




MEMORANDUM

TO: Town of Belleair
Town Commission

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

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

DATE: July 18, 2017

On April 18, 2017, the Town Commission approved for transmittal to the Florida Department of Economic Opportunity two ordinances amending the Comprehensive Plan addressing the issues of mobility management and sea level rise. In addition, the Town Commission conducted the first reading of a related ordinance amending Section 66-10 (Definitions) and Chapter 70 (Consistency and Concurrency Management) of the Land Development Code, which would replace the Town's existing transportation concurrency system with a mobility management system. These ordinances were drafted in response to recent changes to regulations at the State and County levels. A description of these ordinances is as follows:

Ordinance No. 510. Amends the Conservation and Coastal Management Element to revise existing, and to establish new goals, objectives, and policies addressing sea level rise. This amendment is in response to the enactment of State law in 2015 requiring that local government comprehensive plans address the impacts of sea level rise.

Ordinance No. 511. Amends the Future Land Use, Transportation, and Capital Improvements Elements to replace the Town's transportation concurrency management system with a mobility management system that is consistent with the mobility management system established by Forward Pinellas (formerly the Pinellas Planning Council).

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Ordinance No. 512. Amends Section 66-10 and Chapter 70 of the Land Development Code to implement the mobility management system to be consistent with the mobility management system established by Forward Pinellas.

Following the transmittal of Ordinances No. 510 and No. 511 proposing amendments to the Comprehensive Plan, the Town received responses to these changes from the Florida Department of Transportation, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Florida Department of Economic Opportunity. Copies of these responses are attached to this memorandum, and a brief summary of each is as follows:

Florida Department of Transportation (FDOT) – Regarding Ordinance No. 510 (sea level rise), it does not appear that any changes conflict with facilities of State importance. Regarding Ordinance No. 511 (mobility management), the Town is repealing transportation concurrency with a mobility management system that is supported by and is consistent with the Pinellas County Mobility Plan.

Southwest Florida Water Management District (SWFMD) – Comments on the amendments are not necessary.

Florida Department of Environmental Protection (FDEP) – FDEP has found no provisions that, if adopted, would result in adverse impacts to important State resources subject to the Department's jurisdiction.

Florida Department of Economic Opportunity (FDEO) – FDEO identifies no issues related to important state resources and facilities within the Agency's authorized scope of review that will be adversely impacted by the proposed amendments. FDEO provided the following Technical Assistance comment regarding the proposed amendment to Ordinance No. 510 (sea level rise): The amendment does not include supporting data and analysis regarding the anticipated area that will be affected and potential impacts in its relation to the proposed policy changes. The amendment should be revised prior to adoption to include supporting data and analysis.

Recommendation

Because none of the reviewing agencies addressed issues of important State concern, the Town should not expect any challenges from any of the reviewing agencies to the adoption of the Comprehensive Plan amendments represented by Ordinances No. 510 and No. 511. We recommend adoption of these proposed amendments to the Comprehensive Plan as they were transmitted to the State. Regarding FDEO's technical review comment, we recommend that the Town monitor the progress of and participate in the TBRPC's One Bay Resilient Communities and other multi-jurisdictional hazard mitigation efforts. The Town may need to address these requirements again during the State mandated Evaluation and Appraisal (EAR)-based amendment process in 2022 depending on the outcome of the regional coordination efforts on sea level rise that will be taking place in upcoming months. Additionally, we recommend adoption of the related revisions to Section 66-10 and Chapter 70 of the Land Development Code proposed by Ordinance No. 512.

These ordinances 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 ordinances will encourage the continued orderly and logical development pattern now provided for under the Comprehensive Plan and are consistent with the public interest. Therefore, we recommend adoption of these ordinances.

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

Attachments: FDOT letter, dated May 9, 2017
SWFWMD letter, dated May 18, 2017
FDEP E-mail, dated May 18, 2017
FDEO letter, dated June 1, 2017



Florida Department of Transportation

RICK SCOTT
GOVERNOR

11201 N. McKinley Drive
Tampa, Florida 33612

RACHEL D. CONE
INTERIM SECRETARY

May 9, 2017

Mr. JP Murphy, Town Manager
Town of Belleair
901 Ponce de Leon Boulevard
Belleair, FL 33756

Re: Town of Belleair Comprehensive Plan Amendment 17-1 ESR

Dear Mr. Murphy:

We have reviewed Town of Belleair Comprehensive Plan (the Plan) 17-1 ESR Text Amendments according to Chapter 163, Florida Statutes, and the Florida Department of Transportation (the Department) review guidelines.

