

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

REVISED AGENDA • APRIL 5, 2021

Large Conference Room

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



Large Conference Room
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

PLANNING & APPEALS BOARD MEMBERS

Chairman
Mike Myer

Board Member
Arthur J. Byrnes

Board Member
Dennis Smith

Board Member
Robin D. Hanger

Board Member
Tony Cassata

CITY PLANNER
Brian Walker

Building & Zoning
Eleni Deligianis

1. CALL TO ORDER**2. INVOCATION****3. PLEDGE OF ALLEGIANCE****4. BOPA MINUTES APPROVAL****1. Minutes- March 1, 2021 BOPA**

(Requested by Eleni Deligianis, Board of Planning and Appeals)

5. AGENDA ITEM(S)

- 1. Ordinance AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(F)(1); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

(Requested by Brian Walker, Board of Planning and Appeals)

6. OLD BUSINESS**7. BOARD/STAFF COMMUNICATIONS****8. ADJOURNMENT**

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she 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 City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

4.1

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: April 5, 2021
FROM: Eleni Deligianis
SUBJECT: Minutes- March 1, 2021 BOPA
NUMBER: (ID # 3256)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from March 1st, 2021 BOPA Meeting.

MOTION:

Approved as submitted by staff.

- March 2021 BOPA Minutes(PDF)



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • MARCH 1, 2021

City Commission Chamber

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	Board Member	Present	
Mike Myer	Chairman	Present	
Robin D. Hanger	Board Member	Excused	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	

2. INVOCATION

Invocation was led by Mike Myer.

3. PLEDGE OF ALLEGIANCE

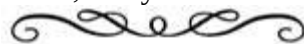
Pledge of Allegiance was led by Mike Myer.

4. BOPA MINUTES APPROVAL

1. Minutes - February 1, 2021 BOPA Meeting

(Requested by Eleni Deligianis, Board of Planning and Appeals)

Motion to approve February 1, 2021, Tony Cassata. Seconded by Arthur Byrnes.



5. AGENDA ITEM(S)

1. An Ordinance of the City of Holly Hill, Volusia County Florida, Annexing by Voluntary Petition Approximately 1.45 Acres Identified as Parcel Numbers 4242-31-01-0270 and 4242-31-01-0280 Contiguous to the City of Holly Hill

(Requested by Brian Walker, Board of Planning and Appeals)

Brian Walker, Community Development Director/City Planner summarized his staff report.

This request is to annex two parcels totaling approximately 1.45 acres, located approximately 500 feet south of Flomich St. between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1529 Old Kings Road

and 1860 N Nova Road. This application precedes a comprehensive plan amendment (CPA-2021-03) and a Rezone (Z-2021-03).

Florida Statutes Section 171.044 present the requirements for voluntary annexation. The parcels are contiguous to the City limit. Both parcels are under common ownership. The annexation will result in a city limit that is reasonably compact and does not create an enclave. Therefore, the request meets the statutory requirements.

This request precedes a request for a comprehensive plan amendment and rezone. The proposed comprehensive plan map amendment will request General Commercial future land use, and the proposed rezone will be to CC-1 (Corridor Commercial), which is consistent with the abutting property in the City of Holly Hill.

Staff recommends the City Commission annex two parcels totaling approximately 1.45 acres, along with the adjacent rights of way, located approximately 500 feet south of Flomich St. between N Nova Road and Old Kings Road, and more specifically known as 1529 Old Kings Road and 1860 N Nova Road.

No one spoke for or against this item.

Motion to recommend the annexation, Dennis Smith, seconded by Arthur Byrnes.



6. OLD BUSINESS

None.

7. BOARD/STAFF COMMUNICATIONS

April 4th, 2021 is the next scheduled BOPA meeting.

8. ADJOURNMENT

Motion to adjourn by Mike Myer at 6:09pm.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Ordinance**

MEETING DATE: April 5, 2021
FROM: Brian Walker
SUBJECT: AN ORDINANCE ADOPTING LARGE SCALE
COMPREHENSIVE PLAN AMENDMENTS IN
ACCORDANCE WITH CH. 163, PART II, FLORIDA
STATUTES; AMENDING THE COASTAL MANAGEMENT
ELEMENT TO ADD OBJECTIVES AND POLICIES FOR
FLOOD RISK PLANNING IN ACCORDANCE WITH
FLORIDA STATUTES SECTION 163.3178(2)(F)(1);
REPEALING ALL ORDINANCES AND PARTS OF
ORDINANCES IN CONFLICT HEREWITH; AND
PROVIDING AN EFFECTIVE DATE.
NUMBER: (ID # 3255)
APPLICANT: Brian Walker
PLANNER:

PROJECT REQUEST

A request by the Community Development Department, to approve a Large Scale Comprehensive Plan Text Amendment, amending the Coastal Management/Conservation Element, adding Objectives and Policies for flood risk planning in accordance with FS 163.3178(2)(f)1.

PROJECT DESCRIPTION

On May 21, 2015, Senate Bill 1094, “An Act relating to the peril of flood” was signed into law. Senate Bill 1094 requires consideration of future flood risk from storm surge and sea level rise in certain portions of local government comprehensive plans. In accordance with SB 1094, Florida Statute section 163.3178(2)(f)1 now includes sea-level rise as one of the causes of flood risk that must be addressed in the “redevelopment principles, strategies, and engineering solutions” to reduce flood risk. The amendment to the Coastal Management Element of the Comprehensive Plan is proposed to comply with this law.

