

BOARD OF COUNTY COMMISSIONERS

DATE: December 11, 2012

AGENDA ITEM NO. 37

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Proposed Amendment to Chapter 134 of the Pinellas County Land Development Code, adopting the Annual Concurrency Test Statement

Department:

Strategic Planning & Initiatives

Staff Member Responsible:

Larry Arrington, Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) CONDUCT A PUBLIC HEARING AND ADOPT THE PROPOSED AMENDMENT TO CHAPTER 134, THE ANNUAL CONCURRENCY TEST STATEMENT, OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE.

Summary Explanation/Background:

The Concurrency Test Statement represents an annual status report on the ability of Pinellas County's public facilities and services to meet the demands of existing and committed development, while continuing to provide an acceptable level of service. The facilities and services with adopted level of service standards include County and State roads, potable water, wastewater, solid waste, drainage, recreation, and mass transit. The respective standards are adopted in the Pinellas County Comprehensive Plan.

Using the level of service information in the Concurrency Test Statement, the concurrency "test" is applied to a development project at the time of site plan review. If the Concurrency Test Statement notes a deficiency in available capacity, then the development project is subject to certain limits or restrictions.

To assess annual conditions, existing and projected population data is applied to flow or acreage data for potable water, wastewater, solid waste and recreation, along with per capita estimates of demand, to calculate existing and future impacts on services and facilities. For drainage, the assessment is based on site specific engineering calculations, and for mass transit the assessment is based on maintaining 30/60 minute headways to major traffic generators and attractors in peak and non-peak periods. At this time, level of service conditions for these facilities/services remain acceptable, meaning there is adequate capacity to meet existing and projected needs. The only capacity deficiencies continue to be associated with certain County and State roads.

In order to assess conditions on County and State roads, County staff uses the latest Pinellas County Metropolitan Planning Organization (MPO) level of service data, which was approved in September of this year and summarizes 2011 traffic conditions. Based on this data, specific roadways with deficient levels of service are identified where development projects would be subject to application of transportation mitigation strategies. The map attached to

the Concurrency Test Statement depicts those roadways, as well as any scheduled County or Florida Department of Transportation project designed to alleviate the deficiency.

The Local Planning Agency reviewed the proposed Ordinance at their November 8, 2012, public hearing, and found the ordinance consistent with the Pinellas County Comprehensive Plan and recommended its adoption (see attached staff report). Additionally, the Ordinance will be distributed to the municipalities for their information and use as appropriate.

Fiscal Impact/Cost/Revenue Summary:

None

Exhibits/Attachments Attached:

Staff Report and Local Planning Agency Recommendation
Proposed Ordinance (Strike-Through/Underline and Clean version) with map attachment

**LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
Board of County Commissioners**



**Regarding: Amendment to Chapter 134 of the Pinellas County Code
Establishing the Annual Concurrency Test Statement**

LPA Recommendation: The LPA finds that the proposed amendments to Chapter 134 of the Pinellas County Code regarding the Annual Concurrency Test Statement are consistent with the Pinellas County Comprehensive Plan and recommends that the amendments be approved. (The vote was 5-0)

LPA Report No. 20-11-12

LPA Public Hearing Date: November 8, 2012

PLANNING STAFF RECOMMENDATION: That the LPA recommend to the Board of County Commissioners that the proposed annual amendments to the Concurrency Test Statement are consistent with the Pinellas County Comprehensive Plan, and that the Board of County Commissioners approve the proposed Concurrency Test Statement.

Background

The Concurrency Test Statement represents an annual status report on the ability of Pinellas County's public facilities and services to meet the demands of existing and committed development, while continuing to provide an acceptable level of service. The facilities and services with adopted level of service standards include County and State roads, potable water, wastewater, solid waste, drainage, recreation, and mass transit. The respective standards are adopted in the Pinellas County Comprehensive Plan.

For potable water, wastewater, recreation, and solid waste facilities, both existing and projected population over the next year are used to evaluate existing and future impacts on services and facilities. Short term population estimates have been updated based on the results of the 2010 U.S. Census.

To date, level of service conditions for potable water, wastewater, solid waste, drainage, and recreation continue to remain acceptable, with adequate capacity to meet existing and projected demands. The only facilities with concurrency issues continue to be certain County and state roads. Below is an assessment of level of service conditions for those facilities and services with an adopted level of service standard:

Potable Water

For water supply, the assessment of the ability to meet level of service standards is based upon the continued ability of Tampa Bay Water to meet the demands of Pinellas County's potable water customers.

It should be noted that although the total population for the City of Oldsmar has historically been included within the Pinellas County Water Demand Planning Area, as of October 1, 2012, the City of Oldsmar is no longer a wholesale water recipient of the County.

Therefore, it is not include in the projections of demand for 2013. Tampa Bay Water continues to able to meet the water demands of the Pinellas County Water Demand Planning Area.

Wastewater

The permitted capacity of the William E. Dunn Wastewater Treatment Facility (WTF) is 9.00 million gallons per day (mgd). The South Cross Bayou WTF has a permitted capacity of 33.00 mgd. Currently, the William E. Dunn WTF is treating 6.72 mgd and the South Cross Bayou WTF is treating 23.21 mgd. As reflected in the proposed Concurrency Test Statement, both facilities have adequate capacity to meet existing and projected demands throughout the planning horizon; i.e., there are no anticipated deficits. Continuous maintenance ensures the facilities are operating satisfactorily and in compliance with standards for Advanced Wastewater Treatment (AWT), and all regulations and permits, including those issued by the Florida Department of Environmental Protection and the federal Environmental Protection Agency.

Solid Waste

The Solid Waste Disposal plant is permitted to combust a maximum of 1,100 tons per day per boiler, with an annual average limit of 1,000 tons per day per boiler, for a total of 3,000 tons per day capacity with all three boilers operating. The expected availability (i.e., percent of time the facility is available to process waste) averages 90%, which includes allowance for scheduled and unscheduled downtime. During 2011/2012, the plant availability was reduced to approximately 80% due to construction, resulting in an increase in the amount of waste disposed in the landfill.

Solid waste disposal demand has decreased by 39,301 tons per year since the last Concurrency Test Statement. According to the Pinellas County Division of Solid Waste, economic conditions are the primary cause of this decrease; however the recycling efforts of solid waste customers have also contributed to the reduction in waste disposal demand. Level of service conditions remain acceptable as the per capita demand continues to be less than the adopted per capita standard of 1.30 tons per person per year.

Recreation and Open Space

The County's adopted level of service standard for recreation and open space is 14.0 acres of accessible parks and environmental lands to be available for every 1,000 residents (permanent and seasonal). Due to a slight increase in population, the existing level of service for recreation and open space has decreased slightly from 16.34 acres to 16.32 acres (i.e., meaning the County is able to provide 16.32 acres of recreation and open space land for every 1000 residents). This is well above the adopted level of service standard of 14.0 acres available to every 1000 residents.

Transportation

Roads under State or County jurisdiction operating under deficient level of service (LOS) conditions are designated as *congestion containment*, *constrained*, *deficient state roads with no improvements scheduled or planned*, and *long term concurrency management*. *Congestion containment* corridors are facilities operating under substandard level of service (LOS) conditions that have a mitigating improvement scheduled or planned to occur beyond the first three years of the Florida Department of Transportation (FDOT) or local government work program. *Constrained facilities* include roads under County jurisdiction operating at a deficient LOS condition with no mitigating improvement scheduled or planned.

The *long term concurrency management* corridor designation recognizes the State's commitment to a long term schedule of capital improvements necessary to address substandard LOS conditions on a long term basis and a LOS standard of "maintain" in the interim on US Highway 19 from Whitney Road to Klosterman Road.

The LOS standard for County and State roads, as adopted in the Comprehensive Plan, is C average daily/D peak hour and a volume-to-capacity (v/c) ratio of less than 0.9. The 2011 level of service data reported by the MPO indicates there were approximately 397 miles of roadways under State or County jurisdiction in Pinellas County operating at peak hour LOS E or F or a volume to capacity (v/c) ratio of 0.9 or higher in 2011. That is 21 percent of the total lane miles of State and County roads where traffic counts were reported. This figure was 19 percent the previous year and 22 percent in 2009. Roads where concurrency designations changed from last year include Park Street/Starkey Road from Tyrone Boulevard to Ulmerton Road, and Tyrone Boulevard from Park Street to 66th Street. This is due to a reduction in average daily traffic volumes. The concurrency designation on Ulmerton Road from Lake Seminole Bypass Canal to Belcher Road was also changed to indicate the scheduling of a mitigating improvement, from four to six lanes, scheduled within the next three years.

Development projects located within one-half mile of the road centerline or terminus of a concurrency corridor are limited to 50 percent of the maximum floor area/dwelling units allowed under the applicable zoning district. Through the implementation of a transportation management plan (TMP) designed to minimize transportation impacts and to increase mobility along the corridor in accordance with the terms of the Concurrency Management sections of the Land Development Code, developers may exceed the 50 percent maximum subject to County approval through the site plan review process.

Regarding mass transit, the PSTA continues to provide service to the County's major trip generators and attractors; therefore, the adopted level of service standard is being met.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed Ordinance to amend Chapter 134 of the Pinellas County Code is consistent with the following goals, objectives and policies of the Comprehensive Plan:

Future Land Use and Quality Communities Element

GOAL FOUR: PINELLAS COUNTY SHALL WORK TOWARD A LAND USE PATTERN THAT CAN BE SUPPORTED BY THE AVAILABLE COMMUNITY AND PUBLIC FACILITIES THAT WOULD BE REQUIRED TO SERVE THAT DEVELOPMENT.

