

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** October 8, 2013

**AGENDA ITEM NO.** 2a-c

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

**County Administrator's Signature** *[Signature]*

**Subject:**

Proposed Regular Amendments to the Countywide Future Land Use Plan (FLUP)

**Department:**

Strategic Planning and Initiatives

**Staff Member Responsible:**

Larry Arrington, Executive Director

**Recommended Action:**

IT IS RECOMMENDED THE BOARD OF COUNTY COMMISSIONERS (BOARD), SITTING AS THE COUNTYWIDE PLANNING AUTHORITY (CPA), CONDUCT A PUBLIC HEARING TO ADOPT THE PROPOSED ORDINANCES APPROVING CASES CW 13-9 AND CW 13-10 OF CLEARWATER AND CASE CW 13-11 OF OLDSMAR.

**Summary Explanation/Background:**

The Board has received three proposed regular amendments to the FLUP that were reviewed by the Pinellas Planning Council (PPC or Council) on September 11, 2013.

Case CW 13-9 is a submittal by the City of Clearwater for 3.6 acres that includes the property located at 150 South McMullen-Booth Road, from Residential/Office Limited to Institutional. The property is owned by First Baptist Church of Clearwater, a/k/a Calvary Baptist Church. The site contains two buildings that the church intends to renovate for its youth ministries. County staff concurs with the PPC recommendation of approval. The PPC further recommends that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan.

Case CW 13-10 is a submittal by the City of Clearwater for 23.8 acres that includes the properties located at 2200 and 2251 Montclair Road, from Residential Urban (up to 7 ½ units an acre), Preservation, Water, and Water/Drainage Feature Overlay to Residential Medium (up to 15 units an acre), Preservation, Water, and Water/Drainage Feature Overlay. The property currently contains a single-family home on the northwest portion and a nursery on the northeast portion with the remainder of the site unimproved, containing wetlands and a portion of Beckett Lake. The intent is to keep the single-family home and continue to operate the nursery until it is sold for future residential redevelopment. County staff concurs with the PPC recommendation to approve the FLUP amendment and the associated amendment to the Scenic/Noncommercial Corridor Submap 1 to expand the mixed-use subclassification to include the Residential Medium category area northeast of Beckett Lake. The PPC further recommends that the City of Clearwater give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan.

Case CW 13-11 is a submittal by the City of Oldsmar for 9.9 acres located on the northwest corner of Forest Road and Pine Avenue North, from Residential Low (up to 5 units an acre) and Preservation to Residential Low Medium (up to 10 units an acre) and Preservation. The property is currently vacant and the intent is to construct a 54 unit townhome subdivision. A wetland jurisdictional survey was performed and is awaiting approval from the Southwest Florida Water Management District. The survey increased the size of the Preservation area and decreased the site of the upland area by approximately 1.2 acres. The City will submit a map adjustment for this property once the survey is approved. County staff concurs with the PPC recommendation of approval subject to the submission of a Countywide Plan Map adjustment to Preservation for the resulting on-site wetlands following final approval of the Wetland Jurisdictional Survey.

**Fiscal Impact/Cost/Revenue Summary:**

None


**Exhibits/Attachments Attached:**

Ordinances

Council Documentation

TO: The Honorable Chairman and Members of the Board of County Commissioners, in Your Capacity as the Countywide Planning Authority

THROUGH: Robert S. LaSala, County Administrator

FROM: Michael C. Crawford, Interim Executive Director  
Pinellas Planning Council 

SUBJECT: October 8, 2013 Countywide Planning Authority Agenda  
Part II – Public Hearing Agenda Re: Regular Plan Map Amendments

DATE: October 8, 2013

**RECOMMENDATION:** THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD, IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, APPROVE CASES CW 13-9, CW 13-10, and CW 13-11 AS OUTLINED BELOW.

**DISCUSSION:** The Countywide Planning Authority has received three (3) cases concerning Regular amendment of the Countywide Plan Map as described below:

**Case CW 13-9 – City of Clearwater:**

3.6 acres m.o.l., located at 150 South McMullen-Booth Road, proposed to change from Residential/Office Limited to Institutional.

This proposed amendment is submitted by the City of Clearwater and seeks to reclassify a parcel totaling 3.6 acres of land from Residential/Office Limited to Institutional. The parcel is developed with two buildings, which previously housed educational, office, and publishing facilities for RUE educational publishing. The owner of the parcel, First Baptist Church of Clearwater, a/k/a Calvary Baptist Church, intends to renovate the buildings for its youth ministries of the adjacent church/school to the north.

*The Pinellas Planning Council, by a vote of 12-0, voted approval of Case CW 13-9 inclusive of separate and additional recommendation that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan.*

**Case CW 13-10 – City of Clearwater:**

23.8 acres m.o.l., located at 2200 and 2251 Montclair Road, proposed to change from Residential Urban, Preservation, Water, and Water/Drainage Feature Overlay to Residential Medium, Preservation, Water, and Water/Drainage Feature Overlay.

This proposed amendment is submitted by the City of Clearwater and seeks to reclassify two parcels totaling 23.8 acres from Residential Urban, Preservation, Water, and Water/Drainage Feature Overlay to Residential Medium, Preservation, Water, and Water/Drainage Feature Overlay. The northeastern portion of the site (fronting Belcher Road and Montclair Road), is developed with Webb's Nursery (formerly Beckett Lake Nursery). The northwestern portion of the site (fronting Montclair Rd.) is

developed with a single family home. The remainder of the site is unimproved, contains some wetlands, and a portion of Beckett Lake. The property owner is intending to keep the single-family residence unchanged, and continue to operate the nursery on the second parcel until it is sold for future residential redevelopment.

