

ORDINANCE NO. 12 - 13

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO ADOPT THE EAST LAKE TARPON COMMUNITY OVERLAY; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Act; and

WHEREAS, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and significantly amended the Plan on March 18, 2008, based on the adopted Evaluation and Appraisal Report and following review by the State Department of Community Affairs; and

WHEREAS, in 2008 the Comprehensive Plan was also amended to provide for the development and application of Community Overlays as a means of recognizing distinct communities in Pinellas County; and

WHEREAS, the Board of County Commissioners determined that Community Overlays allow citizens to better participate in planning for their future, as well as enabling the Board of County Commissioners to understand and better plan for a community by recognizing and understanding its existing and desired characteristics and features; and

WHEREAS, the Alderman Rural Residential Community, the Tierra Verde Community and the Ozone Community all requested, and were recognized with, a Community Overlay by the Board of County Commissioners; and

WHEREAS, the Council of North County Neighborhoods (CNCN) has requested, following a collaborative community process that included public meetings, news articles and presentations, to have the East Lake Tarpon Community recognized in the Pinellas County Comprehensive Plan by adoption of a Community Overlay; and

WHEREAS, the recommendations from the Pinellas County Local Planning Agency have been received and considered; and

WHEREAS, Ordinance No. 12-04 was inadvertently adopted on January 24, 2012, and is therefore repealed herein.

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida, in its regular meeting duly assembled on this 24 day of April, 2012, that:

SECTION I: PURPOSE AND INTENT

The purpose of this amendment is to add the East Lake Tarpon Community Vision, Objective 1.22 and associated Policies 1.22.1, 1.22.2, 1.22.3, 1.22.4, 1.22.5, 1.22.6, 1.22.7, and 1.22.8, and Objective 1.23 and associated Policies 1.23.1 and 1.23.2 to the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan, and to adopt a Community Overlay for the East Lake Tarpon Community that defines the boundary of, and recognizes the distinctive character of this local community. Renumbering is provided for as needed.

SECTION II: THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED BY ADDING THE EAST LAKE TARPON COMMUNITY VISION, OBJECTIVE 1.22 AND ASSOCIATED POLICIES 1.22.1, 1.22.2, 1.22.3, 1.22.4, 1.22.5, 1.22.6, 1.22.7, and 1.22.8, AND OBJECTIVE 1.23 AND ASSOCIATED POLICIES 1.23.1 AND 1.23.2 AS FOLLOWS:

East Lake Tarpon Community Overlay

VISION: East Lake Tarpon is a beautiful, predominately family-oriented residential area in the unincorporated area of northern Pinellas County. It is generally bordered to the west by Lake Tarpon, to the east by the Brooker Creek Preserve, to the north by the Pasco County boundary and to the south by Tampa Road, excluding the City of Oldsmar. Small businesses and limited commercial uses serve to support the residents of the community. Lake Tarpon to the west provides recreational boating activities and the community's natural lands provide many passive resource-based recreation opportunities to the residents. This area is known for its quiet, scenic neighborhoods of unique residential communities and limited small businesses providing a safe and fun place to grow up.

Objective 1.22: The Board of County Commissioners will utilize a community overlay to define East Lake Tarpon as a cohesive community and their decisions will support the local vision, community character and natural environment. Small businesses support the residential character of the community. Maintaining the community's quality of life, low density residential character, and expansive open spaces is to be considered before any zoning changes or increased densities are considered.

