

BOARD OF COUNTY COMMISSIONERS

DATE: March 19, 2013
AGENDA ITEM NO. 21

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Adoption of proposed Ordinance to amend parking requirements in the Old Palm Harbor-Downtown Zoning District.

Department:

Strategic Planning & Initiatives

Staff Member Responsible:

Larry Arrington, Strategic Planning & Initiatives Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) RECEIVE PUBLIC COMMENT AND ADOPT THE PROPOSED ORDINANCE AMENDING THE PARKING REQUIREMENTS IN THE OLD PALM HARBOR-DOWNTOWN ZONING DISTRICT.

Summary Explanation/Background:

The proposed amendments to the Old Palm Harbor-Downtown (OPH-D) Zoning District focus on changes to the on-site parking requirements for properties located in the OPH-D east sub-district. In the past two years, there has been interest among some property owners to revisit the parking regulations for Downtown Palm Harbor that were adopted in May 2002 to encourage redevelopment in downtown and to encourage employees to park in areas that do not conflict with customer parking. To follow up on that interest, County staff and volunteers conducted a parking survey in March and April of 2011, and based on that information and an analysis of existing and projected future conditions, County staff recommended reductions in the parking requirements for that portion of the OPH-D Zoning District located south of Nebraska Avenue.

At a public hearing on February 21, 2012, the BCC took action on these reductions by reducing the parking rate for restaurant and retail uses from 55% to 45% of the minimum off-street parking requirements that apply for these types of uses in the remainder of unincorporated Pinellas County. While the BCC relaxed the parking requirements for restaurant and retail uses, the parking rates for other uses were not changed. As part of the BCC's action on these proposed amendments, the BCC requested that a parking study be conducted that would evaluate the parking needs for all uses within Downtown Palm Harbor and develop recommendations for existing and future parking conditions.

Based on the BCC direction of February 2012, the County Strategic Planning & Initiatives Department retained King Engineering in July of 2012 to conduct a parking study. King Engineering collected and analyzed information on current parking demand, parking needs and issues, and circulation patterns and conditions in the study area. Surveys of businesses and Downtown visitors were used to gather some of the data. Staff from King Engineering conducted several community meetings in Downtown Palm Harbor. The first meeting was held on September 11th, in which the consultant discussed the scope of the study and the information that had been gathered. The second community meeting was held on October 25th, and a third meeting on December 14th was held with the Old Palm

Harbor Main Street Board of Directors, during which King Engineering staff went over their projection and analysis of future parking demand and the ideas they were considering as recommendations to the County for more efficient use of Downtown parking spaces. King Engineering presented the Study findings and recommendations at the BCC's work session on December 18, 2012.

At the December 18, 2012 BCC work session, King Engineering presented the results of the parking study to the BCC and provided several recommendations to the County. One of the recommendations presented to the BCC was to change some of the parking rates in the OPH-D District. In addition to the parking study rate recommendations, King Engineering also determined that it appears the existing public and private parking spaces, with the addition of the 42 spaces being added by the Geographic Solutions office project, are adequate to satisfy the projected future parking needs of the downtown area. Other recommendations included ways to improve parking design and arrangements in the OPH-D District that are non-regulatory.

After hearing the King Engineering's December presentation, the BCC directed staff to initiate amendments to the Zoning Code to implement the parking rate recommendations proposed by King Engineering.

The parking rate recommendation proposed by King Engineering proposes separate parking requirements for retail and restaurant uses and for medical clinics, medical offices and other office uses in the OPH-D east sub-district. For retail and restaurant uses, the current OPH-D Zoning for the east sub-district south of Nebraska Avenue requires that the minimum number off-street spaces provided shall be equal to 45 percent of the minimum number of off-street parking spaces required in the rest of unincorporated area, with a minimum of two spaces. The parking study recommends a minimum of 2.1 parking spaces per 1,000 square feet of gross floor area for retail and restaurant uses in all areas of the OPH-D Zoning east sub-district.

