



**TOWN OF REDINGTON BEACH, FLORIDA
PLANNING BOARD
REGULAR MEETING AGENDA
March 30, 2021**

The Planning Board of the Town of Redington Beach, Florida will meet on Tuesday, March 30, 2021 at 7:00 p.m. in Redington Beach Town Hall, at 105-164th Avenue, Redington Beach Florida.

Pledge of Civility

We will be respectful of one another even when we disagree.

We will direct all comments to the issues.

We will avoid personal attacks.

“Politeness costs so little.” – Abraham Lincoln

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

David Christ	Chairman
Ken Lotterhos	Vice Chairman
Ed Fernandez	Member
Louis Golda	Member
Pete Mattson	Member
Tim Thompson	Alternate Member
Steven Miller	Alternate Member

4. AGENDA APPROVAL – March 30, 2021

5. PAST MEETING MINUTES APPROVAL – January 19, 2021

6. PUBLIC FORUM FOR NON-AGENDA ITEMS

7. REVIEW OF TOWN ATTORNEY MEMO REGARDING DEFINITION OF COMPREHENSIVE PLAN CONSISTENCY.

8. UNFINISHED BUSINESS

a. **Ordinance 2020-01, Comprehensive Plan Amendment:** An Ordinance of The Town of Redington Beach, Pinellas County, Florida, Amending the Town’s 2008 Comprehensive Plan’s Infrastructure Element To Incorporate Policies Related To And Adopting The Town’s Ten Year Water Supply Facilities Work Plan, In Accordance With The Mandates Set Forth In Chapter 163, Florida Statutes, Specifically Section 163.3177(6)(C)3, and based on Updated Data And Analyses; Providing For Severability; And Establishing An Effective Date. – **Advertised Public Hearing**

9. NEW BUSINESS

a. Elevation of seawalls: 5-56(c)(1)(g) current minimum elevation for seawalls fronting Boca Ciega Bay is 4.12 feet NAVD.

b. Resolution 2020-12 Increase of Stormwater Utility Fee which will Establish Stormwater Utility Fees Pursuant to Section 403.0893, Florida Statutes and to Chapter 18.5 of the Town Code - **Advertised Public Hearing**

c. Ordinance 2021-05 An Ordinance of the Town of Redington Beach, Pinellas County, Florida, Adopting the Annual Amendment to the Schedule of Capital Improvements in the Capital Improvements Element of the Town of Redington Beach Comprehensive Plan, Providing for Severability; And Establishing an Effective Date. - **Advertised Public Hearing**

10. OTHER BUSINESS

11. ADJOURNMENT

One or More Elected or Appointed Officials May Be In Attendance

Please Note: If a person decides to appeal any decision made by the Planning Board with respect to any matter considered at the above cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. The Town maintains an audio recording of all public hearings. In the event that you wish to appeal a decision, the recording may or may not adequately ensure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (F.S. 286.0105, Florida Statutes). In accordance with the Americans with Disability Act and Florida Statutes 286.26, persons with disabilities needing special accommodations to participate in the proceedings should contact the Town Clerk's Office with your request. Phone (727) 391-3875 or Fax (727) 397-6911 for assistance; if hearing impaired, contact the Florida Relay Service Numbers (800) 955-8771 (TDD).

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TOWN OF REDINGTON BEACH, FLORIDA
PLANNING BOARD MINUTES

Tuesday January 19, 2021
7:00 PM

Having been duly advertised as required by law, The Regular Meeting of the Planning Board of the Town of Redington Beach, Florida, was held on Tuesday January 19, 2021, at 7:00 PM, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach, Florida.

Chair David Christ called the **Planning Board Meeting** to order and led the Pledge of Allegiance at 6:58 PM.

Roll Call

	Present	Absent
Chairman David Christ	X	
Vice Chairman Ken Lotterhos	X	
Member Ed Fernandez	X	
Member Lou Golda	X	
Member Peter Mattson	X	
Alternate Steven Miller	X	
Alternate Tim Thompson	X	
Town Planner Bruce McLaughlin	X	
Building Official Bruce Cooper		X

Also in attendance were Commissioner David Will, Commissioner Fred Steierman, Commissioner Tim Kornijtschuk, and Adriana Nieves, Deputy Town Clerk.

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Approval of Agenda of January 19, 2021

The Agenda was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos		X	X		
Member Ed Fernandez			X		
Member Lou Golda			X		
Member Peter Mattson	X		X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

Approval of Past Meeting Minutes of December 8, 2020

The Past Minutes was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos			X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson	X		X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

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Election of Chair (Chaired by Staff)

A motion by Ken Lotterhos and seconded by Ed Fernandez that David Christ be the Chair of the Planning Board was passed.

	Motion	Second	Aye	Nay	Absent
Member David Christ			X		
Member Ken Lotterhos	X		X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson			X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

Election of Vice-Chair

A motion by Ed Fernandez and seconded by Peter Mattson that Ken Lotterhos be the Vice Chair was passed.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Member Ken Lotterhos			X		
Member Ed Fernandez	X		X		
Member Lou Golda			X		
Member Peter Mattson		X	X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

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Election of Secretary

A motion by Ken Lotterhos and seconded by Ed Fernandez that Tim Thompson be the Secretary was passed.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos	X		X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson			X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

Public Forum for Non-Agenda Items

None.

Unfinished Business

A. Ordinance 2020-13 Land Development Regulation Amendment

Has been properly advertised as a **Continued Advertised Public Hearing**.

An Ordinance of The Town of Redington Beach, Pinellas County Florida, Repealing and Replacing Town Code Chapter 10, Floodplain Management, by Creating New Administration Requirements, New Definitions and New Provisions for Flood Resistant Development, Making Related Findings; Providing for Severability; And Establishing An Effective Date.

Bruce McLaughlin, Town Planner: Read Agenda Item 9a and commented that this ordinance is a state mandated Floodplain Ordinance and intends to remove inapplicable provisions from the adoption of Ordinance 2016-09. The Ordinance 2020-13 was modified to remove regulations not consistent to Redington Beach and will be forward to FDEM for approval. Specifically the modifications include the following changes:

- o Replaced generic references to "This community" with references to Redington Beach;
- o Allows the Clerk to designate responsibilities as floodplain manager to another person;
- o Corrects a reference to North Redington Beach;

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- Reflects the change in the site plan code allowing “site sketches” in certain circumstances; and
- Replaces the definition of “development” with definition from Chapter 380, Florida Statutes.

Ken Lotterhos stated two minor discrepancies. The first is Section 10-3 on page 4, line 38, the statement “The town clerk or her designee...”, need to remove the word “her.” The second is under the definition of “Development” on page 19, line 9, need to remove “mining operation.”

No public comment.

A motion by Ken Lotterhos and seconded by Ed Fernandez that the Redington Beach Planning Board find ORDINANCE 2020-13 to be consistent with the Town Comprehensive Plan and recommend that the Town Board adopt the ordinance was approved.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos	X		X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson			X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

B. Ordinance No. 2020-10 Land Development Regulation Has been properly advertised as an **Advertised Public Hearing**.

An Ordinance of The Town of Redington Beach, Pinellas County Florida, Amending Chapter 9 (Fire Prevention and Protection) of the Town Code to Remove Outdated, Preempted or Unenforceable Provisions and to Incorporate Current State and Federal Law Requirements; Making Related Findings; Providing for Codification, Severability, and an Effective Date.

Bruce McLaughlin, Town Planner: Explained the conflict between the fire code and Land Development regulations. Land Development regulation means ordinances enacted by governing bodies for the regulation of any aspect of development and includes and local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land, except that this definition does not apply. However, the term “development” means the carrying out of any building activity or mining operation, the making of any material changed in the use or appearance of any structure or land, to the dividing of land into three or more parcels. The Staff were authorized by the Mayor; to meet with the Madeira Beach and Seminole Fire Chiefs to

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discuss the substance of the Town's Fire Code and whether the Town wishes to adopt any local amendments to the Florida Fire Prevention Code. Staff recommends the Planning Board find the ordinance consistent with the Town Comprehensive Plan.

Ken Lotterhos asked what is the definition of "sparklers"?

Bruce McLaughlin stated that fireworks leave the ground and sparklers do not leave the ground.

Ken Lotterhos asked that the definition of sparklers and gunpowder be included in the ordinance to provide greater clarity on what is being allowed and disallowed by the proposed ordinance. It was noted that some residents may make their own ammo. Furthermore, a bullet shell contains gunpowder. Also the list does not address other explosive types like plastic explosives? Does the ordinance allows storing of plastic explosives?

Bruce McLaughlin stated he will confer with the Town Attorney.

Peter Mattson asked what is meant by the term special exception to using fireworks?

Bruce McLaughlin stated approval from the Town Board is a special exception.

Public Comment

Craig Whited of 16363 Redington Drive, asked why are we making the new ordinance more restrictive? He disagrees with taking liberties away.

Steve Redman of 16496 Redington Drive, is in agreement with Mr. Whited and also requested a gunpowder definition. Steve also asked why is Ordinance 2020-10 more restrictive than state law regarding the use of fireworks?

Chris Newman of 16357 Redington Drive stated: Do not restrict civil liberties with respect to gunpowder. A bag of gunpowder is not an explosive device.

Ken Lotterhos commented we should not restrict rights presently conferred under the existing ordinance. This ordinance should be sent back for further consideration.

Peter Mattson asked the ordinance be tabled for future discussion and cross-referenced with Florida state law.

A motion by Ken Lotterhos and seconded by Ed Fernandez that ORDINANCE 2020-10 to be continued in these chambers to the next Planning Board meeting on February 9, 2021 was passed.

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	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos	X		X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson			X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

New Business

A. Ordinance 2021-01, Land Development Regulation (Dock Code)
Has been properly advertised as an **Advertised Public Hearing**.

Amendment: An Ordinance Of The Town Of Redington Beach, Pinellas County, Florida, Amending Town Code Section 5-57 To Modify The Requirement That The Entire Dock Facility Be Contained Within The Center 1/3 Of The Adjacent Property Along The Waterfront, And Making Related Changes; Providing For Severability; And Establishing An Effective Date.

Bruce McLaughlin, Town Planner: Read addenda 10a. Email from Building Official Bruce Cooper, that the Pinellas County building code is more restrictive than the current ordinance.

Bruce McLaughlin stated that the issue is whether the dock and facilities should be contained in the center third of the lot or should the dock originate in the center third of the lot and the dock facilities, such as boat lifts, be outside the center third. The Ordinance 2021-01 restores the original provision that the dock originate in the center third of the lot. Other cities on the beach have very similar dock codes. Bruce McLaughlin states that neighbor waiver is problematic because a legitimate dock could be declined because of a neighbor's disagreement over something else. Also we are delegating the ordinance to a non-legal body. Waiver by staff will most likely be declined because the Staff is not qualified to make that decision. The Board of Adjustment can grant a variance for the center third requirement only on new docks. The Board of Adjustment did grant a variance on a dock longer than 30 feet because of shallow water. The Planning Board does have other options such as allow the boat lift, tie poles, and cat walks outside the center third but not to the 7.5 foot offset line. Bruce McLaughlin stated Ordinance 2021-01 is not consistent with the Comprehensive Plan.

Ken Lotterhos stated he does not live on the waterfront but knows we have strong opinions on both sides and we need to reach a compromise. Ken stated that the neighbor waiver

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process could be legal if the governing body retains ultimate decision authority, which is the case for the language used in the Redington Shores, Madeira Beach, and St. Pete Beach ordinances. The waiver language in these ordinances use the term “may” meaning the waiver is a consideration and not the final determination. Finally, residents should have a right to reasonable development of their own property.

Bruce McLaughlin stated that the docks are over sovereign submerged land in the water.

Ken Lotterhos responded that the Town has already given people rights to develop over that land.

David Christ asked about 12 foot set back instead of 7.5 feet. Is that consistent with the Comprehensive Plan?

Bruce McLaughlin answered that 12 feet is more compliant than 7.5 feet.

Lou Golda commented if a property has 60 feet of waterfront, that a 12 foot offset allowed 36 feet for dock and facilities and 10 foot offset allowed 40 feet for dock and facilities.

Public Comment

Steve Redman, 16496 Redington Drive. An expansive reading of the Comprehensive Plan will take us back to being all nature. Make the dock and facilities fit within the 7.5 foot offset like the old ordinance. No one complained about the 7.5 foot offset. We are just limiting new people from doing what others have already done.

Ed Fernandez said 7.5 feet was chosen because it is consistent with the current lot offset line.

Craig Whited, 16363 Redington Drive stated a 12 foot lift does not work because the poles outside the lift need more space. Only the dock should be in the middle third with the 7.5 foot offset limit for the lifts.

Chris Newman 16357 Redington Drive stated we should go back to the old ordinance. The Town Planner is making things more restrictive.

Ken Lotterhos asked if there were any residents present “Who wants to argue the other side?”

David Christ asked how to make the ordinance consistent with the Comprehensive Plan? And, if not, consistent what are the issues with not being consistent?

Bruce McLaughlin answered you can make a finding that the ordinance is consistent with the Comprehensive Plan at 7.5 feet, or 10 feet, or 12 feet.

Ken Lotterhos argued that the Planning Board needs to understand what are the legal steps, what is the standard in finding an ordinance consistent with the Comprehensive Plan?

Steve Redman stated that this is not about the Comprehensive Plan but the current 2018 ordinance has a typo.

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Steve Miller read the history of the 2018 ordinance and recommended it for approval to the Town Board.

Richard Cariello of 16001 2nd Street E stated he wanted to be on record that only one word needs to be changed in the existing ordinance.