- Policy 1.22.1: Land use, zoning and conditional use decisions by Pinellas County that affect properties in East Lake Tarpon should be compatible with the established residential development pattern and passive recreation areas, allow for recreational boating, fishing and water activities consistent with the character of East Lake Tarpon, and/or enhance the viability of local businesses that serve the community.
- Policy 1.22.2: The quality of life and the residential character of the East Lake Tarpon community will be protected by retaining sufficient acreage on the Future Land Use Map (FLUM) for businesses that serve the local residents, by supporting local boating, by establishing local gathering places, and by protecting the natural environment that defines the character of the community.
- Policy 1.22.3: All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale.
- Policy 1.22.4: Pinellas County will consider the residential and scenic use of East Lake Tarpon when making land use, zoning and conditional use decisions in the community to preserve the green space that helps define the quality of life.
- Policy 1.22.5: Pinellas County will work to enhance strong communications between the County and East Lake Tarpon businesses and residents.
- Policy 1.22.6: The natural areas within East Lake Tarpon will be protected or enhanced, as they provide boating and resource-based recreation functions for the residents who choose to live near these scenic lands.
- Policy 1.22.7: Land use, zoning, conditional use and project decisions by Pinellas County and other agencies will place a priority on the protection of natural land resources, lake and estuary habitats and dependant species.
- Policy 1.22.8: The County will strive to maintain the scenic corridor designation of East Lake Road (County Road 611) and Keystone Road (County Road 582), and consider this residential-oriented scenic corridor designation when evaluating land use and zoning changes within the corridors

or expansion of commercial zones in the East Lake Tarpon area.

Objective 1.23: Identify and prioritize infrastructure improvements necessary to maintain public safety and quality of life of East Lake Tarpon.

Policy 1.23.1: Pinellas County will identify infrastructure improvements that support the Vision for East Lake Tarpon and include them within the Capital Improvements Element of the Pinellas County Comprehensive Plan and/or in other applicable implementing plans or programs, if financially feasible.

Policy 1.23.2: In determining priorities for infrastructure improvements, Pinellas County will consider input from the community.

SECTION III: THE FUTURE LAND USE MAP SERIES OF THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED BY ADDING THE EAST LAKE TARPON COMMUNITY OVERLAY, AS DEPICTED IN EXHIBIT A OF THIS ORDINANCE, LESS THE BROOKER CREEK PRESERVE

SECTION IV: OBJECTIVE 1.22 AND POLICIES 1.22.1 AND 1.22.2 OF THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN ARE RE-NUMBERED TO READ AS FOLLOWS:

Objective 1.24 Pinellas County shall continue to pursue an overall beautification program for landscaping the County's roadway corridors and shall provide funds for implementing this program.

Policy 1.24.1 Pinellas County shall continue implementation of a landscaping program for the public rights-of-way along the arterial and collector roadways of the County. This program shall use native and drought-tolerant trees and plants where feasible.

Policy 1.24.2 Pinellas County's overall beautification program shall further other applicable objectives and policies of the Comprehensive Plan as they relate to such goals as water conservation and the use of native and drought-tolerant vegetation.

SECTION V: SEVERABILITY

If any section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION VI: LOCATION OF RECORDS

Pursuant to requirements of Section 125.68, Florida Statutes, this Ordinance to amend the Pinellas County Comprehensive Plan is incorporated into the Future Land Use and quality Communities Element of the Pinellas County Comprehensive Plan, located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION VII: FILING OF ORDINANCE: ESTABLISHING AN EFFECTIVE DATE

Pursuant to Section 163.3184(3), Florida Statutes, if not timely challenged, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after adoption. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

