

MEMORANDUM

DATE: April 3, 2013

TO: Planning and Zoning Board

FROM: Robin Meyer, AICP, Director
Planning, Zoning and Building Department

SUBJECT : Resolution 2013-09 Comprehensive Plan Amendments

Attached for your review is a revised copy of Resolution 2013-09, transmitting proposed Comprehensive Plan amendments to the Future Land Use Element's Policies 1.1.10 and 1.6.4 regarding personal wireless service facilities. This draft reflects changes requested by the Board members at the March meeting. The changes are highlighted in yellow. The changes include language the Board requested be made to the first two Whereas clauses and to Future Land Use Element Policy 1.6.4 to clarify that existing facilities are the preferred location of any additional personal wireless facilities. The Board's recommendation will be given to the Town Commission, which will determine if the amendments should be transmitted to the Florida Department of Economic Opportunity (DEO) as provided by Florida Statutes 163.3184. The DEO and agencies will review the proposed amendments, and may provide comments to the Town. After receiving and considering the comments, the Town may adopt the amendments after further Board review, commission workshop and public hearings. This is the first step in the process.

Proposed Changes

The first paragraph of Future Land Use Element Policy 1.1.10 is hereby amended as follows:

The Future Land Use Map, Figure 2, shall contain the following future land use categories, which are further detailed in and implemented by the land development regulations. Table 1 illustrates the maximum densities and intensities of development for each future land use category. Height restrictions for each category shall not apply to the following: antennae, enclosed elevator shafts, enclosed stairwells and their parapet walls, enclosed mechanical equipment areas, personal wireless service facilities, chimneys, or house of worship spires. Height restrictions for these exceptions shall be addressed in ~~but the Town's land development regulations shall limit their height.~~

Future Land Use Element Policy 1.6.4 is hereby amended as follows:

~~Because adequate Town-wide wireless communication infrastructure is important to safety and the continued economic and social vitality of Town life, the Town will encourage the location of such infrastructure in suitable areas, consistent with criteria~~

~~that include safety, aesthetics and neighborhood compatibility and as provided by state and federal law.~~ Advancements in technology have made personal wireless service valuable to Longboat Key residents and visitors. In addition, Federal and State law place restrictions upon the Town's authority to regulate personal wireless service facilities. As a result when the Town is presented with a demonstrated need for modified or additional personal wireless service facilities, the Town will work to balance that need with the Town's need to protect the unique character and aesthetics of the Town through the minimization of visual intrusiveness and other impacts. The Town will utilize the land development regulations to evaluate applications for personal wireless service facilities based on, at a minimum, heights, surrounding land use compatibility, aesthetics, and safety. The land development regulations shall reflect a hierarchy of preferred options for personal wireless service facilities within the Town, with utilization of existing structures or facilities being the preferred option and with towers being the least preferred option.

Staff Recommendation: Staff recommends that the proposed changes to Policy 1.1.10 and Policy 1.6.4 related to personal wireless service facilities be approved by the Planning and Zoning Board and forwarded to the Town Commission for their review and transmittal to DEO.