

REVIEW OF LOCAL GOVERNMENT
FUTURE LAND USE PLANS AND
LAND DEVELOPMENT REGULATIONS
FOR CONSISTENCY WITH
THE COUNTYWIDE RULES

PINELLAS PLANNING COUNCIL

FINAL DRAFT
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**Review of Local Government
Future Land Use Plans and Land Development Regulations
For Consistency with the Countywide Rules**

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Executive Summary

At their meeting on November 1, 2005, the Board of County Commissioners, in their role as the Countywide Planning Authority (CPA), directed the PPC to review all Pinellas County's twenty-five local governments' future land use plans and land development regulations (LDRs) for consistency with the Countywide Future Land Use Plan (the Countywide Plan) and the Rules Concerning the Administration of the Countywide Future Land Use Plan (the Countywide Rules). This report provides the results of that comparison for consistency, as well as solutions for resolving inconsistencies where they exist.

The Special Act creating the Pinellas Planning Council (PPC) and the Countywide Rules require that future land use plan maps and specific parts of local government comprehensive plans and LDRs be consistent with the Countywide Plan and Rules. In 1989, a three-step approach to achieve consistency was identified, and subsequently carried out, as part of the consistency program for Pinellas County. As a major part of this earlier effort, the PPC and CPA approved a report entitled: *The Countywide Consistency Report: Implementing the Consistency Requirements of Chapter 88-464, Laws of Florida, as amended* (PPC Resolution No. 91-2 and CPA Resolution No. 91-307) in 1991. That report documented the issues to be addressed, as well as the criteria and procedures necessary to achieve consistency between the local plans and regulations and the Countywide Rules.

The initial process dealt extensively with correlating the future land use plan maps and involved numerous countywide and local plan map amendments. Since that initial effort, consistency issues relating to the mapped plan categories have largely been dealt with through the monthly map amendment process, thus assuring that consistency is maintained through the ongoing monthly process. This report focuses solely on the local future land use plan element and implementing LDRs, as distinct from map consistency.

The implementation of the consistency program was accomplished through adoption of necessary revisions to the Countywide Rules by the PPC and CPA, adoption of corresponding local future land use plan and LDR amendments by each local government, and amendments to both local future land use maps and the Countywide Plan Map. With completion of these items, a Determination of Consistency was approved for each local government by the PPC and CPA between 1992 and 1995.

While Determinations of Consistency were issued, in most cases they were conditioned on changes that were to be subsequently made at the local level to achieve compliance. Since that time, and in an effort to ensure that consistency is maintained, each local government has been required to forward specific consistency-related amendments to the PPC for review. However, not all local governments have completed this task on a regular basis, which, combined with on-going updates to the Countywide Rules, have led to the potential for inconsistencies between the Rules and local plans and regulations.

The report identifies the criteria by which consistency is determined, examines each jurisdiction's plan and code relative to those criteria, identifies inconsistencies, and suggests the appropriate action by which to reconcile them.

The report concludes that the local government future land use plans and LDRs taken as a whole, are for the most part consistent with the Countywide Plan and Rules. There are however, numerous inconsistencies in virtually every jurisdiction. Individually, many of these inconsistencies are relatively minor in nature, but taken together create the potential for development that is inconsistent with the Countywide Plan and Rules.

The process to reconcile the identified inconsistencies will require an extensive effort over the next year involving consideration of amendments to both the Countywide Rules and each local government plan and land development regulations.

The schedule for review and resolution of the consistency issues identified in this report has been carried out to date as follows:

Preliminary Draft:

1. June-July 2006 - Summarized the findings with the PPC and with the CPA in a preliminary draft;
2. August-September 2006 – Meetings held with the local governments to discuss the findings with respect to their communities;
3. October-December 2006 – Revised the preliminary draft report based on local government input and further refinement;

The remaining steps to approve and implement the process to address remaining inconsistencies are proposed as follows:

Final Draft:

4. January-February 2007 - Present the finalized report to the PPC and to the CPA for approval;
5. March-September 2007 – Review and implement any recommended amendments to the Countywide Rules; and
6. March 2007-March 2008 - Assist local government with the implementation of the recommended local plan and regulatory actions.

I. Introduction

This report is being completed in follow-up to the CPA's direction to undertake a review of local plans and codes for consistency with the Countywide Plan and Rules. Illuminated by a recent case regarding allowable residential density calculations, and based in part upon the belief that some local plans have not been amended in harmony with the Countywide Rules, the CPA at their meeting on November 1, 2005, directed this review take place.

The original consistency determination process was completed in the early to mid 1990's, and involved all local governments in Pinellas County. This initial process focused on reconciling differences between the future land use plan maps.

Since that time, many local governments have amended both their comprehensive plans and LDRs numerous times. Even with the requirement that local governments submit comprehensive plan and LDR amendments to the PPC for a consistency review prior to public hearing, it is possible that not all local governments have submitted amendments in accord with this process. It is also possible that not all the detailed wording in local plans and regulations was reconciled with the reconstituted Countywide Plan and Rules in the initial process. In addition, the Countywide Rules have been amended a number of times since the original consistency process was completed. For all of these reasons, it was determined important by the PPC and CPA that a review of plans and regulations be conducted in order to address any inconsistencies that might exist.

This consistency review process and report are an important function of the countywide planning process since the primary means by which the Countywide Rules are implemented is through each local government's comprehensive plan and LDRs. If these local plans and regulations are inconsistent with the Countywide Plan and Rules, or they do not contain necessary provisions from the countywide process, there can be no effective implementation of the countywide process and requirements.

Therefore, the purpose of this report is to determine whether or not inconsistencies exist between local government comprehensive plans and LDRs, and the Countywide Plan and Rules; the extent of any inconsistency; and identification of suggested actions to resolve any such inconsistency.

Even with this extensive and careful effort to address consistency, it must be understood that achieving consistent plan and regulatory documents does not assure that all development will comport with these requirements unless there is an adequate means for assessing compliance, and if necessary, providing for effective enforcement. This issue will need to be addressed as a corollary to the effectuation of the consistency process and the recommendations contained herein.

The substance of this report includes:

- Identification of the Basis for Determining Consistency – Including reference to the original requirement for consistency, addressing definition and applicability of same;
- Citation of Applicable Criteria – Including Countywide Plan and Rule consistency provisions and explanation thereof;
- Review and Analysis of Local Future Land Use Elements and LDRs and Preparation of a Comparative Consistency Matrix – Including examination of each applicable local government plan and regulation as compared to the criteria for consistency, and identification by jurisdiction of any actual or potential inconsistency with each of the required criteria; and
- Summary Findings and Recommendations – Overview of the current state of consistency on a countywide basis, including identification of recurring consistency issues and specific recommendations to address such issues.

II. Consistency Requirement

A. The Original Requirement and Background

In 1988, a special act of the Florida Legislature was signed into law (Chapter 88-464, Laws of Florida) that established the modern Pinellas Planning Council and Countywide Planning Authority. In creating the PPC, the Legislature recognized that decisions made by individual units of local government could impact neighboring jurisdictions. It further recognized the common interest of the Pinellas County citizenry in the county's future development. As such, the Legislature stated as its purpose in creating the Council, *"to provide a means for...the formulation and execution by the council of the objectives and policies necessary for the orderly growth, development and environmental protection of Pinellas County as a whole."* The special act prescribes additional duties of the Council to include coordination of countywide growth management issues and procedures.

Section (7)(a) of the special act states that one of the powers and duties of the PPC is *"to develop a countywide future land use plan with a countywide managed growth perspective and [sic] compatible with the other elements of the comprehensive plan."* Two of the items stemming from this statement that are most important to this report include the Countywide Future Land Use Plan (the Countywide Plan Map) and the Rules Concerning the Administration of the Countywide Future Land Use Plan (the Countywide Rules).

To ensure that the local government comprehensive plans developed under Chapter 163, Florida Statutes (the Growth Management Act) and the local LDRs implementing the comprehensive plan were consistent with the Countywide Plan Map and Countywide Rules, a method and approach to meet the consistency requirement was developed.

In 1989, a three-step approach to meet this consistency requirement was identified, approved, and subsequently carried out, as part of the consistency program for Pinellas County.

The first step in this original process was to inventory existing plan inconsistencies through the comparison of the twenty-five local future land use plans and LDRs to the Countywide Plan and Rules. In addition, as part of the consistency process refinements to the Countywide Rules were recommended to address the requirements of the Special Act, enumerate the purpose, application, and standards of each plan category, and accommodate local government plans and regulations. The inventory step occurred from October 1989 to February 1991.

The second step was for the PPC and CPA to review and approve a report entitled: *The Countywide Consistency Report: Implementing the Consistency Requirements of Chapter 88-464, Laws of Florida, as amended* (PPC Resolution No. 91-2 and CPA Resolution No. 91-307) in 1991. That report documented the issues to be addressed, as well as the criteria and procedures necessary to achieve consistency between the local plans and regulations and the Countywide Rules.

The Consistency Report was the basis for implementation of the consistency requirements, specifically the recommended amendments to the Countywide Rules and amendments to each local future land use plan and LDRs, (Appendix A and Appendix B, respectively, to the Countywide Consistency Report).

The final step in this initial procedure was implementation of the consistency program through adoption of necessary revisions to the Countywide Rules by the PPC and CPA, adoption of corresponding local future land use plan and LDR amendments by each local government, and submission of corresponding amendments to each local future land use map and the Countywide Plan Map. With completion of these items, a Determination of Consistency was approved for each local government by the PPC and CPA during the period 1992-1995.

Subsequent to the adoption of the amended Countywide Plan and Rules in 1992, map amendments have been considered on a monthly basis and the map officially updated and filed annually. For that reason, the consistency of the maps is addressed on an ongoing basis and this effort focuses on the written narrative in the local land use plan elements and accompanying regulations as compared to the Countywide Plan and Rules.

Since that time, as part of the continuing effort to ensure that all local government future land use plan elements and LDRs remain consistent with the Countywide Rules, each local government has been required to forward certain proposed ordinances to the PPC in advance of adoption. PPC staff then reviews each amendment for consistency with the Countywide Rules. In addition, a library of all local comprehensive plans and LDRs, whether involving consistency items or not, is maintained at the PPC.

This current consistency review project is needed as an update to the earlier effort, in recognition that there is the possibility that not all of the detailed wording in the local plan and regulatory documents was rendered consistent in the initial effort, that not all local government amendments were transmitted to the PPC for review and/or that some of the Countywide Rule amendments that have occurred since the original consistency determination may not have been addressed by each local government. In summary, this effort is intended to double-check all local future land use elements and LDRs to ensure they remain consistent with the Countywide Rules, and if not, to identify what needs to be done to meet the consistency requirements of the Countywide Rules.

B. Definition of Consistency

Consistency as used throughout this report refers primarily to consistency between:

- The Countywide Plan and Rules; and
- Each local government future land use plan element and LDRs in Pinellas County, Florida.

As stated earlier, consistency between local future land use plan maps and the Countywide Plan Map is addressed on an ongoing basis and is not part of this effort.

The specific requirement for consistency comes directly from Section 10(3)(b) of Ch. 88-464, Laws of Florida, as amended, as it relates to the Countywide Plan. This section requires that all local government comprehensive plans and LDRs be consistent with the Countywide Plan.

Further, the Special Act goes on to define consistency, specifically with regard to *how* the local government future land use plans and LDRs relate to the Countywide Plan and Rules, by directing that minimum criteria be developed by the PPC and CPA by which to evaluate consistency.

As set forth in Div. 3.2 of the Rules, *“Consistency, as used in the determination of whether or not a local government future land use plan or LDR is consistent with the Countywide Plan and Rules, shall be interpreted to mean that the compared item is in accordance with and within the parameters specified for the item by the criterion to which it is compared. If any one or combination of item(s) required to be compared deviate in any way from the parameters specified, other than as specifically provided for in the Special Act, the compared item shall be considered inconsistent with the norm and as such shall render the local plan or regulation so compared, inconsistent.”*

C. Applicability/Criteria

In order to maintain ongoing consistency between local plans and LDRs and the Countywide Plan and Rules, it is required that any amendment proposed for adoption by a local government that is subject to Article 4 Plan Criteria and Standards of the Countywide Rules be submitted to the PPC at least twenty-one days prior to the first public hearing by the local governing body (Sec. 3.3.1.1 of the Countywide Rules). Within fifteen days of receipt, PPC staff shall review the proposed amendment and notify the local government of non-compliance, if applicable. If a determination of non-compliance is rendered by PPC staff, the local government may not proceed with adoption of the amendment until amicable resolution has been reached, appeals to the PPC and/or CPA are completed, and/or the Administrative Process has been finalized pursuant to Section 3.3.2 of the Countywide Rules and Ch. 120, F.S., respectively.

All local government future land use plans and LDRs are required to be consistent with the seven items found in the Countywide Rules as quoted below (Div 4.1, Applicability):

All local government future land use plans and LDRs shall be consistent with the plan criteria and standards in these Countywide Rules. The parameters for the criteria and standards have been established by category and shall be the basis for the administration of the Countywide Plan Map. The specific criteria by which consistency of the local future land use plans and LDRs shall be judged include the following:

- *Nomenclature*
- *Major Plan Classifications and Categories Continuum*
- *Density/Intensity Standards*
- *Use and Locational Characteristics*
- *Map Delineation*

- *Other Standards*
- *Special Rules*

The specific requirement for each of these seven criteria taken from the Countywide Rules is as follows:

Nomenclature

The name or title of local future land use plan categories shall be precisely the same as the Countywide Plan Map categories as set forth in the Countywide Rules. The Countywide Rules allow for the use of a local suffix attached to a map category as may be desired by a local jurisdiction.

This shall not be translated to mean that a local future land use plan is required to contain all or any specific number of the Countywide Plan Map categories, but those category names that are used must be precisely the same as those named Countywide Plan Map categories, except for any local suffix added thereto.

Major Plan Classifications and Categories/Continuum

The Special Act states: “*A continuum established by rule or standard shall be formulated by the Council which shall specifically identify which land uses are more intense than others*” (Section 5(7)(b), Chapter 88-464, Laws of Florida).

The Countywide Rules establish and identify major land use classifications, under which the specific categories are enumerated. Each local future land use category shall be placed within one of the following seven major countywide classifications:

	<u>Residential/Office/Retail (R/O/R)</u> <u>Resort Facilities Overlay (RFO)*</u> <u>Resort Facilities Medium (RFM)</u> <u>Resort Facilities High (RFH)</u>	Most Density/Intensity
Commercial	<u>Commercial Neighborhood (CN)</u> <u>Commercial Limited (CL)</u> <u>Commercial Recreation (CR)</u> <u>Commercial General (CG)</u>	Least Density/Intensity to Most Density/Intensity
Industrial	<u>Industrial Limited (IL)</u> <u>Industrial General (IG)</u>	Least Intensity to Most Intensity
Public/Semi-Public	<u>Preservation (P)</u> <u>Recreation/Open Space (R/OS)</u> <u>Institutional (I)</u> <u>Transportation/Utility (T/U)</u>	Least Intensity to Most Intensity
Planned Redevelopment	<u>Residential (R)</u> <u>Mixed Use (MU)</u> <u>Commercial (C)</u> <u>Industrial (IND)</u>	As Noted in Rules
Special Designations**	<u>Water/Drainage Feature</u> <u>Scenic/Non-Commercial Corridor</u> <u>Activity Center (AC)</u> <u>Community Redevelopment District (CRD)</u> <u>Central Business District (CBD)</u>	As Noted In Rules

* Based on Underlying Density/Intensity

** Due to the unique nature of the Special Designations there is no continuum comparison between or among these categories.

With respect to the continuum referenced in the Special Act a local future land use plan category that reflects a countywide category of equal or lesser density/intensity within the same major classification shall be considered consistent (Section 5(7)(b) and 10(3)(c), Chapter 88-464, Laws of Florida, as amended). However, there shall be no continuum comparison among or between the Special Designation categories.

Density/Intensity Standards

The Special Act requires that “*each land use category shall be defined in terms of the types of uses included and specific standards for the density or intensity of use*” (Section 5(7)(b), Chapter 88-464, Laws of Florida). Each local future land use plan category shall identify a density/intensity standard that will allow for its comparison to the applicable countywide standards. A local future land use plan category with no expressed or specific reference to an applicable standard is inconsistent with the Countywide Plan and Rules. As required by the Special Act, the local future land use plan category shall be considered consistent provided the applicable density/intensity is equal to or less than the density/intensity of the corresponding Countywide Plan Map category (Section 10(3)(c), Chapter 88-464, Laws of Florida).

As per Section 4.2.3.3 of the Countywide Rules, at a minimum, local future land use plan and local development regulation standards must include the following measures of density/intensity:

- Residential - Dwelling units per gross acre;
- Residential Equivalent - Equivalent beds per dwelling unit and impervious surface ratio (ISR);
- Non-Residential - ISR and floor area ratio (FAR);

- Transient Accommodation - Transient accommodation units per acre and ISR; and
- Mixed Uses - The combination of the applicable above referenced standards, when allocated in their respective proportion of the total lot area.

Density/intensity standards shall be expressed as a maximum, with the upper end of any range being the effective maximum.

Adjustment of intensity standards for FAR and ISR is provided for as set forth in Division 6.4 of the Countywide Rules. In addition, a density bonus may be authorized by local government to the otherwise applicable maximum permitted density for each category as an incentive to provide affordable housing. However, in order for a local government to utilize this affordable housing density bonus, the local government shall have an approved affordable housing plan and corresponding LDRs, which shall be filed with the Council.

Use/Locational Characteristics

The use characteristics for each Countywide Plan Map category define those uses appropriate to and consistent with a particular category. The uses are divided into primary and secondary uses. Primary uses are those, which make up the largest percentage of land use within that category and for which the category is primarily designed. Secondary uses are those uses often associated with, or required to serve, the primary uses.

Locational characteristics define the appropriate location for the placement of a particular land use category. Locational characteristics such as appropriate adjacent land uses, environmental features, proximity to arterial roadways and/or urban centers, and the availability of mass transit must be provided under each future land use plan category.

Use characteristics as set forth in the local government future land use plan or LDRs shall be considered consistent where they are comparable to, less extensive than, or more narrowly defined than, the corresponding enumerated list of primary and secondary use characteristics for each category contained in the Countywide Rules; provided, however, such use characteristics in the local plan or regulations shall not exceed the parameters of, or provide for uses not allowed under, the respective categories of the Countywide Rules, except as expressly and specifically provided for in Section 4.2.4.3.

Local future land use plan categories shall establish a description of appropriate uses and proper locations, in sufficient detail so as to be determined comparable to and consistent with said characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Map Delineation

The plan maps shall be consistent if, for each parcel, the local future land use plan designation is a category equal to or less dense/intense than the Countywide Plan Map designation. All map inconsistencies were addressed through approval of Determinations of Consistency for each local government within Pinellas County between 1992 and 1995 as part of the implementation of the consistency requirements of Chapter 88-464, Laws of Florida. Since that time, the local maps and the Countywide Plan Maps are maintained through monthly amendments submitted by a requesting local jurisdiction for public hearing in front of the PPC and, subsequently, the CPA for final action. These monthly Countywide Plan Map amendments are cumulatively updated in October of each year for reprinting and distribution. This criterion was not included as part of the scope of this study.

Other Standards

Local future land use plans and LDRs shall include policies and/or standards consistent with the "other standards" contained in the description of each Countywide Plan Map category. Where no such standards are in place in the local future land use plan or LDRs, the plan or regulation must be amended to provide for same or be found inconsistent. This shall not be interpreted to require that a local government provide for the secondary use characteristics listed under Other Standards or to preclude the local government from having a smaller, more restrictive acreage threshold for amendment.

Special Rules

Local future land use plans and LDRs shall be consistent with such special designations and rules as set forth in the Countywide Rules, concerning:

- Scenic/Non-Commercial Corridors, Section 4.2.7.1;
- Transferable Development Rights, Section 4.2.7.2;
- Public Educational Facility Siting, Section 4.2.7.3;
- Coastal High Hazard Areas, Section 4.2.7.4; and
- Special Area Plans, Section 4.2.7.5

These criteria are the basis for review of each local government plan and accompanying regulations set forth in Section III.

III. Analysis of Local Future Land Use Plan Elements and LDRs

The following involves the review of the applicable items for each of the twenty-five local government future land use elements and LDRs against the criteria listed and discussed in Section II.B and as taken from Article 4 of the Countywide Rules.

A. Town of Belleair

Findings. A review of the Town of Belleair Future Land Use Element of the Comprehensive Plan, the Land Development Code and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The land use category entitled “Conservation/Preservation” is not the same as any category identified on the Countywide Plan Map. Future Land Use Element, Policy 1.1.2]	Local land use categories must be the same as the Countywide Plan Map, and may include a suffix to tailor the category to the local application. [Countywide Rules, Section 4.2.1.1]	The title of the local plan category should be amended to “Preservation – Conservation”.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules,	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

	use characteristics and density/intensity limitations uncertain.	Division 4.1 and Section 4.2.2.1]	
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Major Classifications and Categories/Continuum (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
3.	According to the zoning/land use consistency matrix, the C-4 and C-5 zoning districts are not consistent with any land use plan category.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Use of the C-4 and C-5 zoning districts should be terminated and such districts should be deleted from the LDRs.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
4.	Residential equivalency standards for group homes are expressed in the context of clients per bedroom and bathroom. [Land Development Code, Section 74-116©(2)c]	The Countywide Rules express residential equivalency standards in beds per permitted dwelling unit. [Countywide Rules, Section 4.2.3.3]	The LDRs should state the appropriate residential equivalency standard for residential-like accommodations.
5.	The stated purpose for the R-1 zoning district is to provide areas for medium density single family uses; however, this is not consistent with the RL plan category [Land Development Code, Section 74-82]	Density/intensity must be consistent with applicable standards set forth in the Countywide Plan Map and rules. [Countywide Rules, Section 4.2.3.1]	The purpose for the R-1 zoning district should be restated to provide areas for low density single family use.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
6.	There is not presently a maximum floor area ratio (FAR) stated for parks and recreation facilities within the P zoning district. [Land Development Code, Section 74-84]	A maximum FAR of .25 exists for the R/OS category. [Countywide Rules, Section 2.3.3.7.2]	The FAR standard applicable to parks and recreation facilities should be appropriately stated.
7.	There is not presently a maximum impervious surface ratio (ISR) stated for parks and recreation facilities within the P zoning district. [Land Development Code, Section 74-112 (e)]	A maximum ISR of .60 exists for the R/OS category. [Countywide Rules, Section 2.3.3.7.2]	The ISR standard applicable to parks and recreation facilities should be appropriately stated.
8.	The maximum permitted density expressed for the H zoning district is 28 dwelling units per acre. This is not consistent with the maximum permitted density allowed in the CG land use category. [Land Development Code, Section 74-84]	The maximum permitted density in the CG land use category is 24 dwelling units per acre. [Countywide Rules, Section 2.3.3.5.4]	The maximum permitted density expressed in the H zoning district should not exceed that allowed in the CG land use category.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, Land Development Code, Section 66-10]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
10.	The H zoning district is created primarily for hotel uses; however, density allowances are expressed in dwelling units per acre. Furthermore, the LDRs do not make any reference to hotel units. [Land Development Code, Sections 74-82, 74-83 and 74-84]	A definitive statement must be provided so that density/intensity standards can be determined consistent with the Countywide Plan Map and Rules. [Countywide Rules, Section 4.2.3.1]	Hotel units should be defined and density allowances for hotel uses in the H zoning district should be clearly stated. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
11.	Density calculations are based on total site area, which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 3]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be amended to exclude both public road rights-of-way and submerged land from density calculations.
12.	FAR calculations are based on lot area, which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 5]	Public road rights-of-way and submerged land must be excluded from FAR calculations. [Countywide Rules, Division 7.2, see definition of “floor area ratio” and “gross land area”]	The definition of “floor area ratio” should be amended to exclude both public road rights-of-way and submerged land from FAR calculations.
13.	ISR calculations are based on gross site area, which absent clarification, appears to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, p. 6]	Public road rights-of-way and submerged land must be excluded from ISR calculations. [Countywide Rules, Division 7.2, see definition of “impervious surface ratio” and “gross land area”]	The definition of “impervious surface ratio” should be amended to exclude both public road rights-of-way and submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
14.	Permitted maximum density according to the land use plan does not always correlate with permitted minimum lot sizes. For example, within the R-2 zoning district, based on a minimum lot size of 7,500 square feet, up to 5.8 dwelling units would be allowed per acre, which is inconsistent with the Residential Low maximum density of 5.0 dwelling units per acre.	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDRs should be amended to state: "Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern."