- 4.1.2. Policy: On an annual basis, the Local Planning Agency of the Board shall develop and recommend adoption of a Concurrency Test Statement that assesses the demands of existing and committed development upon support facilities.

Transportation Element

1. GOAL: PROVIDE FOR A SAFE, CONVENIENT, AND ENERGY EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM THAT SERVES TO INCREASE MOBILITY, REDUCE THE INCIDENCE OF SINGLE-OCCUPANT VEHICLES, PROTECT ROADWAY CAPACITY, REDUCE THE CONTRIBUTION TO AIR POLLUTION FROM MOTORIZED VEHICLES AND IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS OF PINELLAS COUNTY.

1.1. Objective: All County and State roadways within Pinellas County, not including those identified in the Concurrency Management System as concurrency corridors (e.g., long term concurrency management, constrained and congestion containment corridors) shall operate at level of service C average daily/D peak hour and a volume-to-capacity ratio of less than 0.9. Florida Intrastate Highway System (FIHS) facilities, with the exception of US Highway 19 for an interim period described in policy 1.1.7, and roads funded through the Transportation Regional Incentive Program (TRIP) shall operate at a level of service that is consistent with Rule 14-94, F.A.C.

1.1.4. Policy: The adopted level of service (LOS) standard on backlogged/congestion containment roads is LOS F. The County shall identify these roads in Table 1-1 of the Transportation Element which will be amended as necessary to reflect the addition or removal of facilities designated as congestion containment in the Concurrency Test Statement. The County shall strive to protect the traffic carrying capacity and to improve LOS conditions on these facilities through the implementation of policies 1.1.1, 1.1.2 and 1.1.3.

1.1.5. Policy: The adopted level of service (LOS) standard on constrained roads shall be LOS F. The County shall identify constrained roads in Table 1-1 of the Transportation Element which will be amended as necessary to reflect the addition or removal of facilities designated as constrained in the Concurrency Test Statement. The County shall strive to protect the traffic carrying capacity and improve level of service conditions on these facilities through the implementation of policies 1.1.1, 1.1.2 and 1.1.3.

1.1.6. Policy: Corridor strategy plans developed by the MPO through the participation of FDOT and affected local governments will contain recommendations for the implementation of transportation improvements and management strategies in constrained corridors.

On these corridors, Pinellas County shall implement corridor strategy plan recommendations in conjunction with State and local agencies, as approved by the MPO, through the application of the Concurrency Management System and the Capital Improvements Element, as applicable. The CIE shall be amended as necessary

to include physical improvements identified in the corridor strategy plans.

Capital Improvements Element

- 1.5.1. Policy: Upon plan adoption, Pinellas County shall use the following level of service standards in reviewing the impacts of new development and redevelopment upon public facility provision.

Drainage

All applicable federal, state, and local regulations (as indicated in the Regulatory Framework section of the Surface Water Management Element) relating to flood control, stormwater treatment and wetland protection, shall continue to be met in public and private project design. The twenty-five year storm design standard shall confine the runoff from a 25 year, 24 hour rainfall event, within drainage channel banks, or within designated twenty-five year floodplains, in order to protect human life and minimize property damage. The one-hundred year storm design standard shall protect homes and commercial buildings against flooding by a 100 year, 24 hour rainfall event. Preference shall be given to stormwater management options which restore floodplains and remove obstructions from floodways.

Recreation

Fourteen acres of County park and environmental lands for every 1,000 residents within the County.

Solid Waste and Resource Recovery

The level of service standard shall be to dispose of 1.30 tons per person per year.

Water Supply

Except as otherwise provided in the Master Water Supply Contract and in the associated Interlocal Agreement, all potable water required by Pinellas County Utilities to service its customers shall be supplied by Tampa Bay Water.

In the event that Tampa Bay Water determines that the regional system has experienced a "shortfall" or "production failure" as defined in the Interlocal Agreement, Pinellas County shall respond with one or more of the following actions and alternatives.

1. Institute additional water conservation measures;
2. Halt or otherwise restrict the issuance of development orders and permits;
3. Develop new sources of potable water within the parameters of the Interlocal Agreement;
4. Purchase potable water from suppliers other than Tampa Bay Water;

5. Cooperate with Tampa Bay Water, the Southwest Florida Water Management District, and the affected local governments to develop a regional response to the situation; and
6. Use actions and alternatives not identified within this policy.

Pinellas County shall use the following Level of Service Standard when preparing its annual 5-year and 20-year potable water demand projections for the Pinellas County Water Demand Planning Area, which are required by the Master Water Supply contract to enable Tampa Bay Water to formulate its capital improvement program:

Pinellas County Water Demand Planning Area (gpcd)*

| Year | 1990 | 1994 | 1995 | 1997 | 2000 | 2005 | 2010 | 2015 | 2020 | 2025 |
|-------|------|------|------|------|------|------|------|------|------|------|
| gpcpd | 150 | 145 | 135 | 125 | 125 | 120 | 120 | 120 | 115 | 115 |

Note: *gpcd=gallons per capita per day

To determine whether adequate capacity is available for a development or redevelopment project in the unincorporated County that is served by a municipal potable water system, Pinellas County will utilize the level of service standards adopted by the municipal service provider.

Sanitary Sewer

Pinellas County Utilities (PCU) shall provide the levels of service necessary for proper wastewater treatment, reuse and disposal in order to ensure the protection of its citizens and the environment and to provide adequate wastewater treatment capacity for all current and projected wastewater facility demands of Pinellas County Utility customers.

Wastewater flows associated with existing and permitted development cannot exceed the wastewater treatment plant's permitted design capacity.

Treated effluent and biosolids shall meet all pertinent federal, state and local standards and regulations for treatment, reuse and disposal.

Pinellas County will, for concurrency management purposes, annually compare wastewater flows to permitted treatment capacity to determine the percentage of available capacity and assess whether permitted treatment capacity exceeds the needs of existing and committed development. If available treatment capacity meets this standard, development can be permitted.

Unpredictable situations where permitted capacity is temporarily exceeded due to unanticipated situations such as limited/extreme weather conditions shall not impact the determination of level of service conditions.

Peak design flow capacity shall be between 1.5 and 2.5 times the average daily flow for each sanitary sewer system, based on the individual characteristics of the system.

If an annual assessment evidences that a capacity deficit could occur within 10 years, Pinellas County Utilities will prepare a more detailed capacity analysis as directed by 62-600.405, F.A.C, and determine whether facility expansion is required or if the service area is built out.

To determine whether adequate capacity is available for a development or redevelopment project in the unincorporated County that is served by a municipal wastewater system, Pinellas County will utilize the level of service standards adopted by the municipal service provider.

Traffic Circulation

Pinellas County shall use policies under Objective 1.1 of the Transportation Element of the Pinellas County Comprehensive Plan, to review the impacts of new development and redevelopment on State and County roads. Also, these policies shall be used to implement and maintain the level of service standards for State and County roads.

Mass Transit

Pinellas County shall use the level of service standard contained in Objective 1.2. of the Transportation Element.

- 1.5.2. Policy: Pinellas County shall continue to implement its concurrency management ordinance (Section 134-221, et seq., Pinellas County Land Development Code.
- 1.5.3. Policy: Amendments to the Pinellas County Comprehensive Plan and requests for new development or redevelopment shall be evaluated according to the following guidelines:
1. Contribute to a condition of public hazard as described in the Surface Water Management, Coastal Management, Natural Resources, Conservation, and Management, Potable Water and Sanitary Sewer, and/or Solid Waste and Resource Recovery Elements.
 2. Aggravate any existing condition of public facility deficiencies, as described in the Surface Water Management, Potable Water and Sanitary Sewer, Recreation, Open Space, and Culture, Solid Waste and Resource Recovery, and Transportation Elements.
 3. Generate public facility demands that may exceed capacity increases planned in the Six-Year Schedule of Improvements.
 4. Conform to land uses as shown on the Future Land Use Map of the Future Land Use and Quality Communities Element.
 5. Accommodate public demands based upon adopted level of service standards and attempts to meet specified measurable objectives when public facilities are provided by developers.
 6. Demonstrate financial feasibility, subject to this Element, when public facilities will be provided, in part or whole, by Pinellas County.
 7. Affect on state agencies and the Southwest Florida Water Management District's facility plans.

- 1.5.4. Policy: Pinellas County shall ensure that public facilities and services needed to support development will be available concurrent with the impacts of development. This policy shall be implemented through use of the Concurrency Management System adopted as part of the Pinellas County Comprehensive Plan.

