

Board of County Commissioners: 2/06/2020

PLAN AMENDMENT - PA-19-03 / ORDINANCE 20-04
COASTAL HIGH HAZARD AREA (CHHA) OVERLAY DISTRICT
MAP AMENDMENT

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Ordinance 89-01, as amended, (the Manatee County Comprehensive Plan); providing for purpose and intent; providing findings; providing for a Map Amendment of the Manatee County Comprehensive Plan; to update the boundaries of the Coastal High Hazard Area (CHHA) on the maps located in the Future Land Use Map Series and the Coastal Element; to preserve consistency with the Statewide Regional Evacuation Study for Tampa Bay; providing severability; and providing an effective date.

P.C.: 1/16/2020
B.O.C.C.: 02/06/2020 Transmittal
B.O.C.C.: 04/02/2020 Adoption

App. Received: County Initiated

Type of Amendment: Map Amendment to the Future Land Use Map Series and Coastal Element

RECOMMENDED MOTION:

Based upon the evidence presented and comments made at the public hearing, upon the technical support documents, and finding the request to be in compliance with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes, and CONSISTENT with the Manatee County Comprehensive Plan, I recommend transmittal of Manatee County Plan Amendment PA-19-03/Ordinance 20-04, as recommended by the Planning Commission.

PLAN AMENDMENT SUMMARY SHEET

NAME/Applicant: Manatee County Government

PLAN AMENDMENT: PA-19-03/Ordinance 20-04

TYPE OF AMENDMENT: County initiated Map Amendment of the Manatee County Comprehensive Plan; to update the boundaries of the Coastal High Hazard Area (CHHA) on the maps located in the Future Land Use Map Series and the Coastal Element; to preserve consistency with the Statewide Regional Evacuation Study for Tampa Bay; providing severability; and providing an effective date.

STAFF RECOMMENDS: Approval to transmit map amendment

BACKGROUND:

As a coastal county, Manatee County is identified in Section 380.24, F.S. to be legally required to adopt a Coastal Management Element meeting the requirements of the applicable statutes. The Coastal Management Element is required to address certain objectives, including: protecting human life against the effects of natural disasters and limiting public expenditures that subsidize development in coastal high hazard areas. See Section 163.3177(6)(g), F.S.

The Florida Legislature has made legislative findings that in the event of natural disaster, the state may provide financial assistance to local governments for the reconstruction of roads, sewer systems, and other public facilities. However, one of the requirements to enable Manatee County to be eligible for such financial assistance, is to have a comprehensive plan that restricts development activities where such activities would damage or destroy coastal resources and such plans must protect human life and limit public expenditures in areas that are subject to destruction by natural disaster. (See Section 163.3178(1), F.S.)

The designation of coastal high hazard areas is defined by the Florida Statutes as: "The area below the elevation of the Category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model". See

Section 163.3178(1)(h) F.S.

The County is required to base the update of the boundaries of the CHHA Map upon the most relevant and appropriate data and analysis available at the time of adoption of the Map Amendment. The data must be taken from a professionally accepted source. Section 163.3177(1)(f)1. and 2. F.S.

The Florida Division of Emergency Management, Division of Community Planning and Department of Transportation in coordination with the Tampa Bay Regional Planning Council published the *2010 Statewide Regional Evacuation Study for the Tampa Bay Region* on August 26, 2010. The computerized storm surge model known as the SLOSH MODEL: Sea, Lake, and Overland Surges from Hurricanes was calibrated based on the 2009 LIDAR (Light Detection and Ranging) data – **the latest information at that time**. The LIDAR has a vertical accuracy of the laser mapping that is within 15-centimeter tolerance. The result of the SLOSH Model is the mapping of the Coastal High Hazard Areas (category 1 storm surge).

The SLOSH model coverage is subdivided into 32 regions or basins and in 2016, the National Hurricane Center added a new region or basin to the model. With the addition of a new basin along the west coast of Florida, the data produced more inundation than the 2009 model. As such, a new CHHA map was produced by TBRPC.

It has recently come to staff’s attention that a Plan Amendment was never processed to formally adopt the updated CHHA map per the 2016 data. To be consistent with the new computerized surge model, staff is recommending the remapping of the CHHA areas.

In comparing the area of inundation (in acres) from the 2008 model against the latest 2016 model, there is an overall increase of 50,329 +/- acres of total inundation. The significant areas of increase are with the occurrence of a Category 4 or 5 storm, with a 4,492-acres increase in the Category 1 storm surge area. The comparison chart for each of the models is shown below.

**Comparison Chart for SLOSH Levels
(Unincorporated County) (Acres)**

	2008 SLOSH	2010 SLOSH	2016 SLOSH	Difference 2008 to 2016
Cat. 1	12,231	11,535	16,723	4,492
Cat. 2	6,640	7,685	7,368	728
Cat. 3	4,695	10,074	8,890	4,195
Cat. 4	6,364	15,374	26,680	20,316
Cat. 5	8,320	16,086	28,918	20,598

Total	38,250	60,754	88,579	50,329
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Coastal High Hazard Area (Category 1 storm surge)

	2008 SLOSH	2010 SLOSH	2016 SLOSH
Acreage	15,640	11,535	16,723

The reduction noted between 2008 and 2010 was due to a more accurate mapping effort, development of properties and the elimination of the 5-foot contour. The increase noted between 2010 and 2016 is due to the new basin being added, which produced more inundation.

Property owners may find their properties have a new coastal mapping classification now reflecting the CHHA; however, in some cases it is also possible that properties may be excluded from the category altogether.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Policy 2.2.2.5. CHHA: Establish the Coastal High Hazard Area Overlay District as follows:

Policy 2.2.2.5.1. The purpose of the CHHA Overlay District policies is to direct population concentration away from known or predicted coastal high hazard areas and to limit public expenditures that subsidize development within these areas. The CHHA is the geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, pursuant to applicable law, as updated on a periodic basis.

Policy 2.2.2.5.2.

The County shall adopt rules and regulations to:

- (a) Limit population in the Coastal High Hazard Area Overlay District.
- (b) Limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.
- (c) Increase, through exercise of the police power, the degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.
- (d) Accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.
- (e) Protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.
- (f) Encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.

Policy 2.2.2.5.3. Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Element. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA.

Policy 2.2.2.5.4. Effect of Mapping:

- (a) The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event,

policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future Land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.

Policy 2.2.2.5.5. Development Restrictions/Conditions:

- (a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal High Hazard Area Overlay District.
- (b) Limit the location of acute care medical facilities within the CHHA overlay.

Objective 2.2.3. - Map Series.

Provide the Future Land Use Map Series in a manner and scale which will permit its use as an information planning resource, a planning tool, and a regulatory device.

Policy 2.2.3.1. Provide the Future Land Use Map Series in a suitable manner for use as an informational tool for preliminary property assessments by interested parties:

Implementation Mechanism:

- (a) Map series following this objective.

Policy 2.2.3.2. Provide the Future Land Use Map Series suitable for use as a regulatory tool, utilizing a scale which is suitable for determining location of even small parcels of property.

Implementation Mechanism:

- (a) One (1) inch: One thousand (1,000) feet scale map series adopted, and available in reproducible form from Manatee County.

ATTACHMENTS:

1. Newspaper Advertising
2. Exhibit A - Coastal High Hazard Area (CHHA) map 2016