

BOARD OF COUNTY COMMISSIONERS

DATE: July 23, 2013
AGENDA ITEM NO. 20

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature:

Subject:

Land Use Case No. LU-15-6-13 (Mayda E. Carrillo)

Department:

Strategic Planning and Initiatives

Staff Member Responsible:

Larry Arrington, Executive Director

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE REQUEST TO AMEND THE FUTURE LAND USE MAP.

Summary Explanation/Background:

This request was submitted to correct an inconsistency that was created in 1982 when the County's initial local Comprehensive Plan was adopted. The subject site received zoning of P-1 in 1981; however, during the Plan adoption a year later, the site's Commercial General designation was amended to Residential Urban creating the current inconsistency between the site's land use and zoning designations. Approval of this request will correct the inconsistency that occurred in the '80's and will properly recognize the personal service establishment business that exists there today.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps and Ordinance

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



Regarding: Case No. LU-15-6-13

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

LPA Public Hearing: June 13, 2013

PLANNING STAFF RECOMMENDATION:

Approval of the proposed Future Land Use Map amendment from Residential Urban to Residential/Office General

CASE SUMMARY

APPLICANT'S NAME: Mayda E. Carrillo
DISCLOSURE: Mayda E. Carrillo, Pres. /Finances & Helen E. Rogers, V.P. /Sec.
REPRESENTED BY: N/A

	LAND USE CHANGE
FROM:	Residential Urban
TO:	Residential/Office-General

PROPERTY DESCRIPTION:

Approximately 0.16 acre located at the southeast corner of Douglas Avenue and Sheridan Road in the unincorporated area of Clearwater (Street Address being: 1201 Sheridan Road).

PARCEL ID(S): 03/29/15/87912/001/0080

PROPOSED BCC HEARING DATE: July 23, 2013

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:	Residential Urban	P-1	Massage/acupuncture ctr.
Adjacent Properties:			
North	Residential Urban	City of Clearwater	Single Family Dwelling
East	Residential Urban	R-4	Single Family Dwelling
South	Commercial General	C-2	Gun Shop
West	Institutional	City of Clearwater	Church

STAFF DISCUSSION AND ANALYSIS

OVERVIEW AND BACKGROUND

This 0.16 acre subject site is designated as *Residential Urban* on the Future Land Use Map with P-1, General Professional Office, zoning. It is presently occupied with a massage/acupuncture business. The site is adjacent to retail uses to the south (gun sales), a church to the west and single family homes to the north and east.

In 1981, a zoning change (Z-2658) was approved on this site, changing the zoning designation from a residential designation of R-4 to P-1, reflecting the fact that the site had been converted from a residential use to an office/personal service purpose. At that time the site was designated as *Commercial General* (CG) on the Future Land Use Map. The intention was to follow-up, after the zoning change, with an amendment to the Future Land Use Map from CG to *Residential/Office General* (R/OG) to accommodate the office use. However, the site was inadvertently amended in 1982 to *Residential Urban* (RU) on both the local Future Land Use Map and the countywide land use map. Therefore, it is appropriate at this time to amend the Future Land Use Map to properly reflect the original intention, and to correct the incompatibility unintentionally created between the zoning and future land use designations by the action in 1982.

COMPATIBILITY WITH SURROUNDING LAND USES

Staff believes that the proposed R/OG designation is appropriate at this location as it is intended to support residential, office and personal service-type uses. The site is currently occupied with a massage/acupuncture clinic (a personal service use), and the applicant lives on-site. The R/OG designation also serves as a transition from the mix of more intense uses along the road corridor in this area and nearby residential uses.

TRANSPORTATION IMPACTS

When comparing the current RU future land use designation with the proposed R/OG future land use designation, the potential uses associated with the R/OG category have the potential to generate approximately 32 additional vehicle trips per day on the adjacent segment of Douglas Avenue, which is operating at a level of service (LOS) B. These additional average daily trips are not expected to adversely impact the operational characteristics of Douglas Avenue and/or the surrounding traffic

circulation system. Assuming the present use continues to occupy the site, no additional impacts would actually be expected as a result of the amendment, and no additional trips would be anticipated to be added to the roadway network.

