

BOARD OF COUNTY COMMISSIONERS

DATE: December 11, 2012

AGENDA ITEM NO. 38

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Zoning Case No. (Q) Z-1-11-12 (Strategic Planning & Initiatives Director)

Department:

Strategic Planning and Initiatives

Staff Member Responsible:

Larry Arrington, Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE ZONING REQUEST.

Summary Explanation/Background:

This request is being submitted by the Strategic Planning & Initiatives Director to resolve a conflict between the zoning of the subject site and the site's Future Land Use Map designation. The site has been zoned C-2, Commercial, Retail and Limited Services district since 1963 when the zoning ordinance was first adopted by Pinellas County; however, when Pinellas County adopted its first Comprehensive Land Use Plan Map in the 1970s, this site was designated as Industrial. This created a non-conforming zoned parcel since the C-2 zoning district is not compatible with the site's Industrial Limited land use designation. The subject site is part of a larger parcel that is currently being redeveloped in keeping with the property's Industrial Limited land use designation. The property owner desires to include the subject site as part of the redevelopment of the entire parcel. Approval of the request to amend the zoning on the subject site to M-1, Light Manufacturing and Industry, would render the zoning consistent with the site's Industrial Limited land use designation, and would allow redevelopment of the entire parcel (including the subject site) to occur in keeping with the industrial zoning and land use designations.

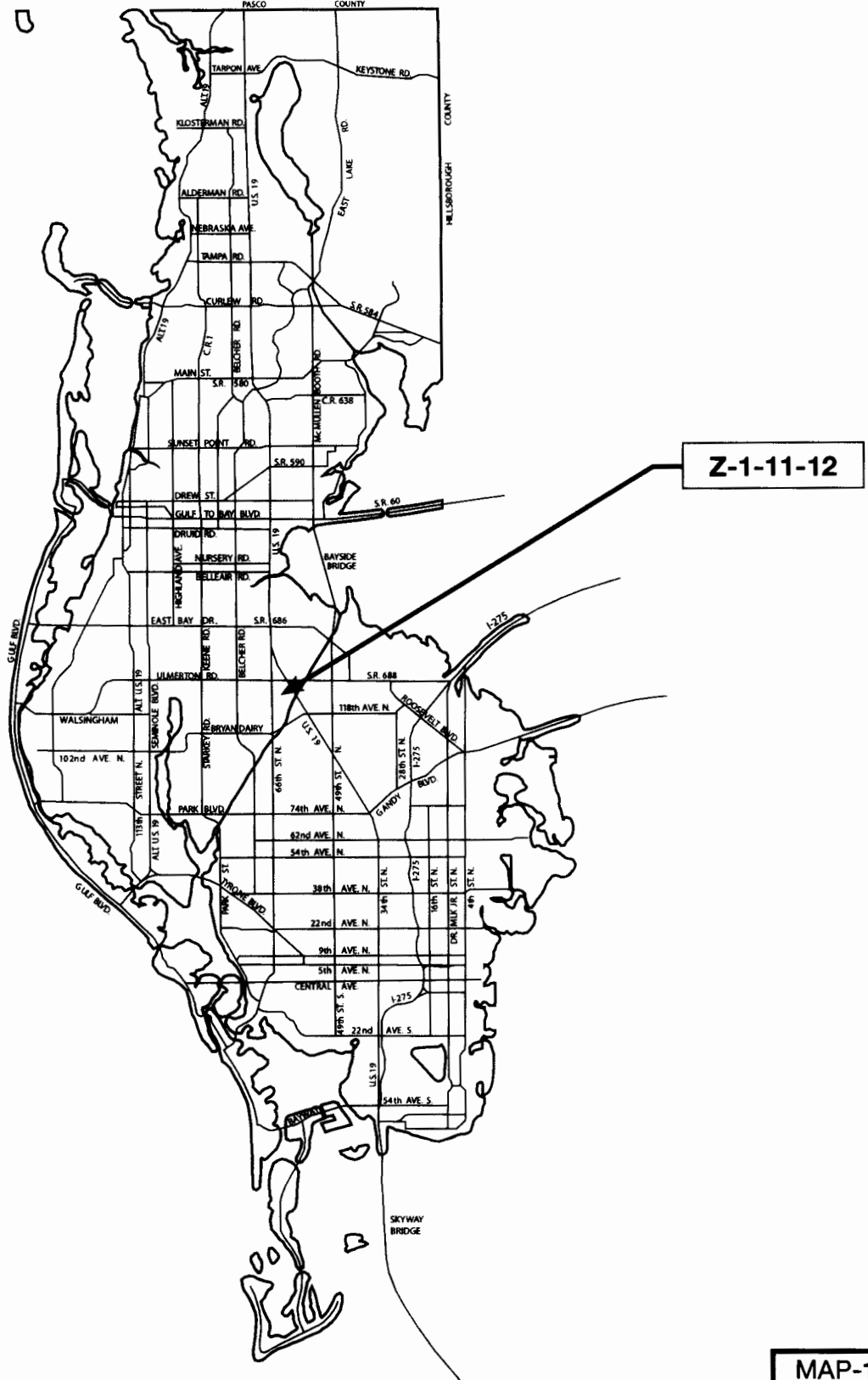
Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Locator Map, Staff Report with LPA Recommendation, Zoning Maps & Resolution

