

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** November 5, 2013

**AGENDA ITEM NO.** 2

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

**County Administrator's Signature** RA

**Subject:**

Proposed Regular Amendment 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 CASE CW 13-13 OF PINELLAS COUNTY.

**Summary Explanation/Background:**

The Board has received one proposed regular amendment to the FLUP that was reviewed by the Pinellas Planning Council (PPC or Council) on October 9, 2013.

Case CW 13-13 is a submittal by Pinellas County for 3.3 acres that includes the property located at the southeast corner of Nebraska Avenue and Riviere Road in Palm Harbor, from Residential Low (up to five units an acre) to Institutional. The Palm Harbor Public Library has occupied the subject site since 1988. Due to an increase in activity at the library, additional paved parking is required. The proposed Institutional FLUM designation will recognize the existing use of the property and will increase the maximum amount of allowable impervious surface from 60% to 85% of the site, thereby allowing the Library to expand its parking area to accommodate 27 new paved spaces. County staff concurs with the PPC recommendation to approve the FLUP amendment.

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

None


**Exhibits/Attachments Attached:**

Ordinance  
County Board Minutes  
Council Documentation

W

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 II – Public Hearing Agenda Re: Regular Plan Map Amendments

DATE: November 5, 2013

**RECOMMENDATION:** THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD, IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, APPROVE CASE CW 13-13, AS OUTLINED BELOW.

**DISCUSSION:** The Countywide Planning Authority has received one case concerning Regular amendment of the Countywide Plan Map as described below:

**Case CW 13-13 – Pinellas County:**

3.3 acres m.o.l., located at the southeast corner of Nebraska Avenue and Riviere Road, proposed to change from Residential Low to Institutional.

This proposed amendment is submitted by Pinellas County and seeks to reclassify a parcel totaling 3.3 acres of land from Residential Low to Institutional. The parcel is developed with the Palm Harbor Public Library. This proposed amendment to Institutional is needed due to the library parking lot expansion that will increase the impervious surface area of the site, which would be exceeded under the current Residential Low category (60% maximum impervious for RL vs. 85% max impervious for I). Furthermore an amendment to Institutional will recognize the public use of the site as a library.

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

The complete record of the public hearing held by the Pinellas Planning Council on this case 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 13-12 AND CW 13-13 INITIATED BY PINELLAS COUNTY 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 amendments to the Countywide Future Land Use Plan; and

WHEREAS, Pinellas County initiated proposed amendments which were 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

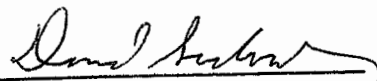
The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4 is amended to reflect the changes adopted as follows:

- #CW 13-12 0.1 acre located on the northwest corner of U.S. Alternate 19 and Magnolia Avenue, from Residential Urban to Residential/Office General.
- #CW 13-13 3.3 acres located on the southeast corner of Nebraska Avenue and Riviere Road, from Residential Low to Institutional.

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 13-13

Pinellas County



# PINELLAS PLANNING COUNCIL AGENDA MEMORANDUM

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

**MEETING DATE:** October 9, 2013

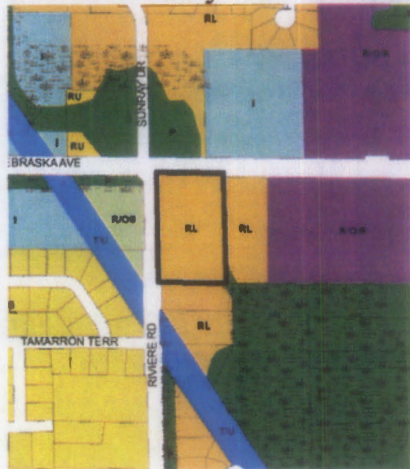
**SUBJECT:** Amendment of the Countywide Future Land Use Plan Map  
**FROM:** Residential Low (RL)  
**TO:** Institutional (I)  
**AREA:** 3.3 Acres m.o.l.  
**CASE #:** CW 13-13  
**JURISDICTION:** Pinellas County  
**LOCATION:** Southeast corner of Nebraska Ave. and Riviere Rd.

