

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

**PRELIMINARY FOR
PAC REVIEW ONLY**

AGENDA ITEM: IV. C.

MEETING DATE: October 17, 2007

SUBJECT:

Coastal High Hazard Area Policy – Discussion Outline

RECOMMENDATION:

Council Receive And Discuss As Determined Appropriate
(Information Only - No Action Required)

BACKGROUND

Attached to this memo are the proposed *Pinellas County Comprehensive Plan* objectives and policies that pertain to the Coastal High Hazard Area (CHHA) and the Coastal Storm Area (CSA). The new and amended policies are necessitated by the passage of House Bill 1359 in 2006. Section 163.3178(2)(h), Florida Statutes, of the legislation provides a new definition of the Coastal High Hazard Area (CHHA). Where previously the CHHA was defined as the category 1 evacuation zone, the new definition references the line created by the SLOSH (Sea, Lake and Overland Surges from Hurricanes) computerized storm surge model.

The legislation requires all local governments having land within the CHHA to adopt the new definition in their comprehensive plan coastal management elements and to amend their future land use maps to depict the area by July 1, 2008.

In addition to providing a new definition of the CHHA, HB 1359 created comprehensive plan amendment criteria and hurricane evacuation and mitigation standards [163.3178(9)(a) – (c)]. Thus, the proposed Pinellas County amendments address those topics as well.

While the new CHHA definition removes emergency management evacuation zones, when plotted out, the CHHA line does not facilitate the regulation of development and redevelopment within the area because the line is extremely serpentine making it impossible to use it for that purpose. For that reason, and after extensive staff discussions

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Coastal High Hazard Area Policy – Discussion Outline

about how best to address this problem, staff proposes that, by definition, land will either be in or out of the proposed new Coastal Storm Area which will be used for regulatory purposes as the CHHA was in the past. Specifically, the Coastal Storm Area is proposed to be defined as follows:

The Coastal Storm Area shall be the area delineated in _____ (insert local plan policy or figure number) 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 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.

Municipal governments in Pinellas County are being informed about the County initiative to address the new legislation with the intent that, to the greatest extent possible, all affected jurisdictions in the county will have, essentially, the same CHHA and mitigation objectives and policies in their comprehensive plans. The proposed County comprehensive plan amendments will, necessarily, need to be customized for each community, but the intent of the objectives and policies should be reflected in local comprehensive plan amendments if they are determined to be appropriate.

It is recommended that each municipality define and embrace the Coastal Storm Area for regulatory purposes. Similarly, PPC staff will propose to amend the Countywide Plan and Rules to modify the definition of the CHHA, add the definition of the CSA, and revise the relevant CHHA policies in the Rules to refer to the CSA.

**PROPOSED AMENDMENTS TO THE COASTAL MANAGEMENT
ELEMENT OF THE
PINELLAS COUNTY COMPREHENSIVE PLAN (PCCP)
RE: HB 1359 and THE COASTAL HIGH HAZARD AREA**

(Text that is highlighted represents changes to the July draft that was considered at the multi-jurisdictional meeting at the Tampa Regional Planning Council offices on August 15th. The text changes are based on the discussion that occurred at the meeting on August 15th.)

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.

1.2.1. Policy: Pinellas County shall work towards reducing the out-of-county hurricane evacuation clearance time of 55 hours in 2006, as determined in the Tampa Bay Region Hurricane Evacuation Study 2006, for a category 5 storm event as measured on the Saffir-Simpson scale.

Discussion: *Policy recognizes the best available data regarding evacuation clearance time, and denoting that evacuation times as provided in the Regional Study findings are not an acceptable level of service.*

1.2.2. Policy: The adopted level of service standard for out-of-county hurricane evacuation clearance time for a category 5 storm event as measured on the Saffir-Simpson scale shall be 36 hours.

Discussion: *The above level of service for evacuation is established to implement 2006 amendments to the Growth Management Act. It is felt by emergency management staff that 36 hours represents a point where a confident warning could be issued by the National Hurricane Center and a reasonable public response could be expected. It is not anticipated that any evacuation orders would be issued earlier than 36 hours due to the uncertainty of predicting accurate tracks of hurricanes at timeframes exceeding 36*

hours. This level of service standard has been recommended by emergency management officials at the Tampa Bay Regional Planning Council, Pinellas County, and the City of Clearwater.

