

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** June 2, 2015  
**AGENDA ITEM NO.** 2a.

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

 **County Administrator's Signature:**

**Subjects:**

Proposed Regular 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 15-11 OF CLEARWATER.

**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 10-0.

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

N/A

**Exhibits/Attachments Attached:**

Council Documentation



## COUNCIL MEMBERS

310 Court Street, Clearwater, FL 33756-5137  
Telephone 727-464-8250 ~ Fax 727-464-8212  
www.pinellasplanningcouncil.org

Councilmember Jim Kennedy, *Chair*  
Commissioner John Morroni, *Vice-Chair*  
Commissioner Joanne "Cookie" Kennedy, *Secretary*  
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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

DATE: June 2, 2015

Michael C. Crawford, AICP  
Interim Executive Director

SUBJECT: Proposed Regular 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 15-11 AS SUBMITTED BY THE CITY OF CLEARWATER.

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

The Countywide Planning Authority has received one case concerning a regular amendment to the Countywide Future Land Use Plan that was reviewed by the Pinellas Planning Council on May 13, 2015.

#### **Case CW 15-11 – City of Clearwater:**

4.5 acres more or less, located at 2930 County Road 193; proposed to change from Residential Low to Institutional.

This proposed amendment is submitted by the City of Clearwater and seeks to reclassify a parcel totaling 4.5 acres of land from Residential Low to Institutional.

The parcel is developed with the St. Mary & St. Mina Coptic Orthodox Church. The property was recently annexed into the City in order to connect to city services. Per the City's development code, places of worship are only allowed in the Institutional category. The church has no plans for redevelopment or expansion at this time.

***The PPC, by a vote of 10-0, recommended approval of Case CW 15-11.***

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

None

### **Exhibits/Attachments:**

Proposed Ordinance  
Council Documentation

**PUBLIC HEARING ITEM**

**Case CW 15-11**

**City of Clearwater**

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 15-11 INITIATED BY THE CITY OF CLEARWATER 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, the City of Clearwater 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

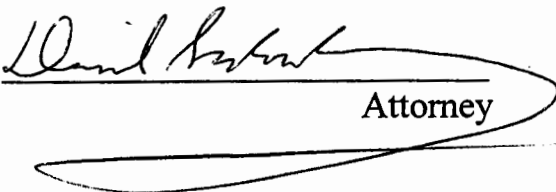
The Countywide Future Land Use Plan for Pinellas County adopted in Section 3(a) of Ordinance 89-4, as amended, is amended to reflect the changes adopted as follows:

#CW 15-11    4.5 acres m.o.l., located at 2930 County Road 193, from Residential Low to Institutional

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

# PINELLAS PLANNING COUNCIL AGENDA MEMORANDUM

**AGENDA ITEM:** III B-2.

**MEETING DATE:** May 13, 2015

**SUBJECT:** Amendment of the Countywide Future Land Use Plan Map  
**FROM:** Residential Low (RL)  
**TO:** Institutional (I)  
**AREA:** 4.5 Acres m.o.l.  
**CASE #:** CW 15-11  
**JURISDICTION:** City of Clearwater  
**LOCATION:** 2930 County Road 193

**RECOMMENDATION:** Council recommend to the Countywide Planning Authority that the proposed map amendment to Institutional be approved.

## ***I. BACKGROUND***

This proposed amendment is submitted by the City of Clearwater and seeks to reclassify a parcel totaling 4.5 acres of land from Residential Low (RL) to Institutional (I).

The parcel is developed with the St. Mary & St. Mina Coptic Orthodox Church. The property was recently annexed into the City in order to connect to city services. Per the City's development code, places of worship are only allowed in the Institutional category. The church has no plans for redevelopment or expansion at this time.