For medical clinics, medical offices and other office uses, the current OPH-D Zoning District for the east sub-district south of Nebraska Avenue requires that the minimum number of off-street spaces shall be equal to 55 percent of the minimum number of off-street parking spaces required in the rest of the unincorporated area, with a minimum of two spaces. The proposed recommendation for medical clinics, medical offices and other office uses is to amend the OPH-D Zoning District to require four (4) parking spaces per 1,000 square feet of gross floor area for such uses in all areas of the OPH-D east sub-district. Furthermore, a rate reduction of 0.2 space for every one (1) public parking space within a radius of 500 feet measured from the center of the property to be developed or where a change in use is proposed shall be applied towards meeting site plan parking requirements for medical clinic and office uses in the OPH-D east sub-district. This reduction shall not be applied to public parking spaces located along Florida Avenue, Michigan Avenue and Nebraska Avenue.

The Local Planning Agency (LPA) considered the proposed amendments at a public hearing on February 14, 2013 and their recommendation is included in the attached LPA report.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Proposed Ordinance (strike through and underline format)
Proposed Ordinance (clean format)
Map of the Old Palm Harbor-Downtown Zoning District
Local Planning Agency Report and Recommendation

ORDINANCE NO. 13-

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE ZONING PROVISIONS OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, CHAPTER 138, ARTICLE V, DIVISION 12, THE OLD PALM HARBOR-DOWNTOWN ZONING DISTRICT; AMENDING SECTION 138-1011, OFF-STREET PARKING; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT A PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County and the community of Palm Harbor have been working together since the early 1990s to protect the historical integrity of Downtown Palm Harbor; and

WHEREAS, in 1994, the Pinellas County Board of County Commissioners established the Downtown Palm Harbor Historic District to support the community's efforts to recognize and protect the unique heritage of this unincorporated area of north Pinellas County; and

WHEREAS, in 1997, the voters of Pinellas County approved a referendum extending the Penny for Pinellas Infrastructure Sales Tax for another ten years, which included a commitment to fund streetscape improvements in Downtown Palm Harbor; and

WHEREAS, in 1998, the residents and business owners in Old Palm Harbor developed a Vision Statement emphasizing that Old Palm Harbor and its Downtown is a special place worthy of protection; and

WHEREAS, the Pinellas County Comprehensive Plan includes an objective to assist communities in providing opportunities and/or public facilities and other features that promote a community's identity and maintain its unique character; and

WHEREAS, the local community and the County coordinated on hiring a consultant team to assist them in developing a Master Plan to include a conceptual streetscape plan, a basic framework for a new zoning district for Downtown Palm Harbor, and other components necessary to achieve the Vision for Old Palm Harbor and to complete the streetscape improvements approved in 1997 by the voters; and

WHEREAS, local residents, property and business owners, County staff, and members of the Old Palm Harbor Main Street Program worked with the consultant team over several months to develop a draft Downtown Historic Palm Harbor Master Plan in the Fall of 2000; and

WHEREAS, the local community, the Old Palm Harbor Main Street Program, and County staff refined the Master Plan after the Fall of 2000, and the final Downtown Historic Palm Harbor Master Plan was adopted by the Board of County Commissioners on December 18, 2001; and

WHEREAS, implementation of the Master Plan required amendments to the Pinellas County Land Development Code to establish a zoning district that would allow a compatible development pattern based upon the historic lot pattern and existing urban design features; and

WHEREAS, the Pinellas County Board of County Commissioners adopted the Old Palm Harbor–Downtown (OPH-D) Zoning District in May 2002; and

WHEREAS, during 2010 and 2011, there has been renewed interest in additional development in the OPH-D; and

WHEREAS, in response to the renewed interest in redeveloping downtown Palm Harbor, the County initiated a parking survey of the downtown area; and

WHEREAS, the County completed a parking survey within the OPH-D East Sub-District, which was conducted by County staff and volunteers in March and April of 2011 to assist in determining the relationship between parking demand and supply; and

WHEREAS, County staff held community meetings in Downtown Palm Harbor on July 20, 2011 and August 31, 2011 with the Palm Harbor community, and property and business owners to discuss several issues including parking requirements, the lack of streetlights, and other development regulations in Downtown Palm Harbor area, and to receive comments on, and recommendations for changes to, the OPH-D Zoning District; and

WHEREAS, Pinellas County staff met with the Old Palm Harbor Main Street Board of Directors and with property and business owners in Downtown Palm Harbor on August 24, 2011 and presented the proposed changes to the OPH-D Zoning District to the Main Street Board ; and

WHEREAS, the Pinellas County Board of County Commissioners held a public hearing on proposed changes on February 21, 2012, and relaxed the parking requirements for restaurant and retail uses, while postponing changes to the parking requirements for office and medical office uses to another date; and