***The Pinellas Planning Council, by a vote of 12-0, voted approval of Case CW 13-10 subject to an amendment of the Scenic/Noncommercial Corridor Submap 1 to expand the mixed-use subclassification to include the Residential Medium category area northeast of Beckett Lake; and including a separate and additional recommendation that the City give special consideration to the improvement of the site with respect to the buffering and landscaping guidelines of the Scenic/Noncommercial Corridor Master Plan.***

**Case CW 13-11 – City of Oldsmar:**

9.9 acres m.o.l., located at the northwest corner of Forest Road and Pine Avenue North, proposed to change from Residential Low and Preservation to Residential Low Medium and Preservation.

This proposed amendment is submitted by the City of Oldsmar and seeks to reclassify 9.9 acres from Residential Low and Preservation to Residential Low Medium and Preservation. The parcel is vacant. The owner intends to develop the site with a 54-unit townhome subdivision.

***The Pinellas Planning Council, by a vote of 12-0, voted approval of Case CW 13-11 subject to the submission of a Countywide Plan Map Adjustment to Preservation for the resulting on-site wetlands following final approval of the wetland jurisdictional survey.***

The complete record of the public hearings held by the Pinellas Planning Council on these cases is on file with the Clerk and is available for review by the Board or any interested party.

ORDINANCE NO. 13-\_\_\_\_\_

AN ORDINANCE AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBERS CW 13-9 AND CW 13-10 INITIATED BY THE CITY OF CLEARWATER AND TRANSMITTED TO THE BOARD IN ACCORDANCE WITH THE SPECIAL ACT; PROVIDING FOR AMENDMENT TO THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, proposed amendments to the Countywide Future Land Use Plan, which is an element of the Countywide Comprehensive Plan of Pinellas County, Florida, have been presented at a public hearing to the Board of County Commissioners in their capacity as the Countywide Planning Authority; and

WHEREAS, notices of public hearings have been accomplished as required by Chapter 73-594, Laws of Florida, as amended; and

WHEREAS, procedures of the Special Act and County Charter have been followed concerning the Pinellas Planning Council and the Countywide Planning Authority for proposed amendment to the Countywide Future Land Use Plan; and

WHEREAS, the City of Clearwater initiated proposed amendments which were considered at a public hearing by the Pinellas Planning Council on September 11, 2013, with recommendations made by the Council that are documented in the Council reports referred to as Exhibit A; and

WHEREAS, the Board has conducted a public hearing and taken action that is documented by ordinance for approvals or partial approvals and partial denials and by resolution for denials, with both documents including the relevant Council reports as attached; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, acting as the Countywide Planning Authority in regular meeting duly assembled on October 8, 2013, as follows:

Section 1 - Amending the Countywide Future Land Use Plan

The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4 is amended to reflect the changes adopted as follows:

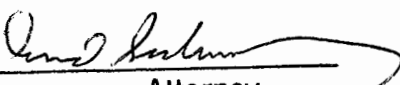
#CW 13-9     3.6 acres located at 150 South McMullen-Booth Road, from Residential/Office Limited to Institutional.

#CW 13-10     23.8 acres located at 2200 and 2251 South Montclair Road, from Residential Urban, Preservation, Water, and Water/Drainage Feature Overlay to Residential Medium, Preservation, Water, and Water/Drainage Feature Overlay, and an amendment of the Scenic/Noncommercial Corridor Submap 1 to expand the mixed-use subclassification to include the Residential Medium category area northeast of Beckett Lake.

Section 2.     Severability             If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by a Court of Competent Jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3.     Filing of Ordinance; Effective Date     A certified copy of this ordinance shall be filed with the Secretary of State with the Ordinance and Exhibit A to be filed with the Clerk of the Circuit Court. This Ordinance shall take effect upon filing with the Department of State.

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By   
Attorney

**Case CW 13-9**  
**City of Clearwater**

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**AGENDA ITEM:** III B-3.

**MEETING DATE:** September 11, 2013

**SUBJECT:** Amendment of the *Countywide Future Land Use Plan Map*  
**FROM:** Residential/Office Limited (R/OL)  
**TO:** Institutional (I)  
**AREA:** 3.6 Acres m.o.l.  
**CASE #:** CW 13-9  
**JURISDICTION:** City of Clearwater  
**LOCATION:** 150 South McMullen-Booth Road

**RECOMMENDATION:** Council Recommend To The Countywide Planning Authority That The Proposed Map Amendment To Institutional Be Approved.

Separately And In Addition, It Is Recommended That The City Give Special Consideration To The Improvement Of The Site With Respect To The Buffering And Landscaping Guidelines Of The Scenic/Noncommercial Corridor Master Plan.

**I. BACKGROUND**

This proposed amendment is submitted by the City of Clearwater and seeks to reclassify a parcel totaling 3.6 acres of land from Residential/Office Limited (R/OL) to Institutional (I). The parcel is developed with two buildings which previously housed educational, office, and publishing facilities for RUE educational publishing. The owner of the parcel, First Baptist Church of Clearwater, a/k/a Calvary Baptist Church, intends to renovate the buildings for its youth ministries of the adjacent church/school to the north.