LOCATION MAP



MAP-1

Z-1-11-12
LPA 18-11-12

Zoning

From: C-2 - General Retail Commercial
& Limited Services
To: M-I - Light Manufacturing & Industry

A portion of Parcel I.D. 08/30/16/70974/200/1100
Prepared by: Pinellas County Planning Department August 2012



**LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
BOARD OF COUNTY COMMISSIONERS**



Regarding: Case No. Z-1-11-12 (LPA Report No. 18-11-12)

LPA Recommendation: The LPA finds that the proposed amendment is consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the request. (The vote was 5-0, in favor)

LPA Public Hearing: November 8, 2012

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find the proposed amendment to the Zoning Atlas to be consistent with the Pinellas County Comprehensive Plan, based on the findings in this Report.

Staff further recommends that the LPA recommend to the Pinellas County Board of County Commissioners approval of the zoning amendment.

CASE SUMMARY

APPLICANT'S NAME: Pinellas County Planning Director

DISCLOSURE: Property Owner: HP Ulmerton, LLLP

REPRESENTED BY: N/A

ZONING CHANGE	
FROM:	C-2, General Retail Commercial & Limited Services
TO:	M-1, Light Manufacturing & Industry

PROPERTY DESCRIPTION :

Approximately 1.76 acres located on the north side of 126th Avenue North 620 ft. east of 66th Street North in the unincorporated area of Largo.

PARCEL ID(S): portion of 08/30/16/70974/200/1100

PROPOSED BCC HEARING DATE: December 11, 2012

CORRESPONDENCE RECEIVED TO DATE:

No correspondence received.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

No one appeared.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Industrial Limited	C-2	Vacant
Adjacent Properties:			
North	Industrial Limited	M-1	Vacant
East	Industrial Limited	M-1	Vacant
South	Industrial Limited	M-1	Welding Shop
West	Residential Medium & Commercial General	RM-12.5 & C-3	Multi-Family and Warehouse

STAFF DISCUSSION AND ANALYSIS

COMPATIBILITY WITH SURROUNDING LAND USES:

The purpose of the proposed rezoning is to resolve an inconsistency between the Future Land Use Map and the Zoning Atlas Map for the subject site. The proposed M-1 zoning is both compatible and consistent with development in the area as evidenced by the zoning atlas map whereas the current C-2 zoning is incompatible with the Future Land Use Map designation of Industrial Limited, and as such, it is recommended this non-conformity be eliminated. The subject property is part of a larger parcel that is currently under site plan review. The property owner wishes to integrate the subject property into the total redevelopment of their property. The site is surrounded on three sides by M-1 zoning and Industrial Limited land use designations, with the west boundary being zoned C-2, C-3 and RM-12.5 Residential Medium 12.5 units per acre and the later zoning being developed with an apartment complex. The residential use was rezoned from C-2 and Commercial General in 2005 and was subsequently developed with a 64 unit apartment complex. This complex is separated from the subject property by a 100 ft. wide retention/open area located on the apartment complex property.