1.2.4 3. Policy: Pursuant to the Capital Improvements Element, Pinellas County shall annually evaluate projects proposed for inclusion within the Six-Year Schedule of Improvements and shall place a high priority on improvement needs for critical links and evacuation route points, and for bridges, causeways and highway facilities designated as regional evacuation routes when scheduling capital improvement projects.

1.2.2-4. Policy: The Board shall continue to enforce its regulations requiring the development of a hurricane evacuation plan by recreational vehicle parks and transient accommodations.

1.2.3 5. Policy: The County shall coordinate with the Florida Department of Transportation during preparation of the Transportation Improvement Plan for District 7 in order to encourage the State to give priority to road improvement projects on regional hurricane evacuation routes.

1.2.4 6. Policy: The County shall utilize the existing countywide computerized traffic signalization system and available law enforcement officers to expedite hurricane evacuation.

1.2.5 7. Policy: The County shall continue its public awareness campaign in cooperation with the Tampa Bay Regional Planning Agency to educate the general public on proper hurricane evacuation procedures. As part of the County's public awareness campaign, the County shall also publish and make available a hurricane preparedness ~~handbook~~ publication to the general public prior to June 1 of each year.

Discussion: *Terminology change.*

1.2.6 8. Policy: Pinellas County shall cooperate with the State Division of Emergency Management to coordinate multi-county evacuations in a manner consistent with the Pinellas County Hurricane Evacuation Implementation Guide.

1.2.7 9. Policy: County-maintained roadways used as evacuation routes shall continue to be clearly posted.

1.2.8 10. Policy: Hurricane evacuation shall be planned and conducted in a manner consistent with the Pinellas County Comprehensive Emergency Management Plan.

1.2.11. Policy: To improve upon the intergovernmental and agency coordination, the County shall consider establishing an optional Public Safety Element of the Pinellas County Comprehensive Plan.

Discussion: *Coordination in Emergency Management goes beyond the scope of the ICE; it should be addressed separately in a dedicated Public Safety Element.*

1.3. Objective: Pinellas County shall restrict development within the ~~coastal high hazard area~~ coastal storm area, and shall direct population concentrations out of the ~~coastal high hazard area~~ coastal storm area.

Discussion: *Given the new State's new definition of coastal high hazard area, a new term was created that encompasses an area where high concentrations of development and population are not appropriate for safety concerns.*

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*. ~~Evacuation Level A areas identified in the most recent regional hurricane evacuation study.~~

Discussion: *State's new definition of coastal high-hazard area per HB 1379.*

1.3.2. Policy: The coastal storm area shall be the area delineated in Figure 2 of the Coastal Management Element, which includes encompasses all of the following:
(1) the Coastal High Hazard Area (CHHA),
(2) all areas 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 at relatively higher elevations and that are surrounded by the CHHA or by the CHHA and a body of water, and
(4) all areas land located within the Velocity Zone as designated by the Federal Emergency Management Agency.

Discussion:

Defines the term - coastal storm area.

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.

Discussion:

*Provides guidance as to how land development would be handled on parcels of land that are split by the coastal storm area boundary. This policy is comparable to the approach taken by Pinellas County Emergency Management in identifying hurricane evacuation levels. **Note:** While mapping the coastal storm area, it has become clear that the bluffs along the west coast in Clearwater and Belleair are a unique consideration. Along the bluffs, even though more than 20% of a parcel may be in the coastal storm area, the property quickly rises so that the remainder of the parcel is not impacted by storm surge from any hurricane regardless of its magnitude. While only a few parcels are affected, it may make sense to not include the portion of a parcel on the top of the bluff in the coastal storm area if it would not be inundated by storm surge under any storm scenario. We may need a policy to account for this unique topographical situation.*

1.3.2- 4. Policy:

Pinellas County shall prohibit the location of new, or expansion of existing hospitals, nursing homes, and assisted living facilities within the coastal high-hazard area 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. The County shall discourage the siting of new locations for these facilities within the Evacuation Level B 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.

Discussion:

The amended policy direction is more consistent with the evacuation and emergency management planning direction of Pinellas County.

1.3.3. 5. Policy:

Pinellas County shall not approve any request to amend the Future Land Use Map (FLUM) to designate for residential density above 5.0 units per gross acre on the Future Land Use Element for areas parcels of land within the coastal high hazard area coastal storm area with a FLUM category that permits more than 5.0 dwelling units per gross acre.

Discussion:

Specifies amendments to FLUM and reflects new terminology of vulnerable areas.

