

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** February 10, 2015

**AGENDA ITEM NO. /**

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

**County Administrator's Signature:**

**Subjects:**

Proposed Subthreshold Amendment to the Countywide Plan Map

**Department:**

Planning

**Staff Member Responsible:**

Gordon Beardslee, Director

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS, SITTING AS THE COUNTYWIDE PLANNING AUTHORITY (CPA), CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 15-1 OF PINELLAS COUNTY.

**Summary Explanation/Background:**

Planning Department staff recommends approval of this proposed amendment as described in the Pinellas Planning Council (PPC) documentation.

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

N/A

**Exhibits/Attachments Attached:**

Council Documentation

PS



## COUNCIL MEMBERS

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www.pinellasplanningcouncil.org

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Commissioner Michael Smith  
Commissioner John Tornga

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

THROUGH: Mark S. Woodard, County Administrator

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

Michael C. Crawford, AICP  
Interim Executive Director

DATE: February 10, 2015

SUBJECT: Proposed Subthreshold Amendment to the Countywide Plan Map

### **Recommendation:**

THE PINELLAS PLANNING COUNCIL RECOMMENDS THE BOARD OF COUNTY COMMISSIONERS (BOARD), IN YOUR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY, CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 15-1 AS SUBMITTED BY PINELLAS COUNTY.

### **Summary Explanation/Background:**

The Countywide Planning Authority has received one case concerning a subthreshold amendment to the Countywide Future Land Use Plan that was reviewed by the Pinellas Planning Council on January 14, 2015.

### **Case CW 15-1 – Pinellas County:**

1.3 acres more or less, located at 6951 County Road 95; proposed to change from Residential Low to Residential Urban.

This amendment by Pinellas County qualifies as a Type B Subthreshold amendment, since it is less than three acres in size and within the same major classification. The subject site contains a single family home. The owner of the property currently has no redevelopment plans. However, future development potential on the property will increase from a maximum of 7 residential units to 10 residential units.

***The PPC, by a vote of 11-0, recommended approval of Case CW 15-1.***

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

None

### **Exhibits/Attachments:**

Proposed Ordinance  
Council Documentation

PUBLIC HEARING ITEM

Case CW 15-1

Pinellas County

ORDINANCE NO. 15-\_\_\_\_\_

AN ORDINANCE AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 15-1 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, 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 2012-245, Laws of Florida; 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 a proposed amendment which was considered at a public hearing by the Pinellas Planning Council on January 14, 2015, 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.

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 February 10, 2015, as follows:

Section 1. Amending the Countywide Future Land Use Plan

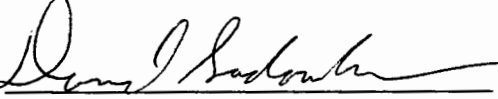
The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4, as amended, is amended to reflect the changes adopted as follows:

#CW 15-1      1.3 acres m.o.l., located at 6951 County Road 95, from Residential Low to Residential Urban

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. 37a  
BCC 10-21-14  
2:03 P.M. Futch/Masinovsky/Todd/SCHMIDT

- #37a Resolution No. 14-97 adopted approving the application of Peter C. Krauser through Bruce Danielson, Representative, for a change of zoning from E-1, Estate Residential, to RPD-7.5, Residential Planned Development, 7.5 units per acre, and Ordinance No. 14-43 adopted approving a change in land use designation from Residential Low to Residential Urban (Z/LU-13-7-14), re approximately 1.28 acres located on the north side of County Road 95, 820 feet east of U.S. Highway 19, Palm Harbor (street address: 6951 County Road 95). The Local Planning Agency (LPA) recommended approval of the application based on the staff report. One letter in opposition in connection with the LPA hearing has been received. No citizens appeared to be heard.