SUMMARY:

The Planning Director's application to rezone the subject site from C-2 to M-1 will correct an outstanding inconsistency between the Future Land Use Map and Zoning Atlas.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments to the Pinellas County Comprehensive Plan are consistent with the following adopted objectives and, policies, of the Comprehensive Plan:

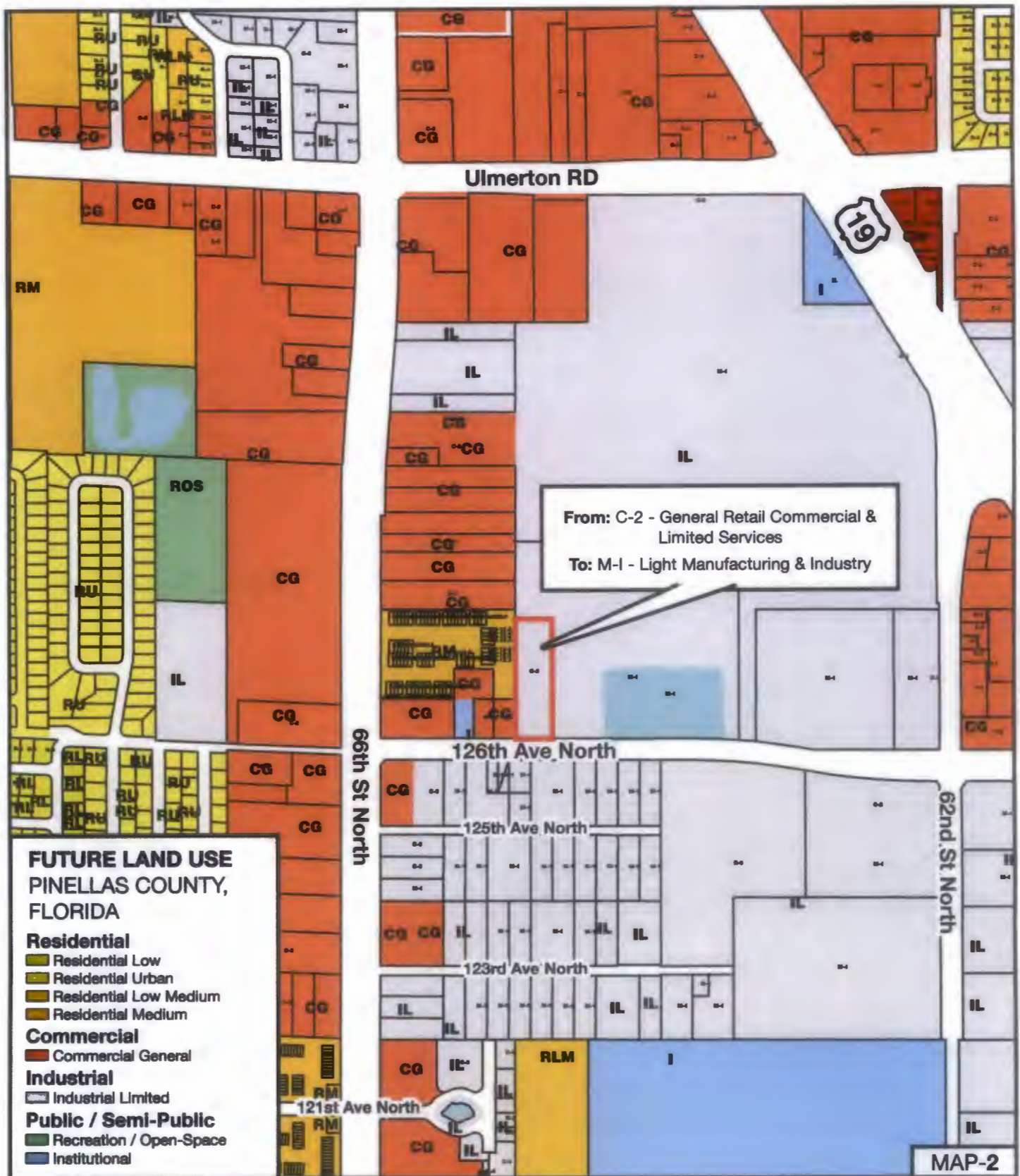
Future Land Use and Quality Communities Element

