



Legislation Text

File #: 17-1090, **Version:** 1

TO: Honorable Mayor & Members of the North Port Commission

FROM: Peter D. Lear, CPA, CGMA, Interim City Manager

TITLE: CPAL-16-170, Ordinance No. 2016-34, Second reading of amendments to the Elements of the Comprehensive Plan as recommended in the Evaluation and Appraisal Review (EAR).

Recommended Action

Approve Petition No. CPAL-16-170, adopting the Evaluation and Appraisal Review (EAR) based Comprehensive Plan Amendments, Ordinance 2016-34 Volume I and accepting Volume II for transmittal to the Florida Department of Economic Opportunity (DEO) and other reviewing agencies.

Background Information

Chapter 163, Part II, Florida Statutes, requires that local governments in Florida adopt a comprehensive plan in order to guide planning, growth and development within the community. This statutory requirement was enacted in 1985 as the Local Government Comprehensive Planning and Land Development Regulation Act (1985 Act). The Legislature substantially amended Chapter 163, Part II, in 2011 by passage of House Bill No. 7207 (Chapter 2011-139, Laws of Florida), which changed the title to the *Community Planning Act* and incorporated several new concepts.

As part of this process, the City is required to review and modify (if necessary) the Comprehensive Plan every 7 years via an Evaluation and Appraisal Review (EAR) process. In November 2015, the City sent to the Florida Department of Economic Opportunity (the successor to the former Department of Community Affairs) that oversees comprehensive planning efforts in the State, an EAR letter that provides a general summary of items that the City will address as part of its EAR update. These updates and amendments were required to be transmitted to the Florida Department of Economic Opportunity (DEO) by December 1, 2016 pursuant to F.S. 163.3191(2). This deadline was met with the transmittal of the City's proposed EAR based amendments on November 28, 2016 following the November 22, 2016 first reading of amendments. Following transmittal of the proposed amendments from the City, the Department of Economic Opportunity (DEO) within the required 60 days, completed its review and submitted an "Objections, Recommendations, and Comments" (ORC) report on January 26, 2017 which provided one objection related to Coastal Resiliency/Sea Level Rise. The City has up to 180 days to adopt the proposed amendments from the date of the ORC report.

Staff has made five changes to the Plan within the 180-day period. First, staff added new policies to both the Conservation and Coastal Zone Management and Future Land Use Elements. These revisions addressed DEO's ORC Objection regarding Sea Level Rise/Coastal Resiliency and the revisions have been reviewed by DEO for compliance. Second, staff rewrote the Economic Development Element. At the earlier transmission hearing for the EAR based Comprehensive Plan Amendments the City Commission requested staff to use the input from an Economic Development Summit scheduled for April 6, 2017, to revisit the Economic Development Element. Based on the comments from this summit meeting staff rewrote the Economic Development Element and presented it to the Community and Economic Development Advisory Board on April 5, 2017, and to the Planning and Zoning Advisory Board (PZAB) on April 6, 2017. Both Boards unanimously approved the new Element, with the PZAB recommending the City Commission adopt the new Economic Development Element, as written, as part of the adoption of the EAR based amendments. The final three items were scrivener's errors which comprised - a correction on the Future Land Use Map which entailed a change along the border of the former Isles of Athena and Toledo Village properties; addition of duplicate maps to the Conservation and Coastal Zone Management Element; and correcting a policy placement item.

For ease of review, all revisions are itemized within the staff report and all new text are shown in underlined **Blue**, both in tabular form and within the Ordinance material. All amendments in **Red** have been reviewed and accepted by DEO for compliance with Chapter 163.

Strategic Plan

Financially Responsible City Providing Quality Municipal Services
Preservation of Environment and Natural Resources
Climate for Economic Growth and Community Prosperity
Quality of Live Opportunities
Alive Activity Centers
Great Neighborhoods
Top Priorities-Bikeways/Complete Streets, Diversified and Affordable Housing

Financial Impact

The financial impact of transmittal and subsequent adoption the amendments to the Plan will reflect the direction from City Commission as to prioritizing goals and reflecting those items within the City's budget process, along with growth related items within the Capital Improvements Program. Staff finds that the Plan is more fiscally sound with changes made to reflect statutory regulations for financial feasibility, allowing local government the flexibility to address improvement planning. This Plan and amendments herein, reflect the means to continue to mitigate the impacts of the platted lots, and continue to increase the availability of lands for service and industry. To strengthen sustainability, a focus on economic development, job creation, and alternate means of impact fees was implemented.

Procurement

Attachments:

1. Staff Report
2. Ordinance No. 2016-34
3. Exhibit A-Volume I Goals, Objectives, Policies, Maps
4. Exhibit B-Volume II Supplemental Data and Analysis
5. PowerPoint

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