



Staff Report

File #: 15-997, **Version:** 1

Agenda Date: 1/26/2016

Subject:

Case No. Q Z/LU-18-9-15 (Pinellas County, C1 Bank and Pinellas County Surplus Land Trust-Bayside, Pinellas Community Housing FDTN Inc., TRE) (Final Adoption)

A request for a land use change from Residential Low Medium to Residential Low on approximately 11.8 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo.

Recommended Action:

Adoption of Case No. Z/LU-18-9-15: an ordinance approving a land use change from Residential Low Medium to Residential Low regarding approximately 11.8 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North.

Strategic Plan:

Deliver First Class Services to the Public and our Customers

5.2 Be responsive stewards of the public's resources

Summary:

This is the final adoption hearing for Case No. Z/LU-18-9-15. At their October 20, 2015 public hearing, the Board took action to transmit the Future Land Use Map (FLUM) amendment component of the application to the State Land Planning Agency and other review agencies, as required by Florida Statutes for large-scale (10 acres or greater) amendment requests. Planning received a letter of no comment from The Department of Economic Opportunity (the State Land Planning Agency) on December 10, 2015. Other review agencies either indicated support for the request or had no comment. The Board approved the associated zoning request during the October 20, 2015 public hearing. A Countywide Plan Map amendment is not required. This is the final scheduled public hearing regarding this case.

The subject area is the location of the defunct Bayside Apartment Homes and Bayside Reserves project approved by the Board in 2008. The associated Development Agreement stipulated that the properties revert back to their previous future land use and zoning designations if the project did not commence within five years. This request is the final step to fulfill that provision of the Agreement. Wetlands on site will remain protected with the current Preservation land use designation and not revert back to the previous residential designations consistent with County policy.

Background Information:

The Local Planning Agency (LPA) unanimously recommended approval of all components of the request during its September 10, 2015 public hearing (Vote 6-0).

Fiscal Impact:

N/A

Staff Member Responsible:

Gordon Beardslee, Director, Planning

Partners:

N/A

Attachments:

LPA Report

Case Maps

Ordinance

Ad

Ad Map

Correspondence

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
BOARD OF COUNTY COMMISSIONERS



Regarding: Case No. Z/LU-18-9-15

LPA Recommendation: The LPA finds that the proposed amendments are consistent with the Pinellas County Comprehensive Plan, and recommends approval of the proposed zoning change and the future land use amendment. (The vote was 6-0, in favor)

LPA Public Hearing: September 10, 2015

PLANNING STAFF RECOMMENDATION:

- Staff recommends that the LPA find that the proposed amendments to the Pinellas County Future Land Use Map (FLUM) and Zoning Atlas are consistent with the Pinellas County Comprehensive Plan based on the findings of this report.
- And further, Staff recommends that the LPA recommend approval of the proposed FLUM and Zoning Atlas amendments to the Pinellas County Board of County Commissioners.

CASE SUMMARY

APPLICANT'S NAME: Pinellas County, C1 Bank and Pinellas Cnty Surplus Land Trust-Bayside
Pinellas Community Housing FDTN Inc., TRE

DISCLOSURE: N/A

REPRESENTED BY: Pinellas County Planning Director

	LAND USE CHANGE	ZONING CHANGE
FROM:	Residential Low Medium	RPD-10, Residential Planned Development, 10 units per acre & RPD-5, Residential Planned Development, 5 units per acre
TO:	Residential Low (11.8 acres)	RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential 7,500 sq ft minimum lots (3.9 acres), R-3, Single Family Residential 6,000 sq ft minimum lots (2.8 acres); retaining RPD-5 on 1.5 acres

PROPERTY DESCRIPTION:

Approximately 19.2 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo.

PARCEL ID(S): 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300

PROPOSED BCC HEARING DATE: October 20, 2015

CORRESPONDENCE RECEIVED TO DATE:

Correspondence carried over from previous case: Eight letters and a petition with 700 signatures in support of the land use and zoning designations on the subject area reverting to the designations that existed prior to the 2008 Development Agreement.

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:

Two persons appeared in favor.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning Designation	Existing Use
Subject Property:	Residential Low Medium & Residential Low	RPD-10 & RPD-5	Vacant
Adjacent Properties:			
North	Preservation	AL	Mangroves and Tampa Bay
East	Residential Low	R-3	Single Family Dwellings
South	Residential Low	R-3 & City of Largo	Single Family Dwellings
West	Residential Low	City of Largo	Multi-Family and Single Family Dwellings

STAFF DISCUSSION AND ANALYSIS

BACKGROUND

The subject area consists of five separate parcels, three of which are owned by Pinellas County. The other two parcels are owned by C1 Bank. The future land use and zoning of the subject area were amended to their current designations in 2008 to allow for, in association with a now expired Development Agreement, a residential planned development with an affordable housing component. That residential planned project was to be known as Bayside Apartment and Bayside Reserves. The Development Agreement stipulated (per Sec. 10.3) that the amended land use and zoning designations on the subject property revert back to the previously existing designations in the event that construction does not commence within five years. Development of the project never commenced and the site remains vacant.

The properties within the subject area were associated with a recent separate request (Z/LU-3-3-15) that was heard by the LPA on March 12, 2015 and subsequently by the Board of County Commissioners (Board) on May 19, 2015. In that previous case, staff recommended the land use and zoning designations revert back to those existing prior to the 2008 amendments with the exception of RPD-5 zoning replacing what was previously R-2, Single Family Residential (7,500 sq ft minimum) and R-3, Single Family Residential (6,000 sq ft minimum) on the two bank-owned parcels. The reasoning was based on the RPD-5 district allowing more flexibility in site design, as it permits the clustering of structures that could help minimize impacts to environmentally sensitive areas and preserve existing vegetation. The LPA recommended approval (6-0 vote) of this proposal. The Board, however,

determined that the land use and zoning designations should revert fully back to those that were pre-existing, as directed by the Development Agreement. They split the proposal into two parts, the County-owned portion and the Bank-owned portion, with the intent that the County portion move forward through the amendment process while the Bank portion restart the amendment process with the original R-2 and R-3 designations as part of a new application.

During their May public hearing, the Board adopted the amendments of the County-owned portion. Because it is a large-scale (10 acres or greater) FLUM amendment, however, the proposal must be transmitted to the Florida Department of Economic Opportunity and distributed for state and regional agency review. This must be done prior to adoption; therefore the adopted amendments could not be transmitted as required. Because of this, and for simplification purposes, the County portion has been recombined with the Bank portion and the process restarted using a new case number. During their upcoming public hearing on the new case, the Board will be requested to rescind the adoption ordinance of the County portion and authorize the transmittal of the complete FLUM amendment package to the applicable state and regional agencies for review. The Board may adopt the full amendment request at a later date following favorable review from the State. This is anticipated to occur in early 2016.

