



**CITY OF RIVIERA BEACH, STAFF REPORT
COMPREHENSIVE PLAN AMENDMENT
JULY 12, 2018**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BASED ON EVALUATION AND APPRAISAL REVIEW IN ORDER TO PROVIDE CONSISTENCY WITH CURRENT STATUTORY REQUIREMENTS PER SECTION 163.3191(4), FLORIDA STATUTES, INCLUDING, BUT NOT LIMITED TO, DELETING ANY AND ALL REFERENCES TO RULE 9J-5, FLORIDA ADMINISTRATIVE CODE, AS PROVIDED WITHIN ALL ELEMENTS OF THE COMPREHENSIVE PLAN, MORE SPECIFICALLY THE FUTURE LAND USE ELEMENT AND COASTAL MANAGEMENT ELEMENT, AND TO ADDRESS PERIL OF FLOOD PRINCIPLES PER SECTION 163.3178(2)(F), FLORIDA STATUTES; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- A. Applicant:** City initiated amendment process.
- B. Request:** To amend the City's Comprehensive Plan to delete current references to Rule 9J-5, Florida Administrative Code, per Section 163.3191(4), Florida Statutes, and to also identify existing Elements, Goals, Objectives, and Policies which address peril of flood principles per Section 163.3178(20)(f), Florida Statutes.
- C. Location:** The Comprehensive Plan is applicable citywide.
- D. Background and Staff Analysis:** The City's Comprehensive Plan is a policy document required by State Statute, which provides guidance for future development and growth patterns in the City. The City is required to evaluate and appraise the Comprehensive Plan every seven years. A component of this process is to ensure that the Comprehensive Plan is amended to incorporate any statutory changes adopted by the State since the Plan was last approved. The City's Planning and Zoning Board sits as the Local Planning Agency when reviewing Comprehensive Plan amendments.

The following items have been identified as required amendments:

1. Deletion of any reference to Rule 9J-5, Florida Administrative Code. City staff desires to take immediate action to resolve this conflict (see attached Comp. Plan pg. 1, 12 and 74).
2. Identification of satisfaction of Peril of Flood principles, as provided below.
 - a. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
 - b. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
 - c. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

- d. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
- e. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.
- f. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

The following Comprehensive Plan Elements speak to the abovementioned Peril of Flood principles:

- Future Land Use Element
 - Goal 1, Protect and Enhance Residential, Commercial, Industrial, and Natural Resource Areas; specifically Objective 1.1, Policy 1.1.3 and Objective 1.5, Policy 1.5.1 and 1.5.2 (per page 1 and page 12).
- Conservation Element
 - Goal 5, Protection of Natural Floodplains, and subsequent Objectives and Policies (per pages 66-67).
- Coastal Management Element
 - Goal 2, Coastal Development and Emergency Management, and subsequent Objectives and Policies (per pages 74-76).
 - Goal 3, Intergovernmental Coordination, and subsequent Objectives and Policies (Per pages 77).

E. Recommendation: City staff recommends approval of this Ordinance, which will result in the deletion of all current Comprehensive Plan references to Rule 9J-5, Florida Administrative Code, per Section 163.3191(4), Florida Statutes.