STRIKE-THROUGH/UNDERLINE
Version of the Ordinance

ORDINANCE ~~#11-57~~ #12-

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE ANNUAL CONCURRENCY TEST STATEMENT BE ESTABLISHED FOR PINELLAS COUNTY BY AMENDING SECTIONS 134-258, 134-259 AND 134-260 OF THE PINELLAS COUNTY CODE; AMENDING THE LEVEL OF SERVICE CONDITIONS FOR PUBLIC SERVICES AND FACILITIES; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, et seq., Florida Statutes, established the Local Government Comprehensive Planning and Land Development Regulation Act (the Act); and

WHEREAS, the Act required that local governments in the state of Florida adopt a Comprehensive Plan and further, adopt a Concurrency Management System; and

WHEREAS, Pinellas County adopted a Comprehensive Plan on August 8, 1989 through its adoption of Ordinance #89-32, and significantly updated the Plan in 1998 and 2008; and

WHEREAS, Pinellas County adopted a Concurrency Management System for Pinellas County through its adoption of Ordinance #89-69, as amended; and

WHEREAS, the provisions of Ordinance #89-69, as amended, were intended to ensure that the adopted level of service standards for roadways, potable water, waste water, solid waste, stormwater, recreation, and mass transit be maintained prior to the issuance of a development order and/or development permit; and

WHEREAS, In 2011, the Legislature amended the concurrency requirements to no longer require a level of service standard for roads, mass transit or recreation facilities; and

WHEREAS, as a local option, the concurrency management system can still be applied to those facilities and services; and

WHEREAS, Pinellas County believes that maintaining the level of service standards for sanitary sewer, solid waste, drainage, potable water, as well as for roads, recreation, and mass transit is appropriate at this time; and

WHEREAS, the map entitled State and County Roads, Pinellas County Concurrency Test Statement ~~2011~~ 2012, depicting certain roadways designated by adoption of this Ordinance as congestion containment corridors, constrained county roads, deficient state roads with no mitigating improvements scheduled or planned and long term concurrency management corridor is attached as Exhibit A;

WHEREAS, Ordinance ~~#10-65~~ #11- 57 amending Sections 134-258, 134-259, 134-260, and 134-261 of the Pinellas County Code was adopted by the Board of County Commissioners on ~~November 30, 2010~~ December 20, 2011;

WHEREAS, Section 134 of the Pinellas County Land Development Code requires a Concurrency Test Statement to be adopted on an annual basis by the Board of County Commissioners as a status report on public facilities and services; and

WHEREAS, Pinellas County through action on this Ordinance, adopts the annual Concurrency Test Statement for Pinellas County for ~~2011~~ 2012

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida:

SECTION I. Section 134-258 of the Pinellas County Land Development Code is hereby amended to read as follows:

Sec. 134-258. Level of Service Conditions – for Utilities, Recreation/Open Space, Stormwater, Roadways and Mass Transit

The following table sets out a summary of level of service (LOS) conditions for utilities, recreation and open space, drainage, roadways and, mass transit

| Public Facility/Service | Existing LOS | Adopted LOS Std. | Status of Public Facility/Service of this Ordinance |
|---|--|--|--|
| Pinellas County Water Demand Planning Area (PCWDPA) | Tampa Bay Water is able to meet annual demand | Refer to Section 134-259, (1)(b) of the Pinellas County Code | Acceptable |
| Pinellas County Wastewater System 1) William E. Dunn 2) So. Cross Bayou | 1) 6.55 <u>6.72</u> mgd based on a capacity of 9.00 mgd 2) 23.17 <u>23.21</u> mgd based on a capacity of 33.00 mgd | Refer to Section 134-259, (2) of the Pinellas County Code | 1) Acceptable 2) Acceptable |
| Recreation and Open Space (Countywide) | 16.34 <u>16.32</u> acres /1,000 residents | 14.0 acres/1,000 residents | Acceptable |
| Solid Waste and Resource Recovery (Countywide) | County is able to dispose of the solid waste for which it is responsible (current generation rate is 0.88 <u>0.84</u> tons/person/year) | 1.30 tons/person/year | Acceptable |
| Stormwater | | Refer to Section 134-259 (5) of the Pinellas County Code | Acceptability determined at time of site plan review. |
| Mass Transit | All major generators and attractors are served | Service to all major generators and attractors | Acceptable |
| County Roads | Varies per road segment | C average daily/D peak hour and v/c ratio less than 0.9 with the exception of constrained and congestion containment facilities. The LOS standard on constrained and congestion containment facilities is LOS F. | See Section 134-259(6) of this Ordinance |

SECTION II. Section 134-259 of the Pinellas County Land Development Code is hereby amended to read as follows:

Sec. 134-259. Same - For public services and facilities.

The Level of Service Conditions for Public Services and Facilities are as follows:

1. Pinellas County Water Demand Planning Area (PCWDPA)

a. **Existing level of service:** Tampa Bay Water is able to supply all potable water required by Pinellas County Utilities to service its customers.

b. Adopted Level of Service Standard

- (1) Except as otherwise provided in the Master Water Supply Contract and in the associated Interlocal Agreement, all potable water required by Pinellas County Utilities to serve its customers shall be supplied by Tampa Bay Water.
- (2) In the event that Tampa Bay Water determines that the regional system has experienced a shortfall or a production failure as defined in the Interlocal Agreement, Pinellas County shall respond with one or more of the following actions and alternatives:
 - (a) Institute additional water conservation measures;
 - (b) Halt or otherwise restrict the issuance of development orders and permits;
 - (c) Develop new sources of potable water within the parameters of the Interlocal Agreement;
 - (d) Purchase potable water from suppliers other than Tampa Bay Water.
 - (e) Cooperate with Tampa Bay Water, the Southwest Florida Water Management District, and the affected local governments to develop a regional response to the situation; and
 - (f) Use actions and alternatives not identified in this policy.
- (3) Pinellas County shall use the following Level of Service when preparing its annual 5-year and 20-year potable water demand projections for the Pinellas County Water Demand Planning Area, which are required by the Master Water Supply Contract to enable Tampa Bay Water to formulate its capital improvement program:

Pinellas County Water Demand Planning Area gallons per capita per day (gpcpd)

| | | | | | | | | | | |
|-------|------|------|------|------|------|------|------|------|------|------|
| Year | 1990 | 1994 | 1995 | 1997 | 2000 | 2005 | 2010 | 2015 | 2020 | 2025 |
| gpcpd | 150 | 145 | 135 | 125 | 125 | 120 | 120 | 120 | 115 | 115 |

c. **Potable Water Use** for Pinellas County Water Demand Planning Area (PCWDPA)

Average Daily Flow (~~August 2010~~ August 2011 through ~~August 2011~~ August 2012) for the PCWDPA = ~~*60.26~~ *60.53 million gallons per day (mgd)

~~*60.26~~ *60.53 mgd based on: ~~55.01~~ 54.32 mgd from Pinellas County Utilities + ~~4.72~~ 5.78 mgd from the City of Clearwater Utilities + ~~0.53~~ 0.43 mgd from the City of Tarpon Springs Utilities.

PCWDPA population as of ~~August 2011~~ August 2012 = ~~704,791~~ 705,739

Existing Level of Service = ~~60.26~~ 60.53 mgd ÷ ~~704,791~~ 705,739 = ~~86.86~~ gpcd

Maximum daily flow (Pinellas County Utilities only) = ~~62.56~~ 62.51 mgd

Projected population ~~increase~~ decrease in the PCWDPA (based on the difference between the ~~August 2012~~ August 2013 projected population and the ~~August 2011~~ August 2012 population) = ~~948~~ -14,629

Projected ~~2012~~ 2013 Water Demand = ~~60.26~~ 60.53 mgd + [~~948~~ -14,629 x ~~86.86~~] = ~~0.09~~ -1.25 mgd]
= ~~60.26~~ 60.53 mgd + ~~0.09~~ -1.25 mgd = ~~60.35~~ 59.28 mgd

Status of Potable Water Level of Service Conditions: acceptable; no existing or projected capacity deficits

2. **Sanitary Sewer System/Wastewater Treatment**

Adopted Level of Service Standards for Wastewater Treatment: William E. Dunn Wastewater Treatment Plant and South Cross Bayou Wastewater Treatment Plant

- a. Wastewater flows associated with existing and permitted development cannot exceed the wastewater treatment plant's permitted design capacity
- b. Pinellas County will, for concurrency management purposes, annually compare wastewater flows to permitted treatment capacity to determine the percentage of available capacity and assess whether permitted treatment capacity exceeds the needs of existing and permitted development.
- c. If an annual assessment evidences that a capacity deficit could occur within 10 years, Pinellas County Utilities will prepare a more detailed capacity analysis as directed by 62-600.405, F.A.C., and determine whether facility expansion is required or if the service area is built out.
- d. System-wide Considerations
Treated effluent and sludge shall meet all pertinent federal, state and local standards and regulations for treatment, reuse and disposal.

Peak design flow capacity shall be between 1.5 and 2.5 times the average daily flow for each wastewater system, based on the individual characteristics of the system.

**Pinellas County Utilities Wastewater System Capacity Analysis:
Summary of Level of Service Conditions**

| | Year | Estimated or Projected Service Area Population | Facility Design Capacity (MGD) | Estimated or Projected Average Daily Flow (MGD) | Projected Average Daily Flow Per Person (GPCPD) | Capacity Surplus (or Deficit) (MGD) | Percent of Plant Capacity |
|------------------------|------|--|--------------------------------|---|---|-------------------------------------|---------------------------|
| William E. Dunn | | | | | | | |
| <i>actual data</i> | 2009 | 109,772 | 9.00 | 6.38 | 60 | 2.62 | 71% |
| <i>actual data</i> | 2010 | 103,006 | 9.00 | 6.18 6.40 | 60 62 | 2.82 2.60 | 72 69% |
| <i>actual data</i> | 2011 | 103,155 | 9.00 | 6.55 6.19 | 60 62 | 2.81 2.45 | 72 69% |
| <i>actual data</i> | 2012 | 103,304 | 9.00 | 6.20 6.72 | 60 65 | 2.80 2.28 | 75 69% |
| | | 111,211 | | 6.67 | | 2.33 | 74% |
| | 2015 | 103,750 | 9.00 | 6.75 | 60 65 | 2.25 | 75% |
| | | 112,043 | | 6.72 | | 2.28 | 75% |
| | 2020 | 104,427 | 9.00 | 6.78 | 60 65 | 2.22 | 76% |
| | | 118,560 | | 7.11 | | 1.89 | 79% |
| | 2025 | 105,164 | 9.00 | 6.83 | 60 65 | 2.17 | 76% |
| South Cross | | | | | | | |
| <i>actual data</i> | 2009 | 255,158 | 33.00 | 21.02 | 84 | 11.98 | 64% |
| <i>actual data</i> | 2010 | 256,446 | 33.00 | 21.54 21.00 | 84 82 | 11.46 12.00 | 63 65% |
| <i>actual data</i> | 2011 | 256,730 | 33.00 | 21.57 23.17 | 84 90 | 11.43 9.83 | 70 65% |
| <i>actual data</i> | 2012 | 257,014 | 33.00 | 21.59 23.21 | 84 90 | 11.41 9.79 | 70 65% |
| | | 259,040 | | 21.73 | | 11.24 | |
| | 2015 | 257,867 | 33.00 | 23.20 | 84 90 | 9.80 | 70 66% |
| | | 262,271 | | 22.03 | | 10.97 | |
| | 2020 | 259,438 | 33.00 | 23.34 | 84 90 | 9.66 | 71 66% |
| | | 275,475 | | 23.14 | | 9.86 | |
| | 2025 | 261,182 | 33.00 | 23.51 | 84 90 | 9.49 | 71 66% |