A motion by Ken Lotterhos and seconded by Ed Fernandez that the Redington Beach Planning Board find ORDINANCE 2021-01 to be consistent Town Comprehensive Plan and recommend that the Town Board adopt the ordinance was approved.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Ken Lotterhos	X		X		
Member Ed Fernandez		X	X		
Member Lou Golda			X		
Member Peter Mattson			X		
Alternate Steven Miller			X		
Alternate Tim Thompson			X		

Other Business

Ken Lotterhos requested the Planning Board receive guidance from Town Attorney concerning the standard for finding an ordinance consistent with the Comprehensive Plan.

Ken Lotterhos also requested new ordinances get more prominent space on the Town website.

Adjournment

Meeting was adjourned at 8:30 PM by Chair.

Next Planning Board meeting: February 9, 2021

Adriana Nieves, CMC
Deputy Town Clerk

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FLORIDA MUNICIPAL SERVICES
c/o 17425 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

March 26, 2021

Advertised Public Hearing
Meeting Date: March 30, 2021
Agenda Item: 8.a.

MEMORANDUM

TO: Redington Beach Planning Board

FROM: R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Ordinance 2020-01, Comprehensive Plan Amendment, Water Supply Facilities
Work Plan

Staff requests that the public hearing on this matter be opened and continued to a date and time certain. This matter was advertised for March 30, 2021 to take advantage of the need to advertise another Comprehensive Plan Amendment. However, other items on the March 30 agenda, which are all inter-related, have taken up the time needed to prepare this item for the Board.

The Town has received recommendations and comments on this item from the State reviewing agencies, including late-arriving comments from Pinellas County Utilities and Tampa Bay Water. The State has been advised that the amended document will be submitted to the state by June 9, 2021.

RBMcL/m
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BRUCE McLAUGHLIN CONSULTING SERVICES, INC.

900 Gulf Boulevard, Suite 303
Indian Rocks Beach, Florida 33785
Phone: 727/595-7634 Cell: 727/244-7311
Email BruceSandy@aol.com

March 26, 2021

Meeting Date: March 30, 2021
Agenda Item: 9.a.

MEMORANDUM

TO: Town of Redington Beach Planning Board

FROM: R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Seawall Heights, Initial Discussion

EXECUTIVE SUMMARY

Since at least 1980, the Town Code has required seawalls on the Bay side to be a minimum of 4.12' NAVD and on the Gulf side, 5.12', NAVD. In response to a single complaint about this requirement, the Town Board instructed Staff to analyze the appropriateness of this law. Based on the analysis below, **STAFF RECOMMENDS THAT THE MINIMUM HEIGHT FOR A SEAWALL ON THE BAY BE RAISED TO 5', NAVD AND ON THE GULF BE RAISED TO 6' NAVD.**

BACKGROUND

Location: All waterfront lots (Gulf and Bay) in the Town. This analysis focuses on the Bay side of the Town since the vast majority of seawall construction occurs on the Bay. Further, Gulf-front homeowners appear to be interested in building their seawalls higher than the required minimum height. However, this analysis generally applies to the Gulf-front as well as the Bay-front properties.

Measurement data: There are two vertical measurements data: NGVD 29 (National Geodetic Vertical Datum, 1929) and NAVD 88 (North American Vertical Datum, 1988). The latter is obviously more recent and is also more accurate,¹

¹ Southwest Florida Water Management District (SWFWMD), *Vertical Datum Upgrade Frequently Asked Questions*, Author, Brooksville Florida, accessed at: <https://www.swfwmd.state.fl.us/resources/data-maps/vertical-datum-upgrade-frequently-asked-questions>, accessed March 25, 2021.

with a datum being a standard starting point from which measurements are taken.² In SWFWMD's jurisdiction, the downward shift from NGVD to NAVD varies from 0.7' to 1.1'.³ Staff previously calculated the downward shift in the Pinellas County area at 0.88' or a factor of 0.824. All citations in this staff report will be in NAVD 88 and where the original source was in NGVD, the NGVD citation will be reduced by 0.88'.

THE REQUEST

That the Planning Board evaluate the appropriateness of the Town Code's requirements that seawalls on the Bay have a minimum height of 4.12' and that seawalls on the Gulf have a minimum height of 5.12' and consider whether any change to the required minima would be appropriate and consistent with the Town's Comprehensive Plan.

HISTORY

Seawall height on the Gulf was regulated in the 1972 Code and was set at 5.12' NAVD. The same document establishes the minimum height for seawalls on the Bay at 4.12' NAVD. While the Bay-side height is not linked to the 1972 Code, there is every reason to believe that the minimum heights were both set forth in the 1972 Code and adopted sometime before 1972.

There is no doubt that both minima are found in the 1980 Code and have been in effect for at least 40 years. It is more probable that both minima were established before the adoption of the 1972 Code and have been in effect for more than 48 years. It does appear, however, that enforcement over the years has been, at best, "lax."

CODE APPLICATION

Since the undersigned took over zoning plan reviews, 13 seawall permit applications have been reviewed.⁴ The table on the following page gives the details of these projects.

² *Ibid.*

³ *Ibid.*

⁴ Two other seawall projects are awaiting resubmittal: one is almost certain to be approved; the second may not be approved for reasons unrelated to the seawall height.

REDINGTON BEACH
SEAWALL PERMITS
April 1, 2020 -March 18, 2021

Seawall Permit TrackingA
03/25/21

Permit NO.	STREET NO. NAME	FIRST REVIEW DATE OUTCOME	SUBSEQUENT REVIEWS	STATUS
00158	16313 Redington	05/14 Denied	05/21 5/21 Approved by BO	✓
00170	16107 5th	06/09 Denied	10/20 Approved	✓
00189	16113 6th	06/15 Denied	7/15 DENIED, 12/8 Approved	X
00187	16111 6th	06/16 Denied	7/15 Denied	IP
00192	15705 Redington	06/16 Denied	10/13 Denied: 12/22 Approved	✓
00244	506 161st	07/31 Denied	9/15 Approved w/cmnts	✓
00284	16486 Redington	09/11 Approved		I
00285	16219 Redington	09/11 Denied	11/6 Approved	I
00287	15538 Redington	09/15 Denied	10/20 Approved	I
00342	16113 6th	11/12 Denied	12/2 Approved	✓
00343	16111 6th	11/12 Denied	12/2 Approved	I
00402	15812 Gulf	12/10 Denied		?
00055	16105 4th	02/09 Denied	3/18 Granted Variance	IP

STATUS

✓ = Project Complete
I = Permit Issued
X = Permit application expired
? = Unknown
IP = In Progress

SUMMARY	
TOTAL PROJECTS	13
COMPLETE	5 38.46%
IN PROGRESS	1 7.69%
PERMIT ISSUED	4 30.77%
PERMIT EXPIRED	1 7.69%
GRANTED VARIANCE	1 7.69%
UNKNOWN	1 7.69%

In summary, of these 13 projects, only two (15%)⁵ may have been “thwarted” by the application of the height requirement, although one project sought and received a variance from the height requirement. It is unknown whether the permit for 16113 6th was allowed to expire because of the height issue or for some other reason.

Eighty-five percent of the projects were able to be built at the required 4.12' NAVD or with a variance. Of the 12 projects that did not seek a variance, at most two (16/6%) were apparently “thwarted” by the height requirement.

Accordingly, enforcement of the height requirements has **not** impeded the construction of seawalls in the Town.

COMPARABLE CODES

Although the key issue is not what is appropriate for other jurisdictions but rather what is appropriate for the Town of Redington Beach, it is useful to consider the codes of the other eight jurisdictions on the barrier islands.⁶ The table on the following page summarizes these codes.

Four of the eight jurisdictions, either by numerical standards or by cross-references to the Pinellas County code, have the same standard as Redington Beach: 4.12' NAVD.⁷

Redington Shores requires its seawalls to be considerably higher at 7.62 - 6.62' NAVD. Belleair Beach imposes the same 4.12' NAVD on the west shore of Clearwater Harbor, requiring other seawalls to be level with the adjacent yard. Indian Rocks Beach prohibits new seawalls, requiring instead “soft” transitional areas to perform the same function.

The outlier is Madeira Beach. Madeira sets a height limit instead of a minimum height. That requirement is no higher than the crown of the adjacent road or no more than 12" higher than the neighboring seawalls.

Therefore, to the extent relevant, four of the seven barrier island local governments that permit new seawalls have the same minimum height as Redington Beach and Belleair Beach imposes the

⁵ The status of the Gulf Boulevard project is unclear: subsequent events indicate that it may be resubmitted at a height above the required minimum.

⁶ Clearwater is excluded because it has a large area on the mainland and Belleair Shore is excluded because it has no Intracoastal frontage.

⁷ North Redington Beach converts the NGVD requirement to 4.25' NAVD.

PINELLAS COUNTY BARRIER ISLANDS

SEAWALL CODES

Seawall Code CompA
03/26/21

HEIGHT REQUIREMENTS

JURIS	REQM'T	SOURCE
Pinellas County	4.1	58-576
Belleair Bch	Level w/yard	90-138 (b)
	4.1 ^a	90-138 (a)
Indian Ricks Bch	Banned	94-131
Indian Shores	X-ref County	106-43
Redington Shores	6.6 - 7.6	90-15.4
North Redington Bch	X-ref County	18-141
Madeira Beach	^b	14-213
Treasure Island	4.1	69-74
St. Pete Beach	4.1	98-100

NGVD > NAVD = -0.88

^a West shore Clw Harbor only

^b 12" above neighbor, no higher than crown of road

same minimum over part of its territory. Redington Shores has a much higher minimum height. Only parts of Belleair Beach and Madeira Beach permit lower seawalls than Redington Beach.

COMPREHENSIVE PLAN CONSISTENCY

Lowering the required minimum height of seawalls in the Town – and in fact failing to raise that minimum – is clearly not just inconsistent with the Town’s Comprehensive Plan but gravely inconsistent. This is particularly true of the newly adopted peril of flood policies in the Conservation and Coastal Management Element (CCME):

CCME GOAL 4: Protect and enhance the Town's natural and built environment to avoid or withstand the effects of climate change, rising sea level, extreme high tides and storm surge to ensure net zero loss of buildable properties.

CCME Objective 4.1

Increase the Town's resiliency to the impacts of climate change and rising sea levels by developing and implementing adaption strategies and measures in order to protect human life, natural systems and resources and public infrastructure, services, and public and private property.

CCME Policy 4.1.1

Based on rising seas data as they evolve and associated vulnerabilities, to allow for flexible adjustments, preserve future strategic adaptation implementation options to maintain maximum resiliency in response to new risks and vulnerabilities; the Town will take advantage of new emerging data and technological opportunities. The Town's basis for measuring sea level rise shall be as per the Recommended Projection of Sea Level Rise in the Tampa Bay Region, as may be revised from time-to-time by the Tampa Bay Climate Science Advisory Panel.

CCME Policy 4.1.3

As per Section 163.3164(1) and Section 163.3177(6)(g)(10), Florida Statutes, an Adaptation Action Area (AAA) is an optional designation within the coastal management element of a local government's comprehensive plan which identifies one or more

areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning.

The entire Town is hereby designated as an AAA, as all areas meet considerations for AAA designation, which include the following:

- a. Areas which experience tidal flooding, storm surge, or both;
- b. Areas which have a hydrological connection to coastal waters;
- c. Locations which are within areas designated as evacuation zones for storm surge; and
- d. Other areas impacted by stormwater/flood control issues.

CCME Policy 4.1.4

The Town will develop and implement adaptation strategies for areas vulnerable to coastal flooding, tidal events, storm surge, flash floods, stormwater runoff, salt water intrusion and other impacts related to climate change or exacerbated by sea level rise, with the intent to increase the community's adaptability and resiliency capacities.

...

CCME Policy 4.1.6

AAAs adaptation strategy options include:

- a. Protection: Strategies that involve "hard" and "soft" structurally defensive measures to mitigate impacts of rising seas in order to decrease vulnerability while allowing structures and infrastructure to remain unaltered. Two examples are shoreline armoring and beach re-nourishment. Protection strategies may be targeted for areas of a community that are location-dependent and cannot be significantly altered or relocated, such as areas of historical significance, or water-dependent uses.

CCME Policy 4.1.7

The Town shall pursue funding sources for the implementation of AAA adaptation strategies including the following:

- a. Federal and State grants and technical expertise assistance (in-kind)
- b. Local Stormwater Utility Fees and CIP (Capital Improvement Plan) prioritization
- c. Prioritization/Private Partnerships
- d. Pinellas County Local Mitigation Strategy (Hazard Mitigation Grant Program)
- e. Other sources

CCME Policy 4.1.9

The Town shall align and be consistent with, to the extent possible, relevant and current national, state, and regional adaptation strategy documents such as the Recommended Projection of Sea Level Rise in the Tampa Bay Region, UF/GEO Plan Center's Sea Level Scenario Sketch Planning Tool, and The President's Climate Action Plan as well as other regional strategic plans, disaster mitigation plans, water management plans, transportation/transit plans, and climate change plans.

CCME Objective 4.3

The Town will identify site and development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in the State of Florida.

CCME Policy 4.3.8

The Town shall assess the natural shoreline areas vulnerable to sea level rise and adopt standard means and methods to protect and preserve the upland areas immediately adjacent to these areas in cooperation with FDEP, ACOE and SWFWMD.

CCME Policy 4.3.9

The Town shall continue 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 residents.

CCME Objective 4.4

The Town will 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.

CCME Policy 4.4.1

The Town will review its Land Development Code and other related codes, and amend as necessary, to ensure will that the Town's development regulations applicable to development and redevelopment in the Town will consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. part 60.

In addition to the raising of the required minimum seawall height (or at least the maintenance of the current minima) being consistent with the recently adopted Peril of Flood Comprehensive Plan policies, raising the required minimum seawall height is consistent with the Future Land Use Element (FLU) and Infrastructure Element (IE) of the Town's Comprehensive Plan as follows:

[FLU] Policy 1.1.2

Residential areas shall be located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors, and noise.

