



BOARD OF COUNTY COMMISSIONERS

DATE: August 20, 2013

AGENDA ITEM NO. 33a.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

Zoning and Land Use Case No. Z/LU-17-7-13 (Pinellas County)

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 ZONING AND FUTURE LAND USE MAP.

Summary Explanation/Background:

The site is occupied by the Palm Harbor library, and to accommodate a need to provide additional parking for the citizens, the requested zoning and land use plan amendment is needed. As the library was approved as a special exception under a residential zoning district in 1987, the required impervious surface ratio requirements of the residential district would not allow for the additional parking surfaces; therefore, by amending the zoning and land use plan designations to the Institutional categories in keeping with the existing use of the site, additional parking can be realized and be in line with the impacts associated with an institutional use, such as a library.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Staff Report with LPA Recommendation, Zoning Maps, Resolution & Ordinance

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



Regarding: Case No. Z/LU-17-7-13

LPA Recommendation: The LPA finds that the proposed amendment to the Pinellas County Future Land Use Map and Zoning Atlas are consistent with the Pinellas County Comprehensive Plan, and recommends Approval of the request. (The vote was 6-0, in favor)

LPA Public Hearing: July 11, 2013

PLANNING STAFF RECOMMENDATION:

- Staff recommends that the LPA find that the proposed amendments to the Pinellas County Future Land Use Map and Zoning Atlas are consistent with the Pinellas County Comprehensive Plan, based on the findings in this Report.
- And further, staff recommends that the LPA recommend approval of the proposed amendments to the Pinellas County Board of County Commissioners.

CASE SUMMARY

APPLICANT'S NAME: Pinellas County

DISCLOSURE: N/A

REPRESENTED BY: N/A

	FUTURE LAND USE MAP CHANGE	ZONING CHANGE
FROM:	Residential Low	R-R, Rural Residential
TO:	Institutional	IL, Institutional Limited

PROPERTY DESCRIPTION: Approximately 3.3 acres located at the southeast corner of Nebraska Avenue and Riviere Road (Street address being: 1150 Riviere Road, Palm Harbor).

PARCEL ID(S): 06/28/16/00000/310/0300

PROPOSED BCC HEARING DATE: August 20, 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:

	Future Land Use Map Category	Zoning Designation	Existing Use
Subject Property:	Residential Low	R-R	Palm Harbor Public Library
Adjacent Properties:			
North	Institutional, Preservation, and Residential Low	IL, A-E	Day Care/Private School and a Single-Family Home
East	Residential Low, and Residential/Office/Retail	A-E, CP-1	Retention Pond which serves the Palm Harbor Commons Shopping Plaza
South	Residential Low	A-E	Single-Family Home
West	Recreation/Open Space, Transportation/Utility, Institutional, and Preservation	A-E, RPD-5	Vacant County Parcel, and a Church with a Baseball/Soccer Field

STAFF DISCUSSION AND ANALYSIS

BACKGROUND

This is a Planning Director's case requesting an amendment to the Future Land Use Map (FLUM) **from Residential Low (RL) to Institutional (I)**, along with a zoning change **from Rural Residential (R-R) to Institutional Limited (IL)** on a County-owned parcel approximately 3.3 acres in size. The parcel is located on the south side of Nebraska Avenue (which is a Scenic/Non-Commercial Corridor).

Since 1988, the Palm Harbor Public Library has occupied the subject site as a result of a special exception approved by the Board of Adjustment. In recent years, the Library has experienced a significant increase in patron use and presently has a need for additional paved parking. When the parking is full, patrons are now parking on the grass. However, the paved parking area cannot be expanded under the current *RL* FLUM designation as the amount of impervious surface allowed under the *RL* designation has already been maximized (i.e., 60% of the site is impervious). The proposed *Institutional (I)* FLUM designation will increase the amount of allowable impervious surface from 60% to 85%, thus allowing the Library to expand its parking area to accommodate 27 new paved spaces.

