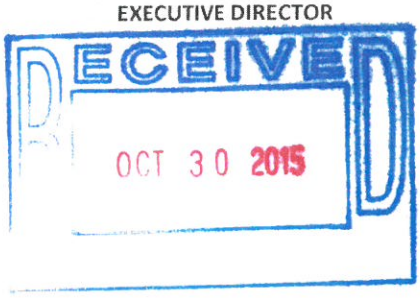
Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Jesse Panuccio
EXECUTIVE DIRECTOR



October 27, 2015

Mr. Aref Joulani
Planning & Development Director
Town of Ponce Inlet
4300 South Atlantic Avenue
Ponce Inlet, Florida 32127

RE: Ponce Inlet Evaluation and Appraisal Notification Letter

Dear Mr. Joulani,

This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter which was due on November 1, 2015, and received by the Department on October 26, 2015.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to the Department by **November 1, 2016**, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes. The amendments are subject to the State Coordinated Review Process as outlined in Section 163.3184(4), Florida Statues.

Mr. James Stansbury of the Department's staff is available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at (850) 717-8512.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendments, please contact Mr. Ray Eubanks, Plan Processing Administrator, at (850) 717-8483.

Sincerely,

D. Ray Eubanks
Plan Processing Administrator

DRE/me

Town of Ponce Inlet

4300 South Atlantic Avenue
Ponce Inlet, Florida 32127
Phone: (386) 236-2150
Fax: (386) 322-6717
www.ponce-inlet.org

October 19, 2015

RECEIVED
Bureau of Community Planning
OCT 26 2015
Div. of Community Development
Dept. of Economic Opportunity

Florida Department of Economic Opportunity
Division of Community Planning and Development
ATTN: Ray Eubanks,
Plan Processing Administrator
107 East Madison Street, Caldwell Building, MSC 160
Tallahassee, Florida 32399

Re: Town of Ponce Inlet Evaluation and Appraisal Notification Letter

Dear Mr. Eubanks:

Florida Statutes § 163.3191 requires the Town of Ponce Inlet to periodically review its Comprehensive Plan and determine whether plan amendments are necessary to reflect changes in state law requirements. Florida Administrative Code Rule 73C-49.002 requires the Town to conduct the first such review since the 2011 adoption of the Community Planning Act by November 1, 2015.

The Town has conducted this review and determined that changes to the Comprehensive Plan are necessary to reflect changes in state law. The Town provides this letter to notify the state land planning agency of this determination, to identify plan amendments necessary to reflect changes in state law and to identify other necessary plan amendments. Please note that the Town may adopt Comprehensive Plan amendments that are different from those identified here after holding public hearings on proposed amendments.

The Town of Ponce Inlet's evaluation has identified the following necessary changes:

I. General

A. For consistency with F.S. § 163.3161(1), update all references to comprehensive planning legislation to "Community Planning Act."

B. Update data and analysis in the comprehensive plan with a focus on the data the Community Planning Act requires.

C. Delete references to repealed Rule 9J-5, Florida Administrative Code. Revise citations to reference Chapter 163, Florida Statutes where appropriate.

D. Adopted levels of service and the concurrency management system appear in multiple elements. Determine if the Town wishes to continue concurrency programs for transportation and recreation through its comprehensive plan. Review all levels of service references to ensure consistency. Ensure the concurrency management system and proportionate share methodology is consistent within the Comprehensive Plan and between the Comprehensive Plan and the Land Development Code.

E. To comply with F.S. § 163.3177(1)(f)3, amend the comprehensive plan to be based upon permanent and seasonal population estimates and projections, which shall either be those published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under F.S. 380.05 – Areas of Critical State Concern.

F. To comply with F.S. § 163.3177(5)(a), revise plans to include five-year and 10-year planning periods.

G. For consistency with F.S. § 163.3204, change references to the "Department of Community Affairs" to "state land planning agency."

H. Throughout the plan, update names of departments and key staff positions to reflect departmental reorganizations since the last plan update.

I. Update references to local and regional agencies throughout the plan.

II. Administration

A. Update Chapter I, Administration, to include new statutory references and changes to plan amendment procedures per the 2011 Community Planning Act.

III. Future Land Use Element

A. To comply with F.S. § 163.3177(6)(a), amend Policy 1.2.2 to clarify that density figures refer to the *gross* acreage of land.

B. To comply with F.S. § 163.3177(6)(a)4, review and update the future land use map if necessary to ensure that it can accommodate at least the minimum amount of land required for the medium projections of the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under F.S. 380.05 – Areas of Critical State Concern.

C. To comply with F.S. § 163.3177(6)(a)9, amend the Future Land Use Element to discourage the proliferation of urban sprawl, as redefined in the 2011 Community Planning Act.

D. To comply with F.S. § 163.3177(6)(a)10.b.(I), amend Future Land Use Map series to identify the designated "Ponce Park Historic Area." Additionally identify any significant historic properties worthy of greater protection.

