



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Primary Application Type:	Comprehensive Plan Amendment-EAR	Hearing Date:	August 23, 2017		
Additional Applications:	N/A	Public Hearing:	YES X	NO	
General Title:	Evaluation Appraisal Report (EAR)-Based Plan Amendment	Quasi-Judicial:	YES	NO X	
Applicant:	City of Hallandale Beach	Workshop:	YES	NO X	
Application #	PA-17-02153	Advertisement Type Required:	DISPLAY X	REGULAR	N/A
Staff Recommendation:		Approve	Approve with Conditions		Reject
		X			
Request:			Strategic Plan Priority Area:		
<p>City Administration is revising and updating the City's Comprehensive Plan to comply with Chapter 163, Part II, Florida Statutes ("Community Planning Act") through the Evaluation and Appraisal Report (EAR).</p>			<input checked="" type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
Sponsor Name:	Keven R. Klopp, Development Services Director	Prepared By:	The Mellgren Planning Group (TMPG)		

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BY ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO INCLUDE VARIOUS UPDATES OF DEFINITIONS, OBJECTIVES AND POLICIES; PROVIDING FOR THE CREATION OF POLICIES AND OBJECTIVES IN THE COASTAL MANAGEMENT ELEMENT RELATED TO FLOODPLAIN MANAGEMENT, FLOOD INSURANCE AND CLIMATE ADAPTATION; PROVIDING FOR TRANSMITTAL OF THE CITY'S EAR BASED AMENDMENTS PURSUANT TO CHAPTER 163, FLORIDA STATUTES, PART II, ("COMMUNITY PLANNING ACT"); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Background

Section 163.3191 Florida Statutes requires that each local government evaluate its adopted comprehensive plan every seven (7) years to determine whether plan amendments are necessary to comply with changes that were made to Ch. 163, Part II, Florida Statutes ("Community Planning Act") since the last evaluation and appraisal cycle. The City has determined that minor amendments are required to maintain the plan's consistency with the Act, and has prepared the attached amendments for transmittal to the Department of Economic Opportunity ("DEO") for its review.

Why Action is Necessary

Pursuant Section 2 of the City of Hallandale Beach Planning and Zoning Board/Local Planning Agency shall review and make advisory recommendations to the City Commission on applications for amendments to the City of Hallandale Beach Comprehensive Plan.

Current Situation

The City of Hallandale Beach adopted its Evaluation and Appraisal Report (EAR) on September 16, 2009. DEO established a schedule that counties and municipalities must follow for transmitting evaluation and appraisal related amendments. The City has until September 8, 2017 to transmit the amendments to DEO. The City is also undertaking an update to the entire comprehensive plan to reflect the changed and changing conditions in the City. The overall plan update is phased over two budget years, due to be complete in FY 2017-18, and is not subject to a statutory deadline for transmittal and adoption. The City must transmit the evaluation-based amendments ahead of the full comprehensive plan update in order to comply with the statutory deadline for the evaluation-based amendments.

Pursuant to Section 166.041 Florida Statutes, a newspaper advertisement appeared in the SunSentinel newspaper on August 13, 2017 for the Local Planning Agency public hearing.

Analysis

The Ordinance makes minor revisions, predominantly of a housekeeping nature, to keep step with the Community Planning Act. A brief description of each amendment is provided below.

Section 1. Comprehensive Plan Introduction

- Definitions are updated where necessary to comply with new or revised definitions in F.S. 163.3164.

Section 2. Future Land Use Element

- Policy 1.1.2.G. is amended to reference the methodology already established in the Land Development Regulations (LDRs) for determining proportionate fair share contributions as a means of satisfying concurrency as required by F.S. 163.3180.

Section 3. Transportation

- Policy 1.3.9 is amended to reference the methodology already established in the LDRs for determining proportionate fair share contributions as a means of satisfying concurrency as required by F.S. 163.3180.

Section 6. Coastal Management

- Policy 1.1.5 is amended to clarify that buildings in flood zones must be constructed using techniques set forth in the floodplain management regulations as well as the building code, as required by F.S. 163.3178.
- New Objective 2.3 directs the City to identify and address sea level rise and other climate change issues, as recommended by F.S. 163.3178(2)(f).
- New Policy 2.3.1 directs the City to map areas most vulnerable to sea level rise and identify its potential impacts as recommended by F.S. 163.3178(2)(f).
- New Policy 2.3.2 directs the City to develop an adaptation action area to address coastal flooding, extreme high tides, and storm surge related to sea level rise, as recommended by F.S. 163.3177(g)(10).
- The coastal high-hazard area (mandatory evacuation zone for a Category 1 hurricane) is depicted on the Future Land Use Map, as required by F.S. 163.3178(8)(c).

Section 9. Capital Improvements

- Policy 1.1.1 is amended to require identification of funded or unfunded projects and priority funding levels for projects that are required to achieve and maintain adopted level of service standards, as required by F.S. 163.3177(3)(a)4.

Section 10. Intergovernmental Coordination

- Policy 1.4.3 was updated to acknowledge that the regional planning council process is mandatory for resolving intergovernmental disputes on planning and growth management issues rather than optional before seeking judicial remedies, as required by F.S. 163.3177(6)(h)1.b.

No changes were needed to the other elements of the plan.

The proposed amendments are required by law, and the updates meet the minimum requirements for evaluation and appraisal based amendments identified in F.S. 163.3191.

Staff Recommendation:

Staff recommends the Planning and Zoning Board/Local Planning Agency make a recommendation to the City Commission to APPROVE the proposed ordinance, which will satisfy statutory mandates for amendments to the City's Comprehensive Plan and Future Land Use Map and TRANSMIT to the Florida Department of Economic Opportunity (DEO) as part of the evaluation and appraisal process required every seven (7) years by Florida Statutes, Section 163.3191.

Requested Action:

The Planning and Zoning Board/Local Planning Agency may recommend:

- Approval and transmittal;
- Approval with conditions and transmittal; or,
- Denial and no transmittal of the proposed ordinance.

Attachment(s):

Exhibit 1 – Proposed Ordinance

Exhibit 1-A – Proposed EAR-based amendments

Exhibit 1-B – Proposed Future Land Use Map