

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** June 2, 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

93

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS, SITTING AS THE COUNTYWIDE PLANNING AUTHORITY (CPA), CONDUCT A PUBLIC HEARING AND APPROVE CASE CW 15-10 OF PINELLAS COUNTY.

**Summary Explanation/Background:**

Planning Department staff recommends approval of this proposed amendment as described in the Pinellas Planning Council (PPC) documentation. The PAC recommended approval of this case by a vote of 10-0. The PPC recommended approval of this case by a vote of 9-0.

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

N/A

**Exhibits/Attachments Attached:**

Council Documentation

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www.pinellasplanningcouncil.org

Councilmember Jim Kennedy, *Chair*  
Commissioner John Morroni, *Vice-Chair*  
Commissioner Joanne "Cookie" Kennedy, *Secretary*  
Councilmember Doreen Hock-DiPolito, *Treasurer*  
Mayor Sandra Bradbury  
Mayor Julie Ward Bujalski  
Commissioner Dave Eggers  
Commissioner Cliff Merz  
Commissioner Kevin Piccarreto  
Councilmember Darden RicePP  
Commissioner Karen Williams Seel  
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: June 2, 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 15-10 AS SUBMITTED BY THE 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 May 13, 2015.

**Case CW 15-10 – Pinellas County:**

0.2 acres more or less, located at 11787 Walsingham Road; proposed to change from Residential Low to Commercial General.

This proposed amendment is submitted by Pinellas County and seeks to reclassify a parcel totaling 0.2 acres from Residential Low to Commercial General. This amendment qualifies as a Type A Subthreshold amendment, since it is less than one acre in size.

The subject site contains a vacant single family home. The owner of the property proposes to use this property for an office and storage of personal vehicles. A Development Agreement between the County and property owner will limit the site to these two uses.

***The PPC, by a vote of 9-0, recommended approval of Case CW 15-10.***

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

None

**Exhibits/Attachments:**

Proposed Ordinance  
Council Documentation

**PUBLIC HEARING ITEM**

**Case CW 15-10**

**Pinellas County**

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

AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE COUNTYWIDE FUTURE LAND USE PLAN OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 15-10 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 acting pursuant to its 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 Board of County Commissioners 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 May 13, 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 pursuant to its countywide planning authority, in regular meeting duly assembled on June 2, 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 15-10 0.2 acres m.o.l., located at 11787 Walsingham Rd., from Residential Low to Commercial General

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. 21  
BCC 03-24-15  
2:01 P.M. Abbott/Bartlett/Schmidt/TODD

- #21 Resolution No. 15-20 adopted approving the application of Dennis K. Brown and Deborah K. Pennington through Todd Pressman, Representative, for a change of zoning from R-3, Single Family Residential, to C-2, General Retail Commercial and Limited Services, a Variance to allow a 50-foot-wide C-2 Lot where an 80-foot-wide lot is required, and a Development Agreement allowing the interior personal storage of vehicles and a private office use for the owners, not to exceed 50 feet in height, and Ordinance No. 15-16 adopted amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use Designation from Residential Low to Commercial General on an approximately 0.23 acre property located on the north side of Walsingham Road, 300 feet east of 119th Street North (Street Address: 11787 Walsingham Road) in unincorporated Pinellas County (Z/LU-1-1-15). The Local Planning Agency recommended approval of the application based on the staff report. No correspondence has been received. No citizens appeared to be heard.

In response to query by Commissioner Welch, Zoning Manager Glenn Bailey indicated that the Development Agreement is attached to the land in perpetuity.

Motion	-	Commissioner Welch
Second	-	Commissioner Gerard
Vote	-	7 - 0

Affidavit of Publication

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

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

**MEETING DATE:** May 13, 2015

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

**FROM:** Residential Low (RL)

**TO:** Commercial General (CG)

**AREA:** 0.2 Acres m.o.l.

**CASE #:** CW 15-10

**JURISDICTION:** Pinellas County

**LOCATION:** 11787 Walsingham Rd.

**RECOMMENDATION:**

Council recommend to the Countywide Planning Authority that the proposed map amendment to Commercial General be approved.

**I. BACKGROUND**

This proposed amendment is submitted by the Pinellas County and seeks to reclassify a parcel totaling 0.2 acres from Residential Low to Commercial General. This amendment qualifies as a Type A Subthreshold amendment, since it is less than one acre in size.