E. To comply with F.S. § 163.3178(2)(h) and (8)(a), amend Policy 1.2.2(g), Policy 1.1.4, Objective 1.4 and Policy 1.4.1 to establish appropriate densities and mitigation for development in the Coastal High Hazard Area, rather than outright prohibition.

F. To comply with F.S. § 163.3178(8)(c), amend the Future Land Use Map to show the Coastal High Hazard Area.

IV. Transportation Element

A. Because the Town of Ponce Inlet is within the metropolitan planning area of the River-to-Sea (Volusia-Flagler) Transportation Planning Organization (TPO), amend the Transportation Element to be consistent with the requirements of F.S. § 163.3177(6)(b) including adding policies if necessary to address the requirements of F.S. § 163.3177(6)(b)1-2.

B. If the City chooses to maintain a transportation concurrency program, amend Transportation Element and other applicable elements to maintain compliance with F.S. § 163.3180(5)(h).

C. To establish compliance with F.S. § 163.3177(6)(b), update the plan to add policies regarding mobility, walkability, public transportation, and multi-modal systems. Update maps to incorporate recommended improvements from the Ponce Inlet Bicycle-Pedestrian Master Plan.

D. References to the "Volusia County Metropolitan Planning Organization (MPO)" need to be revised to the "River-to-Sea Transportation Planning Organization (TPO)."

E. Pursuant to F.S. § 163.3180(5)(g), provide for use of common LOS and concurrency methodologies, such as the uniform traffic impact analysis methodology adopted by the River-to-Sea Transportation Planning Organization.

F. If the Town maintains transportation concurrency, add a policy under Objective 1.1 exempting public transit from concurrency, pursuant to F.S. § 163.3180(5)(h),

G. To comply with F.S. § 163.3180(5)(h)2.a, update policy 1.7.3 to reference proportionate fair-share and methodology and credits due for any additional impact fees paid per F.S. § 163.3180(5)(h)2.e.

H. Update cross-references to the concurrency chapter in the LUDC in all policies as applicable.

V. Housing Element

A. To comply with F.S. § 163.3177(6)(f) revised policies as applicable to ensure the provision of adequate site for affordable workforce housing.

VI. Public Facilities Element

A. To comply with F.S. § 163.3177(6)(c)1, update relevant data and analyses regarding facilities providing service within the Town's jurisdiction, along with planned capital projects.

B. To comply with F.S. § 163.3177(6)(c)3, update to include latest regional water supply plan data, and both traditional and alternative supply projects if applicable.

C. To comply with F.S. § 163.3180(2-3) Potable water and sewer – change LOS to refer to standards set by Port Orange, since the Town cannot set LOS standards for services provided by another jurisdiction.

VII. Coastal Management Element and Conservation Element

A. To comply with F.S. § 163.3177(6)(d), update Conservation Element policies regarding factors that affect energy conservation.

B. To comply with F.S. § 163.3177(6)(g), update the coastal zone management data, principles, guidelines, standards, and strategies to include policies that limit public expenditures that subsidize development in coastal high-hazard areas and protect human life against the effects of natural disasters.

C. To comply with F.S. § 163.3178(2)(d), update plan to include latest Division of Emergency Mgmt. regional hurricane evacuation study data.

D. Pursuant to F.S. § 163.3178(2)(f), address redevelopment in coastal areas, outlining the principles

and strategies to eliminate inappropriate and unsafe development when opportunities arise.

E. To comply with F.S. § 163.3178(2)(j), update policies to identify regulatory and management techniques to mitigate the threat to human life and to control proposed development and redevelopment in order to protect the coastal environment and give consideration to cumulative impacts.

F. Update Policy 1.4.1 to reflect F.S. § 163.3178(8)(a), regarding review of comprehensive plan amendments in the CHHA and appropriate mitigation for impacts to hurricane evacuation.

VIII. Recreation and Open Space Element

A. Given that the amount of open space and parkland in Town far exceeds the level-of-service standard, evaluate whether the LOS standard is still needed, or should be modified to reflect updated recreation needs and preferences, per F.S. § 163.3180(1)(a).

IX. Intergovernmental Coordination Element

A. To comply with F.S. § 163.3177(6)(h)1.b. include a dispute resolution process as prescribed in section F.S. § 186.509.

B. To comply with F.S. § 163.3180(5)(g), address coordination with Transportation Planning Organization (TPO) policies and agreements, such as the uniform traffic impact analysis methodology.

C. To comply with F.S. § 163.31777(4), assess the extent to which Ponce Inlet continues to meet the criteria for exemption of a school interlocal agreement under subsection F.S. § 163.31777(1) and (2).

X. Capital Improvements Element

A. To comply with F.S. § 163.3177(3)(a), update capital improvements schedule for the next 5-year planning period, including transportation improvements in the Transportation Planning Organization (TPO) improvement program and long-range transportation plan.

B. Review Objective 1.5 and Policies 1.5.1-1.5.3 for consistency with F.S. § 163.3178 regarding public expenditures in the CHHA.

The Town looks forward to developing the 2016 comprehensive plan update into a concise and meaningful statement of intent. If you have any questions, please do not hesitate to contact this office.

Sincerely,

Aref Joulani
Planning & Development Director