1.3.6. Policy:

The area known as "Collany Island," subject to a zoning and land use plan amendment approved in Ordinance 04-92, was a one-time exception to provide a zoning and land use designation for the site that is more consistent with the character of the neighborhood than the former commercial designation and no precedent is set through the adoption of Ordinance 04-92 for other amendments for lands located in the coastal storm area. Additionally, this finding will reaffirm Pinellas County's commitment to Policy 1.3.5 of the Coastal Management Element that states Pinellas County shall not approve any request for residential density above five units per gross acre on the Future Land Use Map for areas within the coastal storm area.

Discussion:

This policy was originally adopted as a major finding in the Coastal Management Element as part of the Compliance Agreement with the Florida Department of Community Affairs for the Collany Island FLUM amendment (DOAH Case No. 05-1245GM). Since the Major Findings will no longer be included as a part of the adopted Comprehensive Plan, this major

finding is being included as a policy within the Coastal Management Element.

1.3.7. Policy: Dwelling units may be reallocated to property within the coastal storm area from other properties within the coastal storm area through utilization of transferable development rights and/or density averaging as provided for in the Future Land Use Map Category Descriptions and Rules of the Quality Communities Element so long as there is no net increase in the number of dwelling units that would be allocated within the coastal storm area resulting from application of one or both of these provisions for reallocating dwelling units.

1.3.4-8. Policy: Pinellas County shall prohibit the siting of new or the expansion of existing mobile or manufactured home development within the coastal high-hazard area coastal storm area. This policy does not apply to modern manufactured housing constructed after 1994.

Discussion: *Differentiates between old manufactured housing that does not comply to modern building standards and those were constructed after new building codes.*

1.3.5-9. Policy: On an annual basis During the statutorily required evaluation and appraisal process, the County's existing hazard mitigation programs, including those within the Land Development Code, shall be reviewed and revised if necessary to reduce the vulnerability of future development in coastal high-hazard areas the coastal storm area. This review shall evaluate the recommendations of existing interagency hazard mitigation reports and the mitigation functions chapter of the Pinellas County Comprehensive Emergency Management Plan.

Discussion: *Reflect new terminology of vulnerable areas, and provides a more reasonable timetable of review and revision.*

1.3.6.10. Policy: Consistent with the goals, objectives and policies of this Element and the availability of budgeted funds, the County shall evaluate the acquisition of

storm-damaged property in the ~~coastal high-hazard area~~ coastal storm area.

Discussion:

Reflects new terminology of vulnerable areas.

1.3.7.11. Policy:

By June 1, 2008, December 31, 1998, Pinellas County shall evaluate the feasibility of limiting the capacity of hospitals, nursing homes, and assisted living facilities proposed to be located within the Evacuation Level B area inundated by a category 2 3 hurricane as depicted by the SLOSH model, as identified reflected within the most recent ~~Regional eEvacuation sStudy, Storm Tide Atlas, and located outside of the Coastal Storm Area and the area inundated by a category 2 hurricane.~~

Discussion:

Provides new timetable for evaluation after receipt of results from new SLOSH model. Lands vulnerable to storm surge as delineated by SLOSH is more accurate compared to evacuation zones.

1.3.12. Policy:

If Pinellas County elects to utilize the provisions of §163.3178(9), F.S., to comply with the State's coastal high-hazard provisions when amending the Pinellas County Comprehensive Plan, any appropriate mitigation that may be required by this section shall be directed at increasing the number of hurricane shelter spaces, unless an alternative mitigation proposal has been approved by the Pinellas County Director of Emergency Management or her/his designee.

Discussion:

Providing consistency with statutory direction.

1.3.13. Policy:

Mitigation required under Policy 1.3.10 above shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to their development, and shall require Pinellas County and the developer to enter into a binding agreement to memorialize the mitigation plan.

Discussion:

Policy provides fairness in developer's obligations in its mitigation plan.

1.4. Objective: Pinellas County shall restrict public expenditures that subsidize development or redevelopment in the ~~coastal high-hazard-area~~ coastal storm area.

Discussion: *Reflects new terminology and is more inclusive in types of development.*

1.4.1. Policy: County-funded infrastructure shall be prohibited within the ~~coastal high-hazard-area~~ coastal storm area except for the following:

The expenditure for the maintenance, repair or replacement of existing facilities; or

The expenditure for restoration or enhancement of natural resources or public access; or

The expenditure needed to address an existing deficiency identified in this plan; or

The expenditure for the retrofitting of stormwater management facilities for water quality enhancement of stormwater runoff; or

The expenditure for the development or improvement of public roads and bridges identified in the Traffic Circulation Element of this plan; or

The expenditure for a public facility of overriding public interest to ensure public health and safety.