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
15.	Administrative and operational government building and facilities are permitted in the P zoning district. However, these uses are not consistent with the R/OS plan category. [Land Development Code, Section 74-85]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Administrative and operational government buildings and facilities should be disallowed in the P zoning district and a new zoning district should be created for such institutional uses and applied in conjunction with the I plan category.
16.	There are no locational characteristics expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational characteristics should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules. Furthermore, upon correlating zoning districts with land use categories, these determinants should in turn be applicable to the respective zoning districts contained in the LDRs.
17.	Hotels and other uses permitted in the H zoning district are not consistent with the P plan category. [Land Development Code, Section 74-82]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The H zoning district should not be applied in conjunction with the P plan category.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
18.	Private nurseries and greenhouses are permitted in the RE zoning district; however, agricultural uses are neither primary nor secondary uses in the RL plan category [Land Development Code, Section 74-82]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Private nurseries and greenhouses should either be disallowed in the RE zoning district or be limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
19.	Permitted uses in the C-1 and C-2 zoning districts are not consistent with the R/OS plan category. [Land Development Code, Section 74-82]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The C-1 and C-2 zoning districts should be appropriately correlated to the Countywide Plan Map and Rules.
20.	Permitted uses in the C-3 zoning district are not consistent with the RL plan category. [Land Development Code, Section 74-82]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The C-3 zoning district should not be utilized or shown to be consistent with the RL plan category.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
20.	Utility service structures in the C-1, C-2, C-3, and zoning districts are presently unrestricted in area. [Land Development Code, Section 74-84]	Utility uses within the R/OL and CG plan categories must not exceed 3 acres and 5 acres, respectively. [Countywide Rules, Section 2.3.3.4.1 and 2.3.3.5.4]	Utility service structures in these districts should be restricted in accordance with the associated plan category.
21.	The LDRs are silent regarding the provision of a buffer for wetland areas in a designated P plan category.	An appropriate buffer, as determined by the local jurisdiction, shall be provided for wetland Preservation areas. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should require an appropriate buffer for wetland areas should any exist in the P plan category.
22.	The LDRs are silent in the event the actual boundaries of a wetland area cannot be precisely determined based on maps.	Where the mapped delineation of wetland areas is inconclusive, a field determination and mapping of the actual boundary may be required as part of any amendment or project approval determination. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should specify the appropriate process for determining actual boundaries of wetlands if existent.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
23.	The LDRs are silent regarding acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the I plan category.	Ancillary non-residential uses and transportation/utility uses must not exceed a maximum area of 10 acres in the I plan category. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should specify the appropriate acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the I plan category.
24.	The LDRs are silent regarding the provision of a buffer for land assigned the T/U plan category.	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the T/U plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the T/U plan category.
25.	The LDRs are silent regarding acreage limitations applicable to institutional and ancillary non-residential uses in the T/U plan category.	Institutional and ancillary non-residential uses must not exceed a maximum area of 10 acres in the T/U plan category. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the appropriate acreage limitations applicable to institutional and ancillary non-residential uses in the T/U plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
26.	A density transfer in excess of 5 units per acre is allowed in the RPD zoning district as a means to protect open space. However, there is no corresponding text in the LDRs making provision for a density transfer and no expressed limitations on the amount of density that may be transferred. [Future Land Use Element, Policy 1.2.3]	The total density transferred from a designated open space cannot exceed 20 percent of that otherwise permitted by the Countywide Plan, and cannot exceed 1 dwelling unit per acre from property within the R/OS plan category. Furthermore, the transfer must be recorded in the public records. [Countywide Rules, Section 4.2.7.2.1]	The LDRs should incorporate a section addressing transfer of development rights, including appropriate density transfer restrictions, limitations and recordation.

Notes. Other notes are as follows:

- 24.** Policy 1.3.5 of the Future Land Use Element requires that the LDRs contain provisions whereby the development of seasonal tourist facilities within the Commercial General land use category is not used as a means to usurp the residential density limitations established by the comprehensive plan. However, it is not readily clear whether or how this is implemented.
- 25.** It is recommended that ISR standards be inserted directly into (as opposed to referenced by footnote) the schedule of dimensional regulations in Land Development Code Section 74-84.
- 26.** The comprehensive plan makes it clear that public education facilities are permitted in the Residential Low (RL), Residential Medium (RM) and Residential/Office Limited (R/OL) plan categories; however, this is not reflected in the LDRs. Furthermore, such facilities are not dismissed from the 3-acre threshold requirement in the LDRs. [Future Land Use Element Policy 1.11.2; Land Development Code, Section 74-82; Florida Statutes, Chapter 265 and 139]

27. The LDRs specify that certain acreage thresholds apply to public/semi-public uses; however, it is not altogether clear those uses that are considered public/semi-public. It is therefore recommended that a definition be provided for this term. [Land development Code, Section 74-8]

- According to the zoning/land use consistency matrix, the GC zoning district is applied in conjunction with the CG plan category. While golf courses are consistent with the CG plan category, it would be more appropriate to align this district with the R/OS plan category. [Land Development Code, Section 74-82; Countywide Rules, Sections 2.3.3.5.4 and 2.3.3.7.2]

B. Town of Belleair Beach

Findings. A review of the Town of Belleair Beach Future Land Use Element of the Comprehensive Plan, Zoning Code and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The LDRs state that the RM I zoning district includes areas designated as RL on the future land use map. This is in error and should state that the RM I zoning district includes areas designated as RM on the future land use map. [Zoning Code, Section 94-135]	Local government future land use plans and LDRs shall be consistent with the plan criteria and standards in the Countywide Rules. [Countywide Rules, Division 4.1]	The LDRs should state that the RM I zoning district includes areas designated as RM on the future land use map.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Major Classifications and Categories/Continuum (Continued)

Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	Public road rights-of-way and submerged land are not excluded from density calculations.	Public road rights-of-way and submerged land are excluded from density calculations [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The LDRs should include a definition of density, which makes it clear that public road rights-of-way and submerged land are excluded from density calculations and any associated conflicts in the text of the regulations should be reconciled.
4.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, Zoning Code, Section 94-2]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
5.	FAR and ISR standards are not stated for the P plan category. [Zoning Code, Section 94-135]	Within the P plan category, the maximum FAR and ISR is .10 and .20, respectively. [Countywide Rules, Section 2.3.3.7.1]	The LDR should be amended to state the maximum FAR and ISR in the P plan category.

Use and Locational Characteristics

Consistent

Other Standards
Consistent

Special Rules
Consistent

Notes. Other notes are as follows:

9. The Comprehensive Plan states that public/semi-public uses are allowed in the RL plan category; however, the LDRs do not make mention of this. [Comprehensive Plan, Policy 1.9.1 (see Ord. 92-12); Zoning Code, Section 94-135(b)].
10. To protect and preserve existing scenic/non-commercial corridors, the Town is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.
11. The LDRs do not limit the area of ancillary non-residential uses and transportation/utility uses in the I plan category, contrary to the requirement in the Countywide Rules that such uses not exceed 10 acres. Either the LDRs should be amended accordingly or the Town should otherwise ensure compliance. [Countywide rules, Section 2.3.3.7.3]
12. The LDRs indicate that the RM I district and RL II district may be utilized in conjunction with any local land use plan category – which contradicts the zoning/land use consistency matrix. [Zoning Code, Sections 94-175 and 94-220]

C. City of Belleair Bluffs

Findings. A review of the City of Belleair Bluffs Future Land Use Element of the Comprehensive Plan and the Land Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The definition of “density” in the land development code does not clearly exclude public rights-of-way and submerged land from density calculations. Furthermore, according to the comprehensive plan, density calculations likewise neglect to exclude public rights-of-way and submerged land. [See definition of “density”, Land Development Code, Section 102-10; Future Land Use Element, C.1]	Public road rights-of-way and submerged land must be excluded from density calculations. [See definition of “density” and “gross land area”, Countywide Rules, Division 7.2]	The LDRs and comprehensive plan should be amended to specify that public rights-of-way and submerged land are excluded from density calculations.
2.	Certain zoning districts allow residential/non-residential use mixes on a single property, without specifying how the overall density/intensity of use is measured. [for example, Land Development Code, Section 102-49]	Mixed-use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
3.	There are few locational characteristics expressed for the local land use categories. [Future Land Use Element, Section X.C]	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational characteristics should be stated in sufficient detail so as to be comparable to and consistent with the Countywide Rules.
4.	Storage facilities are permitted in the Commercial General district. Applicable restrictions, however, are limited to use only as storage and make no distinctions regarding open storage. [Land Development Code, Section 102-50.A.(4)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	The LDRs should be clear with respect to the degree of tolerance for open storage. Under no circumstance should open storage be allowed to exceed 20 percent of the area of the building to which it is accessory.

Other Standards
Consistent

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
5.	The LDRs provide the opportunity to transfer development rights from the Recreation/Open Space district. However, there is no attendant process or provisions for such transfer. [Land Development Code, Section 102-51B]	Detailed criteria apply to the transfer of development rights, including certain restrictions, limitations, and the requirement for recordation. [Countywide Rules, Section 4.2.7.1]	The LDRs should be amended to include the applicable process and provisions for transferring development rights; including requisite restrictions, limitations, and recordation.

Notes. Other notes are as follows:

6. The LDRs contain a conflict regarding the maximum permitted ISR in the I plan category; Section 102-32 states the maximum ISR is .50 and Section 102-52 states the maximum ISR is .85.
7. The comprehensive plan speaks of providing incentives for the development of affordable housing. However, the LDRs do not appear to provide any density bonus for affordable housing. The City may wish to consider this opportunity. [Housing Element, Policy 1.1.5; Countywide Rules, Section 4.2.3.5]
8. The LDRs are silent regarding acreage limitations applicable to transportation/utility uses in the I plan category. Such uses must not exceed an area of 10 acres in the I plan category. Either the LDRs should be amended to specify the appropriate acreage limitation or otherwise ensure it inapplicability.
9. To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

D. Town of Belleair Shore

Findings. A review of the Town of Belleair Shore Future Land Use Element of the Comprehensive Plan and the Zoning Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The Single Family zoning district is applied to all land in the Town, including land designated as R/OS on the land use plan. However, residential is not a permitted use in the R/OS plan category.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Either a separate zoning district should be created for the R/OS plan category, or the criteria and standards applicable to this plan category should be expressly stated.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
2.	Maximum density in the Single Family district is 1.39 dwelling units per acre. However, it appears that the LDRs do not exclude submerged land from density calculations. [Zoning Code, Section 46-136]	Submerged land is excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The LDRs should be amended to exclude submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
3.	The LDRs are silent regarding the maximum FAR applicable to land within the R/OS plan category. [Zoning Code, Sections 110-263(1), and 110-293].	The maximum FAR in the R/OS plan category is .25. [Countywide Rules, Sections 2.3.3.7.2]	The LDRs should be amended to appropriately state the maximum FAR for the R/OS plan category.

Use and Locational Characteristics

Consistent

Other Standards

Consistent

Special Rules

Consistent

Notes. Other notes are as follows:

None.

E. City of Clearwater

Findings. A review of the City of Clearwater Future Land Use Element of the Comprehensive Plan and the Community Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Density, FAR, and ISR calculations are based on gross land area which, absent a definition, appears to include public road rights-of-way. Furthermore, while the LDRs expressly state that submerged land cannot be used to calculate density, the absence of a like statement for FAR and ISR calculations leaves open the potential for inconsistency. [see definition of “density”, “floor area ratio” and “impervious surface ratio”, Community Development Code, Section 8-102 and 3-902G]	Public road rights-of-way and submerged land must be excluded from density, FAR and ISR calculations. [Countywide Rules, Division 7.2, see definition of “density”, “floor area ratio”, “impervious surface ratio” and “gross land area”]	The LDRs should be amended to specify that public road rights-of-way and submerged land are excluded from density, FAR and ISR calculations.
2.	The maximum permitted ISR in the CG plan category is .95. [Community Development Code, Section 2-701.1]	The maximum permitted ISR in the CG plan category is .90. [Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to state the maximum permitted ISR in the CG plan category is .90.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
3.	The definition of “overnight accommodations” and “interval ownership/timesharing” do not reference any restriction on the term of occupancy, without which, there exists a potential for inconsistent density. [see definition of “overnight accommodations” and “interval ownership/timesharing”, Community Development Code, Section 8-102]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
4.	Permitted maximum density according to the land use plan does not always correlate with permitted minimum lot sizes. For example, within the LDR zoning district, based on a minimum lot size of 10,000 square feet, up to 4.4 dwelling units would be allowed per acre, which is inconsistent with the Residential Estate (RE) maximum density of 1.0 dwelling unit per acre and the Residential Suburban (RS) maximum density of 2.5 dwelling units per acre. Also, within the LDR zoning district, residential infill projects have no minimum lot area. [Community Development Code, Section 2-103]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDR should be amended to state: "Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern."

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
5.	Locational characteristics are set forth in the comprehensive plan; however, they are general in nature and lack the necessary detail to be comparable to and consistent with the Countywide Plan Map and Rules. [Future Land Use Element, Policies 3.2.2, 3.2.3 and 3.2.4]	Proper locations for future land use categories must be described in sufficient detail to be determined comparable to and consistent with the Countywide Plan Map and Rules. [Countywide Rules, Sections 4.2.4 and 4.2.4.1]	The comprehensive plan should be amended to set forth additional detail for each land use category consistent with the Countywide Plan Map and Rules.
6.	Indoor and outdoor recreation/entertainment is allowed in the Commercial (C) zoning district; however, commercial recreation is neither a primary nor secondary use in the Residential/Office/Retail (R/O/R) nor Commercial Neighborhood (CN) plan category. [Community Development Code, Sections 2-703 and 2-704]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Indoor and outdoor recreation/entertainment should either be disallowed in the R/O/R and CN plan categories or be limited in such categories in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	Outdoor storage is allowed in the C zoning district; however, it is not conditioned to be consistent with the Commercial plan categories. [Community Development Code, Section 2-703]	Outdoor storage in the Commercial plan categories must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Sections 2.3.3.5.2 and 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	Outdoor storage should be deleted from the list of permitted uses in the C zoning district or appropriately restricted within Commercial plan categories.
8.	Outdoor storage and self-storage are allowed in the C zoning district; however, storage/warehouse uses are neither primary nor secondary uses in the R/O/R or CN plan category. [Community Development Code, Sections 2-703 and 2-704]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Outdoor storage and self-storage should be disallowed in the R/O/R plan category. In addition, outdoor storage and self-storage should be either disallowed in the CN plan category or be limited in such category in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	Light assembly is allowed in the C zoning district; however, such use is neither a primary nor secondary use in the CN or Commercial Limited (CL) plan category. [Community Development Code, Section 2-704]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Light assembly should either be disallowed in the CN and CL plan category or be limited in such categories in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
10.	The I zoning district is utilized in conjunction with the I and T/U plan categories; however, nursing homes and other residential equivalent uses are not permitted in the T/U plan category. [Community Development Code, Sections 2-1202 and 98-298(7)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Residential equivalent uses in the I zoning district should be qualified with a statement that such uses are permitted in the I plan category only.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
11.	Outdoor recreation/entertainment is allowable in the I zoning district; however, commercial recreation uses are neither primary nor secondary uses in the I or T/U plan categories. [Community Development Code, Section 2-1203]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Outdoor recreation/entertainment should be disallowed in the I zoning district.
12.	Manufacturing is allowed in the IRT zoning district; however, it is not specifically limited to light manufacturing in the Industrial Limited (IL) plan category nor are there any restrictions on exterior storage or processing in the IL category. [Community Development Code, Sections 2-1302 and 2-1303]	Manufacturing in the IL plan category is limited to light manufacturing/assembly (Class A) uses and precludes exterior storage and processing of equipment or materials of any kind. [Countywide Rules, Section 2.3.3.6.1 and Division 7.2, see definition of “light manufacturing/assembly (Class A) use”].	The LDRs should be amended to appropriately limit manufacturing uses in the IL plan category.
13.	Outdoor recreation/entertainment is allowable in the OSR zoning district; however, commercial recreation uses are neither primary nor secondary uses in the R/OS plan category. [Community Development Code, Section 2-1403]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Outdoor recreation/entertainment should be disallowed in the OSR zoning district or be limited to golf courses/clubhouses.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
14.	Overnight accommodations and public transportation facilities are allowable in the OSR zoning district; however, such uses are neither primary nor secondary uses in the R/OS plan category. [Community Development Code, Section 2-1403]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Overnight accommodations and public transportation facilities should be disallowed in the OSR zoning district.
15.	Outdoor recreation/entertainment is allowable in the P zoning district; however, commercial recreation uses are neither primary nor secondary uses in the P plan category. [Community Development Code, Section 2-1503]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Outdoor recreation/entertainment should be disallowed in the P zoning district.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
16.	Non-residential off-street parking is not consistently restricted in area in Residential and Mixed Use plan categories. [See, for example, Community Development Code, Sections 2-204C and 2-1003G]	Ancillary non-residential uses (i.e., off-street parking, drainage retention areas and open space buffer areas for adjacent, contiguous, non-residential uses) in Residential and Mixed Use plan categories must not exceed a maximum area of 3 acres without a plan map amendment. [See, for example, Countywide Rules, Sections 2.3.3.1.4 and 2.3.3.4.3]	The LDRs should be amended to specify that ancillary non-residential uses must not exceed a maximum area of 3 acres in Residential and Mixed Use plan categories without a plan map amendment.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
17.	Places of worship and social and community centers are allowed in the C zoning district without restriction in area in the CN, CL or CG plan categories. [Community Development Code, Section 2-702]	Institutional uses in the CN, CL and CG plan categories must not exceed a maximum area of 5 acres without a plan map amendment. [Countywide Rules, Sections 2.3.3.5.1., 2.3.3.5.2 and 2.3.3.5.4]	The LDRs should be amended to specify that institutional uses must not exceed a maximum area of 5 acres in the CN, CL and CG plan categories without a plan map amendment.
18.	Social and community centers are allowed in the T zoning district; however, such uses are not restricted in area in the RFH plan category. [Community Development Code, Section 2-802]	Institutional uses in the RFH plan category must not exceed a maximum area of 5 acres without a plan map amendment. [Countywide Rules, Section 2.3.3.4.6]	The LDRs should be amended to specify that social and community centers must not exceed a maximum area of 5 acres in the RFH plan category without a plan map amendment.
19.	The LDRs are silent regard the floor area limitations applicable to personal service/office support uses in the R/OL and R/OG plan categories.	Personal service/office support uses in the R/OL and R/OG plan categories must not exceed a floor area of 3,600 or 5,000 square feet, respectively, and no combination of such uses in any single multi-tenant building or group of buildings in a unified project may exceed 10 percent of the gross floor area of the buildings. [Countywide Rules, Sections 2.3.3.4.1 and 2.3.3.4.2]	The LDRs should specify the appropriate floor area limitations applicable to personal service/office support uses in the R/OL and R/OG plan categories.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
20.	Airports, marina facilities, and public transportation facilities are allowed in the I zoning district; however, such uses are not restricted in area in the I plan category. [Community Development Code, Sections 2-1203 and 2-1204]	Transportation/utility uses in the I plan category must not exceed a maximum area of 10 acres without a plan map amendment. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should be amended to specify that transportation/utility uses must not exceed a maximum area of 10 acres in the I plan category without a plan map amendment.
21.	Governmental uses, hospitals and other institutional uses are allowed in the I zoning district; however, such uses are not restricted in area in the T/U plan category. [Community Development Code, Sections 2-1202, 2-1203 and 2-1204]	Institutional uses in the T/U plan category must not exceed a maximum area of 10 acres without a plan map amendment. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should be amended to specify that institutional uses must not exceed a maximum area of 10 acres in the T/U plan category without a plan map amendment.
22.	Utility/infrastructure facilities must not exceed 10 acres in the IRT zoning district without a plan map amendment. [Community Development Code, Section 2-1303]	Utility/infrastructure facilities must not exceed a maximum area of 5 acres in the IG plan category without a plan map amendment. [Countywide Rules, Section 2.3.3.6.2]	The LDRs should be amended to specify that utility/infrastructure facilities must not exceed a maximum area of 5 acres in the IG plan category without a plan map amendment.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
23.	Within the IRT zoning district, most non-industrial secondary uses that are not part of a master development plan are not limited in area. [Community Development Code, Section 2-1303]	Within the IL plan category, non-industrial secondary uses that are not part of a master development plan must not exceed a maximum area of 5 acres without a plan map amendment. [Countywide Rules, Section 2.3.3.6.1]	The LDRs should be amended to specify that, within the IL plan category; non-industrial secondary uses that are not part of a master development plan must not exceed a maximum area of 5 acres without a plan map amendment.
24.	Offices, retail sales, and commercial/business service uses in the IRT zoning district are not restricted in accordance with the requirements for the IG plan category. [Community Development Code, Article 2, Division 13]	Office, retail commercial, personal service/office support and commercial/business service uses are allowed in the IG plan category only as accessory uses, located in the structure to which it each is accessory, and must not exceed 25 percent of the floor area of the principal use to which each is accessory. [Countywide Rules, Section 2.3.3.6.2]	The LDRs should be amended to include the appropriate restrictions applicable to office, retail commercial, personal service/office support and commercial/business service uses in the IG plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
25.	The LDRs are silent in the event the actual boundaries of a wetland area cannot be precisely determined based on maps.	Where the mapped delineation of wetland areas is inconclusive, a filed determination and mapping of the actual boundary may be required as part of any amendment or project approval determination. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should specify the appropriate process for determining actual boundaries of wetlands if existent.
26.	The LDRs are silent regarding the provision of a buffer for land assigned the Transportation/Utility plan category.	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the Transportation/Utility plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the Transportation/Utility plan category.
27.	The LDRs are silent regarding the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.	In the Transportation/Utility plan category, where utility transmission lines are located in easements, as distinct from rights-of-way, the category must be shown as an overlay. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
28.	The LDRs do not address all requirements applicable to the transfer of development rights. [Community Development Code, Article 4, Division 14]	Detailed criteria applies to the transfer of development rights, including transfers from existing developed property, residual development rights applicable to the sending parcel, and transfers from or to submerged land. [Countywide Rules, Section 4.2.7.2]	The LDRs should be amended to thoroughly address all requirements applicable to the transfer of development rights.

