

# City of Tarpon Springs, Florida STAFF REPORT

November 20, 2018

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**TO:** MAYOR & BOARD OF COMMISSIONERS

**FROM:** PLANNING AND ZONING DEPARTMENT

**HEARING DATE:** NOVEMBER 19, 2018 (PLANNING AND ZONING BOARD)  
DECEMBER 4, 2018 (BOARD OF COMMISSIONERS) 1<sup>ST</sup> READING  
TBA (BOARD OF COMMISSIONERS) 2<sup>ND</sup> READING

**SUBJECT:** **APP-18-120 COMPREHENSIVE PLAN TEXT  
AMENDMENT TO THE COASTAL PLANNING AND  
CONSERVATION ELEMENT (ORDINANCE 2018-28) TO  
PROVIDE FOR CONSISTENCY WITH THE FUTURE  
LAND USE ELEMENT REGARDING THE  
CONSERVATION OF SIGNIFICANT UPLAND HABITAT  
AND WETLAND HABITAT, AND TO REMOVE  
OUTDATED REFERENCES.**

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## **I. STAFF RECOMMENDATION**

Staff recommends approval of Ordinance 2018-28 to amend the Coastal Planning and Conservation Element of the Comprehensive Plan.

The text amendment contained in Ordinance 2018-28 provides for coordination and consistency with proposed Ordinance 2018-27 amending the Future Land Use Element (Application #18-119). The overall intent and objectives of the changes to both elements are covered in the staff report for Application #18-119.

## **II. PLANNING AND ZONING BOARD RECOMMENDATION**

The Planning and Zoning Board heard and unanimously recommended approval of this amendment at the November 19, 2018 meeting. There was no public comment on the item. The P&Z agenda items was posted conspicuously in two places on the City website, the required public notice was advertised in the Tampa Bay Times on Friday, November 2, 2018 and provided to several residents who participated in the previous public hearings on this issue in June 2018. This amendment was discussed in conjunction with the Future Land Use Amendment (APP-18-119) however the Planning and Zoning Board members did not express the same concerns, realizing that the changes to the Coastal Planning and Conservation Element were necessary to provide

the consistency between the elements of the Comprehensive Plan and that the bulk of the changes were in fact house-keeping items.

### **III. BACKGROUND**

The City is amending the Future Land Use Element of the Comprehensive Plan as outlined in Ordinance 2018-27, and, also amending the Coastal Planning and Conservation Element of the Comprehensive Plan as outlined in Ordinance 2018-28. See full background discussion in the staff report for Application #18-119.

#### **Summary of Changes to the Coastal Planning and Conservation Element**

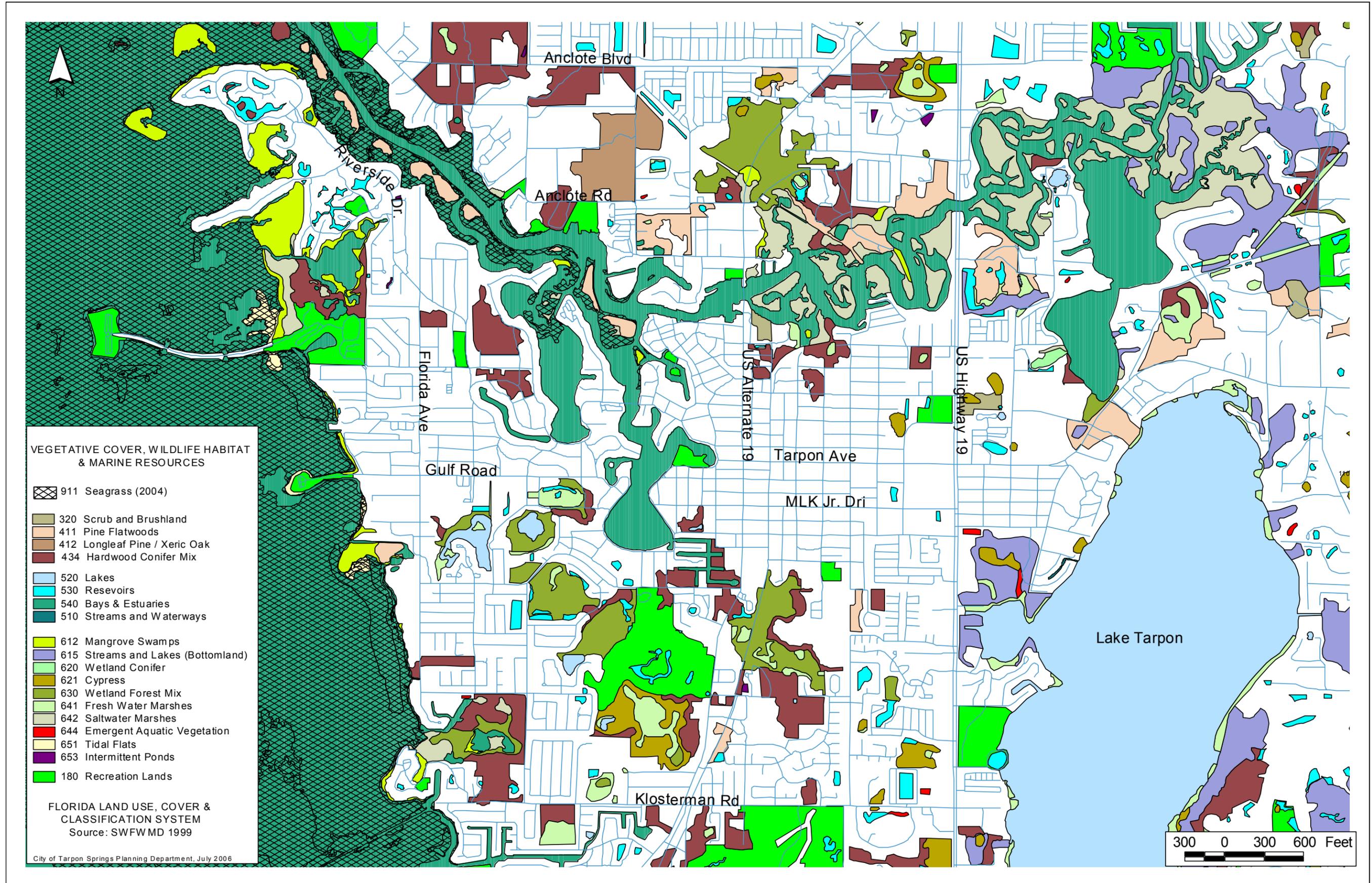
In the following sections, the reference to Figure 19 is removed to provide clarification that the City requires conservation of all wetlands, including those not mapped on Figure 19, and, to reference proposed Future Land Use Policy 1.1.12 for the conservation of significant upland habitat:

