

BOARD OF COUNTY COMMISSIONERS

DATE: November 5, 2013

AGENDA ITEM NO. 1a.-b.

Consent Agenda ☐

Regular Agenda ☐

Public Hearing ☒

County Administrator's Signature

Subject:

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

Department:

Planning and Development Services

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), APPROVE CASES CW 13-12 OF PINELLAS COUNTY AND CW 13-14 OF SAFETY HARBOR.

Summary Explanation/Background:

The Board has received two proposed subthreshold amendments to the FLUP that have been reviewed by the Pinellas Planning Council (PPC or Council).

Case CW 13-12 is a submittal by Pinellas County for 0.1 acre of a 0.34-acre parcel of land located on the northwest corner of US Alt. 19 and Magnolia Avenue in Palm Harbor, from Residential Urban to Residential/Office General. The property is currently undeveloped. The 0.1-acre subject site along with the remainder of the parcel is proposed to be developed with a veterinarian's office. County staff concurs with the PPC recommendation of approval.

Case CW 13-14 is a submittal by the City of Safety Harbor for 7.6 acres of a 10-acre parcel located on the east side of Harborside Christian Church, 2200 Marshall Street, from Residential Low to Recreation/Open Space. The entire parcel, which also contains 2.4 acres designated as Preservation, is currently vacant and is proposed to be developed with a City park. County staff concurs with the PPC recommendation of approval.

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: November 5, 2013 Countywide Planning Authority Agenda
Part I – Public Hearing Agenda Re: Subthreshold Plan Map Amendments

DATE: November 5, 2013

RECOMMENDATION: THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD, IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, APPROVE CASES CW 13-12 and CW 13-14 AS OUTLINED BELOW.

DISCUSSION: The Countywide Planning Authority has received two (2) cases concerning subthreshold amendment of the Countywide Plan Map as described below:

Case CW 13-12 – Pinellas County:

0.1 acre m.o.l., located on the northwest corner of US Alt. 19 and Magnolia Avenue, proposed to change from Residential Urban to Residential/Office General.

This proposed amendment is submitted by Pinellas County and seeks to reclassify a 0.1 acre portion of a 0.34 acre parcel from Residential Urban to Residential/Office General. The property is vacant. This portion, along with the remaining 0.34 acre area designated Residential/Office General, is proposed to be developed with a veterinarian office.

The Pinellas Planning Council, by a vote of 9-0, voted approval of Case CW 13-12.

Case CW 13-14 – City of Safety Harbor:

7.6 acres m.o.l., located at east of Harborside Christian Church at 2200 Marshall St., proposed to change from Residential Low to Recreation/Open Space.

This proposed amendment is submitted by the City of Safety Harbor and seeks to reclassify a 7.6 acre portion of a 10.0 acre parcel from Residential Low to Recreation/Open Space. The property is vacant. This portion, along with the remaining 2.4 acre area designated Preservation, is proposed for a future City park.

The Pinellas Planning Council, by a vote of 9-0, voted approval of Case CW 13-14.

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 13-14 INITIATED BY THE CITY OF SAFETY HARBOR 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 a proposed amendment to the Countywide Future Land Use Plan; and

WHEREAS, the City of Safety Harbor initiated a proposed amendment which was considered at a public hearing by the Pinellas Planning Council on October 9, 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 November 5, 2013, as follows:

Section 1 - Amending the Countywide Future Land Use Plan

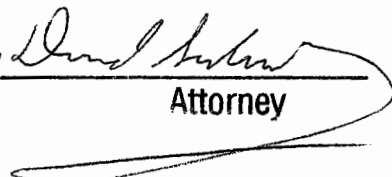
The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4 is amended to reflect the change adopted as follows:

#CW 13-14 7.6 acres located east of Harborside Christian Church, 2200 Marshall Street, from Residential Low to Recreation/Open Space

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 13-14
City of Safety Harbor

PINELLAS PLANNING COUNCIL AGENDA MEMORANDUM

AGENDA ITEM: III B-2.

