ORDINANCE NO. 510

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE TOWN OF BELLEAIR; REVISING GOAL 2 TO INCLUDE REFERENCES TO HIGH WATER EVENTS; ADDING OBJECTIVES AND POLICIES REGARDING FLOODING AND SEA LEVEL RISE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the Town Commission of the Town of Belleair adopted a Comprehensive Plan in 2008, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the Town Commission of the Town of Belleair has amended the Comprehensive Plan from time to time; and

WHEREAS, in 2015, the State of Florida enacted a law, contained in Section 163.3178(2)(f), Florida Statutes, that requires that the Coastal Management Element of each local government comprehensive plan address the impacts of sea level rise; and

WHEREAS, amendments to the Conservation and Coastal Management Element are necessary in order for the Town of Belleair Comprehensive Plan to comply with the requirements of Section 163.3178(2)(f), Florida Statutes; and

WHEREAS, this Ordinance has been considered by the Local Planning Agency at a duly noticed public hearing, and was recommended by the Local Planning Agency to be approved; and

WHEREAS, the Town Commission has considered the recommendation of the Local Planning Agency, as well as public comment at a duly noticed public hearing; and

WHEREAS, the Town Commission has determined that the amendments to the Comprehensive Plan as set forth in this ordinance are in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE Town Commission of the Town of Belleair, as follows:

Section 1. That Goal 2 of the Conservation Element of the Town of Belleair Comprehensive Plan is hereby amended to read as follows:

Goal 2: The town shall provide a set of ~~guidelines for development~~ strategies that increase community resiliency and protect the lives and property of its residents from

the effects of ~~natural disasters~~ <u>high tide events, storm surge, flash floods, stormwater runoff, and sea level rise.</u>

Section 2.   That Objective 2.5, Policy 2.5.1, Policy 2.5.2, Policy 2.5.3, Policy 2.5.4, Policy 2.5.5, Policy 2.5.6, and Policy 2.5.7 of the Town of Belleair Comprehensive Plan are hereby added as follows:

<u>Objective 2.5:</u>
<u>Development and redevelopment within the town shall proceed in a manner that lessens risk to public investments and private property by utilizing policies, techniques and practices that reduce negative impacts of flooding and sea level rise.</u>

<u>Policy 2.5.1:</u>
<u>Current and credible sea-level rise data should be considered when evaluating future land use amendment applications.</u>

<u>Policy 2.5.2:</u>
<u>The town will identify infrastructure and critical facilities at risk for high-tide events, storm surge, and sea-level rise. Redevelopment plans for such improvements will take alternative locations outside of the Coastal High Hazard Area into consideration. Where relocation of infrastructure and critical facilities is deemed unfeasible, structurally defensive measures to mitigate the impacts of rising seas in order to decrease vulnerability should be pursued. Structurally defensive measures could include shoreline armoring and beach renourishment.</u>

<u>Policy 2.5.3:</u>
<u>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.</u>

<u>Policy 2.5.4:</u>
<u>The town may 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.</u>

<u>Policy 2.5.5:</u>
<u>Acquisition of severe repetitive loss properties, which have sustained repeated flood losses for use as public open space shall be considered as procurement opportunities arise, such as through the use of grants or tax deed sales.</u>

<u>Policy 2.5.6:</u>
<u>Development and redevelopment in the town 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.</u>

> **Policy 2.5.7:**
> The town 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 it residents.

Section 3.   If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

Section 4.   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.

PASSED ON FIRST READING: April 18, 2017

PASSED ON SECOND READING:

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Mayor

ATTEST:

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Town Clerk