

6.3.14 # 2

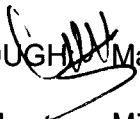


COUNCIL MEMBERS

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

THROUGH  Mark Woodard, Interim County Administrator

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

DATE: June 3, 2014

Michael C. Crawford, AICP  
Interim Executive Director

**Subject:**

Proposed Subthreshold Amendment to the Countywide Plan Map.

**Recommended Action:**

THE PINELLAS PLANNING COUNCIL (PPC) RECOMMENDS THE BOARD OF COUNTY COMMISSIONERS (BOARD), IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 14-14.

**Summary Explanation/Background:**

The Countywide Planning Authority has received one case concerning a subthreshold amendment to the Countywide Plan Map that was reviewed by the Pinellas Planning Council on May 14, 2014.

**Case CW 14-14 – Pinellas County:**

0.4 acres more or less, located at 2335 Evans Road, proposed to change from Residential Low Medium to Residential/Office Limited.

The property is developed with a mobile home that is being used as an office. The owner is requesting the land use amendment in order to enable the property to be legally marketed for office uses.

***The PPC, by a vote of 10-0, recommended approval of Case CW 14-14.***

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

None

**Exhibits/Attachments:**

Proposed Ordinances  
Council Documentation

A handwritten signature in dark ink, appearing to be 'JL', is located at the bottom right of the page.

ORDINANCE NO. 14-\_\_\_\_\_

AN ORDINANCE AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 14-14 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 amendment to the Countywide Future Land Use Plan; and

WHEREAS, Pinellas County initiated proposed amendment which was considered at a public hearing by the Pinellas Planning Council on May 14, 2014, with recommendation made by the Council that is documented in the Council report referred to as Exhibit A; and

WHEREAS, the Board has conducted a public hearing and taken action that is documented by ordinance for approval or partial approval and partial denial and by resolution for denial, with both documents including the relevant Council report as attached.

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 June 3, 2014, 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 14-14    0.4 acre m.o.l. located at 2335 Evans Road, from Residential Low Medium to Residential/Office Limited

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

No. 6d  
BCC 03-18-14  
9:33 A.M. FUTCH/Todd

- # 6d Resolution No. 14-26 adopted approving the application of McClellan Ningard through Pam Wilhelm, Representative, for a change of zoning from R-4, One, Two, and Three Family Residential, to P-1A, Limited Office; and Ordinance No. 14-14 adopted approving a change in land use designation from Residential Low Medium to Residential/Office Limited, re approximately 0.36 acre located on the south side of Evans Road, 720 feet west of U.S. Highway 19 North, located in the unincorporated area of Dunedin (street address: 2335 Evans Road). The Local Planning Agency recommended approval of the application based on the staff report. No correspondence has been received.

No one appeared in response to the Chairman's call for citizens wishing to be heard; whereupon, Chairman Seel closed the public hearing.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morroni
Vote	-	6 – 0

Case CW 14-14

Pinellas County

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**AGENDA ITEM:** III B-1.

**MEETING DATE:** May 14, 2014

**SUBJECT:** Amendment of the *Countywide Future Land Use Plan Map*  
**FROM:** Residential Low Medium (RLM)  
**TO:** Residential/Office Limited (R/OL)  
**AREA:** 0.4 Acres m.o.l.  
**CASE #:** CW 14-14  
**JURISDICTION:** Pinellas County  
**LOCATION:** 2335 Evans Rd.

**RECOMMENDATION:** Council Recommend To The Countywide Planning Authority That The Proposed Map Amendment To Residential/Office Limited Be Approved.

**I. BACKGROUND**

This proposed amendment is submitted by Pinellas County and seeks to reclassify a 0.4 acre parcel of land from Residential Low Medium to Residential/Office Limited. This amendment qualifies as a Type A Subthreshold amendment since it is less than 1 acre in size.

The property is developed with a mobile home that is currently being used as an office. The owner is requesting the land use amendment and concurrent local zoning change in order to enable the property to be legally marketed for office uses.

