

BOARD OF COUNTY COMMISSIONERS

DATE: October 21, 2014

AGENDA ITEM NO. 15

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature:

Subject:

Request for Authority to Advertise Proposed Amendments to the Downtown Historic Palm Harbor Master Plan.

Department:

Planning & Development Services

Staff Member Responsible:

Jake Stowers, Interim Executive Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) AUTHORIZE A PUBLIC HEARING ON DECEMBER 16, 2014 TO CONSIDER AND RECEIVE PUBLIC COMMENT ON THE PROPOSED AMENDMENTS TO THE DOWNTOWN HISTORIC PALM HARBOR MASTER PLAN.

Summary Explanation/Background:

The proposed Ordinance to amend the Downtown Historic Palm Harbor Master Plan coincides with proposed changes to the Old Palm Harbor-Downtown (OPH-D) zoning district involving the allowance of accessory outdoor sales and the addition of two types of permitted uses – *Artisan Establishments* and *Alcoholic Beverage Production Facilities*. The County has recently received inquiries from individuals expressing interest in establishing breweries and wineries in Downtown Palm Harbor. The proposed changes will allow that to occur. The list of permitted uses within the Downtown Historic Palm Harbor Master Plan and the OPH-D zoning district must remain consistent. Changes to the OPH-D district will be evaluated as a separate item.

At this time, staff is seeking authority from the Board to advertise the public hearings required to adopt the Ordinance amending the Downtown Historic Palm Harbor Master Plan. If authorized, the Local Planning Agency (LPA) will review the Ordinance at a public hearing and make a recommendation to the Board. That hearing is planned for November 13, 2014, prior to the first Board hearing on December 16, 2014. Because it is a Special Area Plan, the Master Plan amendment will also require a public hearing by the Pinellas Planning Council (PPC), anticipated for January 2015. The PPC will provide a recommendation to the Countywide Planning Authority (CPA). Final action by the Board/CPA is planned for February 2015.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

Proposed Ordinance (strikethrough/underline version and clean version)

DOWNTOWN HISTORIC PALM HARBOR MASTER PLAN

STRIKETHROUGH/UNDERLINE VERSION

ORDINANCE NO. 15-__

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE DOWNTOWN HISTORIC PALM HARBOR MASTER PLAN, BY AMENDING THE PERMITTED USES TABLE WITHIN THE SECTION ON THE DOWNTOWN REVITALIZATION CODE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT A PUBLIC HEARING AND/OR WITH RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County and the community of Palm Harbor have worked together since the early 1990s to protect the historical integrity of Downtown Palm Harbor; and

WHEREAS, in 1994, the Pinellas County Board of County Commissioners established the Downtown Palm Harbor Historic District to support the community's efforts to recognize and protect the unique heritage of this unincorporated area of north Pinellas County; and

WHEREAS, in 1997 the voters of Pinellas County approved a referendum extending the Penny for Pinellas Infrastructure Sales Tax for another ten years, which included a commitment to fund streetscape improvements in Downtown Palm Harbor; and

WHEREAS, in 1998, the residents and business owners in Old Palm Harbor developed a Vision Statement emphasizing that Old Palm Harbor and its Downtown is a special place worthy of protection; and

WHEREAS, the Pinellas County Comprehensive Plan includes an objective to assist communities in providing opportunities and/or public facilities and other features that promote a community's identity and maintain its unique character; and

WHEREAS, the local community and the County coordinated working with a consultant team to assist them in developing a Master Plan to include a conceptual streetscape plan, a basic framework for a new zoning district for Downtown Palm Harbor, and other components necessary to achieve the Vision for Old Palm Harbor and to complete the streetscape improvements approved in 1997 by the voters; and

WHEREAS, local residents, property and business owners, County staff, and the Downtown Palm Harbor Main Street Program worked with the consultant team to develop a draft Downtown Historic Palm Harbor Master Plan in the Fall of 2000; and

WHEREAS, the Downtown Historic Palm Harbor Master Plan (Master Plan) was adopted by the Board of County Commissioners on December 18, 2001; and

WHEREAS, the Master Plan contains a table in the Downtown Revitalization Code section that lists uses that are permitted in Downtown Palm Harbor; and

WHEREAS, After adoption of the Master Plan, the Board of County Commissioners established the Old Palm Harbor-Downtown (OPH-D) Zoning District to implement provisions of the Master Plan ; and

WHEREAS, County staff has recently received inquiries from individuals expressing interest in establishing certain uses not currently permitted in the OPH-D Zoning District; and

WHEREAS, County staff has developed proposed amendments to the OPH-D Zoning District that would allow for additional permitted uses in response to these inquiries; and

