

CITY OF BELLEAIR BLUFFS EVALUATION AND APPRAISAL REPORT



**Prepared by
The Gail Easley Company
in conjunction with the
Pinellas Planning Council**

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City of Belleair Bluffs

Comprehensive Plan Evaluation and Appraisal Report

City Commission

Chris Arbutine, Sr., Mayor
David Shimkus, Vice-Mayor
Troy Krotz, Commissioner
Brett Nelson, Commissioner
Robert Russo, Commissioner

August 2006

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Section 1: Assessment of the City and Changes Since Plan Adoption

A. City Description

Geography

Belleair Bluffs is located on the mainland of Pinellas County, its western edge is a bluff overlooking Clearwater Harbor. The city is less than half a square mile in size. It is bounded by the Town of Belleair to the north, the City of Largo to the east, and unincorporated county areas along its southern boundary. There has been no change in the geographical area since the city’s plan was amended in 1993. The land area of the city is not expected to change although annexations are possible along its southern boundary.

Population, Demographic and Economic Conditions

In 1990, the population of Belleair Bluffs was 2,234. According to the 2000 census, its population had grown by just 0.4 percent to 2,243 permanent residents. The population is projected to increase slightly (by 115) by 2015. During 1990 to 2000, Pinellas County, as a whole, experienced an 8.2 percent growth rate. As Belleair Bluffs is built-out, the slower growth rate is not surprising. Any major change in population will come from annexations or from the conversion of retail and office use to multiple-family residential uses.

TABLE 1-1 POPULATION PROJECTIONS	
Permanent Population	
2015	2030
2,358	2,346

The median age in Belleair Bluffs is 59.6, making it the oldest median age of any of the other municipalities in Pinellas County.¹ The ratio of females to males is also higher than that of the county as a whole. Another notable characteristic of Belleair Bluffs is the higher proportion of multiple-family housing units. Sixty-three percent of the city’s housing stock is some form of multiple-family housing, as opposed to 41 percent for the county.

¹ Pinellas County Planning Department, “Socioeconomic Report,” Table 7.

TABLE 1-2 DEMOGRAPHIC, ECONOMIC, AND HOUSING CHARACTERICS		
Statistics	City of Belleair Bluffs	Pinellas County²
	2000	2000
Population	2,243	921,495
▪ Male	43.2%	47.6%
▪ Female	56.8%	52.4%
Age by Category		
▪ Under 15	7.6%	16.0%
▪ 65+	44.1%	22.5%
▪ Median Age	59.6	43.0
Education		
▪ Bachelor's degree or higher	18.6%	22.0%
▪ Number of students enrolled in school	238	169,123
Born Out-of-State	86.0%	73.3%
Income		
▪ Per Capita Income	\$31,329	\$31,321
▪ Median Family Income	\$48,421	\$46,925
▪ Percent of population living below the poverty level (individuals)	6.1%	10.0%
Housing Units, total	1,492	492,336
▪ Single-family units	550 (36.9%)	236,657 (48.1%)
▪ Multiple-family units, including duplex	942 (63.1%)	203,463 (41.3%) [#]
▪ Persons per household	1.69	2.17

[#] Mobile homes and residential units above office or commercial uses account for the remaining 10.6% of residential units by type within Pinellas County.

Present Land Use and Development Characteristics

Table 3 is an update of the existing land use in the plan's inventory and analysis section.³ No annexations have occurred since the plan's adoption in 1989. Although amendments were made to the land use categories in 1993 to make the plan consistent with the *Pinellas County Countywide Plan*, there have been no other amendments to the FLUM. The existing land uses remain virtually unchanged.

The majority of the land in the public facilities category is right-of-way; only 1.21 acres are city-owned property. City hall was constructed in 2001-02 on a portion of that land and is adjacent to a park that has been developed with picnic tables and playground equipment. The fire station and a public works facility are located on the remainder of city-owned land. Recreation and open space is a separate land use category with a total of 9.8 acres. The vacant land inside the city limits consists of three lots; one lot is designated as residential low density, a second lot is

² U.S. Census tables DP-1 through DP-4.