Source: Pinellas County ~~Planning Department (including Pinellas County Comprehensive Plan – Potable Water Supply, Wastewater and Reuse Element)~~ and Pinellas County ~~Utilities, Department of Environment & Infrastructure, 2010-2011~~ **2011-2012**
Flow data and per capita data for ~~2010~~ **2011** based on actual figures (Pinellas County Utilities, 2010-2011 **2011-2012**); population estimates and projections prepared by Pinellas County Planning Department, 2011-**2012**

3. Solid Waste / Resource Recovery

a. Population as of ~~August 2011~~ August 2012 = * 1,086,489* *1,087,870*

Projected ~~August 2012~~ August 2013 population = 1,087,870 1,089,252

Difference between ~~August 2012~~ August 2013 population and ~~August 2011~~ August 2012 population is ~~1,381~~ 1,382

*Total population (permanent, seasonal and tourist) was used in establishing the Solid Waste/Resource Recovery Level of Service Standard.

b. Operating Capacity of solid waste disposal system:

Resource Recovery Plant: 985,500 tons/year =
(3,000 tons per day x 365 days per year x 0.90**)

Bridgeway Acres Landfill: Expected to last at least thirty (30) years, based on current design and disposal rate.

** Normal operating efficiency is 100% -90% of the time.

- c. Existing Level of Service: The County is able to dispose of the solid waste for which it is responsible.

Projected demand on solid waste disposal system is based on:

Current Demand (~~August 2010~~ August 2011 through ~~August 2011~~ August 2012) = ~~955,504~~ 916,203 tons/year (~~848,102~~ 786,106 tons per year, resource recovery plant + ~~107,402~~ 130,097 tons, landfill)

Current Generation Rate = ~~0.88~~ 0.84 tons/person/year

Projected Demand = ~~955,504~~ 916,203 tons/year Current Demand (~~August 2010~~ August 2011 through ~~August 2011~~ August 2012) + ~~1,215~~ 1,161 tons (associated with Service Area population increase from ~~August 2011~~ August 2012 through ~~August 2012~~ August 2013) = ~~956,719~~ 917,364 tons/year

- d. Adopted Level of Service Standard = Disposal of 1.30 tons/person/year (resource recovery plant and landfill)

Status of Solid Waste Disposal Level of Service Conditions: acceptable; no existing or projected capacity deficits

4. Recreation/Open Space

- a. Population as of ~~August 2011~~ August 2012 = ~~*996,098*~~ *997,313*

Projected ~~August 2012~~ August 2013 population = ~~997,313~~ 998,529

Difference between ~~August 2012~~ August 2013 population and ~~August 2011~~ August 2012 population = ~~1,215~~ 1,216

- b. Capacity of the County park/preserve system: 16,279 acres total (accessible to the public)

- c. Existing Level of Service = (16,279 acres / ~~996,098~~ 997,313) \times 1,000 = ~~16.34~~ 16.32 acres per 1,000 County residents

Projected Level of Service as of August 2012 August 2012 = (16,279 acres/ ~~997,313~~ 998,529) \times 1,000 = 16.30 acres/1,000 residents.

- d. Adopted Level of Service Standard = 14.0 acres/1,000 County residents

- e. Status of Level of Service Conditions: acceptable; capacity exceeds demand

***Permanent and seasonal population** rather than total population (permanent, seasonal and tourist) were used in establishing the recreation/open space level of service standard.

Status of Recreation Level of Service Conditions: acceptable; no existing or projected capacity deficits

5. Stormwater

On-site and major stormwater facilities will be required to meet the level of service standards adopted within the Pinellas County Comprehensive Plan and Division 2 of this Article. Therefore, applications for development will not be approved unless they conform to the adopted level of service standards. In addition, the Capital Improvements Element of the County Comprehensive Plan and the Pinellas County Capital Improvement Program have scheduled stormwater improvements needed to eliminate existing stormwater deficiencies. The necessary funds are available for those projects identified in the six-year schedule of improvements.

6. Traffic Circulation:

a. Level of Service Standards:

The Level of Service Standard for State and County roads is LOS C average daily/D peak hour with a volume-to-capacity (v/c) ratio less than 0.9 with the exception of congestion containment and constrained facilities. The LOS standard for these facilities is LOS F. These LOS standards have been established in the Transportation Element and the Concurrency ~~System~~ Management System Section of the County Comprehensive Plan. Roadway operating conditions that are below the adopted level of service standard are termed “deficient” in this Section.

b. Transportation Management Plan:

(1) Transportation management plans are generally required to be developed and submitted by those development applicants who propose to locate a development project within a designated concurrency management corridor. The application of transportation management strategies/improvements will be an option available to the developer to exceed current density and intensity restrictions. The development applicant will coordinate with County staff to develop the Transportation Management Plan applicable to their particular development project. The determination of appropriate strategies/improvements will be primarily dependent upon the projected impact of the development project on the surrounding traffic circulation system. Specific conditions of the particular concurrency management corridor impacted by the development will also be considered. Any specific strategies/improvements identified will be applied as conditions to the final site plan approval. Transportation Management Plans must be developed by the applicant and accepted by Pinellas County. The next section provides examples of the initiatives that may be applied in the concurrency management corridors. It is not meant to be a definitive listing nor is it meant to infer that a development's effect on adjacent roadway traffic can be fully eliminated through the application of these provisions.

(2) Transportation Management Plan Strategies:

- (a) **Intensity reduction:** The intensity of the proposal may be reduced through an across-the-board reduction of the permitted floor area ratio, as it would otherwise normally apply to the proposal. Other such corrective actions that would reduce the intensity of the proposal may also apply.
- (b) **Density reduction:** The density of the proposal may be decreased by a reduction in the number of units per acre below that which would otherwise normally apply to the proposal.
- (c) **Outparcel Deletion:** Those portions of the proposal characterized as outparcels that create separate and unique impacts may be deleted from the total proposal.
- (d) **Physical highway improvements:** Link capacity improvements, acceleration/deceleration lanes, intersection improvements, frontage roads, etc.
- (e) **Operational improvements (signal):** Signal removal, no signalization, signal timing improvements, etc.
- (f) **Access management strategies:** No direct connection, right-in/right-out, substantial alternative access, one point access, shared access, median controls, etc.
- (g) **Mass Transit Initiatives:** Implementation of a plan to encourage transit usage (e.g., employer-issued bus passes). Other mass transit initiatives may include direct route subsidies, provision of feeder service or the construction of bus stop amenities.
- (h) **Ride-sharing incentives:** Implementation of a plan to encourage ride-sharing (e.g., designated parking spaces for carpools, employer-sponsored carpool program, participation in transportation management organization/initiative programs).

- (i) **Bicycle/pedestrian improvements:** Structural improvements or construction of a bikeway or sidewalk connecting an existing bikeway/sidewalk network or providing access to a school, park, shopping center, etc.
- (j) **Intelligent transportation system (ITS) improvements:** This includes improvements pertaining to computerized traffic signal systems that automatically adjust to maximize traffic flow and to permit emergency vehicles to pass through intersections quickly; freeway management systems, such as electronic message signs, and electronic fare payment on public buses that reduce passenger boarding time.

Transportation Management Plans seeking to implement strategies that do not involve structural improvements, such as ride-sharing and transit incentive programs, must include a monitoring program to ensure the strategies are carried out in accordance with the Plan, as developed by the applicant and accepted by Pinellas County. The specific monitoring requirements will be applied as conditions in the final site plan approval.

c. **Proportionate Fair Share Mitigation**

Proportionate fair share mitigation may be applied as an option to allow properties within concurrency corridors to be developed to the maximum density/intensity permitted under the applicable zoning district. Under this option, the applicant would pay a portion of the cost of a project scheduled in the Capital Improvements Element that is designed to improve a facility to meet the County's roadway level of service standard or to mitigate the traffic impacts of the proposed development. Provisions regarding the application of proportionate fair share mitigation are included in Section 134-231 of the Pinellas County Land Development Code.

d. **Provisions to apply to development served by roadways below the adopted Level of Service Standard:**

- (1) **Congestion Containment Corridors.** These include roads that operate with deficient level of service (LOS) conditions where improvements may be planned or scheduled beyond the next three years to alleviate these conditions.

Development projects within 1/2 mile of the centerline or 1/2 mile arc radius of the terminus of a congestion containment road may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement one or more Transportation Management Plan strategies that will further reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded commensurate with the extent of the impact reduction(s).

