

**STOCK STATEMENTS FOR USE BY MUNICIPALITIES  
TO PREPARE AN EAR-BASED PLAN AMENDMENT**

Introduction

There are numerous requirements in Chapter 9J-5 of the *Florida Administrative Code* (F.A.C.) that may not fully apply to some or all of the jurisdictions in Pinellas County. At the same time, there is no provision in the Florida Statutes or the F.A.C. to exempt a municipality from those requirements. A municipality may, however, provide information to show that a specific requirement does not apply to it. When this information is provided, data and analysis as well as goals, objectives, and policies regarding the topic are also not necessary.

All of the municipalities in Pinellas County have comprehensive plans which were prepared and adopted in compliance with Chapter 9J-5, F.A.C. Many of the topics listed below are addressed in those comprehensive plans. If your plan already addresses a topic listed below, you do not need to do anything new in the EAR-based amendment for that topic.

However, there are two circumstances when you will need to address the topic: 1) if your plan does not now address it, or 2) if for any reason you wish to replace or modify the information for the topic within the EAR-based amendment.

The following statements are provided to assist you in the event you need to address any of the listed topics. If you have any questions, feel free to contact Larry Pflueger or Linda Fisher at 727.464.8250.

<b>Topic</b>	<b>9J-5 Citation</b>	<b>Statement</b>
Areas of Critical State Concern	9J-5.006(1)(f)2	There are no designated areas of critical state concern within Pinellas County and its municipalities. Therefore, this requirement does not apply.
Dredge spoil disposal sites	9J-5.006(f)3 and 9J-5.006(f)	The only dredge spoil disposal sites in Pinellas County are within the City of St. Petersburg. Therefore, this requirement does not apply to other municipalities within the county. Further, there is no identified need for new dredge spoil disposal sites.
Suitability analysis of vacant and undeveloped land	9J-5.006(2)(b)	All land that is currently vacant or undeveloped was the subject of a suitability analysis when the plan was originally adopted in <i>&lt;insert the adoption date of your plan&gt;</i> . Therefore, there is no need to repeat this analysis. Land which was developed at the time of plan adoption and became vacant was already determined suitable in order to accomplish development. Land which was vacant at the time of plan adoption and which remains undeveloped is still subject to the suitability analysis previously conducted.
Eliminate or reduce uses inconsistent with the community's character and land uses	9J-5.006(2)(d)2 and 163.3177(6)(a)	All jurisdictions have future land use maps that are consistent with the Pinellas Planning Council Countywide Future Land Use Plan which considers community character. Therefore, the land uses on the future land use map meet this requirement. Where the actual use differs from the designated one on the future land use map, <i>&lt;the City/Town of _____&gt;</i> has in place land development regulations intended to reduce or eliminate such nonconformities. No further data or analysis is required.

Topic	9J-5 Citation	Statement
Urban sprawl	9J-5.006(5)	<p>According to the definition of urban sprawl in the F.A.C, urban sprawl occurs in areas which are predominantly rural, or rural areas interspersed with low-intensity or low-density urban uses. Pinellas County is the most densely settled county in Florida (3,291 persons per square mile in 2000<sup>1</sup>) and fully urbanized to its boundaries. The only vacant land available for development is located in scattered infill lots. Most municipalities cannot annex because their boundaries are contiguous with other municipalities. Even where unincorporated county land is adjacent to a municipal boundary, that land is most likely fully urbanized. There is no agricultural land for conversion and no vacant land is available to provide any opportunity for leapfrog, radial, or other sprawling patterns of development. Therefore, because urban sprawl cannot occur, the requirement for an analysis of urban sprawl does not apply.</p>
Need for rural and farm worker households	9J-5.010(2)(b)	<p>Pinellas County and its municipalities are fully urbanized. According to the <i>Census of Agriculture</i>, the number of farms in Pinellas County has steadily declined. In 2002 (the latest published census), farm acreage accounted for nine-tenths of one percent of all land in the county. There is no existing rural area nor farm worker households and there is no future need for those households. Therefore, this requirement does not apply.</p>
Forecast of land requirement for housing needs	9J.5-010(2)(c)	<p><i>[If your municipality is not forecasted to increase in population – meaning less than 1% growth over the entire planning period – this statement may be useful.]</i></p> <p>The population forecast shows that growth will be minimal, representing only &lt;insert number for your jurisdiction&gt; percent growth over the planning period. Therefore, new housing will not be required. The negligible increase in population can be accommodated in units that are calculated in the vacancy rate for the municipality.</p> <hr/> <p><i>[If there is no vacant land, or only negligible vacant land, and your municipality is land-locked, meaning that annexation is not possible due to contiguous municipal boundaries, yet there is a forecasted increase in population, the following statement may be useful.]</i></p> <p>The only means of providing additional housing units is through redevelopment of existing structures or sites in order to increase density within permissible limits. No land is available to expand the amount of residential land. Therefore, the requirement to forecast the land requirements for housing does not apply.</p>

<sup>1</sup> Planning to Stay, Pinellas County Planning Department, May 6, 2003.