Notes. Other notes are as follows:

- 37.** There appears to be an understatement in the LMDR zoning district regulations regarding the maximum permitted FAR and ISR applicable to nonresidential uses in the RL plan category. The maximum FAR and ISR are stated as .30 and .60 respectively. By comparison, in the LDR zoning district, a less intensive district, the maximum FAR and ISR are .40 and .65 respectively. [Community Development Code, Sections 2-101.1 and 2-201.1]
- 38.** There does not appear to be a process or standards for adjustment of FAR and ISR standards.
- 39.** The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
- 40.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

F. City of Dunedin

Findings. A review of the City of Dunedin Future Land Use Element of the Comprehensive Plan and the Zoning Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, Zoning Code, Section 134-2]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	The definitions of “hotel” and “motel” do not reference any restrictions on the term of occupancy, without which, there exists a potential for inconsistency. [see definition of “hotel” and “motel”, Zoning Code, Section 134-2]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
3.	Certain zoning districts allow residential/non-residential use mixes on a single property, without specifying how the overall density/intensity of use is measured. [for example, Zoning Code, Section 134-1012]	Mixed-use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.
4.	The LDRs do not specify the maximum permitted density in the CL and CG plan categories. [for example, Zoning Code, Section 134-370]	A definitive statement must be provided in the LDRs so that the density/intensity standards can be determined consistent with the Countywide Plan Map and Rules. [Countywide Rules, Section 4.2.3.1]	The LDRs should be amended to specify density limitations in the R/OG, CL and CG plan categories.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	Density is expressed as the allowable units per acre, which absent additional explanation, presents the potential for inconsistency since public road rights-of-way and submerged land are not clearly excluded from such calculations. [Zoning Code, Section 134-370]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	All references affecting the number of units which may be permitted on a given land area should be expressed in terms of “net acre” or “net density” which are appropriately defined in the LDRs, or be based on “gross land area” with the addition of an appropriate definition for same.
6.	Permitted maximum density according to the land use plan does not always correlate with the permitted minimum lot sizes. Within in the R-150 zoning district, based on a minimum lot size of 15,000 square feet, up to 2.9 dwelling units would be allowed per acre, which is inconsistent with the RS maximum density of 2.5 dwelling units per acre. Also, within the MH zoning district, based on a minimum lot size of 3,500 square feet, up to 12.4 dwelling units would be allowed per acre, which is inconsistent with the Residential Urban (RU) and RLM maximum density of 7.5 and 10.0 dwelling units per acre, respectively. [Zoning Code, Sections 134-485 and 134-772]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. (Countywide Rules, Section 4.2.3.2)	The LDRs should be amended to state: “Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern.”

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
7.	There are no locational characteristics expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational characteristics should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.
8.	Open storage is a special exception use in the GB and CP zoning districts. However, this is not consistent with the CG plan category. [Zoning Code, Sections 134-1073 and 134-1133]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	Open storage should be deleted from the list of permitted uses in the GB and CP zoning districts, or restricted consistent with the Commercial General category.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
9.	With the exception of the acreage threshold applicable to public/semi-public uses, the LDRs are silent regarding the standards contained in the description of each Countywide Plan Map category.	The LDRs must contain the standards elaborated in the description of each Countywide Plan Map category. [Countywide Rules, Section 4.2.6]	The LDRs should be amended to include the standards elaborated in the description of each Countywide Plan Map category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
10.	The Community Redevelopment District (CRD) plan category is utilized; however, the LDRs are silent regarding any attendant requirements for a special area plan.	Any proposed amendment of the Countywide Plan Map to the CRD plan category requires that a special area plan be developed and approved by the local government and submitted in support of the amendment to the PPC and CPA. [Countywide Rules, Section 4.2.7.5.1]	The LDRs should be amended to specify the requirements for a special area plan in conjunction with any proposed land use plan amendment to a CRD plan category.
11.	A property may receive a development rights transfer up to one dwelling unit per acre and/or 5 percent FAR in excess of the maximum density/intensity allowed under the land use plan. [Zoning Code, Section 134-72(3)]	There is no across-the-board opportunity to transfer development rights in this fashion. [Countywide Rules, Section 4.2.7.2.1]	The LDRs should be amended to eliminate this density/intensity transfer option or specify its applicability only to P or R/OS plan categories.

Notes. Other notes are as follows:

- 12.** The Comprehensive Plan commits to annually analyzing codes in order to encourage the construction of housing for those with special needs. However, the LDRs do not appear to provide any density bonus for affordable housing. The City may wish to consider this opportunity. [Housing, Goal I, Objective A, Policy 5; Countywide Rules, Section 4.2.3.5]
- 13.** The LDRs should be amended to provide an exemption for public education facilities from the acreage threshold applicable to institutional uses in the Residential and Residential/Office plan categories. [Countywide Rules, 4.2.7.5.1; Florida Statutes, Chapters 265 and 139]
- 14.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

G. City of Gulfport

Findings. A review of the City of Gulfport Future Land Use Element of the Comprehensive Plan, Zoning Code and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The comprehensive plan and LDRs do not establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
2.	The definition of “density” in the comprehensive plan does not indicate that public road rights-of-way and submerged land are ineligible for inclusion in density calculations. [Future Land Use Element, p. 1-16]	Public road rights-of-way and submerged land are excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be amended to exclude public road rights-of-way and submerged land from density calculations.
3.	The definition of “floor area ratio” in both the comprehensive plan and LDRs does not indicate that public road rights-of-way and submerged land are ineligible for inclusion in floor area ratio calculations. [Future Land Use Element, p. 1-17; Zoning Code, Section 22-2.02]	Public road rights-of-way and submerged land are excluded from floor area ratio calculations. [Countywide Rules, Division 7.2, see definition of “floor area ratio” and “gross land area”]	The definition of “floor area ratio” should be amended in both the comprehensive plan and LDRs to exclude public road rights-of-way and submerged land from density calculations.
4.	The definition of “impervious surface ratio” in both the comprehensive plan and LDRs does not indicate that public road rights-of-way and submerged land are ineligible for inclusion in density calculations. [Future Land Use Element, p. 1-19; Zoning Code, Section 22-2.02]	ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “impervious surface ratio” and “gross land area”, Countywide Rules, Division 7.2]	The definition of “impervious surface ratio” in both the comprehensive plan and LDRs should be amended to exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	The definition of “transient accommodations” in the LDRs does not reference any restrictions on the term of occupancy, without which, there exists a potential for inconsistency. [see definition of “transient accommodations”, Zoning Code, Section 22-2.02]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
6.	Warehouses are a permitted use in the Commercial General zoning district with no restriction on exterior storage. [Zoning Code, Section 22-5.11(b)(12)]	Any exterior storage in conjunction with storage/warehouse uses in the Commercial General plan category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	Warehouse uses should be conditioned to appropriately limit any exterior storage areas in the CG plan category.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	The OS zoning district is utilized in conjunction with CR, P and R/OS plan categories. However, the list of allowable uses is not distinguished by appropriate plan category. [Zoning code, Section 22-5.01(b) and (c)]	Use characteristics must be comparable to, less extensive than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the CR, P and R/OS plan categories.
8.	The P zoning district is utilized in conjunction with CR, P and R/OS plan categories. However, the list of allowable uses is not distinguished by appropriate plan category. [Zoning Code, Section 22-5.13 (b) and (c)]	Use characteristics must be comparable to, less extensive than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the CR, P and R/OS plan categories
9	Wholesale uses and distribution centers are conditional uses in the Commercial General zoning district with no restriction on exterior storage. [Zoning Code, Section 22-5.11(c)(1) and (4)]	Any exterior storage or distribution area in conjunction with wholesale/distribution uses in the Commercial General plan category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Wholesale/Distribution (Class A) Use”]	Wholesale/distribution uses should be conditioned to appropriately limit any exterior storage or distribution area in the CG plan category.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
10	The comprehensive plan does not limit the area of institutional in the CN plan category. [Future Land Use Element, p. 2-44]	Institutional uses must not exceed a maximum of 5 acres in the CN plan category. [Countywide Rules, Section 2.3.3.5.1]	The comprehensive plan should be amended to limit institutional and transportation/utility uses to a maximum area of 5 acres in the CN plan category.
11	The comprehensive plan does not include any standards for research/development or light manufacturing/assembly uses in the CG plan category. [Future Land Use Element, p. 2-47]	Research/development and light manufacturing/assembly uses are allowed in the CG plan category only on the basis of and pursuant to local government standards addressing neighboring uses; noise, solid waste and air quality emission standards; hours of operation; traffic generation; and parking, loading, storage, and service provisions. [Countywide Rules, Section 2.3.3.5.4]	The comprehensive plan should be amended to include standards for research/development and light manufacturing/assembly uses in the CG plan category.
12	The comprehensive plan does not limit the area of ancillary non-residential uses in the I plan category. [Future Land Use Element, p. 2-51]	Ancillary non-residential uses must not exceed a maximum of 10 acres in the I plan category. [Countywide Rules, Section 2.3.3.7.3]	The comprehensive plan should be amended to limit ancillary non-residential uses to a maximum area of 10 acres in the I plan category.

Special Rules
Consistent

Notes. Other notes are as follows :

13. The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
14. It would be desirable to define the term “public/semi-public use” which is frequently used in the comprehensive plan.
15. The comprehensive plan does not limit the area of transportation/utility uses in the CN plan category, contrary to the requirement in the Countywide Rules that such uses not exceed 5 acres. Either the comprehensive plan should be amended accordingly or the City should otherwise ensure compliance. [Future Land Use Element, p. 2-44; Countywide rules, Section 2.3.3.5.1]

H. City of Indian Rocks Beach

Findings. A review of the City of Indian Rocks Beach Future Land Use Element of the Comprehensive Plan and the Zoning Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The Institutional and Transportation/Utility plan categories are referred to as “Public/Semipublic – Institution or Transportation/Utility”. [Zoning Code, Section 110-131]	The title of local future land use categories must be the same as the Countywide Plan Map categories. [Countywide Rules, Section 4.2.1.1]	The aforementioned plan categories in the LDRs should be amended to read “Institutional” and “Transportation/Utility”.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	The LDRs state that the PSP zoning district may be utilized in conjunction with the R/OS plan category. However, the permitted uses in the PSP zoning district are not permitted in the R/OS plan category. [Zoning Code, Sections 110-152 and 110-155]	Use characteristics and density/intensity limitations in each zoning district must be compatible with the land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should be amended to disallow the utilization of the PSP zoning district in conjunction with the R/OS plan category.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	Public rights-of-way and submerged lands are not excluded from FAR and ISR calculations. [see definition of “floor area ratio” and “impervious surface ratio”, Zoning Code, Section 110-1]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
4.	Land submerged under water at mean low tide is excluded from density calculations. [Zoning Code, Section 110-262]	Land submerged under water at mean high tide is excluded from density calculations [see definition of “density”, “gross land area” and “submerged land”. [Countywide Rules, Division 7.2]].	The LDRs should be amended to exclude land situated under water at mean high tide from density calculations.
5.	The potential for inconsistency exists where special exception uses in the P-1 zoning district, which correlates with the R/OG plan category, are permitted a maximum FAR of .55. [Zoning Code, Section 110-155]	The maximum FAR in the R/OG plan category is .50. [Countywide Rules, Section 2.3.3.4.2]	The LDRs should make clear that the FAR cannot exceed the limits of the land use plan.
6.	Residential equivalency standards are not stated for group homes. [Zoning Code, Section 110-437(1)k]	The LDRs must express a residential equivalent for residential equivalent uses. [Countywide Rules, Section 4.2.3.3]	The LDRs should be amended to state the residential equivalent for group homes.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	No maximum FAR or ISR is stated for the R/OS, P or P/SP zoning districts. [Zoning Code, Section 110-153]	The maximum FAR and ISR is .25 and .60 respectively in the R/OS plan category, .10 and .20 in the P category, .65 and .85 in the I category, and .70 and .90 in the T/U category. [Countywide Rules, Sections 2.3.3.7.1, 2.3.3.7.2, 2.3.3.7.3, and 2.3.3.7.4]	The LDRs should be amended to state the maximum FAR and ISR for the R/OS, P and P/SP zoning districts.
8.	No maximum FAR or ISR is stated for non-residential uses in the S, RM-1 or RM-2 zoning districts. [Zoning Code, Section 110-153]	The maximum FAR and ISR is .40 and .65 respectively in the RU plan category, and .50 and .75 in the RM category. [Countywide Rules, Sections 2.3.3.1.5, and 2.3.3.2.2]	The LDRs should be amended to state the maximum FAR and ISR for the S, RM-1 and RM-2 zoning districts.
9.	While the Comprehensive Plan establishes a maximum FAR of .50 in the RFH plan category, the LDRs do not state a maximum FAR in the CT zoning district. [Zoning Code, Section 110-153; Future Land Use Element, Policy 1.1.3]	The maximum FAR is 1.2 in the RFH plan category. [Countywide Rules, Sections 2.3.3.1.5, and 2.3.3.4.6]	The LDRs should be amended to state the maximum FAR in the CT zoning district.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
10.	The potential for inconsistency exists where the density limitation in the MH/RV zoning district is stated as not applicable. [Zoning Code, Section 110-154]	Maximum permitted density in the RM plan category is 15 dwelling units per acre. [Countywide Rules, Section 2.3.3.2.2]	Either the LDRs should express in Section 110-154 that the maximum permitted density in the MH/RV zoning district is 15 dwelling units per acre or a cross-reference should be provided to the density provisions applicable to this district contained in Section 110-263.
11.	The maximum permitted FAR is stated as .50 in the R/O/R plan category. [Zoning Code, Section 110-152; Future Land Use Element, Policy 1.1.3]	The maximum permitted FAR is .40 in the R/O/R plan category. [Countywide Rules, Section 2.3.3.4.3]	The LDRs and comprehensive plan should be amended to state the maximum permitted FAR is .40 in the R/O/R plan category.
12.	No limitations or standards for approval are stated for those seeking relief from the Zoning Code. [Zoning Code, Section 110-33]	FAR and ISR standards may be authorized upon a showing of unnecessary and undue hardship. No adjustment may be granted affecting uses or densities. [Countywide Rules, Section 6.4.1 and 6.4.3.1]	The LDRs should be amended to: (1) require a showing of unnecessary and undue hardship prior to the approval of any adjustment to the FAR and ISR standards and (2) specify that no adjustment may be granted to use or density standards.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
13.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.
14.	Outdoor storage is not expressly restricted in the B zoning district. [Zoning Code, Section 110-341]	Exterior storage within the Commercial plan classification must not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4, and see definition of “storage/warehouse (class A) use”, Division 7.2]	The LDRs should be amended to restrict exterior storage in the B zoning district to a maximum of 20 percent of the area of the building to which it is accessory.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
15.	The LDRs are silent regarding acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category.	Ancillary non-residential uses and transportation/utility uses must not exceed a maximum area of 10 acres in the Institutional plan category. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should specify the appropriate acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category.
16.	The LDRs are silent regarding the provision of a buffer for land assigned the Transportation/Utility plan category.	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the Transportation/Utility plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the Transportation/Utility plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
17.	The LDRs are silent regarding the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.	In the Transportation/Utility plan category, where utility transmission lines are located in easements, as distinct from rights-of-way, the category must be shown as an overlay. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.
18.	The LDRs are silent regarding acreage limitations applicable to institutional and ancillary non-residential uses in the Transportation/Utility plan category.	Institutional and ancillary non-residential uses must not exceed a maximum area of 10 acres in the Transportation/Utility plan category. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the appropriate acreage limitations applicable to institutional and ancillary non-residential uses in the Transportation/Utility plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
19.	While transfer of development rights is permitted, the LDRs provide no definitive provisions therefore. [Zoning Code, Section 110-220]	If utilized locally, transfer of density/intensity must be appropriately addressed in the LDRs. [Countywide Rules, Section 4.2.7.2.1]	The LDRs should incorporate a section addressing transfer of development rights, including requisite restrictions, limitations and recordation.

Notes. Other notes are as follows:

22. It is clear from Section 110-262 that public rights-of-way and submerged lands are excluded from density calculations; however, it would be desirable to also make this clear in the definition for “density”. [Zoning Code, section 110-1]
23. The Comprehensive Plan commits to providing incentives to encourage the construction of affordable housing. However, the LDRs do not appear to provide any density bonus for affordable housing. The City may wish to consider this opportunity. [Housing Element, Policy 1.1.5; Countywide Rules, Section 4.2.3.5]
24. It appears that most of the enumerated accessory uses for the B zoning district shown in the table entitled “Schedule of use controls and permitted uses” are misplaced and belong instead under the special exception use column. [Zoning Code, Section 110-155]
25. In one section of the Zoning Code the NMU zoning district is identified as consistent with the R/O/R plan category and in another section it is identified as not consistent. [Zoning Code, Sections 110-131 and 110-152]
26. The term “public/semi-public uses”, which appears to refer to institutional and transportation/utility uses, should be defined. [Zoning Code, Section 110-155(c)]

I. Town of Indian Shores

Findings. A review of the Town of Indian Shores Future Land Use Element of the Comprehensive Plan and the Zoning Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	All zoning districts are permitted 18 dwelling units per acre. [Zoning Code, Section 110-321]	Maximum permitted density within the Institutional plan category is 12.5 dwelling units per acre. No density is permitted within the T/U category, nor is any density permitted within the R/OS or P categories other than is permitted through a density transfer where density cannot otherwise be determined. [Countywide Rules, Sections 2.3.3.7.1, 2.3.3.7.2, 2.3.3.7.3, 2.3.3.7.4 and 4.2.7.2.1.E]	The LDRs should be amended to regulate density in the I, T/U, R/OS and P plan categories in accordance with the Countywide Plan and Rules.

Density/Intensity Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
2.	The LDRs are silent regarding a density calculation formula applicable to residential equivalent uses.	A maximum equivalent of 2.0 to 3.0 beds per permitted dwelling unit is allowed. [for example, Countywide Rules, Section 2.3.3.4.2]	The LDRs should be amended to state the equivalent number of beds per permitted dwelling unit.
3.	FAR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio”, Zoning Code, Section 110-1]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR calculations exclude public road rights-of-way and submerged land.
4.	No maximum FAR or ISR is stated for the P zoning district. [Zoning Code, Division 7]	A maximum FAR and ISR of .10 and .20, respectively, applies to land within the P plan category. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should be amended to appropriately state the maximum FAR and ISR.
5.	The R/O/R zoning district allows residential/non-residential use mixes on a single property without specifying the manner in which overall density/intensity of use is measured. [Zoning Code, Division 3]	Mixed use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify the manner in which overall density/intensity of use is measured in mixed-use developments.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
6.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
7.	The LDRs are silent regarding the standards applicable to land within the P, I and T/U plan categories. [Zoning Code, Divisions 4, 5 and 6]	The LDRs must contain the standards elaborated in the description of each Countywide Plan Map category. [Countywide Rules, Section 4.2.6]	The LDRs should be amended to include the standards elaborated in the P, I and T/U plan categories.

Special Rules			
Consistent			

Notes. Other notes are as follows:

- 8.** The LDRs are silent regarding transfer of development rights. Consideration should be given to addressing this should there exist an interest in employing this process. [Countywide Rules, Section 4.2.7.2]

- 9.** The Comprehensive Plan commits to providing incentives for the development of affordable housing. However, the LDRs do not appear to provide any density bonus for affordable housing. The Town may wish to consider this opportunity. [Housing Element, Policy 1.1.5; Countywide Rules, Section 4.2.3.5]
- 10.** Though correlation of the town's zoning districts and land use plan categories is generally intuitive, it would nonetheless be highly desirable to provide a section in the LDRs that definitively aligns the two.
- 11.** To protect and preserve existing scenic/non-commercial corridors, the Town is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

J. Town of Kenneth City

Findings. A review of the Town of Kenneth City Future Land Use Element of the Comprehensive Plan and the Land Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The maximum permitted FAR in the P plan category is .25. [Future Land Use Element, Table 2, p. D-3]	The maximum permitted FAR in the P plan category is .10. [Countywide Rules, Section 2.3.3.7.1]	The comprehensive plan should be amended to appropriately state the maximum permitted FAR in the P plan category.
2.	FAR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio”, Land Development Code, Section 82-3]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio” and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
3.	The maximum duration occupancy within a motel is 90 days, which is longer than permitted by the Countywide Rules, and thereby presents the potential for inconsistent density. [see definition of “motel”, Land Development Code, Section 82-3]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to revise the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
4.	The GO zoning district allows residential/non-residential use mixes on a single property, without specifying how the overall density/intensity of use is measured. [Land Development Code, Section 82-313]	Mixed-use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.
5.	Density calculations are based on total site area, which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 3]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be amended to exclude both public road rights-of-way and submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
6.	FAR calculations are based on lot area, which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 5]	Public road rights-of-way and submerged land must be excluded from FAR calculations. [Countywide Rules, Division 7.2, see definition of “floor area ratio” and “gross land area”]	The definition of “floor area ratio” should be amended to exclude both public road rights-of-way and submerged land from FAR calculations.
7.	ISR calculations are based on gross site area, which absent clarification, appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 6]	Public road rights-of-way and submerged land must be excluded from ISR calculations. [Countywide Rules, Division 7.2, see definition of “impervious surface ratio” and “gross land area”]	The definition of “impervious surface ratio” should be amended to exclude both public road rights-of-way and submerged land from density calculations.
8.	Based on a minimum lot size of 7,500 square feet, up to 5.8 dwelling units per acre would be allowed in the RS-5.0 zoning district, which is inconsistent with the RL plan category maximum density of 5.0 dwelling units per acre. [Land Development Code, Section 82-126]	Density/intensity of the LDR category must be equal to or less than density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDR should be amended to state: “Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern.”

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	It appears that the minimum lot size for a two-family dwelling in the RD-5.0 zoning district is 7,500 square feet, which yields up to 11.6 dwelling units per acre and is inconsistent with the RL plan category maximum density of 5.0 dwelling units per acre. [Land Development Code, Section 82-203]	Density/intensity of the LDR category must be equal to or less than density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDR should be amended to state: "Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern."