³ Belleair Bluffs Future Land Use Element, pages 4-6.

residential/office/retail, and the third lot is residential urban. Belleair Bluffs is entirely built-out with the exception of these three lots that total approximately ¾ of an acre.

Land use category	1988		2006 ⁴	
	Acres	Percent	Acres	Percent
Residential	172.4	62.3	174.6	63.1
Commercial	32.4	11.7	32.4	11.7
Recreation/Open space	9.8	3.5	9.8	3.5
Public Facilities	59.1	21.4	59.1	21.4
Vacant	3.0	1.1	.8	0.3
Total	276.7	100.0	276.7	100.0

B. Purpose and Expected Outcome of the EAR

The Evaluation and Appraisal Report is a tool for the periodic evaluation of growth and change in Belleair Bluffs. The EAR process allows the community to update its Comprehensive Plan to respond to changes that occur over time. Furthermore, in Florida, growth management legislation requires that each jurisdiction prepares an EAR every seven years.⁵ The EAR is the first step in updating Belleair Bluffs’ plan, and it is intended to accomplish the purposes as outlined below taken from *A Guide to Preparing an Evaluation and Appraisal Report*:⁶

1. Identify major issues for the community
2. Review past actions of the local government in implementing the plan since the last EAR
3. Assess the degree to which plan objectives have been achieved
4. Assess both successes and shortcomings of the plan
5. Identify ways that the plan should be changed
 - Respond to changing conditions and trends affecting the local community
 - Respond to the need for new data
 - Respond to changes in state requirements regarding growth management and development
 - Respond to changes in regional plans
6. Ensure effective intergovernmental coordination

The evaluation and appraisal process results in a document (the EAR) that contains recommended amendments to the Comprehensive Plan. The EAR amendments are based on an evaluation of the plan as it relates to the major issues identified by the community, an evaluation of the successes and shortcomings of each element within the plan, and the changes needed to comply with legislation adopted since the last plan adoption. The EAR will focus on redevelopment and intergovernmental coordination.

⁴ Belleair Bluffs staff, May 1, 2006.

⁵ 163.3191(1), F.S.

⁶ FDCA, *A Guide to Preparing an Evaluation and Appraisal Report*, pg. I-1 and 2.

C. Public Participation Process

Members of the City Commission and staff attended a public workshop held by the PPC on October 18, 2005, designed to provide local governments with general education and assistance in preparing their EARs. The workshop focused on statutory requirements, local government responsibilities, timelines, how to initiate and carry through a process resulting in a final document, and other topics of interest to participants. Commissioners also attended a second workshop on November 2, 2005, that allowed participants to prepare a schedule for their EAR, begin to identify major tasks, and consider the resources needed to complete the EAR process.

Subsequent to these general public workshops, a public workshop was held by the City Commission to elicit comments from residents regarding major issues pertinent to Belleair Bluffs. Notice of the proposed meeting was advertised. These issues are presented in Section 2 of this report.

An agency scoping meeting was held on January 11, 2006, to help identify issues, to discuss various agencies’ concerns, and to ascertain the information and resources other agencies could provide to the City to assist in evaluating and updating its plan. All neighboring local governments and appropriate state and regional agencies were invited to attend the scoping meeting. The meeting was a multi-jurisdictional event coordinated and hosted by the Pinellas Planning Council (PPC). The following table summarizes the public meetings held concerning the EAR.

TABLE 1-4 EVALUATION AND APPRAISAL PUBLIC PROCESS			
Meeting	Location	Date	Purpose
City Commission Public Workshop	Belleair Bluffs City Hall	November 14, 2005	Issue Identification
Scoping Meeting	Indian Shores Town Hall	January 11, 2006	Coordinated Agency meeting
City Commission	Belleair Bluffs City Hall	Feb. 22, 2006	Issues update and authorization
Planning Board	Belleair Bluffs City Hall	August 21, 2006	Public Hearing
LPA ¹	Belleair Bluffs City Hall	August 21, 2006	Public Hearing
City Commission	Belleair Bluffs City Hall	August 21, 2006	Public Hearing

¹ The City Commission serves as the LPA.