MEETING DATE: October 9, 2013

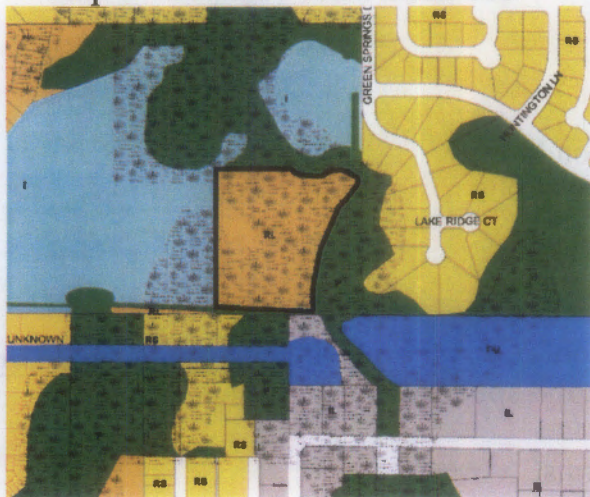
SUBJECT: Amendment of the *Countywide Future Land Use Plan Map*
FROM: Residential Low (RL)
TO: Recreation/Open Space (R/OS)
AREA: 7.6 Acres m.o.l.
CASE #: CW 13-14
JURISDICTION: City of Safety Harbor
LOCATION: East of Harborside Christian Church, 2200 Marshall St.

RECOMMENDATION: Council Recommend To The Countywide Planning Authority That The Proposed Map Amendment To Recreation/Open Space Be Approved.

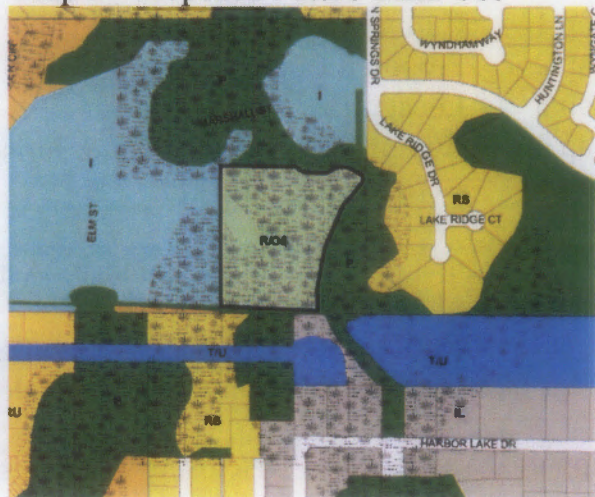
I. BACKGROUND

This proposed amendment is submitted by the City of Safety Harbor and seeks to reclassify a 7.6 acre portion of a 10.0 acre parcel from Residential Low to Recreation/Open Space. The property is vacant. This portion, along with the remaining 2.4 acre area designated Preservation, is proposed for a future City park.

Map 1 - Current Future Land Use



Map 2 - Proposed Future Land Use



PINELLAS PLANNING COUNCIL ACTION:

The Council recommended approval of the amendment from Residential Low to Recreation/Open Space (vote 9-0).

COUNTYWIDE PLANNING AUTHORITY ACTION:

II. FINDINGS

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

- A. The proposed amendment is a subthreshold amendment (Type E); and
- B. The proposed amendment to Recreation/Open Space recognizes the proposed use for the site and is consistent with the criteria for utilization of this category.

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

The Council and CPA may, upon a majority vote of members present and constituting a quorum, remove a subthreshold amendment from the subthreshold portion of the agenda for separate consideration, in which event the amendment may be discussed and acted upon at that same meeting or continued to the next available meeting with an analysis of any issues identified by the Council or CPA.

III. PLANNERS ADVISORY COMMITTEE (PAC)

The PAC members discussed this case at their September 30, 2013 meeting and recommended approval of the staff recommendation (9-0).