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
10.	There are no locational characteristics expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational characteristics should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.
11.	Outdoor storage uses are permitted in the CG and CG-2 zoning districts; however, these uses are not unconditionally consistent with the CG plan category. [See, for example, Land Development Code, Sections 70-602(4) and 70-604(e)(2)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of "Storage/Warehouse (Class A) Use"]	Outdoor storage uses should be appropriately restricted in the CG and CG-2 plan categories.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
12.	Parking immediately adjacent to and/or connected to property zoned CG is allowed without any limitation on area in the RS-7.5 zoning district. [Land Development Code, Section 82-153(1)]	Ancillary non-residential uses in the RU plan category must not exceed a maximum area of 3 acres without a plan amendment. [Countywide Rules, Section 2.3.3.1.5]	The LDRs should be amended to limit ancillary non-residential uses in the RU plan category to a maximum area of 3 acres.
13.	The LDRs are silent regarding the provision of a buffer for wetland areas in a designated Preservation plan category.	An appropriate buffer, as determined by the local jurisdiction, shall be provided for wetland Preservation areas. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should require an appropriate buffer for wetland Preservation areas should any exist.
14.	The LDRs are silent in the event the actual boundaries of a wetland area cannot be precisely determined based on maps.	Where the mapped delineation of wetland areas is inconclusive, a field determination and mapping of the actual boundary may be required as part of any amendment or project approval determination. [Countywide Rules, Section 2.3.3.7.1]	The LDRs should specify the appropriate process for determining actual boundaries of wetlands if existent.

Special Rules
Consistent

Notes. Other notes are as follows:

- 16.** Though correlation of the town's zoning districts and land use plan categories is generally intuitive, it would nonetheless be highly desirable to provide a section in the LDRs that definitively aligns the two.
- 17.** Based on a minimum lot size of 7,500 square feet, up to 5.8 dwelling units per acre would be allowed in the RS-5.0 zoning district, which is inconsistent with the RL plan category maximum density of 5.0 dwelling units per acre. [Land Development Code, Section 82-126]
- 18.** It appears that the minimum lot size for a two-family dwelling in the RD-5.0 zoning district is 7,500 square feet, which yields up to 11.6 dwelling units per acre and is inconsistent with the RL plan category maximum density of 5.0 dwelling units per acre. [Land Development Code, Section 82-203]

K. City of Largo

Findings. A review of the City of Largo Future Land Use Element of the Comprehensive Plan and the Comprehensive Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Duplex-triplex uses are not bound by density limitations. In the extreme, a duplex constructed on a 7,000 square foot lot in a RE plan category would far exceed applicable density limitations. The maximum permitted density in a RE plan category is 1.0 dwelling unit per acre. A duplex on a 7,000 square foot lot would yield a density of 12.4 units per acre. [Comprehensive Development Code, Section 7000, Figure 7000, and Section 7300(D)(1)]	Density must comply with the applicable standard set forth in the Countywide Plan Map and Countywide Rules. [Countywide Rules, Section 4.2.3.1]	The LDRs should be amended to state: “Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern.”
2.	Clustered dwelling units are permitted provided gross density is not violated. However, by definition, “gross density” does not exclude public rights-of-way or submerged land. [Comprehensive Development Code, Section 7000(C)(5); also see definition of “gross density” and “net density”, Section 2100]	Public road rights-of-way and submerged land are excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The LDRs should be amended to base density calculations on net density which, by local definition, excludes public rights-of-way and submerged land.
3.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio”, and “impervious surface ratio”, Comprehensive Development Code, Section 2100]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
4.	The maximum permitted FAR and ISR applicable to non-residential uses is not stated for Residential land use categories. [Future Land Use Element, Policy 1.1.1; Comprehensive Development Code, Section 6000, Figure 6001]	FAR and ISR measures must be stated. [Countywide Rules, Section 4.2.3.3]	The land use plan and LDRs should be amended to include FAR and ISR requirements for non-residential uses in Residential land use categories.
5.	The definition of “transient accommodation unit” does not reference any restrictions on the term of occupancy, without which, there exists a potential for inconsistent density. [see definition of “transient accommodation unit”, Comprehensive Development Code, Section 2100]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
6.	Outdoor storage is permitted in the CG plan category subject to “stringent development standards.” However, absent specifics regarding such standards, there exists the potential for inconsistency. [Comprehensive Development Code, Section 4002(H)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	The LDRs should be amended to expressly restrict outdoor storage in the CG plan category no less stringently than the Countywide Rules.
7.	Industrial uses, both allowed and conditional, in the Mixed Use plan classification are not limited in accordance with the Countywide Rules. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Section 4.2.4.3]	The LDRs should be amended to specify the applicable use limitations.
8.	Mini-storage facilities are allowed in the R/O/R plan category and conditional in the R/OG category. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Uses must be consistent with the primary or secondary use characteristics identified in a particular category. Furthermore, storage/warehouse uses are neither primary nor secondary uses in any Mixed Use plan category. [Countywide Rules, Sections 2.3.3.4.2, 2.3.3.4.3, 4.2.4.2. and 4.2.4.3]	The LDRs should be amended so that mini-storage facilities are not allowed in the R/O/R or R/OG plan categories.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	Certain retail commercial and commercial/business service uses are allowed or conditional in the R/OG plan category. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either restrict retail commercial and commercial/business service uses in the R/OG plan category in accordance with Section 4.2.4.3 of the Countywide Rules or make clear that such uses are not allowable in this category.
10.	Wholesale businesses are allowed in R/O/R and CG plan categories, and conditional in the R/OG plan category [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Wholesale uses are not permitted in the R/O/R and R/OG plan categories. Within the CG plan category, any outdoor storage must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to disallow wholesale uses in the R/O/R and R/OG plan categories and restrict these uses in the CG category in accordance with Section 4.2.4.3 of the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
11.	Stables are permitted in all residential plan categories. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Agricultural uses, which include the keeping of horses, are only allowed in Residential Rural (RR) and Residential Estate (RE) plan categories. Furthermore, uses must be consistent with the primary or secondary use characteristics identified in a particular category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 2.3.3.1.1, 2.3.3.1.2, 4.2.4.2, and 4.2.4.3]	The LDRs should be amended so that stables are either restricted in all residential plan categories except RR and RE in accordance with Section 4.2.4.3 of the Countywide Rules, or make clear that such use is not allowable in these categories.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
12.	Mini-storage facilities and wholesale businesses are permitted uses in the R/O/R plan category and conditional uses in the R/OG category. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Storage/warehouse (class A) and wholesale/distribution (class A) are not allowed in Mixed Use plan classifications. [Countywide Rules, Sections 2.3.3.4.1 through 2.3.3.4.3]	The LDRs should be amended to specify that mini-storage facilities and wholesale businesses are not allowed in R/O/R and R/OG plan categories.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
13.	Several institutional uses (including but not limited to private schools, libraries and community centers) are not expressly limited to a maximum area of 5 acres in the RO plan categories. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004]	Institutional uses, except public education facilities, must not exceed a maximum area of 5 acres in the Mixed Use plan categories. [Countywide Rules, Sections 2.3.3.4.1 through 2.3.3.4.3]	The LDRs should be amended to specify that institutional uses, except public education facilities, must not exceed a maximum area of 5 acres in the RO plan categories.
14.	Other than the acreage limitation applicable to institutional uses in Residential and Mixed Use classifications and the necessity for a field determination to ascertain wetland boundaries, the LDRs are silent regarding other applicable standards contained in the description of each plan category.	The LDRs must include policies and/or standards consistent with the “other standards” contained in the description of each plan category. [Countywide Rules, Section 4.2.6]	The LDRs should be amended to include the “other standards” contained in the description of each plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
15.	There is no restriction on transfer of development rights from an existing developed property. Nor is there a restriction affecting multiple transfers from a property other than when all rights are exhausted. [Comprehensive Development Code, Section 6000, Subsection 6001 (G)(3)]	No transfer of development rights is allowed from existing developed property, except for archeological, historical, or architectural preservation purposes, or according to a redevelopment plan approved by the PPC and CPA. Furthermore, no transfer of development rights is allowed from a property where development rights have previously been transferred. [Countywide Rules, Section 4.2.7.2.1]	The LDRs should be amended to restrict transfer of development rights consistent with the Countywide Rules.

Notes. Other notes are as follows:

- 16.** Public schools are conditional uses and are limited to a maximum area of 5 acres in Residential plan categories, which is in conflict with the requirements of the State. [Comprehensive Development Code, Section 4000, Subsection 4004, Figure 4004; Florida Statutes, Chapters 1013 and 163]
- 17.** There exists a conflict between the land use plan and the LDRs regarding the maximum permitted FAR and ISR in the Preservation (P) plan category. The land use plan establishes a maximum of .10 and .20 respectively, whereas the development regulations state a maximum of .05 and .10. [Future Land Use Plan, Policy 1.1.1; Comprehensive Development Code, Section 6000, Subsection 6001(B), Figure 6001]

- 18.** There exists a conflict between the land use plan and the land development regulation regarding the maximum permitted FAR in the Recreation/Open Space (R/OS) plan category. The land use plan establishes a maximum of .25, whereas the development regulations state a maximum of .05. [Future Land Use Plan, Policy 1.1.1; Comprehensive Development Code, Section 6000, Subsection 6001(B), Figure 6001]
- 19.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.
- 20.** The provisions of Section 4.2.4.3 relative to allowing for uses permitted within the broad plan classification, but not the specific plan category, is perhaps too broad and may yield unintended and inappropriate land use relationships.

L. City of Madeira Beach

Findings. A review of the City of Madeira Beach Future Land Use Element of the Comprehensive Plan, Zoning Code, and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Major Classifications and Categories/Continuum (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	The P-SP zoning district is used in conjunction with the Preservation, Recreation/Open Space, and Institutional plan categories. However, the list of permitted uses and appurtenant density/intensity standards are not distinguished by allowable plan category. [Zoning Code, Section 110-377]	Use characteristics and density/intensity limitations in each zoning district must be compatible with the land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Either separate zoning districts should be created for the Preservation, Recreation/Open Space and Institutional land use categories, or the criteria and standards applicable to each plan category should be clearly stated.

Density/Intensity Standards

	Issue	Countywide Rules Requirement	Suggested Action
3.	Allowable density in each zoning district is not expressly stated.	Local LDRs must include allowable dwelling units per gross acre. [Countywide Rules, Sections 4.2.3.2 and 4.2.3.3]	The LDRs should be amended to state the maximum permitted dwelling units per gross acre in each zoning district that permits density-regulated uses.
4.	The definition of “density” in the LDRs does not exclude submerged land from density calculations. [Zoning Code, Section 82-2]	Submerged land is excluded from density calculations [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The LDRs should be amended to exclude submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	According to the definition of “tourist dwelling unit”, any unit larger than 850 square feet in a condo-hotel, motel or hotel “shall be considered more than one unit”. However, it is not specifically clear how much greater than one unit such larger unit is considered. Neither is it expressly clear whether a tourist dwelling unit equals a residential dwelling unit for density calculation purposes. [Zoning Code, Section 82-2]	Local LDRs must specifically set forth the allowable dwelling units per gross acre. [Countywide Rules, Sections 4.2.3.2 and 4.2.3.3]	The LDRs should specify the relationship of tourist dwelling units, both larger and smaller than 850 square feet, to residential dwelling units for density calculation purposes. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
6.	According to the comprehensive plan, density calculations are based on total site area which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 3]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” in the comprehensive plan should be amended to exclude both public road rights-of-way and submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	Certain zoning districts allow residential/non-residential use mixes on a single property, without specifying how the overall density/intensity of use is measured. [for example, Zoning Code, Section 110-317]	Mixed use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.
8.	The maximum FAR for public service facilities in the R-1, R-2, R-3, C-3, and C-4 zoning districts is .70. [Zoning Code, Sections 110-183(3), 110-208(3), 110-233(4), 110-353(2) and 110-381(2)]	The maximum FAR for non-residential uses in the Residential Urban, Residential Medium, Resort Facilities Medium, Residential/Office/Retail and Commercial General plan categories is .40, .50, .65, .40 and .55 respectively. [Countywide Rules, Sections 2.3.3.1.5, 2.3.3.2.2, 2.3.3.4.5, and 2.3.3.5.4]	The LDRs should be amended to appropriately state the maximum FAR for non-residential uses in the R-1, R-2, R-3, C-3, and C-4 zoning districts.
9.	The maximum FAR for non-residential uses in the C-1 and C-2 zoning districts is .70. [Zoning Code, Sections 110-263(1), and 110-293]	The maximum FAR for non-residential uses in the Commercial General plan category is .55. [Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to appropriately state the maximum FAR for non-residential uses in the C-1 and C-2 zoning districts.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
10.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, Zoning Code, Section 82-2]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
11.	FAR calculations are based on lot area, which appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 5]	Public road rights-of-way and submerged land must be excluded from FAR calculations. [Countywide Rules, Division 7.2, see definition of “floor area ratio” and “gross land area”]	The definition of “floor area ratio” should be amended to exclude both public road rights-of-way and submerged land from FAR calculations.
12.	ISR calculations are based on gross site area, which absent clarification, appear to include public road rights-of-way and submerged land. [Comprehensive Plan, Glossary, page 6]	Public road rights-of-way and submerged land must be excluded from ISR calculations. [Countywide Rules, Division 7.2, see definition of “impervious surface ratio” and “gross land area”]	The definition of “impervious surface ratio” should be amended to exclude both public road rights-of-way and submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
13.	Permitted maximum density according to the land use plan does not always correlate with permitted minimum lot sizes. For example, within the R-1 zoning district, based on a minimum lot size of 5,000 square feet, up to 8.7 dwelling units would be allowed per acre, which is inconsistent with the Residential Urban maximum density of 7.5 dwelling units per acre. [Zoning Code, Section 110-180]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDRs should be amended to state: "Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern."

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
14.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules. Furthermore, upon correlating zoning districts with land use categories, these determinants should in turn be applicable to the respective zoning districts contained in the LDRs.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
15.	Outdoor storage is a special exception use in the C-3 and C-4 zoning districts. [Zoning Code, Sections 110-319 and 110-349]	Exterior storage is not allowed in the Residential/Office/Retail plan category and, within the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	Outdoor storage should be deleted from the list of permitted uses in the C-3 and C-4 zoning districts or be expressly allowed only in the Commercial General plan category in accordance with applicable limitations on area.
16.	Commercial recreation is a special exception use in the C-3 and C-4 zoning districts. However, such use is not a primary or secondary use in the Residential/Office/Retail plan category. [Zoning Code, Section 110-319 and 110-349]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either disallow commercial recreation in the Residential/Office/Retail plan category or specify the applicable use limitations.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
17.	The LDRs are silent regarding the provision of a buffer for land assigned the Transportation/Utility plan category.	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the Transportation/Utility plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the Transportation/Utility plan category.
18.	The LDRs are silent regarding the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.	In the Transportation/Utility plan category, where utility transmission lines are located in easements, as distinct from rights-of-way, the category must be shown as an overlay. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.

Special Rules
Consistent

Notes. Other notes are as follows:

- 19.** It is clear in the Comprehensive Plan that public education facilities of the School Board are permitted within Residential Urban and Residential Medium plan categories; however, it is not particularly clear in the LDRs. [Future Land Use, Policy 1.13.2]
- 20.** Permitted maximum density according to the land use plan does not always correlate with permitted minimum lot sizes. For example, within the R-1 zoning district, based on a minimum lot size of 5,000 square feet, up to 8.7 dwelling units would be allowed per acre, which is inconsistent with the Residential Urban maximum density of 7.5 dwelling units per acre. [Zoning Code, Section 110-180]
- 21.** It is noted that under lot size requirements in the C-4 zoning district, residential dwellings are allowed above first floor commercial uses. However, residential uses are not included in the list of permitted or special exception uses. [Zoning Code, Section 110-350]
- 22.** It is noted that preservation areas are referred to under maximum lot coverage in the R-3 zoning district. This is peculiar in appearance in this zoning district and seems disconnected. [Zoning Code, Section 233(6)]
- 23.** The Comprehensive Plan states that incentives will be provided to encourage the development of affordable housing. However, the LDRs do not appear to provide any density bonus for such housing. [Housing Element, Policy 1.1.5; Countywide Rules, Section 4.2.3.5]
- 24.** The Comprehensive Plan states that the non-discriminatory standards will be established addressing the appropriate location of group homes and foster care facilities. However, the LDRs are silent regarding these uses. [Housing Element, Policy 1.3.1; Florida Statutes, Chapter 419]
- 25.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

- 26.** Institutional uses are not restricted in area in the R-2, R-3, C-3 and C-4 zoning districts, contrary to the requirement that such uses not exceed 5 acres in the Residential Medium, Resort Facilities Medium, Residential/Office/Retail and Commercial General plan categories. Either the LDRs should be amended accordingly or the City should otherwise ensure compliance. [Zoning Code, Section 110-205, 110-230, 110-320 and 110-350; Countywide rules, Sections 2.3.3.2.2, 2.3.3.4.5, 2.3.3.4.3 and 2.3.3.5.4]
- 27.** The LDRs are silent regarding the 10 acre limitation applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category. Either the LDRs should be amended accordingly or the City should otherwise ensure compliance. [Countywide Rules, Section 2.3.3.7.3]
- 28.** The LDRs are silent regarding the 10 acre limitation applicable to institutional and ancillary non-residential uses in the Transportation/Utility plan category. Either the LDRs should be amended accordingly or the City should otherwise ensure compliance. [Countywide Rules, Section 2.3.3.7.4]

M. Town of North Redington Beach

Findings. A review of the Town of North Redington Beach Future Land Use Element of the Comprehensive Plan, Zoning Code, and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
2.	ISR calculations are based on gross land area, which absent a definition, appears to include public road rights-of-way and submerged land. [see definition of “impervious surface ratio”, Zoning Code, Section 78-1]	Public road rights-of-way and submerged land must be excluded from ISR calculations. [Countywide Rules, Division 7.2, see definition of “impervious surface ratio” and “gross land area”]	The LDRs should be amended to specify that public road rights-of-way and submerged land are excluded from ISR calculations.
3.	The CT zoning district does not specify any FAR standards. [Zoning Code, Division 5]	Local LDRs must state appropriate measurements of density/intensity, including non-residential FAR. [Countywide Rules, Sections 4.2.3.1, 4.2.3.2, and 4.2.3.3]	The LDRs should be amended to appropriately identify the maximum FAR standard applicable to nonresidential uses in the CT zoning district.
4.	Tourist dwelling units may be occupied for up to 120 days, which is longer than permitted by the Countywide Rules, and thereby presents the potential for inconsistent density. [Zoning Code, Section 98-258(3)h1 and 10]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to revise the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	According to the comprehensive plan, tourist units are rented or leased for a temporary period, which absent greater detail, presents the potential for inconsistent density. [see definition of “tourist unit”, Comprehensive Plan for the Town of North Redington Beach, p. 11-8]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to revise the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
6.	The RS-150 and RS-60 zoning districts do not specify the maximum permitted density. [Zoning Code, Divisions 2 and 3]	Local LDRs must state appropriate measurements of density/intensity. [Countywide Rules, Sections 4.2.3.1, 4.2.3.2, and 4.2.3.3]	The LDRs should be amended to appropriately identify the maximum permitted density in the RS-150 and RS-60 zoning districts.
7.	The AL zoning district does not specify any FAR or ISR standards. [Zoning Code, Division 5]	Local LDRs must state appropriate measurements of density/intensity, including non-residential FAR and ISR. [Countywide Rules, Sections 4.2.3.1, 4.2.3.2, and 4.2.3.3]	The LDRs should be amended to appropriately identify the maximum FAR and ISR standards applicable to nonresidential uses in the AL zoning district.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
8.	Neither the comprehensive plan nor the LDRs state the manner in which density/intensity of use is measured for mixed-use developments in the R/O/R plan category.	Local LDRs must state appropriate measurements of density/intensity, including for mixed-use developments. Specifically, mixed use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [Countywide Rules, Sections 2.3.3.4.3, 4.2.3.1, 4.2.3.2, and 4.2.3.3]	The LDRs should be amended to specify how the overall density/intensity of use is measured for mixed use developments.
9.	Based on a minimum lot size of 15,000 square feet in the RS-150 zoning district, up to 2.9 dwelling units per acre would be allowed, which is inconsistent with the RS plan category maximum density of 2.5 dwelling units per acre. [Zoning Code, Section 98-178(1)]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDRs should be amended to state: "Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern."

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
10.	The PO zoning district is utilized in conjunction with the I and R/OS plan categories; however, the use characteristics and maximum FAR are not interchangeable between both plan categories. [Zoning Code, Sections 98-297 and 98-298(7)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. Also, intensity measures must be consistent with the applicable plan category. [Countywide Rules, Sections 4.2.3.1 and 4.2.4.2]	Use characteristics and the maximum FAR in the PO zoning district should be qualified by stating the corresponding plan category within which each is consistent.

Other Standards

Consistent

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
11.	The LDRs do not address all requirements applicable to the transfer of development rights. [Zoning Code, Section 98-122]	Detailed criteria apply to the transfer of development rights, including certain restrictions and limitations. [Countywide Rules, Section 4.2.7.2]	The LDRs should be amended to thoroughly address all requirements applicable to the transfer of development rights. In the alternative, if transfer of development rights is not desired, then all references to such should be deleted.

Notes. Other notes are as follows:

- 15.** According to the comprehensive plan and LDRs, density is based upon lot area. It is therefore recommended that the definition of “density” be amended to reference “lot area” rather than “acre”. [Comprehensive Plan, p11-3; Zoning Code, Section 78-1]

N. City of Oldsmar

Findings. A review of the City of Oldsmar Future Land Use Element of the Comprehensive Plan and the Land Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The Community Redevelopment Area (CRA) plan category is not the exact same title as the corresponding Countywide Plan Map category. [Future Land Use Element, p. 42]	Local land use categories must be precisely the same as Countywide Plan Map categories. [Countywide Rules, Sections 4.2.1 and 4.2.2.2]	The comprehensive plan should be amended to change the title of the Community Redevelopment Area (CRA) to Community Redevelopment District (CRD).
2.	The “Public/Semi-Public Facility Land Use Category” is not the exact same title as the corresponding Countywide Plan Map category, nor is it truly a plan category. [Future Land Use Element, p. 41]	Local land use categories must be precisely the same as Countywide Plan Map categories. [Countywide Rules, Sections 4.2.1 and 4.2.2.2]	The comprehensive plan should be amended to change “Public/Semi-Public Facility Land Use Category” to “Public/Semi-Public Classification”.
3.	The LDRs state that the OF zoning district provides for lands designated in the comprehensive plan as Office General. [Land Development Code, Section 5.6.1]	Local land use categories must be precisely the same as Countywide Plan Map categories. [Countywide Rules, Sections 4.2.1 and 4.2.2.2]	The LDRs should be amended to correctly reference the Residential/Office General plan category.