Discussion: *Reflects new terminology.*

1.4.2. Policy: When public infrastructure within the coastal ~~high-hazard~~ storm area is destroyed or receives damage that equals or exceeds 50 percent of the cost of replacing the facility at its current location, the County shall analyze the feasibility of relocating this infrastructure landward of the ~~coastal high-hazard area~~ the coastal storm area. This requirement is included within the Pinellas County Post-Disaster Redevelopment Plan as adopted within the Pinellas County Comprehensive Emergency Management Plan.

Discussion: *Reflects new terminology.*

1.4.3. Policy: Pinellas County shall not construct bridges or causeways to barrier islands not serviced by such infrastructure at the time of Plan adoption.

1.4.4. Policy: ~~The Pinellas County Local Mitigation Strategy (LMS), as amended, shall be incorporated by reference into the Pinellas County Comprehensive Plan. Capital improvements identified in the Pinellas County Local Mitigation Strategy (LMS) under the jurisdiction of Pinellas County shall be considered for incorporation into the Capital Improvements Element of the Pinellas County Comprehensive Plan.~~

Discussion: *Provides assurance that projects being addressed in the LMS that affect level of service standards will be evaluated for inclusion in the Comprehensive Plan.*

1.5. Objective: ~~By December 31, 2000,~~ Between June 2007 and June 2012, the existing deficit of public shelter spaces within the County shall be reduced by five percent.

Discussion: *Provides a more reasonable timetable to reduce the public shelter deficit.*

1.5.1. Policy: The County shall ~~assist the Pinellas County Red Cross in coordinating~~ with local jurisdictions and appropriate agencies (including the Pinellas County Red Cross) in the development of a countywide plan for increasing the number of public shelter spaces in Pinellas County.

Discussion: *The proposed change more accurately portrays the responsibilities for increasing the number of public shelter spaces.*

1.5.2. Policy: Pinellas County shall expand its coordination efforts within the limits provided by legislative authority to coordinate facility expansion plans and development review with the Pinellas County School Board so that new school facilities and facility expansion will be located and designed to provide hurricane shelters.

1.5.3. Policy: If the County determines, during its review of a proposed public school site for consistency with the Pinellas County Comprehensive Plan and after consideration of the criteria in Section 235.26(9) of

the Florida Statutes, that the site is an appropriate location for a shelter, the final determination of consistency will include a recommendation that the public school be constructed to function as a public emergency shelter.

1.5.4. Policy: Whenever possible, new or expanded county buildings shall be located, designed, and constructed so that they may be utilized for hurricane shelters.

1.5.5. Policy: Alternatives to traditional public sheltering shall be developed and promoted through public education by Pinellas County and other appropriate agencies. Alternatives to traditional public sheltering shall include, but not necessarily be limited to, host home programs, inland sheltering, retrofitting of existing structures whenever possible, utilizing refuges of last resort as appropriate, and evacuation of guests from transient accommodations to inland "sister" transient accommodations.

1.5.6. Policy: Pinellas County shall initiate discussion of new cooperative efforts between the County, municipalities, the Pinellas County School Board, and other appropriate agencies in an attempt to increase the number of public shelters and to reduce the shelter deficit.

1.5.7. Policy: Pinellas County shall utilize its public education program to attempt to decrease the number of Pinellas County residents that unnecessarily seek shelter during hurricane evacuations.

1.5.8. Policy: As a means of identifying solutions to the existing public shelter deficit, Pinellas County shall continue to host occasional periodic an emergency shelter workshops, or summits, for with affected governments and agencies in updating the status of public shelter availability and capacity by December 31, 1998.

Discussion: *Depicts on-going coordination with affected governments and agencies in dealing with public shelter issues.*

1.5.9. Policy: Pinellas County shall participate with the State Division of Emergency Management in their

development of a regional Hurricane Evacuation Plan, and, within a year of its completion, shall have evaluated any relevant recommendations, including those regarding shelter capacity, for inclusion in the Comprehensive Plan.

1.5.10. Policy:

In assessing shelter space, Pinellas County shall consider the evacuation and shelter needs of at-risk populations that have special needs, language barriers, pets, and that are transportation disadvantaged.

Discussion:

Specifically addresses needs of disadvantaged during evacuation and special sheltering needs that has arisen.

September 19, 2007