WHEREAS, as part of the Board's action on February 21, 2012, the Board requested that a parking study be conducted that would evaluate the parking needs for all uses within Downtown Palm Harbor; and

WHEREAS, Pinellas County staff hired King Engineering to conduct a parking study that would evaluate the parking needs for all uses within Downtown Palm Harbor; and

WHEREAS, King Engineering collected and analyzed information on current parking demand, parking needs and issues in the study area; and

WHEREAS, to gather some of the data for the parking study area, King Engineering conducted and completed surveys of businesses and customers of the area; and

WHEREAS, staff from King Engineering conducted two community meetings in Downtown Palm Harbor on September 11 and on October 25, 2012 to go over and discuss the scope and results of the studies and the information that had been gathered as well as projecting and analyzing parking demand through 2025; and

WHEREAS, at the second community meeting on October 25, 2012, King Engineering staff went over their projection and analysis of future parking demand and the ideas they were considering as recommendations to the County for more efficient use of Downtown parking spaces; and

WHEREAS, staff from King Engineering presented the result of the parking study to the Board of County Commissioners at its December 18, 2012 public work session; and

WHEREAS, at its December 18, 2012 work session, the Board directed staff to revise the off-street parking section of the OPH-D Zoning Code in order to incorporate the parking study's recommendation; and

WHEREAS, the Pinellas County Local Planning Agency (LPA) held a public hearing on February 14, 2013 to receive public comment on the proposed changes to the OPH-D Zoning District, and the recommendation from the LPA has been received and considered.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida in regular meeting duly assembled on this ____ day of _____ 2013, that:

SECTION 1. Section 138-1011 of the Pinellas County Land Development Code, is amended to read as follows:

Section 138-1011. Off-Street Parking

This section provides for safe and efficient parking while recognizing the unique conditions in Palm Harbor. Some internal capture of vehicle trips results from the mixture of uses and the bicycle traffic from the Fred Marquis Pinellas Trail. This combined with the public on-street parking improvements allows a reduced off-street parking requirement for comparable uses in conventional zoning districts.

- (1) There shall be provided at the time of the erection of any structure, or at the time any structure is enlarged or increased in capacity, a minimum number of off-street parking spaces.

~~(2) For nonresidential uses, except for medical clinics and offices and other office buildings, in that portion of the east sub-district south of Nebraska Avenue, east of Alternate U.S. Highway 19, north of Michigan Avenue, and west of C.R. 1: the minimum number of spaces provided on-site shall be equal to 45 percent of the minimum number of off-street automobile parking spaces required in Section 138-1302 with a minimum of two spaces.~~

~~(3) For medical clinics and offices and other office buildings, in that portion of the east sub-district south of Nebraska Avenue, east of Alternate U.S. Highway 19, north of Michigan Avenue, and west of C.R. 1: the minimum number of spaces provided on-site shall be equal to 55 percent of the minimum number of off-street automobile parking spaces required in Section 138-1302, with a minimum of two spaces.~~

(2) In the east sub-district, the minimum number of off-street parking spaces provided shall be equal to the following:

a. For retail uses, personal services, studios and galleries, and eating and/or drinking establishments, the minimum number of off-street spaces provided shall be equal to 2.1 parking spaces per 1,000 square feet of gross floor area.

b. For medical and veterinary clinics, medical and dental offices, and other office uses, the minimum number of off-street spaces provided shall be equal to four (4) parking spaces per 1,000 square feet of gross floor area. A rate reduction of 0.2 parking space for every one (1) public parking space located within a radius of 500 feet from the center of the parcel or parcels where the improvement will be located shall be applied towards meeting the off-street parking requirements. The County may request a survey be provided locating the center of the parcel or parcels where the improvement will be located for the purpose of determining the 500-foot radius. Only those public parking spaces completely located (both the entire width and length of the space) within the 500-foot radius can be counted toward the parking rate reduction. Calculation of this reduction shall not include on-street public parking spaces located along Florida Avenue, Michigan Avenue, and Nebraska Avenue. Regardless of the resulting rate reduction, a minimum of two off-street parking spaces shall be provided.

c. For other non-residential uses, the minimum number of off-street parking spaces provided shall be equal to 45 percent of the minimum number of off-street parking spaces required in section 138-1302, with a minimum of two spaces.