Designated Congestion Containment Corridors include the following:

| Road Segment: | From: | To: |
|------------------------------------|---|--|
| Forest Lakes Blvd. (CR 667) | Tampa Road (SR 584) | SR 580 |
| Gandy Blvd. (SR 694) | 4 th Street (SR 687) | West of San Martin Boulevard (CR-823) <u>Brighton Bay Boulevard NE</u> |
| <u>Gandy Blvd. (SR 694)</u> | <u>West of 9th Street North/ Dr. Martin Luther King Jr. Street North</u> | <u>I-275 East Ramps</u> |
| <u>Gandy Blvd. (SR 694)</u> | <u>I-275 West Ramps</u> | <u>Grand Avenue</u> |
| Interstate 275 (SR 93) | Gandy Blvd. (SR 694) | Interstate-175 |
| NE Coachman Rd (SR 590) | US Highway 19 (SR 55) | Drew Street (SR 590) |
| Roosevelt Blvd (SR 686) | 49 th Street North (CR 611) | Ulmerton Road (SR 688) |
| Starkey Road (CR 1) | Tyrone Boulevard (SR 595) | Ulmerton Road (SR 688) |

| Road Segment: | From: | To: |
|-----------------------------------|--|--------------------------------------|
| | East Bay Drive (SR 686) | |
| Ulmerton Road (SR 688) | Lake Seminole Bypass Canal | Beleher Road (CR 501) |
| Ulmerton Road (SR 688) | W. Roosevelt Blvd. (SR 686) 49 th Street North (CR 611) | E. Roosevelt Blvd. (SR 686) |
| US 19 (SR 55) | Mainlands Boulevard | Park Boulevard <u>North</u> (SR 694) |
| US 19 (SR 55) | Klosterman Road (CR 880) | Beckett Way |

(2) Long Term Concurrency Management Corridor.

- (a) It is recognized by the Department of Community Affairs, the Department of Transportation and the County that FIHS facilities are strategically important as high speed and high volume inter-city and inter-regional roads. Therefore, given the need to protect the capacity of these roads, development should be mitigated and phased appropriately in order to minimize the impacts on levels of service until the state-funded improvements necessary to alleviate the deficient conditions on a long-term basis can be implemented. The Department of Transportation and the Department of Community Affairs have approved the application of long term concurrency management by the County on US Highway 19. Impact fee revenues generated from development within the corridor will be earmarked to provide some of the funding needed for the improvements.
- (b) Long-term concurrency management provisions contained in this Subsection apply to the portion of US Highway 19 designated as a long term concurrency management corridor, from Klosterman Road to Whitney Road.
- (c) Development projects within ½-mile of the centerline or ½-mile arc radius of the terminus of any long term concurrency management road segment may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement Transportation Management Plan strategies that will reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded commensurate with the extent of the impact reduction(s). The following roadway is subject to the requirements of Long Term Concurrency Management corridors in accordance with the provisions of this Subsection.

| Road Segment: | From: | To: |
|----------------------|--------------------------|-----------------------|
| US 19 (SR 55) | Klosterman Road (CR 880) | Whitney Road (CR 438) |

(3) Constrained Roadways and Deficient State Facilities with No Mitigating Improvements Scheduled or Planned.

- (a) Constrained roads designated in this Section include County facilities operating at deficient levels of service that are precluded from mitigating capacity improvements due to physical or policy constraints. This Section also includes State facilities operating at deficient levels of service that are precluded from mitigating capacity improvements due to policy or physical constraints.

- (b) Development projects within ½ mile of the centerline or ½ mile arc radius of the terminus of facilities identified in this Section may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement Transportation Management Plan strategies that will further reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded. The amount of additional density/intensity allowed above the 50 percent maximum will be based on the extent of the impact reduction and consideration of the congestion level of the roadway as determined by the volume-to capacity ratio indicated in the MPO Level of Service Report.

The following roadways include those designated as constrained roads and deficient State facilities with no mitigating improvements scheduled or planned:

| Road Segment: | From: | To: |
|---|--|--|
| 102 nd Avenue (CR 296) | <u>Duhme Road/113th Street</u> (CR 321) | 131 st Street |
| 22 nd Avenue North | 34 th Street (SR 55) | Interstate 275 (SR 93) |
| 38 th Avenue <u>North</u> (CR 184) | 49 th Street North (CR 611) | Interstate 275 (SR 93) |
| Alternate US 19 (SR 595) | Myrtle Avenue (SR 595) <u>Main Street (SR 580)</u> | Pinellas/Pasco CL |
| Bay Drive (SR 686) | <u>Clwtr Largo Road</u> (CR 321) | US Hwy 19 (SR 55) |
| Belleair Road (CR 464) | Keene Road (CR 1) | US 19 (SR 55) |
| Bryan Dairy Road (CR 296) | Seminole Blvd. (SR 595) | 98 th Street |
| East Lake Road (CR 611) | Woodlands Parkway | Keystone Road (CR 582) |
| <u>Forest Lakes Blvd (CR 667)</u> | <u>Pine Avenue</u> | <u>Pinellas/Hillsborough CL</u> |
| <u>Ft. Harrison Avenue</u> | <u>Belleair Road</u> | <u>Drew St (SR 590)</u> |
| Gulf-to-Bay Blvd (SR 60)/ Court Street | Missouri Avenue (SR 651) | Pinellas/Hillsborough CL |
| Indian Rocks Road (CR 233) | <u>West-</u> Bay Drive (CR 416) | Walsingham Road (CR 330) |
| McMullen-Booth Road (CR 611) | Curlew Road (SR 586) | Gulf-To-Bay Blvd (SR 60) |
| Memorial Causeway (SR 60)* | Causeway Boulevard | Island Way |
| Park Blvd (CR/SR 694) | US Highway 19 (SR 55) | <u>Duhme Road/113th Street</u> <u>North</u> (CR 321) |
| SR 580 | Phillipe Parkway (CR 590) | Forest Lakes Blvd. (CR 667) |
| Tampa Road (SR 584) | Curlew Road (SR 586) | SR 580 |
| Tarpon Avenue (SR 582) | Alternate US 19 (SR 595) | US 19 (SR 55) |
| Tyrone Boulevard (SR 595) | Park Street (CR 1) | 22 nd Avenue North |
| Ulmerton Road (SR 688) | 49th Street (CR 611) | W. Roosevelt Blvd. (SR 686) |
| US 19 (SR 55) | Gandy Boulevard (SR 600) | 54 th Avenue North (CR 202) |

*West end of road is municipal jurisdiction.

(4) Deficient Roadways with Scheduled Mitigating Improvements.

Certain roadways operating with deficient level of service conditions have mitigating improvements scheduled over the next three years. These roadways will not be subject to the provisions of the County Concurrency Management System. The roadways listed in the following table are designated as having scheduled mitigating improvements. The improvement number listed by each segment corresponds to the number in the table listing the specific improvement.

| Road Segment: | From: | To: | Improvement: | Construction Date:* |
|-----------------------------|---|---|---|------------------------------------|
| Keystone Rd (CR 582) | <u>East Lake Road (CR 611)</u> | US 19 (SR 55) | Four Lanes Divided | UC |
| Bryan Dairy Road (CR 296) | Starkey Road (CR 1) | 72 nd Street | Six Lanes Divided | UC |
| Ulmerton Road (SR 688) | East of 119 th Street | West of Seminole Bypass <u>El Centro/Ranchero</u> | Six Lanes Divided | FY 2011/12 <u>UC</u> |
| <u>Gandy Blvd. (SR 694)</u> | <u>West of 9th Street North/</u> <u>Dr. Martin Luther King Jr. Street North</u> | <u>East of 4th Street North (SR 687)</u> | <u>Four/Six Lanes with Frontage Roads</u> | <u>FY 12/13</u> |

*FY = Fiscal Year, UC = Under Construction

SECTION III. Section 134-260 of the Pinellas County Land Development Code is hereby amended to read as follows:

Section 134-260 Methodology Used to Determine the Level of Service Conditions

1. Since the level of service standards for recreation/open space, wastewater, potable water and solid waste/resource recovery facilities and services are partially based on per capita standards, information on the existing and projected populations for the service areas are used to evaluate existing and future impacts on services and facilities. For the purposes of this Division, the source used in developing the population estimates, for permanent, and seasonal residents, and for tourists (depicted as a permanent population equivalent impact upon public services), were derived from the Pinellas County Population Projections 2010-2035 at the Traffic Analysis Zone (TAZ) level. The projections were at 5-year intervals. Population estimates for the interim years were calculated by interpolation. However, the short-term permanent population estimates used in the Test Statement has have been updated based on results of the 2010 decennial census. The 2010 Census data reveal that there was is a decline in the overall permanent population in Pinellas County since the year 2000 rather than an increase as from the originally projected increase, according to the aforementioned Pinellas County Population Projections. Longer range projections are being updated in conjunction with the data for the Pinellas County Metropolitan Planning Organization's Long Range Transportation Plan and will not be available until the year 2012 or later. Tourist population adjustments were made to reflect an increase in tourism. Information derived from the St. Petersburg/Clearwater Convention and Visitors Bureau provided data for tourist population. A reasonable assumption is made that an approximate 1% projected increase in tourism would occur each year over the next 5 years (to year 2015). Seasonal population is projected to increase approximately 2% over the next 5 years. This method is also the foundation of the population figures used for analysis of water demand; however, necessary differences in approach are described below.