The subject site contains a vacant single family home. The owner of the property proposes to use this property for an office and storage of personal vehicles. A Development Agreement between the County and property owner will limit the site to these two uses.

**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 Commercial General recognizes the proposed use for the site and is consistent with the criteria for utilization of this category.

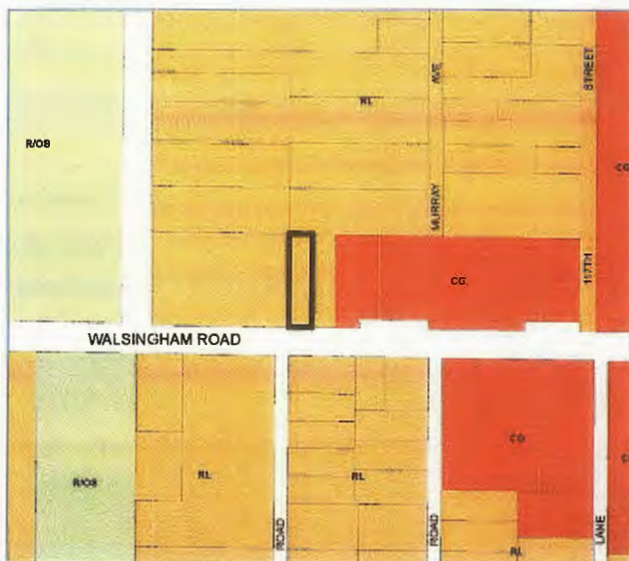
**Please see accompanying attachments and documents in explanation and support of the findings.**

**PINELLAS PLANNING COUNCIL ACTION:**

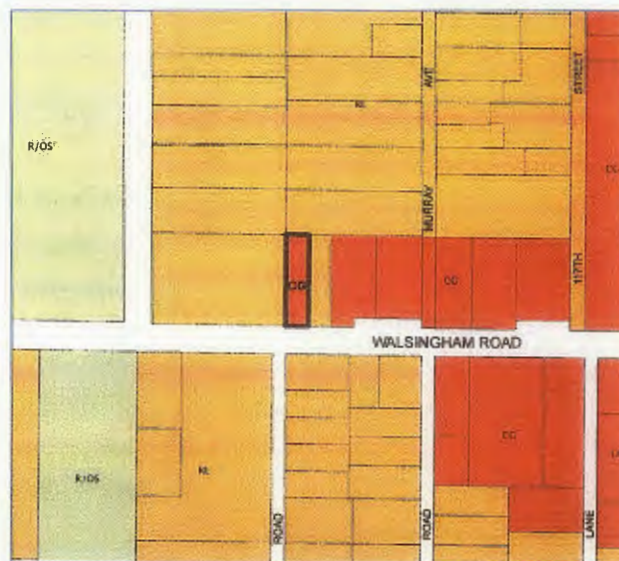
The Council recommended approval of the amendment from Residential Low to Commercial General (vote 9-0).

**COUNTYWIDE PLANNING AUTHORITY ACTION:**

**Map 1 – Current Future Land Use**



**Map 2 – Proposed Future Land Use**



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 May 4, 2015 meeting, the PAC members discussed and recommended approval of staff recommendation (vote 10-0).

