

BOARD OF COUNTY COMMISSIONERS

DATE: July 15, 2014

AGENDA ITEM NO. 25

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

First Hearing on Proposed Amendments to Figures 1 and 2 of the Coastal Management Element of the Pinellas County's Comprehensive Plan

Department:

Planning & Development Services

Staff Member Responsible:

Jake Stowers, Executive Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) RECEIVE PUBLIC COMMENT ON THE PROPOSED AMENDMENTS TO THE PINELLAS COUNTY COMPREHENSIVE PLAN, AND AUTHORIZE TRANSMITTAL TO THE STATE LAND PLANNING AGENCY FOR REVIEW AND COMMENT.

Summary Explanation/Background:

The purpose of the proposed amendments is to revise and update the Coastal High Hazard Area (CHHA) Map (Figure 1), and the Unincorporated Coastal Storm Area (CSA) Map (Figure 2) within the Coastal Management Element of the Comprehensive Plan to reflect the latest Sea, Lake and Overland Surges from Hurricanes (SLOSH) model results used by the National Oceanic and Atmospheric Administration (NOAA) to predict surge heights over land in the Tampa Bay region. These SLOSH model results reflect several improvements to NOAA's overall surge modeling program, including higher resolution topographic/elevation information and flood event data for our specific region.

The SLOSH model results were provided to all Pinellas County local governments in August 2010 as part of an update to the Tampa Bay Storm Tide Atlas prepared by the Tampa Bay Regional Planning Council. Pinellas County's planning staff subsequently undertook a major initiative to compile the information and perform the Geographic Information System analysis at a locally specific parcel level for the unincorporated area and for those municipalities using the same CSA definition as the County. The differences between the CSA and CHHA are discussed in the attached staff report.

The CHHA Map and the CSA Map identify vulnerable areas within the County that have land use policy and density restrictions intended to protect human life, private property and public investment from the effects of hurricane and other storm surge flooding events. For example, as a public safety measure, the location of new or expanded hospitals, nursing homes, and assisted living facilities within the CSA is prohibited.

The Local Planning Agency (LPA) held a public hearing on the proposed amendments on June 11, 2014 and recommended approval. Staff concurs with the recommendation of approval by the LPA (attached), and requests the Board now receive public comment and authorize transmittal of the amendments to the State Land Planning Agency for review, with the final public hearing by the Board on the Comprehensive Plan amendments anticipated to be in October of 2014.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Proposed Ordinance with map attachments
Staff Report and Local Planning Agency Recommendation

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the Board of County Commissioners



Regarding: Proposed Amendments to Figures 1 and 2 of the Coastal Management Element of the Pinellas County's Comprehensive Plan

LPA Recommendation: The LPA finds that the proposed amendments to Figures 1 and 2 of the Coastal Management Elements are consistent with the Pinellas County Comprehensive Plan and recommends that the amendments be approved. (The vote was in favor, 6-0)

LPA Report No. CP-29-12-13

LPA Public Hearing Date: June 11, 2013

PLANNING STAFF RECOMMENDATION:

- Staff recommends that the LPA find the proposed amendments to Figure 1 and 2 of the Coastal Management Element to be consistent with the Pinellas County Comprehensive Plan.
- Further, staff recommends that the LPA recommend approval of the amendments to the Pinellas County Board of County Commissioners following required public hearings and agency reviews.

STAFF REVIEW AND ANALYSIS

Purpose of the Amendments

The purpose of these amendments is to revise the *Coastal High Hazard Area Map (Figure 1)*, and the *Unincorporated Coastal Storm Area Map (Figure 2)* of the **Coastal Management Element** of the Comprehensive Plan to reflect the latest Sea, Lake and Overland Surges from Hurricanes (SLOSH) model results used by the National Oceanic and Atmospheric Administration (NOAA). The results of this model are used by the Tampa Bay Regional Planning Council in their regional evacuation planning and to produce the Tampa Bay Storm Tide Atlas predicting surge heights over land in the Tampa Bay region. The most recent modeling is of higher resolution than previous models and topographic/elevation information and flood event data is more specific to our region.

Pinellas County Planning staff undertook a major initiative over the past 3 years to compile the information and perform the GIS analysis at a locally specific parcel level for the unincorporated area and for those municipalities using the same *Coastal Storm Area* definition as the County.