## ***II. FINDINGS***

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

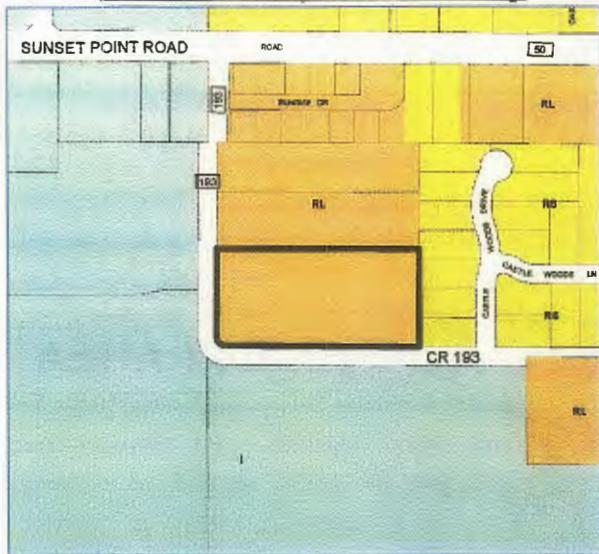
- A. The proposed Institutional category recognizes the use of the site and is consistent with the criteria for utilization of this category;
- B. The amendment area is adjacent to unincorporated Pinellas County and adjacent to a public school; however, it will not impact service delivery to this area; and
- C. The proposed Institutional category either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

## ***PINELLAS PLANNING COUNCIL ACTION:***

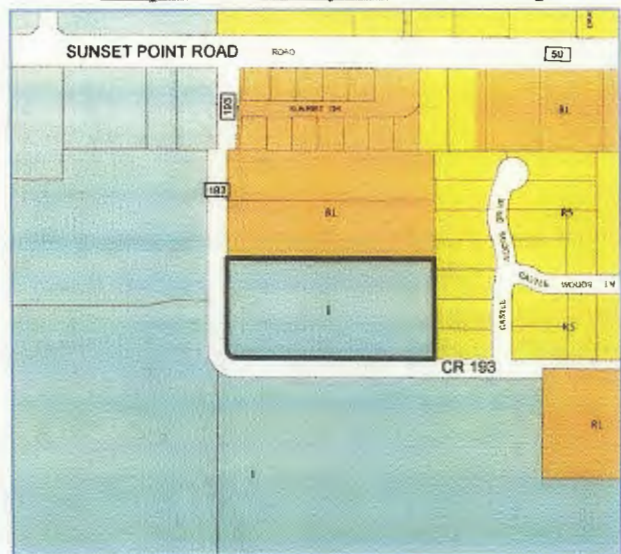
The Council recommended approval of the amendment from Residential Low to Institutional (vote 10-0).

## ***COUNTYWIDE PLANNING AUTHORITY ACTION:***

### Current Countywide Plan Map



## Proposed Countywide Plan Map



*In consideration of and based upon a balanced legislative determination of the Relevant Countywide Considerations, as they relate to the overall purpose and integrity of the Countywide Plan, it is recommended that the proposed Institutional Countywide Plan Map category be approved.*

