

# City of Tarpon Springs, Florida STAFF REPORT

February 1, 2018

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**TO:** MAYOR & BOARD OF COMMISSIONERS

**FROM:** PLANNING AND ZONING DEPARTMENT

**HEARING DATES:** SEPTEMBER 18, 2017 (PLANNING & ZONING BOARD)  
SEPTEMBER 19, 2017 (BOARD OF COMMISSIONERS) 1<sup>ST</sup> READING  
FEBRUARY (BOARD OF COMMISSIONERS) 2<sup>ND</sup> READING

**SUBJECT:** **APP-17-94 COMPREHENSIVE PLAN TEXT  
AMENDMENT TO THE COASTAL PLANNING AREA  
AND CONSERVATION ELEMENT (ORDINANCE  
NUMBER 2017-26) FOR CONSISTENCY WITH CHAPTER  
163.3178 OF THE FLORIDA STATUTES.**

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## **I. STAFF RECOMMENDATION**

Staff recommends approval of Ordinance 2017-26 to amend the Coastal Planning Area and Conservation Element of the Comprehensive Plan.

## **II. BACKGROUND**

The City is amending the Coastal Planning Area and Conservation Element of the Comprehensive Plan as part of the Evaluation and Appraisal processed outlined in Florida Statute 163.3191. In 2015 the Florida Legislature passed the Perils of Flood Act amending Chapter 163.3178 (2) (f) of the Florida Statute.

The proposed changes to the Coastal Planning Area and Conservation Element were sent to Department of Economic Opportunity on September 20, 2017. The Department response was received on November 22, 2017. Staff has worked with the Department to develop additional policy language that is acceptable to the Department. The revised proposed policy language is attached:

### **List of Exhibits:**

- 1) Attached policy language in strikethrough and underline
- 2) Letter from DEO
- 3) Ordinance 2017-26

Underlined text indicates proposed addition.

~~Stricken~~ text indicates proposed deletion.

Red text indicates revision proposed to previously transmitted amendment.

## VI. COASTAL MANAGEMENT GOALS, OBJECTIVES AND POLICIES

### GOAL 3.0

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

#### 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 3.3 ~~9J 5. 12(3)(b)(8)~~

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 3.3.6

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 Pinellas County as appropriate 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

Underlined text indicates proposed addition.

~~Stricken~~ text indicates proposed deletion.

Red text indicates revision proposed to previously transmitted amendment.

water table.

**POLICY 3.3.8:**

Through implementation of the Comprehensive Zoning and Land Development Code, continue to ensure that ~~Development 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 ~~the~~ 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.

**POLICY 3.4.5**

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

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

November 22, 2017

The Honorable Chris Alahouzos  
Mayor, City of Tarpon Springs  
Planning and Zoning Department  
324 East Pine Street  
Post Office Box 5004  
Tarpon Springs, Florida 34688-5004

Dear Mayor Alahouzos:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for the City of Tarpon Springs (Amendment No. 17-7ER), which was received and determined complete on September 26, 2017. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified an objection and have included recommendations regarding measures that can be taken to address the objection. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(4)(e)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department’s attached report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

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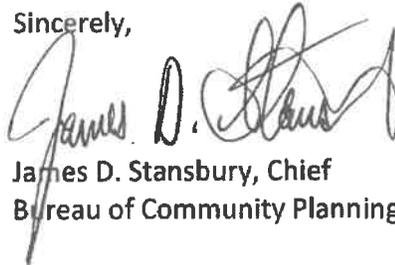
The Honorable Chris Alahouzos

November 22, 2017

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If you have any questions related to this review, please contact Valerie James by telephone at (850) 717-8493 or by email at [valerie.james@deo.myflorida.com](mailto:valerie.james@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/vj

Enclosures:   Objections, Recommendations, and Comments Report  
                  Procedures for Adoption  
                  Agency Comments

cc:           Heather M. Urwiller, AICP, Director, Planning and Zoning Department  
              Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council

**STATE LAND PLANNING AGENCY**  
**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT**  
**FOR**  
**THE CITY OF TARPON SPRINGS**  
**PROPOSED COMPREHENSIVE PLAN AMENDMENT 17-7ER**

**November 22, 2017**

**OBJECTIONS, RECOMMENDATIONS, AND COMMENTS REPORT  
FOR  
THE CITY OF TARPON SPRINGS  
PROPOSED COMPREHENSIVE PLAN AMENDMENT 17-7ER**

**CONSISTENCY WITH CHAPTER 163, PART II, FLORIDA STATUTES**

The City of Tarpon Springs' proposed Amendment 17-7ER is related to the evaluation and appraisal of the comprehensive plan. The amendment updates the Coastal Planning Area and Conservation Element to address Section 163.3178(2)(f), Florida Statutes (F.S.), related to sea-level rise. The Department has the following objection, and recommendation regarding the proposed comprehensive plan amendment:

**Objection**

**Objection: Sea-Level Rise**

The Coastal Planning Area and Conservation Element is proposed to be amended to address Section 163.3178(2)(f)1-6, F.S., related to sea-level rise. Although the element already addresses portions of the new requirements, the element does not address Section 163.3178(2)(f)1., 2., and 3., F.S., regarding reducing the flood risk in coastal areas, removing coastal real property from flood zone designations, and reducing losses due to flooding and claims made under flood insurance policies.