- 1.2. Objective Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- 1.2.3. Policy Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- 1.11 Objective Pinellas County shall implement its land use policies in a manner that clearly defines the future land use categories and the regulations pertaining to them that manage growth in Pinellas County.
- 1.11.2. Policy: Zoning, signage, subdivision, and other existing County land development regulations that are discussed in any element of the *Pinellas County Comprehensive Plan* or have been approved by the Board of County Commissioners shall be consistent with the Plan and include additional regulations that are specified by and based upon the Plan.

COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

Attachment (Maps)



**Z-1-11-12
LPA 18-11-12**

Zoning

From: C-2 - General Retail Commercial
& Limited Services
To: M-I - Light Manufacturing & Industry

A portion of Parcel I.D. 08/30/16/70974/200/1100
Prepared by: Pinellas County Planning Department August 2012





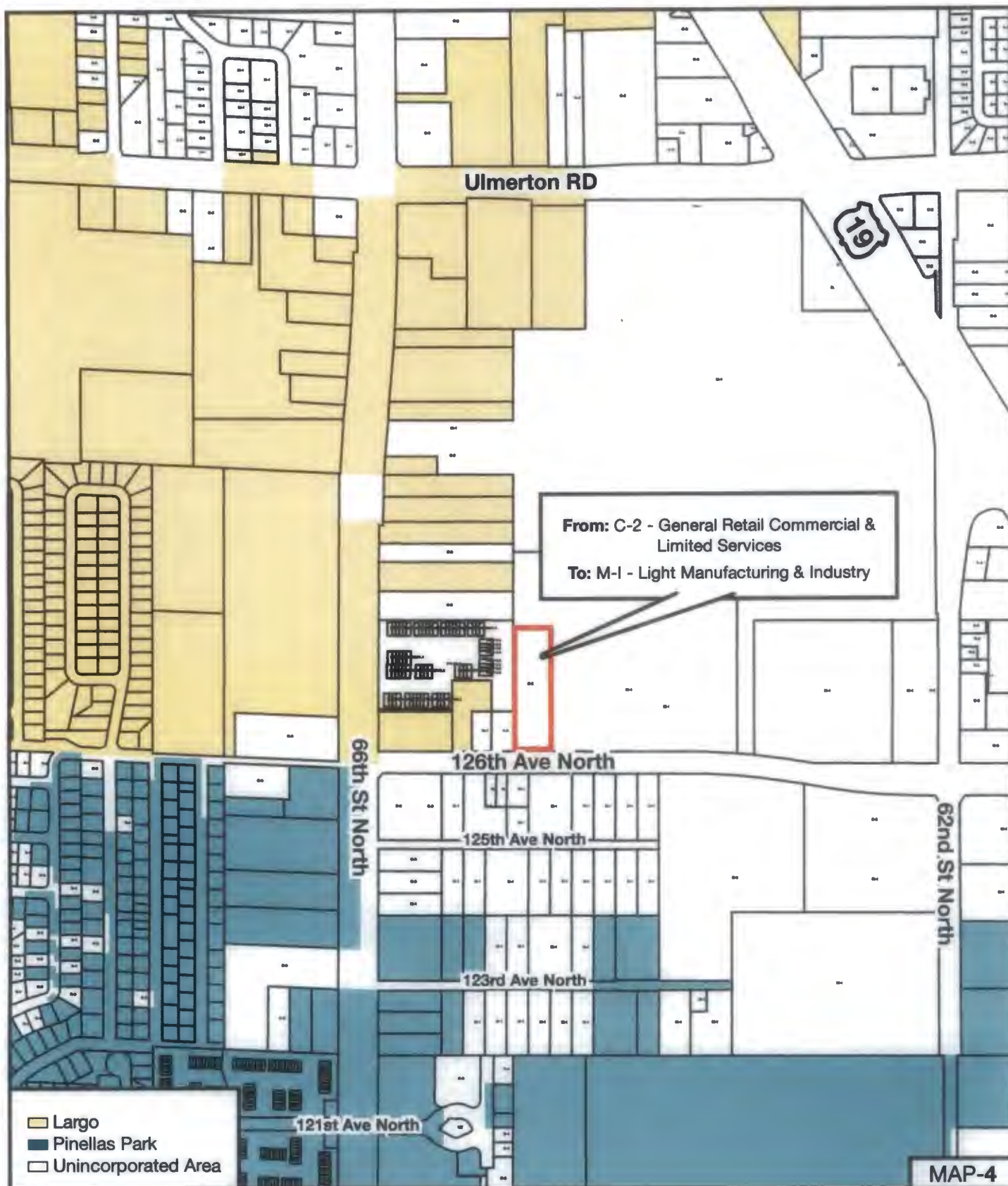
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RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 1.76 ACRES LOCATED ON THE NORTH SIDE OF 126TH AVENUE NORTH 620 FT. EAST OF 66TH STREET NORTH IN THE UNINCORPORATED AREA OF LARGO; PAGE 731 OF THE ZONING ATLAS, AS BEING IN SECTION 08, TOWNSHIP 30, RANGE 16; FROM C-2, GENERAL RETAIL COMMERCIAL & LIMITED SERVICES TO M-1, LIGHT MANUFACTURING & INDUSTRY; UPON APPLICATION OF PINELLAS COUNTY PLANNING DIRECTOR, Z-1-11-12