COMPATIBILITY WITH SURROUNDING LAND USES

The subject property is adjacent to Residential Low (RL) and Preservation (P) land uses. Tampa Bay is to the north and the approach to the Bayside Bridge is a short distance to the east. The proposed Future Land Use Map (FLUM) amendment from Residential Low Medium (RLM) to RL is compatible with the surrounding area. The requested zoning amendments from RPD-10 and RPD-5 to RPD-5, R-2 and R-3 are also compatible with the surrounding uses and residential densities. The proposed A-E zoning for the County owned parcel south of 162nd Avenue North is consistent with the property's zoning prior to the 2008 Development Agreement. The northern portions of three of the parcels currently have a Preservation FLUM designation with Aquatic Lands (AL) zoning. The current designations on these environmentally sensitive locations will remain the same and are not a part of the amendment area.

TRANSPORTATION IMPACTS AND CONCURRENCY

Approval of the requested amendments is expected to decrease transportation impacts on the nearby roadway facilities as the proposed changes are projected to yield a net reduction of 389 approximately daily vehicular trips.

OTHER INFRASTRUCTURE IMPACTS

The subject property is located within the Pinellas County Water Demand Planning Area and the Largo Wastewater Facility Service Area. Amending the subject site from RLM to RL could decrease potable water and wastewater demand by approximately 7,900 and 6,650 gallons per day, respectively. With respect to solid waste disposal, approval of the amendment could decrease the amount of solid waste generated by approximately 97.9 tons per year.

OTHER CONSIDERATIONS

A portion of the amendment area is located within the Coastal Storm Area. The maximum density allowed by the RL FLUM category is consistent with Coastal Management Element Policy 1.3.5 of the Pinellas County Comprehensive Plan, which does not allow the approval of requests to amend the FLUM to a land use category that permits more than five dwelling units per gross acre in the Coastal Storm Area. The RL category allows up to five units per acre.

SUMMARY

The requested FLUM and zoning amendments would bring the subject properties back to those designations that existed prior to the amendments approved in 2008, per the directives of the associated Development Agreement. The proposed amendments are compatible with surrounding land uses, relevant infrastructure capacities and the sensitive coastal location of the site.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments are consistent with the following adopted goal, objective and policies of the Pinellas County Comprehensive Plan.

Future Land Use Element

GOAL ONE: THE PATTERN OF LAND USE IN PINELLAS COUNTY SHALL PROVIDE A VARIETY OF URBAN ENVIRONMENTS TO MEET THE NEEDS OF A DIVERSE POPULATION AND THE LOCAL ECONOMY, CONSERVE AND LIMIT DEMANDS ON NATURAL AND ECONOMIC RESOURCES TO ENSURE SUSTAINABLE BUILT AND NATURAL ENVIRONMENTS, BE IN THE OVERALL PUBLIC INTEREST, AND EFFECTIVELY SERVE THE COMMUNITY AND ENVIRONMENTAL NEEDS OF THE POPULATION.

1.2.3. Policy: Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

GOAL THREE: PINELLAS COUNTY'S PLAN SHALL PROMOTE A BALANCED RELATIONSHIP BETWEEN THE NATURAL ENVIRONMENT AND DEVELOPMENT.

Coastal Management Element

1.3. Objective: Pinellas County shall restrict development within the coastal storm area, and shall direct population concentrations out of the coastal storm area.

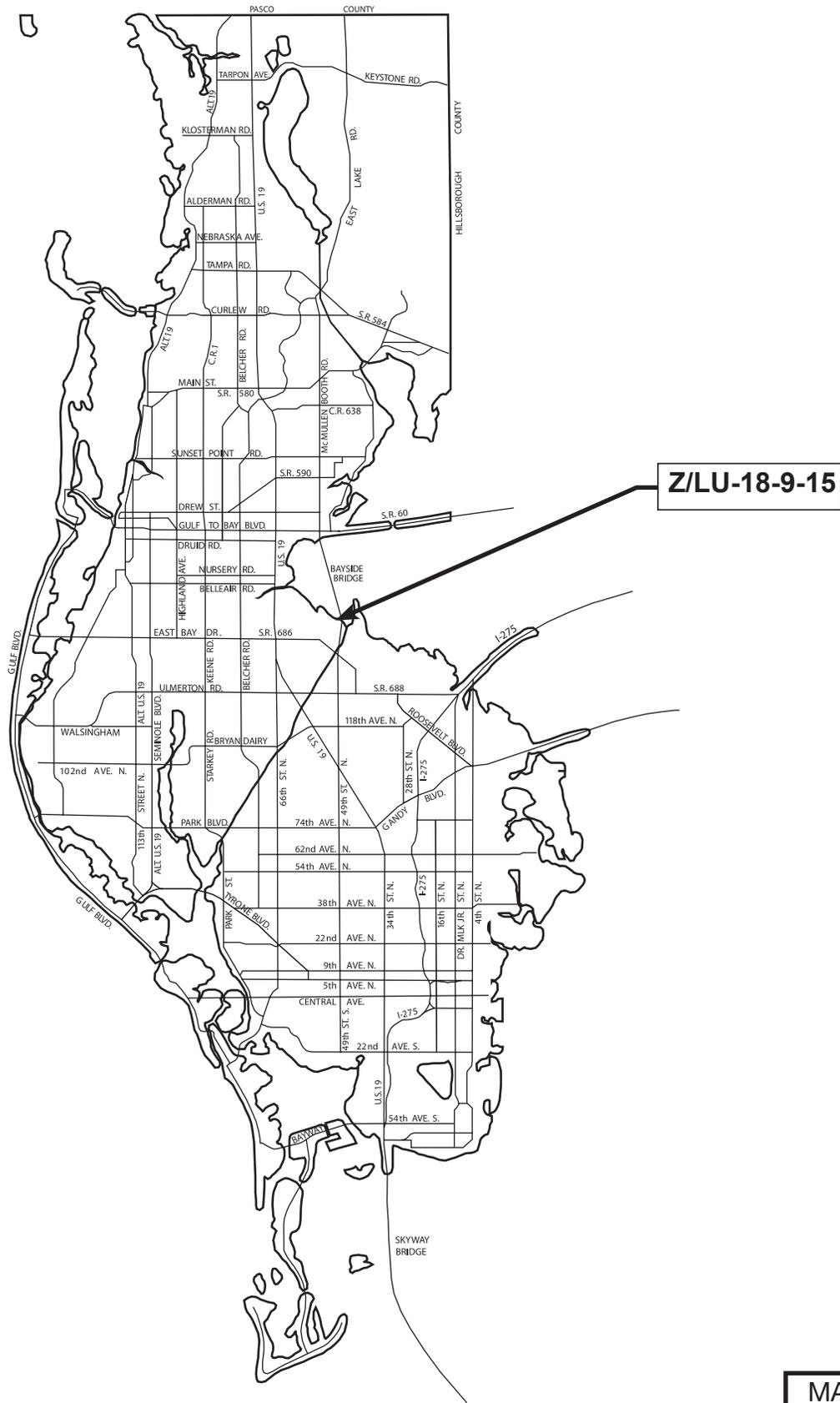
1.3.5. Policy: Pinellas County shall not approve any request to amend the Future Land Use Map (FLUM) to designate parcels of land within the coastal storm area with a FLUM category that permits more than 5.0 dwelling units per gross acre.

COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

Attachment (Maps)

LOCATION MAP



MAP-1

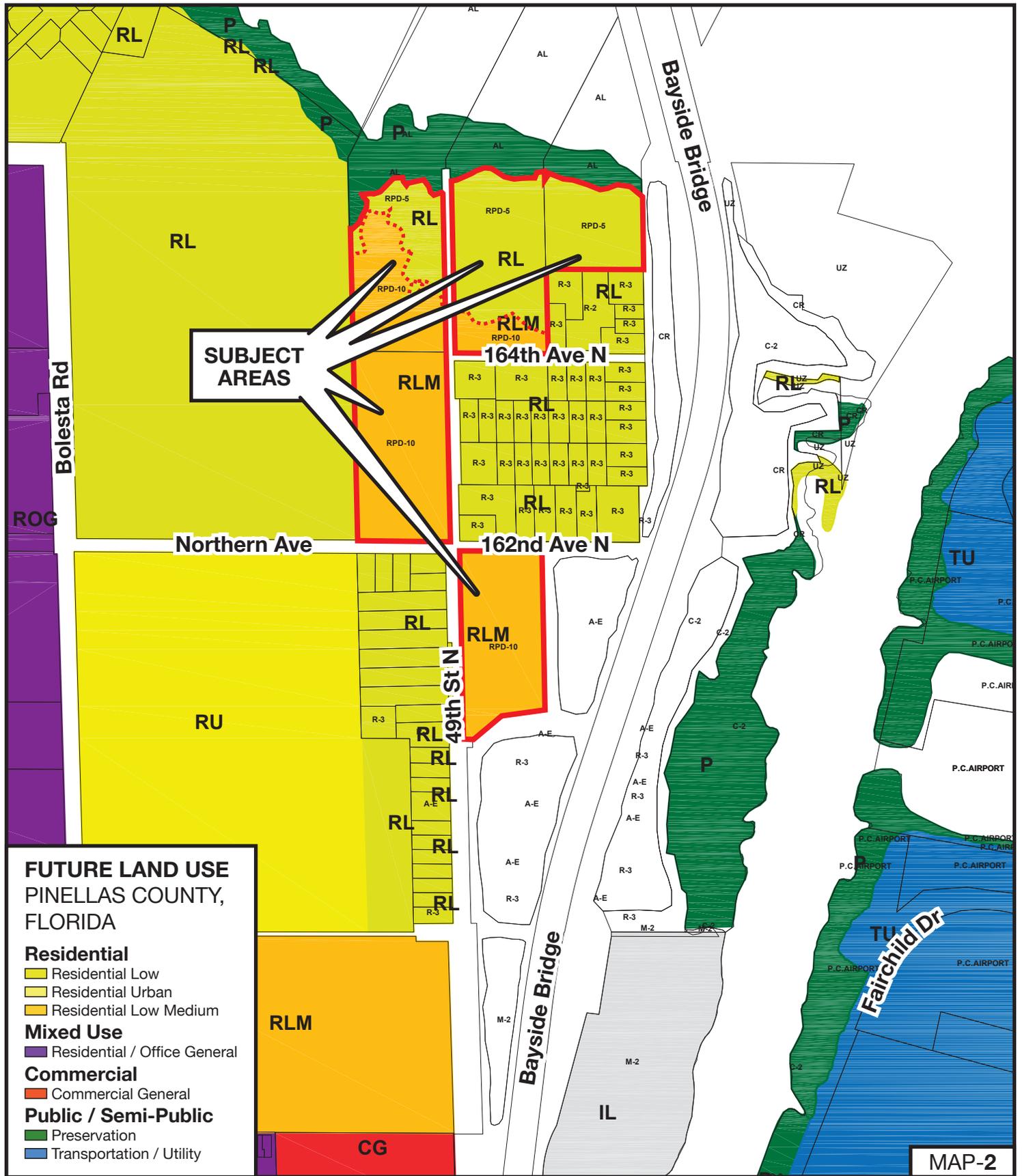
Z/LU-18-9-15

ZONING From: RPD-10 & RPD-5, Residential Planned Development, 10 & 5 units per acre
 To: RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres), & retaining RPD-5 on 1.5 acres.

LAND USE From: Residential Low Medium To: Residential Low (11.8 acres)

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300
 Prepared by: Pinellas County Department of Planning and Development Services December 2014





**FUTURE LAND USE
PINELLAS COUNTY,
FLORIDA**

Residential
 Residential Low
 Residential Urban
 Residential Low Medium

Mixed Use
 Residential / Office General

Commercial
 Commercial General

Public / Semi-Public
 Preservation
 Transportation / Utility

Z/LU-18-9-15

ZONING From: RPD-10 & RPD-5, Residential Planned Development, 10 & 5 units per acre
 To: RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres), & retaining RPD-5 on 1.5 acres.

LAND USE From: Residential Low Medium To: Residential Low (11.8 acres)

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300
 Prepared by: Pinellas County Department of Planning and Development Services December 2014



