1 The City shall cooperate with the County in providing for future solid waste disposal needs. | Policy remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Drainage Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Goal lacks meaningful guidance on drainage's role in water quality | NO | Strengthen goal to address purpose of the Sub-Element relating to |

| Infrastructure Element<br>Drainage Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| | protection and flood mitigation. | | natural resource and property protections. |
| 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. | Objective remains relevant & appropriate | NO | NO |
| Policy D-1.1 The City shall provide routine maintenance for all parts of its drainage system. | Policy remains relevant & appropriate | NO | NO |
| Policy D-1.2 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 remains relevant & appropriate | NO | NO |
| Policy D-1.3 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 remains relevant & appropriate | NO | NO |
| Policy D-1.4 The City shall cooperate with the SJRWMD in enforcing stormwater regulations for new development. | Policy remains relevant & appropriate but does not reference the local permitting process that contributes to stormwater review. | NO | Expand policy to include redevelopment and incorporate stormwater review through local permitting processes. |
| Policy D-1.5 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 remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Drainage Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Policy D-1.6 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 remains relevant & appropriate | NO | NO |
| Policy D-1.7 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 remains relevant & appropriate | NO | NO |
| Policy D-1.8 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy D-2.1 The City shall support the use of existing drainage facilities, where feasible, for new development. | Policy remains relevant & appropriate but should address enhancement to antiquated drainage facilities | NO | Consider expanding the policy to address how new development can tie in but enhance existing drainage facilities through innovation, LID/green infrastructure, etc. |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Drainage Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Policy D-2.4 The City shall establish and utilize level of service standards provided by facilities 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 is redundant to Policy D-1.6 | NO | Consider eliminating redundant policy |
| Policy D-2.5 The City shall continue to determine the feasibility of retrofitting areas of existing development with updated stormwater treatment facilities. | Policy remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Potable Water Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Goal lacks verbiage guiding efficiency, minimization of potable water resources, and long-term planning | NO | Consider expanding goal to more holistically address purpose of potable water sub-element |
| 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 remains relevant & appropriate | NO | NO |
| 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 appears outdated | NO | Update policy to reference current agreement expiration date. |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Potable Water Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 163.3 177 Florida Statutes: 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Objective is lacking strength relating to water conservation and seasonal fluctuations in demand | NO | Reword objective to strengthen intent for water conservation, year round, through a variety of mitigation techniques |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 | Policy is relatively narrow in its proposed mitigation | NO | Consider expanding and including additional mitigation measures |

| Infrastructure Element<br>Potable Water Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| regulations; and the identification of areas suitable for use of reclaimed water. | measures and can be broadened | | |
| 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 is outdated. | Adopt and maintain an updated water supply facilities work plan (WSFWP) per WMD requirements | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy PW-3.7 The City will continue to evaluate its Landscaping Ordinance and establish incentives for the utilization of waterwise landscaping and irrigation standards. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy PW-3.9 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy PW-3.11 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 remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Potable Water Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Policy PW-3.12 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. | Policy remains relevant & appropriate | NO | NO |

| Infrastructure Element<br>Natural Groundwater Aquifer Recharge Sub-Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Consider additional policies to strengthen this objective | NO | Expand upon implementing policies per best practices |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |

*IV: Transportation*

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Goal lacks reference to provision of multi-modal transportation | NO | Consider retitling the Element to "Mobility Element" and including reference to multi-modal transportation directly within the Goal. |
| 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. | Objective does not reference types of users to strengthen the concept. | NO | Consider revisions to address more specifically multi-modal users |
| 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 does not reference the breadth of users, including golf carts, bicyclists, transit, etc. | NO | Consider modifying the policy add specific references to types of users |
| 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 is not consistent with state law | Policy must be updated to address current roadway concurrency laws and provide option for proportionate fair share payment for failing facilities | NO |
| 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 remains relevant & appropriate | NO | NO |

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 is not consistent with state law | Policy must be updated to address current roadway concurrency laws and provide option for proportionate fair share payment for failing facilities | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy TE-1.8 The City shall continue to monitor the traffic on Pine Tree and Banana River Drives. | Policy lacks guidance on intent | NO | Reword/expand on policy to address intent of |

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| | | | monitoring (safety, volumes, etc.) |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy TE-1.12 The City shall continue to plan and provide for sidewalks/pedways which link neighborhoods to bus stops. | Policy remains relevant & appropriate but does not address transit shelters | NO | Expand on policy to address all aspects of transit stop infrastructure |
| Policy TE-1.13 The City shall support a multi-modal transportation system which provides for a safe, convenient, and energy efficient system. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy TE-1.15 The City shall work with Brevard County and the TPO to provide for adequate and affordable public transportation choices. | Policy remains relevant & appropriate | NO | NO |
| Policy TE-1.16 The City shall continue to add bicycle and pedway facilities to roadways within the City as funding becomes available. | Policy remains relevant & appropriate | NO | NO |
| 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 | Policy remains relevant & appropriate | NO | NO |

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| Objective TE-4: The City shall protect existing and future rights-of-way from encroachment. The measurement of this objective is | Policy remains relevant & appropriate | NO | NO |

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Transportation Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy remains relevant & appropriate | NO | NO |

*V. Recreation and Open Space*

| Recreation and Open Space Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy R-1.3 The City shall continue to develop the Algonquin Park site as a community park. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy R-2.1 The City shall continue to provide access to the Banana River and Indian River by means of Oars & Padde Park. | Policy remains relevant & appropriate | NO | NO |
| 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 does not address importance of | NO | Expand policy to address multi-modal access to parks facilities. |

| Recreation and Open Space Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| | bike/ped access to park systems | | |
| Policy R-2.3 The City shall require certain recreational facilities to be provided as a part of large developments. | Policy does not prescribe definition of large development or types of desired recreational facilities | NO | Restate policy that City will continue reviewing recreational facility requirements for new development. |
| Policy R-2.4 The City shall continue to work with Brevard County and the FDOT to extend the pedway along S.R. A1A. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | LOS for parks facilities is no longer required but recommended to be maintained. | NO | NO |

*VI: Housing*

| Housing Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Goal. Assure that existing and future residents of the City of Indian Harbour Beach have safe and sanitary housing at an affordable price. | Goal remains relevant & appropriate but lacks reference to | NO | NO |

| | | | |
|---|---|---|---|
| | diversity of housing types | | |
| Housing Element | Analysis | State Required Changes | Optional Changes Recommended |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. | Consider including policies related to the Live Local Act | NO | Consider including new policies that allow for live local multifamily while preserving local design standards, public safety and neighborhood compatibility. |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-2.2 The City shall continue to periodically review the regulatory and permitting process and will improve it as deemed necessary. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-2.4 The City shall continue to allow the housing market to operate according to the free enterprise system. | Consider revising policy to balance market demand with | NO | NO |