Section 2: EAR Issues Matrix

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
<p>Issue #1: Residential Redevelopment</p> <ul style="list-style-type: none"> ▪ Impervious Surface Ratios ▪ Non-Conformities 	<p>Future Land Use Element (FLUE) 1.3: As of the effective date of this Comprehensive Plan, future development and, as appropriate, redevelopment activities shall be directed in accordance with the Future Land Use Map, consistent with sound planning principles, minimal disruption of natural resources, the goals, objectives, and policies contained within this Plan, and the desired residential/family character of the community.</p>	<p><u>Assessment:</u> The issue of residential redevelopment centers around the expansion of the residential unit on a lot. The increased lot coverage may be because of an addition to an existing structure or the replacement of an existing structure with a larger house. When such changes increase the ISR above 45 percent, mitigation may be needed to provide for the additional impact to the stormwater drainage system.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Consider providing for mitigation of stormwater impacts when a residential use increases the ISR from 45 to 55 percent. ▪ Consider the addition of an objective that will guide the style and character of residential development.
	<p>FLUE 1.5: Existing land uses or structures which are either incompatible or inconsistent with the adopted Future Land Use Plan shall be deemed nonconforming as of the effective date of this Comprehensive Plan.</p>	<p><u>Assessment:</u> On-going implementation. No changes needed.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
<p>Issue #2: Redevelopment of Business Districts</p> <ul style="list-style-type: none"> ▪ Mixed Land Use on Indian Rocks Road ▪ Impervious Surface Ratios ▪ Buffering Setbacks ▪ Signage 	<p>FLUE 1.4: By 1990, the land development regulations shall contain provisions which encourage redevelopment as opposed to new development.</p>	<p><u>Assessment:</u> To date, the City has viable commercial uses along West Bay Drive. In order to preserve this area for retail and office uses, the City may consider changing the residential/office/retail land use category to a commercial-only land use. The City does not want to direct residential-only development into the commercial area.</p> <p>The plan does not provide guidance for evaluating proposed FLUM amendments. Some guidance in the plan would be useful in order to maintain compatibility of uses. The establishment of architectural design features, colors, and coordinated signage may also be desirable additions to the plan.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Consider revision to the land use categories along West Bay Dr. to eliminate the ability to have exclusive residential uses in the commercial area. ▪ Consider an objective to guide consistency of building and architectural design features to reflect the desired city character. This may include color choices and coordinated signage requirements.

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
		<ul style="list-style-type: none"> ▪ Consider adding criteria to guide the evaluation of proposed amendments to the future land use map to ensure compatibility between adjacent uses. ▪ Revise FLUE Objective 1.4 to eliminate past date.
<p>Issue #3: Indian Rocks Road Corridor Plan</p> <ul style="list-style-type: none"> ▪ Evaluate land use categories to implement redevelopment vision and evaluate existing uses in relation to neighboring use (i.e., Commercial General next to Residential Low) ▪ Consistency ▪ Street Lighting ▪ Trees/landscaping ▪ Pedestrian friendly ▪ Consider construction 	<p>FLUE 1.12: As of the effective date of this Comprehensive Plan, development within the City of Belleair Bluffs shall be in accordance with the land use categories adopted herein.</p>	<p><u>Assessment:</u> Development in Belleair Bluffs is consistent with the FLUM. However, the land area along Indian Rocks Road is viewed as a transitional area between areas of exclusive residential use and the more intense commercial along West Bay Drive. Existing land use categories will be maintained along Indian Rock Roads, but the land use categories should be analyzed to ensure that future development will be less intense than that allowed along West Bay Drive.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ In addition to the existing objective, consider designation of an Indian Rocks Road redevelopment corridor. Include development design guidelines including streetscape, pedestrian crosswalks at appropriate locations, architectural design and color guidelines. ▪ Evaluate the land use categories and consider whether the intensity standard is appropriate.