- (4) ~~For nonresidential uses in the east sub-district north of Nebraska Avenue or west of Alternate U.S. Highway 19: the minimum number of off-street parking spaces shall be equal to four-fifths of the minimum number of off-street parking spaces required in section 138-1302, with a minimum of two spaces. Designated on-street parking directly fronting a lot shall count toward fulfilling the parking requirement for that lot.~~
- (5) (3) For nonresidential uses in the west sub-district: the minimum number of off-street spaces provided ~~on-site~~ shall be equal to four-fifths the minimum number of off-street automobile parking spaces required in section 138-1302, with a minimum of two spaces.
- (6) (4) Off-street parking for nonresidential uses in the west sub-district shall not be located in the front or corner setback areas.
- (7) (5) Any outdoor seating area shall be included when calculating the required number of minimum off-street parking spaces, except that no off-street parking shall be required for an outdoor seating area that allows up to 24 seats and is equal to or less than 400 square feet in area. An outdoor seating area shall be accessory to an ~~indoor~~ eating and/or drinking establishment with indoor dining.
- (8) (6) Alleys may be used for access to off-street parking spaces.
- (9) (7) Parking spaces for nonresidential uses may be provided on a separate lot or parcel not more than 500 feet from the primary parcel to be served as measured along the most direct pedestrian route.
- (10) (8) Bed and breakfast in the east sub-district: one off-street parking space for every two guest rooms plus one space. Bed and breakfast in the west sub-district: one off-street parking space for every guest room plus two spaces. Parking shall be provided in a manner that is compatible with the surrounding area.
- (11) (9) Single-family dwellings: two off-street parking spaces per dwelling unit.

- (12) (10) For all other residential uses: one off-street parking space per efficiency unit and one and one-half off-street parking spaces per dwelling unit with one or more bedrooms.
- (13)(11) Where not specifically changed in this section, parking requirements shall otherwise comply with article VII, division 2 of chapter 138.
- (14)(12) Off-street parking shall not be located on the Florida Avenue frontage east of Alternate U.S. Highway 19.
- (15)(13) Shared parking: parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when hours of peak use vary. Requests for the use of shared parking are subject to approval by the county administrator or his/her designee, and must meet the following conditions:
- a. The applicant must demonstrate to the county administrator's satisfaction that substantial conflict shall not exist in the principal hours or periods of peak demand for the uses for which the joint use is proposed.
 - b. The number of parking spaces which may be credited against the requirements for the structures or uses involved shall not exceed the number of parking spaces reasonably anticipated to be available during differing hours of operation. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be 25 percent.
 - c. Parking facilities designed for joint use should not be located further than 500 feet from any structure or use served, measured along the most direct pedestrian route.
 - d. A written agreement shall be drawn to the satisfaction of the county attorney and executed by all parties concerned assuring the continued availability of the number of parking spaces designated for joint use.
- (16)(14) For properties within this district that have existing buildings, as of May 21, 2002, the off-street parking arrangement in existence on that date for each building shall continue to be recognized by the county as meeting the

minimum parking requirements of the OPH-D district. Such existing building square foot area may be renovated and redeveloped even if it involves the demolition and subsequent reconstruction of a similar size to the existing building square foot area without providing any additional off-street parking spaces. However, this recognition of existing parking arrangements shall not apply to additional building square footage or to a change in use that increases the required number of off-street parking spaces. Parking shall be provided, as required by this section, for any increase in building square foot area, or for the increased number of parking spaces required by a change in use.

SECTION 2. SEVERABILITY. If any Section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 3. AUTHORIZATION TO INCLUDE IN THE CODE. The provisions of this Ordinance shall be included and incorporated in the Pinellas County Land Development Code as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Land Development Code.