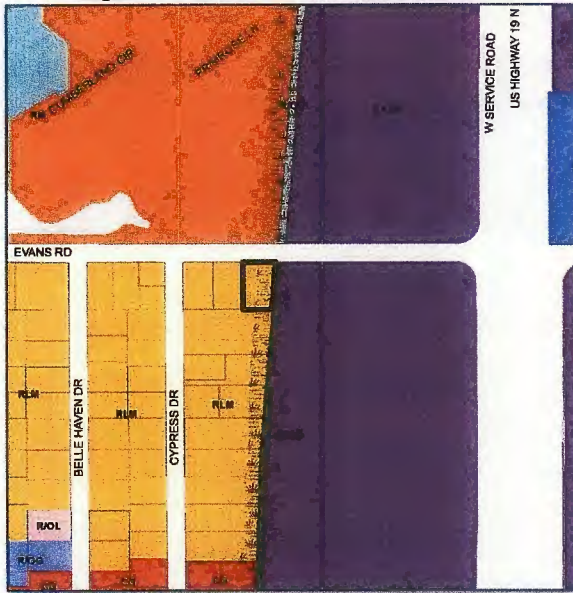
**PINELLAS PLANNING COUNCIL ACTION:**

The Council recommended approval of the amendment from Residential Low Medium to Residential/Office Limited (vote 10-0).

**COUNTYWIDE PLANNING AUTHORITY ACTION:**

***SUBJECT:*** Case CW 14-14 – Pinellas County

**Map 1 - Current Future Land Use**



**Map 2 - Proposed Future Land Use**



***II. FINDINGS***

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

- A. The proposed amendment qualifies as a subthreshold amendment (Type A); and
- B. The proposed amendment to Residential/Office Limited recognizes the current 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)***

At their May 5, 2014 meeting, the PAC members discussed and recommended approval of staff recommendation (vote 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

***SUBJECT:*** Case CW 14-14 – Pinellas County

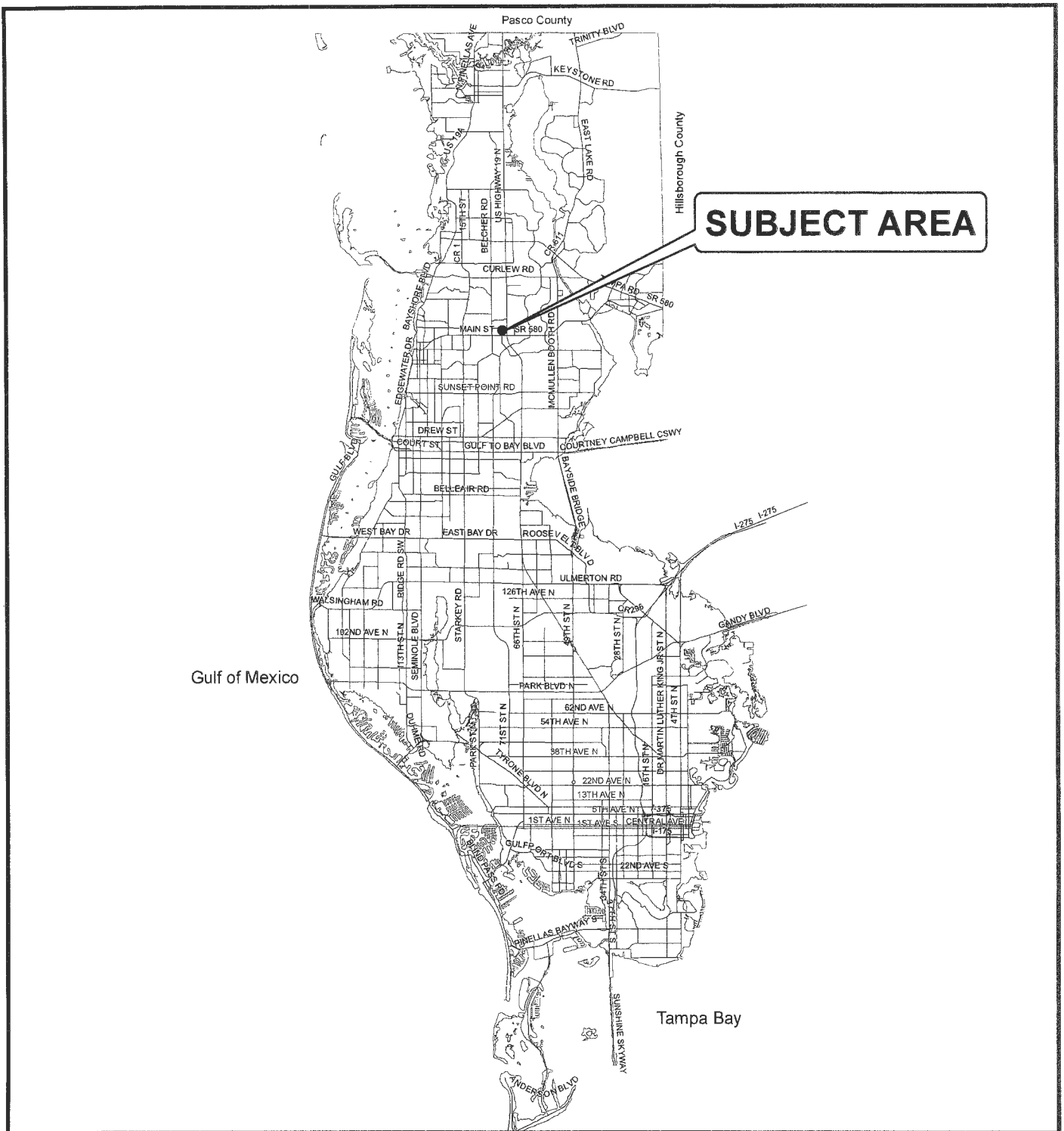
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Attachment 1          Draft PAC Summary Actions Sheet