COMPATIBILITY WITH SURROUNDING LAND USES

To the north of the subject site, on the north side of Nebraska Avenue, the property is designated *I*, *Preservation (P)*, and *RL* on the FLUM, with *IL* and *Agricultural Estate (A-E)* zoning, and is developed with a single-family home and a day care/private school. To the west of the subject site, on the west side of Riviere Road, is the Lutheran Palm Church (with a baseball/soccer field), designated on the FLUM as *I* with *A-E* zoning. Immediately south of the subject site is a single family home (which is used as a parish house) designated *RL* on the FLUM with *R-R* zoning.

To the east of the subject site there is a retention pond and the Palm Harbor Commons shopping center, designated *RL* and *Residential/Office/Retail (R/O/R)* on the FLUM with *A-E* and *Commercial Parkway (CP-1)* zoning.

According to the purpose and locational characteristics as identified in the "*Future Land Use Category Description and Rules*" of Pinellas County's Comprehensive Plan, the proposed *I* FLUM category is generally applied to parcels that are serving an institutional purpose, or in locations where a proposed institutional-type use can serve the surrounding community, as long as adequate transportation access is available.

As described, there are several existing institutional uses located near the subject site, including the day care/private school to the north and the Lutheran Palm Church to the east. Therefore, the proposed request reflects, and is consistent with, the land use pattern in the surrounding area. Importantly, the library serves a valuable community purpose, and the proposed amendment will not only recognize the subject site's historic public use, but will also allow for the parking expansion required to serve the increase in patron activity.

SCENIC/NON-COMMERCIAL CORRIDOR CONSIDERATIONS

Nebraska Avenue is a designated Scenic/Non-Commercial Corridor. Policy 1.10.1 of the *Future Land Use and Quality Communities Element* of Pinellas County's Comprehensive Plan addresses the need to preserve the traffic carrying capacity as well as the scenic nature of these corridors. Low density residential densities (at 0 to 5 units per acre) are preferred along these roads.

The purpose of the *IL*, *Institutional Limited* zoning district is to provide for the location of essential and/or desirable public services in a manner that serves and complements the community. In this case, the library provides a desired and needed service for the neighboring residential area, and the moderate parking expansion is not likely to compromise the intent of the scenic/non-commercial corridor policy. The parking expansion (27 spaces) is not likely to create any significant traffic impacts - considering patrons are already using grassy areas around the library for overflow parking.

Given the historic public use of the subject site, and the fact that the parking expansion is subject to site plan review and the application of any necessary performance standards that might be appropriate in order to preserve compatibility with the scenic/non-commercial corridor intent, staff finds that the proposed amendment is not inconsistent with Comprehensive Plan requirements regarding scenic/non-commercial corridors.

TRANSPORTATION IMPACTS AND CONCURRENCY

As mentioned previously, additional traffic impacts are not likely to occur, since the amendment is intended to recognize the site's existing use, and allow for the needed parking lot expansion (i.e., 27 more spaces) to meet patron demand. This section of Nebraska Avenue is currently operating at peak hour level of service (LOS) B, with a volume to capacity V/C ratio of 0.461. The subject site is also located within one half mile of US Highway 19 North, which is designated by the 2012 Concurrency Test Statement as a Long Term Concurrency Management Corridor, and is operating at a LOS F. Any concurrency impacts will be addressed at the time of site plan review.

If the site was assessed as a straightforward land use change from *RL* to *I*, and assuming the site was undeveloped, the *I* category could be considered to generate approximately 4,378 additional average daily trips on this section of Nebraska Avenue (from Belcher Road to U.S. Highway 19). However, considering the site is already developed and the purpose of this request is simply to add 27 additional parking spaces, staff finds that the traffic impact is actually negligible.

OTHER INFRASTRUCTURE IMPACTS

The subject site is located within the Pinellas County Water Demand Planning Area and the William E. Dunn Wastewater Reclamation Facility Service Area. Amending the subject site from *RL* to *I* could increase potable water and wastewater demand by approximately 4,822 gallons per day, respectively. With respect to solid waste disposal, approval of the amendment could also increase the amount of solid waste generated by approximately 135 tons per year. However – similar to the transportation analysis - since the site is already developed with a public library, no actual change in infrastructure impacts is anticipated.