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

### 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

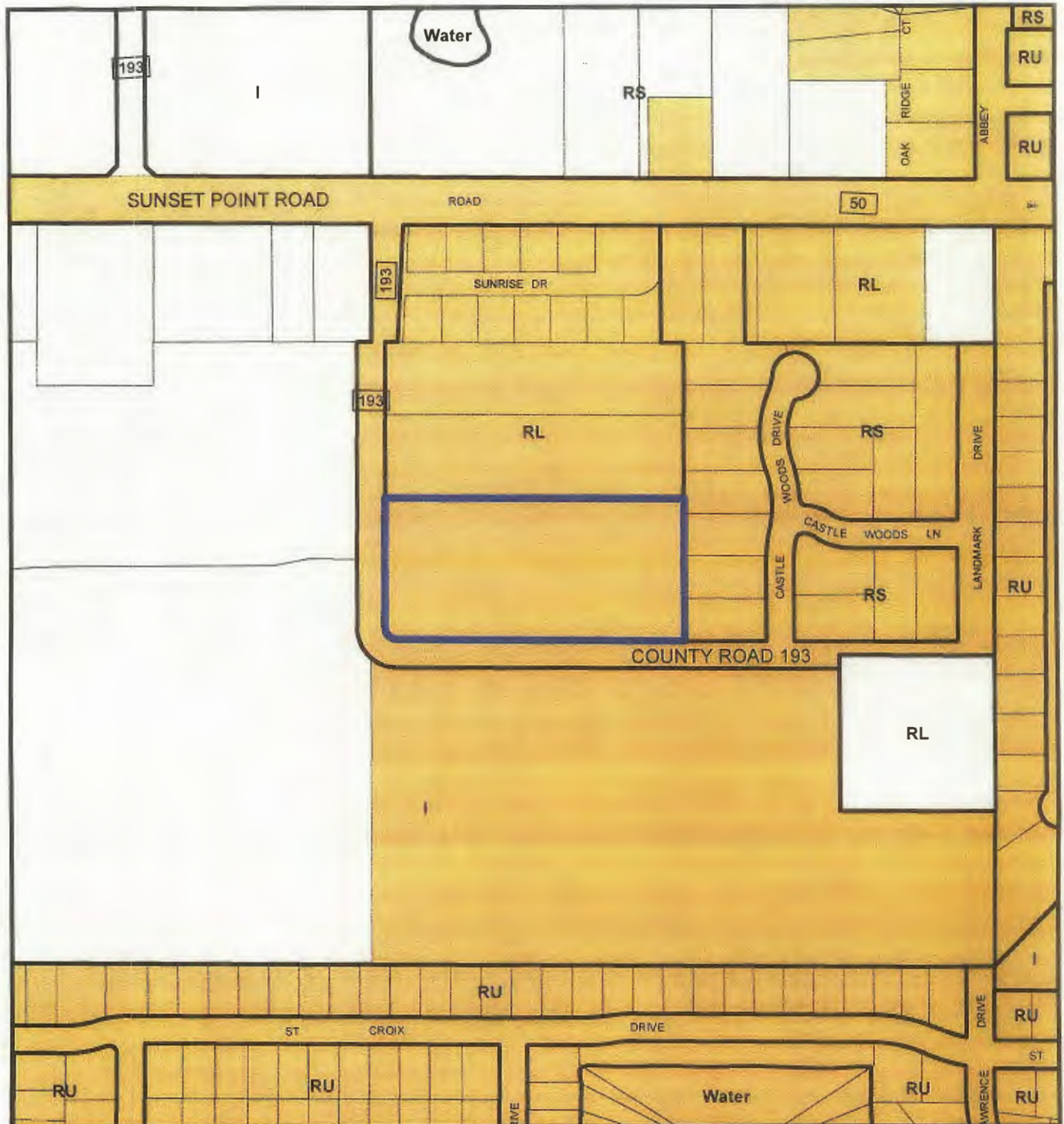
- |       |  |
|-------|--|
| Map 1 | Location                                   |
| Map 2 | Current Countywide Plan & Jurisdiction Map |
| Map 3 | Aerial                                     |
| Map 4 | Current Countywide Plan Map                |
| Map 5 | Proposed Countywide Plan Map              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

- Attachment 1 Council Staff Analysis  
Attachment 2 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 2 - Current Countywide Plan Map & Jurisdictional Map