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

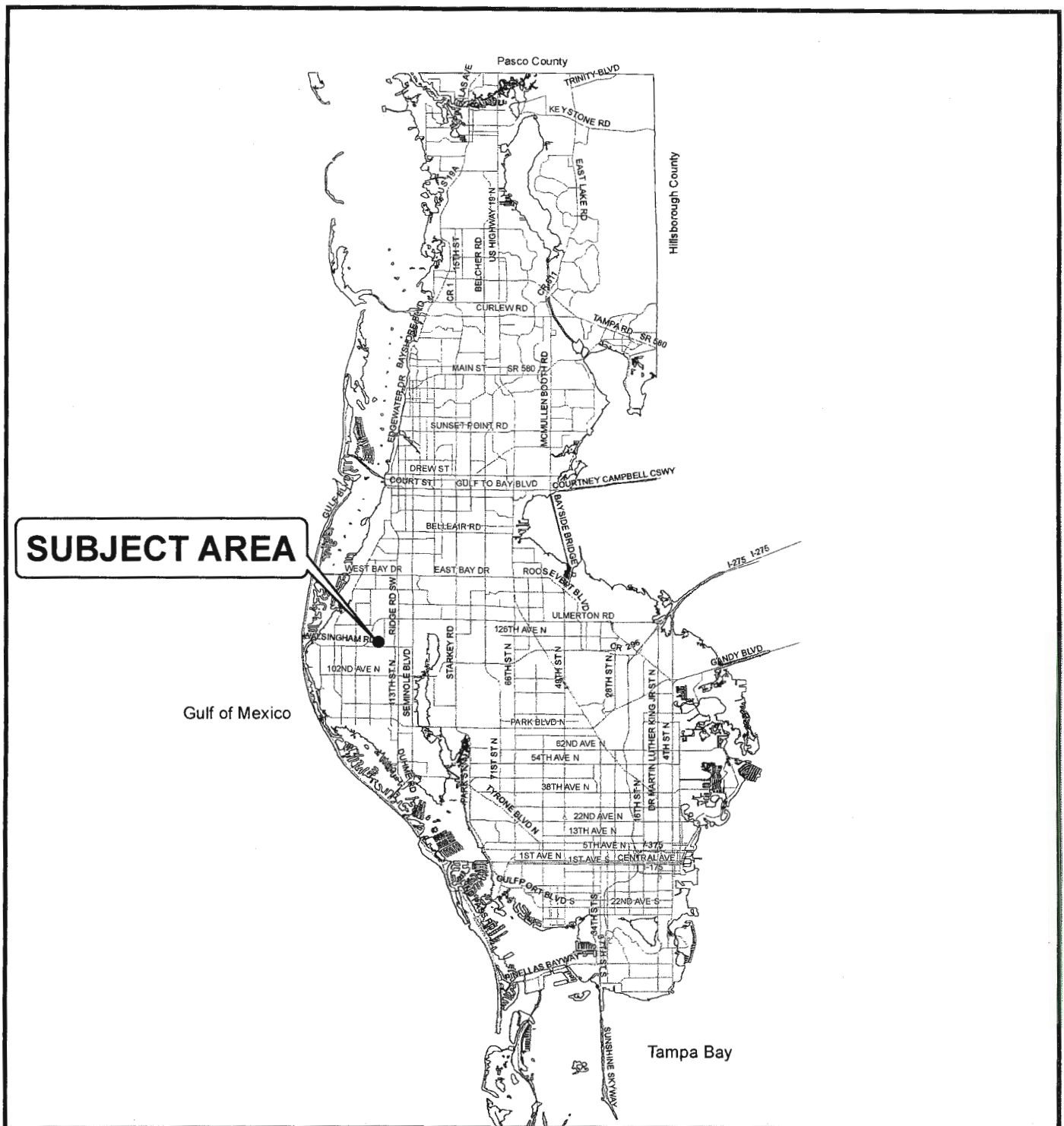
- Map 1      Current Countywide Plan Map
- Map 2      Proposed Countywide Plan Map
- Map 3      Location
- Map 4      Current Countywide Plan & Jurisdiction Map
- Map 5      Aerial

