

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

February 9, 2018

The Honorable Lamar Fisher
Mayor, City of Pompano Beach
100 West Atlantic Avenue
Pompano Beach, Florida 33060

Dear Mayor Fisher:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the City of Pompano Beach (Amendment No. 17-2ER), which was received and determined to be complete on December 13, 2017. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. Review comments received by the Department from the appropriate reviewing agencies are also enclosed. The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment.

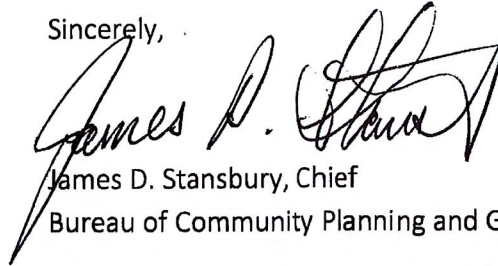
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department of Economic Opportunity report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridaljobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Taurean J. Lewis, at (850) 717-8470, or by email at Taurean.Lewis@deo.myflorida.com. The Department looks forward to providing assistance and continuing to work with the City in fulfilling the requirements set out in section 163.3178(2)(f), F.S.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/tjl

Enclosure(s): Objections, Recommendations, and Comments Report
Agency Comments
Procedures for Adoption

cc: David Recor, Development Services Director, City of Pompano Beach
Isabel Cosio Carballo, AICP, Executive Director, South Florida Regional Planning Council

OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

PROPOSED COMPREHENSIVE PLAN AMENDMENT

CITY OF POMPANO BEACH (17-2ER)

The Department reviewed the City's proposed amendment related to the Evaluation and Appraisal Review (EAR) and identified the following objection and comment. If the City adopts the amendment without addressing the objection, the Department may find the amendment not in compliance pursuant to section 163.3184(4)(e)4., Florida Statutes (F.S.).

Objection:

Coastal High Hazard Area Map – The Coastal High Hazard Area map incorporated into the current Coastal Zone Management element does not clearly identify areas below the elevation of category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model and does not reflect the latest available flood hazard and storm surge models.

Authority: Sections 163.3178(2)(a) and (h), and, (8)(c), F.S.

Recommendation: The City should revise this amendment, prior to adoption, by updating the Coastal High Hazard Area map to depict the latest 2017 Flood Hazards Storm Surge model produced by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) and provided by the Florida Division of Emergency Management to the Broward County Emergency Management Department.

Comment:

Coastal High Hazard Area definition consistency – Policy 10.09.01 provides a revised definition of Coastal High Hazard Area as, “those areas designated as the Category 1 Hurricane Evacuation Area as defined in the Broward County Coastal Hurricane Evacuation Plan (CHEP)”. This provision contrasts with the definition currently adopted within the Coastal Zone Management Element of the City of Pompano Beach comprehensive plan which reflects a definition of the Coastal High Hazard Area consistent with Chapter 163, Florida Statutes.

The City could consider revising the amendment, prior to adoption, to ensure that the definition of the Coastal High Hazard Area for Policy 10.09.01 is consistent with section 163.3178(2)(h), F.S.: *The coastal high-hazard area is 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.*

AGENCY COMMENTS



Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting	Governing Body Adoption Vote
City of Pompano Beach 17-2ER (received 12-14-17)	V	N/A	01-22-18	12-12-17	5-0 (1 absent)
<p>1. The proposed amendment to the City of Pompano Beach Comprehensive Plan includes EAR-based amendment updates on the Goals, Objectives and Policies in the Coastal Management Element of the Comprehensive Plan. The amendment updates climate related policies and maps, and commits to coordination with Broward County on priority planning areas. It also supports the establishment of flood regulations and standards that are more stringent than the Florida Building Code and/or the National Flood Insurance Program, and commits to continued participation in the Community Rating System (CRS) program. The amendment meets the State of Florida Peril of Flood requirements of the Comprehensive Plan.</p> <p>2. The amendment does not create any adverse impacts to state or regional resources/facilities.</p>					



I am writing to advise you that the Department will not be issuing formal comments for the proposed City of Pompano Beach EAR based comprehensive plan amendment with DEO reference number 17-2ER.

The Department has technical assistance comments for the City to consider.

Proposed Coastal Management Element Policy 10.06.04: In addition to coordinating with Broward County, the Department recommends that the City provide for coordination with FDOT and other agencies that plan for or own, operate, and maintain public facilities/infrastructure within or crossing proposed AAAs.