MAP-2



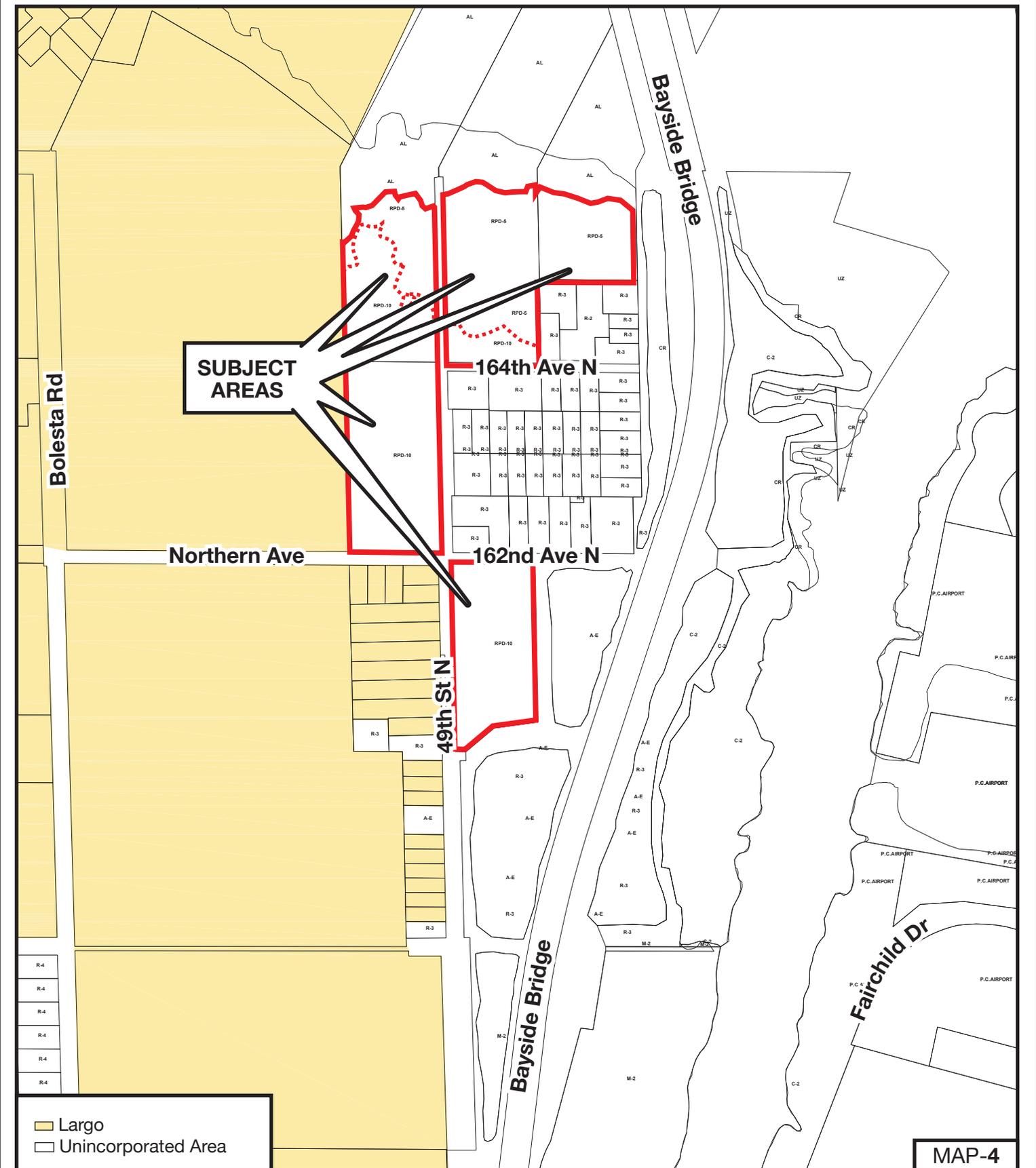
MAP-3

Z/LU-18-9-15

ZONING From: RPD-10 & RPD-5, Residential Planned Development, 10 & 5 units per acre
 To: RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres), & retaining RPD-5 on 1.5 acres.
LAND USE From: Residential Low Medium To: Residential Low (11.8 acres)

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300
 Prepared by: Pinellas County Department of Planning and Development Services December 2014





SUBJECT AREAS

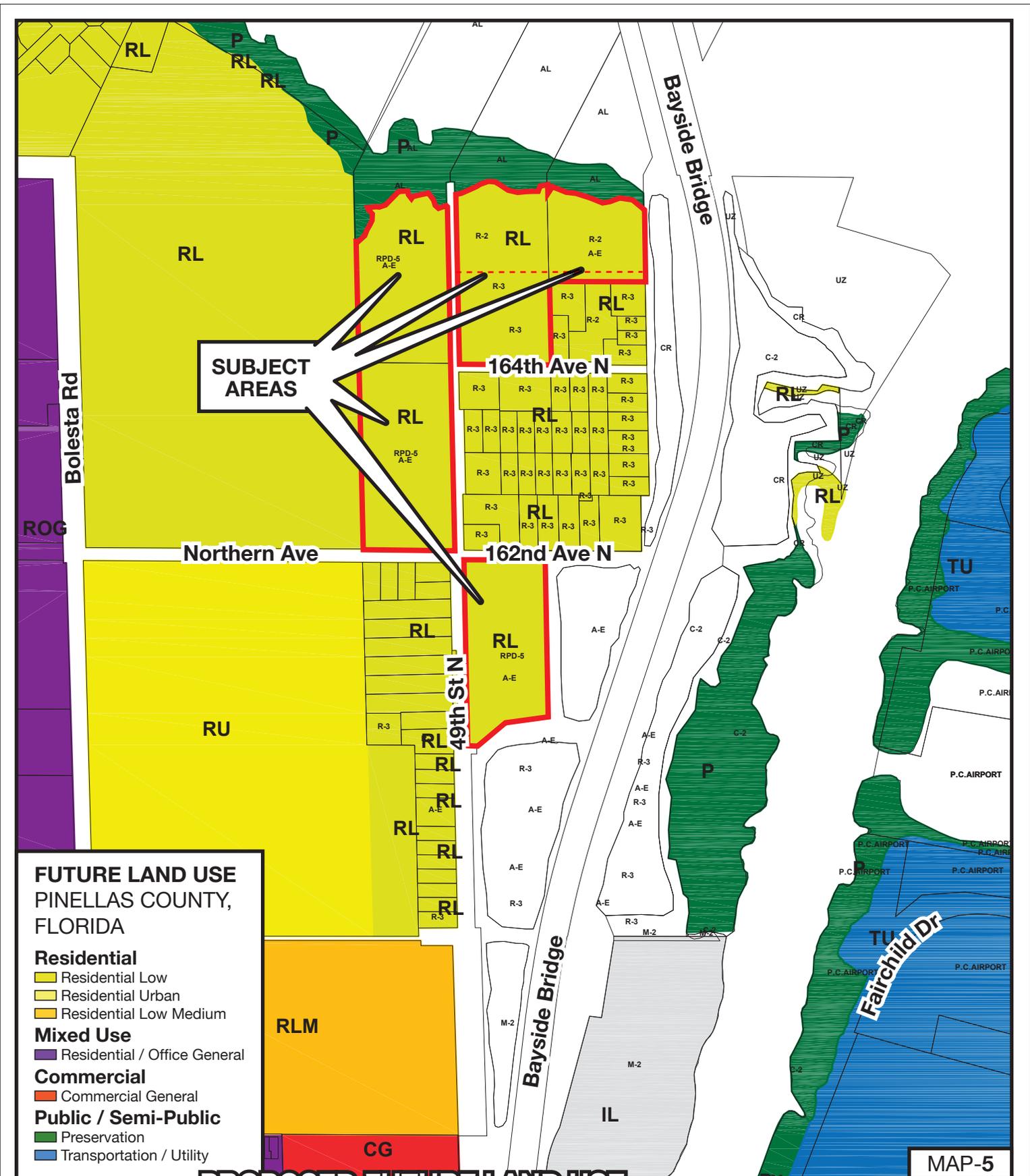
Z/LU-18-9-15

ZONING From: RPD-10 & RPD-5, Residential Planned Development, 10 & 5 units per acre
 To: RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres), & retaining RPD-5 on 1.5 acres.
LAND USE From: Residential Low Medium To: Residential Low (11.8 acres)

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300
 Prepared by: Pinellas County Department of Planning and Development Services December 2014