FROM: Residential Low


TO: Institutional


AREA: 4.5 Acres

CASE #: CW15-11

### Jurisdictions

Jurisdiction Name

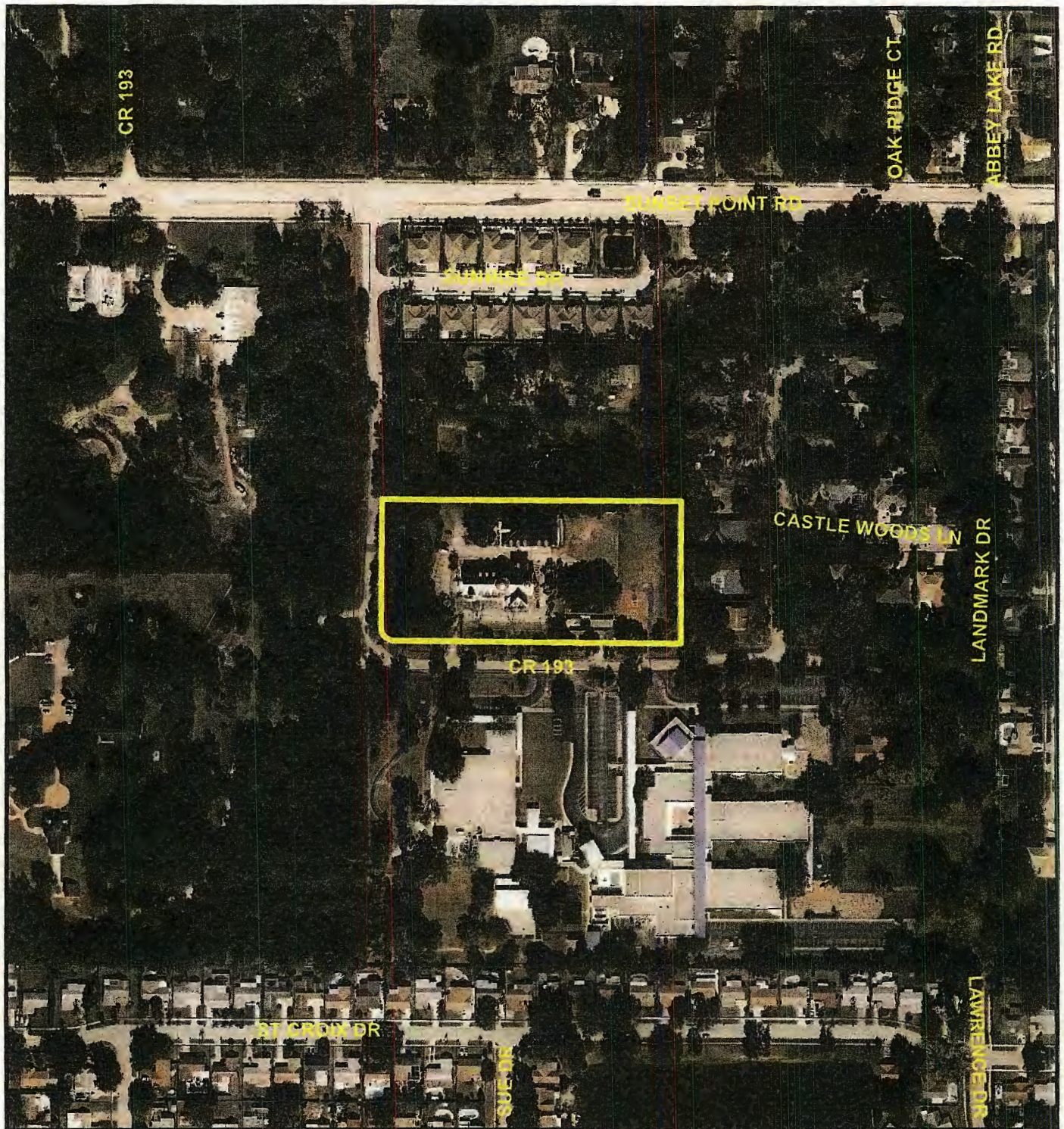
 Clearwater

 Unincorporated



**PRC** PINELLAS  
PLANNING  
COUNCIL

JURISDICTION: City of Clearwater



### Map 3 - Aerial

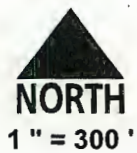
FROM: Residential Low

TO: Institutional

AREA: 4.5 Acres

CASE #: CW15-11

JURISDICTION: City of Clearwater





### Legend

Residential	Residential Low	Residential Urban	Public / Semi-Public
Residential Suburban			Institutional