In line with Coastal Management Element Policy 10.06.05, the City may want to consider addressing the potential for vulnerable/at risk transportation infrastructure in the Coastal Management, Transportation, and/or other element.

"Agile" and "resilient" were added to "quality" in the infrastructure goal in the Florida Transportation Plan (www.floridatransportationplan.com), when it was last updated. The Regional Climate Action Plan 2.0 developed by the Southeast Florida Regional Climate Change Compact includes recommendations in the Sustainable Communities and Transportation section on use of best available data and tools, including data and tools related to identifying vulnerable/at risk transportation infrastructure.

There is a growing body of studies and tools available addressing vulnerable/at risk transportation infrastructure in Southeast Florida:

Studies/Projects

The FHWA-funded *South Florida Climate Change Vulnerability Assessment and Adaptation Pilot Project*, led by the Broward MPO and covering the four counties in the Southeast Florida Regional Change Compact, was completed in 2015. A brief description follows:

An approach for analyzing climate change-related risks to the regional transportation network that can be replicated and updated over time was developed, and vulnerability rating and other maps were produced. Adaptation-oriented actions that can provide a stronger linkage between climate-related concerns/risks and transportation decision-making were identified. They relate to five areas: transportation policy, planning and project prioritization; rehabilitation or reconstruction of existing facilities in high risk areas; new facilities on new right of way in high risk areas; system operations; and system maintenance.

The final report, posted at

<http://www.browardmpo.org/images/WhatWeDo/SouthFloridaClimatePilotFinalRpt.pdf>, includes future flooding hotspot, adaptive capacity rating, vulnerability rating (road and rail track), current FEMA 100-year flood road segment inundation, and sea level rise (SLR) road segment inundation maps for Broward and the other counties in the Compact. The Broward MPO completed a follow up project in 2016 focused on extreme weather and climate change risk to the transportation system in Broward County. The final report is posted at http://www.browardmpo.org/images/Final_Report_-_FINAL_Submittal_to_BMPO_161103.pdf. A contact at the Broward MPO for more information is Buffy Sanders at 954-876-0046, sandersb@browardmpo.org.

At the Broward MPO's request, FDOT sponsored work on storm surge, SLR, and transportation network disruption (using the region's regional travel demand model) to supplement the regional pilot project. This work involved running six scenarios, surge and surge + SLR for three storms including ones that made landfall in Fort Lauderdale and Delray Beach. The inches of SLR used for the 2040 modeling horizon are from the Compact's 2015 Unified Sea Level Rise Projection. The final report includes maps showing inundated areas and disrupted links. A contact at FDOT for more information on this work and the availability of GIS data layers for maps in the three final reports is Lois Bush at 954-777-4654, lois.bush@dot.state.fl.us.

Tool

The Sea Level Scenario Sketch Planning Tool, developed by the UF GeoPlan Center for FDOT, can be used to help identify vulnerable/at risk transportation infrastructure in the City. The functionality of the tool was recently enhanced to integrate current and future flood risks. The enhanced tool evaluates the vulnerability of current and future transportation infrastructure relative to the 100- and 500-year FEMA flood zones and five hurricane storm surge categories as well as potential impacts of sea level rise in seven future years (every decade from 2040 - 2100). It is being used by local governments in their community planning and resiliency efforts (e.g., Monroe County and Satellite Beach) and can be accessed at <http://sls.geoplan.ufl.edu>. A contact at FDOT for more information is Jennifer Carver at 850-414-4820, jennifer.carver@dot.state.fl.us,

The Department requests from the City, an electronic copy of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz

Planning Specialist – Policy Planning & Growth Management

Planning & Environmental Management - FDOT District Four

3400 West Commercial Boulevard

Fort Lauderdale, Florida 33309-3421

Phone: (954) 777-4663; Fax: (954) 677-7892 | larry.hymowitz@dot.state.fl.us



To: Ray Eubanks, DEO Plan Review Administrator

Re: Pompano Beach 17-2ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.

A handwritten signature in cursive script, appearing to read "Suzanne E. Ray".



Subject: Pompano Beach, DEO #17-2ER
Comments on Proposed Comprehensive Plan Amendment Package

Dear Mr. Recor:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the City of Pompano Beach (City). The package includes the Comprehensive Plan's Evaluation and Appraisal Review based amendments. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the City in developing sound, sustainable solutions to meet the City's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

**jjjSUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.