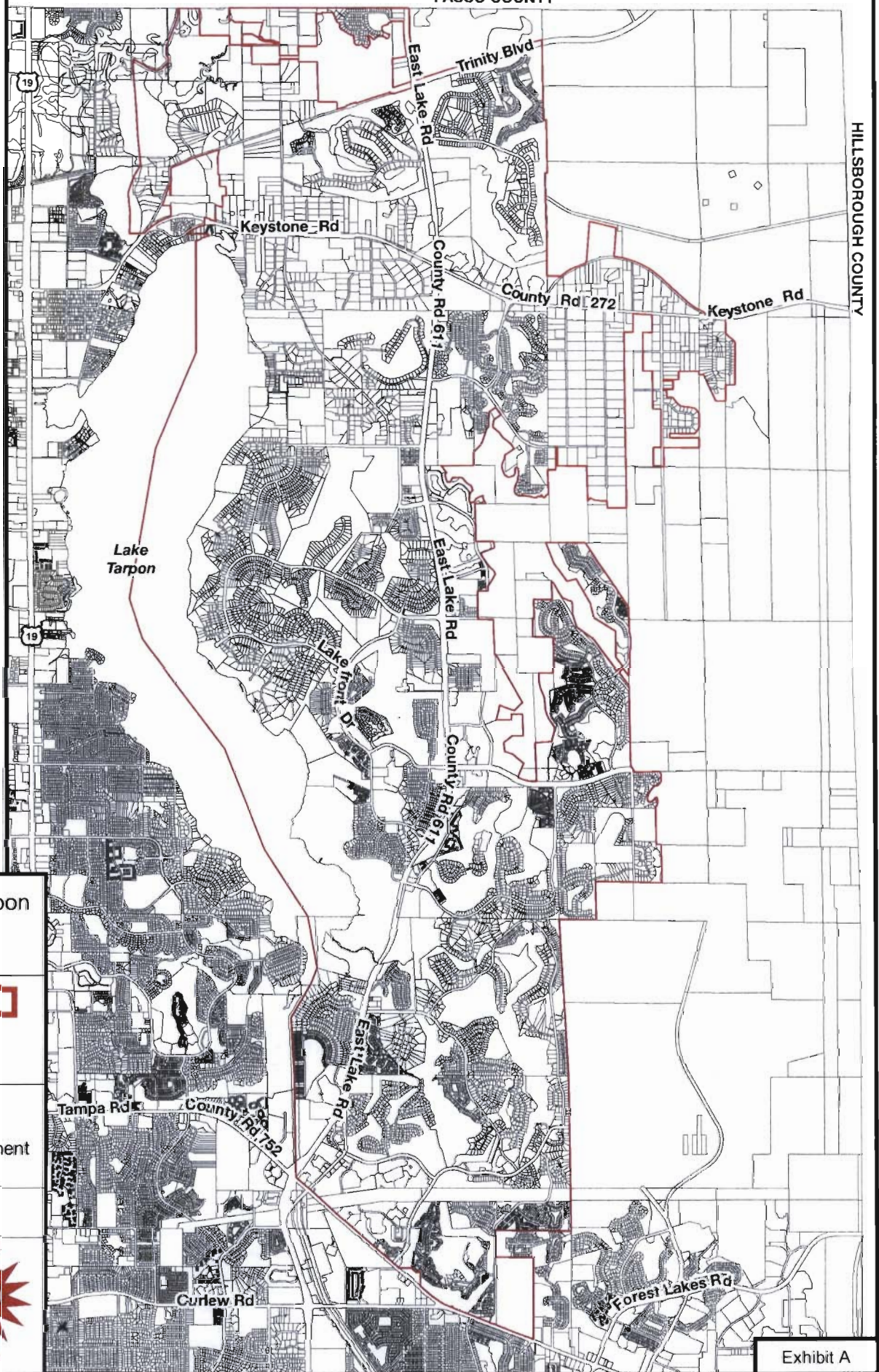
SECTION VIII: ORDINANCE NO. 12-04 IS HEREBY REPEALED

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By David S. Brown
Attorney

PASCO COUNTY

HILLSBOROUGH COUNTY



East Lake Tarpon
Community
Overlay



Subject Area
Exhibit A

Prepared by:
Pinellas County
Planning Department
September 2011



Exhibit A

STATE OF FLORIDA

COUNTY OF PINELLAS

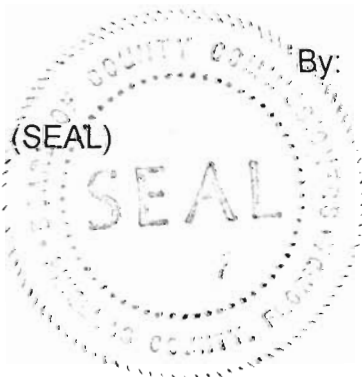
I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on April 24, 2012 relative to:

ORDINANCE NO. 12 - 13

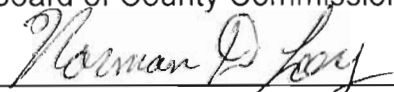
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IN WITNESS WHEREOF, I hereunto set my hand and official seal this April 27, 2012.

KEN BURKE
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners



By:


Norman D. Loy, Deputy Clerk