



## City of Hallandale Beach City Commission Agenda Cover Memo

<b>Meeting Date:</b>	September 27, 2017		<b>Item Type:</b> <small>(Enter X in box)</small>	<b>Resolution</b>	<b>Ordinance</b> <div style="text-align: center;">X</div>	<b>Other</b>	
<b>Fiscal Impact:</b> <small>(Enter X in box)</small>	Yes	No	<b>Ordinance Reading:</b> <small>(Enter X in box)</small>	<b>1st Reading</b>		<b>2nd Reading</b>	
		X	<b>Public Hearing:</b> <small>(Enter X in box)</small>	Yes	No	Yes	No
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <small>(Enter X in box)</small>	Yes		No	
				X			
<b>Account Balance:</b>	N/A		<b>Quasi Judicial:</b> <small>(Enter X in box)</small>	Yes		No	
					X		
<b>Project Number :</b>	PA-17-02153		<b>RFP/RFQ/Bid Number:</b>	N/A			
<b>Contract/P.O. Required:</b> <small>(Enter X in box)</small>	Yes	No	<b>Strategic Plan Priority Area:</b> <small>(Enter X in box)</small>  <div style="display: flex; justify-content: space-between;"> <span>Safety</span> <input checked="" type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <span>Quality</span> <input checked="" type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <span>Vibrant Appeal</span> <input checked="" type="checkbox"/> </div>				
		X					
<b>Sponsor Name:</b>	Roger Carlton, City Manager		<b>Department:</b> <b>Development Services</b>	Keven Klopp, Development Services Director			

### 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 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:**

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 Sun Sentinel newspaper on August 13, 2017 for the Local Planning Agency public hearing. The Planning and Zoning Board convened as the Local Planning Agency and voted in support of the proposed amendments to the city's Comprehensive Plan.

Pursuant to Section 166.041 Florida Statutes, a newspaper advertisement appeared in the Sun Sentinel newspaper on August 30, 2017 for the City Commission 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:

#### **Comprehensive Plan Introduction**

- Definitions are created or updated where necessary to comply with new or revised definitions in F.S. 163.3164. Specifically, there are new definitions for the terms,

“Adaptation Action Area,” “Internal Trip Capture” and “Transit Oriented Development,” and revised definitions for the terms, “Public Facilities,” “Regional Planning Agency,” “Seasonal Population,” “Urban Development Area,” and “Urban Sprawl.”

#### 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.

For example, the LDRs provide Level of Service (LOS) standards that help measure the impacts of a proposed development on the affected public facilities. Determination of concurrency occur during major or minor development review prior to the approval of a development order, in accordance with these LOS standards.

#### 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. Such methodology is referred to as the capacity cost model. Additionally, the city has recently initiated a study on development impact fees. The effort will expand on impact fee, utility rate and in-lieu fee studies.

#### Coastal Management

- Policy 1.1.5 is amended to clarify that buildings in flood zones must be constructed using techniques set forth in the city’s floodplain management regulations as well as the Florida 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).

Evaluation of the City’s susceptibility to current and future flood risk is currently underway with a Peril of Flood Assessment.

- 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). The City would establish criteria as to what areas of the City it considers most vulnerable and delineate these areas accordingly.
- 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 City would delineate the adaptation action area based upon the vulnerability assessment performed under new Policy 2.3.1, above.
- 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). The

requirement does not change the coastal high hazard area boundary, it just overlays the boundary on the Future Land Use Plan Map.

#### 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. This policy applies only to projects that are necessary to meet the City's minimum standards for provision of drainage, sanitary sewage collection and treatment, potable water, transportation, and recreation. The City will determine which of the projects identified in the Basis of Design Report (BODR) and plans being prepared for potable water and sanitary sewer needs are, or will be needed to maintain levels of service, and will assign them relative priority in the Capital Improvements Element.

#### 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 City Commission 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.

#### **Proposed Action:**

The City Commission may vote to approve and transmit; approve with conditions and transmit; or, deny and not transmit the proposed ordinance. Staff recommends the 'approve and transmit' option.

#### **Attachment(s):**

Exhibit 1 – Proposed Ordinance  
Exhibit 1-A – Proposed EAR-based amendments  
Exhibit 1-B – Proposed Future Land Use Map  
Exhibit 2 – PZB Staff Report

Exhibit 3 – PZB Meeting Minutes, August 23, 2017