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

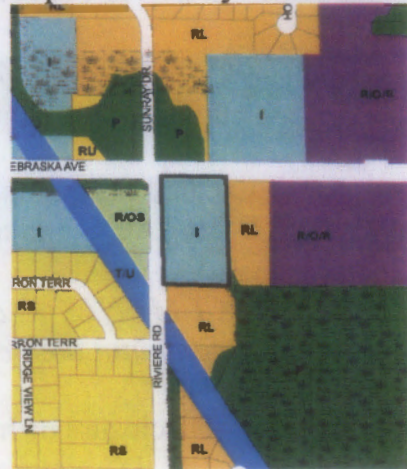
## I. BACKGROUND

This proposed amendment is submitted by Pinellas County and seeks to reclassify a parcel totaling 3.3 acres of land from Residential Low (RL) to Institutional (I). The parcel is developed with the Palm Harbor Public Library. This proposed amendment to Institutional is needed due to the library parking lot expansion resulting in increased impervious surface area of the site, which would exceed the current RL category standard (60% max impervious for RL vs. 85% max impervious for I). Furthermore an amendment to Institutional will recognize the public use of the site as a library.

Current Countywide Plan Map



Proposed Countywide Plan Map



### PINELLAS PLANNING COUNCIL ACTION:

The Council recommended approval of the amendment from Residential Low to Institutional (vote 9-0).

### 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 current use of the site and is consistent with the criteria for utilization of this category; and
- B. 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 30, 2013 meeting and recommended approval of the staff recommendation (9-0).

## **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

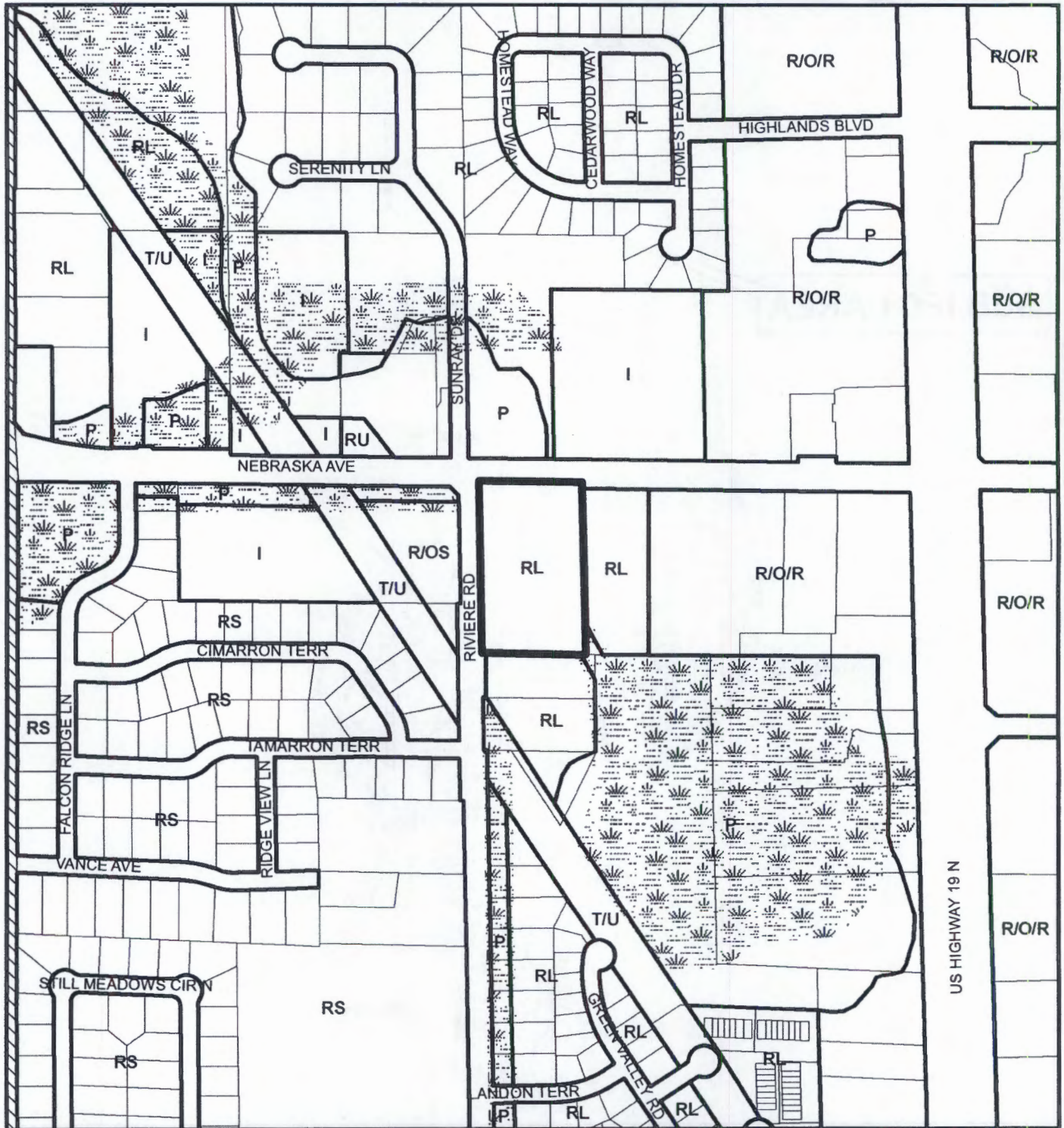
- Attachment 1      Council Staff Analysis
- Attachment 2      Draft PAC Summary Actions Sheet