Major Classifications and Categories/Continuum

Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
4.	FAR is calculated on the basis of “the area of the lot” which does not exclude submerged land. [see definition of “floor area ratio” and “lot area”, Land Development Code, Section 2.1 and Oldsmar Town Center Development Code, Section 2.1]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio” and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to base FAR calculations on “gross land area” which is defined and expressly excludes public road rights-of-way and submerged land.
5.	ISR is calculated on the basis of “total lot area” which is not defined and thus yields the potential for inconsistent application. [Future Land Use Element, p. 40-42]	ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “impervious surface ratio” and “gross land area”, Countywide Rules, Division 7.2]	The comprehensive plan should be amended to base ISR calculations on “gross land area” which is defined in the LDRs and expressly excludes public road rights-of-way and submerged land.
6.	There is no residential equivalency standard stated for congregate living facilities in the R-3 zoning district. [Land Development Code, Section 5.4.5]	Residential equivalent uses must not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit in the Residential Urban plan category. [Countywide Rules, Section 2.3.3.1.5]	The LDRs should be amended to state the residential equivalent for congregate living facilities in the R-3 zoning district.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	Neither a residential equivalency standard for bed and breakfast inns nor a maximum permitted density is stated in the C-1 zoning district. [Land Development Code, Section 5.5.2]	Within the Commercial Neighborhood plan category, the maximum permitted density is 10 dwelling units per acre and residential equivalent uses must not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit. [Countywide Rules, Section 2.3.3.5.1]	The LDRs should be amended to state the residential equivalent for bed and breakfast inns and the maximum permitted density in the C-1 zoning district.
8.	The comprehensive plan states that the maximum permitted ISR in the Residential/Office General plan category is .80. It also states that the maximum permitted ISR for commercial and office land uses is .80. [Future Land Use Element, Section IX, Policy 1.3.1 and p. 40]	The maximum permitted ISR in the Residential/Office General plan category is .75. [Countywide Rules, Section 2.3.3.4.2]	The comprehensive plan should be amended to state that the maximum permitted ISR in the Residential/Office General plan category is .75. It should also clarify that office uses in this category cannot exceed the maximum permitted ISR.
9.	The maximum permitted ISR in the Industrial Limited plan category is .90. [Future Land Use Element, Section p. 41]	The maximum permitted ISR in the Industrial Limited plan category is .85. [Countywide Rules, Section 2.3.3.6.1]	The comprehensive plan should be amended to state that the maximum permitted ISR in the Industrial Limited plan category is .85.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
10.	Certain zoning districts allow residential/non-residential use mixes on a single property, without specifying the manner in which the overall density/intensity of use is measured. [for example, Land Development Code, Section 3.7.1]	Mixed-use developments must not exceed, in combination, the respective number of units per acre and floor area ration permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify the manner in which the overall density/intensity of use is measured in mixed-use developments.
11.	The definition of “hotel” and “motel” in the Town Center do not include any restriction on the term of occupancy, without which, there exists a potential for inconsistent density. [see definition of “hotel” and “motel”, Oldsmar Town Center Development Code, Section 2.1]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
12.	Most land use plan categories are not furnished with a description of appropriate locational characteristics.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational characteristics should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.
13.	General agricultural activities are permitted in the E-2 zoning district; however, this use is neither primary nor secondary in the Residential Low plan category. [Land Development Code, Section 5.4.2.2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to limit agricultural activities in the Residential Low plan category in accordance with Section 4.2.4.3 of the Countywide Rules.
14.	Wholesale distribution and warehousing uses are permitted in the C-3 zoning district without limitations regarding exterior activities or storage. [Land Development Code, Section 5.7.4.2]	Wholesale/distribution (class A) and storage/warehouse (class A) uses are permitted within the Commercial General plan category provided such uses are located within an enclosed building and any exterior storage or distribution areas do not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4, and see definition of “wholesale/distribution (class A) use” and “storage/warehouse (class A) use”, Division 7.2]	The LDRs should be amended to appropriately limit wholesale distribution and warehousing uses in the Commercial General plan category or make clear that the C-3 zoning district is not consistent with the Commercial General plan category.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
15.	The LDRs only partially address the standards applicable to assembly and research and development uses in the Residential/Office/Retail and C-2 zoning districts. [Land Development Code, Sections 5.5.1.2 and 5.5.3.3]	Research/development and light manufacturing/assembly (class A) uses are allowed in the Residential/Office/Retail and Commercial General plan categories subject to local standards addressing hours of operation, traffic generation, and loading, storage, and service provisions. [Countywide Rules, Section 2.3.3.4.3]	The LDRs should be amended to fully address the standards applicable to research/development and light manufacturing/assembly (class A) uses in the Residential/Office/Retail and C-2 zoning districts.
16.	With the exception of the 5 acre threshold requirement applicable to retail commercial uses, the LDRs are silent regarding “other standards” applicable to uses in the Industrial Limited plan category. [Land Development Code, Sections 5.7.5, 5.7.6, and 5.9.4]	Within the Industrial Limited plan category, there exist standards regarding buffering adjacent to residential plan categories, acreage limitations for non-industrial secondary uses, and standards for industrial/mixed use projects. [Countywide Rules, Section 2.3.3.6.1]	The LDRs should be amended to include all “other standards” applicable to uses in the Industrial Limited plan category.
17.	The LDRs are silent regarding acreage limitations applicable to transportation/utility uses in the Institutional plan category. [Land Development Code, Section 5.8]	Ancillary non-residential uses and transportation/utility uses must not exceed a maximum area of 10 acres in the Institutional plan category. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should specify the appropriate acreage limitations applicable to transportation/utility uses in the Institutional plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
18.	The LDRs are silent regarding “other standards” applicable to the Transportation/Utility plan category.	Within the Transportation/Utility plan category, there exist standards regarding buffering, transmission lines in easements, and acreage limitations for specified uses. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should be amended to include the “other standards” applicable to uses in the Transportation/Utility plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
19.	The LDRs are silent regarding the requirement for a special area plan in the Community Redevelopment District plan category.	Any proposed amendment of the Countywide Plan Map to the Community Redevelopment District plan category requires that a special area plan be developed and approved by the local government and submitted in support of the amendment to the PPC and CPA. [Countywide Rules, Section 4.2.7.5.1]	The LDRs should be amended to specify the requirements for a special area plan in conjunction with any proposed land use plan amendment to a Community Redevelopment District plan category.

Notes. Other notes are as follows:

- 20.** The comprehensive plan speaks of conducting a study regarding the feasibility of establishing a density bonus for affordable housing. At present, however, there are no specifics for a bonus either in the plan or the LDRs. The City may wish to give further consideration to this opportunity. [Housing Element, IV, Policy 1.6.2; Countywide Rules, Section 4.2.3.5]
- 21.** Section 4. The LDRs are silent regarding transfer of development rights. Consideration should be given to addressing this should there exist an interest in employing this process. [Countywide Rules, 2.7.2]
- 22.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

O. Pinellas County

Findings. A review of the Pinellas County Future Land Use Element of the Comprehensive Plan and the Zoning Ordinance reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
1.	The Public/Semi-Public plan classification is referred to as the “Urban Support” classification. [Future Land Use Element, pp. 63-75]	The title of local future land use categories must be the same as the Countywide Plan Map categories. [Countywide Rules, Section 4.2.1.1]	The comprehensive plan should be amended to change “Urban Support” to “Public/Semi-Public”.

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
2.	The definition of “density” does not exclude submerged land from density calculations. [Zoning Ordinance, Section 138-1, see definition of “density”]	Submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The LDRs should be amended to exclude submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
3.	The comprehensive plan enables density averaging; however, the LDRs do not contain any provisions for such averaging. [Future Land Use Element, Table 4, (Part III)]	Density averaging is permitted in specified plan categories provided the area is planned as a single project and the unit count, floor area, and impervious surface do not exceed allowances under the Countywide Plan Map. [Countywide Rules, Section 6.1.3]	The LDRs should be amended to appropriately address density averaging.
4.	The definition of floor area ratio does not exclude public road rights-of-way or submerged land from FAR calculations. [Zoning Ordinance, Section 138-1]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio” and “gross land area”, Countywide Rules Division 7.2]	The LDRs should be amended to exclude public road rights-of-way and submerged land from FAR calculations.
5.	The LDRs do not include a definition of “impervious surface ratio” which presents the potential for inconsistent application. [Zoning Ordinance, Section 138.1]	Local LDRs must set forth a specific standard for impervious surface ratio. [Countywide Rules, Sections 4.2.3.2 and 4.2.3.3]	The LDRs should be amended to include a definition of “impervious surface ratio”.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
6.	According to the comprehensive plan, the R-1 zoning district is compatible with the RS plan category; however, the R-1 district allows a maximum FAR of .40 for non-residential uses. [Zoning Ordinance, Section 138-463 and 138-464; Future Land Use Element, Table 4, (Part I)]	The maximum permitted FAR in the RS plan category is .30. [Countywide Rules, Section 2.3.3.1.3]	The R-1 zoning district regulations should be amended to establish a maximum FAR of .30 for non-residential uses.
7.	According to the comprehensive plan, the R-4 zoning district is compatible with the RL and RU plan categories; however, the R-4 district allows a maximum FAR of .50 for non-residential uses. [Zoning Ordinance, Section 138-553 and 138-554; Future Land Use Element, Table 4, (Part I)]	The maximum permitted FAR in the RL and RU plan categories is .40. [Countywide Rules, Sections 2.3.3.1.4 and 2.3.3.1.5]	The R-4 district regulations should be amended to establish a maximum FAR of .40 for non-residential uses.
8.	The LDRs do not make clear how density/intensity is regulated for residential/non-residential mixed-use developments.	Mixed-use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	Bed and breakfast facilities are permitted in the C-1 zoning district; however, there is no density allocation either for this district or for the local CN plan category, with which, according to the Future Land Use Element, this district is compatible. [Zoning Ordinance, Section 138-802(5); Future Land Use Element, Table 4, (Part I)]	A definitive statement must be provided so that density/intensity standards can be determined consistent with the Countywide Plan Map and Rules. [Countywide Rules, Section 4.2.3.1]	The appropriate density allowance should be stated for the C-1 zoning district in the LDRs and for the CN plan category in the comprehensive plan. Also, the residential equivalent for bed and breakfast facilities should be expressed in terms of beds per permitted dwelling unit per acre.
10.	The definitions for “hotel” and “motel” do not state a specific term of occupancy, which presents the potential for inconsistent density. [Zoning Ordinance, Section 138-1]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
11.	Wholesale/distribution and storage/warehouse uses do not appear to be limited in the CG plan category. [Future Land Use Element, Table 4, (Part I)]	Within the CG plan category, exterior storage and distribution areas for wholesale/distribution uses must not exceed 20 percent of the building to which it is accessory and exterior storage areas for storage/warehouse uses must not exceed 20 percent of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4; and Division 7.2, see definition of “Wholesale/Distribution (Class A) Use” and “Storage/Warehouse (Class A) Use”]	The comprehensive plan should specify the limitations applicable to wholesale/distribution and storage/warehouse uses in the CG plan category.
12.	Within the A-E zoning district, conditional uses include sales and service of farm equipment and supplies. [Zoning Ordinance, Section 138-379]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Sections 4.2.4.2]	The LDRs should be amended to delete the aforementioned uses from the list of conditional uses in this district or specify that such uses are allowed only as an accessory use to a permitted agricultural use.
13.	General agricultural activities are permitted in the R-R zoning district, which according to the comprehensive plan is compatible with all residential plan categories. [Zoning Ordinance, Section 138-432; and Future Land Use Element, Table 4, (Part I)]	Agricultural uses are only permitted in the RR and RE plan categories. [Countywide Rules, Sections 2.3.3.1.1 and 2.3.3.1.2]	The R-R district should be amended so that agricultural activities are permitted only in the RR and RE plan categories.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
14.	Research centers and laboratories are permitted in the P-1 and C-1 zoning districts; however, such uses are neither primary nor secondary in the R/OG or CN plan categories. [Zoning Ordinance, Sections 138-742(4) and 138-802(3)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either restrict research centers and laboratories in the R/OG and CN plan categories in accordance with Section 4.2.4.3 of the Countywide Rules or make clear that such uses are not allowable in this category.
15.	Wholesale/distribution facilities and mini-storage warehousing are permitted within the C-2 zoning district; however, such uses are neither primary nor secondary in the R/O/R plan category. [Zoning Ordinance, Sections 138-832(11) and (18)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to specify that wholesale/distribution facilities and mini-storage warehousing cannot be located in the R/O/R plan category.
16.	Contractor's storage and equipment areas are permitted in the C-3 zoning district. However, this is not consistent with the CG plan category. [Zoning Ordinance, Section 138-857(4)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of "Storage/Warehouse (Class A) Use"]	The C-3 zoning district should be amended so that contractor's storage and equipment areas located in the CG plan category are either accessory to a contracting business located on the property or are restricted in size consistent with the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
17.	Wholesale and distribution uses in the C-3 zoning district are not restricted with regard to the size of outdoor storage and distribution areas. [Zoning Ordinance, Section 138-857]	Outdoor storage and distribution areas for wholesale and distribution uses in the CG plan category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules Section 2.3.3.5.4 and Division 7.2, see definition of “Wholesale/Distribution (Class A) Use”]	The C-3 zoning district should be amended so that outdoor storage and distribution areas located in the CG plan category are restricted in size consistent with the Countywide Rules.
18.	Manufacturing and assembly uses in the C-3 zoning district are not restricted with regard to exterior storage or processing of equipment or materials. [Zoning Ordinance, Section 138-857]	No exterior storage or processing of equipment or materials is permitted in conjunction with manufacturing and assembly uses in the CG plan category. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Light Manufacturing/Assembly (Class A) Use”]	The C-3 zoning district should be amended so that no exterior storage or processing of equipment or materials is permitted in conjunction with manufacturing and assembly uses in the CG plan category.
19.	The LDRs state that the CR zoning district is compatible with any R/O/R plan category. [Zoning Ordinance, Section 138-889(e)(5)a and b]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to delete the aforementioned statements regarding compatibility.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
20.	Raising cattle is a permitted use in the M-1 zoning district. [Zoning Ordinance, Section 138-972(9)]	Production and management of livestock is an agricultural use, which is not a primary or secondary use in Industrial plan categories. [Countywide Rules, Sections 2.3.3.6.1, 2.3.3.6.2, and Division 7.2, see definition of "Agricultural Use"]	The land development code should be amended to preclude the raising of cattle in the M-1 zoning district.
21.	The Preservation/Conservation zoning district allows uses that are not permitted in the Preservation plan category. [Zoning Ordinance, Section 138-1082]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The list of allowable uses in the Preservation/Conservation zoning district should be amended consistent with the Preservation plan category.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
22.	The comprehensive plan is silent regarding the requirement for a special area plan in the CRD-AC plan category. [Future Land Use Element, Table 4, (Part I)]	Utilization of the CRD plan category requires a special area plan. [Countywide Rules, Section 2.3.3.8.4]	The comprehensive plan should be amended to include the requirement for a special area plan.

Other Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
23.	The comprehensive plan is silent regarding certain standards applicable to industrial/mixed use projects in the IL plan category. [Future Land Use Element, Table 4, (Part I)]	Standards exist in the IL plan category regarding the number of uses, public transit, project components, criteria for a master development plan and, for certain large projects, submission of the development plan to any nearby jurisdiction for review and comment. [Countywide Rules, Section 2.3.3.6.1]	The comprehensive plan should be amended to include all standards applicable to industrial/mixed use projects in the IL plan category.

Special Rules

	Issue	Countywide Rules Requirement	Suggested Action
24.	The comprehensive plan does not address all requirements applicable to the transfer of development rights (TDRs) and appears to confuse TDRs and density averaging. The LDRs reference TDRs in a limited context and are not correlated with the provisions in the comprehensive plan or the Countywide Rules. [Future Land Use Element, Table 4, [Parts II and III]	Detailed criteria apply to the transfer of development rights, including certain restrictions, limitations, and the requirement for recordation. [Countywide Rules, Section 4.2.7.2]	The comprehensive plan and LDRs should be amended to thoroughly address all requirements applicable to the transfer of development rights and clarify the distinction between density averaging and transfer of development rights.

Notes. Other notes are as follows:

25. The maximum FAR in the P-1 zoning district is .40. However, according to the Future Land Element, this district is compatible with the CG plan category which has a maximum permitted FAR of .35. [Zoning Ordinance, Section 138-745(c); Future Land Use Element, Table 4, (Part I)]
26. The Future Land Use Element states that nonresidential uses in the CG plan category shall not exceed a FAR of .35 with the exception of appropriate storage/warehouse uses, which have a maximum FAR of .50. The LDRs, however, establish a maximum FAR of .50 in the C-3 zoning district and do not appear to further limit it for any uses in the CG plan category. [Zoning Ordinance, Section 138-860(c); Future Land Use Element, Table 4, (Part I)]
27. The LDRs state that the C-3 zoning district is compatible with the IG plan category, the P-1A zoning district is compatible with the R/O/R plan category, and the CR zoning district is compatible with the CG plan category. However, the Future Land Use Element does not establish these same connections. [Zoning Ordinance, Sections 138-860(e)(2)c; 138-779(e)(4)c; and 138-889(e)(5)b; Future Land Use Element, Table 4, (Part I)]
28. The LDRs should be amended to provide an exemption for public education facilities from the acreage threshold applicable to institutional uses in the Residential and Residential/Office plan categories. [4.2.7.3.2, Florida Statutes, Chapters 235 and 163]
29. To protect and preserve existing scenic/non-commercial corridors, the County is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

P. City of Pinellas Park

Findings. A review of the City of Pinellas Park Future Land Use Element of the Comprehensive Plan and the Land Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The comprehensive plan states that within the Water/Drainage Feature plan category, the maximum permitted FAR is .05 and the maximum permitted ISR is .10. [Future Land Use Element, Policy LU 1.1.4]	There is no density/intensity allocation in the Water/Drainage Feature plan category. [Countywide Rules, Section 2.3.3.8.1]	The comprehensive plan should be amended to indicate that there is no density/intensity allocation within the Water/Drainage Feature plan category.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	Density measurements are not clearly defined. According to the definition, density may be measured based on either units per gross acre or units per net acre. [See definition of “density”, “acre, gross” and “acre, net”, Land Development Code, Section 18-1502.2]	Density is measured based on units per gross land area exclusive of any submerged land and public right-of-way. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”.]	The LDRs should be amended to clearly specify the manner in which density is measured.
3.	Lot coverage (impervious surface ratio) calculations are based on “net land area”, the definition of which is not instructive for measuring areas of water bodies that fluctuate due to tides. [See definition of “lot coverage” and “acre, net”, Land Development Code, Section 18-1502.2]	ISR calculations exclude public rights-of-way and submerged land. Submerged land is defined as the area situated below the mean high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream. [See definition of “impervious surface ratio”, “gross land area” and “submerged land”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that any submerged land situated below the mean high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream, is excluded from ISR calculations.
4.	FAR calculations do not exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, Land Development Code, Section 18-1502.2]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR calculations exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	The LDRs do not express a residential equivalent for bed and breakfast establishments. [See, for example, Land Development Code, Section 18-1506.9(C)2]	Residential equivalency standards are required based on the number of beds per permitted dwelling unit. [Countywide Rules, Section 4.2.3.3]	The LDRs should be amended to express the residential equivalent for bed and breakfast establishments.
6.	Hotels and motels include any residential living accommodation on a temporary basis, the duration of which is not clear and thus presents the potential for inconsistent density. [See definition of “hotels and motels”, Land Development Code, Section 18-1502.2]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The maximum occupancy duration for temporary residential living accommodations should be specified. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
7.	Agricultural uses are permitted in the F zoning district; however, such uses are neither primary nor secondary uses in the RS, RL and RU plan categories. [Land Development Code, Section 18-1506.2(C)1 and 2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Agricultural uses should either be located in the RR or RE plan category or be limited in other residential plan categories in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
8.	Wholesale and retail plant nurseries and produce stands are allowed uses in the F zoning district; however, wholesale and retail commercial uses are neither primary nor secondary uses in the RS, RL, and RU plan categories. [Land Development Code, Section 18-1506.2(C)2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to specify that wholesale and retail plant nurseries and produce stands are allowed in the RS, RL, and RU plan categories only as an accessory use to a permitted nursery or farming operation.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	Veterinary clinics are a conditional use in the F zoning district; however, this use is neither a primary nor secondary use in the RS, RL, and RU plan categories. [Land Development Code, Section 18-1506.2(C)2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Veterinary clinics should be disallowed in the RS, RL and RU plan categories or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
10.	The LDRs state that the R-4 zoning district is appropriate in conjunction with the T/U plan category; however, the residential uses in R-4 district are neither primary nor secondary uses in the T/U plan category. [Land Development Code, Section 18-1506.8(B) and (C)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to eliminate utilization of the R-4 zoning district in conjunction with the T/U plan category.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
11.	Research and development uses are allowed in the GO and B-1 zoning districts; however, such uses are neither primary nor secondary uses in the R/OG plan category. [Land Development Code, Sections 18-1506.20(C)2 and 18-1506.21(C)1]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Research and development uses should be disallowed in the R/OG plan category or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules. As an alternative, PPC staff may wish to consider an amendment to the Countywide Rules to allow research and development uses as a secondary use in the R/OG plan category.
12.	Automobile service stations, automotive repair, boat showrooms, car washes and other commercial/business service uses are allowed uses in the B-1 zoning district; however, commercial/business service uses are neither primary nor secondary uses in the R/OG plan category. [Land Development Code, Section 18-1506.21(C)1 and 2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Business/service uses should be disallowed in the R/OG plan category or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
13.	Building material establishments, convenience stores, delicatessens, and other retail commercial uses are permitted uses in the B-1 zoning district; however, retail commercial uses are neither primary nor secondary uses in the R/OG plan category. [Land Development Code, Section 18-1506.21(C)1 and 2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Retail commercial uses should be disallowed in the R/OG plan category or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
14.	Outdoor amusements and recreation establishments are allowed in the B-1 zoning district; however, commercial recreation uses are neither primary nor secondary uses in the R/OG and R/O/R plan categories. [Land Development Code, Section 18-1506.21(C)1 and 2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Commercial recreation uses should be disallowed in the R/OG and R/O/R plan categories or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
15.	Wholesale uses are permitted uses in the B-1 zoning district; however, wholesale uses are neither primary nor secondary uses in the R/OG and R/O/R plan categories. [Land Development Code, Section 18-1506.21(C)1]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Wholesale uses should be disallowed in the R/O/R and R/OG plan categories.
16.	Storage facilities are allowed in the B-1 zoning district; however, storage/warehouse uses are neither primary nor secondary uses in the R/OG and R/O/R plan categories. [Land Development Code, Section 18-1506.21(C)2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Storage/warehouse uses should be disallowed in the R/O/R and R/OG plan categories.
17.	Outdoor storage in the B-1 and CH zoning districts is limited to 30 and 35 percent respectively of the lot area; however, this is not consistent with the CG plan category. [Land Development Code, Section 18-1507.10(C)]	Outdoor storage in the Commercial General plan category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	The LDRs should be amended so that outdoor storage in the Commercial General category is incidental to and not more than 20 percent of the area of the building to which it is accessory.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
18.	Industrial uses not permitted by right may be allowed as conditional uses in the M-1 zoning district; however, heavy manufacturing/assembly uses are neither primary nor secondary uses in the IL plan category. [Land Development Code, Section 18-1506.23(C)2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Heavy manufacturing/assembly uses should be disallowed in the IL plan category or limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.
19.	The P zoning district may be utilized in conjunction with the R/OS, I, T/U and P plan categories. However, the list of permitted and conditional uses is not uniformly distinguished by allowable plan category. [Land Development Code, Section 18-1506.25(C)1 and 2]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the R/OS, I, T/U and P plan categories.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
20.	Public and private utilities are allowed in the PRES zoning district; however, such uses are neither primary nor secondary uses in the P plan category. [Land Development Code, Section 18-1506.26(C)2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to disallow public and private utilities in the PRES zoning district.
21.	Stormwater management facilities and public and private utilities are allowed in the OS zoning district; however, such uses are neither primary nor secondary uses in the R/OS plan category. [Land Development Code, Sections 18-1506.27(C)1 and 2]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to disallow stormwater management facilities and public and private utilities in the R/OS zoning district.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
22.	Within Residential and Mixed Use plan categories, public/semi-public uses must not exceed a maximum area of 5 acres without a plan amendment. [See, for example, Land Development Code, Section 18-1506.7(B)]	Within Residential and Mixed Use plan categories, transportation/utility uses must not exceed a maximum area of 3 acres without a plan amendment. [See, for example, Countywide Rules, Section 2.3.3.1.4]	The LDRs should be amended to specify that within Residential and Mixed Use plan categories; transportation/utility uses must not exceed a maximum area of 3 acres without a plan amendment. In addition, it would be desirable to define “public/semi-public uses”.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
23.	Within selected Residential and Mixed Use plan categories, off-street parking lots for contiguous non-residential uses are allowed as a conditional use. [See, for example, Land Development Code, Section 18-1506.9(C)2]	Within Residential and Mixed Use plan categories, ancillary non-residential uses must not exceed a maximum area of 3 acres without a plan amendment. [See, for example, Countywide Rules, Section 2.3.3.1.4]	The LDRs should be amended to specify that within Residential and Mixed Use plan categories where off-street parking lots for contiguous non-residential uses are allowed, such uses must not exceed a maximum area of 3 acres without a plan amendment.
24.	Within the IL plan category, only institutional and transportation/utility uses are limited in area to 5 acres. [Future Land Use Element, p. 49 and Policy LU 1.2.6]	Within the IL plan category, institutional, transportation/utility, retail commercial, personal service/office support, commercial/business service, commercial recreation, and transient accommodation uses that are not part of a master development plan must not exceed a maximum area of 5 acres without a plan amendment. [Countywide Rules, Section 2.3.3.6.1]	The comprehensive plan should be amended to include the full range of uses that are subject to acreage limitation in the IL plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
25.	The comprehensive plan is silent regarding buffering standards within an IL plan category adjacent to a residential plan category. [Future Land Use Element, pp. 49 and 51]	Within the IL plan category, an appropriate buffer as determined by the local jurisdiction must be provided in and between the IL plan category and an adjoining jurisdiction, except in the case of an industrial/mixed use project requiring the submission of a master plan. [Countywide Rules, Section 2.3.3.6.1]	The comprehensive plan should be amended to require an appropriate buffer in the IL plan category adjacent to a residential category.
26.	The comprehensive plan is silent in the event the actual boundaries of a wetland area cannot be precisely determined based on maps. [Future Land Use Element, p. 28]	Where the mapped delineation of wetland areas is inconclusive, a field determination and mapping of the actual boundary may be required as part of any amendment or project approval determination. [Countywide Rules, Section 2.3.3.7.1]	The comprehensive plan should specify the appropriate process for determining actual boundaries of wetlands if existent.
27.	The comprehensive plan is silent regarding the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category. [Future Land Use Element, p. 32]	In the Transportation/Utility plan category, where utility transmission lines are located in easements as distinct from rights-of-way, the category must be shown as an overlay. [Countywide Rules, Section 2.3.3.7.4]	The comprehensive plan should specify the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.