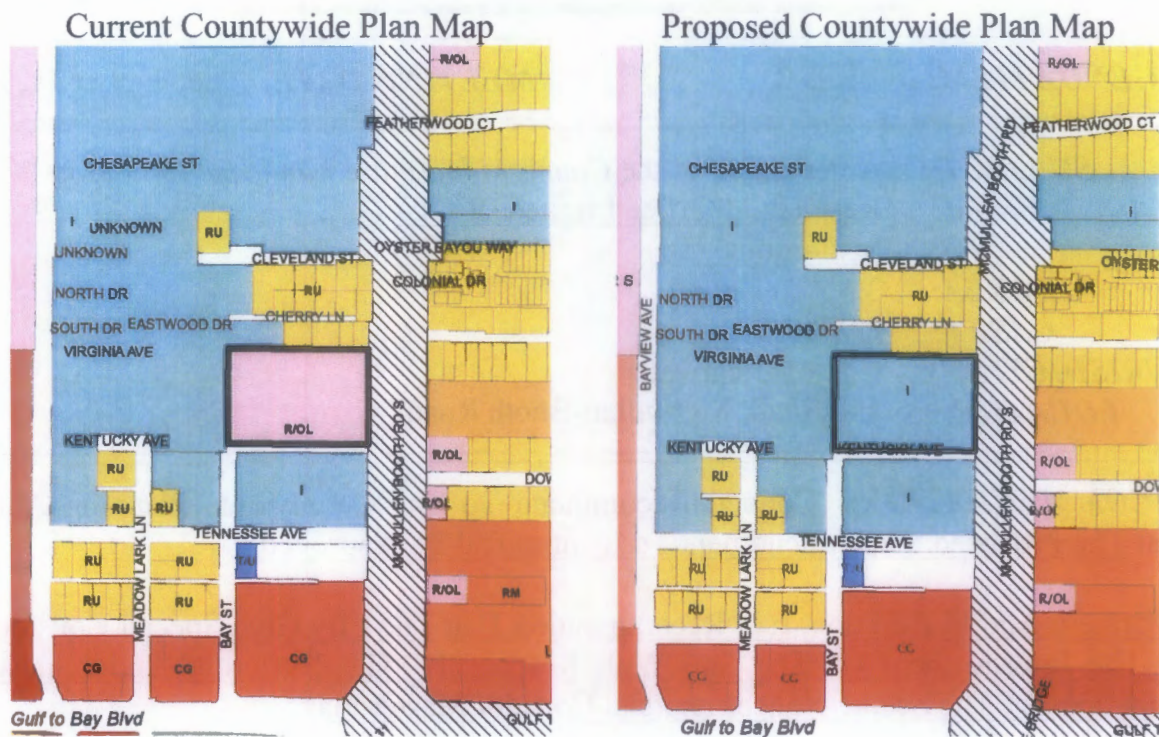
Over the past several years the owner, Calvary Baptist Church has purchased adjacent properties in order to accommodate growth of the church. The PPC and Countywide Planning Authority have previously approved three amendments to Institutional over the past six years.

**PINELLAS PLANNING COUNCIL ACTION:**

The Council recommended approval of the amendment from Residential/Office Limited to Institutional, inclusive of separate and additional recommendation listed above (vote 12-0).

**COUNTYWIDE PLANNING AUTHORITY ACTION:**





## **II. FINDINGS**

**Staff submits the following findings in support of the recommendation for approval:**

- A. The proposed Institutional category recognizes the future use of the site and is consistent with the criteria for utilization of this category; in particular given its relationship to the existing church and school and the proposed use of the property in connection therewith;
- B. The proposed amendment is adjacent to but will not negatively impact a roadway with an LOS of "F;"
- C. The proposed Institutional category applied to the subject site can be deemed consistent with the Residential subclassification of the adjacent Scenic/Noncommercial Corridor given the limited portion of the site extending to McMullen Booth Road and the proposed use of the property;
- D. The amendment area is adjacent to Unincorporated Pinellas County, however it will not impact service delivery to this area; and
- E. The proposed Institutional category either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

**In consideration of and based upon a balanced legislative determination of the Relevant Countywide Considerations, as they relate to the overall purpose and integrity of the Countywide Plan, it is recommended that the proposed Institutional Countywide Plan Map category be approved.**

**Please see accompanying attachments and documents in explanation and support of the findings.**

***III. PLANNERS ADVISORY COMMITTEE (PAC)***

The PAC members discussed this case at their September 3, 2013 meeting and recommended approval of the staff recommendation (10-0).