SUMMARY

In summary, when evaluating the overall compatibility of the request with the surrounding area and with the Comprehensive Plan, staff finds that the amendment is consistent with the Comprehensive Plan - given the site's existing historic use, the fact that the library serves the surrounding community, its proximity to other existing institutional uses and the fact that there will be negligible, if any, infrastructure impacts.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendment is consistent with the following adopted goal, objective, and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE ELEMENT:

- Goal 1: The pattern of land use in Pinellas County shall be orderly and reasonable in distribution and intensity, conserve natural resources, be in the overall public interest, and effectively serve the community and environmental needs of the population.
- 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.
- 1.2.4. Policy: Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.
- 1.10 Objective: The scenic/non-commercial corridor policies adopted in the Comprehensive Plan shall continue to be enforced to preserve the scenic/non-commercial designations approved by resolution by the Board of County Commissioners for specific transportation corridors, and to protect their traffic carrying capacity.
- 1.10.1 Policy: Land uses along designated scenic/noncommercial corridors shall be managed to protect the traffic carrying capacity and the scenic nature of these roadways.

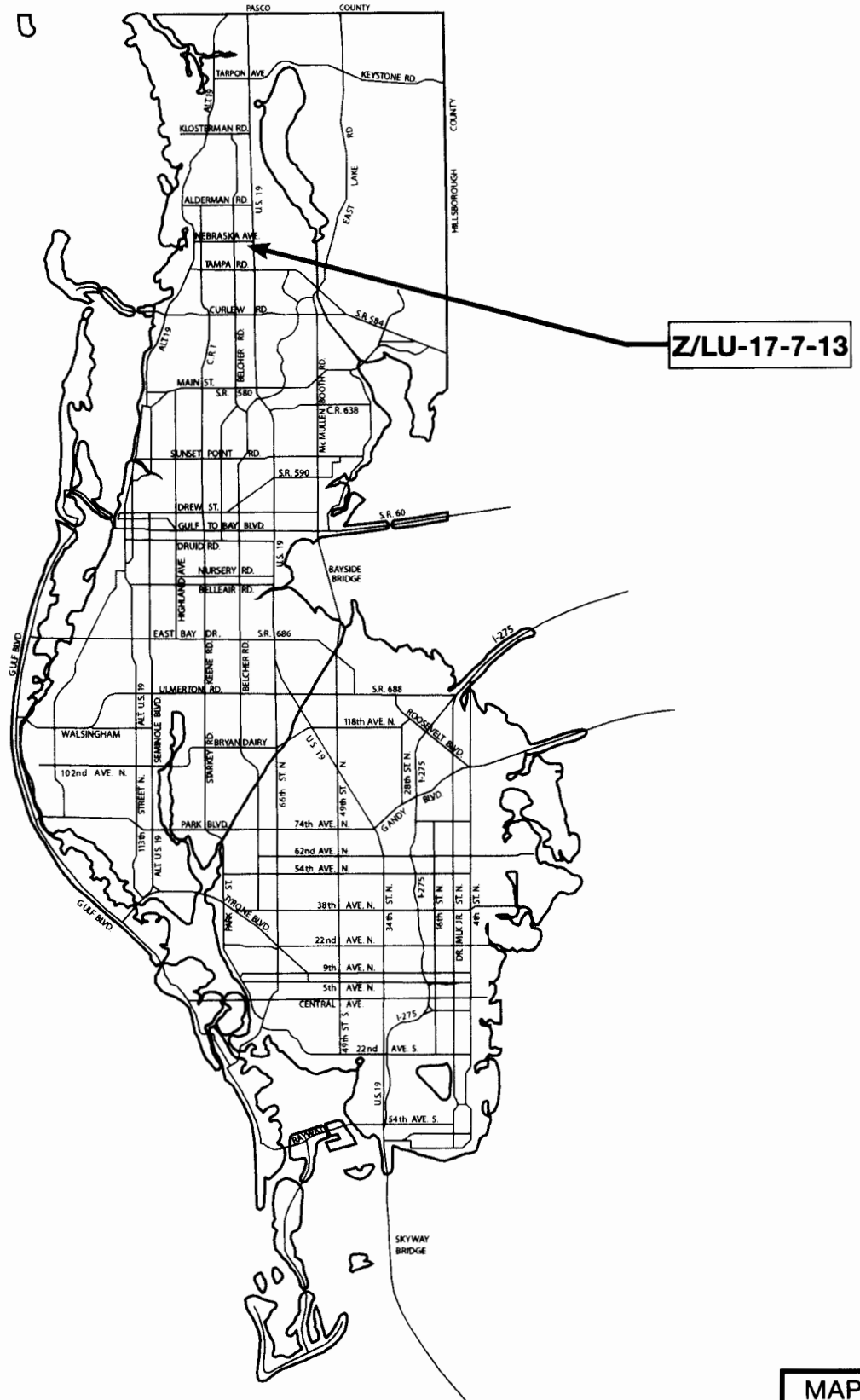
- 1.10.2. Policy: Low density residential development (0-5 units per acre) shall be the preferred land use along designated scenic/noncommercial corridors with the intent of keeping residential densities as low as possible within that range.
- 1.10.4. Policy: Through application of the County Land Development Code, Pinellas County will ensure that development and redevelopment is consistent with the desire to preserve, and where possible, enhance the scenic vistas along designated scenic/noncommercial corridors.
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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)

