

Clearwater, Florida, November 14, 2019

The Pinellas County Local Planning Agency (LPA) (as established by Section 134-12 of the Pinellas County Land Development Code, as amended) met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida at 9:03 A.M. on this date with the following members present:

Steven Klar, Chairman
Gerald Figurski, Vice-Chairman
Lari Johnson
Paul Wikle
Valerie Hibbard (Alternate)

Not Present

Susan M. Reiter
Ronald Schultz
Charlene Beyer (non-voting School Board Representative)

Also Present

Glenn Bailey, Planning Department Zoning Manager
Alexandra Keen, Principal Planner
Michael Schoderbock, Principal Planner
Tom Scofield, Principal Planner
Rebecca Stonefield, Principal Planner
Chelsea D. Hardy, Assistant County Attorney
Other interested individuals
Amelia Hanks, Board Reporter

CALL TO ORDER

Chairman Klar called the meeting to order at 9:03 A.M. and reviewed the procedure for the public hearings; whereupon, he announced that today's cases will be heard by the Board of County Commissioners (BCC) on December 10, 2019, and any documents to be reviewed by the BCC should be submitted to staff by November 26.

MINUTES OF OCTOBER 10, 2019 MEETING – APPROVED

Mr. Figurski moved, seconded by Ms. Johnson and carried unanimously, that the minutes of the October 10 meeting be approved.

PUBLIC HEARING ITEM

Legal notice having been published for the items on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearings were held on the following items. All correspondence provided to the Clerk’s Office has been filed and made a part of the record. All persons planning to give testimony were duly sworn by the Deputy Clerk.

PROPOSED ORDINANCES AND RESOLUTIONS AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS, AND ORDINANCES AMENDING THE LAND DEVELOPMENT REGULATIONS AND COMPREHESIVE PLAN

1. APPLICATION OF 4700 46TH AVENUE NORTH LAND TRUST, FLORIDA PROPERTY TRUSTEE COMPANY, TRUSTEE, THROUGH KATHERINE E. COLE, ESQUIRE, REPRESENTATIVE, FOR A LAND USE CHANGE FROM RESIDENTIAL URBAN TO RESIDENTIAL MEDIUM (LU-23-11-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of 4700 46th Avenue North Land Trust through Katherine E. Cole for the above land use change (LU-23-11-19), re approximately 1.69 acres located at 4700 46th Avenue North in Lealman.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey pointed out the location of the subject property, discussed the surrounding land uses, and provided background information regarding the application, relating that the change in density would allow for additional multi-family units. He indicated that the request is consistent with the Comprehensive Plan and compatible with the surrounding area; and that staff recommends approval of the application.

Upon the Chairman’s call for the applicant, Katie Cole, Clearwater, provided an overview of the application, noting that the applicant desires to provide economically diverse housing based on the Lealman CRA Plan.

No one appeared in response to the Chairman’s call for proponents or opponents.

Mr. Figurski moved, seconded by Mr. Wikle, that the LPA recommend approval of the application to the BCC based upon the written findings of fact as outlined in the staff report and the comments of the applicant. Upon call for the vote, the motion carried unanimously.

2. APPLICATION OF YORKSHIRE REAL ESTATE, LLC THROUGH DAVID R. PHILLIPS, ESQUIRE, REPRESENTATIVE, FOR A ZONING CHANGE FROM R-A, RESIDENTIAL AGRICULTURE, TO R-5, RESIDENTIAL URBAN (Z-24-11-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Yorkshire Real Estate, LLC through David R. Phillips for the above zoning change (Z-24-11-19), re approximately 1.97 acres located at 2871 Summerdale Drive in unincorporated Clearwater.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Schoderbock pointed out the location of the subject property, discussed the surrounding land uses, and provided background information regarding the application, indicating that the proposed use is a ten-unit single-family detached subdivision; whereupon, he noted that the proposal is compatible with surrounding uses and consistent with the Comprehensive Plan.

Upon the Chairman's call for the applicant, David Phillips, Clearwater, discussed the proposal, indicating that the requested zoning would not change the density of the property, but would allow more flexibility with regard to the site plan.

Responding to the Chairman's call for proponents, Andrew Strong, Clearwater, related that his father owns an adjacent property; and that they are both in support of the application.

No one appeared in response to the Chairman's call for opponents.

Mr. Wikle moved, seconded by Ms. Johnson, that the LPA recommend approval of the application to the BCC in accordance with the staff recommendation. Upon call for the vote, the motion carried unanimously.