***IV. LIST OF MAPS & ATTACHMENTS***

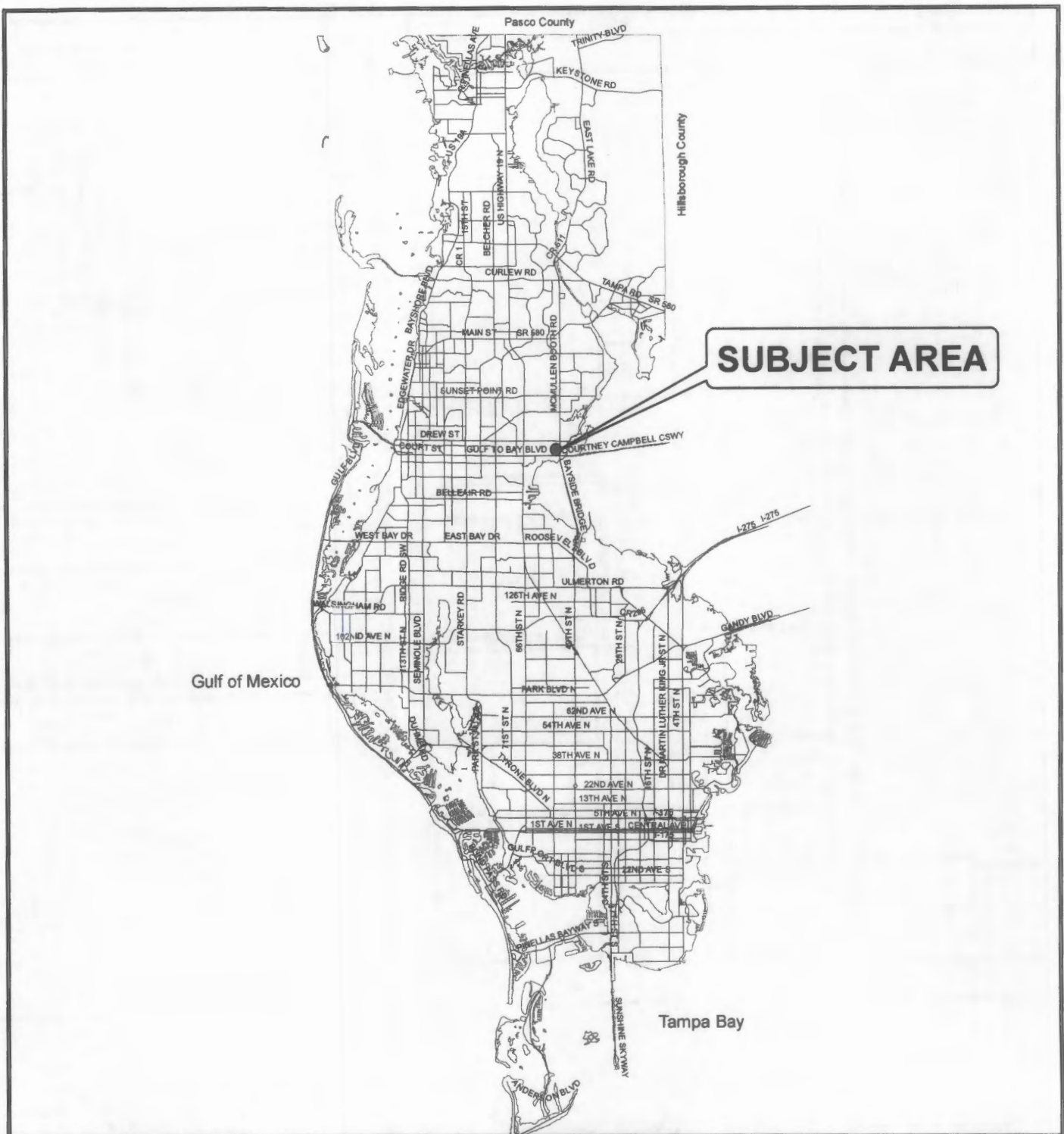
Map 1	Location
Map 2	Current Countywide Plan & Jurisdiction Map
Map 3	Aerial
Map 4	Current Countywide Plan Map
Map 5	Proposed Countywide Plan Map
Map 6	Countywide Scenic/Noncommercial Corridors Map

Attachment 1	Council Staff Analysis
Attachment 2	Draft PAC Summary Actions Sheet

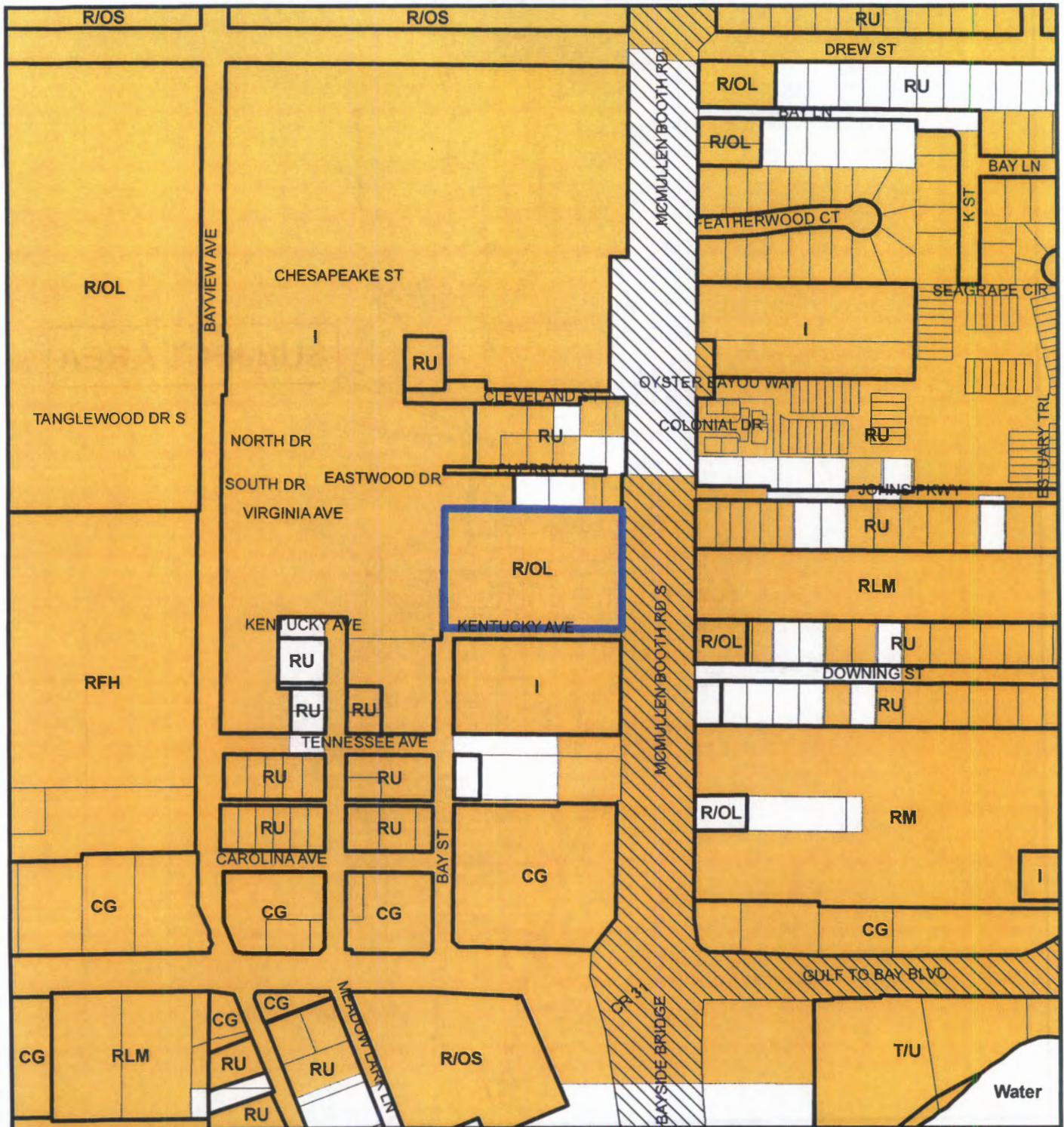
***V. SUPPORT DOCUMENTS – available only at [www.pinellasplanningcouncil.org](http://www.pinellasplanningcouncil.org) (see September Agenda and then click on corresponding case number).***