LOCATION MAP



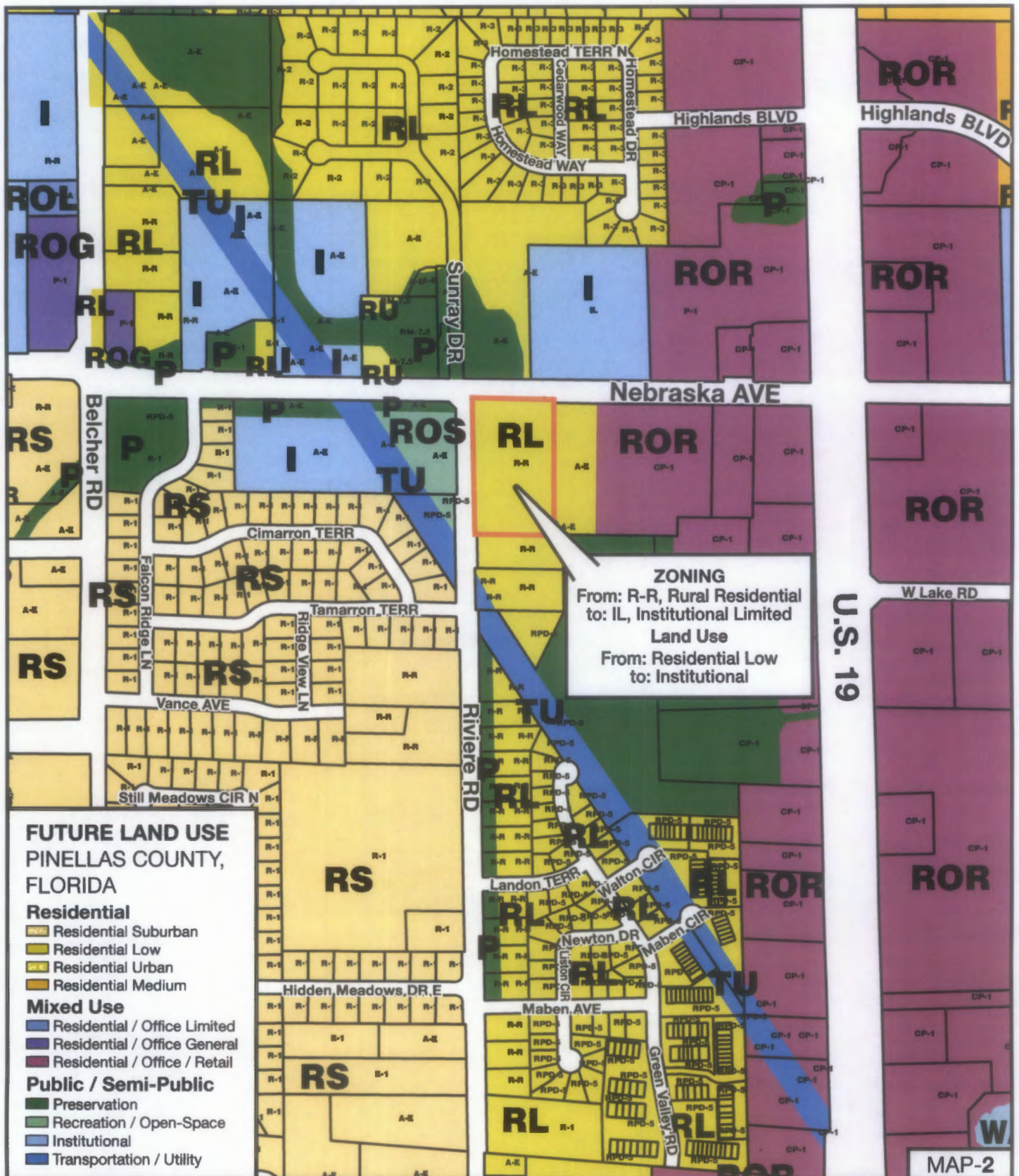
MAP-1

ZLU-17-7-13

Zoning From: R-R, Rural Residential
to: IL, Institutional Limited
Land Use From: Residential Low
to: Institutional



Parcel I.D. 06/28/16/00000/310/0300
Prepared by: Pinellas County Strategic Planning & Initiatives May 2013



ZLU-17-7-13

Zoning From: R-R, Rural Residential
to: IL, Institutional Limited
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Parcel I.D. 06/28/16/00000/310/0300
Prepared by: Pinellas County Strategic Planning & Initiatives May 2013



