

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** December 16, 2014

**AGENDA ITEM NO.** 32

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

 **County Administrator's Signature:**

**Subject:**

Proposed Amendments to the Downtown Historic Palm Harbor Master Plan.

**Department:**

Planning Department

**Staff Member Responsible:**

Gordon Beardslee, Director

**Recommended Action:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) CONDUCT THE FIRST OF TWO PUBLIC HEARINGS 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 amendments to the Old Palm Harbor-Downtown (OPH-D) zoning district involving the allowance of accessory outdoor sales and the addition of *Artisan Establishments* and *Alcoholic Beverage Production Facilities* as permitted uses. 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 require an amendment to the Pinellas County Land Development Code and approval by the Board.

The Local Planning Agency (LPA) unanimously recommended approval of the proposed ordinance during their November 13, 2014 public hearing. This is the first of two required public hearings by the Board. 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 14, 2015. The PPC will provide a recommendation to the Countywide Planning Authority (CPA). Final action by the Board/CPA is planned for February 10, 2015.

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

N/A

**Exhibits/Attachments Attached:**

LPA Report and Recommendation

Map of the Old Palm Harbor-Downtown Zoning District

Proposed Ordinance (strikethrough/underline version and clean version)



## **LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the Board of County Commissioners**



### **Regarding: Proposed Amendments to the Downtown Historic Palm Harbor Master Plan**

**LPA Recommendation:** The LPA finds that the proposed Ordinance amending the Downtown Historic Palm Harbor Master Plan is consistent with the Pinellas County Comprehensive Plan and recommends the Board of County Commissioners adopt the proposed amendments.

(The Vote was 7-0, in favor)

**LPA Report No. MP-27-11-14**

***LPA Public Hearing Date: November 13, 2014***

### **PLANNING STAFF RECOMMENDATION:**

- Staff recommends that the LPA find the proposed Ordinance amending the Downtown Historic Palm Harbor Master Plan consistent with the Pinellas County Comprehensive Plan.
- Further, staff recommends that the LPA recommend approval of the proposed Ordinance to the Pinellas County Board of County Commissioners following required public hearings.

### **STAFF DISCUSSION AND ANALYSIS**

The Board of County Commissioners adopted the Downtown Historic Palm Harbor Master Plan on December 18, 2001. The purpose of the Master Plan is to enhance the image of, and investment in, Downtown Palm Harbor by protecting its historic inheritance and providing spaces for public interaction. The Master Plan provides direction for both public and private projects, and outlines a continuity of design features that are compatible with the Downtown Palm Harbor Historic District. Furthermore, the Master Plan formalizes and documents the decisions that were arrived at by the community and the County working together with a consultant team in planning for the future of Downtown.

Based on the Master Plan, the County later created the Old Palm Harbor-Downtown (OPH-D) Zoning District, which provides development standards and criteria unique to Downtown Palm Harbor. The area encompassed by the OPH-D District is comprised of a West sub-district and an East sub-district separated by Alternate U.S. Highway 19 (see attached map). The East

sub-district generally allows a broader set of uses and has different development criteria than the West sub-district.

This current proposal is to amend the Downtown Historic Palm Harbor Master Plan to allow for accessory outdoor sales and the addition of two permitted uses – *Artisan Establishments* and *Alcoholic Beverage Production Facilities*. All of these changes would apply only to the East Sub-District. 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. County staff met with the Downtown Palm Harbor Merchants Association on September 10, 2014 to obtain their ideas and feedback regarding these changes. The Master Plan amendments coincide with similar proposed changes to the OPH-D zoning district. 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.

The framework of the Downtown Historic Palm Harbor Master Plan is based largely on the 1998 Vision Statement for Downtown Historic Palm Harbor. The Vision Statement contains four major components: Image (Community Character – small town atmosphere), Inheritance (Community Heritage – historic design), Interaction (Sense of Community – gathering places), and Investment (Local Businesses – mix, growth and utilization). The Master Plan translates these four vision components into physical plans for streetscape, roadway and drainage improvements, zoning regulation, and aesthetic design. The proposed amendments to the Master Plan are consistent with the four components of the Vision Statement as follows:

- Community Character – The proposed new uses will be restricted in size and scale both by regulations within the OPH-D zoning district and the limiting factor of the small lot sizes within the area. Accessory outdoor sales will also be regulated via zoning standards to ensure compatibility with surrounding uses.
- Community Heritage – Zoning regulations will ensure that the community's historic identity will not be compromised. The proposed new uses fit well within the historic district and can complement other uses in the area. For example, Artisan Establishments allow for practices may have an historical basis and even an educational component (e.g. craft working). Accessory outdoor sales may even enhance the historic feel of the community by harkening back to a time when such practices were commonplace.
- Sense of Community – The proposed amendments will promote a sense of community by providing additional opportunities for people to gather and interact. The new uses will require retail components within a certain portion of the downtown area, and will provide opportunities for artisans and craft workers to demonstrate and teach their skills and techniques. Accessory outdoor sales areas will enhance opportunities for people to meet and interact in an outdoor setting.
- Local Businesses – The proposed amendments were largely derived from requests from local businesses interested in doing something new within the community. The new uses will provide new opportunities for local businesses to establish, grow and flourish. The new uses will not compromise the existing mix of uses and will both serve the local community and attract visitors to Downtown Palm Harbor.

