

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 NUMBER CW 13-11 INITIATED BY THE CITY OF OLDSMAR 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, a proposed amendment to the Countywide Future Land Use Plan, which is an element of the Countywide Comprehensive Plan of Pinellas County, Florida, has 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 Oldsmar initiated a proposed amendment which was 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:

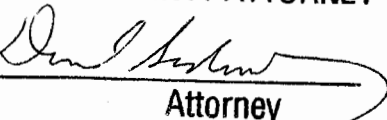
#CW 13-11 9.9 acres located on the northwest corner of Forest Road and Pine Avenue North, from Residential Low and Preservation to Residential Low Medium and Preservation subject to the submission of a Countywide Plan Map adjustment to Preservation for the resulting on-site wetlands following final approval of the Wetland Jurisdictional Survey.

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 13-11
City of Oldsmar

PINELLAS PLANNING COUNCIL AGENDA MEMORANDUM

AGENDA ITEM: III B-5.

MEETING DATE: September 11, 2013

SUBJECT: Amendment of the *Countywide Future Land Use Plan Map*
FROM: Residential Low (RL) and Preservation (P)
TO: Residential Low Medium (RLM) and Preservation (P)
AREA: 9.9 Acres m.o.l.
CASE #: CW 13-11
JURISDICTION: Oldsmar
LOCATION: Northwest corner of Forest Road and Pine Avenue N.

RECOMMENDATION: Council Recommend To The Countywide Planning Authority That The Proposed Map Amendment To Residential Low Medium and Preservation Be Approved 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.

I. BACKGROUND

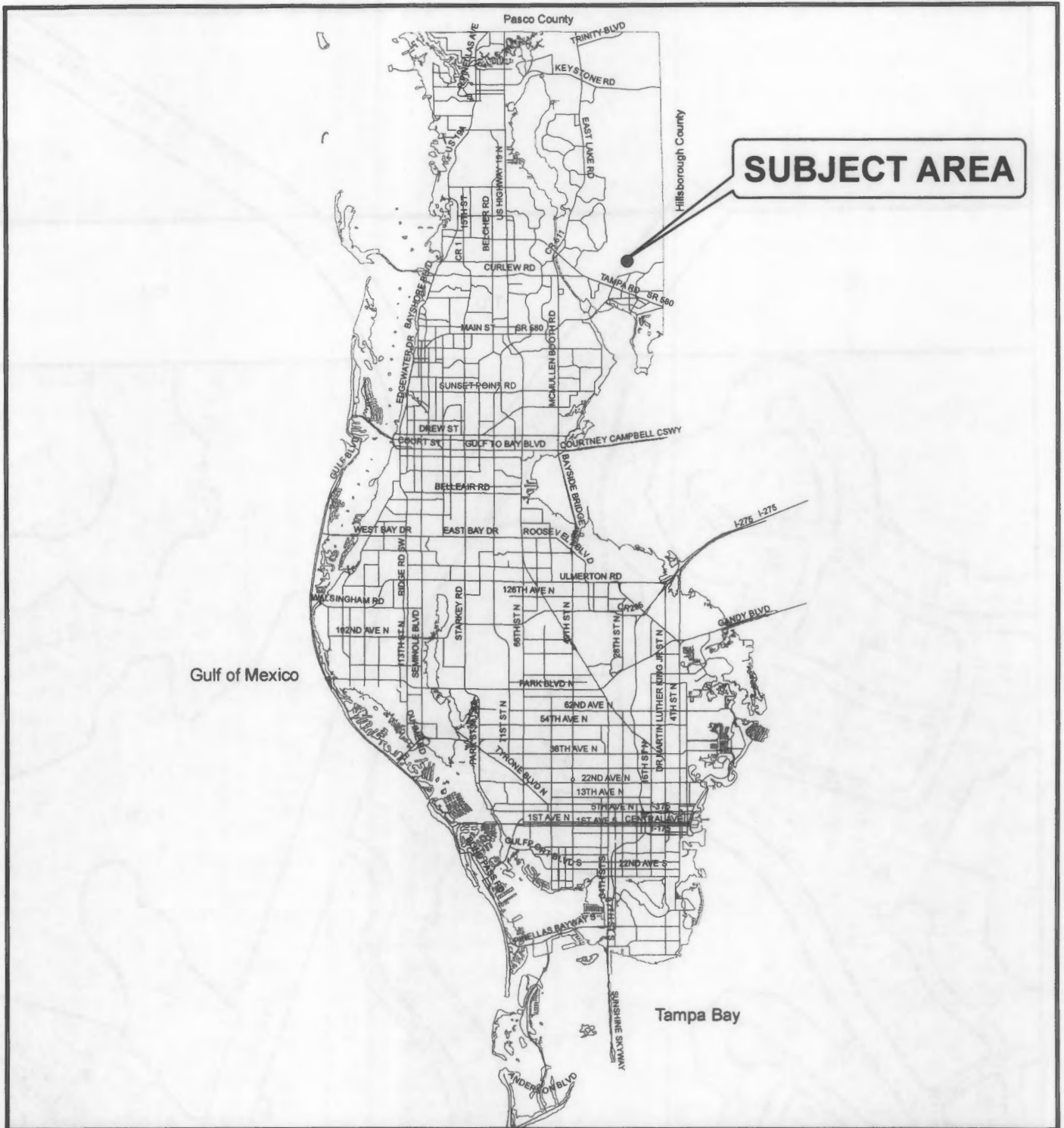
This proposed amendment is submitted by the City of Oldsmar and seeks to reclassify 9.9 acres from Residential Low (RL) (6.6 acres) and Preservation (P) (3.3 acres) to Residential Low Medium (RLM) and Preservation (P). The parcel is vacant. The owner of the parcel intends to develop the site with a 54 unit townhome subdivision.