The Coastal High Hazard Area (CHHA) Map versus the Coastal Storm Area (CSA) Map

A map of the CHHA is required by State law to be adopted in the local comprehensive plan. The CHHA is defined by the State as that area that would be inundated by a category one hurricane, based on the most recent modeling. Using this more updated/refined modeling, GIS staff have now compiled revised CHHA mapping for the unincorporated area. The map for the unincorporated area is represented by **Figure 1**. In 2008, the State updated their definition of the CHHA, which resulted in the exclusion of several areas considered by Pinellas County and several of its municipalities to be highly vulnerable. For this reason, and through a collaborative effort with several municipalities and the Tampa Bay Regional Planning Council, a *Coastal Storm Area* (CSA) was identified and now forms the basis for certain land use restrictions and emergency management planning in several communities throughout the County.

This locally defined CSA encompasses all of the CHHA, but it also includes:

- All land connected to the mainland of Pinellas County by bridges or causeways,
- Those isolated areas that are defined by the SLOSH model to be inundated by a category two hurricane or above and that are surrounded by the CHHA or by the CHHA and a body of water, and
- All land located within the Velocity Zone as designated by the Federal Emergency Management Agency.

This locally-derived definition provides for a way to better protect those vulnerable areas left out of the new State definition (such as large portions of the barrier islands, etc.).

Impact of the CHHA and CSA Map Changes on Existing Development

At the request of the Local Planning Agency in December of 2013, Planning staff compared the previously adopted CHHA and 2006 CSA Map with the proposed map revisions and determined that, due to the refinement of the data, there is actually an overall reduction, countywide, in the amount acreage impacted by the proposed map revision (i.e., approximately 5,780 fewer acres are included in the CSA than previously determined). Furthermore, staff evaluated the location of existing hospitals, nursing homes, and assisted living facilities and determined that none of these existing critical facilities within the unincorporated area will be impacted by the map revisions.

Relationship to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM).

It is important to note that the CSA and CHHA maps are not related to, or part of, the National Flood Insurance Program (NFIP). The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) is a map created by the NFIP for flood insurance purposes. A FIRM is used to estimate the affect of water (wave and/or inundation depth) resulting from a specified rain or tidal event (most commonly the 100-year event), on a particular piece of property. The CHHA Map and the CSA Map are State and local regulatory maps used to identify vulnerable areas subject to storm/hurricane inundation and storm surge. The County uses these maps for emergency management planning to regulate where specific uses may be

restricted (e.g., hospitals, nursing homes, and assisted living facilities) and to generally restrict residential densities in vulnerable areas as a public safety measure.

As these map revisions represent amendments to the adopted Comprehensive Plan, two public hearings are required by the Board of County Commissioners. Following the first hearing, the amendments are required to be sent to the State Department of Economic Affairs and several other State review agencies. If no review comments are received, the amendments should be ready for final action by the Board in late Summer or early Fall of 2014.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

The proposed amendments to Figure 1 and Figure 2 of the Coastal Management Element are consistent with the following adopted goal, objectives and policies of the Pinellas County Comprehensive Plan:

Coastal Management Element

Natural Disaster Planning

GOAL ONE: PINELLAS COUNTY WILL PROTECT HUMAN LIFE, PRIVATE PROPERTY AND PUBLIC INVESTMENT FROM THE EFFECTS OF HURRICANES AND OTHER NATURAL DISASTERS

- 1.1. Objective: Pinellas County shall continue to implement, and update and revise, as necessary, its Post-Disaster Redevelopment Plan, as approved by the Pinellas County Board of County Commissioners, as part of the Pinellas County Comprehensive Emergency Management Plan, and shall continue to implement hazard mitigation measures to reduce the exposure of human life and public and private property to natural hazards.
- 1.2. Objective: Pinellas County shall cooperate with state and regional agencies, and with other local governments to maintain or reduce hurricane clearance times as a component of the evacuation times for Pinellas County.
- 1.3. Objective: Pinellas County shall restrict development within the coastal storm area, and shall direct population concentrations out of the coastal storm area.
 - 1.3.1. Policy: The coastal high-hazard area (CHHA) shall be the area defined by the *Sea, Lake and Overland Surges from Hurricanes (SLOSH)* model to be inundated from a category one hurricane, as reflected in the most recent *Regional Evacuation Study, Storm Tide Atlas*.
 - 1.3.2. Policy: The coastal storm area shall be the area delineated in Figure 2 of the Coastal Management Element, which encompasses all of the following:
 - (1) the Coastal High Hazard Area (CHHA),

(2) all land connected to the mainland of Pinellas County by bridges or causeways,

(3) those isolated areas that are defined by the SLOSH model to be inundated by a category two hurricane or above and that are surrounded by the CHHA or by the CHHA and a body of water, and

(4) all land located within the Velocity Zone as designated by the Federal Emergency Management Agency.

- 1.3.3. Policy: If 20% or more of a parcel of land is located within the coastal storm area, then the entire parcel shall be considered within the coastal storm area. However, if either a parcel of land or a group of parcels that are part of a master development plan is equal to or greater than 5 acres and less than 50% of the parcel or group of parcels is within the coastal storm area, the property owner may elect to provide a survey of the parcel or parcels to determine the exact location of the coastal storm area.
- 1.3.4. Policy: Pinellas County shall prohibit the location of new, or expansion of existing hospitals, nursing homes, and assisted living facilities within the coastal storm area and the area inundated by a category 2 hurricane as depicted by the *SLOSH* model, as reflected in the most recent *Regional Evacuation Study, Storm Tide Atlas*.
- 1.3.7. Policy: Pinellas County shall prohibit the siting of new or the expansion of existing mobile or manufactured home communities within the coastal storm area. This policy does not apply to the replacement of individual homes within the community with modern manufactured housing, as long as the replacement manufactured homes are properly anchored and elevated to the base flood elevation.
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CLEAN VERSION of the Ordinance

ORDINANCE 14 - ____

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING FIGURE 1, COASTAL HIGH HAZARD AREAS IN PINELLAS COUNTY, AND FIGURE 2, UNINCORPORATED COASTAL STORM AREA PINELLAS COUNTY, OF THE COASTAL MANAGEMENT ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Act; and

WHEREAS, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and significantly amended the Plan on March 18, 2008, to include the Coastal Storm Area, and restrictions on the location of certain types of uses within the Coastal Storm Area; and

WHEREAS, The Sea, Lake and Overland Surges from Hurricanes (SLOSH) storm surge model was substantially revised in 2009; and

WHEREAS, As a result of the new SLOSH data, Pinellas County was required to update its adopted Coastal High Hazard Area and Coastal Storm Area maps; and

WHEREAS, Accurate data and maps provide the tools, methods and regulations needed to reduce hurricane vulnerability, evacuation times and emergency shelter needs; and

WHEREAS, The proposed amendments to the Pinellas County Comprehensive Plan were considered by the Local Planning Agency at a public hearing on December 12, 2013; and

WHEREAS, The recommendations from the Pinellas County Local Planning Agency have been received and considered.

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida, in its regular meeting duly assembled on this ____ day of _____, 2014, that:

SECTION I: PURPOSE AND INTENT

The purpose of this Ordinance is to update the County's adopted Coastal High Hazard Area and Coastal Storm Area maps to reflect the latest SLOSH storm surge model results that are used by the National Oceanic and Atmospheric Administration (NOAA) to predict surge heights over land in the Tampa Bay region.

SECTION II: Figure 1, Coastal High Hazard Areas in Pinellas County, is hereby replaced with the revised Figure 1 as depicted in Exhibit 1, attached hereto.

SECTION III: Figure 2, Unincorporated Coastal Storm Area Pinellas County, is hereby replaced with the revised Figure 2 as depicted in Exhibit 2, attached hereto.

SECTION IV: SEVERABILITY

If any section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.


SECTION V: LOCATION OF RECORDS

Pursuant to requirements of Section 125.68, Florida Statutes, this Ordinance to amend the Pinellas County Comprehensive Plan is incorporated into the Coastal Management Element of the Pinellas County Comprehensive Plan, located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION VI: FILING OF ORDINANCE: ESTABLISHING AN EFFECTIVE DATE

Pursuant to Section 163.3184(3), Florida Statutes, if not timely challenged, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after adoption. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