Motion	-	Commissioner Morroni
Second	-	Commissioner Welch
Vote	-	7 – 0

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

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

**MEETING DATE:** January 14, 2015

**SUBJECT:** Amendment of the Countywide Future Lane Use Plan Map

**FROM:** Residential Low (RL)

**TO:** Residential Urban (RU)

**AREA:** 1.3 Acres m.o.l.

**CASE #:** CW 15-1

**JURISDICTION:** Pinellas County

**LOCATION:** 6951 County Road 95

**RECOMMENDATION:**

Council recommend to the Countywide Planning Authority that the proposed map amendment to Residential Urban be approved.

**I. BACKGROUND**

This proposed amendment is submitted by Pinellas County and seeks to reclassify a 1.3 acre parcel from Residential Low to Residential Urban. This amendment qualifies as a Type B Subthreshold amendment, since it is less than three acres in size and within the same major classification.

The subject site contains a single family home. The owner of the property currently has no redevelopment plans. However, future development potential on the property will increase from a maximum of 7 residential units to 10 residential units.

**II. FINDINGS**

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

- A. The proposed amendment qualifies as a subthreshold amendment (Type B); and
- B. The proposed amendment to Residential Urban recognizes the proposed use for the site and is consistent with the criteria for utilization of this category.

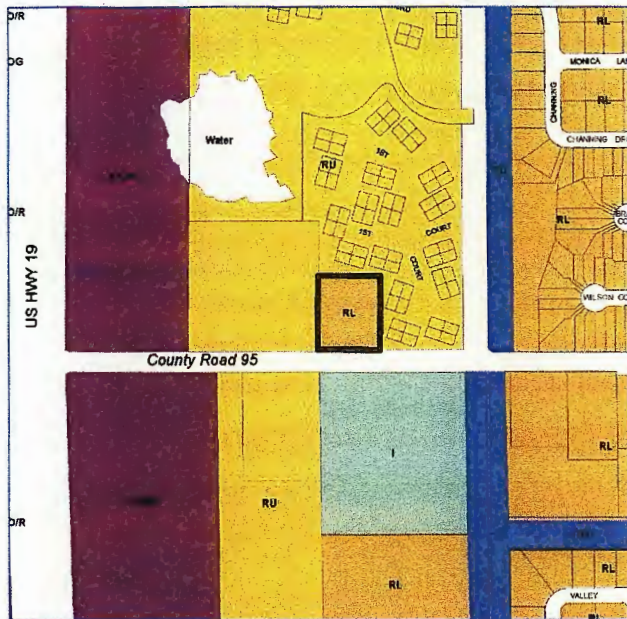
**PINELLAS PLANNING COUNCIL ACTION:**

The Council recommended approval of the amendment from Residential Low to Residential Urban (vote 11-0).

**COUNTYWIDE PLANNING AUTHORITY ACTION:**



**Map 1 – Current Future Land Use**



**Map 2 – Proposed Future Land Use**



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

The Council and Countywide Planning Authority (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 January 5, 2015 meeting, the PAC members discussed and recommended approval of the staff recommendation (vote 9-0).