MAP-4



**FUTURE LAND USE
PINELLAS COUNTY,
FLORIDA**

Residential
 ■ Residential Low
 ■ Residential Urban
 ■ Residential Low Medium

Mixed Use
 ■ Residential / Office General

Commercial
 ■ Commercial General

Public / Semi-Public
 ■ Preservation
 ■ Transportation / Utility

PROPOSED FUTURE LAND USE

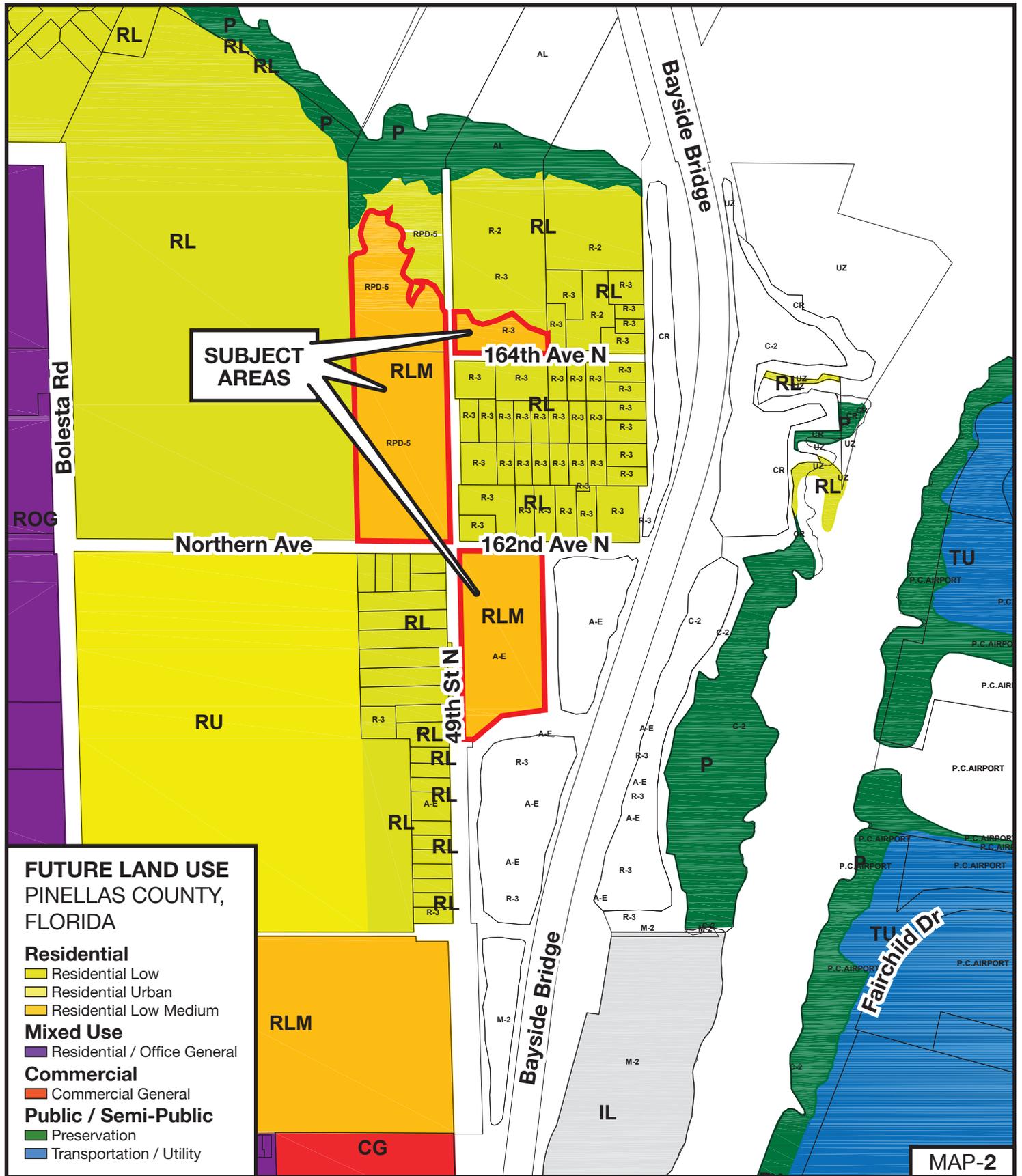
Z/LU-18-9-15

ZONING From: RPD-10 & RPD-5, Residential Planned Development, 10 & 5 units per acre
 To: RPD-5, Residential Planned Development, 5 units per acre (7.2 acres), A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres), & retaining RPD-5 on 1.5 acres.
LAND USE From: Residential Low Medium To: Residential Low (11.8 acres)

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300
 Prepared by: Pinellas County Department of Planning and Development Services December 2014



MAP-5



**FUTURE LAND USE
PINELLAS COUNTY,
FLORIDA**

Residential

- Residential Low
- Residential Urban
- Residential Low Medium

Mixed Use

- Residential / Office General

Commercial

- Commercial General

Public / Semi-Public

- Preservation
- Transportation / Utility

Z/LU-18-9-15

Land Use: **From:** Residential Low Medium **To:** Residential Low (11.8 acres)

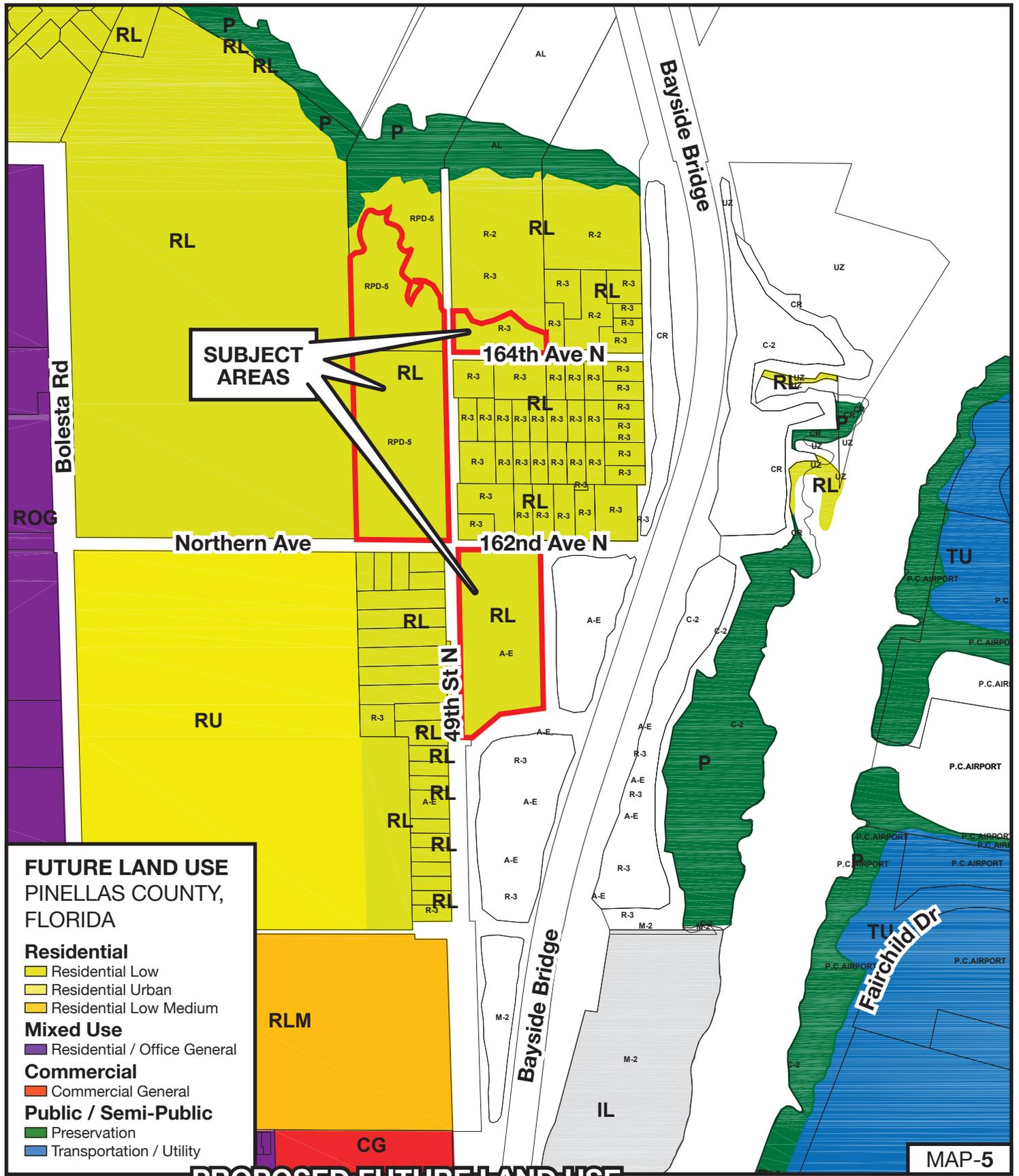
Zoning: Approved at the October 20, 2015 Public Hearing