[Authority: Section 163.3178(2)(f), F.S.]

**Recommendation:** The Tampa Bay Regional Planning Council's ONE BAY Resilient Communities provides opportunities for knowledge exchange and for coordinated development of hazard mitigation/risk reduction policies, strategies and best practices that are regionally relevant and consistent across jurisdictional boundaries. Therefore, the City should coordinate with the Tampa Bay Regional Planning Council in order to revise the amendment to address Section 163.3178(2)(f)1., 2., and 3., F.S.



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

11201 N. McKinley Drive  
Tampa, Florida 33612

MIKE DEW  
SECRETARY

October 2, 2017

Ms. Heather M. Urwiller, AICP, Director  
Planning and Zoning Department  
City of Tarpon Springs  
324 East Pine Street  
Tarpon Springs, FL 34689

Re: City of Tarpon Springs Comprehensive Plan Amendment 17-7ESR

Dear Ms. Urwiller:

We have reviewed the City of Tarpon Springs proposed Comprehensive Plan (the Plan) Amendment 17-7ESR according to Chapter 163, Florida Statutes, and our review guidelines. The Department is providing the following assessment on the first reading.

Background: Tarpon Springs covers approximately nine square miles and fronts the Gulf of Mexico. The 2010 population was 23,484 (US Census). Predominant land uses include residential, recreation/open space, conservation/preservation, vacant and public/semi-public. There are three state arterial roads in the City: US Highway 19 (part of the Strategic Intermodal System); Alternate US Highway 19/State Road 595/Pinellas Avenue; and State Road 582/Tarpon Avenue. The Anclote River runs through the northern portion of the City.

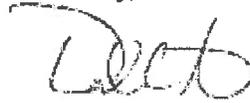
Proposal: The text amendment is to the City's Coastal Planning Area and Conservation Element revising the Goals, Objectives and Policies to address sea level rise and address consistency with Florida Senate Bill 1094 (2015) "Peril of Flood Act". This is also a result of the City's Evaluation and Appraisal of the Comprehensive Plan pursuant to 163.3191.

As proposed, the amendment to GOAL 3.0 of Chapter VI. Coastal Management Goals, Objectives and Policies would not impact facilities of state importance. The department has no comments at this time.

Thank you for the opportunity to review this amendment. Please ensure that we receive a copy of the adopted amendment. Should you have any questions please do not hesitate to contact me at 813-975-6429 or at [Daniel.santos@dot.state.fl.us](mailto:Daniel.santos@dot.state.fl.us).

Ms. Heather Urwiller  
Page 2  
October 2, 2017

Sincerely,

A handwritten signature in black ink, appearing to read "D. Santos", with a large, sweeping flourish above the name.

Daniel C. Santos, AICP  
Transportation Planning Supervisor

cc: Ray Eubanks, Plan Processing Administrator, DEO  
Waddah Farah, PDA Administrator, FDOT District 7  
Lindsey Mineer, LGCP Coordinator, FDOT District 7



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# Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
WaterMatters.org

**Bartow Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)

**Sarasota Office**  
6750 Fruitville Road  
Sarasota, Florida 34240-9711  
(941) 377-3722 or  
1-800-320-3503 (FL only)

**Tampa Office**  
7601 U.S. 301 North (Fort King Highway)  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)

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Chair, Pasco

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Vice Chair, Pinellas

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**Rebecca Smith**  
Hillsborough, Pinellas

**Mark Taylor**  
Hernando, Marion

**Michelle Williamson**  
Hillsborough

**Brian J. Armstrong, P.G.**  
Executive Director

October 25, 2017

Ms. Heather Urwiller  
City of Tarpon Springs  
Planning and Zoning  
Department  
324 Pine Street  
Tarpon, Florida 34689

Re: **Tarpon Springs 17-7ER**

Dear Ms. Urwiller:

The Southwest Florida Water Management District reviewed the referenced plan amendment, and concluded that comments are not necessary. Thank you for the opportunity to participate in this review. Should you have any questions or require further assistance, please do not hesitate to contact us.

Sincerely,

Trisha Neasman, AICP  
Planning Lead

TN

cc: Ray Eubanks, DEO

**ORDINANCE 2017-26**

**AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE COASTAL PLANNING AREA AND CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN BY REVISING THE GOALS, OBJECTIVES AND POLICIES FOR CONSISTENCY WITH CHAPTER 163.3178 FLORIDA STATUTES; 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 Area and Conservation Element category for consistency with Chapter 2015-69 Laws of Florida, amending Chapter 163.3178 (2) (f), F.S and

**WHEREAS**, this proposed text amendment is the result of the City's Evaluation and Appraisal of the Comprehensive Plan pursuant to 163.3191; 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 September 18, 2017 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 Area and Conservation Element of the Comprehensive Plan is amended by the revising of the following Goals, Objectives and Policies:

## VI. COASTAL MANAGEMENT GOALS, OBJECTIVES AND POLICIES

### GOAL 3.0

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

#### **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

#### **OBJECTIVE 3.3 ~~9F-5-12(3)(b)(8)~~**

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 3.3.6**

The City shall continue to monitor all 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

#### **POLICY 3.3.7**

The City will collaborate with state and Pinellas County as appropriate 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:**

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.

#### **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 to achieve flood insurance premium discounts for its residents.

**POLICY 3.4.5**

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

SECTION 2. This Ordinance shall become effective upon adoption.