### Map 4 - Current Countywide Plan Map

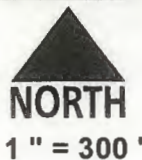
FROM: Residential Low

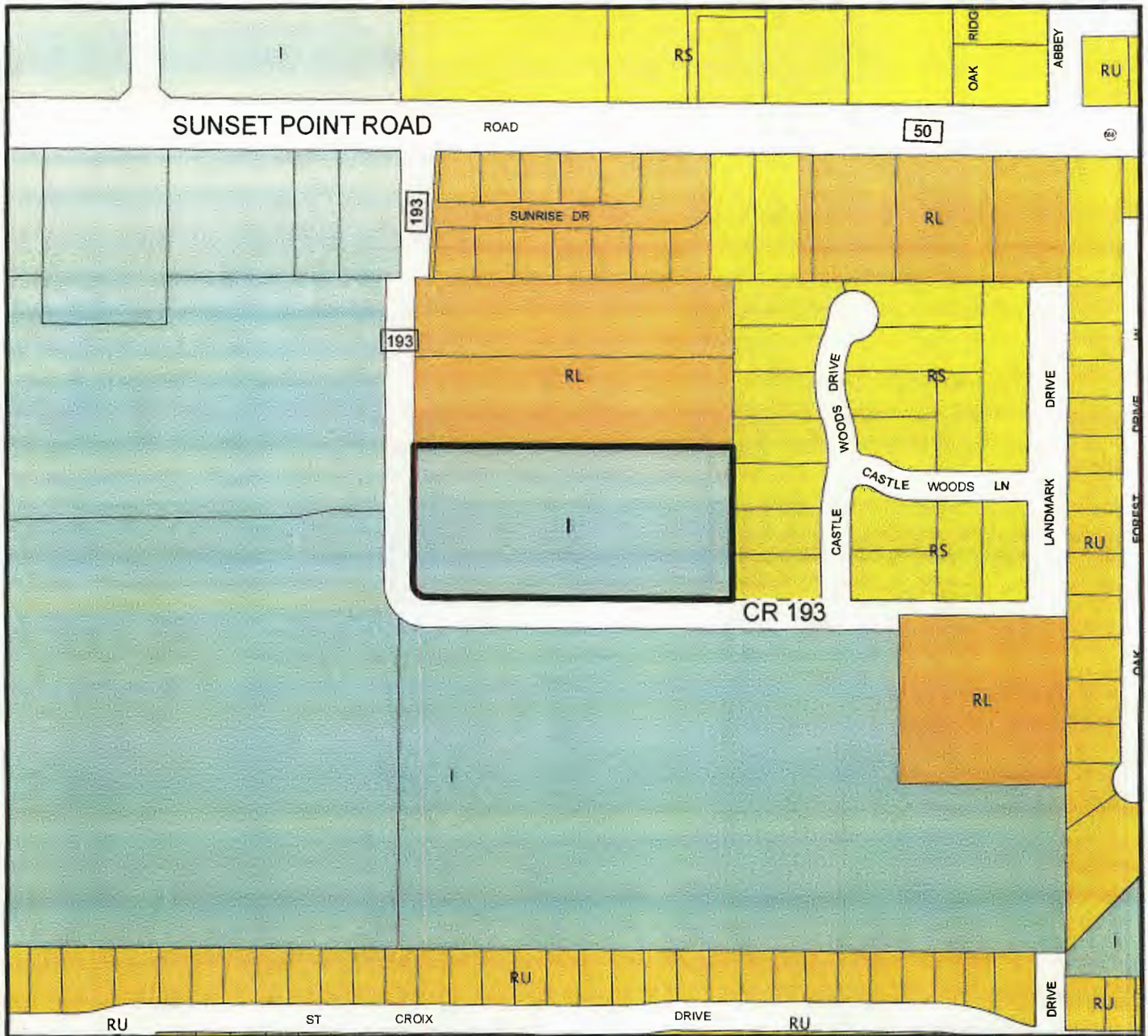
TO: Institutional

AREA: 4.5 Acres

CASE #: CW15-11

JURISDICTION: City of Clearwater





### Legend

#### Residential

Residential Suburban

Residential Low

Residential Urban

#### Public / Semi-Public

Institutional

### Map 5 - Proposed Countywide Plan Map

FROM: Residential Low

TO: Institutional

AREA: 4.5 Acres

CASE #: CW15-11

JURISDICTION: City of Clearwater

NORTH

1" = 300'

**PRC** PINELLAS  
PLANNING  
COUNCIL

**Council Staff Analysis  
Case CW 15-11: City of Clearwater  
May 13, 2015 PPC Meeting**

**Relevant Countywide Considerations:**

- 1) **Consistency with the Countywide Plan and Rules** – The subject site consists of a parcel totaling 4.5 acres. The parcel is developed with the St. Mary & St. Mina Coptic Orthodox Church. The property was recently annexed into the City in order to connect to city services. Per the City's development code, places of worship are only allowed in the Institutional category. The church has no plans for redevelopment or expansion at this time.

The site is adjoined by single-family homes on the north and east, Paul B. Stephens public school on the south (across CR 193), and Sylvan Abbey funeral home on the west (across CR 193).

The current Residential Low (RL) category is used to depict areas that are primarily well-suited for a low density residential use at a maximum density of 5.0 dwelling units per acre. This category also is appropriate for institutional uses up to a maximum of five acres which makes the church use consistent with the RL category. However, the City of Clearwater is more restrictive and does not allow places of worship as a use in the RL category.

It is the purpose of the Institutional (I) category to depict those areas of the county that are now used, or appropriate to be used, for public/semi-public institutional purposes; and to recognize such areas consistent with the need, character and scale of the institutional use relative to surrounding uses, transportation facilities, and natural resource features.