2. An additional consideration in determining the existing level of service for recreation/open space, wastewater, and solid waste/resource recovery facilities and services is the impact of anticipated near term population growth. The impact of projected population growth over the next year (obtained by multiplying the projected increase in population for each service area by the existing level of service) is added to the actual demand (e.g., annual average flow) for the facilities. In this way, the additional demands associated with this anticipated population growth are factored into the assessment of existing level of service conditions. Flow data is obtained from Pinellas County Utilities. Park and open space acreages are obtained from the Park Department.
3. For potable water supply, the existing levels of service and level of service standard is based upon Tampa Bay Water being able to meet the needs of the Pinellas County Water Demand Planning Area. For informational purposes, however, estimates of the Pinellas County Water Demand Planning Area population are applied to average daily flow figures to arrive at an estimate of existing per capita use.
4. In determining the existing levels of service (LOS) on roads for the purposes of the Concurrency Test Statement, peak hour traffic counts were derived from average daily traffic (ADT) volume counts. The ADT counts were compiled from data provided by the Pinellas County Metropolitan Planning Organization, the Florida Department of Transportation (FDOT) and various municipal governments. Based upon current roadway travel characteristics, various peak hour factors were used to determine peak hour traffic counts from ADT volume counts.

The specific data sources include:

- a. Pinellas County Seasonally Adjusted ~~2010~~ 2011 Traffic Counts, prepared by Florida Department of Transportation and the Pinellas County Planning Department;
- b. Florida Department of Transportation 2009 Level of Service Handbook; and
- c. Pinellas County Metropolitan Planning Organization ~~2011~~ 2012 Level of Service Report.

SECTION IV. Severability

If any section, paragraph, subdivision, clause, sentence, or provision of this 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 the Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION V. Inclusion in the Code

The provision of this Ordinance shall be included and incorporated in the Pinellas County Land Development Code, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Land Development Code.

SECTION VI. Filing of Ordinances; Effective Date

Pursuant to Section 125.66, F.S., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State or January 1, ~~2011~~ 2012 whichever is later.

CLEAN VERSION of the Ordinance

ORDINANCE #12-

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE ANNUAL CONCURRENCY TEST STATEMENT BE ESTABLISHED FOR PINELLAS COUNTY BY AMENDING SECTIONS 134-258, 134-259 AND 134-260 OF THE PINELLAS COUNTY CODE; AMENDING THE LEVEL OF SERVICE CONDITIONS FOR PUBLIC SERVICES AND FACILITIES; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, et seq., Florida Statutes, established the Local Government Comprehensive Planning and Land Development Regulation Act (the Act); and

WHEREAS, the Act required that local governments in the state of Florida adopt a Comprehensive Plan and further, adopt a Concurrency Management System; and

WHEREAS, Pinellas County adopted a Comprehensive Plan on August 8, 1989 through its adoption of Ordinance #89-32, and significantly updated the Plan in 1998 and 2008; and

WHEREAS, Pinellas County adopted a Concurrency Management System for Pinellas County through its adoption of Ordinance #89-69, as amended; and

WHEREAS, the provisions of Ordinance #89-69, as amended, were intended to ensure that the adopted level of service standards for roadways, potable water, waste water, solid waste, stormwater, recreation, and mass transit be maintained prior to the issuance of a development order and/or development permit; and

WHEREAS, in 2011, the Legislature amended the concurrency requirements to no longer require a level of service standard for roads, mass transit or recreation facilities; and

WHEREAS, as a local option, the concurrency management system can still be applied to those facilities and services; and

WHEREAS, Pinellas County believes that maintaining the level of service standards for sanitary sewer, solid waste, drainage, potable water, as well as for roads, recreation, and mass transit is appropriate at this time; and

WHEREAS, the map entitled State and County Roads, Pinellas County Concurrency Test Statement 2012, depicting certain roadways designated by adoption of this Ordinance as congestion containment corridors, constrained county roads, deficient state roads with no mitigating improvements scheduled or planned and long term concurrency management corridor, is attached as Exhibit A;

WHEREAS, Ordinance #11- 57, amending Sections 134-258, 134-259, 134-260, and 134-261 of the Pinellas County Code, was adopted by the Board of County Commissioners on December 20, 2011;

WHEREAS, Chapter 134 of the Pinellas County Land Development Code requires a Concurrency Test Statement to be adopted on an annual basis by the Board of County Commissioners as a status report on public facilities and services; and

WHEREAS, Pinellas County, through action on this Ordinance, adopts the annual Concurrency Test Statement for Pinellas County for 2012.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida:

SECTION I. Section 134-258 of the Pinellas County Land Development Code is hereby amended to read as follows:

Sec. 134-258. Level of Service Conditions – for Utilities, Recreation/Open Space, Stormwater, Roadways and Mass Transit

The following table sets out a summary of level of service (LOS) conditions for utilities, recreation and open space, drainage, roadways and, mass transit.

| Public Facility/Service | Existing LOS | Adopted LOS Std. | Status of Public Facility/Service of this Ordinance |
|---|---|--|--|
| Pinellas County Water Demand Planning Area (PCWDPA) | Tampa Bay Water is able to meet annual demand | Refer to Section 134-259, (1)(b) of the Pinellas County Code | Acceptable |
| Pinellas County Wastewater System 1) William E. Dunn 2) So. Cross Bayou | 1) 6.72 mgd based on a capacity of 9.00 mgd 2) 23.21 mgd based on a capacity of 33.00 mgd | Refer to Section 134-259, (2) of the Pinellas County Code | 1) Acceptable 2) Acceptable |
| Recreation and Open Space (Countywide) | 16.32 acres /1,000 residents | 14.0 acres/1,000 residents | Acceptable |
| Solid Waste and Resource Recovery (Countywide) | County is able to dispose of the solid waste for which it is responsible (current generation rate is 0.84 tons/person/year) | 1.30 tons/person/year | Acceptable |
| Stormwater | | Refer to Section 134-259 (5) of the Pinellas County Code | Acceptability determined at time of site plan review. |
| Mass Transit | All major generators and attractors are served | Service to all major generators and attractors | Acceptable |
| County Roads | Varies per road segment | C average daily/D peak hour and v/c ratio less than 0.9 with the exception of constrained and congestion containment facilities. The LOS standard on constrained and congestion containment facilities is LOS F. | See Section 134-259(6) of this Ordinance |

c. **Potable Water Use for Pinellas County Water Demand Planning Area (PCWDPA)**

Average Daily Flow (August 2011 through August 2012) for the PCWDPA = *60.53 million gallons per day (mgd)

* 60.53 mgd based on: 54.32 mgd from Pinellas County Utilities + 5.78 mgd from the City of Clearwater Utilities + 0.43 mgd from the City of Tarpon Springs Utilities.

PCWDPA population as of August 2012 = 705,739

Existing Level of Service = $60.53 \text{ mgd} \div 705,739 = -86 \text{ gpcd}$

Maximum daily flow (Pinellas County Utilities only) = 62.51 mgd

Projected population decrease in the PCWDPA (based on the difference between the August 2013 projected population and the August 2012 population) = -14,629

Projected 2013 Water Demand = $60.53 \text{ mgd} + [-14,629 \times 86] = -1.25 \text{ mgd}$ = $60.53 \text{ mgd} + -1.25 \text{ mgd}$ = 59.28 mgd

Status of Potable Water Level of Service Conditions: acceptable; no existing or projected capacity deficits

2. Sanitary Sewer System/Wastewater Treatment

Adopted Level of Service Standards for Wastewater Treatment: William E. Dunn Wastewater Treatment Plant and South Cross Bayou Wastewater Treatment Plant

- a. Wastewater flows associated with existing and permitted development cannot exceed the wastewater treatment plant's permitted design capacity
- b. Pinellas County will, for concurrency management purposes, annually compare wastewater flows to permitted treatment capacity to determine the percentage of available capacity and assess whether permitted treatment capacity exceeds the needs of existing and permitted development.
- c. If an annual assessment evidences that a capacity deficit could occur within 10 years, Pinellas County Utilities will prepare a more detailed capacity analysis as directed by 62-600.405, F.A.C., and determine whether facility expansion is required or if the service area is built out.

d. **System-wide Considerations**

Treated effluent and sludge shall meet all pertinent federal, state and local standards and regulations for treatment, reuse and disposal.

Peak design flow capacity shall be between 1.5 and 2.5 times the average daily flow for each wastewater system, based on the individual characteristics of the system.

**Pinellas County Utilities Wastewater System Capacity Analysis:
Summary of Level of Service Conditions**

| | Year | Estimated or Projected Service Area Population | Facility Design Capacity (MGD) | Estimated or Projected Average Daily Flow (MGD) | Projected Average Daily Flow Per Person (GPCPD) | Capacity Surplus (or Deficit) (MGD) | Percent of Plant Capacity |
|------------------------|------|---|---|---|--|--|---------------------------------|
| William E. Dunn | | | | | | | |
| <i>actual data</i> | 2009 | 109,772 | 9.00 | 6.38 | 60 | 2.62 | 71% |
| <i>actual data</i> | 2010 | 103,006 | 9.00 | 6.40 | 62 | 2.60 | 72 % |
| <i>actual data</i> | 2011 | 103,155 | 9.00 | 6.19 | 62 | 2.45 | 72 % |
| <i>actual data</i> | 2012 | 103,304 | 9.00 | 6.72 | 65 | 2.28 | 75 % |
| | 2015 | 103,750 | 9.00 | 6.75 | 65 | 2.25 | 75% |
| | 2020 | 104,427 | 9.00 | 6.78 | 65 | 2.22 | 76% |
| | 2025 | 105,164 | 9.00 | 6.83 | 65 | 2.17 | 76% |
| South Cross | | | | | | | |
| <i>actual data</i> | 2009 | 255,158 | 33.00 | 21.02 | 84 | 11.98 | 64% |
| <i>actual data</i> | 2010 | 256,446 | 33.00 | 21.00 | 82 | 12.00 | 63 % |
| <i>actual data</i> | 2011 | 256,730 | 33.00 | 23.17 | 90 | 9.83 | 70 % |
| <i>actual data</i> | 2012 | 257,014 | 33.00 | 23.21 | 90 | 9.79 | 70 % |
| | 2015 | 257,867 | 33.00 | 23.20 | 90 | 9.80 | 70 % |
| | 2020 | 259,438 | 33.00 | 23.34 | 90 | 9.66 | 71 % |
| | 2025 | 261,182 | 33.00 | 23.51 | 90 | 9.49 | 71 % |