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
[design] and colors <ul style="list-style-type: none"> ▪ Underground utilities 		
Issue #4: Storm Sewer System <ul style="list-style-type: none"> ▪ Replacement of Infrastructure 	Infrastructure Element (IE) 2.1: By 1992, the City’s land development regulations shall include provisions for a master drainage plan.	<u>Assessment:</u> The <i>Sunset Bluff Drainage Plan</i> was approved by the City Commission in January 2001. Since that time, two projects have been completed with cooperative funding from the Southwest Florida Water Management District. <u>Recommended Action:</u> <ul style="list-style-type: none"> ▪ Update IE Objective 2.1 to remove the date and include short and long-term planning objectives based on the <i>Sunset Bluff Drainage Plan</i>.
Issue #5: Intergovernmental Coordination <ul style="list-style-type: none"> ▪ Involve Pinellas County and surrounding cities during budgeting process in order to coordinate capital improvement plans 	Intergovernmental Coordination Element (ICE) 1.1: The City of Belleair Bluffs shall utilize the forum of the Pinellas County Planning Council for the purpose of providing close coordination, evaluation and integration of local comprehensive plans and development proposals. TE 1.6: As of the effective date of this Comprehensive Plan, traffic circulation planning shall be coordinated with the City’s Future Land Use Plan, the FDOT Long Range and 5-Year Transportation Plans, the Pinellas	<u>Assessment:</u> Overall, the forum has been very effective for communication and coordination between the various local and regional governments. For daily repairs and maintenance within the right-of-way, however, there is a lack of communication. For example, residents call the county with a sewer or water problem. The county staff then comes out, digs up the road, and makes the repair. The issue is that no one contacts the public works department to let them know that a problem has occurred or that repairs are underway.

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
<ul style="list-style-type: none"> ▪ County and State roads ▪ Review current interlocal agreements ▪ Review current contracts ▪ Permitting 	<p>Area Transportation Study (PATs) Metropolitan Planning Organization (MPO) 5-Year Transportation Improvement Program (TIP) and Long Range Plan (LRP), and the plans of the neighboring jurisdictions.</p>	<p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Consider a notification process for work completed within city rights-of-way. ▪ Revise TE Objective 1.6 to correctly cite agencies and plans based on contemporary terminology. <p><u>Permitting Coordination:</u> Currently, Pinellas County does all of the development review and permitting for the city.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Assess the feasibility of in-house training, plan review, and permitting.
<p>Issue #6: Financial Implications</p> <ul style="list-style-type: none"> ▪ Responsibilities attached to any findings in interlocal agreements and contracts ▪ Funding Indian Rocks Road projects and future 	<p>Capital Improvement Element (CIE) Objective 1.1: Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the five-year schedule of improvements which are designed to correct existing deficiencies identified in this element.</p>	<p><u>Assessment:</u> Ordinances and policies are in place that tie plans for capital projects to financial resources and expenditures. The City adopts a new capital improvements budget every year, however, annual updates to the schedule of capital improvements within the plan are needed.</p> <p>Financial resources that are adequate to cover needed capital projects are a continuing concern for the City. The Comprehensive Plan amendment costs could be considered a capital expenditure and planned as part of the capital improvements</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
<p>corridor plan</p> <ul style="list-style-type: none"> ▪ Funding EAR and Plan amendment 		<p>program.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Provide that the CIE will be amended annually to update the schedule of capital improvements. ▪ Consider alternative funding resources for comprehensive planning update, corridor plans, and associated plan amendments.
<p>Issue #7: Hurricane Evacuation</p>	<p>Coastal Conservation Element (CCE), Objective 2.3: As of the effective date of this Comprehensive Plan, the City shall maintain or reduce hurricane clearance times.</p> <p>CCE Objective 2.4: The City shall reduce the risk of exposure of human life and public and private property to natural disasters through preparedness planning and implementation of hazard mitigation measures.</p> <p>FLUE Objective 3.1: By 1990, the City shall prepare, adopt, and implement a hurricane evacuation plan consistent with that of Pinellas County.</p>	<p><u>Assessment:</u> The City Fire Department handles the evacuation procedures and Belleair Bluffs coordinates with the Pinellas County Emergency Management Department. City hall serves as the Emergency Operations Center during emergency events. The Pinellas Suncoast Transit Authority and the school board provide buses for evacuees.</p> <p>A hurricane evacuation plan was adopted by Belleair Bluffs.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Revise FLUE Objective 3.1 and policies to incorporate contemporary agencies, the city’s evacuation plan, and to eliminate past dates. ▪ Address the possibility of including transportation disadvantaged as part of the “special needs” category and coordination with the Pinellas County Emergency Management Department.