Support Document 1	Disclosure of Interest Form
Support Document 2	Local Government Application





**JURISDICTION:** Clearwater



## Map 2 - Current Countywide Plan Map & Jurisdictional Map

FROM: Residential/Office Limited

TO: Institutional

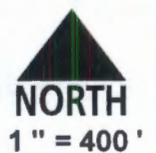
AREA: 3.6

CASE #: CW13-9

### Jurisdictions

- CLEARWATER
- UNINCORPORATED

JURISDICTION: Clearwater



**PPC** PINELLAS  
PLANNING  
COUNCIL





### Map 3 - Aerial

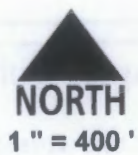
FROM: Residential/Office Limited

TO: Institutional

AREA: 3.6

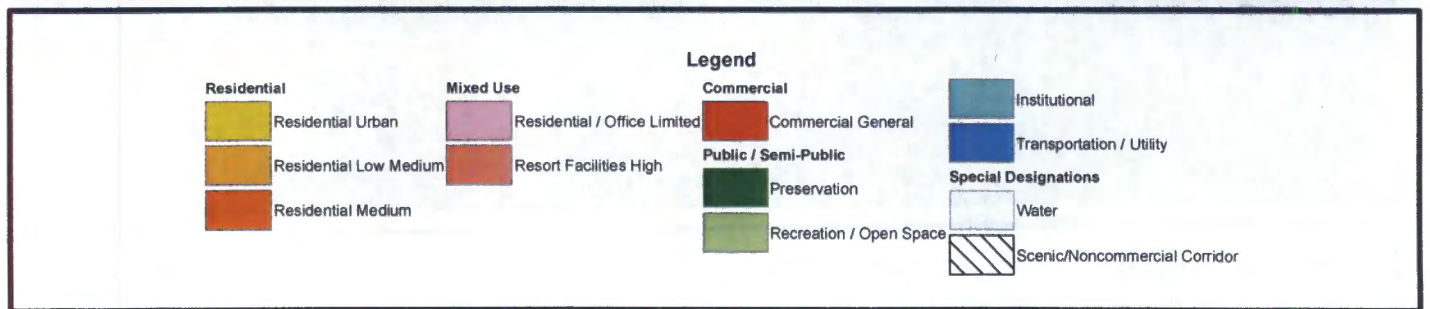
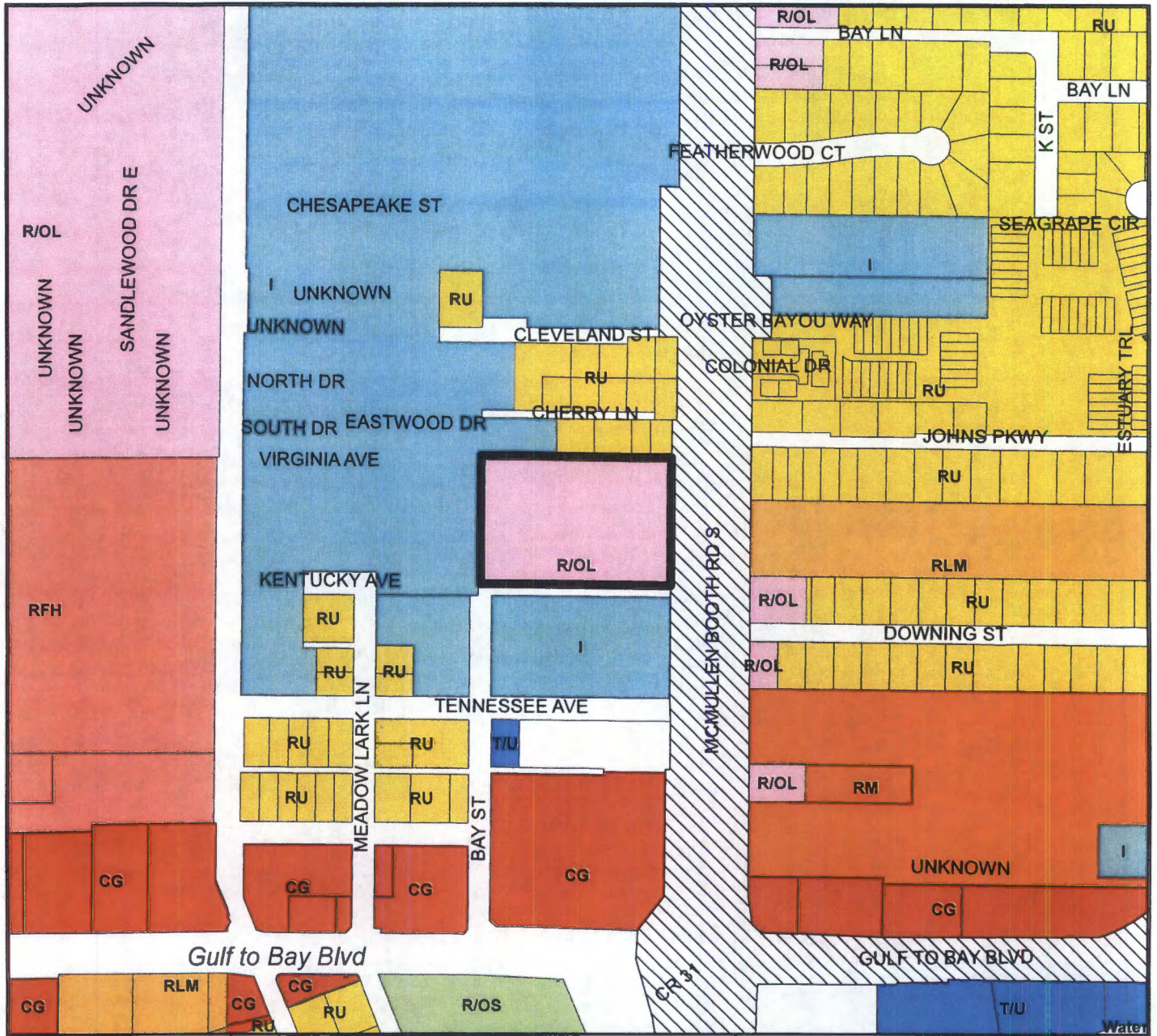
CASE #: CW13-9