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300

Prepared by: Pinellas County Planning Department - January 2016



MAP-2



**FUTURE LAND USE
PINELLAS COUNTY,
FLORIDA**

Residential

- Residential Low
- Residential Urban
- Residential Low Medium

Mixed Use

- Residential / Office General

Commercial

- Commercial General

Public / Semi-Public

- Preservation
- Transportation / Utility

PROPOSED FUTURE LAND USE

Z/LU-18-9-15

Land Use: **From:** Residential Low Medium **To:** Residential Low (11.8 acres)

Zoning: Approved at the October 20, 2015 Public Hearing

Parcel I.D. 33/29/16/70380/100/1200, 2000, 0500, 0400 & 0300

Prepared by: Pinellas County Planning Department - January 2016



MAP-5

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 11.8 ACRES LOCATED AT THE NORTHERN TERMINUS OF 49TH STREET NORTH, BEING WEST OF THE WESTERN TERMINUS OF 164TH AVENUE NORTH IN THE UNINCORPORATED AREA OF LARGO, LOCATED IN SECTION 33, TOWNSHIP 29, RANGE 16; FROM RESIDENTIAL LOW MEDIUM TO RESIDENTIAL LOW; REPEALING PINELLAS COUNTY ORDINANCE NO. 15-22

WHEREAS, the application for an amendment to the Future Land Use Map of Pinellas County, Florida, hereinafter listed, has been presented to the Board of County Commissioners of Pinellas County; and

WHEREAS, on May 19, 2015, in case number Z/LU-3-3-15, the Board inadvertently adopted a large scale land use amendment prior to transmission to the state land planning agency in Pinellas County Ordinance No. 15-22, and desires to repeal it herein; and

Whereas, this large land use amendment has been transmitted to the state land planning agency pursuant to Section 163.3184 (3), Florida Statutes, and brought forward to the second public hearing; and

WHEREAS, notice of public hearings and advertisements have been given as required by Florida Law; and

WHEREAS, the comments from the Local Planning Agency have been received and considered.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida in regular meeting duly assembled this 26th day of January 2016 that;

Section 1. The Future Land Use Map of Pinellas County, Florida is amended by redesignating the property described as approximately 11.8 acres located at the northern terminus of 49th Street North, being west of the western terminus of

164th Avenue North in the unincorporated area of Largo, referenced in case number Z/LU-18-9-15, and owned by Pinellas County, C1 Bank and Pinellas County Surplus Land Trust-Bayside Pinellas Community Housing FDTN Inc., TRE, from Residential Low Medium to Residential Low (11.8 acres).

Section 2. This Ordinance shall be published in accordance with the requirements of law.

Section 3. Pinellas County Ordinance No. 15-22 is hereby repealed.

Section 4. This Ordinance shall take effect upon:

- a) Receipt of notice from the Secretary of State that the Ordinance has been filed is received; and
- b) Pursuant to Section 163.3184 (3), Florida Statutes, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after the state land planning agency notifies Pinellas County that the plan amendment packet is complete. If timely challenged, an amendment shall not become effective until that state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM

By: 

Office of the County Attorney

PROPOSED AMENDMENTS TO THE PINELLAS COUNTY FUTURE LAND USE MAP AND ZONING ATLAS

The Pinellas County Board of County Commissioners proposes to adopt the following amendments to the Pinellas County Future Land Use Map and Zoning Atlas. A public hearing on the Resolutions and Ordinances will be held **January 26, 2016 at 6:00 p.m.** in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater FL 33756.

Interested parties may appear at the hearing and be heard regarding the proposed Resolutions and Ordinances:

A. PROPOSED RESOLUTIONS AND ORDINANCES AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS

1. Q Z/LU-25-10-15

Resolution changing the Zoning classification of approximately 1.1 acres located at the southwest corner of the intersection of 135th Place N and Palm Way in the unincorporated area of Largo; Page 218 of the Zoning Atlas, as being in Section 01, Township 30, Range 15; from C-3, Commercial, Wholesale, Warehousing & Industrial to R-4-CO, One, Two & Three Family Residential-Conditional Overlay with a Conditional Overlay limiting the use to a single family home and related accessory uses; upon application of Ralph M. Wescott through Teresa Wescott Lavrinc, Representative,

and

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 1.1 acres located at the southwest corner of the intersection of 135th Place N and Palm Way in the unincorporated area of Largo located in Section 01, Township 30, Range 15; from Industrial Limited to Residential Low Medium, providing for other modifications that may arise from review of this Ordinance at the public hearing and/or with other responsible parties and providing an effective date.

2. Q Z-32-12-15

Resolution changing the Zoning classification of approximately 0.6 acre located on the east side of Faxton Street 500 feet south of Ulmerton Road in the unincorporated area of Largo; Page 731 of the Zoning Atlas, as being in Section 08, Township 30, Range 16; from R-3, Single Family Residential to M-1, Light Manufacturing & Industry; upon application of Stewart Wittel.

3. Q Z-33-12-15

Resolution changing the Zoning classification of approximately 10.3 acres located at 29582 US Highway 19 North in the unincorporated area of Dunedin; Page 609 of the Zoning Atlas, as being in Section 19, Township 28, Range 16; from A-E, Agricultural Estate Residential to P/SP, Public/Semi-Public; upon application of Pinellas County through Gordon Beardslee, Planning Department, Representative.