Topic	9J-5 Citation	Statement
Portion of housing need to be met by the private sector	9J-5.010(2)(d)	All housing is provided by the private sector.  <i>[If your jurisdiction has a housing program that includes construction of new units, you should insert the appropriate information. Such instances are extremely limited.]</i>
Analysis of soil surveys for areas served by septic tanks	9J-5.011(1)(f)4	Almost all of Pinellas County and its municipalities either have a central sewage system in place for wastewater collection and treatment or have such a system available for connection which is required. In rare instances, an individual site may be located where physical constraints prevent connection to the system. This is the only instance where a septic system is potentially permissible. Therefore, the need to address soil suitability is limited to a case-by-case analysis when the central system cannot be extended to a site. Further, soil suitability was part of the initial suitability analysis required in Section 9J-5.006(2)(b), F.A.C.
Identification of prime or high recharge areas	9J-5.011(1)(g)	According to the <i>Pinellas County Evaluation and Appraisal Report</i> , there are no prime or high recharge areas in Pinellas County. Therefore, this requirement does not apply.
Redevelopment in flood-prone areas	9J-5.006(2)(e)	The Flood Insurance Rate Maps (FIRM) were re-issued for Pinellas County in 2003. <i>&lt;Include this new data, by reference, into your plan's data and analysis.&gt;</i> All new construction and redevelopment in flood-prone areas shall be in accordance with Federal Emergency Management Agency regulations.
Housing delivery system for those municipalities that contract permitting	9J-5.010(2)(e)	<i>[The following statement may be used in the data and analysis to explain the contracted arrangement for building inspections.]</i>  While the private sector finances and builds the housing units, local governments issue building permits and perform inspections of the units based on health and safety issues established in and through the Florida Building Code. The <i>&lt;City/Town of _____&gt;</i> contracts with Pinellas County for plans review, permit issuance, and building inspection. Building permits are issued in compliance with local land development regulations.
Means of providing supporting infrastructure when a municipality is fully served; also when no additional housing units are forecast	9J-5.010(2)(f)	The supporting infrastructure currently in place is adequate to meet the future needs of residents in an effective, economical manner. Where additional housing units <i>&lt;choose one: are constructed, or, are not anticipated&gt;</i> , the supporting infrastructure will continue to be maintained to provide the adopted level-of-service standards throughout the community.

Topic	9J-5 Citation	Statement
Means of eliminating substandard housing – applies to some municipalities	9J-5.010(2)(f)	<p><i>[For those municipalities with identified sub-standard housing units, the following statement may be used.]</i></p> <p>Where existing housing units are identified as substandard, the &lt;City/Town of _____&gt; relies on code enforcement to ensure that housing is repaired or rehabilitated to meet codes. New housing units must meet the Florida Building Code; local building inspections are performed to ensure that code provisions are met.</p>
Means of aesthetic improvement for housing	9J-5.010(2)(f)2	The maintenance of structurally sound housing as well as aesthetic improvements for housing is provided primarily through private maintenance practices.
Adequate sites for affordable housing	9J-5.010(2)(f)3	<p>Local land use categories do not prohibit sites within the &lt;City/Town of _____&gt; for affordable housing.</p> <p><i>[For those cities and towns that are limited in land area, the following statement applies.]</i></p> <p>Due to the inability to identify vacant land of a size and cost suitable for the development of new construction for affordable housing, for the &lt;City/Town of _____&gt; the sole means of providing affordable housing is through coordination with the Pinellas County Community Development Department.</p> <p>See also the Inventory of Housing Implementation Programs for the list of local affordable housing options identified at the following website:  <a href="http://www.pinellascounty.org/community/HousingPrograms.htm">http://www.pinellascounty.org/community/HousingPrograms.htm</a></p>
Adequate sites for mobile homes	9J-5.010(2)(f)3	Where land is available, and not within a Coastal High Hazard Area, sites for mobile homes may be available within existing mobile home parks or subdivisions, or on individual lots depending on local regulations.
Means of conservation, rehabilitation, and demolition	9J-5.010(2)(f)5	<p><i>[For municipalities where substandard conditions are rare.]</i></p> <p>&lt;Less than (number of units) or (percentages)&gt; <u>or</u> &lt; No&gt; housing units within the municipality has been identified as substandard. No overall housing program is anticipated within the planning timeframes. The majority of housing conservation and rehabilitation is part of on-going maintenance or remodeling undertaken by individual property owners. Demolitions, however, do occur, primarily for the purpose of unit replacement.</p> <p><i>[For municipalities with an active CDBG program and limited available land insert the following.]</i></p> <p>The majority of conservation, rehabilitation, and demolition is undertaken by private property owners to maintain or improve the structural, mechanical, electrical, or plumbing conditions of the unit. For those private property owners needing assistance, &lt;the</p>

**Topic****9J-5 Citation****Statement**

*City/Town of \_\_\_\_\_* > participates with Pinellas County in the Community Development Block Grant Program (CDBG). See: <http://www.pinellascounty.org/Community/CooperatingCities.htm>

*[For municipalities on barrier islands insert the following.]*

Use of the CDBG program may be constrained on the barrier islands where land availability is low and costs are high resulting in the inability to provide meaningful housing programs for those with limited means.

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