WHEREAS, the Director of Pinellas County Planning Department has petitioned the Board of County Commissioners of Pinellas County to change the zone classification of the real property hereinafter described from C-2, General Retail Commercial & Limited Services to M-1, Light Manufacturing & Industry; and

WHEREAS, legal notice of public hearing on such proposed change of zone classification was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with; and

WHEREAS, this Board has determined that the zone classification of said property should be changed.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 11th day of December 2012, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

See Attached Exhibit "A"

be, and the same is hereby changed from C-2, General Retail Commercial & Limited Services to M-1, Light Manufacturing & Industry.

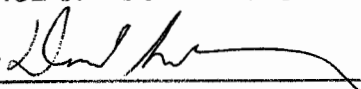
Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ upon the roll call the vote was:

Ayes:

Nays:

Absent and not voting:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

Z-1-11-12

Exhibit "A"

Legal Description

A parcel of land being a portion of Lot 10 of the Subdivision of the Northwest $\frac{1}{4}$ of Section 8, Township 30, South, Range 16 East, PINELLAS GROVES, INC. according to the Plat thereof as recorded in Plat Book 1, Page 55 of the Public Record of Pinellas County, Florida, less road right-of-way for 126th Avenue North; being more particularly described as follows:

Commence at the Southwest Corner of the Northwest $\frac{1}{4}$ of said Section 8; thence South $89^{\circ}45'39''$ East, along the South line of the Northwest $\frac{1}{4}$ of said Section 8, 668.77 feet; thence North $00^{\circ}12'21''$ East, 67.00 feet to a point on the North right-of-way line of said 126th Avenue North and the Point of Beginning; thence continue North $00^{\circ}12'21''$ East, 605.00 feet; thence South $89^{\circ}47'39''$ East, 122.00 feet; thence South $00^{\circ}38'47''$ East, 605.15 feet to the said North right-of-way line of 126th Avenue; thence North $89^{\circ}45'39''$ West, along said North right-of-way line, 131.00 feet to the Point of Beginning.

Containing 1.76 acres, more or less.