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND RECOMMENDED ACTIONS)
<p>Issue #8: Affordable Housing</p>	<p>Housing Element (HE) Objective 1.1: The City shall increase the opportunity for all citizens of the City and surrounding areas to purchase or rent decent, safe and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition.</p>	<p><u>Assessment:</u> The City provides for accessory dwelling units within single-family residential districts in the land development regulations. This is a type of unit that can be viewed as affordable housing. Whether such units are counted as affordable housing may depend on the solutions that are developed as part of a multi-jurisdictional approach.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ The City will coordinate with Pinellas County in the development of a multi-jurisdictional program to address affordable housing.

Section 3: Plan Element Review

Future Land Use Element

Overview

The Future Land Use Element (FLUE) identifies how Belleair Bluffs will manage and permit development. The element requires development to be directed through established land development regulations. Lastly, the FLUE directs all activities pertaining to development such as coastal management, city character, and the preservation of natural resources. The following are the major objectives of the FLUE:

- Issue development orders and permits only if public facilities are available to meet the level-of-service standards (LOSS);
- Coordinate with the Town of Belleair in coastal management planning for common frontage along Clearwater Harbor;
- Prepare, adopt, implement and enforce land development regulations consistent with the adopted comprehensive plan;
- Encourage redevelopment through land development regulations;
- Maintain recreation/open space consistent with opportunities available in a mostly built-out community;
- Prepare, adopt, and implement a hurricane evacuation plan consistent with that of Pinellas County;
- Direct future development in accordance with the Future Land Use Map (FLUM);
- Maintain and ensure the city's homogenous residential character;
- Eliminate inconsistent and non-conforming structures;
- Ensure the protection of natural resources.
- Improve the stormwater drainage system;
- Improve intergovernmental coordination; and
- Provide for site plan review.

Successes and Shortcomings

Some changes to the land use categories were made in 1993 to bring the plan into compliance with the *Pinellas County Countywide Plan*. Development consistent with the FLUM has occurred primarily within existing structures as businesses change use or modernize facilities. To address concerns for the city's character and to provide a transitional area from West Bay Drive and the low density residential area south of Mehlenbacher Drive, a more unified approach to redevelopment along Indian Rocks Road may be desirable.

No coastal management plan was developed (Objective 2.1) for the city's common frontage with Belleair. The shoreline in Belleair Bluffs is privately owned except for the park and boat ramp along the Belleair Causeway. A coastal management plan may not be realistic, whereas the policies for development procedures are appropriate and have been included within the development regulations.

Recommended Action

- Analyze the land use categories along Indian Rocks Road for redevelopment purposes and consider designating a redevelopment corridor to coordinate such issues as compatibility of land uses, consistent architectural style, color and design, street lighting, landscaping, pedestrian access, and underground utilities.
- Rewrite Objective 2.1 and associated policies to effectively guide development along the coastline. Eliminate the past date and reference to the coastal management plan.

Traffic Circulation Element***Overview***

The Traffic Circulation Element (TCE) establishes the LOS for roads within the city as well as regulating parking. The element seeks to establish and utilize a multi-modal transportation system in addition to coordinating traffic circulation planning with neighboring jurisdictions. The main objectives of the TCE are:

- Adopt an operational LOS “D” for peak hour for all arterial and collector roads within the city;
- Coordinate traffic circulation with the future land use map;
- Encourage the utilization of a multi-modal transportation system;
- Coordinate traffic circulation planning with other affected jurisdictions;
- Emphasize safety and aesthetics; and
- Regulate parking.

Successes and Shortcomings

Since the Comprehensive Plan was adopted, the City has instituted a program to slow the traffic on local streets through the addition of speed humps. This has provided increased safety for residents. Continued implementation of this program is desirable. Bus service is provided by the Pinellas Suncoast Transit Authority. A bus stop in front of City Hall was added for better access to that facility and to the adjacent park, and it has enhanced opportunities for residents to travel to and from the beaches.

Recommended Action

- Rename the element to “Transportation Element.”
- Consider further traffic calming techniques on local streets. This could include enhanced pedestrian cross-walks at street corners as well as additional speed humps.
- Coordinate with Pinellas County to enhance pedestrian crossings at street corners along Indian Rocks Road and West Bay Drive.