### **IV. LIST OF MAPS & ATTACHMENTS**

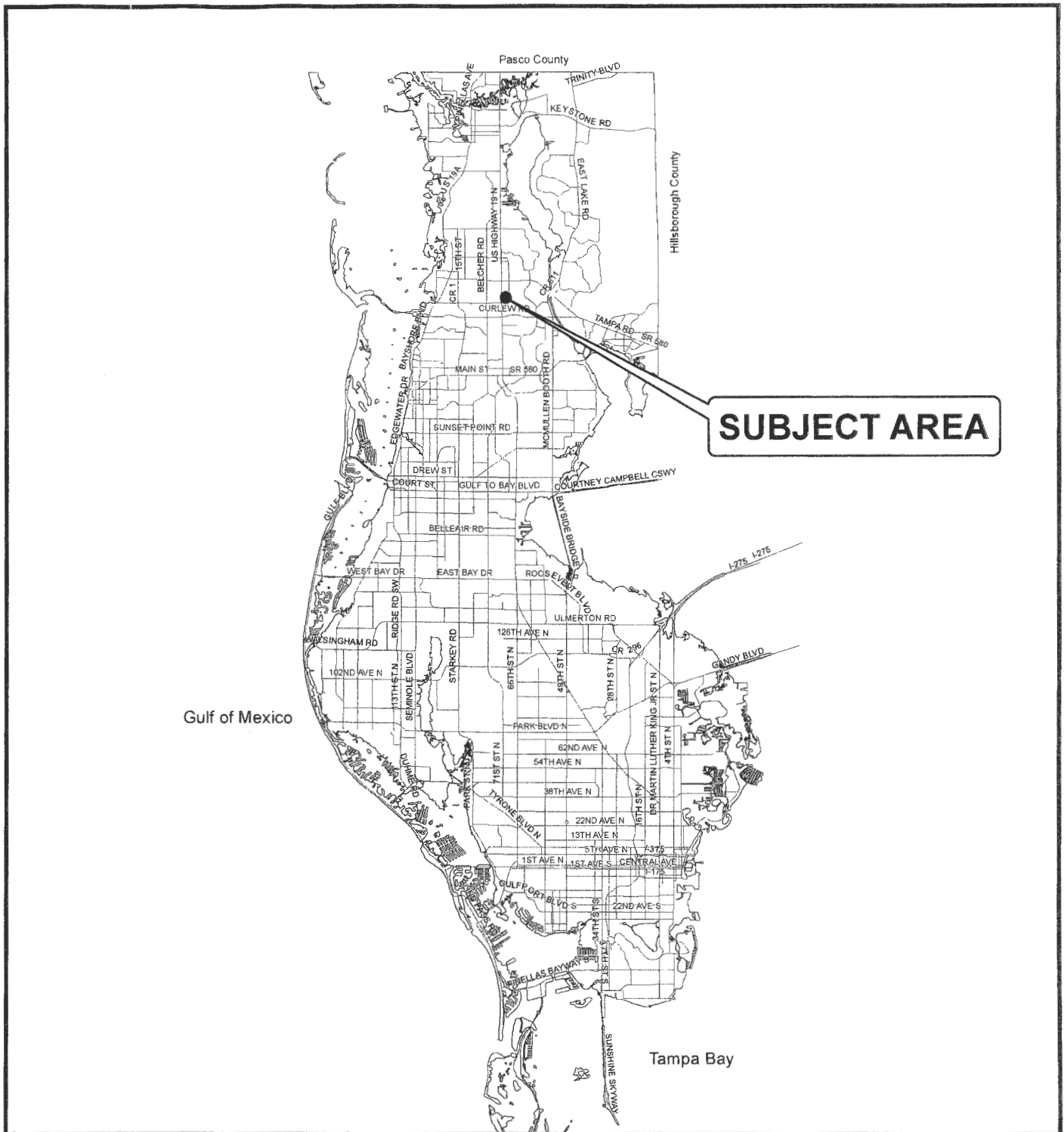
- Map 1 Current Countywide Plan Map
- Map 2 Proposed Countywide Plan Map
- Map 3 Location
- Map 4 Current Countywide Plan & Jurisdiction Map
- Map 5 Aerial

- Attachment 1 Draft PAC Summary Actions Sheet

### **V. SUPPORT DOCUMENTS – available only at [www.pinellasplanningcouncil.org](http://www.pinellasplanningcouncil.org) (see January 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