[FLU] Policy 2.3.1

The Town of Redington Beach, acknowledging its particular vulnerability to coastal hazards as a barrier island community, recognizes the entire town as within the Coastal Storm Area ...

[FLU] Policy 3.1.4

The land development regulations shall contain specific and detailed provisions required to implement this comprehensive plan, which, at a minimum:

...

7. Provide for drainage and stormwater management, based on the minimum criteria established by the Southwest Florida Water Management District, the Town of Redington Beach or other appropriate governmental agencies;

IE Goal 2:

To endeavor to provide an efficient drainage system which protects human life, minimizes property damage, and improves stormwater quality and on-site retention.

IE Objective 2.1

The Town shall seek to improve the stormwater drainage system located within its municipal boundaries.

IE Policy 2.1.4

Implement the town's Watershed Management Plan in conjunction with the Southwest Florida Water Management District to address existing drainage and flooding conditions.

IE Policy 2.3.2

Consistent with budget allocations, the Town shall continue to retrofit the existing drainage system in conjunction with the Southwest Florida Water Management District.

Accordingly, raising the required minimum seawall height – or at least not lowering that height – is consistent with the Conservation and Coastal Management, Future Land Use and Infrastructure Elements (IE) of the Town's Comprehensive Plan and is arguably mandated by the Plan.

OTHER CONSIDERATIONS

The Tampa Bay Regional Resiliency Coalition

The Town of Redington Beach is a member of this Coalition which has provided minimum recommendations and guidelines regarding minimum seawall heights. The recommendation for a new seawall in the Tampa Bay Region is 5', NAVD 88. This recommendation is based on the National Oceanic and Atmospheric Administration's "High" sea level rise scenario for the year 2060 (3.48')⁸ plus a king tide (1.74'). (Attachment) Consistent with the Town's membership in this Coalition, the Coalition's recommendations should be implemented.

⁸ 2060 was selected as the target year because the life expectancy of a seawall is estimated at 40 years.

March 26, 2021

Grants

As noted in Agenda item 9.b, the Town is actively pursuing grants to improve its stormwater system. The Town has already disqualified itself from at least one grant source when it raised its permitted impervious surface ratio. As will be more fully explained by the Town's Special Stormwater Engineer, lowering the minimum height for seawalls is likely to have a detrimental effect on future stormwater improvement grant applications.

Community Rating System

The Town participates in the National Flood Insurance Program. Flood insurance premiums are set based on the Federal Community Rating System. Also germane to this issue are the Flood Insurance Rate Maps which have recently been amended and which amended maps take effect on August 24, 2021.

As part of the implementation of the new flood maps, Pinellas County has undertaken a Vulnerability Assessment which shows that the new flood maps are likely to be understating the actual flood threat. The effect of these efforts is to lower the Town's CRS rating, leading to higher insurance premiums.

While seawalls are specifically excluded as a flood protection component in CRS category 530, it would appear that seawalls could have an impact on the Town's CRS rating under category 430, Higher Regulatory Standards. That impact would be negative and could lead to higher flood insurance premiums for all of the Town's property owners.

RECOMMENDATION

Based on the foregoing, **STAFF RECOMMENDS THAT THE PLANNING BOARD FIND THAT THE TOWN'S COMPREHENSIVE PLAN MILITATES FOR THE ESTABLISHMENT OF HIGHER MINIMUM HEIGHTS FOR SEAWALLS OR AT LEAST THAT LOWERING THE MINIMUM HEIGHTS WOULD BE INCONSISTENT WITH THE PLAN AND RECOMMEND THAT THE TOWN BOARD ACT ACCORDINGLY.**

ATTACHMENT
GUIDELINES FOR SHORELINE AND SEAWALL CONSTRUCTION
IN THE TAMPA BAY REGION

Guidelines for Shoreline and Seawall Construction in the Tampa Bay Region

Seawalls are a last resort against the landward encroachment of the sea. They should only be used when no other option is possible and there is something of high value in the built environment that needs protection.

BACKGROUND

During the 1050's and 1960's, the Tampa Bay Region experienced the start of a massive influx of people and the accompanying construction of residences and businesses that continues to this day. Near the water, this development included dredging natural waterways and using that spoil material to raise land elevations, thus making them suitable for residential home construction. Barrier walls (seawalls) were constructed to separate dry land from water.

The vast majority of seawalls consist of concrete panels, a concrete cap, and steel tieback rods. Their elevation varies throughout the region. Since the design life of concrete seawalls is 40 to 50 years, and many are now in their replacement stage. In response to Sea Level Rise, there is a need to establish or update legal standards for their replacement as there is little, if any, consistency in municipal codes with respect to elevation. In particular, a Coastal Barrier Height for the Tampa Bay Region needs to be established.

FACTORS TO BE CONSIDERED PRIOR TO SHORELINE AND COASTAL BARRIER CONSTRUCTION

Minimum ecological impacts to highest impacts

Vegetation only on edges holds toe of vegetative slope in place

Sills – beach nourishment – large volume of sand added to an eroding beach

Beach nourishment plus dune vegetation

Breakwater – offshore structure that breaks waves reducing force of wave action

Groin – perpendicular to shoreline intercepts water flow and sand moving parallel to shoreline

Living shoreline designs can be used or added to design features at an efficient price and with full protection of the land.

Riprap provides stability and ecological enhancement to shorelines.

When upland grade is altered by backfilling, drainage plans will be required.

Stormwater systems must be considered when seawall elevations are raised. Check valves or other stormwater mechanisms may be required.

Presence of submerged aquatic vegetation.

Access

Adjacent property

Outfalls

Wave energy increases extent of stabilization required
Salinity re oysters
Presence of submerged aquatic vegetation

SEAWALL ELEVATION IN THE FACE OF SEA LEVEL RISE

Any new seawall must be designed with consideration of future sea level rise in mind. The determination of seawall elevations presented herein is based on the TB-CSAP NOAA high scenario for sea level rise in the year 2060, which is 40 years from now and the estimated lifespan of a seawall. That number is 3.48 feet above mean sea level. Adding on an additional 1.74 feet for predicted king tides, the recommended height for a seawall would be 5 feet (5.22 round down to 5 feet to account for uncertainties and the likely rising cost of seawall construction). This is also the recommended maximum height for seawalls in Broward County.

[Role of Nuisance Flooding]

ISSUES

Raising a seawall can create a number of issues. For example, aesthetic problems arise with a higher wall, whereas a living shoreline might enhance a view and improve environmental conditions. The need for fill might conflict with "no fill" legal requirements. Costs for seawall construction will only go up as time passes. Living shorelines may offer a cheaper alternative.

A phased in seawall height increase could be used to reduce the economic burden of new construction. A seawall could be designed and permitted in a manner that allows for stepped elevation increases that are based on predicted sea level rise for years before 2060. Thus, the height increase could be stepped up over a number of years prior to 2060. For example, a seawall could be built to a height of 4 feet above mean sea level until 2030 and then to 5 feet between 2030 and 2060.

A variety of different shoreline structures (living shorelines that incorporate smaller barriers, seagrass, mangroves, oyster reefs) should be considered at all seawall sites.

Seawall enhancement

Riprap

Mangroves

Short term solution as compared to living shoreline

ECONOMICS

Getting buy-in for increased cost of building a higher seawall than is currently required may be a large problem.

There is significant cost to building a seawall and a wide variety in the value of property being protected.

LIVING SHORELINES

Living shorelines are a natural approach to stabilizing the shoreline. In many locations, they can be used in the place of a seawall. They stabilize a shoreline and provide erosion control while also protecting, restoring, and enhancing natural shoreline habitat.

- Living shorelines stabilize the shoreline and reduce erosion and storm damage.
- They provide ecosystem services such as natural habitat and increased flood storage capacity.
- They are created with natural materials such as native vegetation, oysters, rocks, or logs.

PERMITTING

- An ever-evolving process
- Local vs. state permitting
- USACE
- Mangroves can be trimmed

COSTS

- materials
- labor
- monitoring

Living shorelines can be a cost-effective alternative to hardened shorelines

BENEFITS OF A LIVING SHORELINE

- Dissipate wave energy
- Provide habitat, increase biodiversity
- Clean runoff trapping sediment or filtering water
- Reduce erosion
- Stabilize the shoreline
- Provide access to the water – recreation

- Seawalls have to be replaced. Living shorelines only have to be maintained. Eventually they may become self-sustaining.
- Resilient to sea level rise

SITE CONSIDERATIONS

Slope, orientation, topography, bathymetry, sediment characteristics, currents, waves, fetch

Minimum slope of 4:1. 10:1 preferred

Steepness of banks

Currents

Sediment transport

TYPES OF SHORELINE STABILIZATION

- Vegetative plantings
- Fibre log
- Geoweb
- Oysters
- Rock
- Logs
- Offshore breakwater structure
- Revetment – lays over slope of shoreline and protects slope from erosion
- Bulkhead – vertical retaining wall holding soil in place and allowing for a stable shoreline
- Seawall – absorbs and limits impacts of waves

VEGETATION CONSIDERATIONS

- Adequate planting depth
- Timing, plant condition
- Grade
- Spacing

OYSTER REEF CONSIDERATIONS

- Size
- Shape
- Orientation
- Distance from MHWL
- Grade
- Spacing

MONITORING

Done over time to evaluate ecological restoration

BRUCE McLAUGHLIN CONSULTING SERVICES, INC.

900 Gulf Boulevard, Suite 303
Indian Rocks Beach, Florida 33785
Phone: 727/595-7634 Cell: 727/244-7311
Email BruceSandy@aol.com

March 26, 2021

TRB

Advertised Public Hearing

Meeting Date: March 30, 2021

Agenda Item: 9.b

MEMORANDUM

TO: Redington Beach Planning Board

FROM: R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Stormwater Utility Fee

EXECUTIVE SUMMARY

Section 18.5-21(a) of the Town Code, adopted in 2006 and unchanged since, sets the Stormwater Utility Fee at \$7.50 per unit per month. The Town is embarking on major stormwater improvements, some funded by grants from other entities, and which improvements are consistent with and implement the Town's Comprehensive Plan. Per the Town's Special Stormwater Engineer, to properly fund the planned stormwater improvements, the Stormwater Utility Fee should be set at \$15.00 as set out in proposed Resolution 2020-13. **STAFF RECOMMENDS THAT THE PLANNING BOARD FIND RESOLUTION 2020-13 CONSISTENT WITH THE COMPREHENSIVE PLAN AND RECOMMEND ITS ADOPTION.**

BACKGROUND

Applicant	Town of Redington Beach
Affected Area	Entire Town

THE REQUEST

That the Planning Board review proposed Resolution 2020-13, (attachment A), find the Resolution consistent with the Town's Comprehensive Plan and recommend it to the Town Board for approval.

NOTICE

The Clerk's office will advise as to the notice given of this advertised public hearing.

AUTHORITY

The Town of Redington Beach Planning Board is also the Town's Local Planning Agency (Town Code § 15-27). The Local Planning Agency has the responsibility to:

- (4) The local planning agency shall have the general responsibility for the conduct of the comprehensive planning program. ...

Section 163.3174(4), Florida Statutes, 2019.

The stormwater system improvements to be funded by the increased Stormwater Utility Fee are established in the Comprehensive Plan's Infrastructure Element and identified in the Schedule of Capital Improvements in the Comprehensive Plan's Capital Improvements Element (CIE). Thus, providing the funding required by the CIE is a part of the conduct of the comprehensive planning program and it is within the Board's jurisdiction to review and make a finding and a recommendation with respect to proposed Resolution 2020-13.

HISTORY

The current Stormwater Utility Fee was set by Ordinance 2006-04 in August, 2006. That Ordinance raised the fee from \$2.50 per month to \$7.50 per month. The background of the fee was established:

Attorney Amadio reported that the proposed Ordinance 2006-04 is to raise the stormwater fees from \$2.50 per month to \$7.50 per month. A discussion followed on the debts incurred in the Stormwater fund, the loan to be repaid and the Phases of the stormwater improvements underway and their projected costs. Mark Deighton of the Finance Committee explained the costs and the depreciation required and how the future costs are calculated. Mr. Deighton stated this increase will cover the costs of Phase I of the project and future increases will be needed to cover future Phases of the improvements to the Stormwater System.

As part of the overall rewrite of the Town Code, Chapter 18.5 is being rewritten. Staff recommended, and the Town Board has concurred, that Chapter 18.5 no longer include the actual Stormwater Utility Fee but that said fee be established by resolution. The current Resolution establishing the Stormwater Utility Fee is Resolution 2020-13, the subject of this report.

Resolution 2020-13 was reviewed by the Town's Finance Committee in January, 2021. The review was based on the report of the Town's Special Stormwater Engineer (Attachment B).

Based on said review, the Finance Committee adopted the recommendation of the Stormwater Engineer and recommended increasing the Stormwater Utility Fee to \$15.00 per unit per month except for the two multi-family units (La Contessa, 16326 Gulf Boulevard, and Vizcaya, 16300 Gulf Boulevard) with onsite stormwater management facilities for which the fee would be \$11.25 per unit per month. The Special Stormwater Engineer concurs with this recommendation.

COMPREHENSIVE PLAN CONSISTENCY

Enhancing the Town's stormwater management system, as the increase Stormwater Utility Fee will permit, is consistent with the Future Land Use Element (FLU) and Infrastructure Element (IE) of the Town's Comprehensive Plan as follows:

[FLU] Policy 1.1.2

Residential areas shall be located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors, and noise.

[FLU] Objective 1.5

All development orders and permits for development and redevelopment activities shall be issued only if the public facilities necessary to meet the level-of-service standards as adopted pursuant to this comprehensive plan, are available concurrent with the impacts of the development.

