MEMORANDUM

To: Council Members

From: Staff

Date: December 14, 2018 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Jupiter Comprehensive Plan
Amendment No. 18-2ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the strategic regional policy plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the Town of Jupiter was received on October 1, 2018 and contains amendments to the Coastal Management Element of the comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendment will add new Coastal Management Element policies pertaining to the adoption and implementation of strategies to protect property and infrastructure from the impacts of climate change and coastal flooding, amend existing policies related to construction seaward of the Coastal Construction Control Line, and modify dates for investigating additional comprehensive plan and land development regulation amendments related to climate change and the use of Adaptation Action Areas.

Background

In 2015, as part of the Town’s Evaluation and Appraisal Report (EAR) process and to meet statutory requirements, the Town proposed adding objectives and policies to their comprehensive plan related to climate change and sea level rise within the Coastal Management Element. The
Florida Department of Economic Opportunity objected to the Town’s proposed amendments and offered suggestions on how the Town could meet the principles outlined in statute. At the time, the Town was not required by law to adopt the proposed amendments, so they were removed from the EAR-based amendments adopted in 2016.

In 2016, the Town Council identified climate change as a strategic priority. Staff assembled a team to investigate and implement policies already adopted by the Town to enhance resilience including a green building program, shoreline stabilization and living shoreline regulations, higher minimum building elevations, and enhancements to the Town’s stormwater system. In 2017, the Town hired a consultant to prepare a sea level and climate change report that evaluated multiple aspects of the stormwater master plan, town code, and the comprehensive plan. Additionally town staff continues to evaluate recommendations for resilience made by the Southeast Florida Regional Climate Change Compact that include recommendations for how best to prepare for climate change. The proposed amendments are based on these efforts.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendment was circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on July 26, 2018. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

Recommendation

Council should approve this report and authorize its transmittal to the Town of Jupiter and the Florida Department of Economic Opportunity.

Attachments
List of Exhibits

Exhibit

1 General Location Map
2 Text Changes Shown in Strikeout and Underline Format
COASTAL MANAGEMENT ELEMENT:
Goals, Objectives and Policies

Goal 2. The protection of human life and capital facilities from the destructive effects of hurricanes and natural disasters by limiting public expenditures and development activities in identified hurricane vulnerability zones, providing for safe and effective emergency evacuation and establishing procedures for post-disaster redevelopment.

Hazard Mitigation and Hurricane Vulnerability Zone

Objective 2.1: The Town shall direct development away from the coastal high hazard areas.

Policy 2.1.1 The Town's coastal high hazard area shall include the area as defined in Section 163.3178(2)(h), Florida Statutes and shown on the Town's Hurricane Preparedness Plan Map (see Figure 1).

Policy 2.1.2 The Town shall use the following provisions as a means to direct people construction away from the coastal high hazard areas:
- a. Retain undeveloped lands in the coastal high hazard areas as public recreational sites or for other nonresidential uses.
- b. Provide the opportunity for innovative land design which allows for incorporating and enhancing existing natural systems and open areas to serve as natural storm buffers and post disaster staging areas.
- c. Provide for adequate evacuation routes in the event of an emergency.
- d. Provide for recreational needs and other appropriate water dependent and water related uses in a manner consistent with the preservation of natural resources of the dune and beach system.
- e. No new uses other than recreational or water dependent structures shall be allowed in the Coastal Construction Zone (i.e., lifeguard station, restroom facilities, etc.).
- f. All construction occurring within FEMA flood vulnerability zones shall be required to meet storm and flood proofing standards required for a 100 year storm.
- g. In the event of structural damage in excess of 50% of the value of a structure, the structure should be rebuilt to current codes.
- h. All new development and redevelopment in the Coastal Construction Zone seaward of the Coastal Construction Control Lines established pursuant to Section 161.053, F.S., shall comply with the requirements of Chapter 161, F.S. and the Coastal Construction Code of the Town.

Policy 2.1.3 In order to reduce the exposure of life and public and private property to natural hazards the Town shall provide for general hazard mitigation by continuing enforcement of the regulations for building practices as specified in the adopted Coastal Construction Code, and shall further provide general hazard mitigation through the adoption of the future land use map with the adoption of this Comprehensive Plan. The Town shall review and implement those hazard mitigation recommendations of the Hurricane Evacuation Study and applicable existing interagency hazard mitigation reports.
Climate Change Objective and Policies

Objective 2.6 The Town shall adopt and implement strategies which increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.

Policy 2.6.1 The Town shall continue its participation in the Southeast Florida Regional Climate Change Initiative.

Policy 2.6.2 The Town shall collaborate with Palm Beach County to increase regional resilience by sharing technical expertise, participating in annual summits, assessing local vulnerabilities, advancing agreed upon mitigation and adaptation strategies, and developing joint state and federal legislation policies and programs.

Policy 2.6.3 The Town shall coordinate with Palm Beach County, other local governments, and other federal, state and regional agencies and private property owners to develop initiatives and goals to address climate change.

Policy 2.6.4 By December 2018, the Town shall investigate the feasibility of integrating consideration of climate change impacts, and adaptation and mitigation strategies, into existing Comprehensive Plan goals, objectives and policies and land development regulations.

Policy 2.6.5 By December 2018, the Town shall investigate the feasibility of the use of Adaptation Action Areas as provided by Section 163.3177(6)(g)(10), Florida Statutes, to identify areas vulnerable to coastal storm surge and sea level rise impacts.

Policy 2.6.6 The Town shall continue to promote the use of mitigation strategies to increase energy efficiency and conservation, and to reduce greenhouse gas emissions. The mitigation strategies may include, but are not limited to, the adoption of Comprehensive Plan policies or land development regulations pertaining to land use and transportation strategies such as requiring compact residential development, incentives for mixed use and redevelopment projects that maximize internal trip capture, clustering residential densities along transit routes, improving access to transit and non-motorized movement, requiring interconnectivity among adjoining parcels of land, and incentives for green building methods.

Policy 2.6.7 The Town shall utilize best practices and initiate mitigation strategies to reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

Policy 2.6.8 The Town shall implement engineering solutions to reduce the risk of flood in coastal areas, which may include the installation of stormwater drainage improvements as identified in the Stormwater Master Plan.

Policy 2.6.9 The Town shall utilize the 1-Foot, 2-Foot and 3-Foot Sea Level Rise in Palm Beach County – Jupiter Area maps identified in the Vulnerability Analysis prepared by the South Florida Regional Climate Change Compact when determining the risks of coastal flooding due to sea level rise.

Policy 2.6.10 The Town’s Floodplain Management Regulations shall 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.