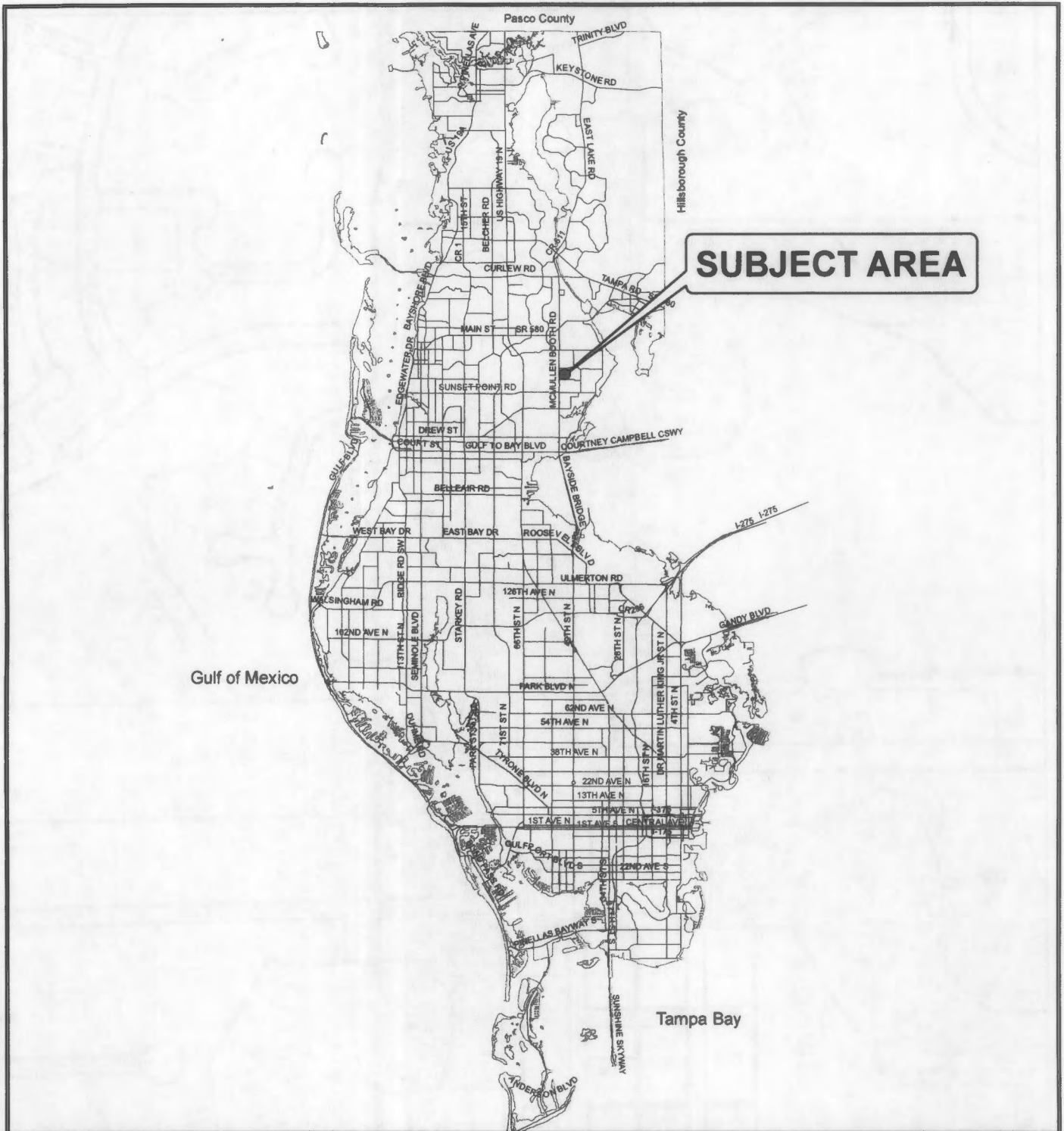
IV. LIST OF MAPS & ATTACHMENTS

- Map 1 Current Countywide Plan Map
- Map 2 Proposed Countywide Plan Map
- Map 3 Location
- Map 4 Current Countywide Plan & Jurisdiction Map
- Map 5 Aerial

Attachment 1 Draft PAC Summary Actions Sheet

V. SUPPORT DOCUMENTS – available only at www.pinellasplanningcouncil.org (see October Agenda and then click on corresponding case number).

- Support Document 1 Disclosure of Interest Forms
- Support Document 2 Local Government Application