[FLU] Policy 2.3.1

The Town of Redington Beach, acknowledging its particular vulnerability to coastal hazards as a barrier island community, recognizes the entire town as within the Coastal Storm Area ...

[FLU] Policy 3.1.4

The land development regulations shall contain specific and detailed provisions required to implement this comprehensive plan, which, at a minimum:

...

7. Provide for drainage and stormwater management, based on the minimum criteria established by the Southwest Florida Water

Management District, the Town of Redington Beach or other appropriate governmental agencies;

...

10. Provide provisions for the control of erosion and runoff from construction sites.

IE Goal 2:

To endeavor to provide an efficient drainage system which protects human life, minimizes property damage, and improves stormwater quality and on-site retention.

IE Objective 2.1

The Town shall seek to improve the stormwater drainage system located within its municipal boundaries.

IE Policy 2.1.2

Ensure that the developer or owner of any new development or redevelopment site is responsible for the on-site management of stormwater runoff so that post-development runoff rates, volumes, and pollutant loads do not exceed predevelopment conditions.

IE Policy 2.1.3

Future drainage outfalls associated with either new development or redevelopment, shall be designed to prevent the direct discharge of runoff into Boca Ciega Bay or the Gulf of Mexico.

IE Policy 2.1.4

Implement the town's Watershed Management Plan in conjunction with the Southwest Florida Water Management District to address existing drainage and flooding conditions.

IE Objective 2.2

All development within the Town of Redington Beach shall meet the adopted level-of-service standard for stormwater drainage.

IE Policy 2.2.1

All development activity shall adhere to the level-of-service standard for drainage requirements of the 25 year, 24 hour rainfall storm design standard.

IE Policy 2.2.2

New development, redevelopment, and rehabilitation shall meet and maintain the standards established by the Florida Department of Environmental Regulation for the Outstanding Florida Waters and Aquatic Preserve designations of Boca Ciega Bay that require an additional fifty percent storage and treatment on site.

IE Policy 2.2.3

The following management techniques shall be used to reduce stormwater runoff:

1. Expansion and regular maintenance of retention swales adjacent to town roadways; and
2. Use of front, rear and side lot line swales for new construction or redevelopment;
3. Use of erosion and runoff control devices during construction.

IE Policy 2.2.4

The land development regulations shall continue to enforce provisions which, at a minimum, protect natural drainage features found within the Town as follows:

1. All applications for development approval within those areas identified as coastal high hazard area shall undergo site plan review;
2. The flood-carrying and flood storage capacity of the 100-year floodplain shall be maintained;
- ...
4. The prevention of erosion, retardation of runoff and protection of natural functions and values of the floodplain shall be considered while promoting public usage; and
5. The Town shall require development or redevelopment proposals to be consistent with the performance standards regulating development within the designated floodplain.

IE Objective 2.3

The Town shall take positive steps to implement its Watershed Management Plan.

IE Policy 2.3.1

The Town shall assess existing conditions and recommend modifications or cures to relieve existing drainage problems.

March 26, 2021

IE Policy 2.3.2

Consistent with budget allocations, the Town shall continue to retrofit the existing drainage system in conjunction with the Southwest Florida Water Management District.

Accordingly, based on the recommendations of the Town's Special Stormwater Engineer, setting the Stormwater Utility Fee at \$15.00 per unit per month (\$11.25 for La Contessa, 16326 Gulf Boulevard, and Vizcaya, 16300 Gulf Boulevard) is consistent with and implements the Town's adopted Comprehensive Plan.

SPECIAL STORMWATER ENGINEER'S REPORT AND RECOMMENDATION

The Special Stormwater Engineer's Report and Recommendation is found as Attachment B and is incorporated herein.

RECOMMENDATION

Based on the foregoing analysis, the report of the Special Stormwater Engineer and the findings and recommendations of the Finance Committee, **STAFF RECOMMENDS THAT THE PLANNING BOARD FIND RESOLUTION 2020-13 CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN AND RECOMMEND THAT THE TOWN BOARD ADOPT THE RESOLUTION.**

ATTACHMENT A
RESOLUTION 2020-13

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RESOLUTION 2020-13

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF
REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, SETTING THE
STORMWATER UTILITY MANAGEMENT FEE PURSUANT TO TOWN
CODE CHAPTER 18.5, ARTICLE II, MAKING RELATED FINDINGS;
PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, Article II of Chapter 18.5 of the Town Code establishes and provides for
the collection of Stormwater Management Utility Fees; and

WHEREAS, the current Stormwater Management Utility Fee was set in 2006, has not
been amended since, and is found in Section 18.5-21 of the Town Code; and

WHEREAS, Section 18.5-21 has been amended to require the Town Board of
Commissioners to set the Stormwater Management Fee by resolution; and

WHEREAS, the imposition of a Stormwater Management Fee is an equitable and
efficient method of allocating and apportioning the cost of the Town's Stormwater Management
Service among parcels of property that are burdening the Town's Stormwater System and thus
specially benefitted by provision of the Stormwater Utility; and

WHEREAS, the Town has embarked on a program of capital improvements to its
stormwater system, is seeking and has sought and obtained grants for said improvements; and

WHEREAS, the fee established by this Resolution has been reviewed by the Town's
Finance Committee and recommended for adoption; and

WHEREAS, the fee established by this Resolution has been reviewed by the Town's
Planning Board acting as the Local Planning Agency, and recommended for adoption; and

WHEREAS, the imposition of this fee is specifically authorized by Section 403.0893,
Florida Statutes; and

WHEREAS, this Resolution has been presented to property owners in, and residents of,
the Town at public hearings on December 8, 2020, December 16, 2020, March 30, 2021 and
April 7, 2021.

1 **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF**
2 **COMMISSIONERS FOR THE TOWN OF REDINGTON BEACH, FLORIDA IN A**
3 **MEETING DULY ADVERTISED AND REGULARLY ASSEMBLED AS FOLLOWS:**
4

5 **Section 1 - Findings.**
6

- 7 1. The foregoing recitals are affirmed as findings of fact by the Town Board.
- 8
- 9 2. The Town's stormwater engineer has calculated the following fees to be sufficient
10 to allow the Town to plan, construct, operate, and maintain its stormwater management system
11 taking into account the proposed expenditures for the stormwater system set out in the Town's
12 Schedule of Capital Improvements in the Capital Improvements Element of the Town's
13 Comprehensive Plan and in the Town's stormwater system planning.
- 14
- 15 a. For multi-family units with onsite stormwater management
16 systems (La Contessa, 16326 Gulf Boulevard, and Vizcaya,
17 16300 Gulf Boulevard): \$11.25 per month per residential
18 unit
- 19 b. For all other units in the Town: \$15.00 per month per residential unit or
20 non-residential building.
- 21
- 22 3. The Town's Finance Committee and Planning Board concur that the fee
23 established by this Resolution is equitable and appropriate.
24
25

26 **Section 2 - Fee Established.**
27

28 The Stormwater Utility Fee established by Article II of Chapter 18.5 of the Town Code is
29 established as:
30

- 31 a. For multi-family units with onsite stormwater management
32 systems (La Contessa, 16326 Gulf Boulevard, and Vizcaya,
33 16300 Gulf Boulevard): \$11.25 per month per residential
34 unit
- 35 b. For all other units in the Town: \$15.00 per month per residential unit or
36 non-residential building.
- 37 c. For the purposes of this Resolution a "residential unit" is defined as "A
38 single unit providing complete, independent living facilities for one or
39 more persons, including permanent provisions for living, sleeping, eating,
40 cooking, and sanitation."
41

1 **Section 3 - Severability.**

2
3 Any portion of this Resolution deemed unconstitutional or otherwise invalid at law is
4 severable from the remainder hereof.

5
6
7 **Section 4 - Effective Date**

8
9 This Resolution shall become effective immediately upon final passage and adoption.

10
11
12 PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach,
13 Pinellas County, Florida, on this ____ day of _____, 2021.

ATTACHMENT B
SPECIAL STORMWATER ENGINEER'S REPORT



STORMWATER ENGINEER'S REPORT FOR STORMWATER UTILITY RATE ASSESSMENT RESOLUTION

January 12TH, 2021

The following recommendations are in accordance with ORDINANCE 2020-02 and Land Development Code Article III, Section 18.5-30.

To adequately plan and budget for the stormwater utility functions for the Town of Redington Beach, the following summary of infrastructure and cost for replacement and maintenance is provided. This is the basis for establishing the stormwater utility assessment rates for future years:

STORM PIPES: There are approximately 38 outfall pipes which provide discharge of excess stormwater into the Canals and Boca Ciega Bay. The estimated cost for cleaning and removal of shellfish, and repair or replacement of each pipe is \$14,500 per pipe. The estimated cost town wide is = **\$395,000**.



**FAILED CORRUGATED METAL PIPES
TO BE REMOVED AND REPLACED AS NEEDED**



PIPE SLIP LINING AS NEEDED

WASTOP VALVES: Approximately 38 valves to be installed. Estimated cost = **\$285,000** which includes costs for the valves as well as installation by contractors.



WASTOP VALVE INSTALLATION

DRAINAGE SYSTEMS: total costs estimated for complete upgrade and retrofitting of existing drainage systems town wide. Estimate is based on SWFWMD historical average costs for Treated Area of Coastal LID Improvements. $39.4 \text{ Acres} \times \$46,847/\text{Acre} = \mathbf{\$1,845,000}$.



Prepared on January 8th, 2021 by
Lynn T. Burnett, P.E., CFM
Florida Registered Professional Engineer No. 53226

ONGOING STORMWATER MAINTENANCE:

Repair and maintenance of existing and future facilities plus ongoing NPDES Reporting Costs = **\$42,500 annually.**

**SUMMARY OF REVENUE VERSUS EXPENDITURES:**

The current annual revenue generated by the stormwater utility fee is \$95,000. Based on updated sea level rise projections, it is our professional recommendation that the infrastructure be completed over the next 10-15 years.

STORMWATER UTILITY RATE	ESTIMATED ANNUAL REVENUE	TOTAL PROJECTED EXENDITURES	# OF YEARS TO COMPLETE IMPLEMENTATION
CURRENT RATE = \$7.50 PER MONTH	\$ 95,000.00	\$ 2,525,000	26.6
RECOMMENDED RATE = \$15 PER MONTH	\$ 190,000	\$ 2,525,000	13
*ANALYSIS ASSUMES A MINIMUM OF \$42,500 IN REVENUE FROM GRANT FUNDING SOURCES ANNUALLY			

At the recommended rate of \$15/month, the annual assessment on each residential lot would increase from \$90 per year to \$180 per year.

BRUCE McLAUGHLIN CONSULTING SERVICES, INC.

900 Gulf Boulevard, Suite 303
Indian Rocks Beach, Florida 33785
Phone: 727/595-7634 Fax: 727/593-9581
Email BruceSandy@aol.com

March 26, 2021
TRB

ADVERTISED PUBLIC HEARING

Meeting Date: March 30, 2021
Agenda Item 9.c

MEMORANDUM

TO: Town of Redington Beach Planning Board

FROM: R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Annual Update to the Capital Improvements Element of the Comprehensive Plan

EXECUTIVE SUMMARY

Section 163.3177(3)(b), F.S. requires that the Capital Improvements Element (CIE) of the Comprehensive Plan be amended annually with an updated 5-Year Schedule of Capital Improvements. Although overlooked from 2008 to November, 2018, Annual Updates were prepared in 2018 and 2019 with the 2020 Update delayed by the pandemic. The 2020-2021 Update, using hard numbers for road replacement and stormwater efforts, has been endorsed by the Finance Committee and is ready for adoption. **STAFF RECOMMENDS THAT THE 2020-2021 CIE UPDATE BE FOUND CONSISTENT WITH THE BALANCE OF THE COMPREHENSIVE PLAN AND RECOMMENDED FOR APPROVAL.**

BACKGROUND

Applicant: Town of Redington Beach

Location: Entire Town

THE REQUEST

That the Planning Board find the proposed 2020-2021 Schedule of Capital Improvements to be consistent with the balance of the Town's Comprehensive Plan and recommend its adoption by the Town Board.

HISTORY

In December, 2008, by Ordinance 08-12, the Town adopted the 2008 Evaluation and Appraisal Report (EAR) Amendments to its Comprehensive Plan. Those amendments included a Capital Improvements Element which includes a 5-Year Schedule of Capital Improvements. That Element was amended by Ordinance 2018-11 which is attached as Attachment A.

In 2018, the Town's failure to annually update the Schedule of Capital Improvements was recognized and an update was prepared. That update was adopted by Ordinance 2018-09 on February 20, 2019. The 2019/2020 update was considered by the Planning Board in May, 2019, and was subsequently adopted by the Town Board by Ordinance 2019-05 on July 3, 2019.

Ordinance 2018-09 was the first effort since 2008 to comply with the statutory mandate for an annual update to the 5-Year CIP. Now before the Planning Board is the proposed annual update beginning with Fiscal Year 2020/2021. As was the case in 2019, this year (and subsequently), the annual update will be adopted **ahead** of the Town's budget process and thus can be considered and included in the Town's budget.

Further, the Town has retained a civil engineer who specializes in stormwater management. This engineer's analysis of the appropriate Stormwater Utility Fund Fee also serves as the basis for the CIE Schedule and is found as Attachment B.

Through the services of the Town's special stormwater engineer, the Town is seeking grants and other funding to begin a pro-active program of improving the Town's stormwater management system. One such grant has been received from the Tampa Bay Estuary Program and our engineer is also confident that a grant from SWFWMD will be forthcoming later this year.

When the CIE Schedule was presented to the Finance Committee in June, 2020, there were "place-holders" for "road repairs." Vice-Mayor Dorgan suggested that the CIE place-holders should be the same as those in the Town Budget and should be for road "replacement" not "repairs."