Special Rules
Consistent

Notes. Other notes are as follows:

- 36.** The City may wish to consider adding a density bonus for the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
- 37.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.
- 38.** The comprehensive plan and the LDRs are silent regarding the requirement for a special area plan in the CRD and AC/P plan categories. Either the comprehensive plan and/or LDRs should be amended accordingly or the City should otherwise ensure compliance.

Q. Town of Redington Beach

Findings. A review of the Town of Redington Beach Future Land Use Element of the Comprehensive Plan, Zoning Code, and zoning/land use plan consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.
2.	The maximum ISR in District No. 1 is .70, thereby exceeding the maximum ISR in the RU, P and R/OS plan categories. [Zoning Code, Section 3(1g)(B)]	The maximum permitted ISR in the RU, P and R/OS plan categories is .65, .20 and .60 respectively. [Countywide Rules, Sections 2.3.3.1.5, 2.3.3.7.1 and 2.3.3.7.2]	The LDRs should be amended to specify the appropriate ISR standards for the RU, P and R/OS plan categories.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	Density is based on the total gross acreage of the development tract, including all internal acreage, as well as street, drainage, and utility rights-of-way and easements. [Future Land Use Element, Section X.C.1]	Public road rights-of-way and submerged land are excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The comprehensive plan should be amended to specify that public road rights-of-way and submerged land are excluded from density calculations.
4.	Due to the manner in which the use, density/intensity, and other standards applicable to the District No. 1 zoning district are organized in the LDRs, it appears that such requirements are applicable only to a portion of District No.1, specifically only Lots 3 and 4, C.E. Redington Replat. [Zoning Code, Section 3(1g)(A) through (D)]	The LDRs must appropriately identify the use, density/intensity, and other standards applicable to each plan category. [Countywide Rules, Sections 4.2.3.1, 4.2.4, and 4.2.6]	The use, density/intensity, and other standards applicable to the District No. 1 zoning district should be reorganized in the LDRs to appropriately convey their applicability.
5.	The maximum FAR in District No. 1 is .40; thereby exceeding the maximum FAR in the P and R/OS plan categories. [Zoning Code, Section 3 (1g)(B)]	The maximum permitted FAR in the P and R/OS plan categories is .10 and .25 respectively. [Countywide Rules, Sections 2.3.3.7.1 and 2.3.3.7.2]	The LDRs should be amended to specify the appropriate FAR standards for the P and R/OS plan categories.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
6.	Mixed-use development is encouraged within the R/O/R plan category; however, neither the comprehensive plan nor the LDRs specify how the overall density/intensity of such use is measured. [Future Land Use Element, Policy 1.2.1, p. 26]	Mixed use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, see Countywide Rules, Section 2.3.3.5.4]	The comprehensive plan and the LDRs should be amended to specify the manner in which the overall density/intensity of use is measured in mixed-use developments.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
7.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.
8.	Hotels, retail commercial, business offices and other business establishments are permitted in District No. 1; however, such uses are neither primary nor secondary in any of the plan categories with which this district aligns (i.e., RU, P, R/OS and I). [Zoning Code, Section 3]	Uses must be consistent with primary or secondary use characteristics identified in the applicable plan category. [Countywide Rules, Section 4.2.4.2]	The LDRs and/or the land use map should be amended to appropriately align uses and plan categories.

Other Standards
Consistent

Special Rules
Consistent

Notes. Other notes are as follows:

9. It would be desirable to define the term “public/semi-public uses”. [Zoning Code, Section 3(1g)(A)]
10. At present the term “density” is not defined in the LDRs. It would be desirable to do so.

R. Town of Redington Shores

Findings. A review of the Town of Redington Shores Future Land Use Element of the Comprehensive Plan, LDRs and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Within the PUD zoning district, the land use plan categories are not stated consistent with the Countywide Plan Map and Rules. [LDRs, Section 90-103.1E(1)(a) and (2)(a)]	The title of all local future land use categories must be precisely the same as the Countywide Plan Map and Rules. [Countywide Rules, Section 4.2.1.1]	The LDRs should be amended to state the land use categories precisely the same as the Countywide Plan Map and Rules.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	The LDRs do not appear to establish a zoning district for use in conjunction with the P plan category. If the PP zoning district is intended for use in conjunction with the P plan category, most of the permitted uses are inappropriate for the P plan category, and the maximum permitted FAR and ISR exceed that permitted in the P plan category. [LDRs, Section 90-104]	Use characteristics and density/intensity limitations in each zoning district must be compatible with the land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Either a separate zoning district should be provided for the P plan category, or the existing criteria and standards for the PP zoning district should be qualified to ensure consistency with the P plan category.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	Density is based on total lot area, which is multiplied by one and one-tenth (1.1) as recognition of a lot's approximate share of infrastructure land. Furthermore, total lot area includes public road rights-of-way and submerged land. [see definition of "density", "acreage, gross" and "acreage, net", LDRs, Section 90-92; and Section 90-96D]	Density is based on gross land area, which is total land area within the boundaries of a parcel specifically exclusive of public road rights-of-way and submerged land. [Countywide Rules, Division 7.2, see definition of "density" and "gross land area"]	The LDRs should be amended to exclude public road rights-of-way, submerged land, and the multiplication factor from density calculations.
4.	The comprehensive plan is silent regarding the maximum permitted FAR applicable to non-residential uses for each plan category.	Local future land use plans must include the maximum permitted FAR applicable to non-residential uses for each plan category. [Countywide Rules, Section 4.2.3.3]	The comprehensive plan should be amended to state the maximum permitted FAR applicable to non-residential uses for each plan category.
5.	Within any 12-month consecutive period, units in a condo-hotel may be occupied by the individual owners up to 60 days, which is longer than permitted by the Countywide Rules for a transient accommodation use, and thereby presents the potential for inconsistent density. [LDRs, Section 90-103H(12)]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of "transient accommodation use", Countywide Rules, Division 7.2]	The LDRs should be amended to decrease the maximum term of occupancy to one month for units in condo-hotels. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption local standards for transient accommodations should be made consistent with the Countywide Rules.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
6.	Hotels, motels and transient accommodation units do not have restrictions on the term of occupancy, without which there exists a potential for inconsistent density. [see definition of “hotels and motels” and “transient accommodation unit”, LDRs, Section 90-92]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for hotels, motels and transient accommodation units. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption local standards for transient accommodations should be made consistent with the Countywide Rules.
7.	The maximum permitted FAR in the PI zoning district is .70, which is inconsistent with the I plan category. Furthermore, the LDRs do not state the maximum permitted FAR for non-residential uses in the I plan category. [LDRs, Section 90-105D]	The maximum permitted FAR for non-residential uses in the I plan category is .65, which must be stated in the LDRs. [Countywide Rules, Sections 2.3.3.7.3 and 4.2.3.3]	The LDRs should be amended to specify that the maximum permitted FAR for non-residential uses in the PI zoning district, when applied in conjunction with the I plan category, is .65.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
8.	There are no locational determinants expressed for most plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
9.	Within the T/U plan category, where a utility transmission line is located in an easement as distinct from a right-of-way, the category <i>may</i> be shown as an overlay, superimposed over the otherwise applicable underlying plan category. [Future Land Use Element, Section X.C.4.d]	Within the T/U plan category, where a utility transmission line is located in an easement as distinct from a right-of-way, the category <i>must</i> be shown as an overlay, superimposed over the otherwise applicable underlying plan category. [Countywide Rules, Section 2.3.3.7.4]	The comprehensive plan should be amended to make it mandatory rather than permissive that any utility transmission line located in an easement in the T/U plan category be shown as an overlay, superimposed over the otherwise applicable underlying plan category.
10.	Within the RM-15 zoning district, institutional uses are not limited in area. [LDRs, Section 90-100]	With the exception of public educational facilities, institutional uses must not exceed a maximum area of 5 acres in the RM plan category without a plan map amendment. [Countywide Rules, Section 2.3.3.2.2]	The LDRs should be amended to appropriately limit the area of institutional uses in the RM-15 zoning district.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
11.	The LDRs are silent regarding the provision of a buffer for land assigned the Transportation/Utility plan category. [LDRs, Section 90-105]	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the Transportation/Utility plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the Transportation/Utility plan category.
12.	Institutional uses are permitted in the PI zoning district with no limitation regarding area, which is inconsistent with the Transportation/Utility plan category. [LDRs, Section 90-105]	Institutional uses must not exceed a maximum area of 10 acres in the Transportation/Utility plan category without a plan amendment. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the appropriate acreage limitations applicable to institutional uses in the Transportation/Utility plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
13.	The LDRs defines “transfer of development rights” and authorizes the Planning and Zoning Board to make recommendations on such transfers to the Board of Commissioners; however, the regulations are silent regarding any requirements or standards applicable thereto. [LDRs, Sections 90-92 and 90-107E]	Detailed criteria applies to the transfer of development rights, including restrictions, limitations, and the requirement for recordation. [Countywide Rules, Section 4.2.7.2]	The LDRs should be amended to thoroughly address all requirements applicable to the transfer of development rights.

Notes. Other notes are as follows:

- 17.** Though correlation of the city's zoning districts and land use plan categories is generally intuitive, it would nevertheless be highly desirable to provide a section in either the comprehensive plan or the LDRs that definitively aligns the two.
- 18.** The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
- 19.** The LDRs are silent regarding the 10 acre limitation applicable to Transportation/Utility uses in the PI zoning district which is utilized in conjunction with the I plan category. Either the LDRs should be amended to state this 10 acre limitation or the Town should otherwise ensure compliance.

S. City of Safety Harbor

Findings. A review of the City of Safety Harbor Future Land Use Element of the Comprehensive Plan, Land Development Code, and zoning/land use plan consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The comprehensive plan and LDRs do not establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Major Classifications and Categories/Continuum (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	The P zoning district is used in conjunction with the Institutional, Recreation/Open Space, Preservation and Transportation/Utility plan categories. The uses, however, are not distinguished by the category within which they are allowed. [Land Development Code, Section 25.13(B) and (C)]	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Either separate zoning districts should be created for the Institutional, Recreation/Open Space, Preservation and Transportation/Utility plan categories, or the use characteristics of the P zoning district should be appropriately distinguished by plan category.

Density/Intensity Standards

	Issue	Countywide Rules Requirement	Suggested Action
3.	Density is expressed as the number of dwelling units per gross residential acre. However, the definition of “gross residential acre” does not exclude public road rights-of-way and submerged land. [Land Development Code, Section 23.01 and 271.00(A)(88)]	Public road rights-of-way and submerged land are excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “gross residential acre” should be amended to exclude public road rights-of-way and submerged land.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
4.	The definition of “density” does not indicate that public road rights-of-way and submerged land are ineligible for inclusion in density calculations. [Land Development Code, Section 271.00(A)(42)]	Public road rights-of-way and submerged land are excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be amended to exclude public road rights-of-way and submerged land from density calculations.
5.	The definition of “floor area ratio” does not exclude public road rights-of-way and submerged land. [Land Development Code, Section 97.00(A) and 271.00(A)(80)]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The definition of “floor area ratio” should be amended to exclude public road rights-of-way and submerged land.
6.	The definition of “impervious surface ratio” is not clear whether public road rights-of-way and submerged land are excluded. [Land Development Code, Section 271.00(A)(100)]	ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “impervious surface ratio” and “gross land area”, Countywide Rules, Division 7.2]	The definition of “impervious surface ratio” should be amended to exclude public road rights-of-way and submerged land.
7.	The maximum permitted ISR in the R/OG plan category is .85. [Future Land Use Element, Section X.C.2.B(6)]	The maximum permitted ISR in the R/OG plan category is .75. [Countywide Rules, Section 2.3.3.4.2]	The comprehensive plan should be amended to state the appropriate ISR in the R/OG plan category.
8.	The LDRs do not state the maximum permitted density in the RM zoning district. [Land Development Code, Section 25.05]	The maximum density in the RU plan category is 7.5 units per acre and in the RM plan category 15 units per acre. [Countywide Rules, Sections 2.3.3.1.5 and 2.3.3.2.2]	The LDRs should be amended to appropriately express the density standards applicable to the RM zoning district.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	The definition of “transient accommodation uses” in the comprehensive plan and LDRs does not reference any restrictions on the term of occupancy, without which, there exists a potential for inconsistent density. [see definition of “transient accommodation uses”, Future Land Use Element, Section X.C.7.X and Land Development Code, Section 271.00(A)(214)]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The comprehensive plan and LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
10.	The potential for a conflict appears to exist between the minimum lot size expressed in certain zoning districts and the maximum permitted density allowed according to the land use plan. For example, if the E-1 zoning district, which has a minimum lot size of 40,000 square feet and yields a density of 1.1 dwelling units per acre, is applied in conjunction with the RR plan category, which has a maximum permitted density of 0.5 dwelling units per acre, a conflict appears to exist. [Land Development Code, Section 25.01(D)(2)]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDRs should be amended to state: “Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern.”

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
11.	Bowling alleys and other commercial recreation uses are permitted in the C-1A zoning district; however, such uses are neither primary nor secondary in the R/O/R plan category. [Land Development Code, Section 25.09(B)]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either disallow commercial recreation in the C-1A zoning district or specify the applicable use limitations.
12.	The P zoning district is utilized in conjunctions with the P,R/OS, I and T/U plan categories. However, the list of permitted uses is not distinguished by allowable plan category. [Land Development Coe, Section 25.13(B) and (C)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywi de Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the P, R/OS, I and T/U plan categories.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
13.	The LDRs do not consistently state the acreage limitations applicable to ancillary non-residential, transportation/utility, and institutional uses. For example, within the residential zoning districts, no limitations are expressed, and within non-residential zoning districts, the limitation applicable to ancillary non-residential uses is absent. [see, for example, Land Development Code, Section 25.07(D)(4)]	Within specified Residential and Mixed Use plan categories, ancillary non-residential and transportation/utility uses are limited to a maximum area of 3 acres and institutional uses are limited to a maximum area of 5 acres. [see, for example, Countywide Rules, Section 2.3.3.1.1]	The LDRs should be amended to consistently and appropriately state the acreage limitations applicable to ancillary non-residential, transportation/utility, and institutional uses.
14.	Institutional and transportation/utility uses are not restricted in area in the C-1A zoning district. [Land Development Code, Section 25.09]	Institutional uses must not exceed a maximum of 5 acres in the CN and R/O/R plan categories and transportation/utility uses must not exceed a maximum of 3 acres in the R/O/R plan category and 5 acres in the CN plan category. [Countywide Rules, Sections 2.3.3.5.1 and 2.3.3.4.3]	The LDRs should be amended to appropriately limit institutional and transportation/utility uses in the C-1A zoning district.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
15.	The comprehensive plan and LDRs are silent regarding standards applicable to industrial/mixed use projects in the IL plan category. [Future Land Use Element, Section X.C.4.A, and Land Development Code, Section 25.11]	The Countywide Rules contain standards addressing the number of uses, public transit, project components, and master development plan requirements for industrial/mixed use projects in the IL plan category. [Countywide Rules, Section 2.3.3.6.1]	The comprehensive plan or LDRs should be amended to include standards applicable to industrial/mixed use projects in the IL plan category.
16.	The comprehensive plan and LDRs are silent regarding the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category. [Future Land Use Element, Section X.C.5.D and Land Development Code, Section 25.13]	In the Transportation/Utility plan category, where utility transmission lines are located in easements, as distinct from rights-of-way, the category must be shown as an overlay. [Countywide Rules, Section 2.3.3.7.4]	The comprehensive plan or LDRs should specify the overlay requirements applicable to utility transmission lines located in easements in the Transportation/Utility plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
17.	The LDRs do not specify the limitations affecting a transfer of development rights from an existing developed property. [Land Development Code, Section 166.03]	No transfer of development rights is permitted from an existing developed property, except for archeological, historical, or architectural preservation purposes, or according to an approved redevelopment plan. [Countywide Rules, Section 4.2.7.2.1B]	The LDRs should be amended to specify the constraints affecting any transfer of development rights from an existing developed property.

Notes. Other notes are as follows:

- 15.** Transient accommodation uses are permitted within the R-3 and RM zoning districts with an RFO plan category. However, according to the consistency matrix, the R-3 and RM zoning districts are not consistent with the RFO plan category. This should be reconciled by either deleting transient accommodation uses from the list of permitted uses or amending the consistency matrix to indicate that the R-3 and RM zoning districts and the RFO plan category are compatible. [Land Development Code, Section 25.04 (c) (19)]
- 16.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

T. City of St. Pete Beach

Findings. A review of the City of St. Pete Beach Future Land Use Element of the Comprehensive Plan and the Land Development Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Density calculations exclude public road rights-of-way, but do not exclude submerged land. [see definition of “density”, Land Development Code, Section 2.1]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be amended to exclude both public road rights-of-way and submerged land from density calculations.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	Floor area ratio calculations are based on total square footage of zoning lot area, which appears to include public road rights-of-way and submerged land. [see definition of “floor area ratio”, Land Development Code, Section 2.1]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio” and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR calculations exclude public road rights-of-way and submerged land.
3.	The maximum duration occupancy within a transient accommodation unit is 90 days, which is longer than permitted by the Countywide Rules, and thereby presents the potential for inconsistent density. [see definition of “transient occupancy”, Land Development Code, Section 2.1]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to revise the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.
4.	The LDRs do not consistently state density measures. For example, maximum residential density is not stated in the RU-2 zoning district, nor is it stated for assisted living facilities in the CG-1 zoning district. [Land Development Code, Division 9 and 15]	A definitive statement must be provided in the LDRs in order that density/intensity standards can be determined consistent with the Countywide Plan Map and Rules. [Countywide Rules, Section 4.2.3.1]	The LDRs should be amended to consistently cite applicable density provisions.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	Within the Resort Facilities Overlay (RFO) overlay zoning district, the maximum permitted density for transient accommodation uses is 16.7 transient accommodation units per acre, which presents a conflict if this district is utilized with a plan category which permits less than 10 residential units per acre. [Land Development Code, Section 21.6]	Within the RFO plan category, the maximum permitted density for transient accommodation uses is 1.67 times the maximum permitted residential density in the underlying residential plan category. [Countywide Rules, Section 2.3.3.4.4]	The LDRs should be revised to add that the maximum permitted density for transient accommodation uses within the RFO overlay zoning district is 1.67 times the maximum permitted residential density in the underlying residential plan category (in which case the minimum lot area for transient accommodation uses should be revised also), or that this overlay zoning district may be utilized only in conjunction with residential plan categories that permit at least 10 residential units per acre.
6.	Within the RFO overlay zoning district, the maximum permitted ISR for non-residential uses is .75, which presents a conflict if this district is utilized with a plan category which permits less than 10 residential units per acre. [Land Development Code, Section 21.12]	Within the RFO plan category, the maximum permitted ISR for non-residential uses is that of the underlying residential plan category. [Countywide Rules, Section 2.3.3.4.4]	The LDRs should be amended to specify that the maximum permitted ISR for non-residential uses within the RFO overlay zoning district is equal to that of the underlying residential plan category, or that this overlay zoning district may be utilized only in conjunction with residential plan categories that permit at least 10 residential units per acre.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	The LDRs do not clearly or consistently set forth the applicability requirements for density/intensity calculations involving residential/non-residential use mixes on a single property. For example, in the R/O/R zoning district, there is no reference to the mixed use formula cited in Section 6.6, and in the RFM zoning district, the reference is stated in a manner that appears to apply only to use mixes involving transient accommodations. [Land Development Code, Division 13 and Section 14.6(b)(1)]	Local LDRs must appropriately state density/intensity measures. [Countywide Rules, Section 4.2.3.3]	The LDRs should be amended to clearly and consistently set forth the applicability requirements for density/intensity calculations involving residential/non-residential use mixes on a single property.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
8.	There are no locational determinants expressed for most plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
9.	Automotive service stations and other commercial/business service uses are allowable in the RFM zoning district; however, such uses are neither primary nor secondary uses in the RFM plan category. [Land Development Code, Section 14.4(c) and (q)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. As an exception, if the use is not consistent with the primary or secondary use characteristics identified in a plan category but is included in the use characteristics of another category in the same major classification, the use may be allowed subject to specified use limitations. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	Automotive service stations and other commercial/business service uses should either be disallowed in the RFM plan category or be limited in accordance with the terms contained in Section 4.2.4.3 of the Countywide Rules.