4. Q Z/LU-18-9-15 (Final Adoption)

Resolution changing the Zoning classification of approximately 19.2 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo; Page 709 of the Zoning Atlas, as being in Section 33, Township 29, Range 16; from RPD-10, Residential Planned Development, 10 units per acre & RPD-5, Residential Planned Development, 5 units per acre to A-E, Agricultural Estate Residential (3.8 acres), R-2, Single Family Residential (3.9 acres), R-3, Single Family Residential (2.8 acres) & RPD-5, Residential Planned Development, 5 units per acre (7.2 acres); retaining RPD-5 on 1.5 acres; upon application of Pinellas County, C1 Bank & Pinellas CNTY Surplus Land Trust-Bayside Pinellas Community Housing FDTN, Inc., TRE through Pinellas County Planning Director, Representative,

And

An Ordinance amending the Future Land Use Map of Pinellas County, Florida by changing the Land Use designation of approximately 11.8 acres located at the northern terminus of 49th Street North, being west of the western terminus of 164th Avenue North in the unincorporated area of Largo, Located in Section 33, Township 29, Range 16 from Residential Low Medium to Residential Low, providing for other modifications that may arise from review of this Ordinance at the public hearing and/or with other responsible parties and providing an effective date.

Any written arguments, evidence, explanations, studies, reports, petitions or other documentation that an applicant, proponent or opponent wishes to be provided to the Board of County Commissioners for their consideration in support of, or in opposition to, any of the applications proposed above should be submitted to the attention of the Pinellas County Zoning Manager, 440 Court Street, Fourth Floor, Clearwater, Florida 33756. Materials must be submitted at least one week (7 days) in advance of the advertised hearing. Hard copy written comments must be submitted on 8½ × 11-inch paper.

The proposed Resolutions and Ordinances amending the Zoning Atlas and the Future Land Use Map can be inspected by the public in the Pinellas County Planning Department; Land Use and Zoning Division located at the address above, or at the Pinellas County Board Records located at 315 Court Street, Fifth Floor, Clearwater, Florida 33756. You can contact the Zoning Division at (727) 464-5047 with any questions, or email them at zoning@pinellascounty.org.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756 (727) 464-4880 (VOICE) (727) 464-4062 (TDD).

KEN BURKE, CLERK TO THE
BOARD OF COUNTY COMMISSIONERS
By Norman D. Loy, Deputy Clerk

REQUEST FOR ADVERTISING FORM

Phone No. 464-8200

Fax No. 464-8201

To: Board Records

FROM: Tammy Swinton, Planning Department (January 26, 2016 BCC Hearing)

DATE: January 5, 2016

AD COPY ATTACHED: Yes X No WITH MAP

REQUIRES SPECIAL HANDLING: Yes No X

NEWSPAPER: St. Petersburg Times X

DATE(S) TO APPEAR: **January 15, 2016**

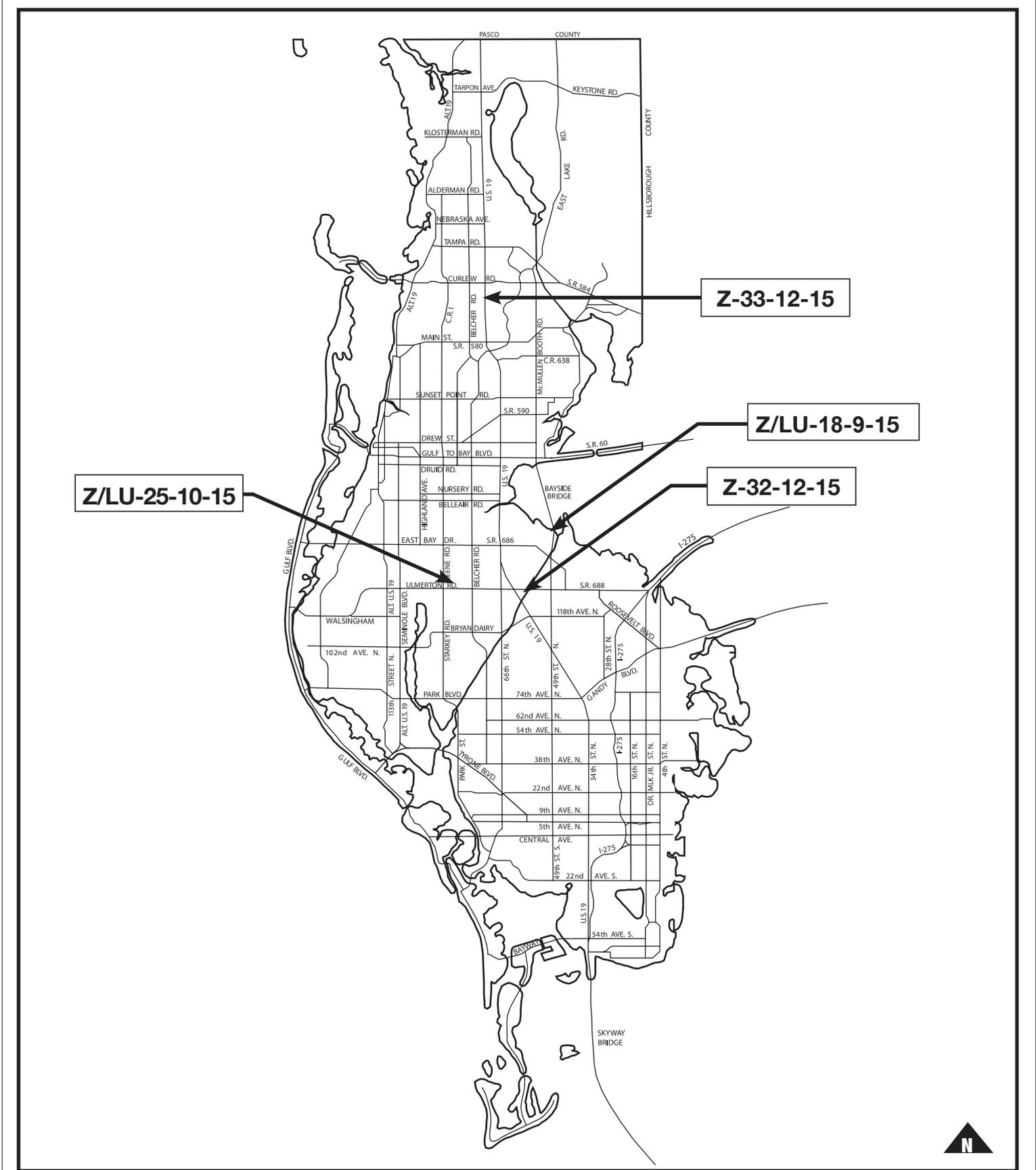
SIZE OF AD: **2 COLUMN BY 10 INCH AD (or quarter-page ad if necessary for legibility)**

SIZE OF HEADER: **18 Point Header**

SIZE OF PRINT: **N/A**

SPECIAL INSTRUCTIONS: **Do Not Print in Legal/Classified Section**

cc: Glenn Bailey, Planning Department
Gordon Beardslee, Planning Department
Tammy Swinton, Planning Department



PINELLAS COUNTY
PLANNING DEPARTMENT ZONING DIVISION



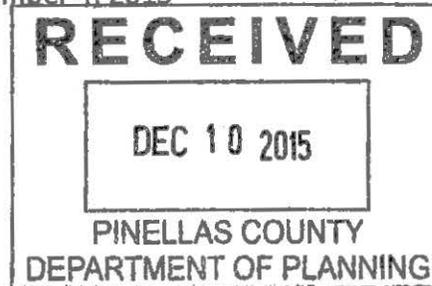
Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

December 4, 2015

The Honorable John Morroni
Chairman, Pinellas County
Board of County Commissioners
310 Court Street
Clearwater, Florida 33756



Dear Chairman Morroni:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Pinellas County (Amendment No. 16-1ESR), which was received on November 4, 2015. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Valerie Jenkins, at (850) 717-8493, or by email at valerie.jenkins@deo.myflorida.com.

