

Aqua By The Bay - Project Narrative

Aqua By The Bay was approved by the Board of County Commissioners October 3, 2017. This application proposes elimination of Stipulation A-17 which reads as follows:

A. 17 Subsequent residential dwelling units, upon completion of the first 750 dwelling units, shall require further approval by the Board of County Commissioners at a public hearing prior to or part of Preliminary Site Plan approval, in increments of 750 units or more. Any approval shall be in conformance with Stipulation A.16.

The project is proceeding. At a recent pre-application meeting for a preliminary site plan, the applicant was advised a public hearing would be required. Currently 446 units have preliminary approval and an additional 316 units are awaiting approval. Staff was concerned the 750 unit threshold would be breeched. However, the stipulation requires approval after completion of 750 units, not preliminary plan approval.

Looking at the Stipulation in greater detail, there is another apparent concern. The only requirement for approval pursuant to Stipulation A-17 is conformance with Stipulation A-16 below:

A-16. Prior to Final Site Plan approval, the applicant shall submit a hurricane evacuation and disaster plan to the Public Safety Department's Emergency Management Division.

Approval of hurricane evacuation/ disaster plans and review of site plans for compliance with those plans has historically been administrative. Requiring public hearings for this purpose is an undue burden for both the applicant and staff. This is contrary to the streamlining direction of the Board with the 2019 Code amendments.