Housing Element

Overview

The Housing Element provides the basis for regulation of housing and maintaining or improving the existing housing stock. The following are the major features of the Housing Element:

- Encourage the conservation, rehabilitation, and extend the useful life of the existing housing stock;
- Provide housing that is affordable, safe, sanitary, and free from discrimination;
- Prepare, adopt, implement, and enforce land development regulations;
- Identify, preserve, and protect historical and architecturally significant housing;
- Provide for group homes; and
- Eliminate substandard housing.

Successes and Shortcomings

The city is virtually built-out. There has been no significant change in the housing stock since the plan adoption in August 1989, or the amendment in 1993.

Recommended Action

- The inventory and analysis of housing should be updated.

Coastal Conservation Element

Overview

The Coastal Conservation Element (CCE) goal is to protect, conserve, and manage the natural resources of Belleair Bluffs. The element has numerous provisions for the protection of water and air quality as well as the protection of native species. The coastal management section of the element has several objectives which relate to the Coastal High Hazard Area (CHHA) and the restrictions on development within that area. The element seeks to establish and implement a means by which local governments can coordinate to protect coastal resources. Also included is the protection of historically significant housing, the establishment of reconstruction procedures, and the maintenance and reduction of evacuation times. Finally, the element requires the preparation, adoption, implementation, and enforcement of land development regulations consistent with the adopted comprehensive plan. The following are the major objectives of the CCE:

- Protect water quality, native vegetation, and native species;
- Regulate development in the 100-year flood plain;
- Monitor and correctly dispose of hazardous waste;
- Comply with federal air quality standards;
- Maintain or reduce hurricane clearance times;
- Implement hazard mitigation measures;
- Establish, in advance, a set of reconstruction permitting procedures;

- Maintain the Outstanding Florida Waters designation of Clearwater Harbor;
- Identify, preserve, and protect historically significant housing;
- Limit expenditures in the CHHA except for the replacement or enhancement of natural resources;
- Continue to direct population concentrations away from the designated CHHA;
- Establish and implement an intergovernmental coordination mechanism to protect coastal resources; and
- Prepare, adopt, implement and enforce land development regulations, consistent with the adopted comprehensive plan.

Successes and Shortcomings

Neither the shoreline nor the waterway (Clearwater Harbor) is in the city's management control. The Coast Guard patrols Clearwater Harbor. Communication with the Coast Guard will occur as needed; however accidents are reported to the Pinellas County Sheriff's Department.

Evaluation of CHHA

There has been no reduction in land use density since the plan adoption in 1989. CCE objectives 3.1, 3.2, and 3.3 contain policies that direct damage assessments, post-disaster recovery, and redevelopment activities.

Recommended Action

- Update the ICE to include the Coast Guard as one of the agencies with whom coordination takes place.

Intergovernmental Coordination Element

Overview

The Intergovernmental Coordination Element (ICE) sets up the process for coordination of municipal activities with other local governments. The main objectives of the ICE are as follows:

- Utilize the Pinellas Planning Council (PPC) for the purpose of providing close coordination of local comprehensive plans and development proposals; and
- Coordinate LOSS with neighboring jurisdictions.

Successes and Shortcomings

Overall, the coordinating mechanisms in place work well for the City. One area for further resolution is coordination of work that occurs within the city's rights-of-way for repairs and maintenance of sewer and water lines. The plan should be updated to include coordination with the Coast Guard.

Recommended Action

- Establish a process for notification when Pinellas County public works' personnel will be repairing facilities within rights-of-way within the city limits.
- Consider revising the ICE objective relating to development review that is provided by Pinellas County.

Recreation and Open Space Element***Overview***

The Recreation and Open Space Element (R/OSE) ensures that the City has an adequate and well maintained system of parks and recreational facilities. The main features of the R/OSE are as follows:

- Cooperate with other governmental agencies to provide and maintain a system of parks and recreation facilities;
- Protect recreation and conservation open space from incompatible uses;
- Coordination public and private recreation resources; and
- Ensure public access to identified recreation sites.