Subsequently, the then Mayor pointed out that there was a real need for road replacement and that that need should be analyzed and actual budget numbers should be determined and included in the CIE Schedule. The Town Board agreed and the Town's stormwater engineer expanded her scope of services and produced the attached Roads & Streets Capital Improvements Plan, (Attachment C).

March 26, 2021

NOTICE

The Clerk's office will provide evidence of the notice given of this advertised public hearing.

AUTHORITY

The Planning Board, as the Town's Local Planning Agency, is charged with:

Be[ing] the agency responsible for the preparation of the comprehensive plan or plan amendment and shall make recommendations to the governing body regarding the adoption or amendment of such plan.

Section 163.3174 (4)(a), F.S.

Town Code § 15.34 reiterates these powers and duties.

As to the required annual update of the CIE, the statute provides:

(b) The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.

Section 163.3177 (3)(b), F.S.

ANALYSIS

The purpose of a Capital Improvements Element is to provide, in the Comprehensive Plan, policies which will guide the funding and scheduling of improvements to public facilities leading to the construction of such improvements as established in the other elements of the Comprehensive Plan. The statutory authority for the CIE and its annual update provides:

(3)(a) The comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities and set forth:

1. A component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.
2. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.
4. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.
5. The schedule must include transportation improvements included in the applicable metropolitan planning organization's transportation improvement program adopted pursuant to s. 339.175(8) to the extent that such improvements are relied upon to ensure concurrency and financial feasibility. The schedule must be coordinated with the applicable metropolitan planning organization's long-range transportation plan adopted pursuant to s. 339.175(7).

(b) The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.

Section 163.3177(3), F.S.

Ordinance 2021-05, the proposed new Schedule of Capital Improvements in the Capital Improvements Element is also attached, (Attachment D).

As the Board is aware, a Capital Improvements Plan or Program (CIP) is a mid-range plan, by statute in Florida covering at least five years, which identifies capital projects to be undertaken and equipment purchases to be made within the plan period. The CIP should also schedule and identify options for financing the identified expenditures. In summary, the CIP is the link between the Town's comprehensive plan and the Town's annual budget. Attachment E is a summary of the interaction between a comprehensive plan and a CIP. ¹

Given the nature and size of the Town, and the threshold in CIE Policy 1.1.1 of \$50,000 for an expenditure to be considered as a capital expenditure, there is a limited number of items that are subject to inclusion in the CIE. However, the State has identified, (Attachment F), a number of tasks to be accomplished in the annual CIE update. ² These tasks include:

- the necessary capital projects must still be listed in the schedule, projected revenue resources identified, and the project listed as “funded” or “unfunded” and assigned with a level of priority for funding. [163.3177(3)(a)4., Florida Statutes].
- Section 163.3164(7), Florida Statutes, “definitions” – establishes the definition of “capital improvement”. Note that the definition states that capital improvements are to be physical assets, excluding items like operation and maintenance services and studies. There is no requirement to include these types of non-physical asset expenditures in the Schedule of Capital Improvements (however, there is no prohibition either);

¹ Although this is an older document from Wisconsin, the applicable process and relationship remain relevant today.

² Attachment B reflects the 2011 amendments to Chapter 163, Florida Statutes, which remains the governing law today.

- Section 163.3177(3)(a), Florida Statutes, explains the purpose and the requirements of the Capital Improvements Element: “to consider the need for and location of public facilities...to encourage the efficient use of such facilities.” These provisions require that the capital improvement projects, which are necessary to ensure that adopted level of service standards for public facilities will be achieved and maintained for the five-year period, will be adopted into the Schedule of Capital Improvements;
- Section 163.3180, Florida Statutes, Concurrency, establishes that sanitary sewer, solid waste, drainage and potable water are the only public facilities subject to statewide concurrency requirements. Based upon the recent statutory changes, application of concurrency requirements are now optional for parks and recreation, public schools and transportation. ...

Since the Town is served by Pinellas County for water and sewer service and by a private contractor for solid waste disposal, the only mandatory issue to be dealt with in the CIE is drainage. Although there are physical condition issues with the Town’s roads, there are no Level of Service (LOS) issues on the Town roads (or on Gulf Boulevard for that matter). Further, the Town has drainage issues which should be addressed in the Comprehensive Plan, including in the CIE.

In 2018 the Town engaged Lynn Townsend Burnett of LTA Engineering to provide specialized engineering services to the Town with respect to stormwater management issues. Ms. Burnett’s scope of services was subsequently expanded to include a study of the physical condition of the Town’s roads and the preparation of a road improvement/replacement plan.

Ms. Burnett’s mandate also includes procuring grants for the Town for stormwater improvements and Ms. Burnett contributed to the preparation of the attached schedule.

The Town has an enterprise fund for stormwater issues. That fund currently generates about \$93,000 per year, some of which is presently used for stormwater facility maintenance and the balance is placed in general reserves. On the same agenda as the CIE Update is Resolution 2020-13 which would effectively double the Stormwater Utility Fee so that it would generate \$180,180 per year.

For the 2018/2019 Fiscal Year, at the suggestion of Commissioner Dorgan, the Finance Committee recommended establishing a capital budget for stormwater issues of \$100,000 per

March 26, 2021

year. The Planning Board agreed and the Town Board adopted that figure in the Schedule of Capital Improvements adopted by Ordinance 2018-09. (Attachment A, Ordinance 2018-09.)

In support of the updated Schedule of Capital Improvements (Attachment D, Ordinance 2021-05, Table 1), the Income Fund categories have been updated to include a line for Stormwater Grants. There are several potential grant sources that are available and one specific grant that has already been sought. These are matching types of funding that are reimbursable to the Town upon completion of their programmed Drainage Upgrades.

Based on the quarterly cash flow projections in support of the specific grant that has been sought (Tampa Bay Environmental Restoration Fund), it is anticipated that \$134,700 will be spent in FY2020/2021. This expenditure includes permitting, bidding services, construction and construction engineering inspections related to the Environmental Restoration Fund Grant (or equivalent type of project). The reimbursement from the grant would be used to offset those expenses and the remaining monies would be rolled over to the next phase of projects programmed in FY2020/2021.

This schedule will be re-evaluated and updated each year as additional grant funds become available.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Board finds Ordinance 2021-05 to be **INTERNALLY CONSISTENT WITH THE BALANCE OF THE TOWN'S COMPREHENSIVE PLAN** and be **RECOMMENDED TO THE TOWN BOARD FOR APPROVAL**.

ATTACHMENT A
ORDINANCE 2018-11

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Town of Redington Beach

ORDINANCE 2018-11 AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN BY AMENDING THE THRESHOLD AMOUNT PURSUANT TO WHICH A TOWN EXPENDITURE IS CONSIDERED TO BE A CAPITAL EXPENDITURE; BY CORRECTING AND UPDATING REFERENCES TO OTHER AGENCIES AND PLANNING ISSUES; AND MORE NARROWLY TAILORING THE ELEMENT TO THE CURRENT AND ANTICIPATED CONDITIONS IN THE TOWN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, in the preparation of the annual update to the Schedule of Capital Improvements in the Capital Improvements Element, desirable amendments to the Element itself were identified, and

WHEREAS, The Building Official and Town Planner of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amendments to the Capital Improvements Element to be consistent with the balance of the Comprehensive Plan and recommended its approval; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this 20th day of February,

2019, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. The Capital Improvements Element of the Town of Redington Beach Comprehensive Plan, as established by Ordinance 2008-12 is amended to read as follows:

3.9 CAPITAL IMPROVEMENTS ELEMENT

CIE Goal 1: The Town shall undertake fiscal actions necessary to provide and maintain public facilities for all residents, within its jurisdiction, at the adopted levels of service standards.

CIE Objective 1.1

Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the five-year schedule of improvements which are designed to correct existing deficiencies identified in this Element.

CIE Policy 1.1.1

The Town hereby adopts the sum of ~~\$100,000~~ \$50,000 dollars as the threshold cost for capital improvements projects included in the CIE of this comprehensive plan.

CIE Policy 1.1.2

The Town's *ad hoc* Finance Committee shall ~~establish and maintain~~ serve as a Capital Improvements Advisory Committee whose purpose is to evaluate and rank in order of priority, projects proposed for inclusion in the five-year schedule of improvements.

CIE Policy 1.1.3

Redington Beach shall annually adopt a five-year capital improvement program. The Five-Year Schedule of Improvements from the Capital Improvements Element of the Redington Beach Comprehensive Plan shall be included within the Five-Year Capital Improvements Program. Redington Beach shall continue to adopt a capital budget as part of its annual budget process.

CIE Policy 1.1.4

The schedule of Capital Improvements for Fiscal Years 2018/2019 through 2022/2023, adopted by Ordinance 2018-09, is adopted as the Schedule of Capital Improvements within the Comprehensive Plan.

CIE Policy ~~1.1.4~~ 1.1.5

Proposed capital improvement projects shall be evaluated and ranked in order of priority according to the following guidelines:

1. Project is needed to eliminate a proven or obvious hazard to public health and safety;
2. Project is needed to fulfill a legal commitment by the Town;
3. Project is needed to preserve, maintain, refurbish achieve full use of, or replace existing facilities;
4. Project will bring an existing facility into compliance with an adopted level-of-service standard;
5. Project will increase efficiency or use of existing facilities, prevents or reduces future improvement cost, or provides service to all residents equitably;
6. Project is needed to accommodate facility demands resulting from new development or re-development
7. Project furthers policies adopted in other elements of this plan
8. Project needed to serve development for which development order issued prior to adoption of this comprehensive plan
9. Project will increase the economic base or quality of life of the residents;
10. Budget impact of project, both capital and operating, will be considered and the Town's Planning Board and ad hoc Finance Committee will consider financial feasibility of project; and
11. Project will be reviewed for consistency with plans of other agencies having responsibility for public facilities within the jurisdiction Town.

CIE Policy ~~1.1.5~~ 1.1.6

The Town shall ensure the availability of public facilities at adopted levels-of-service standards needed to serve developments for which development permits were issued prior to the adoption of this comprehensive plan as amended in 2018 and 2019. Such facilities shall be provided in keeping with guidelines for the evaluation and ranking of capital improvements established in this element.

CIE Policy ~~1.1.6~~ 1.1.7

Efforts shall be made to secure grants or private funds on a continuing basis whenever available to finance the provision of capital improvements.

CIE Objective 1.2

The Town shall manage its debt in a manner to that retains the integrity of its fiscal resources.

CIE Policy 1.2.1

The Town shall not incur any form of indebtedness in order to provide needed capital improvements at adopted level-of-service standards that would result in a bond rating of the Town's bonds below AAA for insured bond issues.

1 **CIE Policy 1.2.2**

2 The Town shall confine long-term borrowing to capital improvements too large to be
3 financed from current revenues.
4

5 **CIE Policy 1.2.3**

6 The Town Commission will only approve bond issues structured to be paid back within a
7 period not to exceed the expected useful life of the capital project.
8

9 **CIE Policy 1.2.4**

10 Where possible, special assessment, revenue, or other self-supporting bonds will be used
11 instead of general obligation bonds.
12

13 **CIE Policy 1.2.5**

14 Total debt service for general obligation debt will not exceed 10 percent of net operating
15 revenues.
16

17 **CIE Objective 1.3**

18 The Town shall utilize its fiscal resources to eliminate any identified existing deficiencies in the
19 Town's infrastructure and to ensure the provision of needed capital improvements for future
20 development and redevelopment. This Objective shall be achieved through the site plan approval
21 process, at and shall attain or exceed adopted levels-of-service standards as specified in the
22 Elements of this Comprehensive Plan.
23

24 **CIE Policy 1.3.1**

25 The Town shall work with other governmental jurisdictions to establish a strategy to
26 ensure that the entire cost of providing necessary capital facilities, at adopted
27 levels-of-service standards, for any future development or redevelopment within the
28 jurisdiction shall not be borne by existing residents.
29

30 **CIE Policy 1.3.2**

31 The Town shall coordinate with the County, ~~other~~ state agencies, the Southwest Florida
32 Water Management District, and other municipalities that provide public facilities within
33 the Town's jurisdiction to ensure that projects are funded in a fiscally equitable manner
34 apportioning the costs of growth among those who are responsible for it.
35

36 **CIE Policy 1.3.3**

37 The Town shall, when appropriate, consider the adoption of additional impact fees to
38 enhance the Town's capital facilities in cooperation with other levels of government.
39

40 **CIE Policy 1.3.4**

41 The adopted levels-of-service standards for public facilities within the jurisdiction of the
42 Town of Redington Beach shall be those adopted in the other elements of this Plan.

1 **CIE Objective 1.4**

2 Public expenditures that subsidize development in the Coastal Storm High Hazard Areas shall be
3 limited to those improvements included in the Conservation and Coastal Management Element.
4

5 **CIE Policy 1.4.1**

6 The Town shall expend funds in Coastal Storm High Hazard Areas only for the
7 replacement and renewal of public facilities serving existing development.
8

9 **CIE Objective 1.5**

10 All development orders and permits for future development and redevelopment activities shall be
11 issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to
12 this comprehensive plan are available concurrent with the impacts of the development.
13

14 **CIE Policy 1.5.1**

15 The Town shall assess new development or redevelopment an equitable pro rata share of
16 the costs to provide roadway improvements to serve the development or redevelopment
17 pursuant to the Pinellas County Mobility Plan as set forth in the Transportation Element of
18 this Plan.
19

20 **CIE Policy 1.5.2**

21 Developments or redevelopments shall be considered to have de minimis impact provided
22 they comply with all of the following conditions, which define a “de minimis” impact:

- 23 1. Isolated vacant lots in predominantly residential areas, where single-family homes
24 would be suitable, may be developed for single-family residential under the de
25 minimis exemption.
26 2. The transportation impact of the development alone does not exceed one percent of
27 the maximum service volume at the adopted level-of-service standard.
28 3. No impact will be considered de minimis except as for single-family lots of record
29 as stated above, if the sum of existing roadway volumes and the project volumes
30 from approved projects on a roadway would exceed 110 percent of the maximum
31 service volume of the adopted level-of-service standard.
32 4. No impact will be de minimis if it would exceed the adopted level-of-service
33 standard of any affected designated hurricane evacuation route.
34

35 **CIE Policy 1.5.3**

36 The Town of Redington Beach shall maintain regulations within a monitoring system
37 designed to ensure:

- 38 1. Continued application of level-of-service standards; and
39 2. Provision of required public facility capacity.
40

41 **CIE Policy 1.5.4**

42 The monitoring system shall be reviewed on an annual basis to either with the review of the

Capital Improvements Element and shall be updated as needed. Said review shall be undertaken concurrently with the preparation of the annual update to the Schedule of Capital Improvements and shall be implemented as required by law.