Source: Pinellas County Comprehensive Plan – Potable Water Supply, Wastewater and Reuse Element) and Pinellas County, Department of Environment & Infrastructure. 2011-2012
Flow data and per capita data for 2011 based on actual figures (Pinellas County Utilities 2011-2012); population estimates and projections prepared by Pinellas County Planning Department, 2012

3. Solid Waste / Resource Recovery

a. Population as of August 2012 = *1,087,870*

Projected August 2013 population = 1,089,252

Difference between August 2013 population and August 2012 population is 1,382

*Total population (permanent, seasonal and tourist) was used in establishing the Solid Waste/Resource Recovery Level of Service Standard.

b. Operating Capacity of solid waste disposal system:

Resource Recovery Plant: 985,500 tons/year =
(3,000 tons per day x 365 days per year x 0.90**)

Bridgeway Acres Landfill: Expected to last at least thirty (30) years, based on current design and disposal rate.

** Normal operating efficiency is 100% -90% of the time.

c. Existing Level of Service: The County is able to dispose of the solid waste for which it is responsible.

Projected demand on solid waste disposal system is based on:

Current Demand (August 2011 through August 2012) = 916,203 tons/year (786,106 tons per year, resource recovery plant + 130,097 tons, landfill)

Current Generation Rate = 0.84 tons/person/year

Projected Demand = 916,203 tons/year Current Demand (August 2011 through August 2012) + 1,161 tons (associated with Service Area population increase from August 2012 through August 2013) = 917,364 tons/year

- d. Adopted Level of Service Standard = Disposal of 1.30 tons/person/year (resource recovery plant and landfill)

Status of Solid Waste Disposal Level of Service Conditions: acceptable; no existing or projected capacity deficits

4. Recreation/Open Space

- a. Population as of August 2012 = *997,313*

Projected August 2013 population = 998,529

Difference between August 2013 population and August 2012 population = 1,216

- b. Capacity of the County park/preserve system: 16,279 acres total (accessible to the public)
- c. Existing Level of Service = (16,279 acres / 997,313) x 1,000 = 16.32 acres per 1,000 County residents
- Projected Level of Service as of August 2012 August 2012 = (16,279 acres/ 998,529) x 1,000 = 16.30 acres/1,000 residents.

- d. Adopted Level of Service Standard = 14.0 acres/1,000 County residents

- e. Status of Level of Service Conditions: acceptable; capacity exceeds demand

***Permanent and seasonal population** rather than total population (permanent, seasonal and tourist) were used in establishing the recreation/open space level of service standard.

Status of Recreation Level of Service Conditions: acceptable; no existing or projected capacity deficits

5. Stormwater

On-site and major stormwater facilities will be required to meet the level of service standards adopted within the Pinellas County Comprehensive Plan and Division 2 of this Article. Therefore, applications for development will not be approved unless they conform to the adopted level of service standards. In addition, the Capital Improvements Element of the County Comprehensive Plan and the Pinellas County Capital Improvement Program have scheduled stormwater improvements needed to eliminate existing stormwater deficiencies. The necessary funds are available for those projects identified in the six-year schedule of improvements.

6. Traffic Circulation:

- a. Level of Service Standards:

The Level of Service Standard for State and County roads is LOS C average daily/D peak hour with a volume-to-capacity (v/c) ratio less than 0.9 with the exception of congestion containment and constrained facilities. The LOS standard for these facilities is LOS F. These LOS standards have been established in the Transportation Element and the Concurrency Management System Section of the County Comprehensive Plan. Roadway operating conditions that are below the adopted level of service standard are termed "deficient" in this Section.

b. Transportation Management Plan:

- (1) Transportation management plans are generally required to be developed and submitted by those development applicants who propose to locate a development project within a designated concurrency management corridor. The application of transportation management strategies/improvements will be an option available to the developer to exceed current density and intensity restrictions. The development applicant will coordinate with County staff to develop the Transportation Management Plan applicable to their particular development project. The determination of appropriate strategies/improvements will be primarily dependent upon the projected impact of the development project on the surrounding traffic circulation system. Specific conditions of the particular concurrency management corridor impacted by the development will also be considered. Any specific strategies/improvements identified will be applied as conditions to the final site plan approval. Transportation Management Plans must be developed by the applicant and accepted by Pinellas County. The next section provides examples of the initiatives that may be applied in the concurrency management corridors. It is not meant to be a definitive listing nor is it meant to infer that a development's effect on adjacent roadway traffic can be fully eliminated through the application of these provisions.
- (2) Transportation Management Plan Strategies:
 - (a) **Intensity reduction:** The intensity of the proposal may be reduced through an across-the-board reduction of the permitted floor area ratio, as it would otherwise normally apply to the proposal. Other such corrective actions that would reduce the intensity of the proposal may also apply.
 - (b) **Density reduction:** The density of the proposal may be decreased by a reduction in the number of units per acre below that which would otherwise normally apply to the proposal.
 - (c) **Outparcel Deletion:** Those portions of the proposal characterized as outparcels that create separate and unique impacts may be deleted from the total proposal.
 - (d) **Physical highway improvements:** Link capacity improvements, acceleration/deceleration lanes, intersection improvements, frontage roads, etc.
 - (e) **Operational improvements (signal):** Signal removal, no signalization, signal timing improvements, etc.
 - (f) **Access management strategies:** No direct connection, right-in/right-out, substantial alternative access, one point access, shared access, median controls, etc.
 - (g) **Mass Transit Initiatives:** Implementation of a plan to encourage transit usage (e.g., employer-issued bus passes). Other mass transit initiatives may include direct route subsidies, provision of feeder service or the construction of bus stop amenities.
 - (h) **Ride-sharing incentives:** Implementation of a plan to encourage ride-sharing (e.g., designated parking spaces for carpools, employer-sponsored carpool program, and participation in transportation management organization/initiative programs).
 - (i) **Bicycle/pedestrian improvements:** Structural improvements or construction of a bikeway or sidewalk connecting an existing bikeway/sidewalk network or providing access to a school, park, shopping center, etc.
 - (j) **Intelligent transportation system (ITS) improvements:** This includes improvements pertaining to computerized traffic signal systems that automatically adjust to maximize traffic flow and to permit emergency vehicles to pass through intersections quickly; freeway management systems, such as electronic message signs, and electronic fare payment on public buses that reduce passenger boarding time.

Transportation Management Plans seeking to implement strategies that do not involve structural improvements, such as ride-sharing and transit incentive programs, must include a monitoring program

to ensure the strategies are carried out in accordance with the Plan, as developed by the applicant and accepted by Pinellas County. The specific monitoring requirements will be applied as conditions in the final site plan approval.

c. Proportionate Fair Share Mitigation

Proportionate fair share mitigation may be applied as an option to allow properties within concurrency corridors to be developed to the maximum density/intensity permitted under the applicable zoning district. Under this option, the applicant would pay a portion of the cost of a project scheduled in the Capital Improvements Element that is designed to improve a facility to meet the County's roadway level of service standard or to mitigate the traffic impacts of the proposed development. Provisions regarding the application of proportionate fair share mitigation are included in Section 134-231 of the Pinellas County Land Development Code.

d. Provisions to apply to development served by roadways below the adopted Level of Service Standard:

- (1) Congestion Containment Corridors. These include roads that operate with deficient level of service (LOS) conditions where improvements may be planned or scheduled beyond the next three years to alleviate these conditions.

Development projects within 1/2 mile of the centerline or 1/2 mile arc radius of the terminus of a congestion containment road may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement one or more Transportation Management Plan strategies that will further reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded commensurate with the extent of the impact reduction(s).

Designated Congestion Containment Corridors include the following:

| Road Segment: | From: | To: |
|-----------------------------|---|-------------------------------|
| Forest Lakes Blvd. (CR 667) | Tampa Road (SR 584) | SR 580 |
| Gandy Blvd. (SR 694) | 4 th Street (SR 687) | Brighton Bay Boulevard NE |
| Gandy Blvd. (SR 694) | West of 9 th Street North/ Dr. Martin Luther King Jr. Street North | I-275 East Ramps |
| Gandy Blvd. (SR 694) | I-275 West Ramps | Grand Avenue |
| Interstate 275 (SR 93) | Gandy Blvd. (SR 694) | Interstate-175 |
| Roosevelt Blvd (SR 686) | 49 th Street North (CR 611) | Ulmerton Road (SR 688) |
| Starkey Road (CR 1) | East Bay Drive (SR 686) | Ulmerton Road (SR 688) |
| Ulmerton Road (SR 688) | 49 th Street North (CR 611) | E. Roosevelt Blvd. (SR 686) |
| US 19 (SR 55) | Mainlands Boulevard | Park Boulevard North (SR 694) |
| US 19 (SR 55) | Klosterman Road (CR 880) | Beckett Way |

(2) Long Term Concurrency Management Corridor.

