

## MEMORANDUM

**TO:** Tom Harmer, Town Manager

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

**REPORT DATE:** May 19, 2022

**MEETING DATE:** June 6, 2022

**SUBJECT:** Ordinance 2022-03, Comprehensive Plan - Phase 1 Amendments

### **Recommended Action**

Adopt Ordinance 2022-03.

### **Background**

At their March 7, 2022 Regular Meeting the Town Commission held the first reading for Ordinance 2022-03, and voted to transmit the Ordinance to local, regional and State agencies, including the Department of Economic Opportunity (DEO) for review and comment. The Town Commission also voted to schedule second reading, public hearing and adoption of Ordinance 2022-03 following DEO review.

The DEO, along with other State and regional agencies, reviewed Ordinance 2022-03, which repeals the entirety of the Comprehensive Plan and establishes a new up-to-date Town Comprehensive Plan that is statutorily compliant. The DEO had several comments, which the Town has responded to:

**DEO Recommendation:** Revise the adopted portion of the Comprehensive Plan to include the following consistent with the statutory requirements:

- a long-term planning timeframe covering at least a 10-year period;
- a Future Transportation Map (or map series) based upon and supported by relevant and appropriate data and analysis;
- a Future Land Use Map (or map series) that depicts the following natural resources or conditions within the Town: Coastal High Hazard Area, wetlands, floodplains, soils, bays, beaches and shores; and
- incorporate the recently adopted Property Rights Element.

Staff has consulted with DEO staff regarding the Town's approach to updating the Comprehensive Plan in a series of Batches. DEO staff are aware and supportive of the approach which will allow certain comments below to be addressed in the pending Batches of Comprehensive Plan amendments.

**Staff Response:** The following measures have been or will be taken to respond to DEO's recommendations:

- The following policy has been added to the Future Land Use Element: "FLU Policy 1.1.1: The Town will utilize a long-term planning timeframe of 10 years."
- The Future Transportation Map will be included in Batch 2 of the Comprehensive Plan Amendments, as part of the Future Land Use Element amendments.
- The Future Land Use Map series will be included in Batch 2 of the Comprehensive Plan Amendments, as part of the Future Land Use Element amendments.

- The Property Rights Element has been included in the Comprehensive Plan document. It was not previously included in the document, as it was not yet adopted during the initial phase of Batch 1.

**DEO Recommendation:** The Department recommends the Town revise Conservation and Coastal Management Element Goal 2 to define the CHHA (Coastal High Hazard Area) consistent with Section 163.3178(2)(h), F.S.

**Staff Response:** Conservation and Coastal Management (CCM) Element Goal 2 has been revised to provide the correct statutory CHHA definition and now reads: “CCM GOAL 2: Provide infrastructure to ensure public health, safety, and welfare within the Coastal High Hazard Area (CHHA). F.S. § 163.3178(2)(h), as amended, defines the CHHA as the area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.”

**DEO Recommendation:** The Department recommends the Town revise the amendment to update the adopted portion of the Comprehensive Plan to include the Town’s Ten-Year Water Supply Facilities Work Plan.

**Staff Response:** The Town’s Ten-Year Water Supply Facilities Work Plan will be included in the Infrastructure Element, as part of Batch 3 of the Comprehensive Plan Amendments.

**DEO Comment:** The Department recommends that the Town revise proposed Future Land Use Element Policy 1.1.8 (formerly renumbered as Policy 1.1.0) to update the internal cross-references to other plan policies that are proposed to be renumbered.

**Staff Response:** The cross references have been updated.

Two versions of the Comprehensive Plan are included in the agenda packet. The first version is the draft shown with edits. The second version includes all edits, but the edits are not shown in strike-through/underline. All of the revisions that respond to DEO comments are highlighted throughout the document.

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

Ordinance 2022-03 is now advertised and scheduled for second reading, public hearing and adoption at the June 6, 2022 Regular Meeting.

**Staff Recommendation**

Adopt Ordinance 2022-03.

**Attachments**

- A. Ordinance 2022-03 (Available in Town Clerk’s Office)
- B. Exhibit A: 2022 Comprehensive Plan (version shown with edits) (Available in Town Clerk’s Office)
- C. Exhibit A: 2022 Comprehensive Plan (clean version without edits) (Available in Town Clerk’s Office)

**End of Agenda Item**