Attachment 1      Draft PAC Summary Actions Sheet

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

TO: Commercial General

AREA: 0.2 Acres

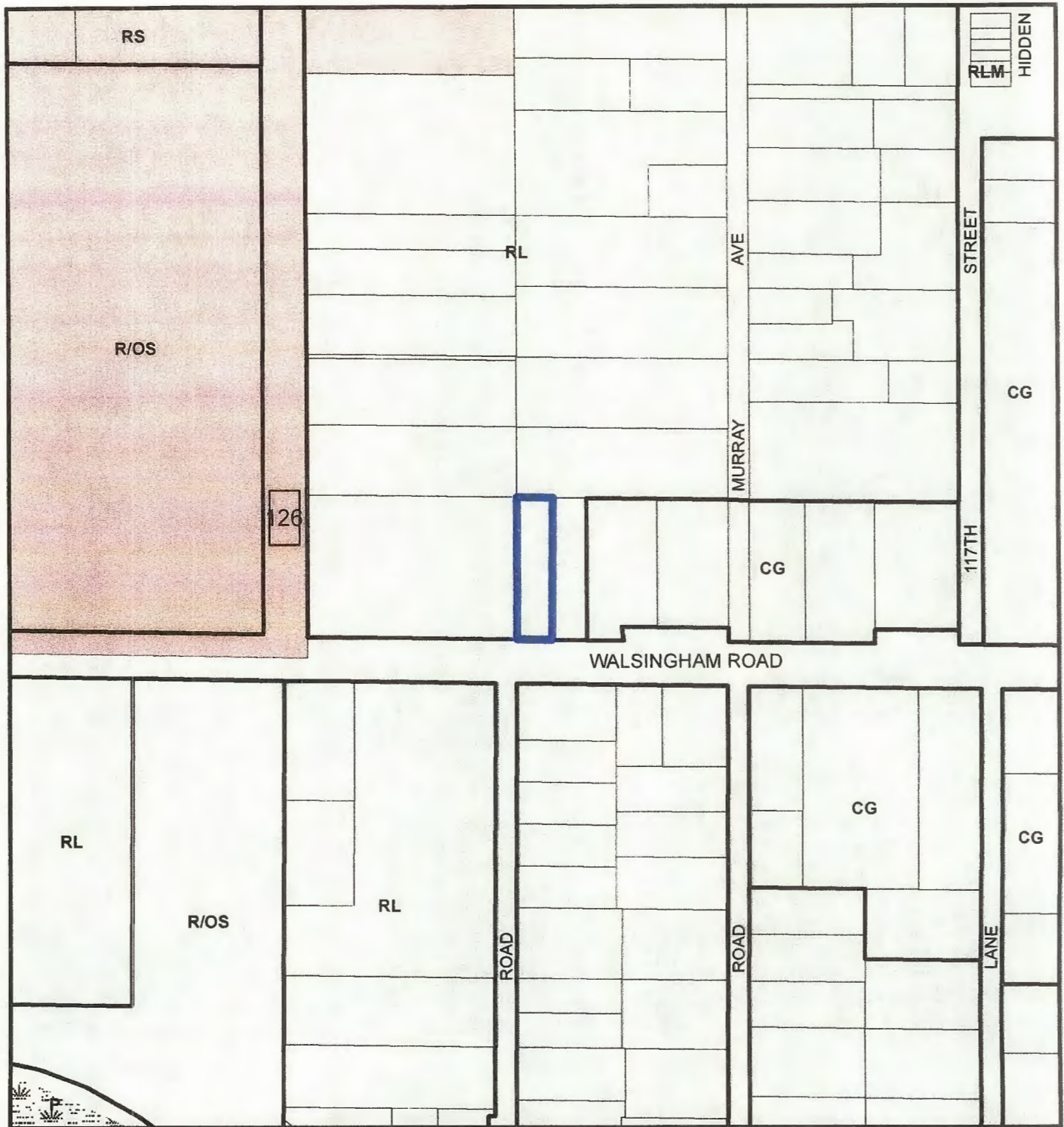
CASE #: CW15-10

JURISDICTION: Pinellas County



1" = 26,000'

