

M E M O R A N D U M

TO: Tom Harmer, Town Manager

FROM: Allen Parsons, AICP, Director, Planning, Zoning and Building Department

REPORT DATE: September 14, 2021

MEETING DATE: September 27, 2021

SUBJECT: Ordinance 2021-05, Amending the Capital Improvements Schedule of the Capital Improvements Element Concurrent with Adoption of the Fiscal Year 2021-2022 (FY22) Budget

Recommended Action

Adopt Ordinance 2021-05 on second reading and public hearing.

Background

With the adoption of the 2011 Community Planning Act, the Florida Legislature revised the procedural requirements for updating the Five-Year Schedule of Capital Improvements. The Town still must review the Capital Improvement Element (CIE) on an annual basis, but any modifications to the Schedule or other data, such as deleting the past year and adding a new fifth year to the five-year plan, are no longer considered amendments to the Comprehensive Plan. The update of the CIE must be adopted by ordinance but is not transmitted to the State for review and comment. This change applies only to the five-year schedule of capital improvements, and not to text amendments, unless the text is restating the schedule or data.

Ordinance 2021-05 concurrently updates the five-year capital improvement schedule with the adoption of the Town's FY22 Budget by the Town Commission. Approval of Ordinance 2021-05 provides for adoption of the Capital Improvements Element updates as part of the adoption of the FY22 Budget.

Staff Recommendation

Adopt Ordinance 2021-05 on second reading and public hearing.

Attachments

Ordinance 2021-05 (*Attachment A-1 is available in the Town Clerk's office*)

ORDINANCE 2021-05

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act, Sections 163.3161 through 163.32466, Florida Statute, ("Act") authorizes and requires the Town of Longboat Key to adopt and amend a Comprehensive Plan in accordance with the Act; and,

WHEREAS, Section 163.3177(3), Florida Statutes, requires that the Capital Improvements Element of the Comprehensive Plan be reviewed on an annual basis, and provides that updates to the five-year capital improvement schedule are not deemed to be amendments to the Comprehensive Plan; and,

WHEREAS, the Town Commission has streamlined the process to make the updates to the five-year capital improvement schedule concurrent with the adoption of the Town's Budget; and,

WHEREAS, after due public notice, the Town Commission held public hearings on September 13, 2021, and September 27, 2021, to consider adopting the Comprehensive Plan update.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Recitals above are ratified and confirmed as true and correct.

SECTION 2. The Fiscal Year 2021-2022 annual update to the Five-Year Schedule of Capital Improvements, attached hereto and incorporated herein as Exhibit "A-1" is hereby adopted by the Town of Longboat Key Town Commission.

SECTION 3. If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance is valid.

SECTION 4. This Ordinance becomes effective when adopted in accordance with Florida law and the Charter of the Town of Longboat Key.

SECTION 5. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Longboat Key upon adoption.

Passed on the first reading and public hearing the 13th day of September, 2021.

Adopted on the second reading and public hearing the 27th day of September, 2021.

Kenneth Schneier, Mayor

ATTEST:

Trish Shinkle, Town Clerk

Exhibits:

A-1 2022 Updates to the Capital Improvement Schedule, including Data and Analysis Tables
Available in the Town Clerk's Office

End of Agenda Item