A wetland jurisdictional survey was performed on the site that will increase the size of the Preservation area, thereby decreasing the size of the upland area by approximately 1.2 acres. This survey is awaiting approval from the Southwest Florida Water Management District and once approved, the City of Oldsmar will submit a map adjustment for this property.

PINELLAS PLANNING COUNCIL ACTION:

The Council recommended approval of the amendment from Residential Low and Preservation to Residential Low Medium and Preservation, subject to enumerated condition listed above (vote 12-0).

COUNTYWIDE PLANNING AUTHORITY ACTION:



Map 1 - Location

FROM: Residential Low and Preservation

TO: Residential Low Medium and Preservation

AREA: 9.9 Acres

CASE #: CW13-11

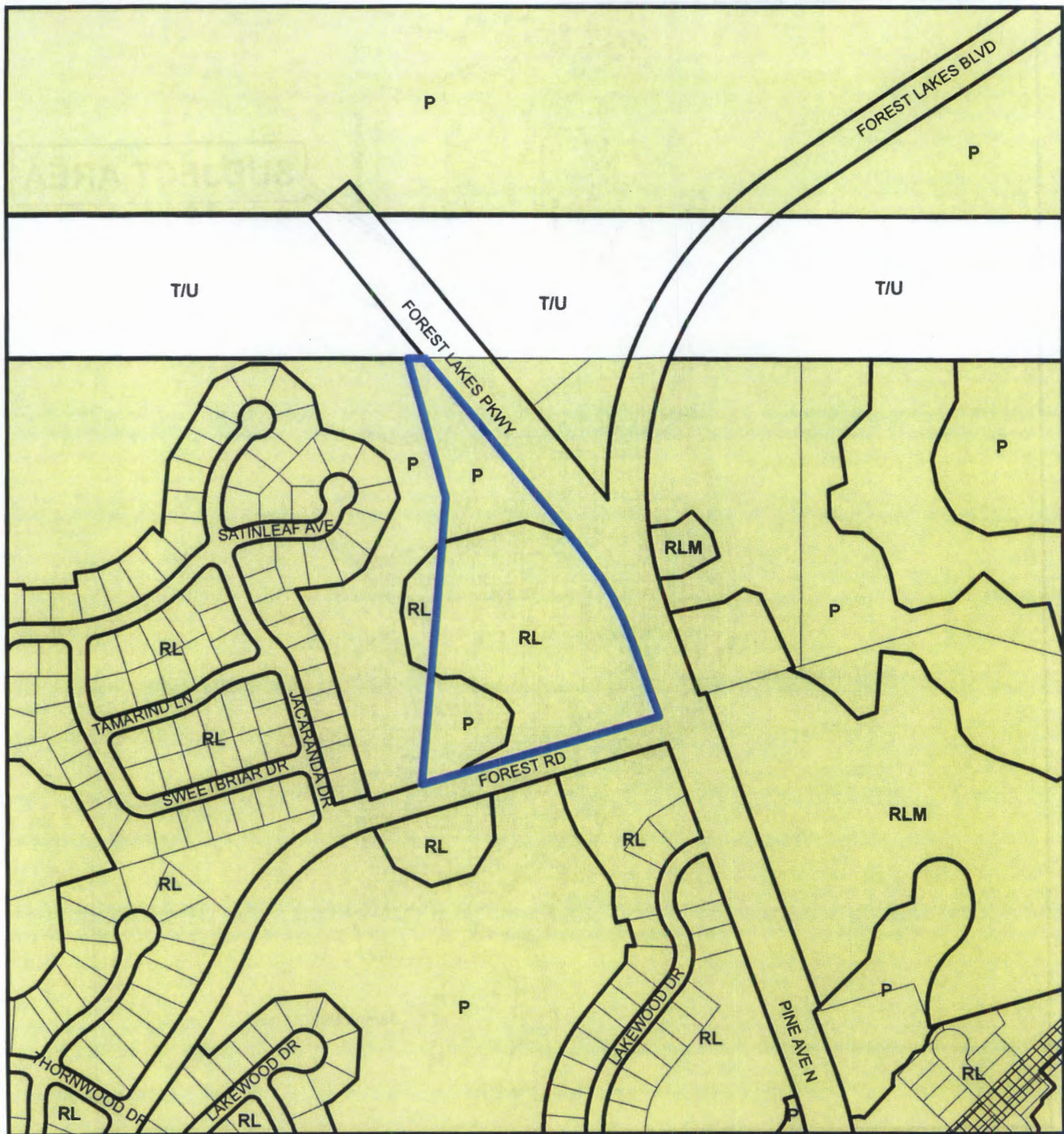
JURISDICTION: Oldsmar



NORTH

1" = 26,000'

PRC PINELLAS
PLANNING
COUNCIL



Map 2 - Current Countywide Plan Map & Jurisdictional Map


FROM: Residential Low and Preservation


TO: Residential Low Medium and Preservation

AREA: 9.9

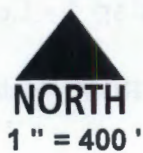