JURISDICTION: Clearwater



**PR** PINELLAS  
PLANNING  
COUNCIL





## Map 4 - Current Countywide Plan Map

FROM: Residential/Office Limited

TO: Institutional

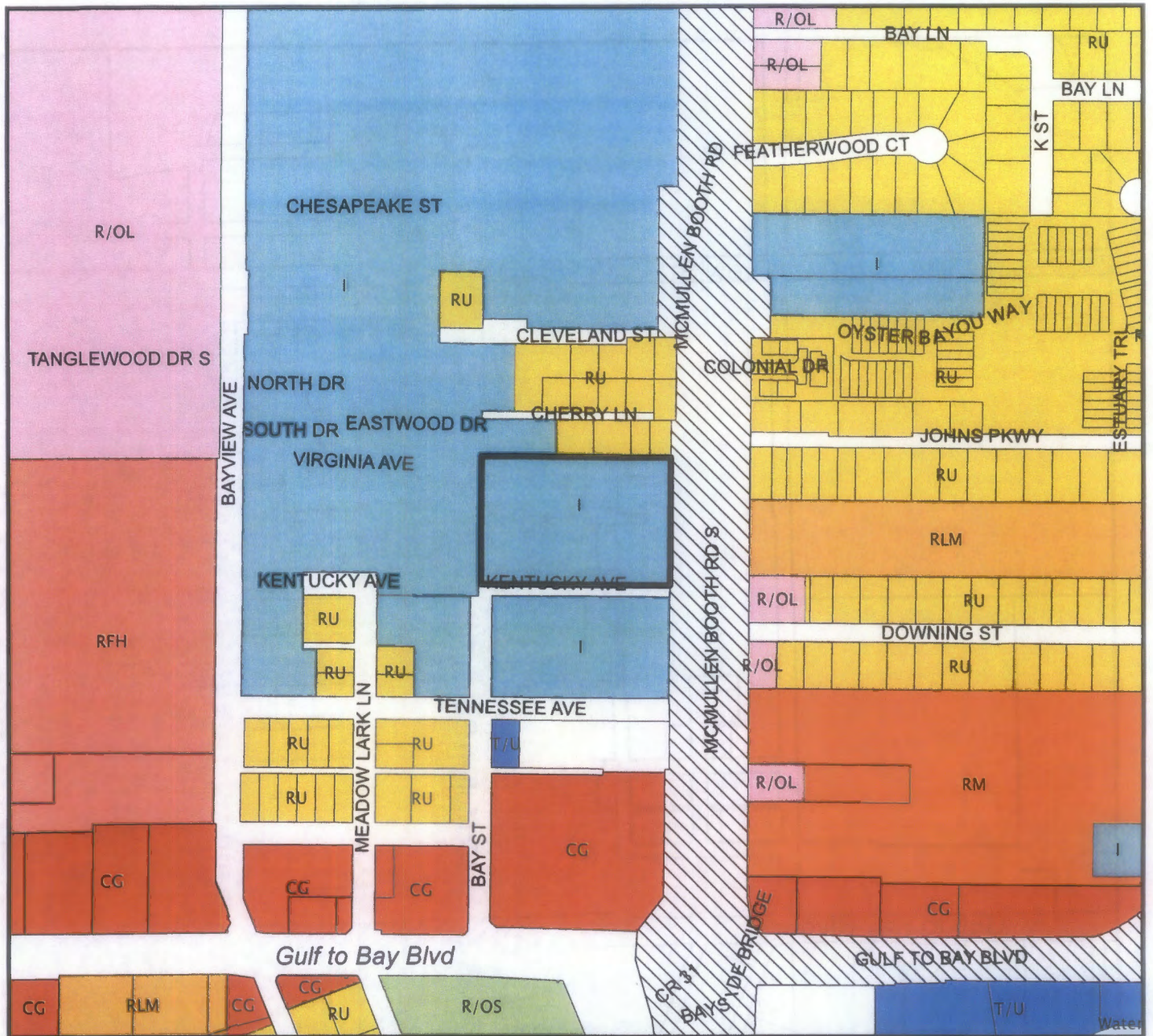
AREA: 3.6

CASE #: CW13-9

JURISDICTION: Clearwater







Legend

**Residential**

- Residential Urban
- Residential Low Medium
- Residential Medium

**Mixed Use**

- Residential/Office Limited
- Resort Facilities High

**Commercial**

- Commercial General

**Public / Semi-Public**

- Preservation
- Recreation/Open Space
- Institutional
- Transportation/Utility

**Special Designations**

- Water
- Scenic/Noncommercial Corridor

## Map 5 - Proposed Countywide Plan Map

**FROM: Residential/Office Limited**

**TO: Institutional**

**AREA: 3.6**

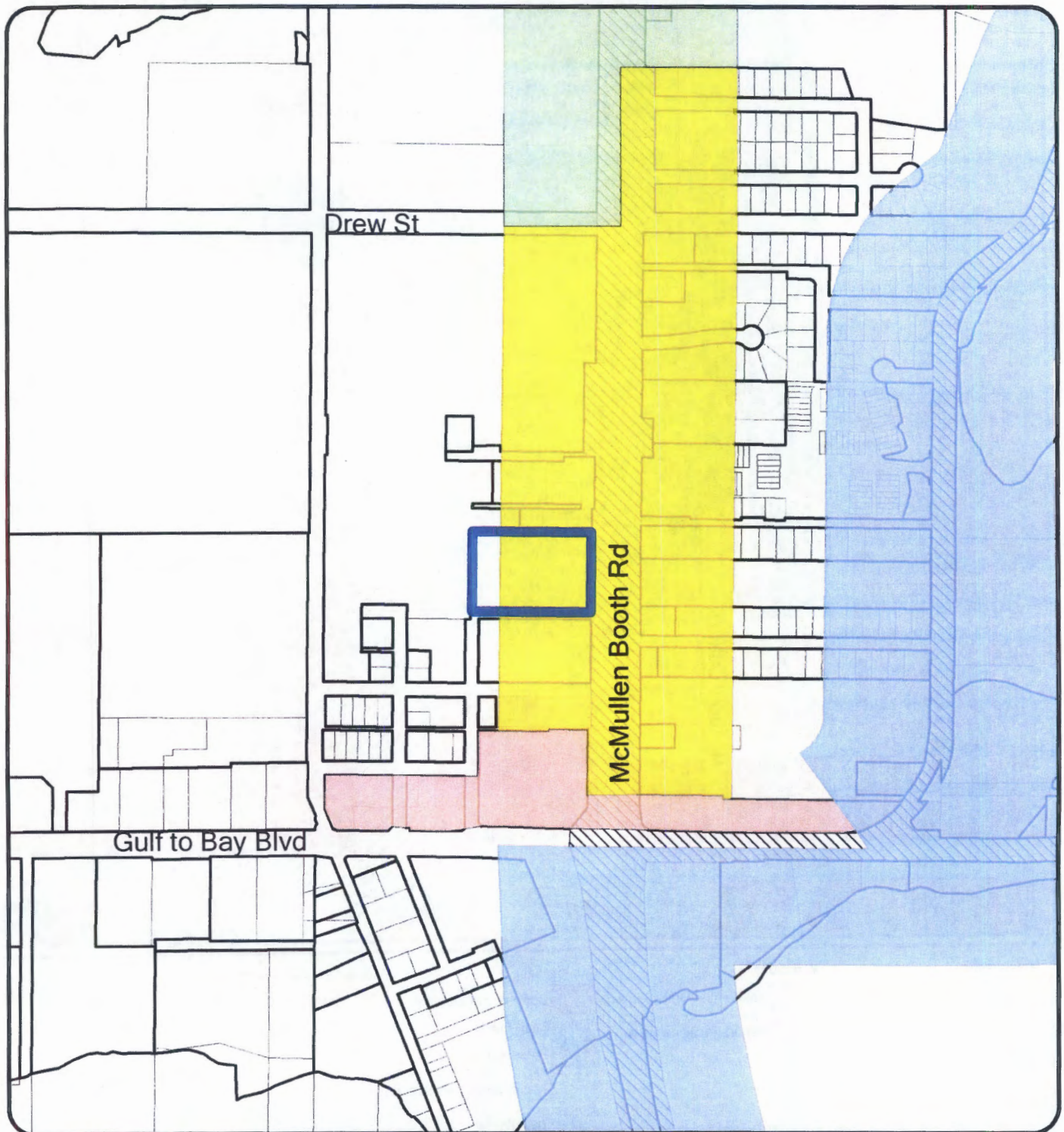
**CASE #: CW13-9**

**JURISDICTION: Clearwater**



**PPC** PINELLAS  
PLANNING  
COUNCIL





**MAP 6 Countywide Scenic/Noncommercial Corridors**

**Legend**

- |   |  |  |
|---|--|--|
|  Enhancement Connector |  Residential      |  Unique/Scenic View |
|  Mixed Use             |  Rural/Open Space |  |



1" = 600'

**CASE #: CW13-9**



**Council Staff Analysis  
Case CW 13-9: City of Clearwater  
September 11, 2013, PPC Meeting**

**Relevant Countywide Considerations:**

- 1) **Consistency with the Countywide Plan and Rules** – The subject site consists of a 3.6 acre parcel developed with two buildings which previously housed educational, office, and publishing facilities for RUE educational publishing. The owner of the parcel, First Baptist Church of Clearwater, a/k/a Calvary Baptist Church, intends to renovate the buildings for its youth ministries of the adjacent church/school to the north. The site is adjoined by single-family residential homes and a vacant lot on the north, the parent church property's baseball field on the west, a social center on the south, and McMullen Booth Rd. on the east.

The current Residential/Office Limited (R/OL) category is used to depict areas that are primarily well-suited for office and/or urban low density residential uses at a maximum density of 7.5 dwelling units per acre. This category also is appropriate for institutional uses, but up to a maximum of five acres. This parcel, combined with the adjacent Institutional designated property, exceeds this acreage threshold.