- Section II.A.3, Coastal Management Data and Analysis Requirements (see page A.1 of Exhibit A), and,
- Section VI. Coastal Management Goals, Objectives and Policies, Objective 1.1, Policy 1.1.1, Policy 1.1.4, Objective 1.6, Policy 1.6.1, Policy 1.6.3, Policy 1.6.6, and Policy 1.6.7 (see Exhibit A pages A.3, A.4, A.20 and A.21).

#### **List of Exhibits:**

- 1) Ordinance 2018-28 with attached Exhibit A

# VEGETATIVE COVER, WILDLIFE HABITAT AND MARINE RESOURCES



**ORDINANCE 2018-28**

**AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE COASTAL PLANNING AND CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN; BY REVISING SECTION II COASTAL MANAGEMENT DATA AND ANALYSIS REQUIREMENTS, SUBPARAGRAPH 3 TO ADD A REFERENCE TO FUTURE LAND USE ELEMENT POLICY 1.1.12; ADD ADDITIONAL UTILITY COMPANY REFERENCES TO SECTION II, D.4.h)1.f); MODIFY SECTION VI COASTAL MANAGEMENT GOALS, OBJECTIVES, AND POLICIES, BY REMOVING REFERENCE TO FIGURE 19 FROM OBJECTIVE 1.1, POLICY 1.1.1 AND POLICY 1.1.4, ADDING A REFERENCE TO FUTURE LAND USE ELEMENT POLICY 1.1.12 TO OBJECTIVE 1.1 AND POLICY 1.1.4 ; MODIFY SECTION VII CONSERVATION GOALS, OBJECTIVES, AND POLICIES BY REMOVING REFERENCE TO FIGURE 19 FROM OBJECTIVE 1.6, POLICY 1.6.1, POLICY 1.6.3, POLICY 1.6.6 AND POLICY 1.6.7; ADDING REFERENCE TO CONSERVATION OF AND IMPACTS TO WETLANDS AND AREAS OF SIGNIFICANT UPLAND HABITAT AS DEFINED IN FUTURE LAND USE POLICY 1.1.12 TO POLICY 1.6.6; PROVIDING FOR REMOVAL OF OUTDATED REFERENCES TO THE FLORIDA ADMINISTRATIVE CODE AND AGENCY TITLES; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on October 10, 1989 the City adopted Ordinance 89-35 adopting a comprehensive plan; and,

**WHEREAS**, from time to time, amendments to the Comprehensive Plan become necessary due to changing conditions or to permit greater flexibility in the development of the City; and,

**WHEREAS**, amendments to the Comprehensive Plan are permitted in accordance with City and State regulations governing such amendments; and,

**WHEREAS**, this text amendment to the Comprehensive Plan is being proposed to revise the Coastal Planning and Conservation Element to clarify conservation of upland habitat adjacent to certain wetlands, to remove certain references to Figure 19, and to correct outdated references throughout the element; and,

**WHEREAS**, notice was advertised as required by City and State regulations regarding text amendments to the Comprehensive Plan; and,

**WHEREAS**, the Planning and Zoning Board conducted a public hearing on this item on November 19, 2018 and,

**WHEREAS**, the applicable governmental agencies have reviewed this proposed amendment to the Comprehensive Plan and have no objection.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:**

SECTION 1. The Coastal Planning and Conservation Element of the Comprehensive Plan is amended as shown in Exhibit A, attached hereto and made a part of this Ordinance.

SECTION 2. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity. The Tarpon Springs board of Commissioners expressly indicates that it desires any remainder of the Ordinance to withstand any severed provision, as it would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

SECTION 3. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

Exhibit A

I. Introduction

This inventory and Analysis for the ~~Conservation and Coastal Planning Area~~ Coastal Planning and Conversation Element of the City of Tarpon Springs Comprehensive Plan is prepared in accordance with the requirements of State Law Sections 9J-5 and 9J-12, Florida Administrative Code (FAC).