The locational characteristics contained in the Countywide Rules state that the Institutional category is generally appropriate to those locations where educational, health, public safety, civic, religious and like institutional uses are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access.

The proposed I category is used to depict areas that are primarily well-suited for educational, health, public safety, civic, religious and like institutional uses required to serve the community. Furthermore, the proposed category is appropriate for this site in that it contains a church, which is consistent with the surrounding residential and institutional uses.

This amendment is deemed consistent with the purpose statement and locational characteristics found in the Countywide Rules and the proposed amendment can be considered consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – The amendment is not located on a roadway operating at an LOS below “D”.
- 3) **Location on a Scenic/Non-Commercial Corridor (SNCC)** – The subject site is not located on a SNCC, so these policies are not applicable.
- 4) **Coastal High Hazard Areas (CHHA)** – The amendment area is not located in a CHHA, so these policies are not applicable.
- 5) **Designated Development/Redevelopment Areas** – The amendment area is not located in, nor does it impact, designated development or redevelopment areas.
- 6) **Adjacent to or Impacting an Adjoining Jurisdiction or Public Educational Facility** – The amendment is adjacent to an unincorporated area of Pinellas County to the west. The proposed Institutional category is not anticipated to negatively impact the County’s ability to provide services to their jurisdictional area.

Additionally, the amendment area is adjacent to a public educational facility to the south. However, with no change in use or increased development on the site, no impacts are expected. Therefore, this request can be considered consistent with this Relevant Countywide Consideration.

**Conclusion:**

***On balance, it can be concluded that the requested amendment from Residential Low to Institutional is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.***

**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	<u>Approved</u> Motion: Dean Neal Second: Robert Klute	10-0
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 NUMBER \***

**SUBMITTING GOVERNMENT ENTITY:** CITY OF CLEARWATER

**PPC OR CITY/TOWN CASE NUMBER:** LUP2014-11004

**PROPERTY OWNERS:** St. Mary & St. Mina Coptic Orthodox Church

**REPRESENTATIVE:** City of Clearwater Engineering Department

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

Interests: NONE Contingent: \_\_\_\_\_ Absolute: \_\_\_\_\_

Name:

Specific Interest Held:

**INDICATION AS TO WHETHER A CONTRACT EXISTS FOR SALE OF SUBJECT PROPERTY, IF SO: NO CONTRACT EXISTS**

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

All Parties To Contract:

Name:

**INDICATION AS TO WHETHER THERE ARE ANY OPTIONS TO PURCHASE SUBJECT PROPERTY, IF SO: NO OPTIONS EXIST**

All Parties To Option:

Name:

Name:

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

\* NUMBER TO BE ASSIGNED BY PLANNING COUNCIL STAFF

APPLICATION FOR COUNTYWIDE FUTURE LAND USE PLAN AMENDMENT

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.

Countywide Plan Map Information

- |  |                             |
|--|-----------------------------|
| 1. Current Countywide FLUP Designation(s)  | <u>Residential Low (RL)</u> |
| 2. Proposed Countywide FLUP Designation(s) | <u>Institutional (I)</u>    |

Local Plan Map Information

- |   |  |
|---|--|
| 1. Local Map Amendment Case Number      | <u>LUP2014-11004</u>                         |
| 2. Current Local Plan Designation(s)    | <u>Residential Low (RL)</u>                  |
| 3. Current Local Zoning Designation(s)  | <u>Agricultural Estate Residential (A-E)</u> |
| 4. Proposed Local Plan Designation(s)   | <u>Institutional (I)</u>                     |
| 5. Proposed Local Zoning Designation(s) | <u>Institutional (I)</u>                     |

Site and Parcel Information

- |   |   |
|---|---|
| 1. Parcel number(s) of area(s) proposed to be amended -<br>(and/or legal description, as necessary) | <u>Sec/Twp/Rng/Sub/Blk/Lot</u><br><u>05-29-16-00000-410-0400 (Legal provided)</u> |
| 2. Location   | <u>2930 County Road 193 (Northeast corner of</u><br><u>County Road 193)</u>       |
| 3. Acreage  | <u>4.47 acres</u>   |
| 4. Existing use(s)  | <u>Place of Worship</u>   |
| 5. Existing density and/or floor area ratio   | <u>30,287 SF (FAR 0.16)</u>   |
| 6. Name of project (if applicable)  | <u>None.</u>  |