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

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





### Map 3 - Location

FROM: Residential Low Medium

TO: Residential/Office Limited

AREA: 0.4 Acres

CASE #: CW14-14

JURISDICTION: Pinellas County

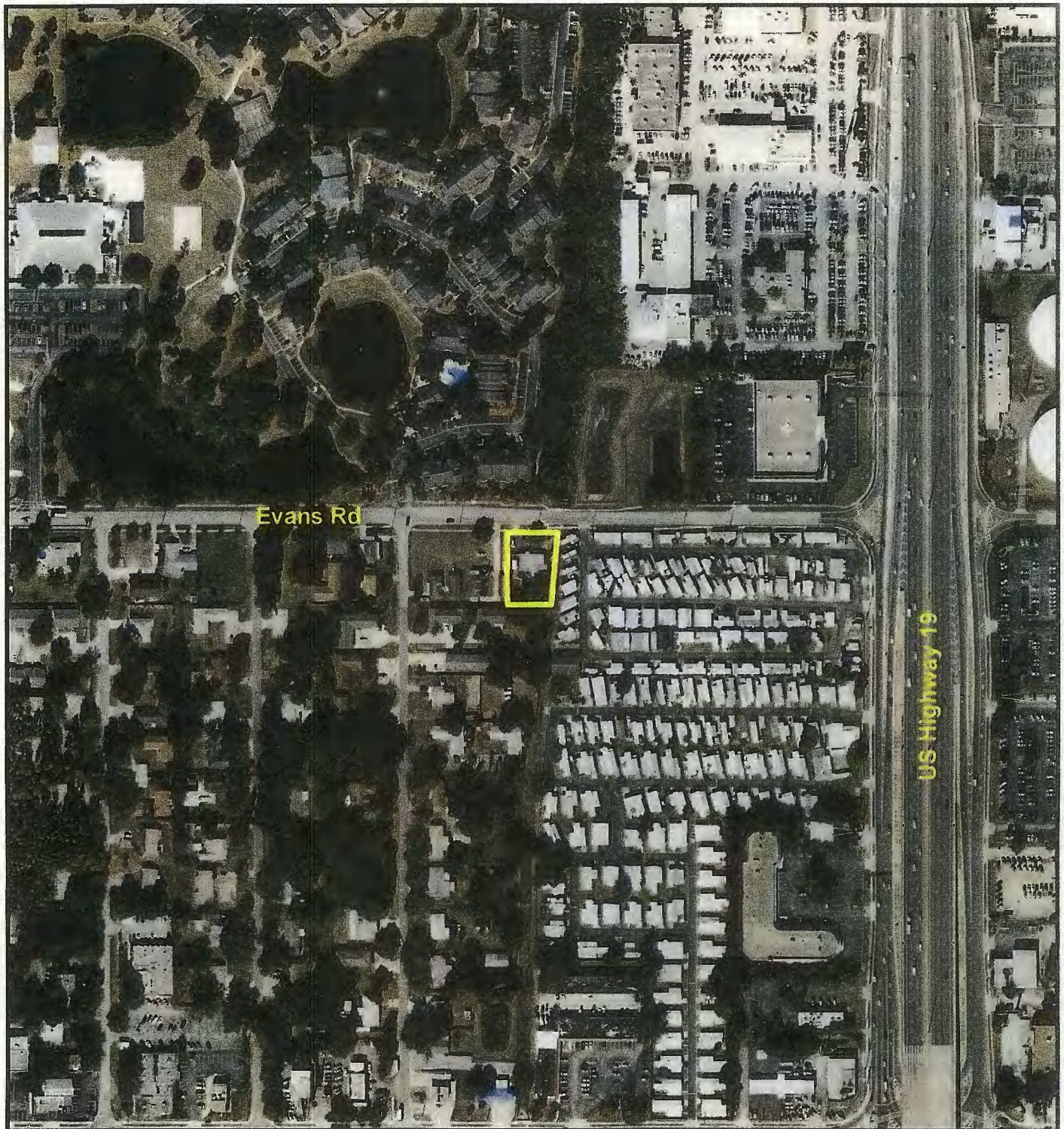


1" = 26,000'









### Map 5 - Aerial

FROM: Residential Low Medium

TO: Residential/Office Limited

AREA: 0.4

CASE #: CW14-14

JURISDICTION: Pinellas County



**PRC** PINELLAS  
PLANNING  
COUNCIL



**PAC AGENDA – SUMMARY AGENDA ACTION SHEET**  
**DATE: MAY 5, 2014**

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING MARCH 31, 2014</u>	<u>Approved</u> Motion: Michelle Orton Second: Dean Neal	8 – 0
II. <u>REVIEW OF PPC AGENDA FOR MAY 14, 2014</u> A. <u>Subthreshold Land Use Plan Amendments</u> 1. CW 14-14: Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Bob Klute	9 – 0
B. <u>Regular Land Use Plan Amendments</u> A. Case CW 14-15: City of Seminole	<u>Approved</u> Motion: Dean Neal Second: Bob Klute	9 – 0
B. Case CW 14-16: City of St. Petersburg	<u>Approved with Alternate Compromise Recommendation and Amendment to Condition #4</u> Motion: Gordon Beardslee Second: Bob Klute  Derek Kilborn opened the discussion by stating that there were originally 7.3 acres in Parcels A and B. Discussion ensued regarding a variety of uses for the site. He provided information relative to what uses would be allowed on site, including many industrial uses. Discussion ensued regarding the industrial lands criteria and the recommendation to set aside a specific area for target employment use, including 2.8 acres. Additional discussion included the way in which the amendment could be conditioned using the Alternative Compromise Recommendation process and a development agreement as opposed to conditioning the approval for amendment of the City's Special Area Plan. A motion was made by Gordon Beardslee to recommend an alternate compromise to the staff recommendation as written with an amendment to condition #4; this was seconded by Bob Klute.	11 – 0
C. <u>Annexation Report – April 2014</u>	<u>No Action – Information Only</u> Michael Schoderbock gave a synopsis of the report.	
D. <u>CPA Actions April 2014</u>	<u>No Action – Information Only</u> Michael Crawford gave details on Dunedin's 375 Patricia Avenue Special Area Plan.	