*[No additional changes to this Section]*

II. Coastal Management Data and Analysis Requirements

A. Existing Land Uses in the Coastal Area

1. Coastal Planning Area Defined

For the purposes of this Element the Coastal Zone was originally defined as that area lying 1,500 feet landward of the shoreline mean high tide water mark. The “Coastal Zone”, now referred to as the “Coastal Planning Area”, ~~in accordance with Rule 9J-5, F.A.C.~~ (see appendix C) is ~~revised for the 1997 EAR~~ and defined by five separate areas:

- (a) The Working Waterfront
- (b) The FEMA Velocity Zone Area
- (c) Anclote River Floodway and Adjacent Lands (1,500 foot buffer)
- (d) The Bayou Residential Corridors
- (e) The Lake Tarpon Shoreline

*[No additional changes to this Section]*

2. Land Use

*[No changes to this Section]*

3. Effects of Future Land Use Upon Natural Resources

Prior to development of ~~any areas identified in Figure 19~~ any wetlands or areas of significant upland habitat as defined in Future Land Use Policy 1.1.12, an environmental analysis should be performed to identify environmental sensitivity of uplands or wetlands and the ability of uplands to support wildlife habitat.

B. Archaeological and Historic Resources

*[No additional changes to this Section]*

C. Estuarine Pollution

6. State, Regional and Local Regulatory Program to reduce Estuarine Pollution

Regional planning councils, with the Florida Department of ~~Community Affairs~~ Economic Opportunity, have some control over land use and development regulations through local comprehensive plan reviews and the Development of Regional Impact (DRI) program.

*[No additional changes to this Section]*

D. Disaster Preparedness

4. Post Disaster Redevelopment

c) Structures with a History of Repeated Damage in Coastal Storms

h) Infrastructure in the Coastal Planning Area

1. Inventory of Existing Facilities

(f). Other Utilities

Other local utilities include Progress Energy, Inc., Duke Energy, Inc., Brighthouse Networks, City of Clearwater Gas, Verizon, Wide Open West(WOW!) and Frontier Communications Knowledge Broadband of Florida, Inc. The construction of these utilities through shoreline and conservation areas could cause some environmental impairment. However, most of these utilities occur exclusively within existing rights of way or dedicated utility easements and once these utilities are in place, they generally do not present an on-going hazard.

*[No additional changes to this Section]*

III. Summary Recommendations-Coastal Management

- o Conserve and preserve wetland vegetative communities as indicated by Figure 19.

*[No additional changes to this Section]*

IV. Conservation Data and Analysis Requirements

A. Natural Resources

1. Wetlands, Marine and Estuarine Freshwater

612- Mangrove Swamps... Mammals include marsh rabbits, hispid cotton rat, house mouse, raccoon and river otter...

*[No additional changes to this Section]*

3. Uplands

411-Pine Flatwoods... However, fire control and artificial re-forestation have extended the range of slash pine into former longleaf sites. The pine flatwoods class is dominated by either slash pine, longleaf pine or both and less frequently pond pine...

*[No additional changes to this Section]*

4. Surface Water and Drainage Basins...

Smaller estuarine, tidally influenced surface water bodies within the study area are Whitcomb Bayou, Kreamer Bayou, Tarpon Bayou, Spring Bayou, Minetta Bayou and Sunset Lagoon. These connect directly ~~of~~ or indirectly with the Anclote River...

*[No additional changes to this Section]*

VI. Coastal Management Goals, Objectives and Policies

**GOAL 1.0**

The City shall preserve, protect and enhance the natural and functional characteristics of the Coastal Planning Area.

**OBJECTIVE 1.1** ~~9J-5.12(3)(b)(1)-(2)~~

Protect and improve the natural resources of ~~the Coastal Planning Area as identified by Figure 19 of this Element~~ all wetlands and areas of significant upland habitat as defined in Future Land Use Policy 1.1.12

**POLICY 1.1.1** ~~9J-5.12(3)(e)(1)~~

Evaluate all wetland areas ~~in Figure 19~~ for potential preservation designation with a goal of “no net loss of wetlands”. Development projects which may affect wetland areas ~~identified in Figure 19~~ must meet the following criteria and must also be consistent with Policies 1.6.6 and 1.6.7 of the Conservation Goals Objectives and Policies:

1. An overall public benefit is provided by the development and the mitigation plan provides an overall improvement to water quality within the applicable watershed.
2. Proposed mitigation shall be in the following order of priority.
  - a. Mitigation on the same site of the development.
  - b. Mitigation within the Planning Area Boundary
  - c. Mitigation within the applicable watershed as identified by Southwest Water Management District.
3. Mitigation plans which rely on 2.c. above shall also be required to perform some mitigation either on site, adjacent to the development, or within the Planning Area that improves water quality and/or wildlife habitat.

**POLICY 1.1.2** ~~9J-5.12(3)(e)(1)~~

Require a minimum 30 foot aquatic lands setback for non-water dependent uses along the City's shoreline with the exception of the historic Sponge Dock Area and accessory structures on parcels where an existing seawall has effectively eliminated the natural function of the shoreline. Accessory structures are defined as those detached from the principal building located on

the same lot and customarily incidental and subordinate to the principal building or use. Accessory structures shall not include any structure having an impervious roof supported by columns or walls and intended for the shelter, housing, or enclosing of any individual, animal, process, equipment, goods, or materials of any kind

**POLICY 1.1.3** ~~9J-5-12(3)(e)(1)~~

Require a minimum 15 foot buffer zone adjoining all wetlands

**POLICY 1.1.4** ~~9J-5-12(3)(e)(1)~~

Require all development or redevelopment adjacent to wetlands or ~~upland~~ natural areas identified in Figure 19 areas of significant upland habitat as defined in Future Land Use Policy 1.1.12 to assess the impact upon wildlife in order to evaluate and eliminate or minimize adverse impacts

**POLICY 1.1.5** ~~9J-5-12(3)(e)(2)~~

Require wetland mitigation on a 1:1 basis using the same type or more productive vegetation with at least an 80-85% natural cover rate, over a 2-5 year period

**POLICY 1.1.6**

Phase out the use of septic tanks in the Coastal Planning Area

**OBJECTIVE 1.2** ~~9J-5-12(3)(b)(1)~~

Restrict Dredge and Fill activities to those where no feasible alternatives exist;

**POLICY 1.2.1** ~~9J-5-12(3)(e)(1)~~

Restrict seawalling along the Gulf Coast shoreline, and require the replacement of seawalls in the Coastal High Hazard Area with stabilization techniques as exhibited by Figure 12 or 12b of this element in the event they are destroyed in excess of 50% of their replacement cost

**POLICY 1.2.2** ~~9J-5-12(3)(e)(2)~~

Require the examination of alternatives to dredging and filling; and determine that strict denial would effectively deprive the owner of all reasonable use of the land due to its unusual size, shape, topography, natural conditions, and location, or that an alternative would be technically impractical in terms of

engineering, design and construction practices, or that the application is in the public interest

**OBJECTIVE 1.3** ~~9J-5.12(3)(b)(1)~~

Maintain, improve, and repair erosion control structures as needed in a manner which will protect coastal marine resources and habitat along the City's Bayous

**POLICY 1.3.1** ~~9J-5.12(3)(e)(1)~~

Identify design alternatives and funding sources for bayou erosion control

**POLICY 1.3.2** ~~9J-5.12(3)(b)(2)~~

Implement design alternatives in the Dames and Moore Master Drainage Plan to control urban run-off

**POLICY 1.3.3** ~~9J-5.12(3)(c)(2)~~

Consult proposed schedule of drainage improvements in the Master Drainage Plan when preparing the City's annual CIP.

**POLICY 1.3.4**

Maintain the existing manmade beach systems in a manner which protects against erosion and preserves the existing ecosystem

**OBJECTIVE 1.4** ~~9J-5.12(3)(b)(2)~~

Restrict direct stormwater runoff into the Gulf of Mexico

**POLICY 1.4.1** ~~9J-5.12(3)(e)(1)~~

Utilize wetlands for stormwater filtering in accordance with the discussion under Section II.A. 2.d, FDEP, SWFWMD, and Chapter 17-25 requirements for water quality, quantity, and use

**POLICY 1.4.2** ~~9J-5.12(3)(e)(1)~~

Require that post development runoff shall not exceed pre-development runoff for the 25 year frequency storm, 24 hour duration in order to limit adverse impacts of water quantity and quality resulting from development or redevelopment

**GOAL 2.0**

Reduce shoreline conflicts through the land use planning process.

**OBJECTIVE 2.1** ~~9J-5-12(3)(b)(3)~~

Due to its environmental sensitivity, restrict water dependent uses along the Gulf of Mexico shoreline to recreational fishing and swimming areas; which shall have shoreline usage priority. Second priority shall be given to water related residential uses.

**POLICY 2.1.1** ~~9J-5-12(3)(e)(7)~~

Require a 100 foot setback from the Gulf Coast shoreline in the Coastal High Hazard Area for residential densities in excess of 5 du/acre;

**POLICY 2.1.2** ~~9J-5-12(3)(e)(9)~~

Prioritize Gulf of Mexico shoreline uses as follows:

- open spaces and recreation
- shoreline access for the public
- low to medium density residential uses

**OBJECTIVE 2.2** ~~9J-5-12(3)(b)(3)~~

To give water dependent uses priority along the Anclote River shoreline.

**POLICY 2.2.1** ~~9J-5-12(3)(e)(9)~~

Prioritize Anclote River shoreline uses as follows:

**1. North Bank of the Anclote River Working Waterfront** (See Figure 2):

**Priority Uses**

- Dockage for commercial fishing
- Marine products and fisheries
- Commercial Fishing Establishments, including wholesale and retail sales
- Boat ramps, public docks, fishing catwalks, charter diving and sightseeing operations
- Major boat repair and maintenance

**Other acceptable uses**

- Marinas, wet and dry slip
- Other water dependent industries or utilities
- Tourist oriented water dependent/related uses when combined with another priority use above
- Low-rise hotels when combined with another water dependent use
- Low to medium density residential uses when combined with another priority use above

**2. North Bank of the Anclote River, not including the Working Waterfront** (See Figure 2)

**Priority Uses**

- Marinas, Wet and Dry Storage
- Boat ramps, public docks, fishing catwalks, charter diving and sightseeing operations
- Shoreline Access for the public
- Boat ramps, public docks

**Other Acceptable Uses**

- Tourist oriented water related uses when combined with another priority use above
- Low-rise hotels and other forms of lodging
- Low to medium density residential uses when combined with another priority use above

**3. South Bank of the Anclote River, not including the Working Waterfront** (See Figure 2)

- Low Density Residential
- Shoreline access for the public

**4. South Bank of the Anclote River, Working Waterfront** (See Figure 2)

**Priority Uses**

- Tourist Oriented Water Related Uses
- Low-Rise Hotels and other forms of lodging
- Commercial Fishing Establishments, including wholesale and retail sales
- Water Dependent industries or utilities
- Public agency docking facilities
- Wetslip Marinas

**Other acceptable uses**

- Dry storage marinas, subject to compatibility review with existing and planned uses in the area, except for the area between Dodecanese Blvd and the Anclote River where such uses shall be prohibited.
- Low to medium density residential uses when combined with another priority use above.