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

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







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

FROM: Residential Low

TO: Institutional

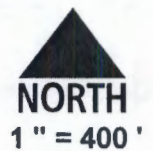
AREA: 3.3

CASE #: CW13-13

### Jurisdictions

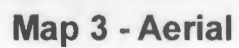
 UNINCORPORATED

JURISDICTION: Pinellas County

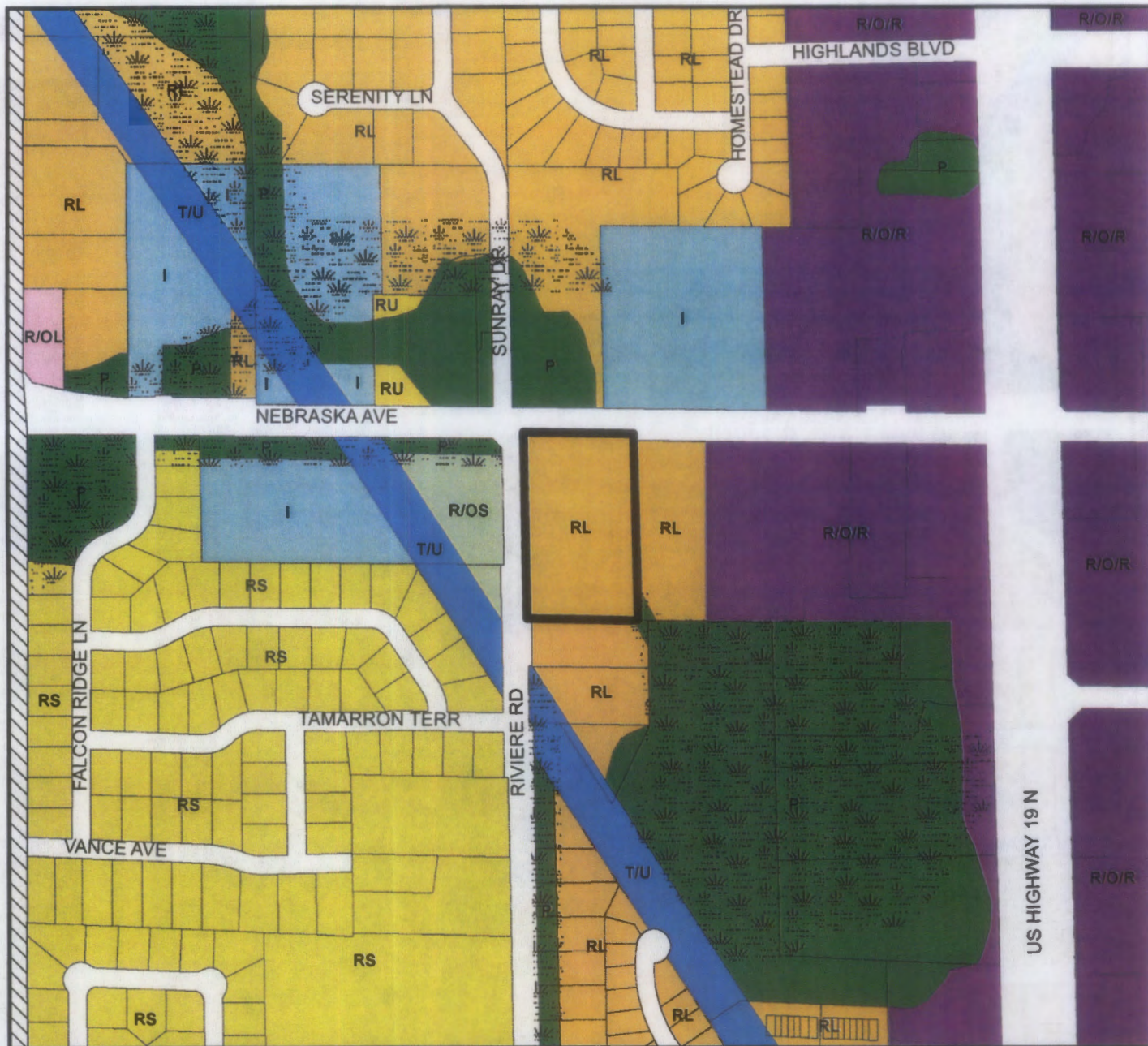


**PRC** PINELLAS  
PLANNING  
COUNCIL









## Map 4 - Current Countywide Plan Map

FROM: Residential Low

TO: Institutional

AREA: 3.3

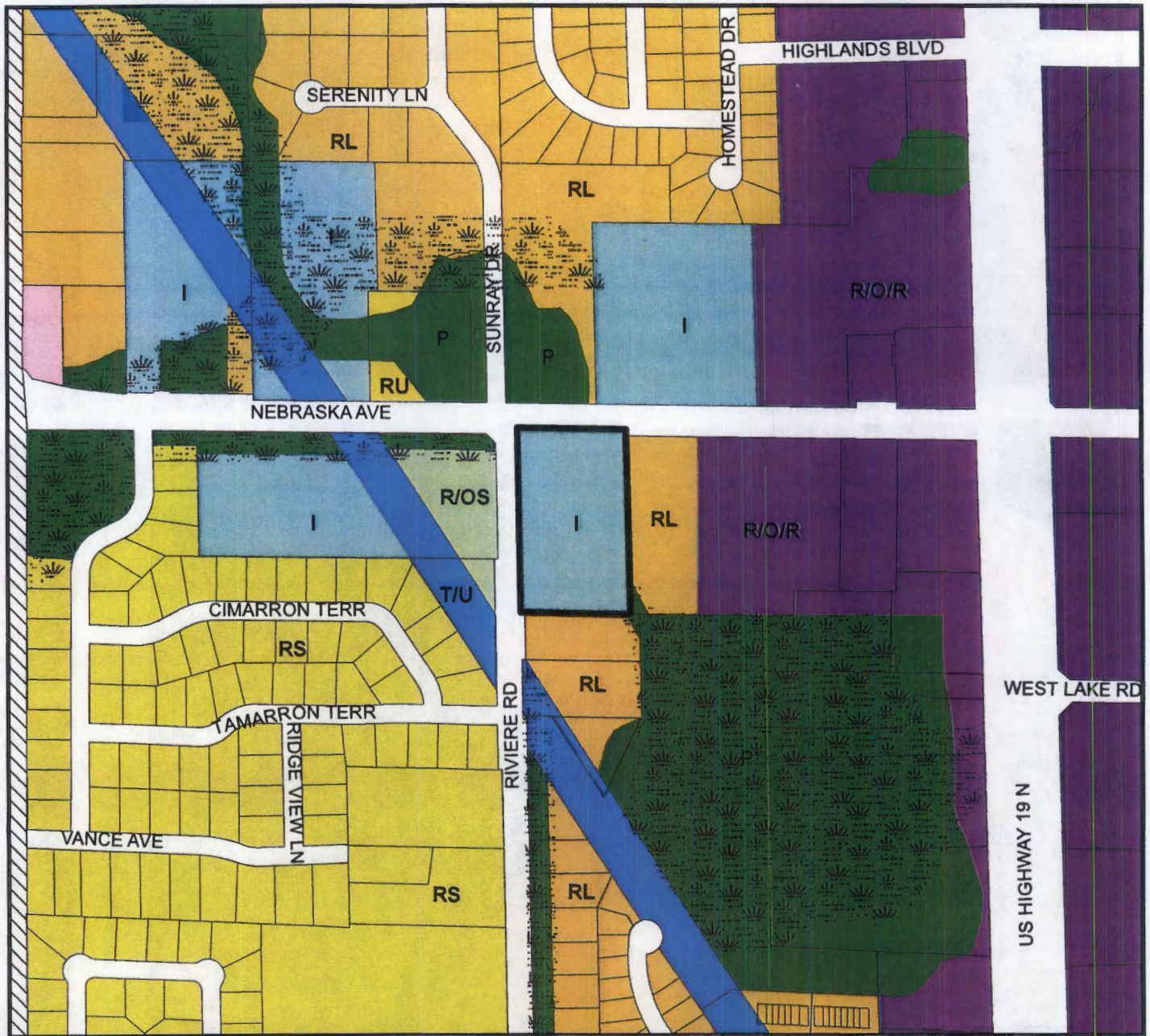
CASE #: CW13-13

JURISDICTION: Pinellas County

**NORTH**  
1" = 400'

**PRC** PINELLAS  
PLANNING  
COUNCIL





Residential		Mixed Use		Public / Semi-Public		Water/Drainage Feature Overlay	
	Residential Suburban		Residential/Office Limited		Preservation		Water/Drainage Feature Overlay
	Residential Low		Residential/Office/Retail		Recreation/Open Space		Scenic/Noncommercial Corridor
	Residential Urban				Institutional		
					Transportation/Utility		

## Map 5 - Proposed Countywide Plan Map

FROM: Residential Low