TO: Residential Urban

AREA: 1.3 Acres

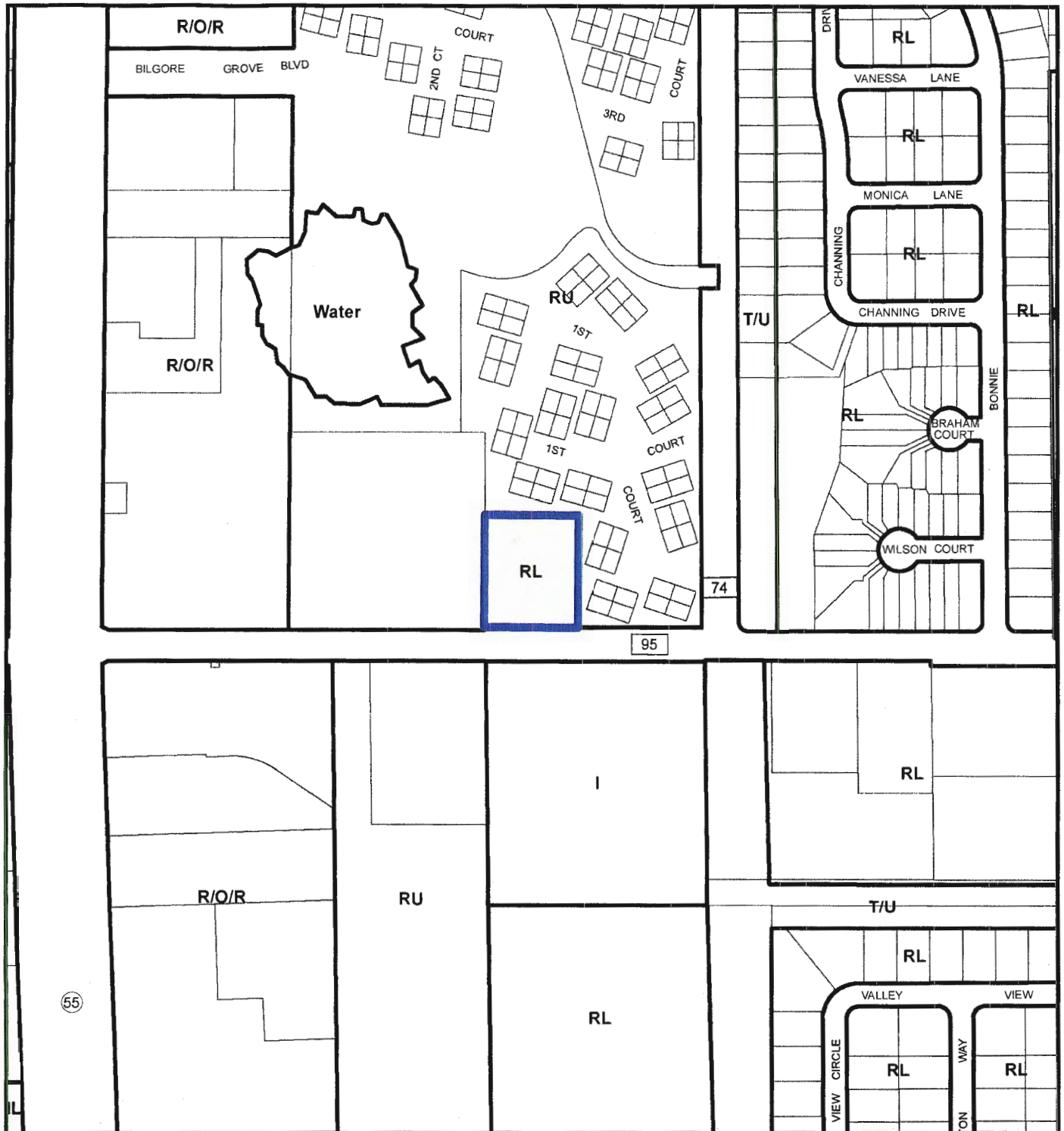
CASE #: CW15-1

JURISDICTION: Pinellas County



1" = 26,000'

**PRC** PINELLAS  
PLANNING  
COUNCIL



## Map 4 - Current Countywide Plan Map & Jurisdictional Map

FROM: Residential Low

TO: Residential Urban

AREA: 1.3 Acres

CASE #: CW15-1

### Jurisdictions

Jurisdiction Name

☐ Unincorporated



**PPC** PINELLAS  
PLANNING  
COUNCIL

JURISDICTION: Pinellas County



### Map 5 - Aerial

FROM: Residential Low

TO: Residential Urban

AREA: 1.3 Acres

CASE #: CW15-1

JURISDICTION: Pinellas County



**PRC** PINELLAS  
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**PAC AGENDA – SUMMARY AGENDA ACTION SHEET**  
**DATE: JANUARY 5, 2015**