**OBJECTIVE 2.3** ~~9J-5-12(3)(b)(3)~~

The City shall consider the following criteria when locating water dependent uses:

- Water depth
- Existing shoreline usage
- Need for dredging
- Approval from other affected government agencies

**POLICY 2.3.1** ~~9J-5-12(3)(e)(6)~~

Promote the expansion of the tourist oriented light commercial uses in the historic Sponge Dock Area

**POLICY 2.3.2** ~~9J-5-12(3)(e)(9)~~

Locate wet slip marina facilities along the Anclote River west of the Alternate U.S. 19 bridge where access to deepwater and the river channel exists:

**POLICY 2.3.3** ~~9J-5-12(3)(e)(9)~~

The City shall as a minimum use the following criteria for siting marinas:

- Adequate water depth to accommodate the proposed boat use. Sites that require no dredging or filling to provide access by canal, channel or road are preferred.
- Preference shall be given to the expansion of suitable existing marinas rather than new construction.
- Located in areas where there is adequate flushing of the basin to prevent stagnation and water quality deterioration.
- No adverse impact on archaeological or historic sites as defined by state and local comprehensive plans.
- Reasonable access to a large navigable water body.
- Sufficient upland area to accommodate all needed utilities and support facilities, such as parking spaces, rest rooms, dry storage, etc.

- Capacity of the surrounding roadways to handle boating traffic to and from the marina.
- Compatible land uses.
- Adequate wastewater treatment capacity in accordance with state standards.
- Marina development should be sensitive to the special requirements for developing in the following areas:
  - a) Aquatic preserves
  - b) Outstanding Florida Waters
  - c) Class II waters
  - d) Areas approved or conditionally approved by the Division of Agricultural and Consumer Services (DACS) for shellfish harvesting, and
  - e) Other highly productive and/or unique habitats as determined by Fish and Wildlife Commission (FWC) based on vegetation and/or wildlife species.
- Consistency with Countywide Marina Siting Plan (if and when adopted by Pinellas County).

**POLICY 2.3.4** ~~9J-5-12(3)(e)(9)~~

No marina shall be constructed or expanded in areas determined by the Florida Fish and Wildlife Commission to be critical to the survival of the West Indian Manatee; (Objectives 9 and 10)

**POLICY 2.3.5** ~~9J-5-12(3)(e)(9)~~

The development of marinas shall be supported as a means of providing public water access to the extent that their development shall not adversely impact estuarine resources

**POLICY 2.3.6** ~~9J-5-12(3)(e)(9)~~

Evaluate standards for shoreline development in the Land Development Code to ensure compatibility with Objectives and Policies of Goal 2.

**POLICY 2.3.7** ~~9J-5-12(3)(e)(15)~~

Require the approval of the Pinellas County Water Navigation Board for docking facilities

**POLICY 2.3.8** ~~9J-5-12(3)(e)(14)~~

Forward copies of development proposals that may adversely impact environmentally sensitive areas in the Coastal Planning Area to other

affected jurisdictions and agencies such as SWFWMD, Army Corps. of Engineering, FDEP, FWC, Pinellas County Water Navigation Board, and Tampa Bay Regional Planning Council

**POLICY 2.3.9** ~~9J-5.12(3)(e)(15)~~

Require development proposals within the Coastal Planning Area to be reviewed for consistency with the Pinellas County Comprehensive Land Use Plan

**POLICY 2.3.10** ~~9J-5.12(3)(e)(15)~~

Coordinate development proposals in the Coastal Planning Area with the Aquatic preserve policies of the Florida Department of Environmental Protection by requiring a copy of the development plan to be forwarded to FDEP whenever Aquatic preserves are affected

**OBJECTIVE 2.4** ~~9J-5.12(3)(b)(9)~~

Prioritize City owned right-of-way access to the shoreline based on compatibility with surrounding neighborhoods and environmental characteristics and categorize them for increased access or use based on the findings for all 23 rights-of-way identified in Section II.D.4 (g).

**POLICY 2.4.1** ~~9J-5.12(3)(e)(10)~~

Prohibit the vacating of all existing public rights-of-way, easements, and other dedications that provide access to the shoreline where increased accessibility is identified by the results of the study referenced by the associated objective, and maintain public access to other access points such as bridges, catwalks, beaches, etc.;

**OBJECTIVE 2.5** ~~9J-5.12(3)(b)(10)~~

Coordinate prioritization of shoreline uses with the requirements of the Historic Element

**POLICY 2.5.1** ~~9J-5.12(3)(e)(11)~~

Implement the recommendations of the Historic Element;

**POLICY 2.5.2** ~~9J-5.12(3)(e)(11)~~

To the maximum extent supported by stakeholders, implement cultural district / design guidelines for the Sponge Docks.

**OBJECTIVE 2.6** ~~9J-5.12(3)(b)(11)~~

Implement the level of service standards found in the Transportation Element, Recreation/Open Space, Sanitary Sewer, Potable Water, Drainage, and Solid Waste Elements;

**POLICY 2.6.1** ~~9J-5.12(3)(e)(13)~~

Comply with the infrastructure and funding recommendations of the Transportation Element, Recreation/Open Space, Sanitary Sewer, Drainage, Potable Water, Solid Waste, and Capital Improvement Elements

**GOAL 3.0**

Protect human life and limit public expenditures in areas subject to destruction by natural disasters and sea level rise.