Other Standards

Consistent

Special Rules

Consistent

Notes. Other notes are as follows:

- 10.** There appears to be a conflict between the comprehensive plan and the LDRs regarding the maximum permitted density in the R/O/R plan category. The comprehensive plan sets a maximum residential density of 18 units per acre and maximum transient accommodation density of 30 units per acre; whereas the regulations set a maximum residential and transient accommodation density of 15 units per acre. [Future Land Use Element, Policy 1.1.1, p. 66, and Land Development Code, Section 13.6]
- 11.** There appears to be a conflict between the comprehensive plan and the LDRs regarding the maximum permitted ISR in the I plan category. The comprehensive plan sets a maximum ISR of .85; whereas the regulations set a maximum ISR of .80. [Future Land Use Element, Policy 1.1.1, p. 67, and Land Development Code, Section 17.12]
- 12.** The LDRs do not appear to provide zoning districts that correlate to the R/OG or RH plan categories.
- 13.** The R/O/R zoning district allows office and commercial uses; however, the comprehensive plan does not provide for such uses in the R/O/R plan category. [Future Land Use Map, Section III, p. 5, and Land Development Code, Section 13.2]
- 14.** The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
- 15.** The LDRs are silent regarding transfer of development rights. Consideration should be given to addressing this should there exist an interest in employing this process. [Countywide Rules, Section 4.2.7.2]
- 16.** The comprehensive plan should be amended to provide an exemption for public education facilities from the acreage threshold applicable to institutional uses in the Residential and Residential/Office plan categories. [Countywide Rules, Section 4.2.7.3.2; Florida Statutes, Chapters 265 and 163]

- 17.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

U. City of St. Petersburg

Findings. A review of the City of St. Petersburg Future Land Use Element of the Comprehensive Plan, Land Development Code and “Zoning District and Compatible Future Land Use Categories” reveals the following actual and potential inconsistencies with the Countywide Plan and Rules.

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.			
	The comprehensive plan does not reflect the merger of the Activity Center/Primary and Activity Center/Secondary plan categories into a singular Activity Center plan category.	Local land use plan categories must be the same as the Countywide Plan Map. [Countywide Rules, Section 4.2.1.1]	The comprehensive plan should be amended to accurately stat the plan categories.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories, i.e., the “Zoning District and Compatible Future Land Use Categories” matrix should be incorporated into the LDRs.

Density/Intensity Standards

Consistent

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
3.	The Artist Enclave (AE) overlay district allows selected commercial uses in residential plan categories. [Land Management Code, Article 7, Division 5, Artist Enclave]	Uses must be consistent with the primary or secondary use characteristics identified in the applicable plan category. [Countywide Rules, Section 4.2.4.2]	Either the artist enclave allowances should be tailored to only permit uses consistent with the applicable land use plan category or the district should be utilized only in combination with the PR-MU plan category.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
4.	Commercial recreation and commercial business/service uses that are not part of a master development plan do not appear to be limited in the IL plan category. [Future Land Use Element, Policy LU2.1]	Within the IL plan category, institutional, transportation/utility, retail commercial, personal service/office support, commercial business/service, commercial recreation, and transient accommodation uses must not exceed a maximum area of 5 acres without a plan amendment. [Countywide Rules, Sections 2.3.3.6.1]	The comprehensive plan should be amended to appropriately limit commercial recreation and commercial business/service uses in the IG plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
5.	The comprehensive plan is not instructive in the event the actual boundaries of a wetland area cannot be precisely determined based on maps. [Future Land Use Element, Policy LU2.1]	Where the mapped delineation of wetland areas is inconclusive, a field determination and mapping of the actual boundary may be required as part of any amendment or project approval. [Countywide Rules, Section 2.3.3.7.1]	The comprehensive plan should specify the appropriate process for determining actual boundaries of wetlands.

Special Rules
Consistent

Notes. Other notes are as follows:

6. Public education facilities are not granted an exemption from the maximum 5 acre threshold applicable to institutional uses in the Residential and Residential/Office plan categories [Future Land Use Element, Policy LU2.1; Land Management Code, Article 7, Division 7, Schools].
7. Most “other standards” are stated in Policy LU2.1 of the comprehensive plan. However, the maximum 10 acre threshold applicable to ancillary non-residential and institutional uses in the T/U plan category and also applicable to ancillary non-residential and transportation/utility uses in the I plan category is stated in the IC zoning district of the LDRs. It would be desirable to uniformly state all “other standards” in either the comprehensive plan or the LDRs.
8. In reference to the requisite plan for the CRD plan category, it would be desirable to substitute the term “special area plan” for “detailed plan for redevelopment of the area” [Future Land Use Element, Policy LU2.1].

- 9.** It is not clear whether “accessory guest quarters” are consistent with the density provisions of the Countywide Rules [Land Management Code, Article 7, Division 2].
- 10.** The adoptive reuse process which allows for uses that are not otherwise permitted in the designated land use plan category should be addressed in the nonconforming use provisions of the LDRs.
- 11.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

V. City of Seminole

Findings. A review of the City of Seminole Future Land Use Element of the Comprehensive Plan, Land Development Code, and October 2006 zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Major Classifications and Categories/Continuum (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	The LDRs express different relationships between zoning districts and plan categories than those displayed in the October 2006 zoning/land use consistency matrix. [for example, see Land Development Code, Section 70-575(c)(3)c or 70-604 (e)(2)]	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.
3.	The October 2006 zoning/land use consistency matrix references a Residential Low Medium/Mobile Home Park and Subdivision Residential plan category, however, the comprehensive plan does not adopt or otherwise address this category.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The comprehensive plan should appropriately provide for the Residential Low Medium/Mobile Home Park and Subdivision Residential plan category.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
4.	The definition of “density” in the LDRs does not exclude submerged land from density calculations. [See definition of “density”, Land Development Code, Sections 50-86 and 70-1]	Public road rights-of-way and submerged land must be excluded from density calculations. [See definition of “density” and “gross land area”, Countywide Rules, Division 7.2]	The definition of “density” should be amended in both the LDRs to specify that submerged land is excluded from density calculations.
5.	FAR and ISR calculations do not clearly exclude public road rights-of-way and submerged land. [See definition of “floor area ratio” and “impervious surface ratio”, Land Development Code, Section 70-1]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
6.	The RU zoning district does not designate a maximum FAR or ISR for non-residential uses. [Land Development Code, Division 4]	The maximum permitted FAR and ISR in the RU plan category is .40 and .65 respectively. [Countywide Rules, Section 2.3.3.1.5]	The LDRs should appropriately state the maximum FAR or ISR for non-residential uses in the RU plan category.
7.	The maximum density in the RLM zoning district is one unit per 3,500 square feet of lot area, an equivalent of 12.4 units per acre. [Land Development Code, Section 70-410(f)(1)]	The maximum permitted density in accordance with the RLM plan category is 10 dwelling units per acre. [Countywide Rules, Section 2.3.3.2.1]	The LDRs should be amended to specify the maximum permitted density in the RLM plan category is 10 dwelling units per acre.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
8.	The RLM/MH and RM zoning districts do not specify a maximum FAR or ISR for non-residential uses. [Land Development Code, Division 6]	Local LDRs must include applicable non-residential FAR and ISR measures. [Countywide Rules, Section 4.2.3.3]	The LDRs should be amended to state the applicable non-residential FAR and ISR in the RLM/MH and RM zoning districts based on the corresponding land use plan category.
9.	The LDRs are silent regarding a residential equivalency formula for density computing purposes for congregate care facilities in the CG zoning district and group homes in the RR and RE zoning districts. [Land Development Code, Section 70-573(1)]	Residential equivalent uses must not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit per acre in the CG plan category. [Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to express the residential equivalency formula applicable to congregate care facilities in the CG zoning district and group homes in the RR and RE zoning districts.
10.	The R/OS zoning district does not state the maximum permitted ISR. [Land Development Code, Division 16]	The maximum permitted ISR in the R/OS plan category is .60. [Countywide Rules, Section 2.3.3.7.2]	The LDRs should be amended to appropriately express the maximum permitted ISR in the R/OS plan category.
11.	The “Density, Use and Standards Tables” indicates that the maximum density in the RL zoning district is 10 dwelling units per acre and the maximum density in the RLM zoning district is 11 dwelling units per acre [Land Development Code, Section 70-711]	The maximum density in the RL plan category is 5.0 dwelling units per acre and the maximum density in the RLM plan category is 10.0 dwelling units per acre. [Countywide Rules, Sections 2.3.3.1.4 and 2.3.3.2.1]	The LDRs should be amended to state that the maximum density in the RL plan category is 5.0 dwelling units per acre and the maximum density in the RLM plan category is 10.0 dwelling units per acre.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
12.	The maximum density in the RU zoning district is stated as 7.6 dwelling units per acre. [Land Development Code, Section 70-712]	The maximum density in the RU plan category is 7.5 dwelling units per acre. [Countywide Rules, Section 2.3.3.1.5]	The LDRs should be amended to state that the maximum density in the RU plan category is 7.5 dwelling units per acre.
13.	Within the CG zoning district, hotels and motels are permitted a maximum density of 40 units per acre. However, this exceeds the density limitations of the R/O/R and CL plan categories. [Land Development Code, Section 70-572(2)]	The maximum density for transient accommodation uses in the R/O/R and CL plan categories is 30 units pre acre. [Countywide Rules, Sections 2.3.3.4.3 and 2.3.3.5.2]	The LDRs should be amended to specify that hotels and motels are permitted a maximum density of 30 units per acre in the CG zoning district when applied in conjunction with the R/O/R or CL plan category.
14.	Adult congregate living facilities are permitted 1.3333 times the permitted dwelling unit density applicable to the zoning district in which the facility is located, except in commercial zoning districts where the density is subordinate to the permissible building square footage, height, parking requirements and setback requirements. [Land Development Code, Section 58-476(c)]	Residential equivalent uses must not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit per acre in Residential, Mixed Use, Commercial and Institutional plan categories. [Countywide Rules, Sections 2.3.3.1.1 through 2.3.3.5.4, 2.3.3.7.3]	The LDRs should be amended to express the appropriate residential equivalency formula applicable to congregate care facilities.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
15.	Retirement communities located in commercial zoning districts are permitted a density that is subordinate to the requirements of Section 70-575. [Land Development Code, Section 58-477(e)]	Residential uses must not exceed 10 dwelling units per acre in the CN plan category and 24 dwelling units per acre in the CG plan category. [Countywide Rules, Sections 2.3.3.5.1 and 2.3.3.5.4]	The LDRs should be amended to express the appropriate density limitations for retirement communities located in commercial plan categories.
16.	Assisted-living dwelling units within retirement communities are permitted 1.3333 times the permitted dwelling unit density of the zoning district in which the facility is located, except in commercial zoning districts where the density is subordinate to the requirements of Section 70-575. [Land Development Code, Section 58-477(e)(1)]	Residential equivalent uses must not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit per acre in Residential, Mixed Use, Commercial and Institutional plan categories. [Countywide Rules, Sections 2.3.3.1.1 through 2.3.3.5.4, 2.3.3.7.3]	The LDRs should be amended to express the appropriate residential equivalency formula applicable to assisted-living units within retirement communities.
17.	The definitions of “hotel” and “motel” do not reference any restrictions on the term of occupancy, without which, there exists a potential for inconsistent density. [See definition of “hotel” and “motel”, Land Development Code, Section, 70-1]	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [See definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to address the term of occupancy for transient accommodation uses. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Use and Locational Characteristics			
	Issue	Countywide Rules Requirement	Suggested Action
18.	Agriculture is identified as a conditional use in the RS zoning district. However, agricultural uses are not allowed in the RS plan category. [Land Development Code, Section 70-334(1)]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either disallow agricultural uses in the RS plan category or specify the applicable use limitations.
19.	Research centers and laboratories are permitted uses in the P-1 zoning district. However, such uses are not allowed in the R/OG or CN plan categories.	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to disallow research centers and laboratories in the R/OG and CN plan categories or specify the applicable use limitations.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
20.	The wide range of uses in the CG zoning district, including retail commercial, transient accommodations, commercial recreation, commercial/business service, storage, wholesale and recreational vehicle parks, present inconsistencies with the R/OL, R/O/R, and CL plan categories. [Land Development Code, Section 70-572]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Sections 4.2.4.2 and 4.2.4.3]	The list of permitted uses in the CG zoning district should be qualified to specify the appropriate plan category within which each use may be located, or the zoning district should be more selectively applied with the plan maps.
21.	Contractor's storage and other outdoor storage uses are permitted in the IL-W zoning district, which may be utilized with the CG plan category. However, these uses are not unconditionally consistent with the CG plan category. [See, for example, Land Development Code, Sections 70-602(4) and 70-604(e)(2)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules Section 2.3.3.5.4 and Division 7.2, see definition of "Storage/Warehouse (Class A) Use"]	Contractor's storage and other outdoor storage uses should be appropriately restricted or prohibited within the CG plan category, or Section 70-604(e)(2) should be amended to delete the statement that the IL-W zoning district may be utilized with the CG plan category.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
22.	Wholesale and distribution uses are permitted in the IL-W zoning district, which may be utilized with the CG plan category. However, these uses are not unconditionally consistent with the CG plan category. [See, for example, Land Development Code, Sections 70-602(6) and 70-604(e)(2)]	Outdoor storage and distribution areas for wholesale and distribution uses in the CG plan category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules Section 2.3.3.5.4 and Division 7.2, see definition of “Wholesale/Distribution (Class A) Use”]	Wholesale and distribution uses should be appropriately restricted or prohibited within the CG plan category, or Section 70-604(e)(2) should be amended to delete the statement that the IL-W zoning district may be utilized with the CG plan category.
23.	Manufacturing and assembly uses are permitted in the IL-W zoning district, which may be utilized with the CG plan category. However, these uses are not unconditionally consistent with the CG plan category. [See, for example, Land Development Code, Sections 70-602(14) and 70-604(e)(2)]	No exterior storage or processing of equipment or materials is permitted in conjunction with manufacturing and assembly uses in the CG plan category. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Light Manufacturing/Assembly (Class A) Use”]	Manufacturing and assembly uses should be appropriately restricted or prohibited within the CG plan category, or Section 70-604(e)(2) should be amended to delete the statement that the IL-W zoning district may be utilized with the CG plan category.
24.	The PSP zoning district may be utilized in conjunction with the R/OS, I and T/U plan categories. However, the list of permitted uses is not distinguished by allowable plan category. [Land Development Code, Sections 70-677, 70-678, 70-679 and 70-680(e)(2)]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the R/OS, I and T/U plan categories.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
25.	Research centers and laboratories are permitted in the P-1 and CG zoning districts. Also, certain production and assembly uses are permitted in the IL-W zoning district. However, these uses are not unconditionally consistent with the R/O/R and CG plan categories. [Land Development Code, Sections 70-517(2), 70-572(a), 70-602(14) and 70-604(e)(2)]	Research/development and light manufacturing/assembly (class A) uses are allowed in R/O/R and CG plan categories only on the basis of and pursuant to local government standards that address: neighboring uses and the character of the commercial area in which it is located; noise, solid waste and air quality emission standards; hours of operation; traffic generation; and parking, loading, storage, and service provisions. [Countywide Rules, Sections 2.3.3.4.3 and 2.3.3.5.4]	The LDRs should be amended to specify the standards applicable to research/development and light manufacturing/assembly (class A) uses in the R/O/R and CG plan categories. If the IL-W zoning district is determined to be incompatible with the CG plan category, the language in Section 70-604(e)(2) should be amended.
26.	The LDRs and comprehensive plan are silent regarding standards applicable to industrial/mixed use projects in the IL-W zoning district. [Land Development Code, Division 12]	The Countywide Rules contain standards addressing the number of uses, public transit, project components, and master development plan requirements for industrial/mixed use projects in the IL plan category. [Countywide Rules, Section 2.3.3.6.1]	The LDRs or comprehensive plan should be amended to include standards applicable to industrial/mixed use projects in the IL plan category.

Special Rules			
	Issue	Countywide Rules Requirement	Suggested Action
27.	The LDRs do not address all requirements applicable to the transfer of development rights. [Land Development Code, Sections 70-493(c), 70-651(b) and 70-652(5) and (6)]	Detailed criteria apply to the transfer of development rights, including certain restrictions, limitations, and the requirement for recordation. [Countywide Rules, Section 4.2.7.2]	The LDRs should be amended to thoroughly address all requirements applicable to the transfer of development rights.

Notes. Other notes are as follows:

- 33.** There appears to be a conflict between the comprehensive plan and the LDRs regarding the maximum ISR in the CG plan category. The comprehensive plan states that the ISR ranges to a maximum of .90 and the LDRs state that the maximum permitted ISR is .85. [Future Land Use Element, Policy 1.1.4 and Land Development Code, Section 70-575(c)(1)]
- 34.** To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.

W. City of South Pasadena

Findings. A review of the City of South Pasadena Future Land Use Element of the Comprehensive Plan, Land Development Regulations and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature	
Consistent	

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Major Classifications and Categories/Continuum (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	According to the zoning/land use consistency matrix, all zoning districts are consistent with the R/OS plan category. However, the density/intensity limitations and use characteristics are generally incompatible with the R/OS plan category.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	Either a new zoning district should be created exclusively for the R/OS plan category and the use of other districts in conjunction with this category should be disallowed, or the use characteristics and density/intensity limitations should be appropriately expressed for each zoning district used in conjunction with the R/OS plan category.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	The LDRs do not define “density”, without which the regulations are not instructive regarding density calculations. [LDRs, Section 130-4]	A definitive standard must be provided so that density/intensity standards can be determined consistent with the Countywide Plan Map and Rules. In particular, density is the measure of permitted residential development expressed as a maximum number of dwelling units per gross acre of land area, which specifically excludes submerged land and public road rights-of-way. [Countywide Rules, Section 4.2.3.1 and Division 7.2, see definition of “density” and “gross land area”.]	The LDRs should be amended to appropriately define “density”.
4.	The LDRs do not contain any restrictions on the maximum term of occupancy for units within hotels and motels, absent which there exists a potential for inconsistent density.	Occupancy within transient accommodation uses is limited to a term of less than one month, more than three times in any consecutive 12-month period. [see definition of “transient accommodation use”, Countywide Rules, Division 7.2]	The LDRs should be amended to furnish a definition for “hotel/motel”, including the maximum term of occupancy for units therein. Furthermore, it should be noted that amendment of the Countywide Rules is currently in process to account for modern trends affecting transient accommodation uses. Upon adoption, local standards for transient accommodations should be made consistent with the Countywide Rules.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
5.	FAR and ISR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, LDRs, Section 130-4]	FAR and ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio” and “impervious surface ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR and ISR calculations exclude public road rights-of-way and submerged land.
6.	Based on a minimum lot size of 6,750 square feet in the RS-70 zoning district, up to 6.4 dwelling units per acre would be allowed, which is inconsistent with the RL plan category maximum density of 5.0 dwelling units per acre. [LDRs, Section 130-9A(1)(a)]	Density/intensity of the LDR category must be equal to or less than the density/intensity of the corresponding plan category. [Countywide Rules, Section 4.2.3.2]	The LDRs should be amended to state: “Except for single family lots of record, where minimum lot sizes yield inconsistent density with the land use plan, the land use plan shall govern.”

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
7.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
8.	Outdoor storage is a special exception use in the Commercial General zoning district and plan category. [LDRs, Section 130-14C(2)]	Exterior storage in the Commercial General category must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Storage/Warehouse (Class A) Use”]	Outdoor storage should be deleted from the list of special exception uses in the Commercial General plan category or restricted consistent with this category.
9.	Public parks, recreation areas and uses and structures accessory to such activities are allowed in the P zoning district; however, this is not consistent with the Preservation plan category. [LDRs, Section 130-16E(2)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	Public parks, recreation areas and uses and structures accessory to such activities should not be allowed in the Preservation plan category.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
10.	The MH-13.5 zoning district does not specify a maximum area for ancillary non-residential, transportation/utility, or institutional uses. [LDRs, Section 130-10]	Within the RM and RH plan categories, ancillary non-residential and transportation/utility uses must not exceed a maximum area of 3 acres and institutional uses must not exceed a maximum area of 5 acres. [Countywide Rules, Section 2.3.3.2.2]	The LDRs should be amended to specify the appropriate maximum area for ancillary non-residential, transportation/utility, or institutional uses in the MH-13.5 zoning district when utilized in conjunction with the RM or RH plan category.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
11.	The LDRs are silent regarding acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category.	Ancillary non-residential uses and transportation/utility uses must not exceed a maximum area of 10 acres in the Institutional plan category. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should specify the appropriate acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category.

Special Rules
Consistent

Notes. Other notes are as follows:

- 14.** The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
- 15.** The LDRs are silent regarding transfer of development rights. Consideration should be given to addressing this should there exist an interest in employing this process. [Countywide Rules, Section 4.2.7.2]

X. City of Tarpon Springs

Findings. A review of the City of Tarpon Springs Future Land Use Element of the Comprehensive Plan, Comprehensive Zoning and Land Development Code, and zoning/land use consistency matrix (see Appendix) reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature			
	Issue	Countywide Rules Requirement	Suggested Action
1.	The Commercial General – Fishing land use plan category is denoted by the symbol G-F. [Future Land Use Element, Section VII.C.6]	The title of local future land use categories must be the same as the Countywide Plan Map categories. [Countywide Rules, Sections 4.2.1.1]	The symbol should be amended to read CG-F.

Major Classifications and Categories/Continuum			
	Issue	Countywide Rules Requirement	Suggested Action
2.	Neither the comprehensive plan nor the LDRs establish any definitive correlation of zoning districts and land use plan categories, thus making consistency determinations regarding use characteristics and density/intensity limitations uncertain.	Use characteristics and density/intensity limitations in each zoning district must be compatible with the applicable land use plan categories. [Countywide Rules, Division 4.1 and Section 4.2.2.1]	The LDRs should establish the appropriate correlation between zoning districts and land use plan categories.