3. APPLICATION OF THE PINELLAS COUNTY PLANNING DEPARTMENT THROUGH RENEA VINCENT, REPRESENTATIVE, FOR A ZONING CHANGE FROM C-1, NEIGHBORHOOD COMMERCIAL; C-2, GENERAL COMMERCIAL AND SERVICES; E-1, EMPLOYMENT-1; E-2, EMPLOYMENT-2; GI, GENERAL INSTITUTIONAL; GO, GENERAL OFFICE; I, HEAVY INDUSTRY; LI, LIMITED INSTITUTIONAL; LO, LIMITED OFFICE; PC, PRESERVATION/CONSERVATION; R-2, SINGLE FAMILY RESIDENTIAL; R-3, SINGLE FAMILY RESIDENTIAL; R-4, ONE, TWO, AND THREE FAMILY RESIDENTIAL; R-5, URBAN RESIDENTIAL; R-A, RESIDENTIAL AGRICULTURAL; R-R, RURAL RESIDENTIAL; RM, MULTIPLE-FAMILY RESIDENTIAL; RMH, RESIDENTIAL MOBILE/MANUFACTURED HOME; RPD, RESIDENTIAL PLANNED DEVELOPMENT; AND UZ, UNZONED, TO L-FBC, LEALMAN-FORM-BASED CODE DISTRICT (Z-26-11-19)

and

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, ADDING SECTION 138-2153 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE TO ADOPT THE LEALMAN FORM-BASED CODE AND ADDING ARTICLE XI - THE LEALMAN FORM-BASED CODE TO CHAPTER 138 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (LDR-25-11-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of the Pinellas County Planning Department through Renea Vincent for the above zoning and Land Development Code changes (Z-26-11-19/LDR-25-11-19), re all property located within the Lealman Community Development Area (CRA) (approximately 2,525 acres total).

Referring to a PowerPoint presentation titled *Lealman Form-Based Code*, Ms. Keen provided background information regarding the Lealman CRA Plan, noting that the form-based code will help achieve its redevelopment objectives. She displayed a map showing the CRA boundary, and explained the difference between traditional and form-based development standards; whereupon, she discussed the code development process, including numerous public engagement activities, diagnostics and testing, and significant code revisions.

Indicating that the Lealman Form-Based Code contains nine components, Ms. Keene discussed the following elements:

- District map identifying six zoning districts
- District intent and standards for building placement, details, height, and allowed uses
- Building types permitted in the various districts

In response to query by Ms. Johnson, Ms. Keen indicated that Lealman and Downtown Palm Harbor, to be discussed later in the meeting, are the first areas in the county where a form-based code will be applied, noting that it could be a catalyst for other areas in the community.

No one appeared in response to the Chairman's call for proponents. Upon his call for opponents, the following individuals appeared and stated their concerns:

David Lee, St. Petersburg
Bill Puckett, St. Petersburg
N. Lee Pitney, St. Petersburg
Jennifer Post, St. Petersburg
David Ballard Geddis, Jr., Palm Harbor
Roger Broderick, Pinellas Park
James Ashley, St. Petersburg
Tom Ludwig, St. Petersburg
Martin Rokicki, Lealman

In response to comments and queries by the speakers, Ms. Keen indicated that staff initiated the form-based code project as a tool to implement the Lealman CRA Plan; that the variance process will still exist in Lealman; that smaller setbacks allow for a wider range of building types; and that staff will follow up with regard to the zoning of specific properties.

In response to queries by the members, Ms. Keen related that adoption of the code will not require property owners to make any changes unless they elect to expand, redevelop, or change the use; and that there will be a process to apply for redistricting.

Ms. Vincent related that the Board of County Commissioners initiated the development of the CRA, which allows the use of Tax Increment Financing for redevelopment of the Lealman community. She discussed legally nonconforming property use, noting that variances can be requested through the Board of Adjustment and Appeals, and related that the Cities of Tarpon Springs, Clearwater, and St. Petersburg all use form-based codes;

whereupon, responding to queries by Chairman Klar, she indicated that property owners may lose some property rights but will still have access to due process.

Following discussion, Mr. Wikle moved, seconded by Mr. Figurski, that the LPA recommend approval of the application and ordinance to the BCC based upon the facts contained in the application and Ms. Vincent's statements regarding variances to allow for expansion of existing uses. Upon call for the vote, the motion carried 4 to 1, with Ms. Hibbard casting the dissenting vote.

4. APPLICATION OF THE PINELLAS COUNTY PLANNING DEPARTMENT THROUGH RENEA VINCENT, REPRESENTATIVE, FOR A ZONING CHANGE FROM OPH-D, OLD PALM HARBOR DOWNTOWN; C-2, GENERAL COMMERCIAL AND SERVICES; C-2-H, GENERAL COMMERCIAL AND SERVICES-HISTORIC PRESERVATION OVERLAY; R-3, SINGLE FAMILY RESIDENTIAL; R-4, ONE, TWO, AND THREE FAMILY RESIDENTIAL; LO, LIMITED OFFICE; GO, GENERAL OFFICE; C-1, NEIGHBORHOOD COMMERCIAL; E-1, EMPLOYMENT-1; E-1-CO, EMPLOYMENT-1-CONDITIONAL OVERLAY; AND E-2, EMPLOYMENT-2 TO DPH-FBC, DOWNTOWN PALM HARBOR FORM-BASED CODE DISTRICT; A LAND USE CHANGE FROM ACTIVITY CENTER-NEIGHBORHOOD, COMMERCIAL GENERAL, RESIDENTIAL URBAN, RESIDENTIAL MEDIUM, RESIDENTIAL/OFFICE/LIMITED, RESIDENTIAL/OFFICE/RETAIL, INSTITUTIONAL, EMPLOYMENT, AND RECREATION/OPEN SPACE TO ACTIVITY CENTER-NEIGHBORHOOD; AND AN AMENDMENT TO THE SUPPORTING DOWNTOWN PALM HARBOR MASTER PLAN (Z/LU-28-11-19)