CIE Policy 1.5.5

The availability of public services and facilities to meet the needs of developments or redevelopments shall be deemed concurrent if the following conditions are met:

1. Potable water, sanitary sewer, solid waste or drainage facilities;
 - a. shall receive development orders subject to the public facilities being in place at the time of issuance of the certificate of occupancy; or
 - b. The provision of the facilities is guaranteed in an enforceable development agreement pursuant to Section 163.3220 Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes to be in place at the time of certificate of occupancy issuance;
2. Park and recreation facilities shall be in place or under construction within one year of development order issuance; and, acreage for parks shall be dedicated or acquired prior to issuance of a certificate of occupancy; or
 - a. Dedications of land and facilities or payment of the developer's fair share shall be committed by the time a notice to commence development is issued; or
 - b. The development order is issued conditioned on the necessary facilities and services scheduled to be in place or under construction not more than one year after certificate of occupancy issuance provided in the Schedule of Capital Improvements; or
 - c. The necessary facilities are subject to a binding agreement which requires them to be in place or under construction not more than one year after certificate of occupancy issuance; or
 - d. When the development order is issued, the facilities and services are guaranteed in an enforceable development agreement stipulating that they will be in place not more than one year after the certificate of occupancy is issued;
3. Road facilities shall be in place or under construction at the time of issuance of the building permit; or
 - a. The necessary facilities and services shall be in place or under construction not more than three years after the building permit issuance as provided in the Schedule of Capital Improvements; or
 - b. The necessary facilities are listed in the first three years of the Florida Department of Transportation five-year work program; or
 - c. The land owner has made a binding commitment to the Town to pay the fair share of the cost of providing transportation facilities necessary to serve the proposed development.

- 1 1. The availability of public services and facilities to meet the needs of development
3 or redevelopment shall be deemed concurrent if sanitary sewer, solid waste and
4 drainage facilities are available and adequate no later than the issuance of a
5 certificate of occupancy or its functional equivalent.
6 a. Prior to approval of a building permit or its functional equivalent, the Town
7 shall consult with its sanitary sewer and solid waste collection providers to
8 determine whether adequate sanitary sewer and solid waste disposal
9 capacities will be available to serve the new development no later than the
10 anticipated date of issuance of certificate of occupancy or its functional
11 equivalent.
12 b. Prior to approval of a building permit or its functional equivalent, the Town
13 shall examine that part of the Town's drainage system that will be directly
14 impacted by the new development to determine whether adequate
15 stormwater drainage capacity will be available to serve the new
16 development no later than the anticipated date of issuance of certificate of
17 occupancy or its functional equivalent.
18
19 2. The Town shall ensure that adequate water supplies and potable water facilities
20 shall be in place and available to serve new development no later than the issuance
21 of a certificate of occupancy or its functional equivalent. Prior to approval of a
22 building permit or its functional equivalent, the Town shall consult with its water
23 suppliers to determine whether adequate water supplies will be available to serve
24 the new development no later than the anticipated date of issuance of certificate of
25 occupancy or its functional equivalent.
26
27
28

29 **CIE Policy 1.5.6**

30 The Town will contact Pinellas County Utilities prior to issuance of a building permit for
31 development of vacant parcels to determine if adequate potable water supplies exist to
32 serve the projected development.
33

34 **CIE Policy ~~1.5.7~~ 1.5.6**

35 The Schedule of Capital Improvements shall contain the estimated commencement and
36 completion dates of road public facility projects
37

38 **Policy 1.5.8**

39 The elimination, deferral, or delay of construction of any road facility or service needed to
40 maintain adopted level-of-service standards and which is listed in the Schedule of Capital
41 Improvements shall require amendment of the comprehensive plan.
42

Section 3. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

Section 4. The effective date of this Ordinance, if the plan amendment adopted hereby is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this 20th day of February, 2019.

ATTEST:



Missy Clarke, CMC Town Clerk



Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Kornijtschuk			X		
Commissioner Dorgan		X	X		
Commissioner Steiermann			X		
Vice Mayor Will	X		X		
Mayor Simons			X		

ATTACHMENT B
STORMWATER IMPROVEMENTS ANALYSIS



STORMWATER ENGINEER'S REPORT FOR STORMWATER UTILITY RATE ASSESSMENT RESOLUTION

January 12TH, 2021

The following recommendations are in accordance with ORDINANCE 2020-02 and Land Development Code Article III, Section 18.5-30.

To adequately plan and budget for the stormwater utility functions for the Town of Redington Beach, the following summary of infrastructure and cost for replacement and maintenance is provided. This is the basis for establishing the stormwater utility assessment rates for future years:

STORM PIPES: There are approximately 38 outfall pipes which provide discharge of excess stormwater into the Canals and Boca Ciega Bay. The estimated cost for cleaning and removal of shellfish, and repair or replacement of each pipe is \$14,500 per pipe. The estimated cost town wide is = **\$395,000.**

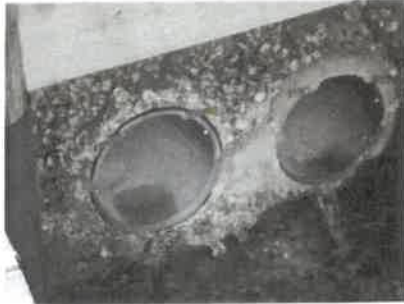


**FAILED CORRUGATED METAL PIPES
TO BE REMOVED AND REPLACED AS NEEDED**



PIPE SLIP LINING AS NEEDED

WASTOP VALVES: Approximately 38 valves to be installed. Estimated cost = **\$285,000** which includes costs for the valves as well as installation by contractors.



WASTOP VALVE INSTALLATION

DRAINAGE SYSTEMS: total costs estimated for complete upgrade and retrofitting of existing drainage systems town wide. Estimate is based on SWFWMD historical average costs for Treated Area of Coastal LID Improvements. $39.4 \text{ Acres} \times \$46,847/\text{Acre} = \$1,845,000$.



ONGOING STORMWATER MAINTENANCE:

Repair and maintenance of existing and future facilities plus ongoing NPDES Reporting Costs = **\$42,500 annually.**

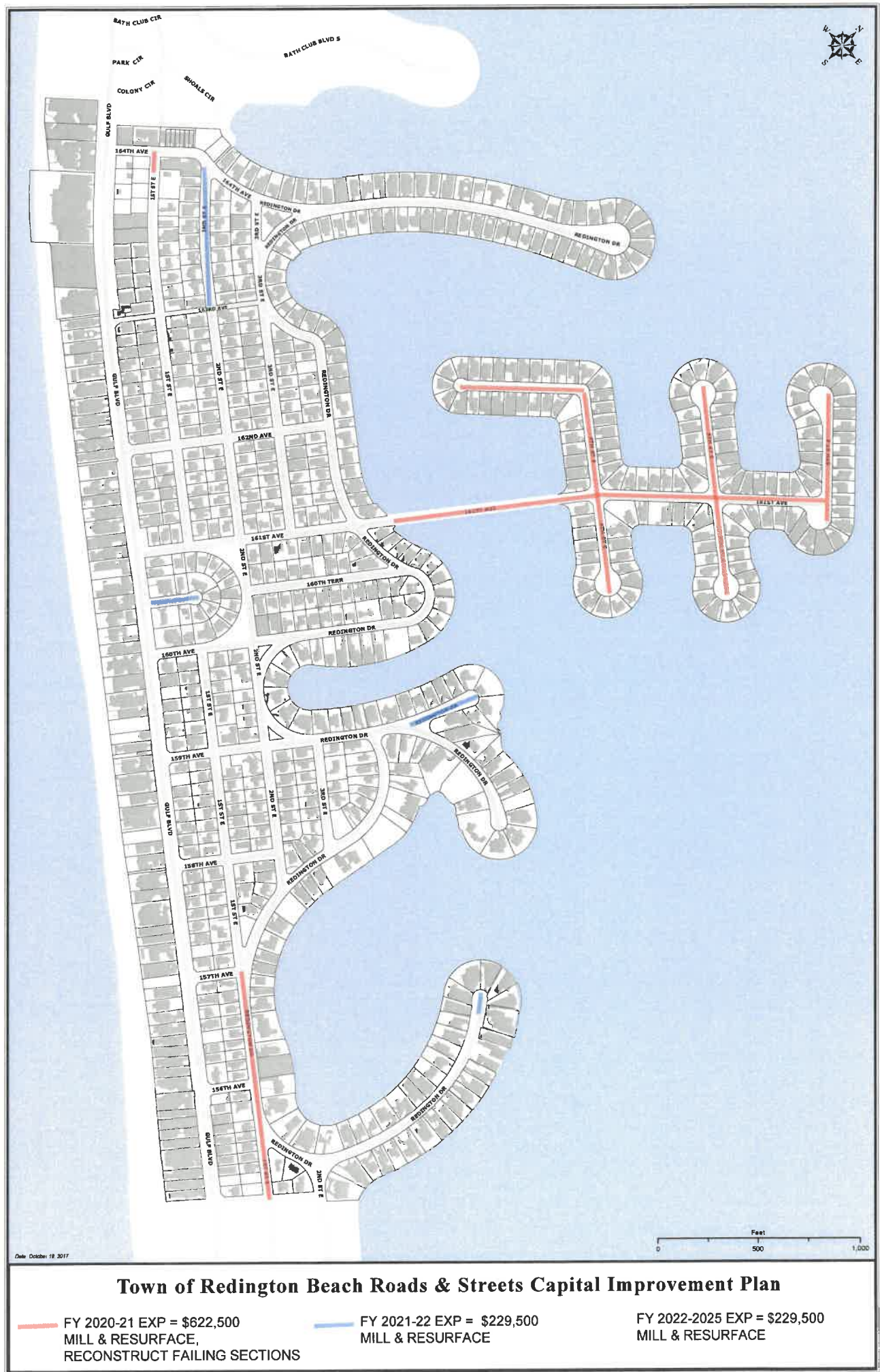
**SUMMARY OF REVENUE VERSUS EXPENDITURES:**

The current annual revenue generated by the stormwater utility fee is \$95,000. Based on updated sea level rise projections, it is our professional recommendation that the infrastructure be completed over the next 10-15 years.

STORMWATER UTILITY RATE	ESTIMATED ANNUAL REVENUE	TOTAL PROJECTED EXENDITURES	# OF YEARS TO COMPLETE IMPLEMENTATION
CURRENT RATE = \$7.50 PER MONTH	\$ 95,000.00	\$ 2,525,000	26.6
RECOMMENDED RATE = \$15 PER MONTH	\$ 190,000	\$ 2,525,000	13
*ANALYSIS ASSUMES A MINIMUM OF \$42,500 IN REVENUE FROM GRANT FUNDING SOURCES ANNUALLY			

At the recommended rate of \$15/month, the annual assessment on each residential lot would increase from \$90 per year to \$180 per year.

ATTACHMENT C
ROAD IMPROVEMENTS ANALYSIS



ROAD REPAIRS ESTIMATE FOR FY 2020-2021 CIE

TOWN OF REDINGTON BEACH BEACH, PINELLAS COUNTY

PROJECT ID # : TBD

PROJECT DESCRIPTION: ROADS AND STREETS

PAY ITEM SPEC YEAR: FY20-21

SUBMITTAL TYPE: CIE

CITY: Redington Beach

DATE: 8-Oct-20

ENGINEERING CONSULTANT FIRM: LTA Engineers, LLC

CONTACT NAME: Lynn Burnett, P.E.