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| | attainment of City vision and diversity of housing | | |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-4.1 The City shall continue to encourage fair housing practices. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. 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 remains relevant & appropriate | NO | NO |
| Policy H-5.1 The City shall permit group home facilities and foster care facilities as defined by the Florida Department of Children and Families in residential districts within the City. | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| 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 Children and Families which foster nondiscrimination and encourage the development of community residential alternatives to institutionalization including supporting infrastructure and public facilities. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-6.1 The City shall continue to enforce its building and housing codes and update these codes as necessary. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | The Country has documented 45 properties and landmarks on the National Historic Register | NO | Consider rephrasing to note continued participation |
| Objective H-7: The City shall provide necessary relocation housing. The measurement of this objective is the provision of relocation housing, as needed. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | Generalize objective |
| 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 is broad without direction | NO | Consider adding a measurable action or outcome |
| 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. | Consider adding reference to Live Local Act | NO | Expand to include live local references |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. | Consider policies for Accessory Dwelling Units (ADUs), commonly referred to as "mother-in-law suites" | NO | Add policies that allow for ADUs in single-family zoning areas. Policies should include design and development standards including clear limits on size, height, and setbacks, to ensure neighborhood compatibility while streamlining approval processes. |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-9.2 The City shall continue to encourage housing development for owner-occupied units. | Policy remains relevant & appropriate | NO | NO |
| 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. | Section 163.3202, F.S revise to specify that land development regulations relating to building design | YES | Expand policy to specify building design regulations may not be applied to single family or two-family dwelling |

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| | elements may not be applied to a single-family or two-family dwelling except under certain listed conditions | | types except under certain listed conditions |
| Policy H-9.4 The City shall continue to encourage innovative housing development and creative residential land use arrangements through the development regulation process. | Consider update for ADUs | YES | Expand policy to include ADUs. |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-11.1 The City shall continue to encourage housing starts sufficient to meet the needs of the City. | Policy remains relevant & appropriate | NO | NO |
| Policy H-11.2 The City shall continue to communicate with Brevard County, the Housing Authority, and the City of | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-12.3 The City shall continue to utilize the Land Use Element principles to protect residential neighborhoods from incompatible land uses. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy H-13.1 In cooperation with areawide agencies, the City shall continue to enforce the local fair housing ordinance. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| Objective H-14: The City shall promote Green Building Standards for new development and redevelopment projects. | Policy remains relevant & appropriate | NO | NO |

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| 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 remains relevant & appropriate | NO | NO |
| Policy H-14.2 The City shall promote the use of renewable energy resources in all new and redevelopment construction. | Policy remains relevant & appropriate | NO | NO |
| Policy H-14.3 The City shall encourage the appropriate placement of solar panels. | Policy remains relevant & appropriate | NO | NO |
| Policy H-14.4 The City shall continue to enforce the energy saving requirements of the Florida Building Code. | Policy remains relevant & appropriate | NO | NO |
| Policy H-14.5 The City shall encourage Leadership in Energy and Environmental Design (LEED) standards in development and redevelopment projects. | Policy is proprietary | NO | Consider expanding to include other green building programs |

*VII: Future Land Use*

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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. | Goal is narrow and doesn't include protection of environmental and natural resources, or reference to quality of life. | NO | Consider expanding to include natural resource protection |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate but needs to clarity state changes related to road concurrency | NO | Reword to address changes to roadway concurrency |
| 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. | Expand to include targeted strategies for aging and underperforming commercial areas. | NO | Update and/or include policies that encourage redevelopment through incentives; update zoning to allow for mixed use redevelopment of aging commercial buildings or allow adaptive reuse of vacant commercial buildings. |
| Policy LU-2.1 The City shall continue to enforce its housing and building codes in an effort to prevent any blighted areas. | Expand to include targeted strategies for aging and underperforming commercial areas | NO | Update and/or include policies that encourage redevelopment through incentives; update zoning to allow for mixed use redevelopment of aging commercial buildings or allow adaptive reuse of vacant commercial buildings. Update would require supporting LDC changes. |
| 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 remains relevant & appropriate | NO | NO |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| Policy LU-3.2 The City shall continue to require new development to be compatible with adjacent land uses. | Policy remains relevant & appropriate but doesn't reference redevelopment | NO | Revise to address redevelopment including additional supportive policies |
| 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.<br>A. R-1AAA, Single-Family Residential: maximum 2.5 units/acre.<br>B. R-1AA, Single-Family Residential: maximum 3.1 units/acre.<br>C. R-1A, Single-Family Residential: maximum 4.3 units/acre,<br>D. D.R-2, Multi-Family, Low-Density: maximum 7 units/acre.<br>E. R-3, Multi-Family, Medium-Density: maximum 15 units/acre.<br>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.<br>G. Light-Industrial: Not to permit additional use beyond the existing approximate 18.19 acres.<br>H. The zoning regulations impose various restrictions on institutional and commercial land uses. | Include specific descriptions for each land use and include a FLU/Zoning correlation table.<br><br>Add subsection stating that per Section 163.3167, The city will allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing | YES | Include new descriptions, policies for each category and chart with maximum density, intensity and implementing zoning districts for clarity. |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| | concurrency obligations in the development order remain in effect.<br><br>Section 163.3202, F.S revise to add new subsection to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions | | |
| 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. | Policy remains relevant & appropriate but lacks policies and specific directives on compatibility and how to protect it | NO | Rephrase, expand policy and include additional policy language related to compatibility |
| Objective LU-4: The City shall continue to enforce regulations for the protection of natural resources and historic resources. | Policy remains relevant & appropriate but clusters two (2) very different subject matters | NO | Consider separating topics of natural resource and historical resource protection with implementing policies. |
| 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 | Policy remains relevant & appropriate | NO | NO |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. | N/A | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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. | Objective lacks intent and measurable outcomes | NO | Revise language to include coordination with adjacent cities. |
| Policy LU-6.1 The City shall continue to work toward appropriate development on infill parcels. | Policy is broad as written | NO | Consider updating language to clarify appropriate, strengthen wording and add implementation tools |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate but reference should be | NO | Update reference to Brevard County Utilities |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| | to Brevard County Utilities | | |
| 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 remains relevant & appropriate | NO | NO |
| Policy LU-8.1 The City shall continue to allow planned unit developments (PUD's) with proper review. | Policy remains relevant & appropriate | NO | NO |
| Objective LU-9: The City shall continue to allow schools in the Commercial and Institutional land use categories. | Policy remains relevant & appropriate | NO | NO |
| Policy LU-9.1 The City shall work with the School Board to collocate schools with libraries, parks, and community centers. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy LU-10.1 The City shall continue to allow where feasible medium-high density development near streets served by public transit. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy LU-10.3 The City shall encourage developers to utilize the City's mixed use land development category within the Department of Economic Opportunity approved areas. | DEO is now Florida Commerce | NO | Remove policy; City is not in an approved area. |
| Policy LU-10.4 The City shall review Conservation Element objectives and policies for consistency when development proposals are submitted for approval. | Policy remains relevant & appropriate | NO | NO |
| Policy LU-10.5 The City shall encourage older developed commercial areas to add landscape areas if feasible. | Consider providing incentives for redevelopment and/or beautification of | NO | Update and/or include policies that encourage redevelopment through incentives; update zoning to allow for mixed use |

| Land Use Element | Analysis | State Required Changes | Optional Changes Recommended |
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| | older structures and/or areas | | redevelopment of aging commercial buildings or allow adaptive reuse of vacant commercial buildings. Update would require supporting LDC changes. |

