

M E M O R A N D U M

TO: Howard Tipton, Town Manager

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

REPORT DATE: August 17, 2023

MEETING DATE: September 11, 2023

SUBJECT: Ordinance 2023-01- Batch 5 Comprehensive Plan Batch 5
Amendments - Conservation & Coastal Management
Element and Recreation & Open Space Element

Recommended Action

Adopt Ordinance 2023-01.

Background

At their June 5, 2023 Regular Meeting the Town Commission held the first reading for Ordinance 2023-01, and voted to transmit the ordinance to local, regional and State agencies, including the Department of Economic Opportunity for review and comment (Note: Effective July 1, 2023, the Florida Department of Economic Opportunity was renamed the Florida Department of Commerce (DOC), per 2023 Florida House Bill 5.).

The Town Commission raised one question regarding a portion of a proposed amendment to Conservation & Coastal Management Policy 2.2.2, addressing a current Comprehensive Plan prohibition on the use of potable water wells. The transmittal language had proposed to delete the word “potable” in front of the term water-wells with the result being that any type of water-well (i.e. both potable and non-potable) would be prohibited. Staff reviewed this recommendation and could not find the initial basis for the amendment in the Conservation & Coastal Management Element or in the Infrastructure: Potable Water Sub-Element. Therefore, that prior recommendation is no longer included in Ordinance 2023-01 and a continuation of the prohibition of new potable water-wells would remain as the Policy currently provides for.

The Town Commission also voted to recommend scheduling the second reading, public hearing and adoption of Ordinance 2023-01 following DOC review.

The DOC, along with other State and regional agencies, reviewed Ordinance 2023-01, which contains a number of amendments to the Conservation & Coastal Management and Recreation & Open Space Elements derived from the Town’s Evaluation and Appraisal Report and from recommendations by the Planning & Zoning Board. The DOC and reviewing agencies did not identify any objections, recommendations or comments to the proposed amendments.

Two versions of the Conservation & Coastal Management and Recreation & Open Space Elements 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-thru/underline.

The Planning & Zoning Board held a public hearing on May 16, 2023, recommended approval (5-0) of Ordinance 2023-01, and forwarded it to the June 5, 2023 Regular Meeting for Commission consideration and first reading.

Staff Recommendation

Adopt Ordinance 2023-01.

Attachments

- A. Ordinance 2023-01 ROS and CCM Elements (version shown with edits in strike thru and underline). (Available in Town Clerk's Office)
- B. Ordinance 2023-01 ROS and CCM Elements (clean version without strike thru and underline shown). (Available in Town Clerk's Office)
- C. Department of Commerce, ORC Report, August 11, 2023 (Available in Town Clerk's Office)

End of Agenda Item