The proposed amendments are also consistent with the other components of the Downtown Historic Palm Harbor Master Plan. The new uses are not out of scale with the existing mix of

allowed uses, are pedestrian friendly and walkable, and should not detrimentally impact roads, sewer, water or parking. The latest Concurrency Test Statement provided by Pinellas County showed sewer and water demand in the area well within acceptable limits with no existing or projected capacity deficits. A relatively recent parking study performed within Downtown Palm Harbor showed ample availability of on-street parking that should be able to accommodate any additional parking demand. All of Downtown Palm Harbor is located within ½ mile of Alternate US 19, which is considered a constrained roadway. New development projects will therefore be required

The proposed Ordinance is scheduled for a public hearing by the Board of County Commissioners on December 16, 2014. Because the Downtown Historic Palm Harbor Master Plan is considered a Special Area Plan, amendments to it require review by the Pinellas Planning Council (PPC), who in turn provides a recommendation to the Countywide Planning Authority (CPA) for final approval. The PPC public hearing is anticipated for January 2015 followed by the CPA public hearing on February 10, 2015. The process to amend the OPH-D zoning district will coincide with this schedule.

<p style="text-align: center;"><b>IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN</b></p>
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The proposed Ordinance to amend the Downtown Palm Harbor Historic Master Plan is consistent with the following adopted objective and policies of the Pinellas County Comprehensive Plan:

**Planning to Stay Element:**

Sustain a Quality Urban Community and Promote Strong Neighborhoods and Diverse Housing Opportunities

Principle 2: A distinguishing characteristic of Pinellas County is the presence of a diverse mix of cities, small towns and suburban communities on a small peninsula. This variety of urban environments provides people with a choice of lifestyles, and retaining and enhancing these distinctive community characteristics will ensure that they remain vital and successful communities.

Principal 4: Pinellas County will continue to support efforts to create, or recreate, lively and dynamic areas of mixed-use. Revitalization efforts have so far focused primarily on historic downtowns, neighborhood commercial centers, and older commercial corridors. These revitalized mixed-use areas provide vibrant places where urban life can be experienced first-hand on foot. They also create a conducive environment for the type of residential development where services and amenities are often within walking distance.

**Future Land Use and Quality Communities Element:**

1.3.4. Policy: Use of the Community Redevelopment District-Activity Center Future Land Use Map (FLUM) category shall require a special area plan approved by

the Board of County Commissioners. The special area plan shall, at a minimum, address the following:

- a. Permitted uses and locational criteria;
- b. Density and intensity standards;
- c. Provisions for mixed use;
- d. Design guidelines, if any;
- e. Provisions for affordable housing and employment, if any;
- f. Provisions that achieve a walkable area;
- g. Impacts on public services and facilities;
- h. Integration with planned and existing mobility systems;
- i. Integration and compatibility with the surrounding community;
- j. Incentives that may be offered to encourage development that has an overall community benefit; and
- k. Consistency with the Pinellas County Comprehensive Plan.

1.3.8. Policy: Mixed-use development shall create a strong sense of community identity through consideration of such mechanisms as optional and/or required urban design and architectural design criteria, recognizing historic setback patterns and lot sizes, the creation of places that are oriented to the pedestrian and alternative modes of travel such as bicycle use, providing green space and landscaping in public spaces, and other appropriate mechanisms that may be specific to a particular location.

1.17 Objective: Pinellas County shall preserve and seek to enhance established community values, a community's unique identity, and their social support structure, and will make decisions that are in concert with a community's established vision for their future.