PHONE NUMBER: (941) 526-3375

FILE VERSION:

PAGE NUMBER: 1 of 3

Locations		Description	Cost
Redington Beach	Roads and Streets		\$622,500
Total Task Cost			\$622,500

NOTES: Per FDOT Historical Costs: Current 6 Month Moving Statewide Averages from 2019/11/01 to 2020/04/30

ROAD REPAIRS ESTIMATE FOR FY 2020-2021 CIE

TOWN OF REDINGTON BEACH, PINELLAS COUNTY

FINANCIAL PROJECT ID #:	TBD
PROJECT DESCRIPTION:	ROADS AND STREETS
PAY ITEM SPEC YEAR:	October 2020
SUBMITTAL TYPE:	CIE
CITY:	Redington Beach
DATE:	8-Oct-20
ENGINEERING CONSULTANT FIRM:	LTA Engineers, LLC
CONTACT NAME:	Lynn Burnett, P.E.
PHONE NUMBER:	(941) 526-3375
FILE VERSION:	
PAGE NUMBER:	2 of 3

COMPONENT GROUPS

100 - STRUCTURES	NOT USED	
200 - ROADWAY*		\$410,302
300 - SIGNING & PAVEMENT MARKINGS		\$34,341
400 - LIGHTING	NOT USED	
500 - SIGNALIZATION	NOT USED	
550 - ITS	NOT USED	
600 - LANDSCAPE / PERIPHERALS	NOT USED	
700 - UTILITIES	NOT USED	
800 - ARCHITECTURAL	NOT USED	
900 - MASS TRANSIT	NOT USED	
1000 - INVALID & OTHER ITEMS	NOT USED	
	Subtotal	\$444,643
	(101-1) MOB (Mobilization) 10%	\$44,464
	(102-1) MOT (Maintenance of Traffic) 10%	\$44,464
	CONTINGENCY 20%	\$88,929
PROJECT GRAND TOTAL		\$622,500

NOTES: *PERVIOUS CONCRETE SIDEWALK AND DRIVEWAYS, 10" THICK Unit Cost per Manatee County Contract FOR Project #6005719; INFILTRATION TRENCH per Historical Unit Cost Average

ROAD REPAIRS ESTIMATE FOR FY 2020-2021 CIE

TOWN OF REDINGTON BEACH, PINELLAS COUNTY

FINANCIAL PROJECT ID #:	TBD
PROJECT DESCRIPTION:	ROADS AND STREETS
PAY ITEM SPEC YEAR:	October 2020
SUBMITTAL TYPE:	CIE
CITY:	Redington Beach
DATE:	8-Oct-20
ENGINEERING CONSULTANT FIRM:	LTA Engineers, LLC
CONTACT NAME:	Lynn Burnett, P.E.
PHONE NUMBER:	(941) 526-3375
FILE VERSION:	
PAGE NUMBER:	3 of 3

200 - ROADWAY (Excludes Stormwater Improvements)

PAY ITEM #	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
101-1	MOBILIZATION	LS	1	SEE SUMMARY SHEET	SEE SUMMARY SHEET
102-1	MAINTENANCE OF TRAFFIC	LS	1	SEE SUMMARY SHEET	SEE SUMMARY SHEET
104-10-3	SEDIMENT BARRIER	LF	903	\$ 2.00	\$ 1,806
	REDINGTON DRIVE BETWEEN 156TH AND 157TH	MILES	0.21	\$ 281,475.00	\$ 59,110
	1ST STREET E	MILES	0.01	\$ 281,476.00	\$ 2,666
327-70-6	161ST AVE	MILES	0.42	\$ 281,477.00	\$ 118,220
337-7-81	4TH STREET E	MILES	0.32	\$ 281,478.00	\$ 90,073
	5TH STREET E	MILES	0.19	\$ 281,479.00	\$ 53,481
	6TH STREET E	MILES	0.16	\$ 281,480.00	\$ 45,037
	RESTORATION AND MISC. CONCRETE WORK	LS	1	\$ 31,000.00	\$ 31,000
570-1-2	PERFORMANCE TURF, SOD	SY	3072	\$ 2.90	\$ 8,910
200 - ROADWAY (Excludes Stormwater Improvements)					\$ 410,302

ROAD REPAIRS ESTIMATE FOR FY 2020-2021 CIE
TOWN OF REDINGTON BEACH, PINELLAS COUNTY

PROJECT DESCRIPTION:	ROADS AND STREETS	FINANCIAL PROJECT ID #:	TBD
PAY ITEM SPEC YEAR:	July 2020		
SUBMITTAL TYPE:	CIE		
CITY:	Redington Beach		
DATE:	8-Oct-20		
ENGINEERING CONSULTANT FIRM:	VIBEngineering Inc.		
CONTACT NAME:	Sage Kamiya, P.E., PTOE		
PHONE NUMBER:	(727) 317-4967		
FILE VERSION:			
PAGE NUMBER:	4 of 5		

300 - SIGNING & PAVEMENT MARKINGS

PAY ITEM #	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
654-2-21	RECTANGULAR RAPID FLASHING BEACON (F&I) (SOLAR) (COMPLETE SIGN ASSEMBLY) (SINGLE DIRECTION)	AS		\$ 8,473.76	\$ -
700-1-11	SINGLE POST SIGN (F&I) (GROUND MOUNT) (UP TO 12 SF)	AS		\$ 335.92	\$ -
700-1-60	SINGLE POST SIGN, REMOVE	AS		\$ 30.82	\$ -
705-11-3	DELINEATOR, FLEXIBLE HIGH VISIBILITY MEDIAN	EA		\$ 144.26	\$ -
710-11-290	PAINTED PAVEMENT MARKINGS (STANDARD) (YELLOW) (ISLAND NOSE)	SF		\$ 2.57	\$ -
711-11-123	THERMOPLASTIC (STANDARD) (WHITE) (SOLID) (12")	LF	13828	\$ 2.37	\$ 32,772.37
711-11-124	THERMOPLASTIC, STANDARD, WHITE, SOLID, 18" FOR DIAGONALS AND CHEVRONS	LF		\$ 3.12	\$ -
711-11-125	THERMOPLASTIC (STANDARD) (WHITE) (SOLID) (24")	LF	60	\$ 4.54	\$ 272.40
711-11-141	THERMOPLASTIC, STANDARD, WHITE, 2-4 DOTTED GUIDELINE / 6"	GM		\$ 1,964.41	\$ -
711-11-160	THERMOPLASTIC, STANDARD, WHITE, SYMBOL	EA		\$ 219.10	\$ -
711-11-170	THERMOPLASTIC, STANDARD, WHITE, ARROW	EA		\$ 62.53	\$ -
711-11-224	THERMOPLASTIC, STANDARD, YELLOW, SOLID, 18" FOR DIAGONAL OR CHEVRON	LF	400	\$ 3.24	\$ 1,296.00
711-11-241	THERMOPLASTIC, STANDARD, YELLOW, 2-4 DOTTED GUIDE LINE / 6"	GM		\$ 1,968.50	\$ -
711-14-125	THERMOPLASTIC (PREFORMED) (WHITE) (SOLID) (24")	LF		\$ 15.91	\$ -
711-16-101	THERMOPLASTIC, STANDARD-OTHER SURFACES, WHITE, SOLID, 6"	GM		\$ 4,182.66	\$ -
711-16-201	THERMOPLASTIC, STANDARD-OTHER SURFACES, YELLOW, SOLID, 6"	GM		\$ 4,266.42	\$ -
711-17	THERMOPLASTIC (REMOVE EXISTING)	SF		\$ 1.45	\$ -
300 - SIGNING & PAVEMENT MARKINGS		COMPONENT TOTAL			\$ 34,340.77

ATTACHMENT D
ORDINANCE 2021-05

TOWN OF REDINGTON BEACH
ORDINANCE 2021-05

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING THE ANNUAL AMENDMENT TO THE SCHEDULE OF CAPITAL IMPROVEMENTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, pursuant to § 163.3177(3)(b), Florida Statutes, annual modifications to the Five Year Schedule of Capital Improvements are mandatory, which modifications may be accomplished by Ordinance and are not deemed to be an amendment to the Town's Comprehensive Plan; and

WHEREAS, The Town Planner and Special Stormwater Engineer of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amended Capital Improvements Schedule to be consistent with the balance of the Town's Comprehensive Plan and recommended its approval; and

WHEREAS, the Town's Finance Committee has been consulted with respect to this Amendment and has endorsed the amendment; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this __ day of ____, 2021, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Table 1, Schedule of Capital Improvements, as established by Ordinance 2019-05, adopted on July 3, 2019, is deleted and the following Table 1 substituted therefor:

<u>Project Type & Name</u>	<u>Fiscal Year Costs/ Funding Sources</u>				
	<u>FY 20/21</u>	<u>FY 21/22</u>	<u>FY 22/23</u>	<u>FY 23/24</u>	<u>FY 24/25</u>
Road Replacement F (2) [1]	622,500	229,500	238,680	248,227	258,156
Drainage Upgrades F (1), (3), (4) [1]	134,700	213,125	180,180 (+)	180,180 (+)	180,180 (+)
<u>Income Fund Summary</u>					
General Reserves	228,077	230,358	232,662	234,988	237,338
Road Reserves	863,045	639,880	646,279	652,742	659,269
Stormwater Capital Fund	100,500	180,180	180,180	180,180	180,180
Stormwater Grants	20,250	57,937.50	73,500	73,500	73,500

LEGEND

F = Funded

U = Unfunded

(1) = Penny for Pinellas

(2) = Town Reserves

(3) = Town Enterprise Fund

(4) = Grants

(+) = Plus rollover funds from previous year

[] = Priority

Section 4. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

Section 5 This Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this _____ day of _____ 2021.

ATTEST:

Ordinance 2021-05

2020/21 CIE Schedule Update

LTB/RBMcl/m

Draft 5, as recommended by Finance Committee 1/12/21 2

Missy Clarke, CMC Town Clerk

David Will, Mayor

	Motion	Seconded	Aye	Nay	Absent
Vice Mayor Dorgan					
Commissioner Cariello					
Commissioner Skjoldager					
Commissioner					
Mayor Will					

C:\Red Bch\2020 CIE Update\2020-21 CIE Amendment 2021-03-25.wpd

Ordinance 2021-05

2020/21 CIE Schedule Update

LTB/RBMcL/m

Draft 5, as recommended by Finance Committee 1/12/21 3

ATTACHMENT E
CAPITAL IMPROVEMENTS GUIDANCE



Planning Implementation Tools Capital Improvement Plan



Center for Land Use Education

www.uwsp.edu/cnr/landcenter/

September 2008

TOOL DESCRIPTION

A capital improvement plan (CIP) is a community planning and fiscal management tool used to coordinate the location, timing and financing of capital improvements over a multi-year period — usually 4-6 years. Capital improvements refer to major, non-recurring physical expenditures such as land, buildings, public infrastructure and equipment. The CIP includes a description of proposed capital improvement projects ranked by priority, a year-by-year schedule of expected project funding, and an estimate of project costs and financing sources. The CIP is a working document and should be reviewed and updated annually to reflect changing community needs, priorities and funding opportunities.

COMMON USES

Annual Capital Budgeting

Preparation of the CIP and annual budget are closely linked. The first year of the CIP, known as the capital budget, outlines specific projects and appropriates funding for those projects. It is usually adopted in conjunction with the government's annual operating budget. Projects and financing sources outlined for subsequent years are not authorized until the annual budget for those years is legally adopted. The out years serve as a guide for future planning and are subject to further review and modification.

Plan Implementation

The CIP is a powerful tool for implementing a community's comprehensive plan, strategic plan, and other planning documents. Capital investments such as utility extensions, highway improvements, and the purchase of parkland or environmental corridors can have a substantial impact on patterns of growth and development. By providing funding for strategic investments at a given time and location, the CIP helps ensure that development occurs consistent with a community's plans and vision.

Purposes of Capital Improvement Planning:

- ◆ Ensure the timely repair and replacement of aging infrastructure.
- ◆ Provide a level of certainty for residents, businesses and developers regarding the location and timing of public investments.
- ◆ Identify the most economical means of financing capital improvements.
- ◆ Provide an opportunity for public input in the budget and financing process.
- ◆ Eliminate unanticipated, poorly planned, or unnecessary capital expenditures.
- ◆ Eliminate sharp increases in tax rates, user fees and debt levels to cover unexpected capital improvements.
- ◆ Ensure that patterns of growth and development are consistent with the comprehensive plan.
- ◆ Balance desired public improvements with the community's financial resources.



Figure 1: The capital improvement plan is used to identify, prioritize and assign funding to major capital expenditures such as land, buildings, public infrastructure and equipment.

What is a Capital Improvement?

Most communities define capital improvements as major public expenditures, usually physical in nature.

Local policies may specify the *cost* and *useful life* of qualified projects. For example, a small community may set minimum project costs at \$1,000 or \$2,500, while larger communities set the threshold at \$10,000 or \$25,000. Expenses below this level are considered “operational” and appear in the annual budget. The Government Finance Officers Association recommends a useful service life of at least three to five years.

Common categories of capital expenditures include:

1. Purchase of major equipment (*ex. playground equipment, snow plow, computers*).
2. Acquisition of land for a public purpose (*ex. park, landfill, industrial site*).
3. Construction, expansion or major renovation of a public building or facility (*ex. library, roads, sewage treatment plant, building retrofit for energy efficiency*).
4. Related planning, engineering, design, appraisal or feasibility costs (*ex. LEED certification, architectural fees*).

Note: Some communities specifically exclude vehicles and equipment from the CIP.

IMPLEMENTATION

CREATION

The following general steps are involved in preparing a capital improvement plan:

1. *Project Submission* – Local agencies and departments are asked to submit a list of capital improvement projects in order of priority. Project request forms may prompt the applicant to provide a project description and justification, an estimate of initial project costs, ongoing operating and maintenance costs, and recommended funding sources.
2. *Evaluation and Selection* – The CIP team reviews, prioritizes and selects projects based on specific criteria, such as:
 - desired service level standard
 - project demand, as determined by an inventory of existing land, equipment and facility conditions
 - number of residents or geographic area served
 - return on investment, cost savings or revenue generation
 - sustainability or energy efficiency improvements
 - economic, environmental, aesthetic or social impacts
 - public health, safety or other legal concerns
 - consistency with community plans and policies
 - public or political support
3. *Financial Analysis* – Financial data, including historic and projected local government revenues, expenditures and debt service are used to assess the community’s ability to pay for proposed projects and to select appropriate financing tools.
4. *Plan Preparation* – The draft CIP includes a list of recommended projects by funding year, project and scheduling details, and financing sources. Detailed maps, photos, graphs, timelines and other illustrations may accompany the plan.
5. *Review and Adoption* – Following public review and revisions, the governing body adopts the CIP and capital budget.

ADMINISTRATION

A single official is usually responsible for coordinating preparation of the CIP. This task may be assigned to the chief executive or administrative officer (mayor, president, manager, administrator), a budget officer, or a member of the planning, finance or public works departments. The CIP coordinator often works with an advisory committee which may consist of local officials, citizens, or key departmental staff. It is also a good idea to refer the CIP to the plan commission for review and approval. In most communities, the CIP is prepared in the months preceding adoption of the annual government budget. To provide sufficient time for project solicitation, financial analysis and community input, preparation of the CIP may take on a year-round function in some communities. The CIP should be reviewed and updated annually.