and

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING THE PINELLAS COUNTY LAND DEVELOPMENT CODE SECTION 138-2153(b) TO ADOPT THE DOWNTOWN PALM HARBOR FORM-BASED CODE AND ADDING ARTICLE XII - THE DOWNTOWN PALM HARBOR FORM-BASED CODE TO CHAPTER 138 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE AND AMENDING RELATED SECTIONS OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (LDR-27-11-19)

and

AN ORDINANCE OF PINELLAS COUNTY AMENDING THE PINELLAS COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP (FLUM) CATEGORY RULES AND DESCRIPTIONS FOR THE ACTIVITY CENTER (AC) DESIGNATION AND MIXED USE CORRIDOR (MUC) DESIGNATION TO ALIGN WITH THE COUNTYWIDE RULES AND FACILITATE IMPLEMENTATION OF THE DOWNTOWN PALM HARBOR MASTER PLAN AND FORM-BASED CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE (CP-29-11-19) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of the Pinellas County Planning Department through Renea Vincent for the above zoning and land use changes, Land Development Code amendments, and FLUM category rules and descriptions (Z/LU-28-11-19/LDR-27-11-19/CP-29-11-19), re all property located within the expanded Downtown Palm Harbor Neighborhood Activity Center boundary (approximately 64 acres).

Referring to a PowerPoint presentation titled *Downtown Palm Harbor Master Plan Update & Form-Based Code*, Ms. Stonefield related that staff is requesting Comprehensive Plan amendments to provide consistency with Countywide Plan updates adopted by the Board of County Commissioners in October increasing the density and intensity in Activity Centers and Multimodal Corridors; and that a new Mixed-Use Corridor supporting classification is also proposed.

Ms. Stonefield provided background information pertaining to the Downtown Palm Harbor Master Plan adopted by the County Commission in 2001, and discussed public engagement and analysis activities beginning in 2016 and resulting in the proposed update; whereupon, she discussed key issues of interest identified by members of the community which will be addressed as part of the Master Plan update, noting that a form-based code will be used as an implementation tool.

Referring to an aerial photograph, Ms. Stonefield pointed out the existing Activity Center boundary and the new expanded boundary proposed as part of the Master Plan update, indicating that form-based code zoning is proposed for the entire area.

Thereupon, Ms. Keene discussed the code development process, including public engagement activities, diagnostics and testing, and graphic renderings, and reviewed code highlights specific to the Downtown Palm Harbor area. She indicated that the Downtown Palm Harbor Form-Based Code contains the same nine components as the Lealman Form-Based Code and discussed the following elements:

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- District map identifying four zoning districts
- District intent and standards for building placement, details, height, and allowed uses
- Historic preservation and building design standards

Responding to comments and queries by the members, Mr. Scofield discussed Historic Preservation regulations, noting that the five properties identified on the map create a context for the Palm Harbor code. Mses. Keene, Stonefield, and Vincent discussed the placement of the Activity Center/form-based code boundary, and Ms. Vincent agreed to look into Mr. Wikle's concerns moving forward.

Attorney Hardy noted that there are three separate agenda items before the Board, and following discussion, Chairman Klar indicated that they will be considered together and addressed by a single vote.

No one appeared in response to the Chairman's call for proponents. Upon his call for opponents, the following individuals appeared and stated their concerns:

David Ballard Geddis, Jr., Palm Harbor
Clayton Miller, Palm Harbor

Ms. Stonefield addressed Mr. Miller's concerns, and discussion ensued wherein she related that expansion or redevelopment of property in a form-based code district would be addressed through the variance process.

Following discussion, Mr. Figurski moved, seconded by Ms. Johnson, that the LPA recommend approval of items Z/LU-28-11-19, LDR-27-11-19, and CP-29-11-19 to the BCC in accordance with the staff recommendation and testimony during today's hearing, and Attorney Hardy provided input. Upon call for the vote, the motion carried unanimously.

ADJOURNMENT

Upon motion by Ms. Johnson, seconded by Mr. Wikle and carried unanimously, the meeting was adjourned at 10:34 A.M.

Chairman