WHEREAS, the County Planning Department met with the Downtown Palm Harbor Merchants Association on September 10, 2014 to notify property and business owners and receive their input on proposed changes to the OPH-D Zoning District; and

WHEREAS, County staff has drafted proposed amendments to the Master Plan that support the proposed changes to the OPH-D Zoning District; and

WHEREAS, the Pinellas County Local Planning Agency (LPA) held a public hearing to receive public comment on the proposed amendments to the Master Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida, in regular meeting duly assembled on this __ day of ____, 2015, that:

SECTION 1. The Downtown Historic Palm Harbor Master Plan is hereby amended to amend the Permitted Uses table within the Downtown Revitalization Code section of the Master Plan as follows:

PROPOSED USES THAT WOULD BE PERMITTED IN DOWNTOWN PALM HARBOR

| PERMITTED USES | CURRENT FORMER ZONING DISTRICTS | PROPOSED OPH-D DISTRICT (Sub-districts) |
|--|--|--|
| Single Family Dwellings | R-4 | West |
| Duplex and Triplex Dwellings | R-4 | East and West |
| Multiple Family Dwellings | None | East and West |
| Accessory Dwelling Units | R-4, P-1, C-1, C-2 | East and West |
| Home Occupations | R-4 | East and West |
| Bed and Breakfast Facility (Up to 10 Guest Rooms) | P-1, C-1, C-2 | East and West |
| Offices for Professional Services | P-1, C-1, C-2 | East and West |
| Medical Clinic | P-1, C-1, C-2 | East* |
| Medical and Dental Offices | P-1, C-1, C-2 | East |

| PERMITTED USES | CURRENT FORMER ZONING DISTRICTS | PROPOSED OPH-D DISTRICT (Sub-districts) |
|---|--|--|
| Veterinarian's Office | P-1, C-1, C-2 | East* |
| Scientific Research and Laboratory | P-1, C-1, C-2 | East* |
| Studios for Instruction and Teaching Only | P-1, C-1, C-2 | East and West |
| Galleries for Artists, Photographers, etc. | C-2 | East and West |
| School, Public or Private | P-1, C-1, C-2 | East* |
| Funeral Homes | P-1, C-1, C-2 | None |
| Bank Facilities | P-1, C-1, C-2 | East |
| Day Care Center | R-4(SE)**, P-1, C-1, C-2 | East* and West |
| Churches | P-1, C-1, C-2 | East* |
| Personal Services | C-1, C-2 | East |
| Retail Business or Commercial Use that serves the immediate needs of the neighborhood (No <u>Accessory</u> outdoor sales) | C-1, C-2 | East |
| General Retail Sales (No <u>Accessory</u> outdoor sales) | C-2 | East |
| <u>Artisan Establishments</u> | <u>Not Applicable</u> | <u>East</u> |
| Eating and Drinking Establishments | C-1 (50 seats or less) C-2 | East |
| <u>Alcoholic Beverage Production Facilities</u> | <u>Not Applicable</u> | <u>East</u> |
| Outdoor Sales, Display and Rental of Vehicles, Boats and Mobile Homes | C-2 | None |
| Hotels and Motels up to 30-40 units per acre | C-2 | None |
| Veterinary Hospitals and Kennels when entirely confined within a building | C-2 | None |
| Bowling Alley, Skating Rink and similar indoor amusements | C-2 | None |
| Indoor Theaters | C-2 | East* |
| Auto Repairs within an enclosed building | C-2 | None |
| Household Goods Repair | C-2 | East |
| Service Stations | C-2 | None |

| PERMITTED USES | CURRENT FORMER ZONING DISTRICTS | PROPOSED OPH-D DISTRICT (Sub-districts) |
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| Wholesale Distribution Facilities within completely enclosed buildings | C-2 | None |
| Hospitals | C-2 | None |
| Government Buildings and Public Uses | C-2 | East* |
| Nursing Homes | C-2 | None |
| Mini-Storage Warehousing | C-2 | None |
| Congregate Care Facilities | C-2 | None |

*Within the Downtown Core east of Alternate US Highway 19 between Nebraska Avenue and Georgia Avenue these uses are not permitted on the first floor.

**Allowed only if approved as a Special Exception by the Board of Adjustment.

SECTION 2. Severability

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 3. Inclusion in the Downtown Historic Palm Harbor Master Plan

The provisions of this Ordinance shall be included and incorporated in the Downtown Historic Palm Harbor Master Plan as an amendment thereto.

SECTION 4. Filing of Ordinance; Effective Date

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State.

DOWNTOWN HISTORIC PALM HARBOR MASTER PLAN

CLEAN VERSION

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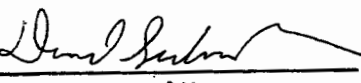
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APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 
Attorney