



## MEMORANDUM

TO: Town of Belleair  
Local Planning Agency/Planning & Zoning Board

FROM: Calvin Giordano & Associates, Inc.  
Luis N. Serna, AICP. Planning Director, Tampa Bay

SUBJECT: Updates to the Town of Belleair Comprehensive Plan and  
Land Development Regulations

DATE: Local Planning Agency/Planning & Zoning Board  
Review **April 10, 2017**

In response to recent changes in regulations at the State and regional levels, we have prepared draft updates to the Town of Belleair Comprehensive Plan and Land Development Regulations to address consistency with these new regulations. The proposed revisions specifically address adoption by Pinellas County of a Mobility Plan and corresponding Mobility Management System, enactment of a requirement by the State of Florida that local governments address potential impacts of sea level rise, and the approval by FEMA of a model floodplain management ordinance intended to work in coordination with the Florida Building Code. These updates are contained in four draft ordinances which are summarized as follows:

1. An ordinance amending the Future Land Use, Transportation, and Capital Improvements elements of the Comprehensive Plan to address updates to for consistency with the updated Countywide Plan and Rules, and for consistency with the recently adopted Pinellas County Mobility Management System.
2. An ordinance amending Section 66-10 (Definitions) and Chapter 70 (Consistency and Concurrency Management) of the Land Development Code required to implement the proposed Mobility Management System.
3. An ordinance amending the Conservation and Coastal Management Element of the Comprehensive Plan to address State mandated requirements regarding planning for sea level rise.
4. An ordinance amending Section 66-10 (Definitions); Division 5 (Floodplains) of Article VI, Chapter 74; and Section 66-253 (Variances) of the Land Development Code to update the Town's Floodplain Management Regulations consistent with FEMA's model code.

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We have provided below a summary of the topics addressed in these ordinances.

### **Mobility Management**

In 2011, the State of Florida enacted the Community Planning Act which among other changes, rescinded the requirement for communities to enforce transportation concurrency and its associated level of service standards for public roadways. In response, Forward Pinellas (Formerly the Metropolitan Planning Organization and the Pinellas Planning Council) developed a mobility management system as an alternative approach to addressing the impacts of development on public roadways. Forward Pinellas encouraged all communities within its boundaries to by 2016 replace their transportation concurrency management regulations with rules that are consistent with the region's mobility management system.

The primary advantage of the proposed mobility management approach over the existing transportation concurrency system is that the mobility management approach offers a more flexible, practical, and efficient alternative that will facilitate multimodal transportation solutions. Under the current system, when a roadway is operating at capacity, the only available alternatives for development or redevelopment that would result in additional traffic on the roadway system are for developers to add capacity by paying for road widening (adding lanes), or by adjusting traffic signal timing. Often, such options are not feasible due to the physical site constraints on the roadway system in urban areas. The transportation concurrency approach often encourages urban sprawl by directing development and traffic away from urban areas to less developed areas.

By contrast, the proposed mobility management approach encouraged by Forward Pinellas allows for a coordinated, regional, and multi-modal approach to transportation impacts that is better suited to more urban communities. Rather than focusing solely on vehicular traffic, the mobility management approach allows for the consideration of other transportation options such as sidewalks, bicycle facilities, and transit in order to address transportation capacity. The proposed system replaces the current system of collection of roadway impact fees with the collection of mobility fees. Such fees are directed toward improvements to all types of transportation facilities based on the Forward Pinellas Mobility Management Plan.

### **Sea Level Rise**

In 2015, the State of Florida enacted a law that requires the Coastal Management Elements of each local government's comprehensive plan to address the impacts of sea level rise. The law, as specified in Section 163.3178(2)(f), Florida Statutes, requires that each local government's Coastal Management Element include a redevelopment component that outlines the principles that must be used to

eliminate inappropriate and unsafe development in coastal areas when opportunities arise. According to the law, the component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.
4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.
6. Encourage local governments 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 their residents.

The Town's existing Conservation and Coastal Management Element includes some existing objectives and policies that comply with the 2015 law. However, in order to be fully compliant with the requirements of Section 163.3178 of Florida Statutes, we are recommending adoption of the proposed modifications to the Town's Conservation and Coastal Management Element.

### **Floodplain Management**

The Town of Belleair participates in the National Flood Insurance Program Community Rating System (CRS) which conveys benefits to property owners who purchase flood insurance for the Town's compliance with FEMA standards. FEMA has approved a model floodplain management ordinance intended to work in coordination with the Florida Building Code. The Florida Division of Emergency Management, which provides coordination and technical support in the enforcement of floodplain standards, has requested that all communities that participate in the Community Rating System update their floodplain regulations to be consistent with FEMA's model ordinance. This ordinance has been drafted for consistency with the model ordinance, but has been modified to reflect the format of the Town's current Land Development Regulations as well the Town's existing higher standard for minimum finished floor elevations in flood hazard

areas (commonly known as the freeboard requirement) and time restriction on improvements that qualify as substantial improvements. These higher standards contribute toward improving the Town's CRS score which in turn contributes to a reduction in flood insurance rates.

### **Recommendation**

We recommend adoption of these proposed amendments to the Land Development Code and Comprehensive Plan. The proposed amendments allow for continued coordination with regional and state Comprehensive Plan and Land Development Code requirements. The amendments are consistent with and do not impact existing or proposed land uses in an adverse manner and will not adversely affect the natural environment, the demand on public facilities, or property values. The proposed amendments will encourage the continued orderly and logical development pattern now provided for under the Comprehensive Plan and are consistent with the public interest.

Please feel free to contact us if you have any questions regarding these amendments.