Map 3 - Location

FROM: Residential Low

TO: Recreation/Open Space

AREA: 7.6 Acres

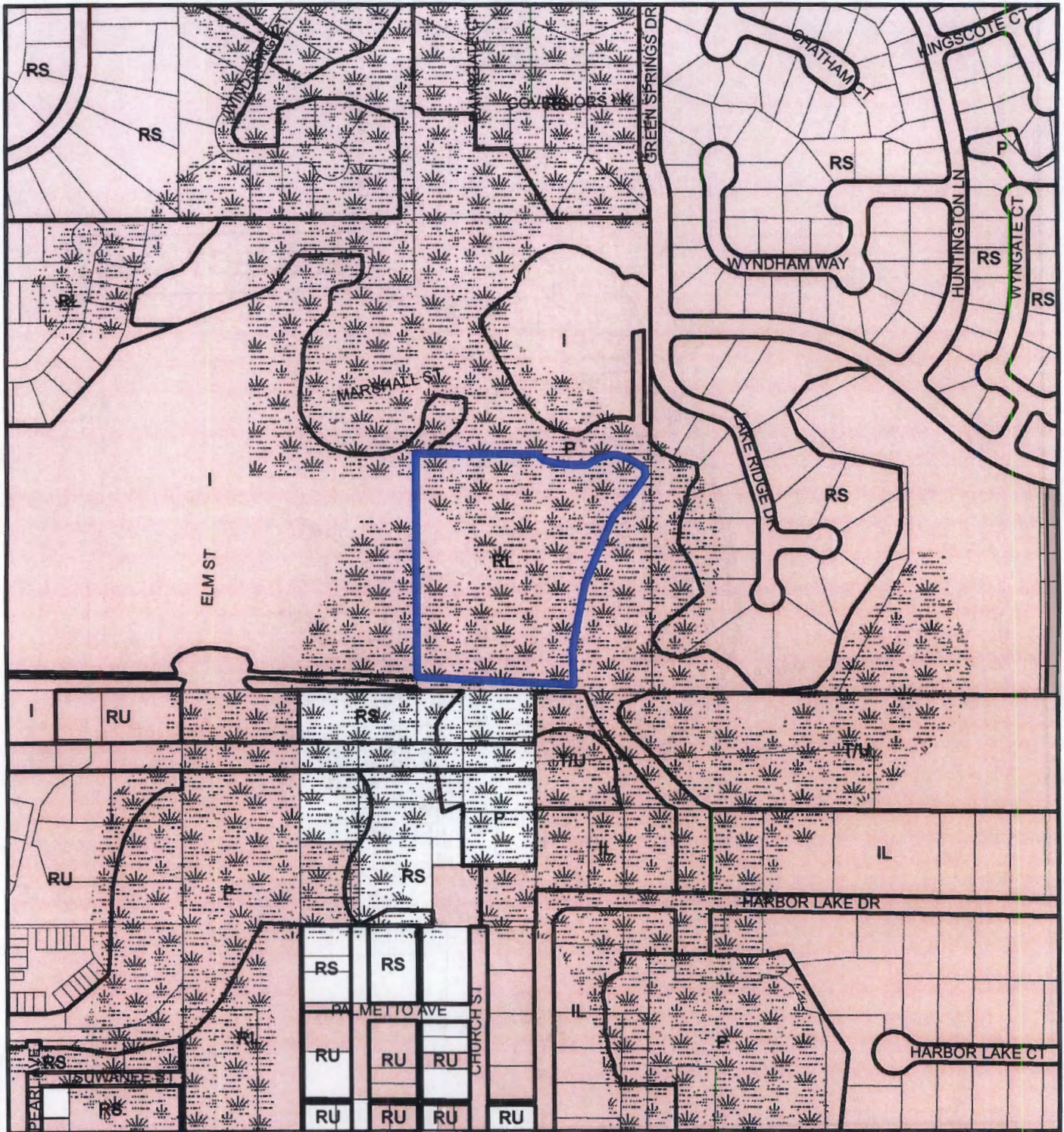
CASE #: CW13-14

JURISDICTION: Safety Harbor



1" = 26,000'