E. <u>MPO/PPC Unification Update</u>	<u>No Action – Information Only</u> Michael Schoderbock provided a summary of the recent Joint MPO/PPC Executive Committee Meeting.	
F. <u>Countywide Rules Update – Local Government 60-Day Review Package</u>	<u>No Action – Information Only</u> Chris Mettler and Mike Crawford led the discussion on this item. It was noted that the goal is to send this out by June 1 <sup>st</sup> to local governments for review and comment within a 60-day period. The next step would involve presentation at the September PPC meeting. Lauren Matske questioned the policy for community gardens and requested clarification on how density and intensity were to be calculated in the new categories. It was agreed that community gardens would be discussed in more detail when the Countywide Rule Amendments were brought back and information on density and intensity calculations was provided.	
III. <u>OLD BUSINESS</u>	<u>None</u>	
IV. OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA	<u>None</u>	
V. <u>ADJOURNMENT</u>		2:46 pm

Respectfully Submitted,

\_\_\_\_\_  
PAC Chairman

\_\_\_\_\_  
Date

DISCLOSURE OF INTEREST STATEMENT  
PINELLAS COUNTY PLANNING COUNCIL CASE NUMBERSUBMITTING GOVERNMENT ENTITY: PINELLAS COUNTYPPC OR CITY/TOWN CASE NUMBER: Z/LU-5-2-14

PROPERTY OWNER(S):

Name: McClellan Ningard

Name: \_\_\_\_\_

Address: 2335 Evans Road  
Clearwater, FL 33763

Address: \_\_\_\_\_

ANY OTHER PERSONS HAVING ANY OWNERSHIP INTEREST IN THE SUBJECT PROPERTY:

Interest: N/A

Contingent:

Absolute:

Name: \_\_\_\_\_

A specific interest held:

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INDICATION AS TO WHETHER A CONTRACT EXISTS FOR SALE OF SUBJECT PROPERTY, IF SO:

Contract Is: N/A Contingent N/A Absolute

All Parties to Contract:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

INDICATION AS TO WHETHER THERE ARE ANY OPTIONS TO PURCHASE SUBJECT PROPERTY, IF SO:

All Parties to Option:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

ANY OTHER PERTINENT INFORMATION WHICH APPLICANT MAY WISH TO SUBMIT PERTAINING TO REQUESTED PLAN AMENDMENT:

Zoning change to P-1 a was also approved.

NUMBER TO BE ASSIGNED BY PLANNING COUNCIL STAFF

SUB-THRESHOLD PLAN AMENDMENTS  
APPLICATION FOR COUNTYWIDE FUTURE LAND USE PLAN AMENDMENTS

Please complete ALL the information below as accurate as possible, to ensure that the application for sub-threshold land use plan amendment can be processed efficiently. Processing will not be started and the application will not be officially accepted until this form has been completed. If additional space needed, please number and attach additional sheets.

I. COUNTYWIDE FLUP AMENDMENT INFORMATION

- |   |                                   |
|---|-----------------------------------|
| 1. Existing Countywide FLUP Designation | <u>Residential Low Medium</u>     |
| 2. Proposed Countywide FLUP Designation | <u>Residential/Office Limited</u> |

II. SITE DESCRIPTION

- |  |  |
|--|--|
| 1. Parcel Number(s) of area(s) proposed to be amended<br>(Include Section/Twp/Rng/Sub/Blk/Lot) | <u>30/28/16/07272/000/1390</u>   |
| 2. Acreage   | <u>0.36</u>  |
| 3. Location  | <u>The south side of Evans Road, 720 feet west of US 19 North (2335 Evans Road).</u> |

Please check the items below to ensure the requested information is included in the application package.

III. OTHER PERTINENT INFORMATION

- |  |            |
|--|------------|
| 1. Submittal letter from the local jurisdiction to the PPC requesting amendment to the FLUP                        | <u>N/A</u> |
| 2. Local Ordinance   | <u>N/A</u> |
| 3. Disclosure of interest statement containing the names, addresses of applicant/representative and property owner | <u>N/A</u> |
| 4. Map clearly indicating the amendment's location   | <u>N/A</u> |
| 5. Legal description   | <u>N/A</u> |