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING OF DECEMBER 1, 2014</u>	<u>Approved</u> Motion: Dean Neal Second: Bob Klute	8 – 0
II. <u>REVIEW OF PPC AGENDA FOR JANUARY 5, 2015 MEETING</u> A. <u>Subthreshold Land Use Plan Amendments</u> 1. Case CW 15-1 – Pinellas	<u>Approved</u> Motion: Dean Neal Second: Marie Dauphinais	9 – 0
B. <u>Regular Land Use Plan Amendments</u> 2. Case CW 15-2 – Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Marie Dauphinais	11 – 0
C. Substantive Plan Change CW 02-29 (SAP Change No. 2-2015) – Pinellas County	<u>Approved</u> Motion: Dean Neal Second: Bob Klute	14 – 0
D. <u>CPA Actions – December 2014</u>	<u>No Action – Information Only</u>	
E. <u>Annexation Report – December 2014</u>	<u>No Action – Information Only</u>	
F. <u>Countywide Plan Update</u> 1. Countywide Plan Strategies – Preliminary Draft Amendments 2. Countywide Rules – Preliminary Draft Amendments 3. Countywide Plan Map – Preliminary Draft Amendments	<u>Approved</u> Motion: Dean Neal Second: Bob Klute  A motion was made that would allow full discussion of the Countywide Plan Update at the February 2 <sup>nd</sup> PAC meeting, with the intent of holding a public hearing in March.  Linda Fisher outlined the various updates since the last PAC meeting and noted that the most significant were to the Vision Map, which will continue to be updated as more comments are received. At the December PPC meeting, the Board indicated that a more future-oriented direction to this map was desired. It was also noted that the names of four residential categories had been changed to Residential Very Low, Residential Low, Residential Medium and Residential High and that staff is continuing to address comments as they are received. PAC members were requested to submit their final comments in two weeks so that the changes to the Countywide Plan could be voted on at the February 2 <sup>nd</sup> PAC meeting.	14 – 0

III. <u>OLD BUSINESS</u>	None.	
IV. <u>OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</u>	None.	
V. <u>ADJOURNMENT</u>	The meeting was adjourned at 2:59 pm.	

Respectfully Submitted,

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

\_\_\_\_\_  
Date

DISCLOSURE OF INTEREST STATEMENT  
PINELLAS COUNTY PLANNING COUNCIL CASE NUMBER

SUBMITTING GOVERNMENT ENTITY: PINELLAS COUNTY

PPC OR CITY/TOWN CASE NUMBER: Z/LU-13-7-14

PROPERTY OWNER(S):

Name: Peter C. Krauser Name: \_\_\_\_\_

Address: 11222 Roseate Drive Address: \_\_\_\_\_  
Tampa, FL 33626

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

Interest: \_\_\_\_\_ Contingent: \_\_\_\_\_ Absolute: \_\_\_\_\_

Name: N/A

A specific interest held:

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

Contract Is: \_\_\_\_\_ Contingent \_\_\_\_\_ 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:

Zone change from E-1 to RPD-7.5

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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</u>   |
| 2. Proposed Countywide FLUP Designation | <u>Residential Urban</u> |

**II. SITE DESCRIPTION**

- |  |   |
|--|---|
| 1. Parcel Number(s) of area(s) proposed to be amended<br>(Include Section/Twp/Rng/Sub/Blk/Lot) | <u>07/28/16/00000/430/0700</u>                                      |
| 2. Acreage   | <u>1.28</u>   |
| 3. Location  | <u>North side of CR 95., 820 ft.<br/>east of US 19, Palm Harbor</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<br>requesting amendment to the FLUP                        | <u>          </u> |
| 2. Local Ordinance  | <u>          </u> |
| 3. Disclosure of interest statement containing the names,<br>addresses of applicant/representative and property owner | <u>          </u> |
| 4. Map clearly indicating the amendment's location  | <u>          </u> |
| 5. Legal description  | <u>          </u> |