## VIII: Capital Improvements

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CI-1.1 The City shall annually revise and adopt its Five-Year Schedule of Capital Improvements consistent with Chapter 163, F.S. requirements including the assessment of its public facility needs in order to achieve and maintain the City's adopted level of service standards. | Policy remains relevant & appropriate | NO | NO |
| Policy CI-1.2 The City shall continue to provide for the correction of existing facility deficiencies in a timely manner. | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
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| Policy CI-1.3 The City shall continue to accommodate the public facility needs of new growth on an ongoing basis. | Policy remains relevant & appropriate | NO | NO |
| 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:<br>A. Recreation and Open Space:<br>Parks: 4.5 acres/1000 population for all parks. Open Space: One acre/1000 population.<br>B. Sanitary Sewer:<br>(1) 200 gal/residential unit per/day<br>(2) 200 gal/equivalent residential unit/day<br>C. Drainage: retention of the first inch of rainfall on site for new developments, and designed for the 25 year 24 hour storm event.<br>D. Solid Waste: 8.32 lbs/capita/day for disposal standard<br>E. Traffic Circulation/Transportation:<br>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.<br>F. Potable Water:<br>Consumption standard: | Review of consistency with providers and other Elements. | YES | Update to align with any changes to LOS in other elements. |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
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| (1) 100 gal/capita/day<br>(2) 100 gal/capita/equivalent residential unit/day<br><br>G. Public School Facilities:<br>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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CI-1.7 The City shall continue to allocate costs of new public facilities according to benefits received by existing and future residents. | Policy remains relevant & appropriate | NO | NO |
| Objective C I -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 remains relevant & appropriate | NO | NO |
| 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 | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CI-3.1 The City shall continue to ensure that updated level of service standards are used in this process. | Policy remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy CI-4.1 The City shall continue to utilize its system of developer exactions to help raise funds for growth generated | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
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| 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 remains relevant & appropriate | NO | NO |
| Policy CI-4.3 The City shall continue to participate in the County impact fee program. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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:<br><br>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 | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 at the time of the issuance of a certificate of occupancy. {Section 163.31 80(2), Florida Statutes}<br><br>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:<br><br>1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or<br><br>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<br>a. A development order or permit issued subject to the conditions that the necessary facilities and services | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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<br><br>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<br><br>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. | | | |
| 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:<br><br>1. At the time a development order or permit is issued, the necessary facilities and services are in place or under construction; or<br>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 | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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:<br><br>a. The estimated date of commencement of actual construction and the estimated date of project completion.<br><br>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<br><br>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<br><br>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. | | | |
| Objective CI-7: The City shall work with the School Board to ensure that capital improvements are provided, when needed, to maintain | Policy remains relevant & appropriate | NO | NO |

| Capital Improvements Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | Policy is out of date | NO | Update to reference current School Board Work Plan (2025-26 to 2029-30), or broaden to eliminate date |

*XV: Public School Facilities Element*

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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. | No reference to Brevard County Schools | NO | Consider adding in conjunction with Brevard County Schools |
| 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 remains relevant & appropriate | NO | NO |
| 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.<br><br>**TIERED LEVEL OF SERVICE - SCHOOL YEAR 2007-08 to 2011-12** | Ensure that the adopted LOS is compatible with the utilization and capacity projections in the district's educational facilities | YES | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Facility Type 2007-08 2008-09 2009-10 2010-11 2011-12<br>Elementary Schools 127% 130% 115% 105% 100%<br>Middle Schools 122% 120% 100% 100% 100%<br>Junior / Senior HS 133% 135% 110% 105% 100%<br>High Schools 139% 130% 115% 100% 100% | plan under F.S. 1013.35. | | |
| Policy PSFE-1.2 The City hereby adopts the School Board's current public school attendance boundaries, as the Concurrency Service Areas (CSA). | Policy remains relevant & appropriate | NO | NO |
| 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:<br><br>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.<br><br>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.<br><br>C. The modification of a CSA shall be effective upon adoption by the School Board. | HB 443 charter schools are defined as public facilities for the purposes of concurrency. | NO | Update policy to state charter schools are included in CSA's. |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| Policy PSFE-1.4 The Parties shall observe the following process for changes in the use of schools:<br><br>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.<br><br>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.<br><br>3. The change in school use shall become effective upon final approval by the School Board. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy PSFE 2.2 The City shall consider the following criteria to exempt residential uses from the requirements of school concurrency:<br><br>Criteria: | Policy remains relevant & appropriate | NO | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| a. Single family lots of record existing at the time the Public School Facilities Element addressing school concurrency implementation becomes effective,<br><br>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.<br><br>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.).<br><br>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.<br>The minimum process requirements are described below:<br><br>a. A residential development application including a School Impact Analysis (SIA) is submitted to the City for review. | Policy remains relevant & appropriate | NO | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| b. The City determines application is complete for processing and transmits the SIA to the School District for review.<br>c. The School District reviews application for available capacity and issues a School Capacity Availability Determination Letter (SCADL) to the City:<br><br>1. If capacity is available within the affected CSA, the School District shall issue a SCADL verifying available capacity.<br><br>2. If capacity is not available within the affected CSA, contiguous CSAs are reviewed for available capacity.<br><br>3. If capacity is available in the contiguous CSAs, the School District shall issue a SCADL verifying available capacity in the adjacent CSAs.<br><br>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:<br><br>a. Contribution of land or payment for land acquisition in conjunction with the provision of | Amend policy to reference Florida Impact Fee Act, as amended, to address consistency credit changes | YES; Update policy to include language that any alternative fee to mitigate the impacts of development may not be required without | |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| additional school capacity; or<br><br>b. Mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits; or<br><br>c. Donation of buildings for use as a primary or alternative learning facility; or<br><br>d. Renovation of existing buildings for use as learning facilities; or<br><br>e. Construction or expansion of permanent student stations or core capacity; or<br><br>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. | | evidence of associated need. | |
| 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.<br><br>a. Improvements contributed by the developer shall receive school impact fee credit.<br><br>b. The cost difference between the developer's mitigation costs and the impact fee credit, if greater, shall be the responsibility of the developer. | Amend policy to reference Florida Impact Fee Act, as amended, to address consistency credit changes | YES; Update policy to include language that any alternative fee to mitigate the impacts of development may not be required without evidence of associated need. | |
| 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.<br><br>Criteria: | Policy remains relevant & appropriate | NO | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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.<br><br>b. If mitigation is denied, the City must deny application based upon no available school capacity.<br><br>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 remains relevant & appropriate | NO | NO |
| 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. | No changes required for compliance with Florida Impact Fee Act, as amended. | NO | NO |
| 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 | Policy remains relevant & appropriate | NO | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| Policy PSFE- 3.3 The City shall encourage the location of schools near residential areas by:<br>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.<br>b. Reviewing and providing comments on all new school sites including the compatibility and integration of new schools with surrounding land uses.<br>c. Allowing schools within all residential land use categories. | Policy remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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 remains relevant & appropriate | NO | NO |
| Policy PSFE-3.6 The City shall continue to contain school concurrency provisions in its Land Development Regulations (LDR) to implement school concurrency. | Policy remains relevant & appropriate | NO | NO |
| Policy PSFE-3.7 The City, in conjunction with the School District shall identify issues relating to public school emergency preparedness, such as:<br><br>The determination of evacuation zones, evacuation routes, and shelter locations.<br><br>The design and use of public schools as emergency shelters.<br><br>The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events. | Policy remains relevant & appropriate | NO | Consider using Existing Public School Facilities Map from PSFE-4.2 to identify which school is an emergency shelter |
| 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 remains relevant & appropriate | NO | NO |
| 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 remains relevant & appropriate | NO | NO |
| 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 | Consider removing public school facilities map or keep and update | NO | Remove maps |