Sincerely,

Julie A. Dennis, Interim Director
Division of Community Development

JAD/vj

Enclosure(s): Procedures for Adoption

cc: Mr. Gordon Beardslee, Director, Pinellas County Department of Planning
Mr. Avera Wynne, AICP, Interim Executive Director, Tampa Bay Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

December 3, 2015

VIA EMAIL (gbeards@pinellascounty.org)

Pinellas County Planning Department
Gordon Beardslee
310 Court Street
Clearwater, Florida 33756

Re: DACS Docket # -- 20151102-662
Pinellas County Z/LU-18-9-15
Submission dated October 30, 2015

Dear Mr. Beardslee:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on November 2, 2015 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink that reads "Stormie Knight". The signature is fluid and cursive, with the first name being more prominent.

Stormie Knight
Sr. Management Analyst I
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Pinellas County 16-1 ESR)

Bailey, Glenn

From: Watkins, Cynthia D
Sent: Thursday, November 12, 2015 1:29 PM
To: Bailey, Glenn
Cc: Beardslee, Gordon R; Brinson, Ryan; Swinton, Tammy M
Subject: FW: Pinellas County 16-1ESR Proposed

FYI

~ Cyndi ~

From: Ray, Suzanne E. [<mailto:Suzanne.E.Ray@dep.state.fl.us>]
Sent: Thursday, November 12, 2015 1:21 PM
To: Watkins, Cynthia D; DCPexternalagencycomments@DEO.myflorida.com
Subject: Pinellas County 16-1ESR Proposed

To: Cynthia Watkins, Senior Office Specialist

Re: Pinellas County 16-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 245-2172 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000



**Internet
Improvement Survey**



**Customer
Service
Survey**

Bailey, Glenn

From: Beardslee, Gordon R
Sent: Tuesday, November 24, 2015 12:49 PM
To: Bailey, Glenn; Swinton, Tammy M
Subject: FW: Pinellas County 16-1 CPA-ESR (CPA16-01)

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Tuesday, November 24, 2015 12:31 PM
To: Beardslee, Gordon R; DCPexternalagencycomments@deo.myflorida.com
Cc: Wallace, Traci; Chabre, Jane; Schulz, Mark
Subject: Pinellas County 16-1 CPA-ESR (CPA16-01)

Dear Mr. Beardslee:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Mark Schulz at (863) 648-3820 or by email at Mark.Schulz@myfwc.com.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

Pinellas County 16-1 CPA-ESR_22167



LGCPAR

Local Government Comprehensive Plan Amendment Review
4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782
(727) 570-5151 / www.tbrpc.org

LOCAL GOVERNMENT:

Pinellas County

STATE LAND PLANNING AGENCY REFERENCE:

DEO #16-1ESR

LOCAL GOVT REFERENCE:

Case No. Z/LU-18-9-15

AMENDMENT TYPE:

Map

ELEMENTS AND SECTIONS AFFECTED:

Future Land Use Map (FLUM)

LINK TO PROPOSED AMENDMENT TRANSMITTAL PACKAGE:

<https://papers.deo.myflorida.com/FloridaPapers/FlashAug16/Model/documentView.cfm?UserID=6239&AreaID=11&DocumentID=467757>

GENERAL LOCATION OF PROPOSED FLUM AMENDMENT SUBJECT AREA:

Areas adjacent to the southeast and northwest corners of the intersection of 49th Street North and 162nd Avenue North; areas along east and west sides of 49th Street North and 164th Avenue North, in unincorporated east-central Pinellas County

SUBJECT AREA SIZE (ACRES): 11.8± acres

EXISTING FLUM DESIGNATION: Residential Low Medium (RLM), up to 10 dwelling units per acre

PROPOSED FLUM DESIGNATION: Residential Low (RL), up to 5 dwelling units per acre

REVIEW COMMENTS:

Pursuant to Section 163.3184(3)(b), Florida Statutes, Tampa Bay Regional Planning Council (TBRPC) staff has reviewed the proposed comprehensive plan amendment, and identified no adverse effects on regional resources or facilities as identified in Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region. Additionally, no extrajurisdictional impacts were identified that would be inconsistent with the comprehensive plan of any affected local government.



Florida Department of Transportation

RICK SCOTT
GOVERNOR

11201 N. McKinley Drive
Tampa, Florida 33612

JIM BOXOLD
SECRETARY

December 3, 2015

Mr. Gordon Beardslee, Planning Division Director
Pinellas County Department of Planning
310 Court Street
Clearwater, FL 33756

Re: Pinellas County Comprehensive Plan Amendment 16-1 ESR

Dear Mr. Beardslee:

We have reviewed the Pinellas County proposed Comprehensive Plan (the Plan) Amendment 16-1 ESR according to Chapter 163, Florida Statutes, and the Florida Department of Transportation (the Department) review guidelines.

Background: Unincorporated Pinellas County had a 2010 estimated population of 271,022, and was composed of roughly 97 square miles. Residential, Conservation/Preservation, Recreation/Open Space and Public/Semi-public land uses predominate. Twenty-four other incorporated local governments collectively make Pinellas County the most densely populated county in Florida. A plethora of federal and state roads traverse the county, including I-175, I-275, I-375, US 19, US 19A, US 92, SR 60, SR 580, SR 582, SR 586, SR 590, SR 666, SR 679, SR 682, SR 686, SR 688, SR 693, SR 694, and SR 699.

Proposal: The County is proposing to modify 11.8 acres located at the northern terminus of 49th Street near 164th Avenue from Residential Low Medium to Residential Low. This would effectively reduce the density allowed on the parcel from 10 units per acre to 5 units per acre. Since this would reduce the possible impacts on roads of state importance within three miles of the site (which would include Ulmerton Road, US 19, and East Bay Drive), the Department supports this change.

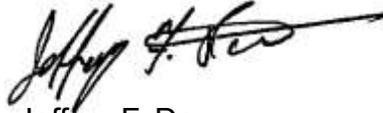
Mr. Gordon Beardslee

Page 2

December 3, 2015

Thank you for the opportunity to review this amendment. Please ensure that we receive a copy of the adopted amendment. Should you have any questions please do not hesitate to contact me at 813-975-6444 or at jeffery.dow@dot.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery F. Dow", with a long horizontal flourish extending to the right.

Jeffery F. Dow
LGCP Coordinator

cc: Carmen Monroy, Director of Policy Planning, FDOT
Dana Reiding, Administrator of Intergovernmental Programs, FDOT
Maria Cahill, AICP, Statewide Growth Management Coordinator, FDOT
Ray Eubanks, Plan Processing Administrator, DCA
Waddah Farah, PDA Administrator, FDOT District 7
Daniel Santos, AICP, Growth Management Supervisor, FDOT District 7