**OBJECTIVE 3.1** ~~9J-5.12(3)(b)(5)~~

Restrict use of public expenditures in the Coastal High Hazard Area to the following:

- Maintenance and purchase of public open space
- Drainage improvements
- Elimination of existing septic systems
- Upgrading of existing collectors for evacuation purposes if necessary
- Post-disaster repair / replacement of existing public roadways and utilities

**POLICY 3.1.1** ~~9J-5.12(3)(e)(7)~~

Define the Coastal High Hazard Area as “the area defined by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) model to be inundated from a category one hurricane” as reflected in the most recent Regional Evacuation Storm Tide Atlas.

**POLICY 3.1.2** ~~9J-5.12(3)(e)(8)~~

Restrict public investments such as roads, water, and sewer infrastructure, which would subsidize new private development in the Coastal High Hazard Area.

**POLICY 3.1.3**

The City shall consider the most current and credible sea level rise data when planning for infrastructure and capital improvement expenditures in the Coastal High Hazard Area.

**POLICY 3.1.4**

The City shall limit development within High Hazard Coastal Areas with dedicated City funds to the following conditions: those which are in need of stormwater improvements, those in need of restoration of natural resources, or existing public facilities in need of restoration or maintenance.

**POLICY 3.1.5**

Strategies for preparing for sea level rise, such as increasing road surface elevation standards, subsurface stabilization, stormwater management and drainage, and adjustment of bridge heights to allow for navigation, should be collectively assessed and implemented where appropriate.

**OBJECTIVE 3.2** ~~9J-5-12(3)(b)(7)~~

Achieve a Level of Service standard of 16 hours for an out of county evacuation for a Category 5 storm event:

**POLICY 3.2.1** ~~9J-5-12(3)(e)(4)~~

Restrict future land use density increases on vacant parcels in evacuation Level A to a maximum of 5 du/acre where shelter space is unavailable unless an acceptable mitigation plan can be implemented in coordination with Pinellas County Emergency Management.

**POLICY 3.2.2** ~~9J-5-12(3)(e)(4)~~

Provide early notice that evacuees leave the City entirely during storm preparation

**POLICY 3.2.3** ~~9J-5-12(3)(e)(4)~~

Restrict the development of new nursing facilities, hospitals and residential living facilities (ACLF's) with greater than 15 residents, in evacuation Levels A and B

**POLICY 3.2.4** ~~9J-5-12(3)(e)(4)~~

New mobile home parks shall provide on-site shelter space at the ratio of 10 to 20 square feet per park resident. Require other developments which choose to provide on-site shelter space to utilize the 10 to 20 square foot ratio per resident projected to seek public shelter. Twenty (20) square feet per resident projected to seek public shelter should be utilized where feasible, and shall be required at the time this standard is adopted locally by Pinellas County and the American Red Cross. The City shall coordinate with the Pinellas County Metropolitan Planning Organization during preparation of the Transportation Improvement Plan in order to schedule improvements to hurricane evacuation routes within Tarpon Springs

**POLICY 3.2.5** ~~9J-5-12(3)(e)(4)~~

The City shall continue to increase public awareness concerning the need for early evacuation from hurricanes in order to reduce or maintain hurricane evacuation times

**POLICY 3.2.6** ~~9J-5-12(3)(e)(4)~~

All hurricane evacuation routes shall be clearly posted within the City of Tarpon Springs

**POLICY 3.2.7** ~~9J-5-12(3)(e)(4)~~

The Tarpon Springs Fire Department shall implement a public awareness campaign by meeting with local civic groups, mobile home parks, convalescent centers, and/or other public and private organizations and groups, to discuss hurricane situations and/or procedures

**POLICY 3.2.8** ~~9J-5-12(3)(e)(4)~~

The Tarpon Springs Fire Department will update the existing Emergency Management Implementation Guide on an annual basis

**POLICY 3.2.9**

The City of Tarpon Springs shall give first priority to any available funds for road/traffic improvements that can improve evacuation level of service to new or existing hurricane evacuation routes.

**OBJECTIVE 3.3**

Participate in the Pinellas County Post Disaster Redevelopment Plan and other relevant emergency management resources to implement hazard mitigation

measures to reduce the exposure of human life and public and private property to natural hazards including high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

**POLICY 3.3.1** ~~9J-5-12(3)(e)(3)~~

Comply with FEMA regulations.

**POLICY 3.3.2** ~~9J-5-12(3)(e)(3)~~

Comply with the hazard mitigation annex of the Local Peacetime Emergency Plan and any applicable existing interagency hazard mitigation reports at the discretion of the Board of Commissioners.

**POLICY 3.3.3** ~~9J-5-12(3)(e)(5)~~

Consult with Tampa Bay Regional Planning Council to assist in development of a Post Disaster Redevelopment Plan by 2009.

**POLICY 3.3.4** ~~9J-5-12(3)(e)(5)~~

Require the removal, relocation or structural modification of any infrastructure that experiences repeated storm damage

**POLICY 3.3.5**

Coordinate with and participate in the 2007 update of the County Post Disaster Redevelopment Plan

**POLICY 3.3.6**

The City shall continue to monitor all current and credible sea level rise data and potential impacts of sea level rise on coastal system natural resources. Based on this data, the City shall evaluate and update the resource protection standards of the Land Development Code and the Comprehensive Plan as necessary, to protect and maintain natural features in areas of flood hazard and to reduce flood risk in coastal areas.

**POLICY 3.3.7**

The City will collaborate with the state and will continue to participate in the Tampa Bay Regional Planning Council's One Bay Initiative to develop strategies for responding to sea-level rise, including consideration of the effects of sea-level rise on potable water sources, saltwater intrusion, septic systems, wastewater treatment facilities and the water table.

