

By Senator Clary

4-1022A-06

1 A bill to be entitled
2 An act relating to coastal management; amending
3 s. 163.3178, F.S.; requiring that a coastal
4 management element of a comprehensive plan
5 outline principles for the protection of
6 property against the effects of a natural
7 disaster; requiring a local government to meet
8 certain criteria in order to amend a
9 comprehensive plan to allow for redevelopment
10 within a coastal high-hazard area; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraphs (d) and (f) of subsection (2) of
16 section 163.3178, Florida Statutes, are amended to read:

17 163.3178 Coastal management.--

18 (2) Each coastal management element required by s.
19 163.3177(6)(g) shall be based on studies, surveys, and data;
20 be consistent with coastal resource plans prepared and adopted
21 pursuant to general or special law; and contain:

22 (d) A component that ~~which~~ outlines principles for
23 hazard mitigation and protection of human life and property
24 against the effects of natural disaster, including population
25 evacuation and local mitigation strategies, and that takes
26 ~~which take~~ into consideration the capability to safely
27 evacuate the density of coastal population proposed in the
28 future land use plan element in the event of an impending
29 natural disaster.

30 (f) A redevelopment component that ~~which~~ outlines the
31 principles that ~~which~~ shall be used to eliminate inappropriate

1 and unsafe development in the coastal areas when opportunities
2 arise. In recognition of the need to balance redevelopment,
3 the protection of human life and property, and public
4 investment in infrastructure, certain qualifying local
5 governments may amend their comprehensive plans to allow for
6 redevelopment and increased density within the designated
7 coastal high-hazard area. To qualify, the local government
8 must meet the following criteria:

9 1. The local government must be located inland from
10 the coastal shores of the state by at least 10 miles, in a
11 county that has a population of at least 450,000 but fewer
12 than 1 million, and adjacent to a river;

13 2. The coastal high-hazard area must be part of an
14 established community redevelopment area having an adopted
15 community redevelopment plan that has been incorporated into
16 the comprehensive plan;

17 3. Emergency shelter space for 100 percent of the
18 additional population that may be allowed to reside in the
19 coastal high-hazard area must be provided prior to the
20 issuance of a building permit for any redevelopment of the
21 area; and

22 4. The local government amendment must include the
23 following components:

24 a. Measures to reduce, replace, or eliminate unsafe
25 structures and properties subject to repetitive damage from
26 coastal storms and floods;

27 b. Measures to reduce exposure of infrastructure to
28 hazards, including relocation and structural modification of
29 threatened coastal infrastructure;

30 c. Operational and capacity improvements to ensure
31 that the redevelopment strategy maintains or reduces

1 throughout the planning timeframe the county hurricane
2 evacuation clearance times as established in the most recent
3 hurricane evacuation study or transportation analysis;

4 d. If the county hurricane evacuation clearance times
5 exceed 16 hours for a Category 3 storm event, measures to
6 ensure that the redevelopment strategy reduces the county
7 evacuation times or county shelter deficit for the existing
8 population;

9 e. Measures that provide for county evacuation shelter
10 space to ensure that development authorized within the
11 redevelopment area provides mitigation proportional to its
12 impact to offset the increased demand on evacuation clearance
13 times and public shelter space;

14 f. Measures to ensure that public expenditures that
15 subsidize development in the most vulnerable areas of the
16 coastal high-hazard area are limited to those expenditures
17 needed to provide for public access to the waterfront, to
18 protect natural systems, to correct existing hurricane
19 evacuation deficiencies, or to make facilities more disaster
20 resistant;

21 g. Measures that commit to planning and regulatory
22 standards that exceed minimum National Flood Insurance
23 Standards, including participation in the Community Rating
24 System of the National Flood Insurance Program;

25 h. Measures to ensure protection of coastal resources,
26 including beach and dune systems, and provision for public
27 access to the beach and shoreline consistent with estimated
28 public needs;

29 i. Data and analysis including existing damage
30 potential; the potential costs of damage to structures,
31 property, and infrastructure under the redevelopment strategy;

1 and data that demonstrate reduced potential for damage to new
2 or rehabilitated structures, property, and infrastructure;

3 j. Data and analysis forecasting the effects on
4 shelter capacity and hurricane evacuation clearance times,
5 based on the population anticipated by the redevelopment
6 strategy; and

7 k. The execution of an interlocal agreement, as
8 supporting data and analysis, between the local government and
9 the county emergency management agency as needed to implement
10 mitigation strategies to reduce hurricane evacuation clearance
11 times and deficits in public shelters.

12 Section 2. This act shall take effect July 1, 2006.

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15 SENATE SUMMARY

16 Requires that a coastal management element of a
17 comprehensive plan outline principles for the protection
18 of property against the effects of a natural disaster.
19 Requires a local government to meet certain criteria in
20 order to amend a comprehensive plan to allow for
21 redevelopment within a coastal high-hazard area.
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