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
3.	The LC zoning district does not designate a maximum FAR or ISR for non-residential uses. [Comprehensive Zoning and Land Development Code, Section 25.19]	The maximum FAR in the P and R/OS plan categories is .10 and .25 respectively, and the maximum ISR in the P and R/OS categories is .20 and .60 respectively. [Countywide Rules, Sections 2.3.3.7.1 and 2.3.3.7.2]	The LDRs should appropriately state the maximum FAR and ISR for non-residential uses in the LC zoning district.
4.	Allowable density for transient accommodation uses in the IR zoning district is not expressly stated. [Comprehensive Zoning and Land Development Code, Section 25.17]	A maximum of 50 transient accommodation units per gross acre is allowed in the IL plan category. [Countywide Rules, Section 2.3.3.6.1]	The LDRs should be amended to state the appropriate maximum permitted number of transient accommodation units per gross acre the IR zoning district.
5.	The residential equivalency standard is not stated in the PTC zoning district. [Comprehensive Zoning and Land Development Code, Section 25.21]	A maximum equivalent of 2.0 to 3.0 beds per permitted dwelling unit is allowed. [for example, Countywide Rules, Section 2.3.3.4.2]	The LDRs should be amended to state the equivalent number of beds per permitted dwelling unit in the PTC zoning district.
6.	The LDRs are silent regarding density/intensity calculations for mixed-use projects in the PTC, CPD, and IPD zoning districts. [Comprehensive Zoning and Land Development Code, Sections 25.21, 78.02 and 78.03]	Mixed use projects must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [Countywide Rules, Section 4.2.3.3]	The LDRs should be amended to specify density/intensity calculations for mixed-use projects in the PTC, CPD and IPD zoning districts.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
7.	The definition of “density” does not indicate that public road rights-of-way and submerged land are ineligible for inclusion in density calculations. [Comprehensive Zoning and Land Development Code, Section 241.00]	Public road rights-of-way and submerged land must be excluded from density calculations. [Countywide Rules, Division 7.2, see definition of “density” and “gross land area”]	The definition of “density” should be clarified to exclude public road rights-of-way and submerged land from density calculations.
8.	FAR calculations include public road rights-of-way and submerged land. [see definition of “floor area ratio”, Comprehensive Zoning and Land Development Code, Section 241.00]	FAR calculations must exclude public road rights-of-way and submerged land. [see definition of “floor area ratio”, and “gross land area”, Countywide Rules, Division 7.2]	The LDRs should be amended to specify that FAR calculations exclude public road rights-of-way and submerged land.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
9.	Agriculture is a permitted use in the A zoning district and a conditional use in the R-100, R-100A, and R-70A zoning districts. [Comprehensive Zoning and Land Development Code, Section 241.00]	Agricultural uses are only allowed in RR and RE plan categories. Furthermore, uses must be consistent with the primary or secondary use characteristics identified in a particular category or adhere to specified use limitations to meet the criterion for consistency. [Countywide Rules, Sections 2.3.3.1.1, 2.3.3.1.2, 4.2.4.2, and 4.2.4.3]	The LDRs should be amended to restrict agricultural uses in accordance with Section 4.2.4.3 of the Countywide Rules in all residential plan categories except RR and RE or make clear that such uses are not allowable in any Residential category other than RR and RE.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
10.	Wholesale trade is a conditional use in the HB zoning district, and a permitted use in the IB and WDIA zoning districts. [Comprehensive Zoning and Land Development Code, Sections 25.12 (C)(10), 25.13(B)(20), and 25.15(B)(5)]	Outdoor storage areas for wholesale uses in the CL and CG plan categories must be incidental to and not exceed 20 percent of the area of the building to which it is accessory. [Countywide Rules, Section 2.3.3.5.4 and Division 7.2, see definition of “Wholesale/Distribution (Class A) Use”]	The HB, IB, and WDI-A zoning districts should be amended so that outdoor storage and distribution areas located in the CG plan category are restricted in size consistent with the Countywide Rules.
11.	Cemeteries are permitted uses in the LC zoning district. [Comprehensive Zoning and Land Development Code, Section 25.19(B)(1)]	Cemeteries are not allowed in P and R/OS plan categories. Furthermore, uses must be consistent with the primary or secondary use characteristics identified in a particular category to meet the criterion for consistency. [Countywide Rules, Sections 2.3.3.7.1, 2.3.3.7.2, and 4.2.4.2]	The LDRs should be amended so that cemeteries are precluded in P and R/OS plan categories.
12.	Landfills are identified as a conditional use in the A zoning district. [Comprehensive Zoning and Land Development Code, Section 25.01(C)]	This use is not an allowable use under a Residential plan classification. [Countywide Rules, Section 2.3.3.1.4]	Landfills should be deleted from the list of conditional uses in the A zoning district.

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
13.	The description of the IB zoning district states that it is established for, among other things, extensive outdoor storage. In addition, the district allows wholesale and warehouse uses. [Comprehensive Zoning and Land Development Code, Section 25.13(A) and (B)]	Exterior storage is not an allowable use under a Mixed Use or Commercial plan classification. Furthermore, wholesale and warehouse uses are not allowable within a Mixed Use plan category and area limitations for appurtenant exterior storage exist within Commercial plan categories. [Countywide Rules, Section 2.3.3.4.3, 2.3.3.5.2 and 2.3.3.5.4 and see definition of “Storage/Warehouse (Class A) Division 7.2]	Outdoor storage should be deleted from the IB zoning district. As with other zoning districts, the IB zoning district should include the statement: “The permitted uses, densities, and intensity standards in this district shall be limited by the parcel’s designation on the future land use map.”
14.	Wholesale and warehouse uses are allowed in the WDI-A zoning district [Comprehensive Zoning and Development Code, Section 25.15(B)(4) and (5)]	Wholesale and warehouse uses are not allowable within the Commercial Recreation plan category. [Countywide Rules, Section 2.3.3.5.3]	As with other zoning districts, the WDI-A district should include the statement: “The permitted uses, densities, and intensity standards in this district shall be limited by the parcel’s designation on the future land use map.”
15.	Most of the uses allowed in the IR and IH zoning districts are not allowed in the T/U plan category. [Comprehensive Zoning and Development Codes, Sections 25.17 (B) and (C) and 25.18 (B) and (C)]	Uses must be consistent with the primary or secondary use characteristics identified in a particular plan category. [Countywide Rules, Section 4.2.4.2]	As with other zoning districts, the IR and IH districts should include the statement: “The permitted uses, densities, and intensity standards in this district shall be limited by the parcel’s designation on the future land use map.”

Use and Locational Characteristics (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
16.	Retail and commercial recreation uses are allowed in the PTC zoning district, but are not primary or secondary uses in the R/OL plan category. [Comprehensive Zoning and Development Code, Sections 25.21 (B) and (C)]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. Additionally, use characteristics not normally allowed under the respective category may be permitted subject to specific conditions. [Countywide Rules, Section 4.2.4.2 and 4.2.4.3]	The LDRs should be amended to either disallow retail and commercial recreation uses in the R/OL plan category or specify the applicable use limitations. In addition, the PTC zoning district should include the statement: “The permitted uses, densities, and intensity standards in this district shall be limited by the parcel’s designation on the future land use map.”
17.	The LC zoning district is utilized in conjunction with P, R/OS and T/U plan categories. However, the list of permitted uses is not distinguished by allowable plan category. [Comprehensive Zoning and Land Development Code, Section 25.19 (B) and (C)]	Use characteristics must be comparable to, less extensive than, or more narrowly defined than the corresponding list of primary and secondary use characteristics for each category in the Countywide Rules. [Countywide Rules, Section 4.2.4.2]	The LDRs should be amended to provide sufficient detail so that the list of uses can be determined comparable to and consistent with the P, R/OS and T/U plan categories.

Other Standards			
	Issue	Countywide Rules Requirement	Suggested Action
18.	The LDRs are silent regarding the floor area limitations applicable to personal service uses in the PTC zoning district when applied in conjunction with the R/OL or R/OG plan category. [Comprehensive Zoning and Land Development Code, Section 25.21 (B)(4)]	Personal service/office support uses in the R/OL and R/OG plan categories must not exceed a floor area of 3,600 and 5,000 square feet, respectively, and no combination of such uses in any single multi-tenant building or group of buildings in a unified project may exceed 10 percent of the gross floor area of the buildings. [Countywide Rules, Sections 2.3.3.4.1 and 2.3.3.4.2]	The LDRs should specify the appropriate floor area limitations applicable to personal service/office support uses in the R/OL and R/OG plan categories.
19.	Institutional uses are not restricted in area in the WDI zoning district. [Comprehensive Zoning and Land Development Code, Section 25-14]	Institutional uses must not exceed a maximum of 5 acres in the R/O/R, RFO, CL, CR, CG and IG plan categories. [Countywide Rules, Sections 2.3.3.4.3, 2.3.3.4.4, 2.3.3.5.2, 2.3.3.5.3, 2.3.3.5.4 and 2.3.3.6.2]	The LDRs should be amended to limit institutional uses to a maximum area of 5 acres in the WDI zoning district.
20.	The LDRs are silent regarding standards applicable to industrial/mixed use projects in the IR zoning district. [Comprehensive Zoning and Land Development Code, Section 25.17]	The Countywide Rules contain standards addressing the number of uses, public transit, project components, and master development plan requirements for industrial/mixed use projects in the IL plan category. [Countywide Rules, Section 2.3.3.6.1]	The LDRs should be amended to include standards applicable to industrial/mixed use projects in the IR zoning district.

Other Standards (Continued)			
	Issue	Countywide Rules Requirement	Suggested Action
21.	The LDRs are silent regarding acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category. [Comprehensive Zoning and Land Development Code, Section 25.20]	Ancillary non-residential uses and transportation/utility uses must not exceed a maximum area of 10 acres in the Institutional plan category. [Countywide Rules, Section 2.3.3.7.3]	The LDRs should specify the appropriate acreage limitations applicable to ancillary non-residential uses and transportation/utility uses in the Institutional plan category.
22.	The LDRs are silent regarding acreage limitations applicable to institutional and ancillary non-residential uses in the Transportation/Utility plan category. [Comprehensive Zoning and Land Development Code, Section 25.20]	Institutional and ancillary non-residential uses must not exceed a maximum area of 10 acres in the Transportation/Utility plan category. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify the appropriate acreage limitations applicable to institutional and ancillary non-residential uses in the Transportation/Utility plan category.
23.	The LDRs are silent regarding “other standards” affecting the allowable uses in the PTC and CPD zoning districts. [Comprehensive Zoning and Land Development Code, Sections 25.21 and 78.02]	The LDRs must contain “other standards” as contained in the description of each Countywide Plan Map category. [Countywide Rules, Section 4.2.6]	The LDRs should include the appropriate “other standards” for the PTC and CPD zoning districts consistent with the land use categories to which these districts are applied.

Special Rules
Consistent

Notes. Other notes are as follows:

25. The maximum permitted density in the R/OR category is 10 dwelling units per acre. This is less than the 15 dwelling units per acre permitted in the R/OG category, which is normally the more restrictive category. It is recommended that these allowances be double checked for propriety and consistency of application. [Future Land Use Element, Section VII.B]
26. The maximum permitted density in the CR and CG plan categories are 10 and 14 dwelling units per acre. These are less than the 15 dwelling units per acre permitted in the CL category, which is normally a more restrictive category. It is recommended that these allowances be double checked for propriety and consistency of application. [Future Land Use Element, Section VII.C]
27. The term “public/semi-public uses”, which appears to refer to institutional and transportation/utility uses, should be defined.
28. To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.
29. The LDRs state that the P/SP zoning district is appropriate with the Institutional and Transportation/Utility plan categories; however the zoning/land use consistency matrix shoes it to be compatible with the P, R/OS, I and T/U plan categories. [Comprehensive Zoning and Land Development Code, Section 25.20 (A)]

Y. City of Treasure Island

Findings. A review of the City of Treasure Island Future Land Use Element of the Comprehensive Plan and the Land Use Code reveals the following actual and potential inconsistencies with the Countywide Plan and Rules:

Nomenclature
Consistent

Major Classifications and Categories/Continuum
Consistent

Density/Intensity Standards			
	Issue	Countywide Rules Requirement	Suggested Action
1.	Absent an explanation of “gross area of the site”, the definition of “impervious surface ratio” in the comprehensive plan does not make it clear that public road rights-of-way and submerged land are ineligible for inclusion in impervious surface ratio calculations. [see definition of “impervious surface ratio”, Comprehensive Plan, Glossary, p. G-6]	ISR calculations must exclude public road rights-of-way and submerged land. [see definition of “impervious surface ratio” and “gross land area”, Countywide Rules, Division 7.2]	The comprehensive plan should be amended to appropriately define “gross site area”.

Density/Intensity Standards (Continued)

	Issue	Countywide Rules Requirement	Suggested Action
2.	The comprehensive plan is silent regarding the maximum permitted FAR applicable to non-residential uses in the Residential plan categories.	The maximum permitted FAR applicable to non-residential uses in the RU and RM plan categories is .40 and .50 respectively. [Countywide Rules, Sections 2.3.3.1.5 and 2.3.3.2.2]	The comprehensive plan should be amended to state the maximum permitted FAR applicable to non-residential uses in the RU and RM plan categories.
3.	The maximum permitted FAR for non-residential uses in the RU-75 and RM-15 zoning districts is not stated. [Land Use Code, Sections 68-244, 68-264 and 68-431]	The maximum permitted FAR applicable to non-residential uses in the RU plan category is .40 and in the RM plan category is .50. [Countywide Rules, Sections 2.3.3.1.5 and 2.3.3.2.2]	The LDRs should be amended to include the maximum permitted FAR applicable to non-residential uses in the RU and RM plan categories.
4.	It appears that certain zoning districts would accommodate residential and non-residential use mixes on a single property; however, the LDRs are not instructive regarding the maximum allowable density/intensity for mixed-use developments. [see, for example, Land Use Code, Section 68-302]	Mixed use developments must not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property. [for example, Countywide Rules, Section 2.3.3.5.4]	The LDRs should be amended to specify how the overall density/intensity of use is measured in mixed-use developments.

Use and Locational Characteristics

	Issue	Countywide Rules Requirement	Suggested Action
5.	There are no locational determinants expressed for the plan categories.	Locational characteristics must be sufficiently detailed so as to be consistent with the Countywide Plan and Rules. [Countywide Rules, Section 4.2.4.1]	Locational determinants should be stated in sufficient detail so as to be comparable to and consistent with the characteristics for each Countywide Plan Map category as set forth in the Countywide Rules.

Other Standards

	Issue	Countywide Rules Requirement	Suggested Action
6.	The LDRs are silent regarding the provision of a buffer for land assigned the Transportation/Utility plan category. [Land Use Code, Division 10]	An appropriate buffer, as determined by the local jurisdiction, must be provided within and between the Transportation/Utility plan category and any other adjoining classification, other than Industrial. [Countywide Rules, Section 2.3.3.7.4]	The LDRs should specify appropriate buffering requirements for land assigned the Transportation/Utility plan category.

Special Rules

Consistent

Notes. Other notes are as follows:

7. Though correlation of the City's zoning districts and land use plan categories is intuitive, it would nonetheless be highly desirable to provide a section in the LDRs that definitively aligns the two.
8. There exists a conflict regarding the maximum permitted ISR in the Institutional plan category; the comprehensive plan states the maximum is .75 and the LDRs state .85. [Comprehensive Plan, Policy 1.1.4, p. 1-20, and Land Use Code, Sections 68-383 and 68-431]
9. The City may wish to consider adding a density bonus to promote the development of affordable housing. [Countywide Rules, Section 4.2.3.5]
10. To protect and preserve existing scenic/non-commercial corridors, the City is encouraged to provide objectives in the comprehensive plan that parallel those contained in Section 4.2.7.1.2 of the Countywide Rules.
11. The LDRs do not limit the area of transportation/utility uses in the Institutional plan category; contrary to the requirement in the Countywide Rules that such uses not exceed 10 acres. Either the LDRs should be amended accordingly or the City should otherwise ensure compliance. [Land Use Code, Division 9; Countywide Rules, Section 2.3.3.7.3].

IV. Summary of Findings and Recommendations

A. Findings

The majority of the future land use plans and land development regulations of the individual jurisdictions are substantially consistent with the Countywide Rules. The existing inconsistencies, both actual and potential, though significant in number, are generally minor relative to their individual implications. As such, when looked at in isolation, most do not markedly impact the overall integrity of countywide consistency efforts. However, the cumulative nature of such inconsistencies is problematical and necessitates they be addressed. Having noted their existence, the only prudent course of action is to reconcile them in order to avoid potential future actions that would result in inconsistent development activities.

The substance and extent of consistency issues between the Countywide Plan and Rules and local plans and regulations are summarized as follows:

Nomenclature:

Most jurisdictions utilize nomenclature that is consistent with the Countywide Rules. The inconsistencies found were generally isolated and few in number.

Major Classifications and Categories/Continuum:

In more than one-half of the jurisdictions, it is expressly or intuitively clear how zoning districts align with adopted land use plan categories. However, in those jurisdictions where the correlation of zoning and plan categories is not clear, determinations regarding consistency become elusive. In addition, one-third of the jurisdictions utilize a single zoning district in conjunction with multiple plan categories which, absent

appropriate qualification, blur distinctions among density/intensity standards and use characteristics such that inconsistencies could easily result.

Density/Intensity Standards:

Many inconsistencies were found to exist regarding density, floor area ratio and impervious surface ratio standards caused by failure to explicitly exclude public road rights-of-way and/or submerged land from the area upon which such calculations are based. In addition, many jurisdictions were found to have isolated discrepancies due to an absence of, or erroneously stating, a density or intensity standard.

Use and Locational Characteristics:

Most jurisdictions were found to have one or more allowable uses that conflict with the use characteristics of the Countywide Plan Rules. In addition, more than one-half of the jurisdictions were found to lack sufficient description of the locational characteristics for the land use plan categories that would assist in determining their appropriate utilization and placement.

Other Standards:

Most jurisdictions, to varying degrees, were found to have omitted some “other standards” applicable to the future land use plan categories. Acreage thresholds applicable to certain uses and buffering standards are among the more frequent omissions.

Special Rules:

Approximately one-half of the jurisdictions were found to have insufficient detail addressing the Special Rules, most often affecting the transfer of development rights. In many cases this may not be an issue if the local plan and regulations do not utilize a special rule such as transfer of development rights.

In addition to the inconsistencies that are identified, other related observations are included in the analysis section of this report as “notes.” These notes are stated for local information and consideration. Many of the items noted will warrant follow-up action as determined appropriate by the local jurisdiction. Items referenced in the notes include identification of apparent internal inconsistencies (conflicts within or between local future land use plans and land development regulations), other apparent external inconsistencies (such as conflicts with the public educational facility siting requirements of the State), and opportunities to promote local development goals (such as encouraging the development of affordable housing or enabling the transfer of development rights).

B. Recommendations

The following are recommended actions to address the findings and observations set forth in this report:

1. Approval – It is recommended this report be submitted to the Pinellas Planning Council (PPC) and Countywide Planning Authority (CPA) for approval and authorization to distribute to each local government. It is further recommended that upon approval by the PPC and CPA, a time frame of one year be established to reconcile inconsistencies (except for corrective measures effectuated through EAR-based amendments, which should be completed in accordance with time frames established by the State) January/February 2007.

2. Countywide Rule Amendments – It is recommended the PPC staff, in collaboration with the Planners Advisory Committee, identify the specific amendments to the Countywide Rules that are necessary or helpful to reconcile those outstanding inconsistencies that are best addressed by a change to the Countywide Rules, and prepare Countywide Rule amendments to address these issues. In particular, it is recommended that the draft of possible Countywide Rule amendments be prepared to include those set forth in Appendix A. March – September 2007.
3. Local Plan/Code Amendments – It is recommended each local jurisdiction identify and develop amendments to their respective plans and codes to address outstanding inconsistencies as set forth in the matrix of Part III of this report. March 2007 - March 2008 (or in accord with EAR-based amendment schedule as appropriate).
4. Procedures to Maintain Consistency – It is recommended each jurisdiction establish additional safeguards to protect against the creation of new inconsistencies. Such safeguards might consist of instituting a local administrative consistency review as part of the code/plan amendment drafting process, or by making consistency a local standard for approval for all forthcoming proposed code/plan amendments. In addition, procedures should be introduced under the Countywide Rules to explicitly notify each local government of subsequent Countywide Rule amendments and the action required to maintain consistency within the allotted one-year time frame. March 2007 - March 2008.
5. Internal Inconsistencies – It is recommended that jurisdictions identified to have internal inconsistencies in the local plan or code take appropriate remedial action. March 2007 – March 2008.
6. External Inconsistencies – It is recommended that those jurisdictions identified as having other external inconsistencies, such as conflict with the Educational Facilities Act of 1995 (Florida Statutes, Chapters 235 and 163), take appropriate remedial action. March 2007 – March 2008.

7. Other Relevant Provisions – It is recommended that jurisdictions which do not presently have provisions to promote or protect Scenic/Non-Commercial Corridors, allow for the transfer of development rights, or provide density bonuses for affordable housing weigh local applicability and consider adopting provisions therefor. March 2007 – March 2008.
8. Clarification of Procedures to Administer/Enforce – It is recommended that, as an adjunct to achieving and maintaining consistency, reasonable and effective means be clearly established to assure that resultant land development comports with the agreed-upon parameters for consistency. March 2007 – March 2008.
9. Recognition of Compliance – Establish a definitive means by resolution or amended Determination of Compliance to recognize resolution of outstanding inconsistencies for each jurisdiction. September 2007 – March 2008 (and thereafter as may be necessary to reflect EAR-amendment process).

The approval and implementation of the findings and recommendations contained in this report will better assure that the intent and requirements of Chapter 88-464, Laws of Florida, as amended, are met.

Appendix A

Follow-up Countywide Rule Amendments

Among the amendments to the Countywide Rules that would be appropriate to consider in the interest of clarification and helping to achieve consistency between the Countywide Rules and local government plans and regulations are the following:

- Clarification by definition or administrative interpretation that excavation of earthen materials is an interim activity outside the scope of the Countywide Rules to be governed by the local jurisdiction.
- Expand the definition of “Commercial Recreation Use” to be clear that it is inclusive of indoor recreation/entertainment uses such as billiard parlors, bowling alleys, and movie theaters.
- Clarify that the definition of “Agricultural Use” includes provision for animal clinics.
- Provide for recreational vehicle parks as a secondary use in the Commercial Recreation and/or Resort Facilities Overlay plan categories.
- Provide specifically for “Research and Development Use” as a secondary use in the Residential/Office General plan category.
- Provide for crematories as a distinct secondary use in the Industrial plan categories.
- Clarify the manner in which affordable housing density bonus units are calculated relative to the mixed use density/intensity formula.

- Clarify and revise as necessary the distinction between density averaging and transfer of development rights.
- Clarify that the Countywide Rules allow accessory uses to the permitted primary and secondary uses in the Countywide Rules, as provided for by the local jurisdiction, providing they are consistent with the other applicable standards in the Countywide Rules.
- Provide for notification of each Countywide Rule amendment to each local jurisdiction, including specific recommended local action required, if any, to maintain consistency.