

MEMORANDUM

TO: Tom Harmer, Town Manager

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

REPORT DATE: February 24, 2022

MEETING DATE: March 7, 2022

SUBJECT: Ordinance 2022-03, Amending the Town's Comprehensive Plan - Phase 1 Amendments

Recommended Action

Transmit Ordinance 2022-03 to the Department of Economic Opportunity (DEO) for review and comment. Schedule second reading and public hearing following DEO review.

Background

Following the Comprehensive Plan Evaluation and Appraisal Report (EAR), presentations to the Planning & Zoning Board's (P&Z Board) October 19, 2021 Regular Workshop Meeting and the November 15, 2021 Town Commission Regular Workshop Meeting, staff sent official notice to the Florida Department of Economic Opportunity (DEO) that an EAR was completed and the Town intends to update its Comprehensive Plan. On November 18, 2021, the DEO sent official acknowledgement of the EAR Letter. In that letter, the DEO provided notice that the Town adopt certain amendments that would maintain consistency with statutory requirements within a one-year period (by November 18, 2022).

As identified in the EAR, the Town is only *required* to amend the Comprehensive Plan to address statutory changes made since the last Comprehensive Plan update. The Town previously reviewed and amended the Comprehensive Plan in its entirety, including all goals, objectives, policies, in 2016.

Staff is updating the Comprehensive Plan in a batched approach, similar to that taken for the Zoning Code update. Amendments to the Comprehensive Plan will be completed in batches of Element-specific reviews and recommendations.

Ordinance 2022-03 incorporates the first batch of Comprehensive Plan amendments comprised of a total of 268 amendments identified in the EAR. While that sounds like a lot, these 268 amendments primarily consist of the following three types:

- amendments based upon changes to Florida Statutes made in 2018 and 2019 (**six** total);
- amendments that maintain consistency with Chapter 163.3177 of the Florida Statutes (**29** total); and
- non-substantive, series of "clean-up" items including recommendations to address consistency of terminology, correct scrivener's errors and otherwise generally add or revise wording for clarity (**233** total).

While this first batch could be solely be comprised of just the six amendments associated with changes to Florida Statutes, staff is incorporating the other proposed non-substantive amendments so that as future batches are considered

any subsequent proposed amendments would be addressing more substantive issues. This first batch of amendments are based upon recommendations provided in the Evaluation and Appraisal Report (EAR), prepared in coordination with Town staff and the consulting firm Kimley-Horn and Associates.

Staff proposes to amend and repeal the entire the Comprehensive Plan by adopting these 268 amendments to establish a 2022 Town of Longboat Key Comprehensive Plan which will be Statutorily compliant. Alternatively, each of these amendments, which include minor revisions to nearly all Comprehensive Plan Elements, would need to be described in the Title Block for Ordinance 2022-03. In addition, this effort also is an opportunity to improve formatting and ensure that all elements look and feel like one consistent Plan. The Comprehensive Plan will be subject to periodic required evaluations (at least every seven years, per Rule Chapter 73C-49, Florida Administrative Code) with a future timeline clearly reflecting an update of the Town's 2022 Comprehensive Plan. This approach also allows the Town to meet the DEO's one-year adoption deadline for the statutorily required amendments and allow the Town to focus on amending individual Elements, with more substantive policy implications, without a State-mandated timeline.

A color-coded summary of the three amendment types and description of each amendment to the Comprehensive Plan is provided as Attachment A.

The Planning & Zoning Board held a public hearing on January 18, 2022, recommended approval (7-0) of Ordinance 2022-03, and forwarded to the March 7, 2021 Regular Meeting for Commission consideration and first reading.

Staff Recommendation

Transmit Ordinance 2022-03 to the Department of Economic Opportunity (DEO) for review and comment. Schedule second reading and public hearing following DEO review.

Attachments

- A. Summary of Comprehensive Plan Amendments (Available in Town Clerk's Office)
- B. Ordinance 2022-03 (Available in Town Clerk's Office)
- C. Exhibit A: 2022 Comprehensive Plan (version shown with edits) (Available in Town Clerk's Office)
- D. Exhibit A: 2022 Comprehensive Plan (clean version without edits) (Available in Town Clerk's Office)
- E. Comprehensive Plan Evaluation and Appraisal Report (Available in Town Clerk's Office)
- F. Summary of Florida Statutes that require Comprehensive Plan Amendments (Available in Town Clerk's Office)
- G. January 18, 2022 Planning and Zoning Board Minutes (Available in Town Clerk's Office)

End of Agenda Item