The law expands the flood insurance that may be offered by admitted insurance carriers, requires local governments to include a redevelopment component to reduce the risk of flood when drafting comprehensive coastal management plans, and requires surveyors and mappers to submit elevation certificates to the Division of Emergency Management.

The law specifies components that must be contained in the Coastal Management Element required for a local government comprehensive plan. Each must contain a coastal redevelopment component that addresses how to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise.

The redevelopment component must now:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.
4. 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.
5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.
6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency

PROPOSED AMENDMENTS

Objective 3.7: Flood Risk - The City shall eliminate inappropriate and unsafe development, and mitigate the flood risk to existing and future development, in the coastal areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff and sea level rise when opportunities arise.

Policy 3.7.1: The City shall continue to include development and redevelopment principles, strategies and engineering solutions that reduce the flood risk in coastal areas which result from high tide events, storm surge, flash floods, stormwater runoff and the related impacts of sea level rise.

Policy 3.7.2: The city shall encourage the use of best management practices, development and redevelopment principles strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency (FEMA).

Policy 3.7.3: The City shall continue to identify site development techniques and best management practices that may reduce losses due to flooding and claims made under flood insurance policies issued in the state.

Policy 3.7.4: The City shall require redevelopment 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, as amended.

Policy 3.7.5: The City shall require that any construction activities seaward of the coastal construction control lines established pursuant to F S 161 053 be consistent with F S 161, as amended.

Policy 3.7.6: The City shall continue to participate in the Community Rating System (CRS) administered by the Federal Emergency Management Agency (FEMA) to achieve flood

[insurance premium discounts for residents.](#)

RECOMMENDATION

Staff recommends approval of the proposed amendment to the Coastal Management Element to be in compliance with F.S. 163.3178(2)(f)1.

The item is tentatively scheduled to be heard by the City Commission for first reading on April 13, 2021, and the second reading (public hearing) is to be scheduled at the next available City Commission meeting subsequent to DEO and VGMC review.

Ordinance No. (ID # 3255)**AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(F)(1); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.****ORDINANCE NO.**

AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(f)(1); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes (2018), provides for the amendment of a comprehensive plan; and

WHEREAS, amendments have been proposed to the Coast Management Element of the City of Holly Hill's Comprehensive Plan, to add objectives and policies for flood risk planning in compliance with §163.3178(2)(f)(1), Florida Statutes; and

WHEREAS, the City Manager has transmitted the proposed amendments and any supporting data and analyses to the Florida Department of Economic Opportunity and provided a copy of the proposed amendments to the Regional Planning Council, the St. Johns Water Management District, the County of Volusia, the Florida Departments of State, Transportation, and Environmental Protection, and to any requesting agency, within 10 days of the first reading in accordance with the requirements of § 163.3184(3)(b), Florida Statutes; and

WHEREAS, the City has reviewed the comments provided by the above referenced agencies; and

WHEREAS, the Board of Planning and Appeals, in accordance with Section 163.3174(4)(a), Florida Statutes, has held one or more public hearings with public notice, has solicited public participation in the preparation and consideration of the proposed amendments and recommends approval; and

WHEREAS, the City Manager supports the Board of Planning and Appeals recommendation.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Coastal Management Element of the City's Comprehensive Plan is hereby amended by creating Objective 3.7, Flood Risk, and Policies addressing Flood Risk, to read as follows (underline indicates added text):

Chapter 5 COASTAL MANAGEMENT/CONSERVATION ELEMENT

* * * [omitted text not affected by this ordinance]

Objective 3.7 Flood Risk - The City shall eliminate inappropriate and unsafe development, and mitigate the flood risk to existing and future development, in the coastal areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff and sea level rise when opportunities arise.

Policy 3.7.1. The City shall continue to include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk which results from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

Policy 3.7.2. The City shall encourage the use of best management practices, development and redevelopment principles/strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency (FEMA).

Policy 3.7.3. The City shall continue to identify site development techniques and best management practices that may reduce losses due to flooding and claims made under flood insurance policies issued in the state.

Policy 3.7.4. The City shall require redevelopment to be consistent with or more stringent than the flood resistant construction requirements of the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R., Part 60, as amended.

Policy 3.7.5. The City shall require that any construction activities seaward of the coastal construction control lines established pursuant to F.S. §161.053 be consistent with F.S. Ch. 161, as amended.

Policy 3.7.6. The City shall continue to participate in the Community Rating System (CRS) administered by FEMA to achieve flood insurance premium discounts for residents.

* * * [omitted text not affected by this ordinance]

SECTION 2. It is hereby found that the proposed amendments meet the requirements of Ch. 163, part II, Florida Statutes.

SECTION 3. Public Hearings at 6:00 p.m., Monday, April 5, 2021, and Tuesday, April 13, 2021, in Commission Chambers, City Hall, 1065 Ridgewood Avenue , Holly Hill, Florida, after notice published in accordance with §163.3184(11), Florida Statutes, are deemed to comply with law.

SECTION 4. Within 10 working days after the adoption of this ordinance , the City Manager shall submit a transmittal letter to the Department of Economic Opportunity and any other agency that provided timely comments, with information and attachments, in accordance with §163.3184(3)(c)2, Florida Statutes.

SECTION 5. The effective date of these plan amendments shall be in accordance with §163.3184(3) (c) 4, Florida Statutes, and Volusia Growth Management Commission's issuance of a Certificate of Consistency.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.