SECTION 4. FILING OF ORDINANCE, EFFECTIVE DATE. Pursuant to Section 125.66, Florida Statutes, 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 the enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

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WHEREAS, Pinellas County and the community of Palm Harbor have been working together since the early 1990s to protect the historical integrity of Downtown Palm Harbor; and

WHEREAS, in 1994, the Pinellas County Board of County Commissioners established the Downtown Palm Harbor Historic District to support the community's efforts to recognize and protect the unique heritage of this unincorporated area of north Pinellas County; and

WHEREAS, in 1997, the voters of Pinellas County approved a referendum extending the Penny for Pinellas Infrastructure Sales Tax for another ten years, which included a commitment to fund streetscape improvements in Downtown Palm Harbor; and

WHEREAS, in 1998, the residents and business owners in Old Palm Harbor developed a Vision Statement emphasizing that Old Palm Harbor and its Downtown is a special place worthy of protection; and

WHEREAS, the Pinellas County Comprehensive Plan includes an objective to assist communities in providing opportunities and/or public facilities and other features that promote a community's identity and maintain its unique character; and

WHEREAS, the local community and the County coordinated on hiring a consultant team to assist them in developing a Master Plan to include a conceptual streetscape plan, a basic framework for a new zoning district for Downtown Palm Harbor, and other components necessary to achieve the Vision for Old Palm Harbor and to complete the streetscape improvements approved in 1997 by the voters; and

WHEREAS, local residents, property and business owners, County staff, and members of the Old Palm Harbor Main Street Program worked with the consultant team over several months to develop a draft Downtown Historic Palm Harbor Master Plan in the Fall of 2000; and

WHEREAS, the local community, the Old Palm Harbor Main Street Program, and County staff refined the Master Plan after the Fall of 2000, and the final Downtown Historic Palm Harbor Master Plan was adopted by the Board of County Commissioners on December 18, 2001; and

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WHEREAS, in response to the renewed interest in redeveloping downtown Palm Harbor, the County initiated a parking survey of the downtown area; and

WHEREAS, the County completed a parking survey within the OPH-D East Sub-District, which was conducted by County staff and volunteers in March and April of 2011 to assist in determining the relationship between parking demand and supply; and

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WHEREAS, Pinellas County staff met with the Old Palm Harbor Main Street Board of Directors and with property and business owners in Downtown Palm Harbor on August 24, 2011 and presented the proposed changes to the OPH-D Zoning District to the Main Street Board ; and

WHEREAS, the Pinellas County Board of County Commissioners held a public hearing on proposed changes on February 21, 2012, and relaxed the parking requirements for restaurant and retail uses, while postponing changes to the parking requirements for office and medical office uses to another date; and

WHEREAS, as part of the Board's action on February 21, 2012, the Board requested that a parking study be conducted that would evaluate the parking needs for all uses within Downtown Palm Harbor; and

WHEREAS, Pinellas County staff hired King Engineering to conduct a parking study that would evaluate the parking needs for all uses within Downtown Palm Harbor; and

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WHEREAS, to gather some of the data for the parking study area, King Engineering conducted and completed surveys of businesses and customers of the area; and

WHEREAS, staff from King Engineering conducted two community meetings in Downtown Palm Harbor on September 11 and on October 25, 2012 to go over and discuss the scope and results of the studies and the information that had been gathered as well as projecting and analyzing parking demand through 2025; and

WHEREAS, at the second community meeting on October 25, 2012, King Engineering staff went over their projection and analysis of future parking demand and the ideas they were considering as recommendations to the County for more efficient use of Downtown parking spaces; and

WHEREAS, staff from King Engineering presented the result of the parking study to the Board of County Commissioners at its December 18, 2012 public work session; and

WHEREAS, at its December 18, 2012 work session, the Board directed staff to revise the off-street parking section of the OPH-D Zoning Code in order to incorporate the parking study's recommendation; and

WHEREAS, the Pinellas County Local Planning Agency (LPA) held a public hearing on February 14, 2013 to receive public comment on the proposed changes to the OPH-D Zoning District, and the recommendation from the LPA has been received and considered.

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- (1) There shall be provided at the time of the erection of any structure, or at the time any structure is enlarged or increased in capacity, a minimum number of off-street parking spaces.

- (2) In the east sub-district, the minimum number of off-street parking spaces provided shall be equal to the following:
 - a. For retail uses, personal services, studios and galleries, and eating and/or drinking establishments, the minimum number of off-street spaces provided shall be equal to 2.1 parking spaces per 1,000 square feet of gross floor area.
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 - c. For other non-residential uses, the minimum number of off-street parking spaces provided shall be equal to 45 percent of the minimum number of off-street parking spaces required in section 138-1302, with a minimum of two spaces.
- (3) For nonresidential uses in the west sub-district: the minimum number of off-street spaces provided shall be equal to four-fifths the minimum number of off-street automobile parking spaces required in section 138-1302, with a minimum of two spaces.
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parking shall be required for an outdoor seating area that allows up to 24 seats and is equal to or less than 400 square feet in area. An outdoor seating area shall be accessory to an eating and/or drinking establishment with indoor dining.