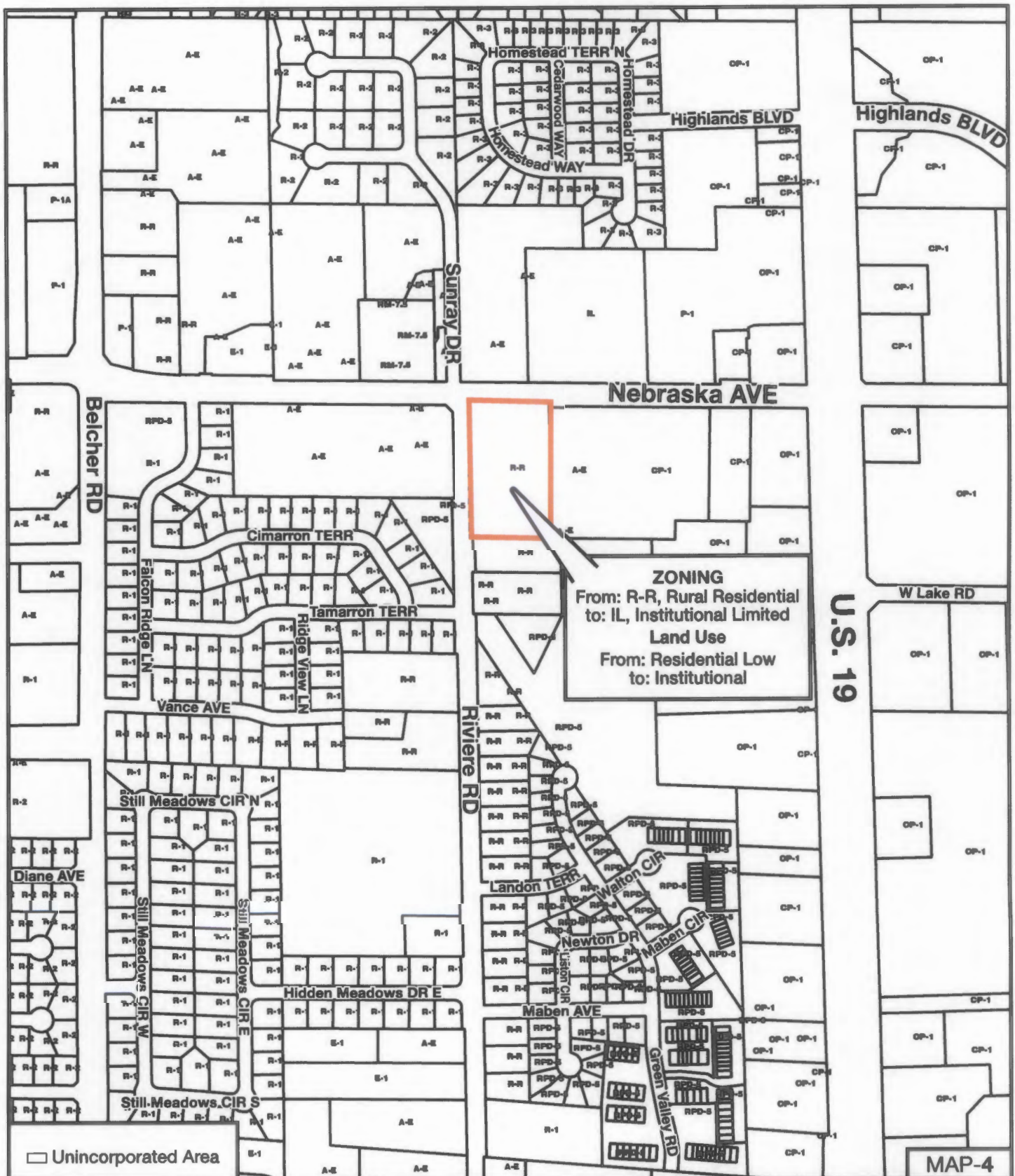


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 Prepared by: Pinellas County Strategic Planning & Initiatives May 2013



ZLU-17-7-13

Zoning From: R-R, Rural Residential
 to: IL, Institutional Limited
Land Use From: Residential Low
 to: Institutional

Parcel I.D. 06/28/16/00000/310/0300
 Prepared by: Pinellas County Strategic Planning & Initiatives May 2013



RESOLUTION NO. _____

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.3 ACRES LOCATED AT THE SOUTHEAST CORNER OF NEBRASKA AVENUE AND RIVIERE ROAD (STREET ADDRESS BEING: 1150 RIVIERE ROAD, PALM HARBOR); PAGE 584 OF THE ZONING ATLAS, AS BEING IN SECTION 06, TOWNSHIP 28, RANGE 16; FROM R-R, RURAL RESIDENTIAL TO IL, INSTITUTIONAL LIMITED; UPON APPLICATION OF PINELLAS COUNTY THROUGH PINELLAS COUNTY STRATEGIC PLANNING & INITIATIVES, REPRESENTATIVE, Z/LU-17-7-13

WHEREAS, the Director of Pinellas County Strategic Planning & Initiatives Department has petitioned the Board of County Commissioners to change the zone classification of the real property hereinafter described from R-R, Rural Residential to IL, Institutional Limited; 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 20th day of August, 2013, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

W 322 FT. OF N 523 FT. OF NE ¼ OF SW ¼ CONT. 3.37 AC.

be, and the same is hereby changed from R-R, Rural Residential to IL, Institutional Limited, subject to an amendment to the Pinellas County Future Land Use Map from Residential Low to Institutional, Z/LU-17-7-13.

