



INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

TO: Joseph A Baird; County Administrator

DEPARTMENT HEAD CONCURRENCE:

Robert M. Keating, AICP; Community Development Director

FROM: ^{AB} Stan Boling, AICP
Planning Director

DATE: May 30, 2007

SUBJECT: **Consideration of Meeting Dates for Two Board Hearings to Consider Proposed Amendments to the LDR Chapter 911 Table of Uses for the Industrial Districts**

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 5, 2007

BACKGROUND

At the direction of the Board of County Commissioners, staff has initiated amendments to the LDRs to prohibit certain types of industrial uses, such as concrete plants and paper mills, in the IL (Light Industrial) zoning district. Other related changes are also proposed. On May 17, 2007, the amendments were reviewed by the Professional Service Advisory Committee and are being scheduled for a Planning and Zoning Commission hearing on June 14th. Because the LDR amendments will affect the listed uses allowed in certain zoning districts, two board public hearings are required under state law.

To proceed with the review and approval process for the subject LDR amendments, the Board must now set dates and times for the required two public hearings.

ANALYSIS AND ALTERNATIVES:

Recently, planning staff coordinated with the county attorney's office concerning state requirements for LDR amendment hearings. Because the proposed amendments will change the list of uses allowed in the IL and IG zoning districts, two hearings are required, and those hearings must be held at least 10 days apart. Florida statutes also provides that one hearing be held after 5:00 p.m., while the other hearing may be held before 5:00 p.m. (e.g. regular Board meeting time). The statutes also state that, with 4 or 5 positive votes, the Board could vote to hold both LDR hearings before 5:00 p.m., such as at regular Tuesday morning Board meetings.

Since the proposed amendments drew many interested parties to the May 17th PSAC meeting, staff anticipates that there will be a number of citizens attending the Board hearings. In staff's opinion, it would be appropriate for the Board to hold a special evening meeting for the first hearing and to hold the final hearing at a regular daytime meeting. One set of hearing dates, which would comply with state hearing and advertising requirements and would allow for an evening hearing, is as follows:

<u>Hearing</u>	<u>Date</u>	<u>Time</u>
Meeting #1 Special Meeting	Wednesday, July 11, 2007	7:00 p.m.
Meeting #2 Regular Meeting	Tuesday, July 24, 2007	9:05 a.m.

The Board may establish any other dates that meet state requirements.





RECOMMENDATION:

Staff recommends that the Board concur with the proposed hearing dates or set other hearing dates to consider the proposed LDR amendments.

ATTACHMENTS:

None

<p>APPROVED AGENDA ITEM:</p> <p>FOR: <u>June 5, 2007</u></p> <p>BY: <u>Joseph A. Baud</u></p>
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Indian River Co,	Approved	Date
Admin.		5/31/07
Legal		5/30/07
Budget		5/30/07
Dept.		5/30/07
Risk Mgr.	