CASE #: CW13-11

Jurisdictions

 OLDSMAR

 UNINCORPORATED

JURISDICTION: Oldsmar



PPC PINELLAS
PLANNING
COUNCIL



Map 3 - Aerial

FROM: Residential Low and Preservation

TO: Residential Low Medium and Preservation

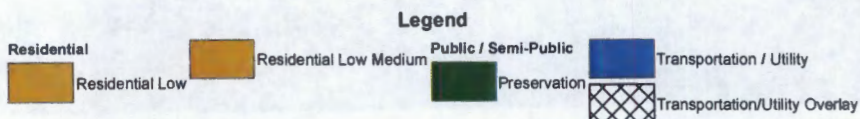
AREA: 9.9

CASE #: CW13-11

JURISDICTION: Oldsmar



PPC PINELLAS
PLANNING
COUNCIL



Map 4 - Current Countywide Plan Map

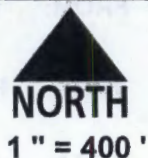
FROM: Residential Low and Preservation

TO: Residential Low Medium and Preservation

AREA: 9.9

CASE #: CW13-11

JURISDICTION: Oldsmar



PRC PINELLAS
PLANNING
COUNCIL



Legend		
Residential	Public / Semi-Public	Transportation/Utility Overlay
Residential Low	Preservation	
Residential Low Medium	Transportation/Utility	

Map 5 - Proposed Countywide Plan Map

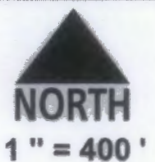
FROM: Residential Low and Preservation

TO: Residential Low Medium and Preservation

AREA: 9.9

CASE #: CW13-11

JURISDICTION: Oldsmar



PRC PINELLAS
PLANNING
COUNCIL

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

Relevant Countywide Considerations:

- 1) **Consistency with the Countywide Plan and Rules** – The amendment area consists of one vacant parcel totaling 9.9 acres. The site is proposed to be amended as follows:

Countywide Future Land Use	Current Acreage	Proposed Acreage
Residential Low (RL)	6.6	-
Preservation (P)	3.3	3.3
Residential Low Medium (RLM)	-	6.6
TOTAL	9.9	9.9

The property owner intends to develop the site with a 54 unit townhome community. The site is adjoined by Duke Energy power line corridor on the north, the City of Oldsmar Cypress Recreation Center and Park on the east (across Pine Ave. N.); single-family neighborhood on the south (across Forest Rd.), and single-family neighborhood on the west.

Current and Proposed Residential Dwelling Unit Comparison

Countywide Future Land Use	Acres	Residential Units Allowed/Submitted	Residential Units Per Acre
RL	6.6	33	5
RLM (as submitted)	6.6	66	10
RLM (recognizing wetlands)	5.4	54	10

The Countywide Rules state that the proposed RLM category is well-suited to be developed in a low to moderately intensive residential manner and to serve as a transition between low density and high density residential areas, and are consistent with the urban qualities, transportation facilities and natural resource characteristics of such areas. Also, RLM areas are generally accessed from minor and collector roadways. The proposed RLM category (allows up to 10 units per acre) is an appropriate designation for the amendment area as the surrounding area is developed with a mix of low density single-family neighborhoods and medium density multifamily neighborhoods. Also, the proposed RLM will be separated from the adjacent existing residential to the

west and south by an extensive natural buffer. The site has access to two local streets, which connect to Forest Lakes Blvd. Furthermore, the property owner intends to limit development on the site to a maximum of 54 units once the final upland area is determined. There is no development agreement associated with this application so maximum development potential can vary from the 54 units. Also, the ultimate wetland jurisdictional determination may alter the potential for development (i.e., the total number of residential units allowed).

The Countywide Rules state that the current RL category (5.0 residential units/acre) should be developed in a low density residential manner and to recognize areas primarily well-suited for residential uses, and are consistent with the low density, non-intensive qualities and natural resource characteristics of such areas. The current RL category is an appropriate designation for this site as it is consistent with the surrounding land use and low density residential developments.

There are wetlands on-site that are not recognized in the application for RLM, that is they are not requested to be amended to Preservation. A wetland jurisdictional survey was conducted on the site that identifies an approximately 1.2 acre increase in these “jurisdictional” wetlands. This survey is awaiting approval from the Southwest Florida Water Management District and because these areas will very likely be modified through the site development and permitting process it is recommended that the remaining wetland areas be designated Preservation at a later date through the Council’s Countywide Plan Map adjustment process. The area designated by the Preservation category will also serve as a buffer between the proposed RLM and the single-family neighborhoods to the west and south.

Therefore, the proposed RLM category along with the later submission of a Countywide Plan Map adjustment to Preservation recognizing the final wetland configuration can be deemed consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** –The amendment area will not impact a roadway with a LOS below “D.”
- 3) **Location on a Scenic/Non-Commercial Corridor (SNCC)** – The amendment area is not located on a SNCC, so these policies are not applicable.
- 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, a designated development or redevelopment area.
- 6) **Adjacent To or Impacting An Adjoining Jurisdiction or Public Educational Facility** – The amendment area is adjacent to Unincorporated Pinellas County on the north (Duke Energy utility corridor). This amendment will not impact service delivery to this unincorporated 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 RL and P to RLM and P 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>	10-0
A. <u>Subthreshold Land Use Plan Amendments -</u>	Motion: Dean Neal Second: Bob Klute	
1. Case CW 13-7: Pinellas County		
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>	10-0
3. Case CW 13-9: City of Clearwater (McMullen-Booth Rd.)	Motion: Dean Neal Second: Renea Vincent	
4. Case CW 13-10: City of Clearwater (Montclair Road)	<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
5. Case CW 13-11: City of Oldsmar	<u>Approved recommendation subject to the enumerated condition</u> Motion: Dean Neal Second: Jan Norsoph	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>Recommended Receive and Accept for transmittal to the Countywide Planning Authority for Receipt and Acceptance</u> Motion: Dean Neal Second: Renea Vincent	10-0
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>	