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 3.3 ACRES LOCATED AT THE SOUTHEAST CORNER OF NEBRASKA AVENUE AND RIVIERE ROAD (STREET ADDRESS BEING: 1150 RIVIERE ROAD, PALM HARBOR) LOCATED IN SECTION 06, TOWNSHIP 28, RANGE 16, FROM RESIDENTIAL LOW TO INSTITUTIONAL, 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

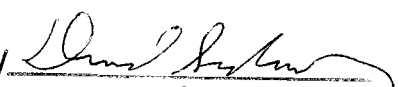
WHEREAS, the comments and recommendation of the Local Planning Agency have been received and considered; and

WHEREAS, this is a small-scale development amendment, as defined by section 163.3187(1), Florida Statutes.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida in regular meeting duly assembled this 20 day of August 2013 that:

- Section 1. The Future Land Use Map of Pinellas County, Florida is amended by redesignating the property described as: Approximately 3.3 acres located at the southeast corner of Nebraska Avenue and Riviere Road (Street address being: 1150 Riviere Road, Palm Harbor). Referenced as Case Z/LU-17-7-13, and owned by Pinellas County, from Residential Low to Institutional. Legal description: W 322 FT. OF N 523 FT. OF NE ¼ OF SW ¼ CONT. 3.37 AC.
- Section 2. This amendment shall be transmitted to the Pinellas Planning Council for action to amend the Countywide Future Land Use Plan, from Residential Low to Institutional 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