| Public School Facilities Element | Analysis | State Required Changes | Optional Changes Recommended |
|---|---|---|---|
| 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:<br><br>Existing Public School Facilities Maps - type and location of ancillary plants<br><br>Five-Year Planning Period Maps - generally planned public school facilities and ancillary plants | and add emergency shelter designations | | |
| 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.<br><br>The Long Range Planning Period Map - generally planned areas of future public school facility needs. | Consider removing long range planning period map or keep and update and add emergency shelter designations | NO | Remove map |

# APPENDIX C: MAP SERIES




RVi

111 N. Magnolia Avenue
Suite 1350
Orlando, FL 32801
Tel: 407.680.0650
www.rviplanning.com

# Indian Harbour Beach • **City Boundary Map**

- Indian Harbour Beach, FL
- Date: 8/25/2025
- # 24009206
- Indian Harbour Beach

N 0 840 1,680

Feet

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.




RVi

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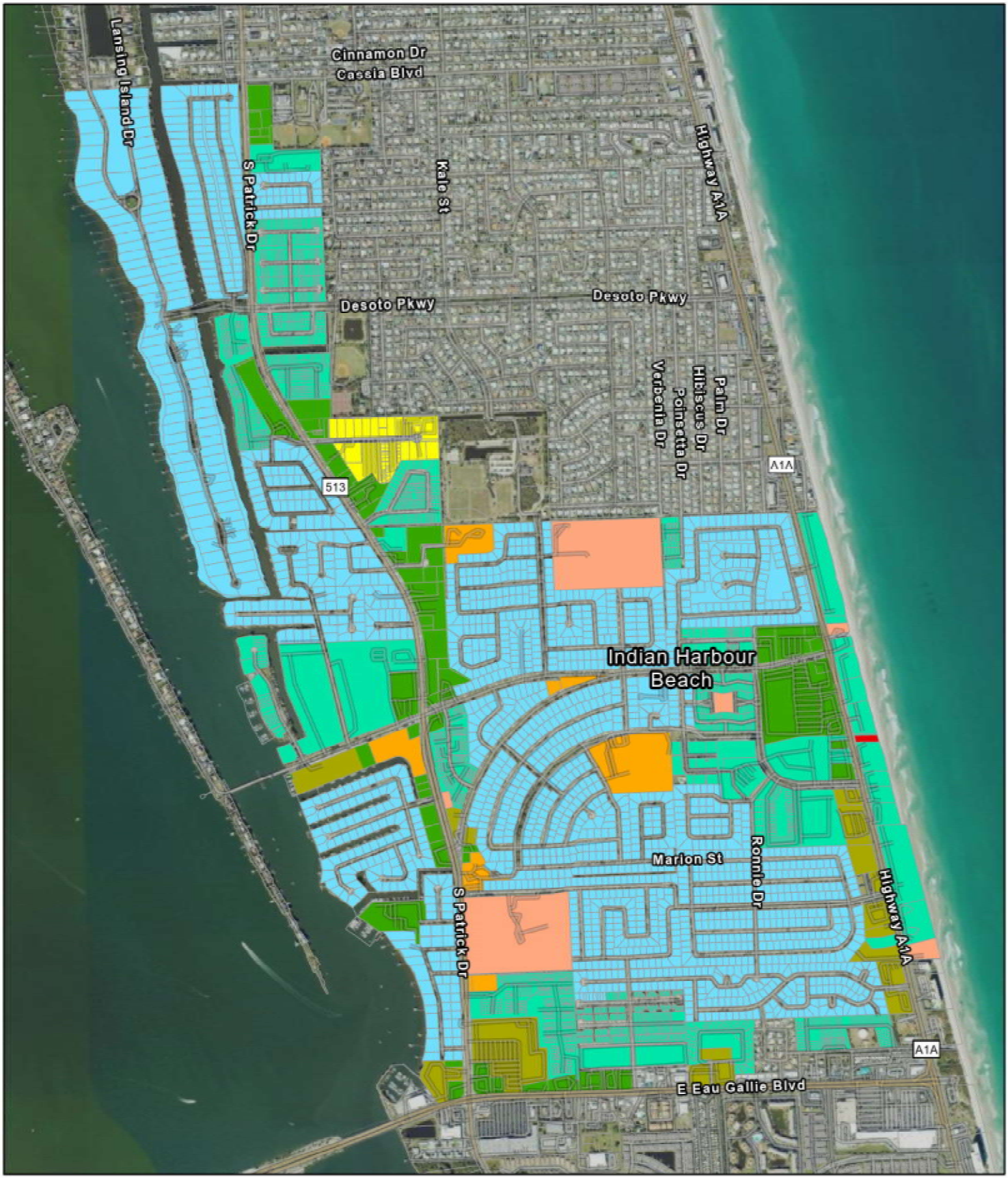
# Indian Harbour Beach • **Aerial Map**

- Indian Harbour Beach, FL
- Date: 8/25/2025
- # 24009206
- Indian Harbour Beach

N 0 840 1,680

Feet

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# Indian Harbour Beach • Future Land Use Map

- Indian Harbour Beach, FL
- Date: 8/25/2025
- # 24009206
- Indian Harbour Beach

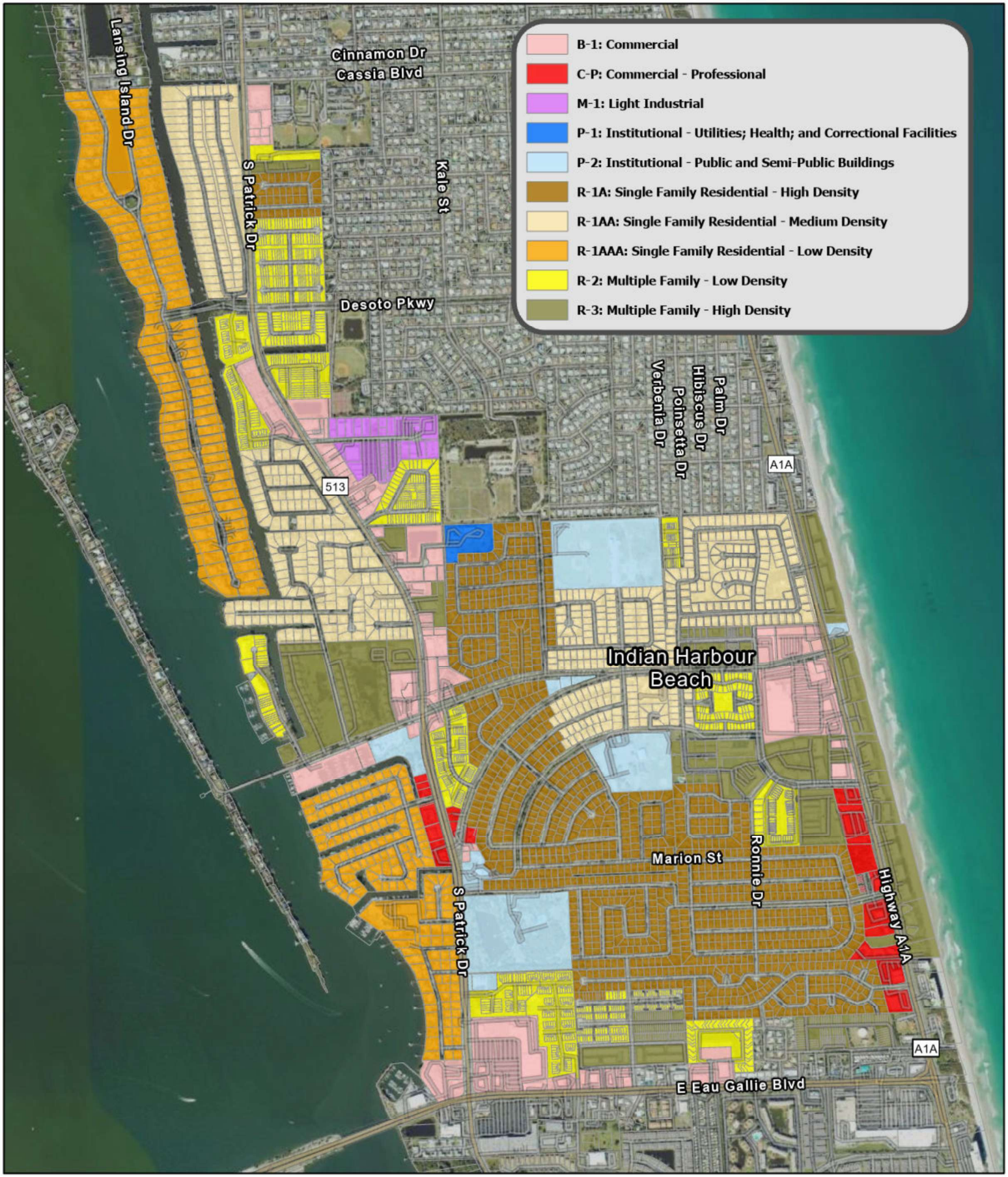
- Single-Family Residential (SFR)
- Multi-Family Residential (MFR)
- Commercial (COM)
- Commercial Mixed-Use (CMU)
- Industrial (IND)
- Public and Semi-Public (PSP)
- Recreation and Open Space (ROS)
- Vacant

N 0 840 1,680

Feet

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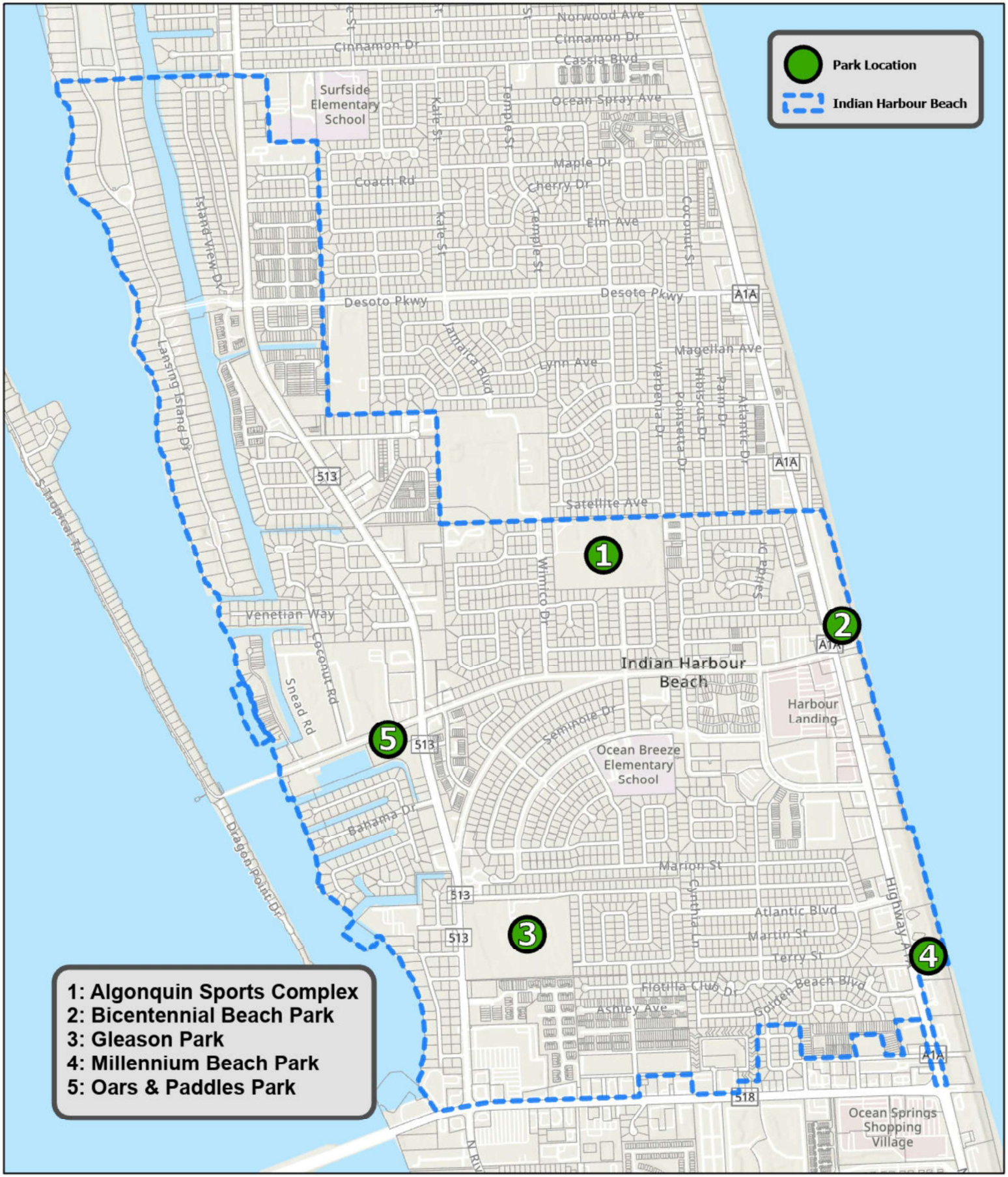

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Orlando, FL 32801
Tel: 407.680.0650
www.rviplanning.com

# Indian Harbour Beach • **Zoning Map**

- Indian Harbour Beach, FL
- Date: 8/25/2025
- # 24009206
- Indian Harbour Beach

N 0 840 1,680
Feet

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RVi

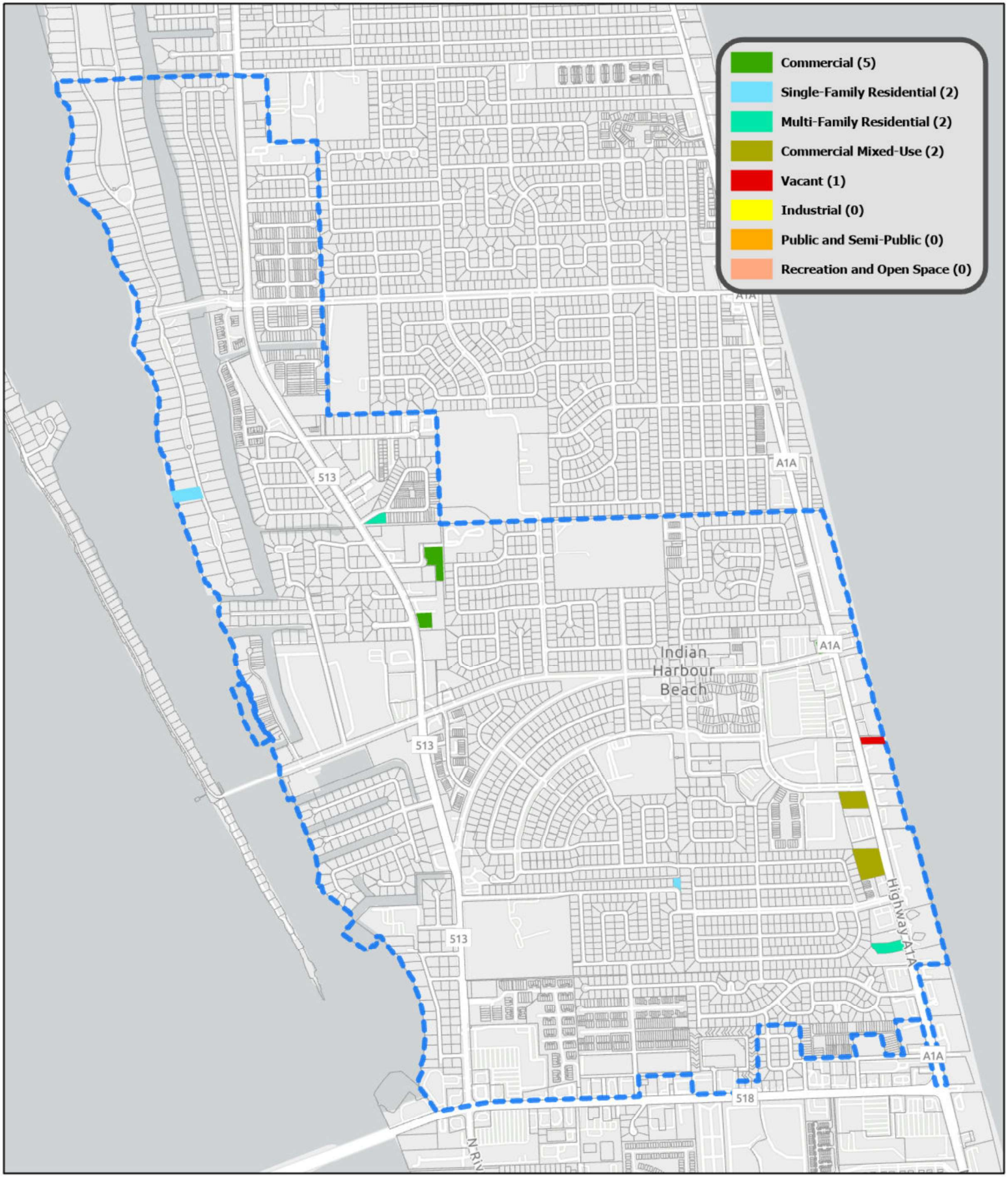
111 N. Magnolia Avenue
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Orlando, FL 32801
Tel: 407.680.0650
www.rviplanning.com

# Indian Harbour Beach • **Parks and Recreation Map**

- Indian Harbour Beach, FL
- Date: 8/25/2025
- # 24009206
- Indian Harbour Beach

N 0 825 1,650
Feet

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.




# Indian Harbour Beach • **Vacant Future Land Use**

Indian Harbour Beach, FL

Date: 8/25/2025

24009206

Indian Harbour Beach

N 0 825 1,650

Feet

RVi
111 N. Magnolia Avenue
Suite 1350
Orlando, FL 32801
Tel: 407.680.0650
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# Indian Harbour Beach Business Impact Estimate

*This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).*

Proposed ordinance's title/reference:
ORDINANCE NO. 2026 – 09

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA, PROVIDING FOR TRANSMITTAL OF AMENDMENTS TO THE CITY OF INDIAN HARBOUR BEACH COMPREHENSIVE PLAN; TO AMEND THE TEXT OF THE INTERGOVERNMENTAL COORDINATION ELEMENT, CONSERVATION AND COASTAL MANAGEMENT ELEMENT, INFRASTRUCTURE ELEMENT, TRANSPORTATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, HOUSING ELEMENT, FUTURE LAND USE ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, PUBLIC SCHOOL FACILITIES ELEMENT, AND THE PRIVATE PROPERTY RIGHTS ELEMENT; AMENDING THE FUTURE LAND USE MAP AND OTHER COMPREHENSIVE PLAN MAPS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ☐ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☒ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
  a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response: N/A

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response: N/A.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response: N/A.

7. Additional information the city determines may be useful:

Response: N/A.

**ORDINANCE NO. 2026-10**

**AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA, PROVIDING FOR TRANSMITTAL OF A COMPREHENSIVE PLAN AMENDMENT RELATING TO THE WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS,** the City of Indian Harbour Beach considered an amendment to the Comprehensive Plan relating to the City's Water Supply Facilities Work Plan; and

**WHEREAS,** the purpose of the City of Indian Harbour Beach Supply Facilities Work Plan ("Work Plan") is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government's jurisdiction; and

**WHEREAS,** Chapter 163, Part II, Florida Statutes (F.S.), requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the St. Johns River Water Management District (District) approves a regional water supply plan or its update; and

**WHEREAS,** the Central Springs/East Coast Regional Water Supply Plan was approved by the District's Governing Board in February 2022; and

**WHEREAS,** the proposed Water Supply Facilities Work Plan, attached hereto as Exhibit "A" will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City's Comprehensive Plan.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA AS FOLLOWS**:

**SECTION 1. RECITALS.** The above recitals are true and correct and incorporated herein as legislative findings of the City Council.

**SECTION 2. ADOPTION.** The City of Indian Harbour Beach, after a first reading by title on June 23, 2026 and duly advertised public hearing of the Planning and Zoning Board on June 3, 2026, hereby adopts Ordinance 2026-10, providing for transmittal to the Department of Commerce and the review agencies of the proposed Water Supply Facilities Work Plan as set forth in **Exhibit "A"** attached hereto.

**SECTION 3. EFFECTIVE DATE.** The effective date of the Comprehensive Plan Amendment, if the amendments are not timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that the Comprehensive Plan Amendment is in compliance with state law. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**SECTION 5. CONFLICTS.** In the event of a conflict or conflicts between this Ordinance and any other ordinances or part thereof, this Ordinance controls to the extent of the conflict.

**SECTION 6. SEVERABILITY.** If any part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part.

PASSED and ADOPTED this 14th day of July, 2026

_____
Scott Nickle
Mayor

ATTEST:

_____
Nikki Gold
City Clerk

# City of Indian Harbour Beach

# Exhibit A to the Infrastructure Element
# Water Supply Facilities Work Plan
# 2026-2036

# 1.0 Introduction

The City of Indian Harbour Beach (City) is located on a barrier island between the Atlantic Ocean and the Indian River Lagoon in Brevard County, Florida, immediately north of the city limits of Melbourne and south of the city limits of Satellite Beach. This small coastal community is predominantly residential and mostly built out.

This Water Supply Facilities Work Plan (WSFWP) is the City's plan to service current and future water demands within its jurisdiction. This workplan is based on information provided by the City of Indian Harbour Beach and its Comprehensive Plan, the City of Melbourne, City of Melbourne Public Works and Utilities Department, and the City of Melbourne's Water Supply Facilities Work Plan.

The City of Indian Harbour Beach neither owns nor operates any water supply facilities or transmission mains within its jurisdiction. The City obtains utility services as follows:

- Potable Water: City of Melbourne
- Wastewater: Brevard County

The City of Melbourne operates two water treatment facilities: the John A. Buckley Surface Water Treatment Plant and the Joe Mullings Reverse Osmosis Treatment Facility. The Joe Mullings Reverse Osmosis Facility has a capacity of 5 million gallons per day (MGD) and is supported by a 4-million-gallon groundwater storage tank. The John A. Buckley Water Treatment Facility has a maximum capacity of 20 MGD, resulting in a combined total capacity of 25 MGD. A planned expansion of the reverse osmosis facility will increase its capacity by 10 MGD, raising the overall system capacity to 30 MGD.

**The City of Melbourne has incorporated the projected water demand of Indian Harbour Beach into its water supply plan and consumptive use permits.**

Infrastructure Element Policy PW-1.4 and Capital Improvement Element Policy CI-1.4 of the Indian Harbour Beach Comprehensive Plan establish the City's level of service standards for potable water as follows:

- Potable Water: (1) 100 gallons/capita/day
  (2) 100 gallons/capita/equivalent residential unit/day

The City is largely built out and any property with annexation potential is already connected to potable water. Therefore, any annexation would not impact the water supply or increase demand as the areas current water service is provided by City of Melbourne.

# 2.0 Provision of Potable Water Supplies and Facilities

Indian Harbour Beach is within the City of Melbourne's potable water service areas. As reported in Melbourne's adopted 2021 City 10-Year Water Supply Facilities Work Plan (Ordinance No. 2021-33), population and flow projections are anticipated to increase system-wide. These projections calculate the flows in their consumptive use permits. The City of Indian Harbour Beach's 2025 Comprehensive Plan Update Assessment Report/Plan Framework report (Dated October 31, 2025) shows that the city is expected to grow from the current 2020 estimates of 9,019 to 9,072 by 2050, an increase of 0.59%.

## City of Melbourne Utilities

The population of Brevard County is anticipated to increase by about 9% between 2025 and 2050. As one of Brevard's primary water suppliers, the City of Melbourne supplies drinking water to the cities and towns of Melbourne, Melbourne Beach, Indialantic, Satellite Beach, Palm Shores, Melbourne Village, portions unincorporated Brevard County, and Indian Harbour Beach. Melbourne also provides wholesale water service to the City of West Melbourne.

The City of Melbourne's Utilities Division provides service to approximately 59,000 customer accounts with an equivalent population of 184,000. The total service area is approximately 100 square miles. As of 2021, there are no plans to expand the City's water service area boundaries during the current 10-year planning period.

As previously noted, the City of Melbourne has two water treatment facilities: The John A. Buckley Surface Water Treatment Plant and the Joe Mullins Reverse Osmosis Treatment Facility. As of 2020, potable water is pumped from ground and surface sources, treated and distributed on a retail basis to residential and non-residential development throughout Indian Harbour Beach.

Melbourne's drinking water sources include Lake Washington Surface Water and the Florida Aquifer. Lake Washington, which is a part of the St. Johns River, is approximately four miles long, up to 15 feet deep, and is located at the west end of Lake Washington Road in Brevard County.

The Joe Mullins Reverse Osmosis Treatment Facility is supplied by four Florida Aquifer systems wells. Each well is approximately 550 to 900 feet deep, and the raw water from the Florida Aquifer is treated with a reverse osmosis filtering system. The total permitted annual withdrawal capacity of the wellfield is 12.5 MGD from 2020 to 2049.

As of 2021, a fifth production well is currently under construction; this additional well provides redundancy to the existing system and is the first step to increasing the ground water supply required by future expansion.

The City of Melbourne has identified the following strategy for meeting future water demand: The expansion of the Joe Mullins Reverse Osmosis wellfield and treatment facility will increase its capacity to 10 MGD. This expansion will increase overall production capacity to 30 MGD, which will provide the city with the ability to serve the maximum daily demand of 23.50 MGD that is expected to occur in 2049. The strategy for increased demand also includes the necessary upgrades to transmission, distribution, and storage facilities that will be needed to ensure that all demands are able to be met during the next ten years.

*(Source: City of Melbourne 2021 Water Supply Facilities Work Plan)*

## 2.1 Regional Water Supply Plan Project Options

The City of Indian Harbour Beach does not have any supplemental regional water supply projects planned, as it does not own the water utilities servicing the City. However, Indian Harbour Beach is supportive of projects planned by the water utilities provider servicing the area outlined above.