**PPC** PINELLAS  
PLANNING  
COUNCIL



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

FROM: Residential Low

TO: Commercial General

AREA: 0.2 Acres

CASE #: CW15-10

### Jurisdictions

Jurisdiction Name

 Largo

 Unincorporated

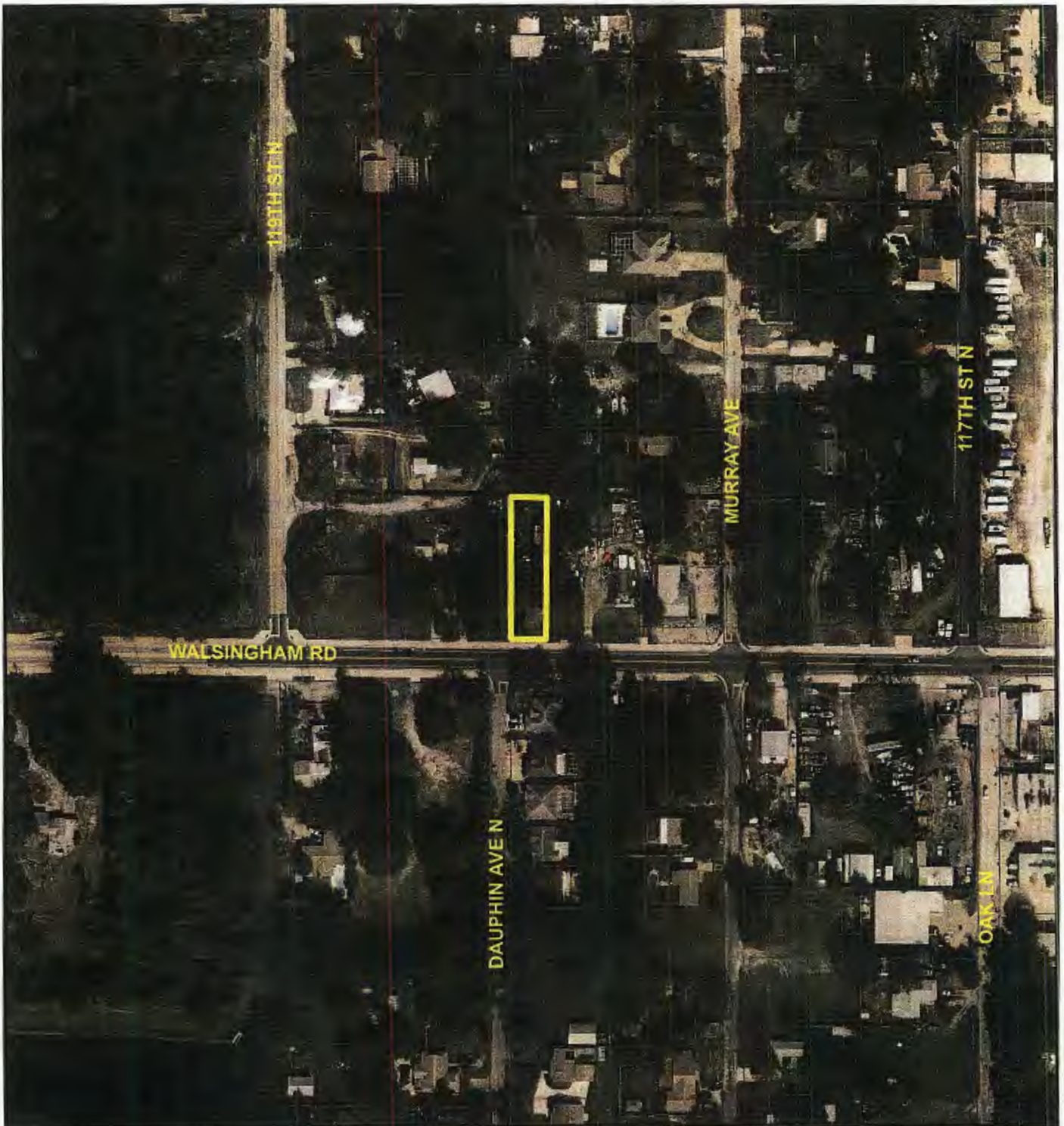


1" = 200'

**PPC** PINELLAS  
PLANNING  
COUNCIL

JURISDICTION: Pinellas County





### Map 5 - Aerial

FROM: Residential Low

TO: Commercial General

AREA: 0.2 Acres

CASE #: CW15-10

JURISDICTION: Pinellas County



**PPC** PINELLAS  
PLANNING  
COUNCIL

**PAC AGENDA – SUMMARY AGENDA ACTION SHEET**  
**DATE: MAY 4, 2015**

ITEM	ACTION TAKEN	VOTE
I. <u>MINUTES OF REGULAR PAC MEETING OF MARCH 30, 2015</u>	<u>Approved</u> Motion: Dean Neal Second: Danny Taylor	10-0
II. <u>REVIEW OF PPC AGENDA FOR MAY 13, 2015 MEETING</u>	<u>Approved</u> Motion: Dean Neal Second: Robert Klute	10-0
A. <u>Subthreshold Land Use Plan Amendments</u> 1. Case CW 15-10: Pinellas County		
B. <u>Regular Land Use Plan Amendments</u> 2. Case CW 15-11: City of Clearwater	<u>Approved</u> Motion: Dean Neal Second: Greg Rice	10-0
3. Case CW 15-12: City of Largo	<u>Approved</u> Motion: Dean Neal Second: Gordon Beardslee	10-0
C. <u>CPA Actions – April 2015</u>	<u>No Action – Information Only</u>	
D. <u>Annexation Report – April 2015</u>	<u>No Action – Information Only</u>	
E. <u>Countywide Plan Update – Status Report</u>	<u>No Action – Information Only</u>  Linda Fisher outlined the next steps in the adoption of the CWP Update. She stated the BCC Work Session will be held on May 28, 2015 followed by two public hearings tentatively set for July 21, 2015 and August 4, 2015. She also advised of a few minor corrective changes made and that only changes of that nature were being made at this point. The question was asked and answered that it is unlikely there will be a need for the CWP Update to return to PPC prior to approval by the CPA.	
F. <u>2015 Legislative Update</u>	<u>No Action – Information Only</u>  Linda Fisher presented information of interest from the recent Legislative session.	