- (a) It is recognized by the Department of Community Affairs, the Department of Transportation and the County that FIHS facilities are strategically important as high speed and high volume inter-city and inter-regional roads. Therefore, given the need to protect the capacity of these roads, development should be mitigated and phased appropriately in order to minimize the impacts on levels of service until the state-funded improvements necessary to alleviate the deficient conditions on a long-term basis can be implemented. The Department of Transportation and the Department of Community Affairs have approved the application of long term concurrency management by the County on US Highway 19. Impact fee revenues generated from development within the corridor will be earmarked to provide some of the funding needed for the improvements.
- (b) Long-term concurrency management provisions contained in this Subsection apply to the portion of US Highway 19 designated as a long term concurrency management corridor, from Klosterman Road to Whitney Road.
- (c) Development projects within ½-mile of the centerline or ½-mile arc radius of the terminus of any long term concurrency management road segment may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement Transportation Management Plan strategies that will reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded commensurate with the extent of the impact reduction(s). The following roadway is subject to the requirements of Long Term Concurrency Management corridors in accordance with the provisions of this Subsection.

| Road Segment: | From: | To: |
|---------------|--------------------------|-----------------------|
| US 19 (SR 55) | Klosterman Road (CR 880) | Whitney Road (CR 438) |

(3) Constrained Roadways and Deficient State Facilities with No Mitigating Improvements Scheduled or Planned.

- (a) Constrained roads designated in this Section include County facilities operating at deficient levels of service that are precluded from mitigating capacity improvements due to physical or policy constraints. This Section also includes State facilities operating at deficient levels of service that are precluded from mitigating capacity improvements due to policy or physical constraints.
- (b) Development projects within ½ mile of the centerline or ½ mile arc radius of the terminus of facilities identified in this Section may not exceed 50 percent of the maximum floor area, dwelling units/rooms allowed under the applicable zoning district. If the applicant agrees to implement Transportation Management Plan strategies that will further reduce transportation impacts, the 50 percent density/intensity maximum may be exceeded. The amount of additional density/intensity allowed above the 50 percent maximum will be based on the extent of the impact reduction and consideration of the congestion level of the roadway as determined by the volume-to capacity ratio indicated in the MPO Level of Service Report.

The following roadways include those designated as constrained roads and deficient State facilities with no mitigating improvements scheduled or planned:

| Road Segment: | From: | To: |
|---------------|-------|-----|
|---------------|-------|-----|

| Road Segment: | From: | To: |
|---|--|--|
| 102 nd Avenue (CR 296) | Duhme Road/113 th Street (CR 321) | 131 st Street |
| 22 nd Avenue North | 34 th Street (SR 55) | Interstate 275 (SR 93) |
| 38 th Avenue North (CR 184) | 49 th Street North (CR 611) | Interstate 275 (SR 93) |
| Alternate US 19 (SR 595) | Main Street (SR 580) | Pinellas/Pasco CL |
| Bay Drive (SR 686) | Clwtr Largo Road (CR 321) | US 19 (SR 55) |
| Belleair Road (CR 464) | Keene Road (CR 1) | US 19 (SR 55) |
| Bryan Dairy Road (CR 296) | Seminole Blvd. (SR 595) | 98 th Street |
| East Lake Road (CR 611) | Woodlands Parkway | Keystone Road (CR 582) |
| Forest Lakes Blvd (CR 667) | Pine Avenue | Pinellas/Hillsborough CL |
| Ft. Harrison Avenue | Belleair Road | Drew St (SR 590) |
| Gulf-to-Bay Blvd (SR 60)/ Court Street | Missouri Avenue (SR 651) | Pinellas/Hillsborough CL |
| Indian Rocks Road (CR 233) | West Bay Drive (CR 416) | Walsingham Road (CR 330) |
| McMullen-Booth Road (CR 611) | Curlew Road (SR 586) | Gulf-To-Bay Blvd (SR 60) |
| Memorial Causeway (SR 60)* | Causeway Boulevard | Island Way |
| Park Blvd (CR/SR 694) | US 19 (SR 55) | Duhme Road/113 th Street North (CR 321) |
| SR 580 | Phillipe Parkway (CR 590) | Forest Lakes Blvd. (CR 667) |
| Tampa Road (SR 584) | Curlew Road (SR 586) | SR 580 |
| Tarpon Avenue (SR 582) | Alternate US 19 (SR 595) | US 19 (SR 55) |
| US 19 (SR 55) | Gandy Boulevard (SR 600) | 54 th Avenue North (CR 202) |

**West end of road is municipal jurisdiction.*

(4) Deficient Roadways with Scheduled Mitigating Improvements.

Certain roadways operating with deficient level of service conditions have mitigating improvements scheduled over the next three years. These roadways will not be subject to the provisions of the County Concurrency Management System. The roadways listed in the following table are designated as having scheduled mitigating improvements. The improvement number listed by each segment corresponds to the number in the table listing the specific improvement.

| Road Segment: | From: | To: | Improvement: | Construction Date:* |
|---------------------------|--|---|------------------------------------|----------------------------|
| Keystone Rd (CR 582) | East Lake Road (CR 611) | US 19 (SR 55) | Four Lanes Divided | UC |
| Bryan Dairy Road (CR 296) | Starkey Road (CR 1) | 72 nd Street | Six Lanes Divided | UC |
| Ulmerton Road (SR 688) | East of 119 th Street | El Centro/Ranchero | Six Lanes Divided | UC |
| Gandy Blvd. (SR 694) | West of 9 th Street North/ Dr. Martin Luther King Jr. Street North | East of 4 th Street North (SR 687) | Four/Six Lanes with Frontage Roads | FY 12/13 |

SECTION III. Section 134-260 of the Pinellas County Land Development Code is hereby amended to read as follows:

Section 134-260 Methodology Used to Determine the Level of Service Conditions

1. Since the level of service standards for recreation/open space, wastewater, potable water and solid waste/resource recovery facilities and services are partially based on per capita standards, information on the existing and projected populations for the service areas are used to evaluate existing and future impacts on services and facilities. For the purposes of this Division, the source used in developing the population estimates, for permanent, seasonal, and tourist (depicted as a permanent population equivalent impact upon public services), were derived from the Pinellas County Population Projections 2010-2035 at the Traffic Analysis Zone (TAZ) level. The projections were at 5-year intervals. Population estimates for the interim years were calculated by interpolation. However, short-term permanent population estimates have been updated based on results of the 2010 decennial census. The 2010 Census data reveal that there is a decline in the overall permanent population since 2000 from the originally projected increase, according to the aforementioned Pinellas County Population Projections. Longer range projections are being updated in conjunction with the data for the Pinellas County Metropolitan Planning Organization's Long Range Transportation Plan and will not be available until 2012. Tourist population adjustments were made to reflect an increase in tourism. Information derived from the St. Petersburg/Clearwater Convention and Visitors Bureau provided data for tourist population. A reasonable assumption is made that an approximate 1% projected increase in tourism would occur over the next 5 years (to 2015). Seasonal population is projected to increase approximately 2% over the next 5 years. This method is also the foundation of the population figures used for analysis of water demand; however, necessary differences in approach are described below.
2. An additional consideration in determining the existing level of service for recreation/open space, wastewater, and solid waste/resource recovery facilities and services is the impact of anticipated near term population growth. The impact of projected population growth over the next year (obtained by multiplying the projected increase in population for each service area by the existing level of service) is added to the actual demand (e.g., annual average flow) for the facilities. In this way, the additional demands associated with this anticipated population growth are factored into the assessment of existing level of service conditions. Flow data is obtained from Pinellas County Utilities. Park and open space acreages are obtained from the Park Department.
3. For potable water supply, the existing levels of service and level of service standard is based upon Tampa Bay Water being able to meet the needs of the Pinellas County Water Demand Planning Area. For informational purposes, however, estimates of the Pinellas County Water Demand Planning Area population are applied to average daily flow figures to arrive at an estimate of existing per capita use.
4. In determining the existing levels of service (LOS) on roads for the purposes of the Concurrency Test Statement, peak hour traffic counts were derived from average daily traffic (ADT) volume counts. The ADT counts were compiled from data provided by the Pinellas County Metropolitan Planning Organization, the Florida Department of Transportation (FDOT) and various municipal governments. Based upon current roadway travel characteristics, various peak hour factors were used to determine peak hour traffic counts from ADT volume counts.

The specific data sources include:

- a. Pinellas County Seasonally Adjusted 2011 Traffic Counts, prepared by Florida Department of Transportation and the Pinellas County Planning Department;
- b. Florida Department of Transportation 2009 Level of Service Handbook; and
- c. Pinellas County Metropolitan Planning Organization 2012 Level of Service Report.

SECTION IV. Severability

If any section, paragraph, subdivision, clause, sentence, or provision of this 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 the Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

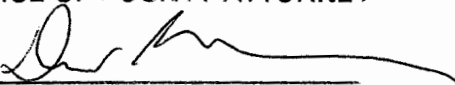
SECTION V. Inclusion in the Code

The provision of this Ordinance shall be included and incorporated in the Pinellas County Land Development Code, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Land Development Code.

SECTION VI. Filing of Ordinances; Effective Date

Pursuant to Section 125.66, F.S., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State or January 1, 2013, whichever is later.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 

Attorney

EXHIBIT A
Pinellas County
Concurrency Test
Statement 2012
Major Road Network

CONCURRENCY DESIGNATION

- Constrained County Roads and deficient State Roads with no Mitigating Improvements Scheduled or Planned
- Congestion Containment Corridor
- Long Term Concurrency Management Corridor
- Mitigating Improvement Scheduled

Gulf of Mexico

Tampa Bay

Plot Date: November 2, 2012
H:\USERS\Autocadd\ AppsSandra_MPO & PLN\ sk CMP information files\ concurrency