TO: Institutional

AREA: 3.3

CASE #: CW13-13

JURISDICTION: Pinellas County



**PRC** PINELLAS  
PLANNING  
COUNCIL



**Council Staff Analysis  
Case CW 13-13: Pinellas County  
October 9, 2013, PPC Meeting**

**Relevant Countywide Considerations:**

- 1) **Consistency with the Countywide Plan and Rules** – The subject site consists of a 3.3 acre parcel developed with the Palm Harbor Public Library. The owner of the parcel, Pinellas County, intends to renovate the library parking lot, and an amendment is needed to accommodate for the increase in impervious surface area and will recognize the site's use as a public library. The site is adjoined by a single-family home and day care/private school on the north (across Nebraska Ave.), a baseball field and church on the west (across Riviere Rd), a single-family home on the south, and the Palm Harbor Commons Shopping Plaza on the east.

The current Residential Low (RL) category is used to depict areas that are primarily well-suited for low density residential uses at a maximum density of 5.0 dwelling units per acre. This category also is appropriate for institutional uses up to a maximum of five acres. This parcel does not exceed this acreage threshold and can be deemed consistent with the current RL category.

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 location is appropriate for this site in that it houses a public library which is consistent with the surrounding residential and institutional uses. Also, the public library serves an important civic purpose for the surrounding residential community.

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 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, designated development or redevelopment areas.
- 6) **Adjacent To or Impacting An Adjoining Jurisdiction or Public Educational Facility** – The amendment area is not adjacent to any other jurisdictions.

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 Low to Institutional is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.***

# 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 County will be represented, all 25 are now required to sign the Interlocal 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.	