III. <u>OLD BUSINESS</u>	None	
IV. <u>OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</u> A. Internet Reservation Systems (Discussion)	Initiated by the City of St. Petersburg, information was presented by Rick MacAulay and Cate Lee regarding current codes, statutes, zoning, and tax laws pertaining to the transient rental of properties, particularly those doing so via internet sites. Discussion ensued as to each municipality's experiences and responses to such properties. This item will continue to be discussed at the next PAC meeting, specifically as it relates to the allowance of said properties via local codes. PAC members were asked to forward their local government information on this subject, if any, to the PPC staff.	
V. <u>ADJOURNMENT</u>	The meeting was adjourned at 2:15 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-1-1-15

PROPERTY OWNER(S):

Name: Dennis K. Brown & Deborah K. Pennington Name: \_\_\_\_\_Address: c/o Todd Pressman  
334 East Lake Road, #102  
Palm Harbor, FL 34685 Address: \_\_\_\_\_

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

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

Name: N/A \_\_\_\_\_

A specific interest held:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Contract is: \_\_\_\_\_ Contingent \_\_\_\_\_ Absolute \_\_\_\_\_

All Parties to Contract:

Name: N/A Name: N/A

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:

Development Agreement limiting use of property to proposed office and personal storage of automobiles.Variance for a 50 ft. lot width where 80 ft. lot width is required in C-2 district.

NUMBER TO BE ASSIGNED BY PLANNING COUNCIL STAFF



APPLICATION FOR COUNTYWIDE FUTURE LAND USE PLAN AMENDMENTS

Please include all information below to ensure the application for Countywide Plan Map amendment can be processed. If additional space is needed, please number and attach additional sheets.

I. Countywide Plan Map Information

- |  |                    |
|--|--------------------|
| 1. Current Countywide FLUP Designation(s)  | Residential Low    |
| 2. Proposed Countywide FLUP Designation(s) | Commercial General |

II. Local Plan Map Information

- |   |   |
|---|---|
| 1. Local Map Amendment Case Number      | Z/LU-1-1-15                                       |
| 2. Current Local Plan Designation(s)    | Residential Low                                   |
| 3. Current Local Zoning Designation(s)  | R-3, Single Family Residential                    |
| 4. Proposed Local Plan Designation(s)   | Commercial General                                |
| 5. Proposed Local Zoning Designation(s) | C-2, General Retail Commercial & Limited Services |

III. Site and Parcel Information

- |  |   |
|--|---|
| 1. Parcel Number(s) of area(s) proposed to be amended<br>(Include Section/Twp/Rng/Sub/Blk/Lot) | 09/30/15/00000/430/3900   |
| 2. Location  | Approximately 0.23 acre property located on the northside of Walsingham Road 300 ft. east of 119th St. N., Largo and also located at 11787 Walsingham Road. |
| 3. Acreage   | 0.236   |
| 4. Existing use(s)   | Single Family Dwelling  |
| 5. Existing density and/or floor area ratio  | 5 u.p.a.  |
| 6. Name of project (if applicable)   | N/A   |

IV. Local Action

1. Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment.
2. If the local government chooses to submit a development agreement in support of this application, the date the agreement was approved at public hearing by the legislative body. Any development agreement submitted as part of an application of Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Section 5.1.4 of the Countywide Rules.

V. Other Items to Include:

1. Cover letter or email to the Executive Director indicating the request for Countywide Plan Map amendment, including, ordinance number, ordinance status, and local action to date.
2. Copy of local ordinance.
3. If applicable, a copy of the development agreement approved by the legislative body and executed by the applicant property owner and other private party (ies) to the agreement.
4. Disclosure of Interest Statement.
5. Staff report.
6. Local plan and zoning maps showing amendment area.
7. If applicable, proposed demarcation line for environmentally sensitive areas.

Forms available online at [www.pinellasplanningcouncil.org/amendment.htm](http://www.pinellasplanningcouncil.org/amendment.htm)