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- (10) For all other residential uses: one off-street parking space per efficiency unit and one and one-half off-street parking spaces per dwelling unit with one or more bedrooms.
- (11) Where not specifically changed in this section, parking requirements shall otherwise comply with article VII, division 2 of chapter 138.
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- (13) Shared parking: parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when hours of peak use vary. Requests for the use of shared parking are subject to approval by the county administrator or his/her designee, and must meet the following conditions:
 - a. The applicant must demonstrate to the county administrator's satisfaction that substantial conflict shall not exist in the principal hours or periods of peak demand for the uses for which the joint use is proposed.

b. The number of parking spaces which may be credited against the requirements for the structures or uses involved shall not exceed the number of parking spaces reasonably anticipated to be available during differing hours of operation. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be 25 percent.

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d. A written agreement shall be drawn to the satisfaction of the county attorney and executed by all parties concerned assuring the continued availability of the number of parking spaces designated for joint use.

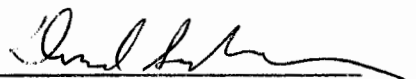
- (14) For properties within this district that have existing buildings, as of May 21, 2002, the off-street parking arrangement in existence on that date for each building shall continue to be recognized by the county as meeting the minimum parking requirements of the OPH-D district. Such existing building square foot area may be renovated and redeveloped even if it involves the demolition and subsequent reconstruction of a similar size to the existing building square foot area without providing any additional off-street parking spaces. However, this recognition of existing parking arrangements shall not apply to additional building square footage or to a change in use that increases the required number of off-street parking spaces. Parking shall be provided, as required by this section, for any increase in building square foot area, or for the increased number of parking spaces required by a change in use.

SECTION 2. SEVERABILITY. If any Section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

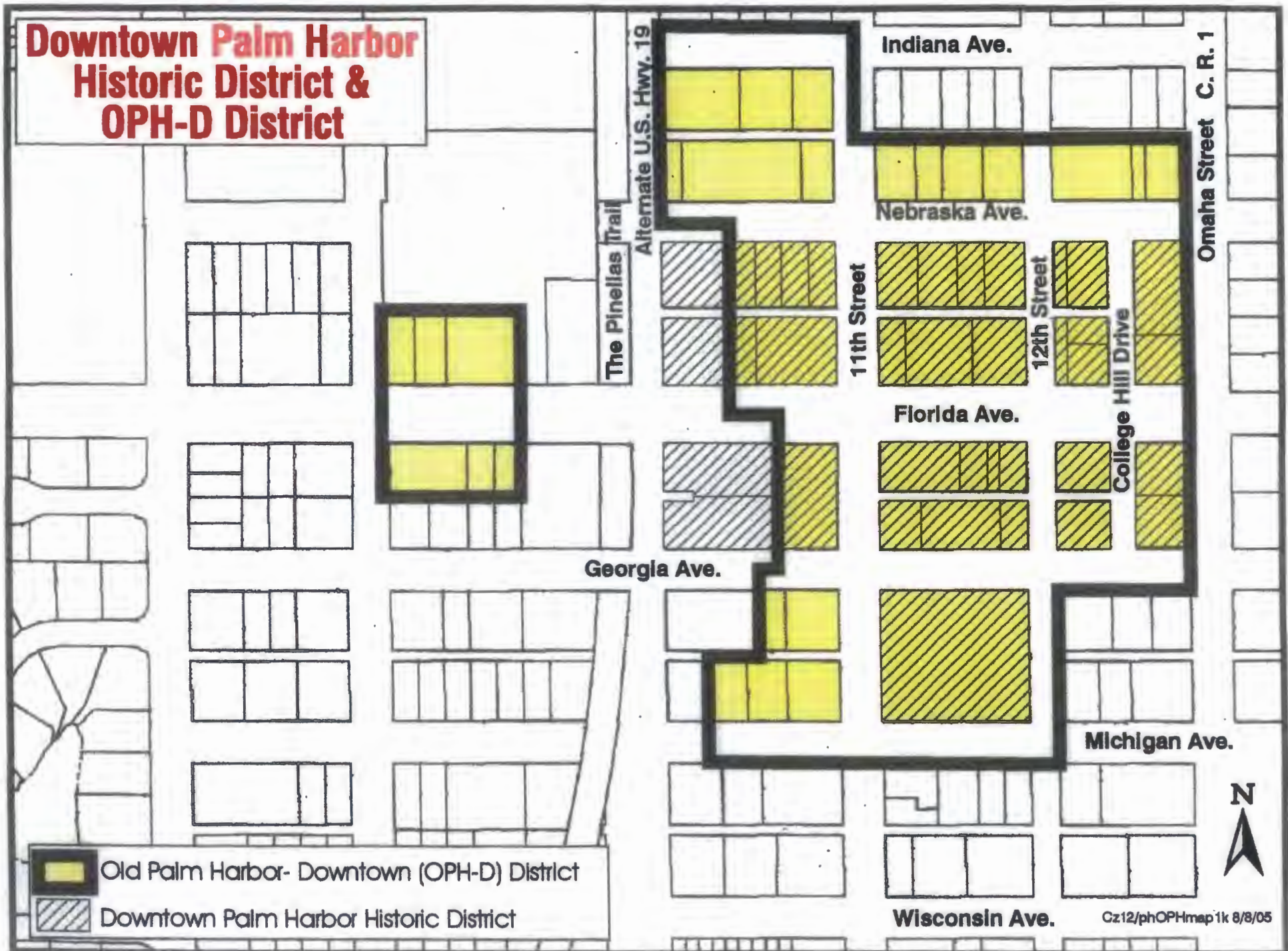
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SECTION 4. FILING OF ORDINANCE, EFFECTIVE DATE. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after the enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney

Downtown Palm Harbor Historic District & OPH-D District



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



Regarding: Proposed Ordinance amending Chapter 138, the Zoning Provisions, Article 5, Division 12, of the Land Development Code regarding the Old Palm Harbor- Downtown (OPH-D) Zoning District.

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 7-0, in favor)

LPA Report No. LDR-10-02-13

Public Hearing Date: February 14, 2013

PLANNING STAFF RECOMMENDATION:

Staff recommends that the LPA find the proposed amendments to the parking regulations of the Old Palm Harbor-Downtown Zoning District are consistent with the Pinellas County Comprehensive Plan, based on the findings of this report.

Staff further recommends that the LPA recommend adoption of the proposed amendments.

BACKGROUND AND DISCUSSION

Background: The Board of County Commissioners (BCC) designated the Downtown Palm Harbor Historic District in 1994 in recognition of the historic significance of this small downtown area, which was established in the 19th Century. Subsequent to designation of the historic district, residents and business owners in the Old Palm Harbor area worked with Pinellas County to develop a Downtown Historic Palm Harbor Master Plan that was adopted by the BCC in December 2001. The Master Plan provided the basis for development and adoption of a new Community Redevelopment District-Activity Center Future Land Use Map category and the Old Palm Harbor-Downtown (OPH-D) Zoning District that were applied in 2002 through action of the BCC to amend the Future Land Use Map and the Zoning Atlas for Downtown Palm Harbor. The OPH-D Zoning District (located on both sides of Alternate U.S. 19) provides development standards unique to Downtown Palm Harbor that reflect the historic development pattern that emerged over several decades. The 19th Century plat that laid out the street network in Downtown Palm Harbor resulted in wide public rights-of-way (ROW) and the availability of on-street public parking throughout much of Downtown. This historic parking pattern, which relies heavily on on-street parking, was recognized in the 2002 OPH-D Zoning

District by requiring less parking on individual lots in Downtown than what is required in the remainder of the unincorporated area where parking in the public ROW is usually not available. Streetscape improvements completed by the County in 2006 not only improved the public parking spaces in the ROW, but also resulted in construction of a public parking lot at the former location of the Palm Harbor United Methodist Church.

Staff Discussion and Analysis

The proposed amendments to the Old Palm Harbor-Downtown (OPH-D) Zoning District focus on changes to the on-site parking requirements for properties located in the OPH-D east sub-District. In the past two years, there has been interest among some property owners to revisit the parking regulations for Downtown Palm Harbor that were adopted in May 2002 to encourage redevelopment in downtown and to encourage employees to park in areas that do not conflict with customer parking. To follow up on that interest, County staff and volunteers conducted a parking survey in March and April of 2011, and based on that information and an analysis of existing and projected future conditions, County staff recommended reductions in the parking requirements for that portion of the OPH-D Zoning District located south of Nebraska Avenue.