Report Card: Capital Improvement Plan

Cost	Money or staff resources required to implement tool.
B	Once approved, projects recommended in the CIP are funded through the annual capital budget. A variety of funding mechanisms may be used to fund individual projects such as property taxes, user fees, impact fees, special assessments, grants or bonds. The presence of a CIP can help a community to achieve other financial goals such as securing a good credit rating (thus lowering borrowing rates), promoting economic development, avoiding unexpected expenditures, and competing more successfully for state or federal funds. The team assembled to prepare the CIP must be skilled in financial management (i.e. budgeting, cost estimation and forecasting), project management, and public participation.
Public Acceptance	The public's positive or negative perception of the tool.
B	The CIP helps to keep the public informed about future public improvements, thus providing a level of certainty to residents, developers and business owners regarding community vitality, tax burdens, and service costs.
Political Acceptance	Politician's willingness to implement tool.
B	The CIP provides a rational, defensible and analytical approach for scheduling public improvements, thus reducing pressure on politicians to implement projects that are not highly ranked. Politicians that are uncomfortable sharing control with the public or other levels of government may shy away from this tool.
Equity	Fairness to stakeholders regarding who incurs costs and consequences.
A	Ranking projects based on pre-determined, measurable criteria such as number of residents served, geographic area served, or socioeconomic needs can help ensure that public improvements are strategically located where public needs and priorities are greatest.
Administration	Level of complexity to manage, maintain, enforce, and monitor the tool.
B	Developing and implementing a CIP takes a considerable amount of work from local officials, administrative staff and departmental staff, particularly upfront. After the first year, the work becomes more familiar and less demanding. An annual review process and project request forms can make the process run more smoothly.
Scale	The geographic scale at which tool is best implemented.
City, Village, Town, County	Use of the CIP is most common among cities and villages, and growing among counties. Town use is limited but also appropriate.

GRADING EXPLANATION

A - Excellent

B - Above Average

C - Average

D - Below Average

F - Failing

Grades are subjective ratings and should be considered in light of local circumstances.

Figure 2: This excerpt from the Marshfield CIP shows common CIP features such as a project description and justification statement; expected capital, operating and other impacts; detailed funding sources by year; project rank; and graphic details.

WISCONSIN EXAMPLES

Marshfield, WI - Since the 1990s, the City of Marshfield has prepared an annual five-year capital improvement plan with the stated purpose of providing for the timely renewal and extension of the city's physical plant, controlling the city's long-term debt, and coordinating capital development. The CIP serves as a link between the city's comprehensive plan and annual budget process.

Capital Improvement Program
City of Marshfield, Wisconsin

2008 thru 2012

Contact: Ed Englehart
Department: Parks & Recreation
Category: L - Parks
Useful Life: Unassigned
Priority: Level 1

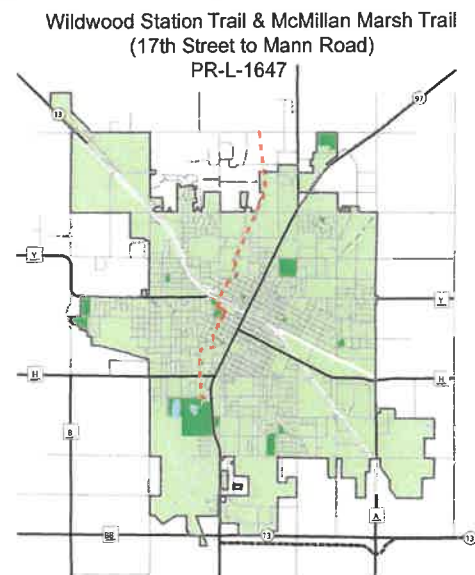
Project Name: Wildwood Station-McMillan Marsh Trail
Project #: PR-L-1647

Description: The project would complete a pedestrian/bicycle trail from Wildwood Park on the south to McMillan Avenue near Fig Avenue on the north. This project narrowly missed 80/20 funding by the State of Wisconsin in 2006 and will be resubmitted in the next round of state trail funding allocations in 2008. The project will require acquisition of the former Texas Spur rail corridor from 7th Street south to Wildwood Park and cooperation from the School District of Marshfield for the trail segment on the west boundary of Grant School. A segment of the trail from Depot Street to Cleveland Street will consist of a combination of on road bike lanes and sidewalks. The remainder of the trail is proposed to be 10' asphalt surface.

Justification: This would provide a key connector segment to other existing trails through the center of the trail system plan, including the Veteran's Parkway pedestrian overpass, and would create a connection to the medical complex area, Security Health, and Grant School. This project was suggested by the Friends of the Trails and is supported by staff. Design and R.O.W. acquisition will occur in 2010 and construction in 2011. It will be important to continue to include St. Joseph's Hospital, the Marshfield Clinic and the School District of Marshfield in the planning of the project.

Operational Impact/Other: Increased maintenance cost for mowing, snow removal, and other trail and grounds maintenance.

Expenditures	2008	2009	2010	2011	2012	Total
Design			100,000			100,000
Right of Way			157,000			157,000
Construction				725,000		725,000
Total			257,000	725,000		982,000
Funding Sources	2008	2009	2010	2011	2012	Total
Non-Local Revenue			207,000	580,000		787,000
Operating Funds				25,000		25,000
Room Tax			50,000	120,000		170,000
Total			257,000	725,000		982,000



FOR MORE INFORMATION

Bowyer, Robert A. (1993). Capital Improvement Programs: Linking Budgeting and Planning. American Planning Association, Planning Advisory Service Report 442.

Chandler, Michael. (1996-97). Capital Improvement Programs – Parts I, II and III. Planning Commissioners Journal, Numbers 25, 26 and 27.

Tigue, Patricia. (1996). Capital Improvement Programming: A Guide for Smaller Governments. Government Finance Officers Association.

Vogt, A. John. (2004). Capital Budgeting and Finance: A Guide for Local Governments. International City/County Management Association.

ACKNOWLEDGEMENTS

Document prepared by Rebecca Roberts, 2008. Design and layout by Robert Newby. We gratefully acknowledge the contributions of Anna Haines and Linda Stoll, Center for Land Use Education; Bonnie Curtiss and Keith Strey, City of Marshfield; Alan Probst, Local Government Center; and Rob Burke, UW-Extension, Door County. Figure 1 photos from Bonestroo.com. Figure 2 excerpted from the City of Marshfield Capital Improvement Program, 2008-2011.

ATTACHMENT F
FLORIDA CAPITAL IMPROVEMENTS REQUIREMENTS

Capital Improvements Element

Home > Community Planning, Development and Services > Community Planning > Table of Contents > Capital Improvements Element

Community Planning

Community Planning Table of Contents

Areas of Critical State Concern Program

Accessing Comprehensive Plans and Plan Amendments (Florida Papers)

ORC Reports, Notices of Intent, and School Interlocal Agreement Consistency Findings

Evaluation and Appraisal Review of the Comprehensive Plan

General Information About Developments of Regional Impact and Florida Quality Developments

List of Local Governments Qualifying as Dense Urban Land Areas

Revitalization of Expired Homeowners Association Declarations and Covenants

Community Planning Staff Directory (Alphabetical)

Community Planning Review Team Assignments

Community Services

Community Development Block Grants

Rural Community Programs

Special Districts

With the 2011 legislative changes, Florida's local governments are no longer required to submit the annual update of the Five-Year Capital Improvements Schedule to the Department for review. However, the Capital Improvements Element remains a required critical component of the local government's comprehensive plan. The schedule must be reviewed annually by the local government to reflect the timing, location and funding of capital projects to achieve and maintain adopted level of service standards for public facilities that are necessary to implement the comprehensive plan. The update to the schedule may be accomplished by ordinance and will not be considered an amendment to the comprehensive plan. The following provides guidance for local governments as they review and update the Capital Improvements Element.

Summary of 2011 Legislative Changes

The 2011 legislative session adopted several major revisions to Chapter 163, Florida Statutes, regarding the Capital Improvements Element:

- The revisions to Chapter 163, Florida Statutes, removed the requirement that the annual update to the Five-Year Schedule of Capital Improvements (schedule) be adopted and transmitted as a comprehensive plan amendment to the state land planning agency (now the Department of Economic Opportunity) for review by December 1 of every year;
- The requirement for the adoption of the Capital Improvements Element as one component of the local comprehensive plan remains unchanged [163.3177(3)(a), Florida Statutes]. Pursuant to Section 163.3177(3)(b), Florida Statutes, local governments are still required to undertake an annual review of the Capital Improvements Element to update the Five-Year Capital Improvement Schedule;
- The annual update to the schedule may now be accomplished by ordinance and not as an amendment to the comprehensive plan. [163.3177(3)(b), Florida Statutes]. The update to the Capital Improvements Element policy referencing the facility work plan adopted by the local school board may also be adopted by reference and is not subject to state review. However, note that other amendments to the Capital Improvements Element outside of the 5-year schedule (such as policy changes, level of service standard changes, etc.) are still subject to the regular expedited amendment review processes;
- The requirement that the schedule demonstrate financial feasibility has been removed. However, the necessary capital projects must still be listed in the schedule, projected revenue resources identified, and the project listed as "funded" or "unfunded" and assigned with a level of priority for funding. [163.3177(3)(a)4., Florida Statutes].
- Section 163.3164(7), Florida Statutes, "definitions" – establishes the definition of "capital improvement". Note that the definition states that capital improvements are to be physical assets, excluding items like operation and maintenance services and studies. There is no requirement to include these types of non-physical asset expenditures in the Schedule of Capital Improvements (however, there is no prohibition either).
- Section 163.3177(3)(a), Florida Statutes, explains the purpose and the requirements of the Capital Improvements Element: "to consider the need for and location of public facilities...to encourage the efficient use of such facilities." These provisions require that the capital improvement projects, which are necessary to ensure that adopted level of service standards for public facilities will be achieved and maintained for the five-year period, will be adopted into the Schedule of Capital Improvements;
- Section 163.3180, Florida Statutes, Concurrence, establishes that sanitary sewer, solid waste, drainage and potable water are the only public facilities subject to statewide concurrence requirements. Based upon the recent statutory changes, application of concurrence requirements are now optional for parks and recreation, public schools and transportation. For more information, see Transportation Planning.

Preparation of the Five-Year Capital Improvements Schedule

While the purpose of the Capital Improvements Element is to consider the need for and the location and the efficient use of public facilities, the Capital Improvements Schedule functions as the vehicle for the element's achievement. The Capital Improvements Schedule identifies the local government's capital projects necessary for implementation of the comprehensive plan and to ensure that the adopted level of service standards for public facilities are achieved and maintained for the five-year planning period. The following guidance is intended to help the reader understand the general steps for preparation of the Capital Improvements Schedule:

1. **Level of Service Analysis:** To determine the availability of public facilities, prepare an analysis for each facility to establish the current capacity for that facility. Based upon the adopted level of service standards, determine how much of that capacity is now in use and how much excess capacity remains or how deficient the facility is;
2. **Project the Demand:** Based upon the local government's population projection and the adopted Level of Service standards, estimate the demand for each facility for each year for the next five-year planning period;

- 3. **Determine Deficiencies:** Based upon demand projections, determine deficient or surplus capacity for each public facility for the five-year planning period;
- 4. **Identify Needed Capital Improvements:** Identify the capital improvements needed by year to correct projected deficiencies. Ideally, these improvements were anticipated and included in the long term list of capital improvements. Those projects should be moved from the long term list to the 5-year schedule when the analysis demonstrates they are needed. Also, it is important to identify needed capital improvement projects for the replacement of obsolete or antiquated facilities and the timing for the required improvements;
- 5. **Estimate Cost of Improvement Projects:** Identify the cost of each of the needed five-year capital improvement projects;
- 6. **Identify Funding Source:** Based upon projected revenue sources, determine the appropriate funding source(s) for each project that will be needed. Funding should be identified as public (federal, state and local funding) or private. Private projects may include those projects for which the local government has no fiscal responsibility. The remaining requirement will be for each project to be identified as "funded" or "unfunded" and assigned a level of priority for funding. To assist with the prioritization of funding, a local government may want to adopt criteria by which prioritization should be considered. Emphasis could be put on public safety, job creation, assistance with redevelopment or on the availability of matching contributions to maximize the investment;
- 7. **Capital Improvements Adoption:** Upon completion of the above six steps, the local government should finalize the updates to the schedule and initiate the procedures for its adoption.

Long Term Capital Improvements

In addition to the requirement for short term planning for infrastructure, local governments should also plan for their major long term needs. The local government should review its population projections for the long term planning horizon and assess the projected need for major additional infrastructure improvements, such as water and wastewater treatment plants, new well fields, new roads, additional lanes, etc. Also, any major components of the infrastructure that will become obsolete during the long term planning period should also be identified. The identified infrastructure improvements should be listed separately in the Capital Improvements Element as long term projects or included in the relevant plan element. There is no need to identify the specific year in which the improvement is needed. That requirement is only for the five year schedule discussed above. The long term schedule should consider the 10-year water supply plan as well as the plans of the metropolitan planning organization, transportation authority, Florida Transportation Plan, and Department of Transportation's adopted work program. The Transportation Improvements should be reflected on the Future Transportation Map. It would assist local governments in budgeting for the longer term improvements if the magnitude of the cost of the improvement was also identified. As local governments are updating their five year capital improvement schedule, they may then refer back to this long term list, determine how far off any improvements will be needed outside of the five year schedule, and begin planning / budgeting for those improvements.

Addition Information

For further information and additional assistance concerning a particular local government, contact the planner in the Bureau of Community Planning assigned for that area. See Community Planning Review Team Assignments.