OTHER INFRASTRUCTURE IMPACTS

The subject site is located within the City of Clearwater's Water Demand Planning Area and Wastewater Service Area. Approval of the proposed FLUM amendment has the potential to decrease potable water impacts by approximately 238 gallons per day and wastewater impacts by approximately 160 gallons per day. With respect to solid waste disposal, approval of the amendment has the potential to increase the amount of solid waste generated by approximately 5.87 tons per year. However, as noted above, no change in impacts is actually anticipated as a result of this amendment.

SUMMARY

Staff believes the proposed amendment is consistent with the Comprehensive Plan and the land uses in the surrounding area. Importantly, the amendment also corrects a long-standing incompatibility between the land use and zoning designations. Therefore, Staff recommends approval.

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 principle, objectives and policy of the Comprehensive Plan:

FUTURE LAND USE ELEMENT

- | | |
|---------------|---|
| Objective 1.2 | Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity. |
| Policy 1.2.3. | 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. |
| Objective 1.1 | 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. |

PLANNING TO STAY ELEMENT

Sustain a Quality Urban Community and Promote Strong Neighborhoods and Diverse Housing Opportunities

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|--------------|---|
| Principle 4: | Pinellas County will continue to support efforts to create, or recreate, lively and dynamic areas of mixed-use. Revitalization efforts have so far focused primarily on historic downtowns, neighborhood commercial centers, and older commercial |
|--------------|---|

corridors. These revitalized mixed-use areas provide vibrant places where urban life can be experienced first-hand on foot. They also create a conducive environment for the type of residential development where services and amenities are often within walking distance.

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.

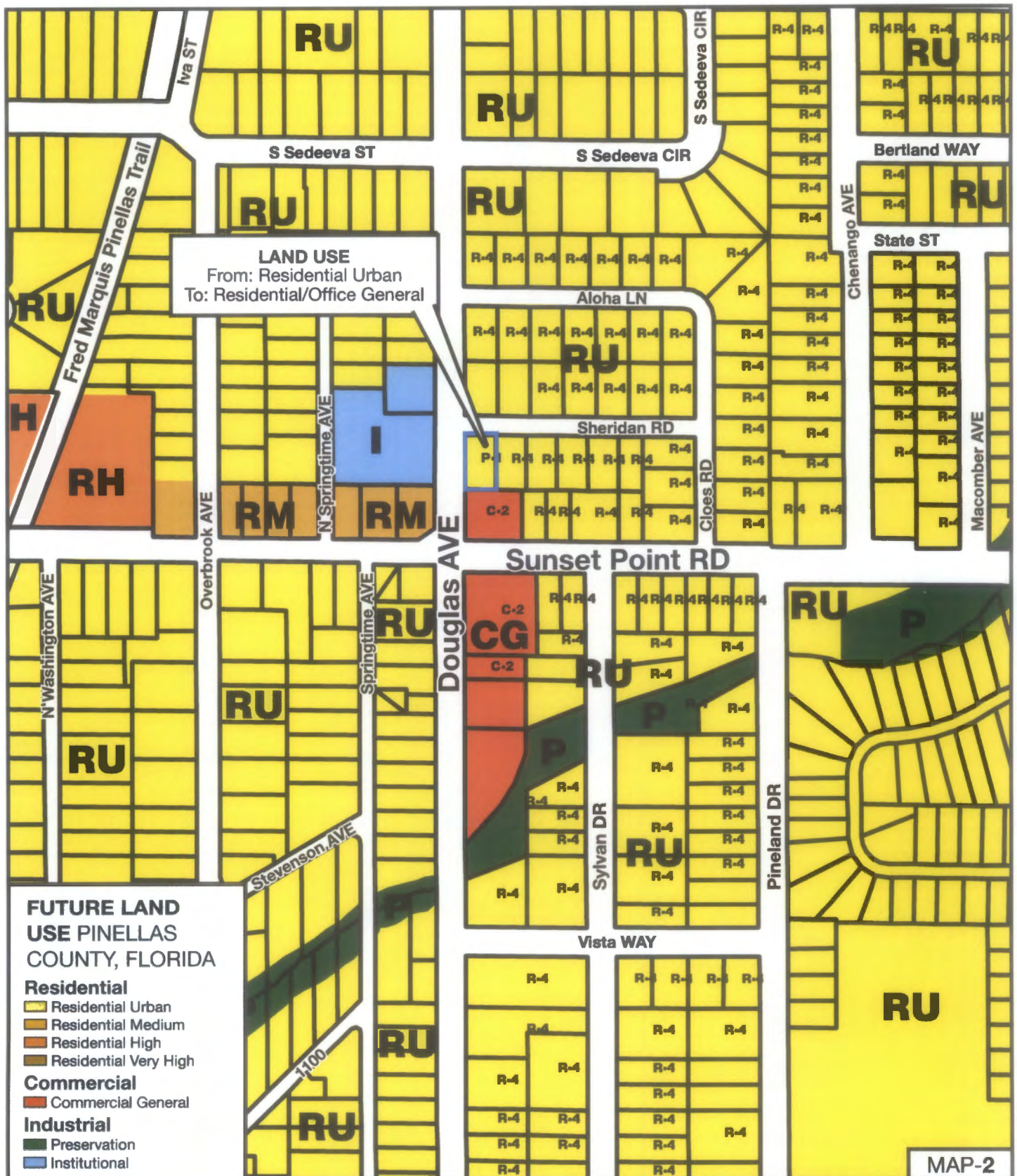
Attachment (Maps)