At a public hearing on February 21, 2012, the BCC took action on these reductions by reducing the parking rate for restaurant and retail uses from 55% to 45% of the minimum off-street parking requirements that apply for these types of uses in the remainder of unincorporated Pinellas County. While the BCC relaxed the parking requirements for restaurant and retail uses, the parking rates for other uses were not changed. As part of the BCC's action on these proposed amendments, the BCC requested that a parking study be conducted that would evaluate the parking needs for all uses within Downtown Palm Harbor and develop recommendations for existing and future parking conditions.

Based on the BCC direction of February 2012, the County Strategic Planning & Initiatives (SP & I) Department retained King Engineering in July of 2012 to conduct a parking study. King Engineering collected and analyzed information on current parking demand, parking needs and issues, and circulation patterns and conditions in the study area. Surveys of businesses and Downtown visitors were used to gather some of the data. Staff from King Engineering conducted several community meetings in Downtown Palm Harbor. The first meeting was held on September 11th, in which the consultant discussed the scope of the study and the information that had been gathered. The second community meeting was held on October 25th, and a third meeting on December 14th was held with the Old Palm Harbor Main Street Board of Directors, during which King Engineering staff went over their projection and analysis of future parking demand and the ideas they were considering as recommendations to the County for more efficient use of Downtown parking spaces. King Engineering presented the Study findings and recommendations at the BCC's work session on December 18, 2012.

At the December 18, 2012 BCC work session, King Engineering presented the results of the parking study to the BCC and provided several recommendations to the County. One of the recommendations presented to the BCC was to change some of the parking rates in the OPH-D District. In addition to the parking study rate recommendations, King Engineering also determined that it appears the existing public and private parking spaces, with the addition of the 42 spaces being added by the Geographic Solutions office project, are adequate to satisfy the projected future parking needs of the downtown area. Other recommendations included "ways" to improve parking design and arrangements in the OPH-D District that are non-regulatory.

After hearing the King Engineering's December presentation, the BCC directed staff to initiate amendments to the Zoning Code to implement the parking rate recommendations proposed by King Engineering. The parking rate recommendation proposed by King Engineering proposes separate parking requirements for retail and restaurant uses and for medical clinics, medical offices and other office uses in the OPH-D east sub-district. For retail and restaurant uses, the current OPH-D Zoning for the east sub-district south of Nebraska Avenue requires that the minimum number off-street spaces provided shall be equal to 45 percent of the minimum number of off-street parking spaces required in the rest of unincorporated area, with a minimum of two spaces. The parking study recommends a minimum of 2.1 parking spaces per 1,000 square feet of gross floor area for retail and restaurant uses in all areas of the OPH-D Zoning east sub-district.

For medical clinics, medical offices and other office uses, the current OPH-D Zoning District for the east sub-district south of Nebraska Avenue requires that the minimum number of off-street spaces shall be equal to 55 percent of the minimum number of off-street parking spaces required in the rest of unincorporated area, with a minimum of two spaces. The proposed recommendation for medical clinics, medical offices and other office uses is to amend the OPH-D Zoning District to allow four (4) parking spaces per 1,000 square feet of gross floor area for such uses in all areas of the OPH-D east sub-district. Furthermore, a rate reduction of 0.2 space for every one (1) public parking space within a radius of 500 feet measured from the center of the property to be developed or where a change in use is proposed shall be applied towards meeting site plan parking requirements for medical clinic and office uses in the OPH-D east sub-district. This reduction shall not be applied to public parking spaces located along Florida Avenue, Michigan Avenue and Nebraska Avenue.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments to the Land Development Code, at a minimum, are consistent with the following objective and policies of the Comprehensive Plan:

Future Land Use:

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| 1. 3.11. | Policy: | In association with the update to the Land Development Code, Pinellas County in coordination with the Pinellas County Metropolitan Planning Organization shall recommend parking standards for mixed-use development. |
| 2.3. | Objective: | The County Land Development Code will encourage design of parking lots and driveways to support pedestrian safety, connections and comfort by reducing the number of curb cuts and providing interconnectivity between and through sites. |
| 2.3.1. | Policy: | Allow a parking requirement reduction for properties that share both cross access and a common entrance drive. |