**POLICY 3.3.8:**

Through implementation of the Comprehensive Zoning and Land Development Code, continue to ensure that development and redevelopment in the City will be consistent with or more stringent than the flood-resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. part 60 including floodproofing and storm surge protection.

**POLICY 3.3.9:**

The City will continue to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency (FEMA) to reduce flood risk in coastal areas, to remove coastal real property from flood hazard areas as established by FEMA, to reduce losses due to flooding and claims made under flood insurance policies, and to achieve flood insurance premium discounts for it City residents.

**Policy 3.3.10**

New development, redevelopment, and infrastructure in vulnerable areas shall use best flood prevention/mitigation practices to address the impacts of sea level rise.

**OBJECTIVE 3.4 ~~9J-5-12(3)(b)(6)~~**

Direct population concentrations away from known or predicted coastal high hazard areas.

**POLICY 3.4.1 ~~9J-5-12(3)(e)(7)~~**

Restrict the infill of vacant parcels in the Coastal High Hazard Area to 5 dwelling units per acre when a shelter deficit is demonstrated.

**POLICY 3.4.2 ~~9J-5-12(3)(e)(7)~~**

Implement a policy of “no net increase” in residential density within the Coastal High Hazard Area, taking into account the cumulative effects of all previous land use amendments affecting residential density within the CHHA, as most currently defined. A tracking mechanism to implement this policy shall be implemented within the Future Land Use Element.

**POLICY 3.4.3** ~~9J-5-12(3)(e)(7)~~

Implement bonus densities tied to transfers of development rights for properties located within the Coastal High Hazard Area to property not located within the Coastal High Hazard Area.

**POLICY 3.4.4** ~~9J-5-12(3)(e)(5)~~

Require the removal, relocation or structural modification in accordance with up to date codes of any structure damaged more than 50% of its appraised value during a coastal storm.

**POLICY 3.4.5**

Current and credible sea level rise data should be considered when evaluating future land use amendment applications.

**OBJECTIVE 3.6** ~~9J-5-12(3)(b)(8)~~

Utilize the Emergency Management Implementation Guide as a basis to establish procedures for conducting post event damage assessments

**POLICY 3.6.1** ~~9J-5-12(3)(e)(5)~~

To establish damage assessment teams to consist of the Building Director, Fire Chief and other qualified City of Tarpon Springs personnel.

**POLICY 3.6.2** ~~9J-5-12(3)(e)(5)~~

Coordinate damage assessment and recovery operations with Pinellas County Emergency Management

**POLICY 3.6.3** ~~9J-5-12(3)(e)(5)~~

Institute immediate emergency repair and emergency cleanup actions needed to protect the public health and safety following a natural disaster

**POLICY 3.6.4** ~~9J-5-12(3)(e)(5)~~

Institute long range restoration activities following the actions in accordance with the Pinellas County Post Disaster Redevelopment Plan as adopted

**OBJECTIVE 3.7**

Ensure safe sheltering for all residents unable or unwilling to evacuate including those who are unable or unwilling to evacuate due to pets.

**POLICY 3.7.1**

Coordinate with Pinellas County Emergency Management and Pinellas County Schools when new facilities are constructed that may be utilized for shelter space in the event of an evacuation.

**POLICY 3.7.2**

Provide early and annual notification to residents of the availability of pet friendly shelters within Pinellas County and requirements to pre-register at the beginning of hurricane season.

**Policy 3.7.3:**

Coordinate with Pinellas County Emergency Management to secure funding to harden the First United Methodist Church (“the Church”) structure located at 501 E. Tarpon Avenue and re-establish this site as a certified hurricane evacuation shelter. Funding sources shall be evaluated annually for inclusion in the annual update to the City’s Capital Improvements Element (CIE). All such efforts are conditioned upon the Churches continued cooperation and reasonable to become and remain a certified hurricane evacuation shelter. The City shall in good faith work diligently to obtain the cooperation of the church.

VII. Conservation Goals, Objectives, and Policies

**GOAL 1.0 ~~9J-5.013 (2)(a)~~**

It is the Goal of the City of Tarpon Springs to preserve, conserve, protect, and manage the City's wildlife, including endangered and threatened species and species of special concern, marine resources, natural resources, and energy resources.

**OBJECTIVE 1.1 ~~9J-5.013 (2)(b) 1~~**

Require tree plantings, replacements, and buffers in the Land Development Regulation Code to improve air quality.

**POLICY 1.1.1 ~~9J-5.013 (2)(e) 7~~**

Reduce the potential for automobile emissions through the following land development activities:

- a) multi-use zoning techniques
- b) buffer strip planting along roadway frontages
- c) pedestrian access
- d) bicycle access
- e) accommodation for public transit

**OBJECTIVE 1.2 ~~9J-5.013 (2)(b) 1~~**

Enforce vehicle emission standards in conjunction with Pinellas County.

**POLICY 1.2.1 ~~9J-5.013 (2)(e) 8~~**

Continue to coordinate with abutting local governments in accordance with Policies of the Intergovernmental Coordination Element.

**OBJECTIVE 1.3 ~~9J-5.013 (2)(b) 2~~**

Restrict land development which degrades the City's surface and groundwater resources and do not comply with the water quality standards of SWFWMD, the Florida Department of Environmental Regulation, and Chapter 17-25;

**POLICY 1.3.1 ~~9J-5.013 (2)(e) 1~~**

Regulate the unmonitored withdrawal of groundwater and coordinate the regulation of unmonitored groundwater withdrawal with the Water Management District (SWFWMD).

**POLICY 1.3.2 ~~9J-5.013 (2)(e) 1~~**

Coordinate with Pasco County to monitor the development of the upper Anclote River watershed.

**POLICY 1.3.3 ~~9J-5.013 (2)(e) 1~~**

Implement the policies of the Lake Tarpon Task Force as adopted by Pinellas County and the July 2001 Lake Tarpon SWIM Plan as adopted by SWFWMD.

**POLICY 1.3.4 ~~9J-5.013 (2)(e) 1~~**

Restrict Land Use amendments that will adversely impact quantity and quality of water sources

**POLICY 1.3.5**

Enforce SWFWMD mandatory water restrictions during emergency situations or as otherwise adopted by SWFWMD

**OBJECTIVE 1.4 ~~9J-5.013 (2)(b) 3~~**

Reduce the number of soil erosion activities

**POLICY 1.4.1 ~~9J-5.013 (2)(e) 6~~**

Restrict off roading on relic sand dunes

**POLICY 1.4.2 ~~9J-5.013 (2)(e) 6~~**

Monitor soil erosion problems during construction activities

**POLICY 1.4.3 ~~9J-5.013 (2)(e) 6~~**

Require the utilization of soft shoreline stabilization techniques along the Gulf of Mexico, St. Joseph Sound, Anclote River and Bayou shorelines as an alternative to seawall construction (Figures 12a and 12b). Man-made canals and the historic seawall providing public access around Spring Bayou shall be exempt from this requirement.

**POLICY 1.4.4 ~~9J-5.013 (2)(b) 3~~**

Require sites to be suitable in terms of soil types for the development proposed

**POLICY 1.4.5 ~~9J-5.013 (2)(e) 3~~**

Restrict the use of fill and require the use of pilings in designated conservation areas

**OBJECTIVE 1.5 ~~9J-5.013 (2)(b) 3~~**

Require the preservation of native vegetation during site development by implementing standards of the Land Development Code adopted by May, 1990

**POLICY 1.5.1 ~~9J-5.013 (2)(b) 3~~**

Require the use of xeriscape and other water saving landscaping alternatives for new development adopted in the Land Development Code in May, 1990

**POLICY 1.5.2 ~~9J-5.013 (2)(b) 5~~**

Require signage at boat ramps, marinas, channels, regarding the effect of poor boating practices on marine grass beds and manatees.

**POLICY 1.5.3 ~~9J-5.013 (2)(b) 5~~**

Require archeological and environmental data as part of the development approval submittal package when property is identified in the historic element or the coastal element as potentially containing sensitive archaeological or environmental resources

**OBJECTIVE 1.6 ~~9J-5.013 (2)(b) 4~~**

Conserve and preserve the vegetative, wildlife and marine communities identified in Figure 19 through the use of transfer of density rights in accordance with the Future Land Use Designation, flexible zoning techniques, tree protection, wetlands protection, and other regulations as established by the Land Development Code adopted in May 1990.

**POLICY 1.6.1 ~~9J-5.013 (2)(e) 3~~**

Require use of the Planned Development performance zoning techniques to implement the clustering of uses as a mechanism to ~~reserve~~ preserve open space and natural habitat areas identified in Figure 19.

**POLICY 1.6.2 ~~9J-5.013 (2)(e) 3~~**

Utilize the transfer of development rights to protect areas identified as critical to providing critical habitat to protected wildlife species.

**POLICY 1.6.3 ~~9J-5.013 (2)(e) 5~~**

Require the conservation and preservation of endangered and threatened species habitats as may be identified during environmental analysis of lands identified in Figure 19.

**POLICY 1.6.4 ~~9J-5.013 (2)(e) 5~~**

To prohibit the destruction of threatened and endangered species through the protection of their habitat

**POLICY 1.6.5 ~~9J-5.013 (2)(e)-7~~**

Designate properties eligible for acquisition through Federal, State, and Regional programs, including but not limited to the Conservation and Recreational Land Act (CARL); Save our Rivers Program (SOR); the Surface Water Improvement and Management Act (SWIM); and the Pinellas County Endangered Recreational Lands program;

**POLICY 1.6.6 ~~9J-5.013 (3)(a)~~**

Preserve/conserve those areas identified by Figure 19 wetlands and areas of significant upland habitat as defined in Future Land Use Policy 1.1.12 in accordance with specific regulations related to wetlands protection, preservation of open space, planned development performance zoning, transfer of density/intensity rights, buffers and setbacks, tree protection, clustering of units within the least environmentally-sensitive areas, and other techniques adopted in the Land Development Code.

**POLICY 1.6.7 ~~9J-5.013 (3)(b)~~**

Wetlands ~~identified in Figure 19~~ that are not designated as “Preservation” or “Recreation Open Space” on the Future Land Use Map shall require a future land use amendment to either of these two designations prior to issuance of any construction permits for adjacent upland development.

**OBJECTIVE 1.7 ~~(HB-697)~~**

Promote energy conservation through the use of incentives for solar power generation, green building standards, and preservation / renovation of existing viable structures (housing and commercial structures).

**POLICY 1.7.1**

By 2011, consider incentives for homeowners and businesses to install solar power/heating.

**POLICY 1.7.2**

Promote sustainable development by encouraging green housing that conserves natural resources and reduces monthly operating costs.

**POLICY 1.7.3**

By 2011, consider requirements or incentives in the form of density/intensity bonuses for LEED compliant projects.

**POLICY 1.7.4**

Ensure that Historic Preservation Design guidelines allow the rehabilitation of existing historic structures to utilize energy efficient materials as long as the historic integrity of the structure is maintained