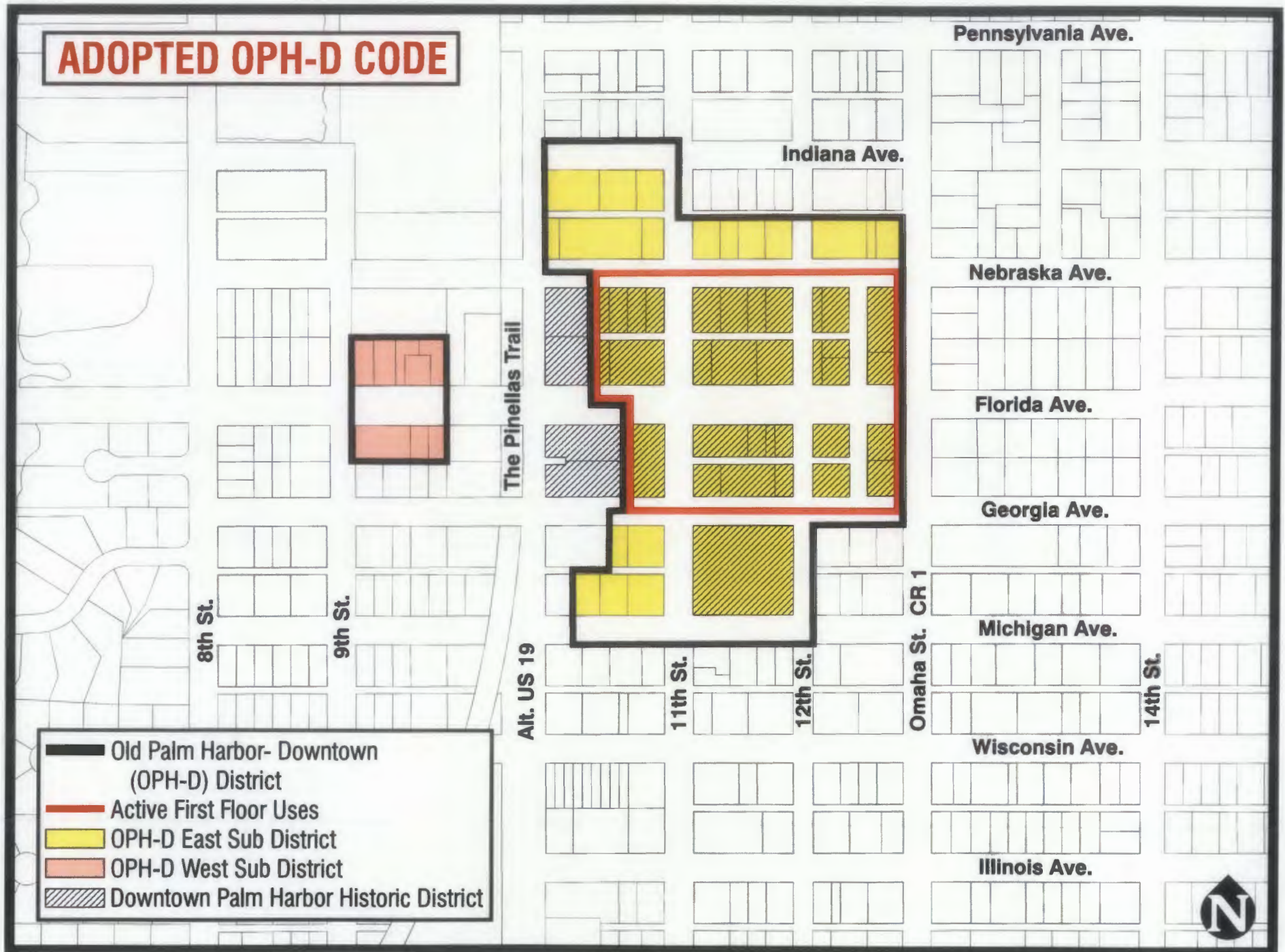
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**BCC Public Hearing Date:** December 16, 2014

**ATTACHMENTS:**

Map of the Old Palm Harbor-Downtown Zoning District  
Proposed Ordinance (strike-through/underline version)

# ADOPTED OPH-D CODE



# **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**

<b>PERMITTED USES</b>	<b><u>CURRENT FORMER ZONING DISTRICTS</u></b>	<b>PROPOSED OPH-D DISTRICT (Sub-districts)</b>
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

<b>PERMITTED USES</b>	<b>CURRENT FORMER ZONING DISTRICTS</b>	<b>PROPOSED OPH-D DISTRICT (Sub-districts)</b>
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 ( <del>Ne</del> <u>Accessory</u> outdoor sales)	C-1, C-2	East
General Retail Sales ( <del>Ne</del> <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

<b>PERMITTED USES</b>	<b>CURRENT FORMER ZONING DISTRICTS</b>	<b>PROPOSED OPH-D DISTRICT (Sub-districts)</b>
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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Congregate Care Facilities	C-2	None

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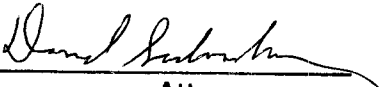
## **SECTION 3. Inclusion in the Downtown Historic Palm Harbor Master Plan**

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**

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APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By   
Attorney