PPC PINELLAS
PLANNING
COUNCIL



Map 4 - Current Countywide Plan Map & Jurisdictional Map

FROM: Residential Low

TO: Recreation/Open Space

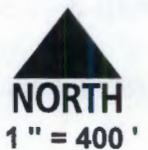
AREA: 7.6

CASE #: CW13-14

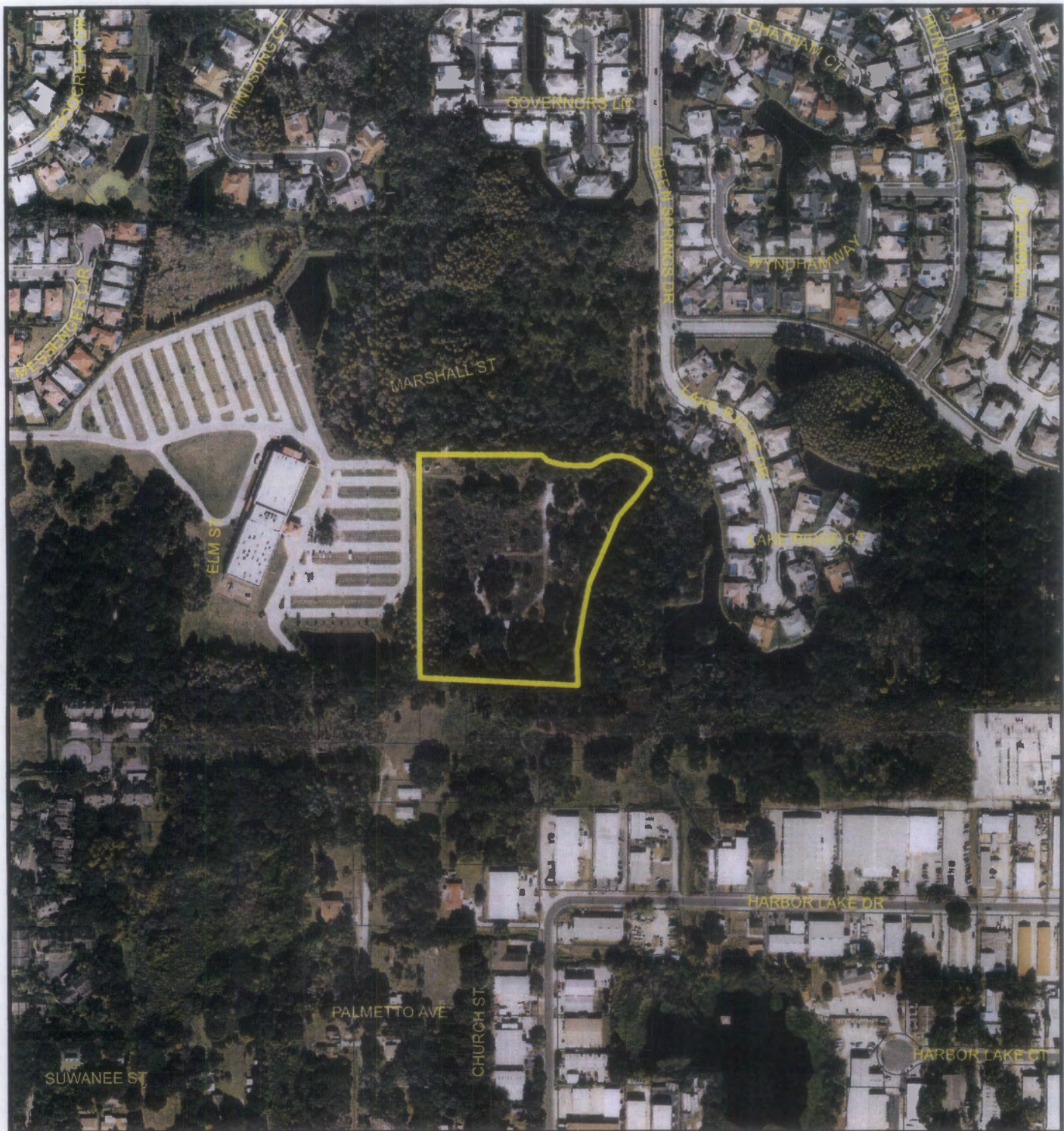
Jurisdictions

- SAFETY HARBOR
- UNINCORPORATED

JURISDICTION: Safety Harbor



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Map 5 - Aerial

FROM: Residential Low

TO: Recreation/Open Space

AREA: 7.6

CASE #: CW13-14

JURISDICTION: Safety Harbor



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PAC AGENDA – SUMMARY AGENDA ACTION SHEET

DATE: September 30, 2013

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING</u> <u>September 3, 2013</u>	<u>Approved as amended under G.</u> <u>PPC/MPO Unification Update:</u> <i>...because each local government in the</i> <i>County will be represented, all 25 are</i> <i>now required to sign the Interlocal</i> <i>Agreement within that 60 day window.</i> Motion: Dean Neal Second: Jan Norsoph Additional discussion occurred explaining the reasoning for the elimination of the School Board representative under the Revised Special Act Language	9-0
II. <u>REVIEW OF PPC AGENDA FOR OCT. 9, 2013</u> A. <u>Subthreshold Land Use Plan Amendments -</u> 1. Case CW 13-12: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Fred Metcalf	9-0
2. Case CW 13-14: Safety Harbor	<u>Approved</u> Motion: Dean Neal Second: Jan Norsoph	9-0
B. <u>Regular Land Use Plan Amendments -</u> 3. Case CW 13-13: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Paul Geisz	9-0
C. <u>Amendment of the Countywide Rules re:</u> <u>Preservation of Industrial Lands</u>	PAC members were requested to forward additional comments and recommendations to Mr. Crawford or Mr. Mettler in the next week or two, as early as possible in advance of the November PAC meeting. Mr. Mettler discussed in detail Attachment 2 – Comments and Proposed Revisions to Criteria. Mr. Crawford noted PPC will probably work towards adopting TEILS as an appendix. In response to query re rail it was noted that Economic Development staff expressed concern that it be addressed separately noting that if a property did not have access to rail, an argument might be made that the property would no longer be viable for industrial.	