Since the City's water service is provided by Melbourne's Public Works and Utilities Department, the City will rely on the City of Melbourne to partner with other utilities providers to implement alternative water supply projects for potable supply, improve potable water supply or establish agreements with other water suppliers.

## 2.2 Agreements with the City of Melbourne

A franchise agreement for the provision of water services exists between the City of Melbourne and Indian Harbour Beach. The agreement essentially provides the provision of water service to customers located within Indian Harbour Beach. The terms of the agreement are valid for a period of 30 years; Indian Harbour Beach's agreement expires in 2033.

The City will continue to cooperate and coordinate with Melbourne regarding its potable water needs and will revise its comprehensive plan policies accordingly. The City will take an active role in participating in the City of Melbourne's water supply planning process, including updates to the Water Supply Facilities Work Plan and consumptive use permit. The City will provide input to the City of Melbourne regarding its population projections, changes to future land uses, potential projects, and water demands to ensure that the City of Melbourne provides for the City's current and future water needs.

# 3.0 Provision of Reuse or Other Non-Potable Water Supplies and Facilities

Although the City of Melbourne has a reclaimed water system, this service is not extended to the City of Indian Harbour Beach. All reclaim production and distribution is located west of the Indian River Lagoon. The City does not currently have a reuse pipe distribution system network and does not plan to retrofit neighborhoods in the next ten years.

## 3.1 Agreement with Other Non-Potable Water Suppliers and Users

The City's wastewater service is provided by Brevard County's Utility Services. This department operates six wastewater treatment facilities located throughout unincorporated Brevard County. The City of Indian Harbour Beach is serviced by the South Beaches Wastewater Treatment Facility in Melbourne Beach, which is an activated sludge wastewater treatment facility.

# 4.0 Water Conservation Practices

The City supports the water conservation initiatives implemented by the City of Melbourne. Since the City receives its potable water from the City of Melbourne from sources located on the mainland, protection of the surface water source, Lake Washington, can only be supported by the City of Melbourne and Brevard County. The City currently has policies within its Future Land Use Element, Infrastructure Element, and Conservation Element that address the protection of groundwater aquifer recharge.

Additional water conservation practices by the City of Melbourne include public education efforts through the school system. Throughout the school year, Melbourne conducts educational programs that reach more than 1,000 students. Outreach activities include annual poster contests, career day events, and providing water conservation material to school groups and clubs for distribution to their members.

Within the City of Indian Harbour Beach, specific conservation measures include:

- Cooperation with the City of Melbourne and St. Johns River Water Management District (SJRWMD) during water shortages emergencies and enforcing the declaration of such emergencies
- Enforce the St John's River Water Management District (SJRWMD) landscape irrigation rule provisions
- Enforce the Florida Building Code with respect to low flow plumbing devices
- Establish a leak detection and plumbing replacement program for City facilities
- Encourage developers to use low impact development techniques such as the Florida Water Star program
- Encourage residents to replace inefficient plumbing devices and appliances
- Work with the City of Melbourne to encourage Indian Harbour Beach residents to participate in Melbourne's conservation programs.

## 4.1 Water Conservation Policies

The City implements a range of water conservation practices through its Land Development Regulations (LDR) and Comprehensive Plan. Below are Comprehensive Plan policies that support these efforts and outline specific water conservation directives. The strikethrough and underline in the policies below indicate modifications related to the proposed updated 2026–2036 Indian Harbour Beach Comprehensive Plan.

- **Intergovernmental Coordination Element**
  - 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-2.7 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), <u>SJRWMD (for stormwater management), Brevard County Schools (for school concurrency)</u> and FDOT (for State Highways).
  - 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~~ 2026-2036, 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.

- **Conservation and Coastal Management Element**

  - 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: The City shall coordinate with the ~~Continue to require a~~ SJRWMD to ensure that all required permits or exemption letters have been obtained prior to the commencement of construction activities. ~~issuing a development order.~~ Issuance of a local development order or permit shall not be construed to create any right for an applicant to obtain a state or federal permit, nor shall it create any liability on the part of the City if the applicant fails to obtain such permits or violates state or federal law. Each development order or permit issued by the City shall include a disclaimer and a condition requiring that all necessary state and federal approvals be secured prior to the start of development activity.

  - 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-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.

- **Potable Water Element**

  - Goal. The overall goal for this sub-element is to ensure the safe, reliable, and

sustainable provision of potable water facilities to meet the needs of ~~the~~ existing and future inhabitants of Indian Harbour Beach. This includes promoting resource conservation; coordinating with regional water suppliers and regulatory agencies helping ensure that potable water infrastructure is planned, operated, and improved in a manner that supports public health, accommodates projected growth, enhances system resiliency, and preserves the community's long-term water resources.

- 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-1.4 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; 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.

- Objective P W-3: The City shall promote and support year-round water conservation practices to ~~help~~ ensure the availability of potable water to all users in the City~~, even during times of~~ including during periods of extended dry weather. ~~The measurement~~ Achievement of this Objective is the extent to which the City implements and advances conservation initiatives, adopt efficient water-use and irrigation practices and carries out the are ~~taken plus the degree to which the following~~ Policies that follow. ~~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-3.3 The City shall evaluate and pursue feasible water conservation strategies that reduce potable water demand and enhance long-term resource efficiency. These strategies may include ~~investigate the feasibility of local~~

~~implementation of the following water conservation concepts: a water conservation~~ public education programs; requirements for ~~installation of~~ low-flow and high-efficiency ~~water volume~~ plumbing fixtures; ~~the incorporation~~ integration of water-saving principles into landscape and irrigation ~~conservation concepts in landscape~~ regulations; promotion of drought tolerant Florida-Friendly landscaping; incentives for retrofitting older structures with water-efficient technologies; and ~~the identification of areas suitable for use of reclaimed water~~ coordination with regional partners to identify additional conservation and reuse opportunities.

- Policy PW-3.4 The City hereby adopts its Ten-Year Water Supply Facilities Work Plan (WSFWP), ~~2009-2019~~ 2026-2036, 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-3.10 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 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 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.

- **Land Use Element**

  - 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-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~~ Utilities for locating and obtaining land for additional sanitary sewer facilities which may be required to be located within the City at some future date.

- **Capital Improvements Element**

    - 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-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 at the time of the issuance of a certificate of occupancy. {Section 163.31 80(2), 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.

# Indian Harbour Beach Business Impact Estimate

*This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).*

Proposed ordinance's title/reference:
ORDINANCE NO. 2026 – 10

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA, PROVIDING FOR TRANSMITTAL OF A COMPREHENSIVE PLAN AMENDMENT RELATING TO THE WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ☐ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☒ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
    a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
    c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
    d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

# Indian Harbour Beach Business Impact Estimate

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response: N/A

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response: N/A.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response: N/A.

7. Additional information the city determines may be useful:

Response: N/A.