Background: The Town of Belleair is approximately 1,100 acres in size, and located south of Clearwater, between the intracoastal waterway and the City of Largo. The 2010 population was 4,125. Land use is primarily residential and recreation/open space. No state roads pass through the Town, (Gulf Boulevard and Belleair Causeway are county roads in this vicinity).

Proposal: Ordinance No. 510 is amending the Conservation and Coastal Management element including references to high water events; and adding objectives and policies regarding flooding and sea level rise. It doesn't appear that any changes are in conflict with facilities of state importance. Ordinance No. 511 has adopted changes to the Future Land Use, Transportation, and the Capital Improvements Elements. The overarching rationale for these changes is to remove concurrency as it relates to transportation. The City is replacing transportation concurrency with a Mobility Management System that is supported and consistent with Pinellas County Mobility Plan.

The Department endorses both amendments but reserves the right to provide additional comments in response the first and second readings, if necessary.

Thank you for the opportunity to review this 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.

Mr. JP Murphy, Town Manager
Page 2
May 9, 2017

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Santos", with a large, sweeping initial "D" and a stylized "S" that loops back.

Daniel C. Santos AICP
Transportation Planning Supervisor

cc: Ray Eubanks, Plan Processing Administrator, DEO
Waddah Farah, PDA Administrator, FDOT District 7
Lindsey Mineer, Growth Management, 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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Charlotte, Sarasota

Brian J. Armstrong, P.G.
Executive Director

May 18, 2017

Mr. JP Murphy
Town Manager
Town of Belleair
901 Ponce de Leon Boulevard
Belleair, Florida 33756

Re: **Town of Belleair 17-1ESR**

Dear Mr. Murphy:

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. For purposes of our records, a copy of the adopted plan amendment would be appreciated. Should you have any questions or require further assistance, please do not hesitate to contact us.

Sincerely,

Trisha Neasman, AICP
Government Planning Coordinator

TN

cc: Ray Eubanks, DEO

From: Plan_Review <Plan.Review@dep.state.fl.us>

Date: Thu, May 18, 2017 at 9:58 AM

Subject: Belleair 17-1ESR Proposed

To: "jmurphy@townofbelleair.net" <jmurphy@townofbelleair.net>, DCPexternalagencycomments
<DCPexternalagencycomments@deo.myflorida.com>

Cc: Plan_Review <Plan.Review@dep.state.fl.us>

To: JP Murphy, Manager

Re: Belleair 17-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

*Please note the new contact information below.

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection

Office of Intergovernmental Programs, Plan Review

2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400



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JP Murphy
Town Manager
Town of Belleair
Belleair, FL 33756
(727)588-3769x205
jmurphy@townofbelleair.net

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

June 1, 2017

The Honorable Gary H. Katica
Mayor, Town of Belleair
901 Ponce De Leon Boulevard
Belleair, Florida 33756-1096

Dear Mayor Katica:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the Town of Belleair (Amendment No. 17-1ESR) which was received on May 2, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Agency's authorized scope of review that will be adversely impacted by the amendments if adopted.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The Agency's technical assistance comment will not form the basis of a challenge. It is offered as a suggested solution which can strengthen the Town's comprehensive plan and foster vibrant, healthy communities.

The amendment proposed an updated goal, objective, and policies to address the new sea-level rise requirement in Section 163.3178(2)(f), F.S. However, the amendment does not include supporting data and analysis regarding the anticipated area that will be affected and potential impacts in relation to the proposed policy changes. The amendment should be revised prior to adoption to include the supporting data and analysis.

The Town is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the Town. If other reviewing agencies provide comments, we recommend that the Town consider appropriate changes to the amendment based on those comments. If unresolved, such comments may form the basis for a challenge to the amendment after adoption.

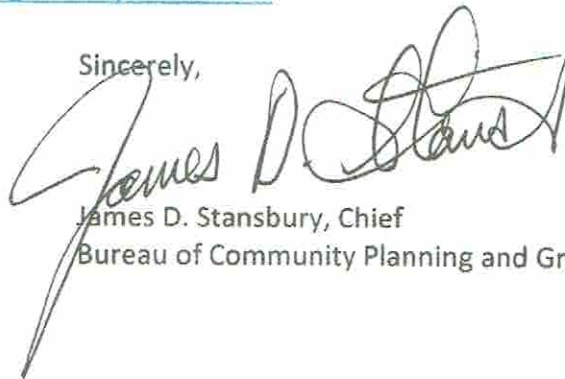
Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
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The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have attached procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Valerie Jenkins, at (850) 717-8493, or by email at 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 the first name "James" being the most prominent.

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

JDS/vj

Enclosure(s): Procedures for Adoption

cc: JP Murphy, Town Manager, Town of Belleair

Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council