It is the purpose of the Institutional category *"to depict those areas of the county that are now used, or appropriate to be used, for public/semi-public institutional purposes; and to recognize such areas consistent with the need, character and scale of the institutional use relative to surrounding uses, transportation facilities, and natural resource features."*

The locational characteristics contained in the Countywide Rules state that the Institutional category is *"generally appropriate to those locations where educational, health, public safety, civic, religious and like institutional uses are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access."*

The proposed Institutional (I) category is used to depict areas that are primarily well-suited for educational, health, public safety, civic, religious and like institutional uses required to serve the community. Furthermore, the proposed category is appropriate for this site in that it previously housed an educational use and is proposed to house a religious use, which is consistent with the residential and institutional uses.

This amendment is deemed consistent with the purpose statement and locational characteristics found in the Countywide Rules and the proposed amendment can be considered consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – The amendment is located just west of a roadway operating at an LOS of “F”, McMullen Booth Road. However, traffic generated by the proposed amendment indicate a potential reduction in trips and will not result in a significant impact to the existing LOS. The difference in expected traffic generated between the existing and the proposed categories is a decrease of 76 vehicle trips.

Therefore, the proposed I category can be deemed consistent with this Relevant Countywide Consideration.

- 3) **Location on a Scenic/Non-Commercial Corridor (SNCC)** – The subject site is located on McMullen Booth Road, which is designated as a Primary SNCC with this portion of the corridor having a subclassification of “Residential”. The intent and purpose of the SNCC designation is to guide the preservation and enhancement of scenic qualities, to ensure the integrity of the Countywide Future Land Use Plan, and to maintain and enhance the traffic operation of these significant roadway corridors in Pinellas County. The classification extends for 500 feet from the edge of the right-of-way.

The principal objectives of SNCC designations are:

- *To preserve and enhance scenic qualities found along these corridors and to foster community awareness of the scenic nature of these corridors;*
- *To encourage superior community design and enhanced landscape treatment, both outside of and within the public right-of-way;*
- *To encourage land uses along these corridors which contribute to an integrated, well planned and visually pleasing development pattern, while discouraging the proliferation of commercial, office, industrial or intense residential development beyond areas specifically designated for such uses on the Future Land Use Plan;*
- *To assist in maintaining the traffic operation of roadways within these corridors through land use type and density/intensity controls, and by conformance to access management regulations, by selective transit route location, and by the development of integrated and safe pedestrian and bicycle access systems;*

- *To encourage design standards identified within the "Pinellas County Countywide Scenic/Non-Commercial Corridor Master Plan" through the adoption of local ordinances and regulations consistent with those standards set forth within the Master Plan.*

The Countywide Rules state that the requested Institutional category is considered to be potentially consistent with the "Residential" subclassification. Section 4.2.7.1.4.B.3 states that the Institutional category as applied to the site must be consistent with the character, intensity, and scale of the uses permitted, other Countywide Plan Map categories in the area, adjoining existing uses, and the need for and service area of use. The application of the Institutional category to the subject area can be deemed consistent with this section given the proposed use of the property and its relationship to adjacent Institutional property along the corridor.

It should also be noted that with the parcel being owned and proposed for development by Calvary Baptist Church, it is expected that a uniform landscape design, minimal driveway access, and consistent architectural treatment will be employed for the subject area.

- 4) **Coastal High Hazard Areas (CHHA)** – The amendment area is not located in a CHHA, so these policies are not applicable.
- 5) **Designated Development/Redevelopment Areas** – The amendment area is not located in, nor does it impact, designated development or redevelopment areas.
- 6) **Adjacent To or Impacting An Adjoining Jurisdiction or Public Educational Facility** – The amendment is adjacent to a small enclave of unincorporated Pinellas County to the north. The proposed Institutional category is not anticipated to negatively impact the County's ability to provide services to their jurisdictional area.

Additionally, the amendment area does not adjoin, nor will it impact, a public educational facility. Therefore, this request can be considered consistent with this Relevant Countywide Consideration.

### **Conclusion:**

*On balance, it can be concluded that the requested amendment from Residential/Office Limited to Institutional is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.*

# PAC AGENDA – SUMMARY AGENDA ACTION SHEET

DATE: September 3, 2013

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING OF JULY 1, 2013</u>	<u>Approved</u> Motion: Dean Neal Second: Marie Dauphinais	10-0
II. <u>REVIEW OF PPC AGENDA FOR SEPT. 11, 2013</u>	<u>Approved</u> Motion: Dean Neal Second: Bob Klute	10-0
A. <u>Subthreshold Land Use Plan Amendments -</u>		
1. Case CW 13-7: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Renea Vincent	10-0
2. Case CW 13-8: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Renea Vincent	10-0
B. <u>Regular Land Use Plan Amendments -</u>	<u>Approved inclusive of separate and additional recommendation</u> Motion: Dean Neal Second: Renea Vincent	10-0
3. Case CW 13-9: City of Clearwater (McMullen-Booth Rd.)	<u>Approved subject to amendment of the Scenic/Noncommercial corridor submap 1 to expand the mixed use subclassification to include the Residential Medium Category area northeast of Beckett Lake and inclusive of the separate and additional recommendation.</u> Motion: Dean Neal Second: Marie Dauphinais	10-0
4. Case CW 13-10: City of Clearwater (Montclair Road)	<u>Approved recommendation subject to the enumerated condition</u> Motion: Dean Neal Second: Jan Norsoph	10-0
5. Case CW 13-11: City of Oldsmar	<u>Recommended Receive and Accept for transmittal to the Countywide Planning Authority for Receipt and Acceptance</u> Motion: Dean Neal Second: Renea Vincent	10-0
C. <u>Proposed Minor Plan Change to Beach by Design Special Area Plan – Case CW 01-25 (SAP Change No. 7-2013)</u>	<u>No Action – Information Only</u>	
D. <u>CPA Actions – July and August 2013</u>	<u>No Action – Information Only</u>	
E. <u>Annexation Report – July and August 2013</u>	<u>No Action – Information Only</u>	