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Parcel I.D. 03/29/15/87912/001/0080
Prepared by: Pinellas County Strategic Planning & Initiatives March 2013





LU-15-6-13

Land Use From: Residential Urban
To: Residential/Office General

Parcel I.D. 03/29/15/87912/001/0080
Prepared by: Pinellas County Strategic Planning & Initiatives March 2013





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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 0.16 ACRE LOCATED AT THE SOUTHEAST CORNER OF DOUGLAS AVENUE AND SHERIDAN ROAD IN THE UNINCORPORATED AREA OF CLEARWATER (STREET ADDRESS BEING: 1201 SHERIDAN ROAD), LOCATED IN SECTION 03, TOWNSHIP 29, RANGE 15, FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE GENERAL PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the application for an amendment to the Future Land Use Map of Pinellas County, Florida, hereinafter listed, has been presented to the Board of County Commissioners of Pinellas County; and

WHEREAS, notice of public hearings and advertisements have been given as required by Florida Law; and

WHEREAS, the comments and recommendation of the Local Planning Agency have been received and considered; and

WHEREAS, this is a small scale development amendment, as defined by Chapter 163.3187 (1), F.S.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida in regular meeting duly assembled this 23 day of July 2013 that:

- Section 1. The Future Land Use Map of Pinellas County, Florida is amended by redesignating the property described as: Approximately 0.16 acre located at the southeast corner of Douglas Avenue and Sheridan Road in the unincorporated area of Clearwater (Street Address being: 1201 Sheridan Road). Referenced as Case LU-15-6-13, and owned by Mayda E. Carrillo, from Residential Urban to Residential/Office General. Legal description: Sunset Knoll, Blk 1, Lot 8.
- Section 2. This amendment shall be transmitted to the Pinellas Planning Council for action to amend the Countywide Future Land Use Plan, from Residential Urban to Residential/Office General to maintain consistency with the said Plan.
- Section 3. This Ordinance shall take effect upon:
 - a) Receipt of notice from the Secretary of State that the Ordinance has been filed is received; and
 - b) Approval by the Countywide Planning Authority of the requisite amendment of the Countywide Future Land Use Plan submitted herein pursuant to Chapter 88-464, Laws of Florida, as amended.
 - c) Pursuant to Section 163.3187(5)(c), Florida Statutes, this amendment shall become effective upon 31 days following its adoption. If timely challenged, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the adopted small scale amendment is in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney