



Legislation Details (With Text)

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**File created:** 1/16/2020      **In control:** City Council

**On agenda:** 2/13/2020      **Final action:** 2/13/2020

**Enactment date:**      **Enactment #:**

**Title:** PUBLIC HEARING - PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT AND TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY

**Sponsors:** Grover C. Robinson, IV

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance No. 12-20, 2. Planning Board Minutes January 14, 2020

Date	Ver.	Action By	Action	Result
2/13/2020	1	City Council	Approved	Pass
2/10/2020	1	Agenda Conference	Placed on Regular Agenda	Pass

**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING - PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT AND TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY

**RECOMMENDATION:**

That City Council conduct a public hearing on February 13, 2020 to consider the proposed amendments to the City’s Comprehensive Plan specific to the Future Land Use Element and transmittal to the Department of Economic Opportunity for review.

**HEARING REQUIRED:** Public

**SUMMARY:**

As provided in Florida Statutes Chapter 163, all local governments within the State of Florida are allotted two calendar year amendments to their Comprehensive Plans. The proposed amendments in this update will serve as the first calendar year amendment. Attached you will find all changes submitted in strike-through and underline format. This Public Hearing is to consider transmitting the proposed Comprehensive Plan amendments to the Department of Economic Opportunity (DEO). Within thirty (30) days, DEO will transmit its findings to the City along with any objections and

recommendations for modifications. Following receipt of DEO comments, Council will need to conduct an adoption hearing to consider adopting the Comprehensive Plan amendment.

The City's Land Development Code (LDC) contains the same building height and lot coverage maximums that are currently cited in the Future Land Use Element of the City's Comprehensive Plan. As the Comprehensive Plan is a long range "big picture" planning document, and the LDC is intended to be more detail-intensive, there are a variety of definitions and processes in the LDC that allow for variations to these maximums. While this has not been deemed to be a conflict, in order to avoid confusion, it is preferable that this level of specificity be eliminated from our Comprehensive Plan. City staff has spoken with staff at the Florida Department of Economic Opportunity to confirm that these are appropriate amendments to proceed with for consideration.

Many communities do not include this type of detail in their Comprehensive Plans, as it is the function of the Land Development Code to provide site-related requirements that delve beyond land use, concurrency for infrastructure, and residential density. In the last decade, the City has undertaken the creation of a "freeboard" requirement for properties in flood zones, revised the definition of how "building height" is measured, and has introduced a new measurement system in the Land Development Code with the addition of language that measures building height in stories in some areas of the City. Additionally, there are various citywide applications of the City's Land Development Regulations which allow for outcomes that exceed those base numbers for height.

The density transfer language contained on pages 12 and of 13 of the attached ordinance (Proposed Ordinance No. 12-20) was previously approved by City Council as part of Ordinance No. 23-19 that has been transmitted to the Department of Economic Opportunity and is under their required review.

The Planning Board unanimously recommended approval of the proposed amendments at their regular meeting on January 14, 2020.

**PRIOR ACTION:**

City Council adopted Ordinance No. 23-19 on October 10, 2019.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

1/22/2020

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 12-20
- 2) Planning Board Minutes January 14, 2020

**PRESENTATION:** No