

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

October 20, 2016

The Honorable George N. Cretekos
Mayor, City of Clearwater
Post Office Box 4748
Clearwater, Florida 33758-4748

Dear Mayor Cretekos:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Clearwater (Amendment No. 16-3ESR) which was received on September 23, 2016. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and have identified a comment below related to important state resources and facilities within the Agency's authorized scope of review that will be adversely impacted by the amendment if adopted. If unresolved, this comment may form the basis for a challenge to the amendment after adoption.

The Future Land Use Element proposed Policy A.1.2.3 provides for several criteria through which residential density could be increased in the City's Coastal Storm Area. Policy A.1.2.3 states that the City shall deny an amendment to the Future Land Use Map within the coastal storm area which results in an increase of residential density or intensity "unless upon a balancing" of the criteria defined in the policy. This provides a policy framework for which the City can increase population densities in the CHHA creating an adverse impact on this important state resource because none of the criteria listed in Policy A.1.2.3 ensure that amendments within the CHHA will meet the provision of Section 163.3178(8)(a)3., F.S., pertaining to providing adequate mitigation to address increasing residential density within the CHHA. The City should revise Policy A.1.2.3 to exclude increases in density within the CHHA or to require amendments to the future land use map, where property is located within the CHHA, demonstrate they meet the requirements of Section 163.3178(8)(a)3., F.S., before approval.

We are also providing two technical assistance comments consistent with Section 163.3168(3), F.S. The Agency's technical assistance comments will not form the basis of a challenge. They are offered as a suggested solution which can strengthen the City's comprehensive plan and foster vibrant, healthy communities.

The Future Land Use Element proposed Policy A.7.2.5 indicates that annexed parcels located within the proposed US 19 Corridor redevelopment area will be designated with the appropriate proposed US 19 Corridor land use category upon annexation. The policy should be revised to clarify that the property's land use designation will be through an amendment to the

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Future Land Use Map. An example would be using the following wording: the property "shall be designated through an amendment to the Future Land Use Map, with the appropriate future land use category upon annexation, consistent with the US 19 Regional Center, US 19 Neighborhood Center, and US 19 Corridor future boundaries depicted on Map A-17".

The Future Land Use Element Policy A.5.1.1 was revised to refer to Map 14 for identifying the Regional and Neighborhood Activity Centers as areas appropriate for intensive growth and an integrated pattern of development. However, the map does not show the two Activity Centers as referenced in the policy. Revise Map 14 to show the Regional and Neighborhood Activity Centers.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend that the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments may form the basis for a challenge to the amendment after adoption.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have attached procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Valerie Jenkins, at (850) 717-8493, or by email at valerie.jenkins@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning

JDS/vj

Enclosure(s): Procedures for Adoption

cc: Ms. Lauren Matzke, AICP, Long Range Planning Manager, City of Clearwater
Mr. Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council