Successes and Shortcomings

Belleair Bluffs has good recreational facilities although they are limited in number due to the lack of available land area. Pinellas County maintains two beaches and public boating access within the city limits along the Belleair Causeway on the western edge of Belleair Bluffs. Subsequent to the 1989 plan adoption, an activity-based park was developed adjacent to City Hall.

Recommended Action

- Implementation of the Recreation and Open Space Element is on-going. No further action is needed.

Infrastructure Element***Overview***

The first goal of the Infrastructure Element (IE) seeks to ensure that adequate sewer, waste, and potable water services are available. This element also seeks to reduce demand for potable water and per capita waste generation. Lastly, the element seeks to implement the Comprehensive Plan through land development regulations. The objectives of the IE are as follows:

- Issue development permits only when adequate facility capacity is available to serve the development.
- Adopt and enforce hazardous waste management procedures and applicable ordinances;
- Reduce the per capita demand for potable water and the amount of wastewater generated;
- Reduce per capita waste generation;
- Implement a master drainage plan.

Successes and Shortcomings

The City contracted for a master drainage plan that was prepared in 2000 and accepted in January 2001.¹ The plan, entitled *Sunset Bluff Drainage Plan*, divided the city into ten drainage areas for the purpose of designing and completing drainage projects. Under a cooperative funding agreement with the Southwest Florida Water Management District, some of the drainage areas were combined to provide a more “regional” approach, resulting in a total of eight project areas. Two of these projects are complete. The other projects are planned and will be included in the capital improvements program as scheduled throughout the planning timeframe.

Belleair Bluffs does not have any local responsibility for potable water supply or distribution facilities. Both water supply and distribution are provided to Belleair Bluffs by Pinellas County Utilities Department. The wholesale water supply is provided to Pinellas County by Tampa Bay Water (TBW), a regional water supply authority. The city is a retail customer of the Pinellas County Utilities Department and has no responsibility regarding the supply of potable water to its citizens.

The City, through its association with TBW and Pinellas County, has identified alternative water supply resources such as the salt water desalination plant, brackish ground water desalination, and water conservation and reuse techniques. However, on its own, Belleair Bluffs does not have the financial or technical resources or capabilities to design, construct, or implement such far reaching water supply alternatives. Through the County’s membership in the Tampa Bay Regional Water Supply Authority, Belleair Bluffs is part of the partnership agreement with the Southwest Florida Water Management District (SWFWMD). This agreement, “entered into by the District, Tampa Bay Water, and its member governments, provides for the development of a safe, sustainable, cost effective water supply through a cooperative approach.”²

Because the City does not own or operate any portion of the water supply, treatment, or distribution system, and is merely a retail customer of the Pinellas County Utilities Department, the requirement to “evaluate the degree to which the City has implemented the work plan for building public, private, and regional water supply facilities” is not applicable. Belleair Bluffs will continue to be served by the Pinellas County Utilities Department and participate in conservation and other potable water initiatives sponsored by that department, TBW, and the Southwest Florida Water Management District.

Recommended Action

- Include a schedule for capital improvements for stormwater drainage projects proposed during the planning timeframes.
- Revise dates in IE Objectives 1.1, 1.2, 1.3, 1.4, and 2.1.
- Revise percentage reduction in use of potable water in IE Objective 1.2 based on the potential for use of reclaimed water and continued conservation strategies.
- Revise IE Objective 1.3 to reduce the percentage of solid waste based on an analysis of current technology and recycling.
- Revise IE Objective 1.4 to change the title of “DER” to “DEP.”
- Revise IE Objective 2.1 and associated policies based on the city’s adopted drainage plan.

¹ Robert David, PW Director, April 18, 2006.

² Regional Water Supply Plan, page 112

Capital Improvements Element

Overview

The primary goal of the Capital Improvements Element (CIE) is to implement the fiscal actions necessary to maintain public facilities at the adopted service levels. The element focuses on debt management and the elimination of deficiencies as a means of making progress toward this goal. The CIE also restricts expenditure in areas designated as CHHA, stating that only improvements included in the CCE will be addressed. The following are the major objectives of the CIE:

- Implement the five-year schedule of capital improvements;
- Provide for debt management;
- Eliminate LOS deficiencies;
- Provide capital improvements to maintain LOS; and
- Limit expenditures in the CHHA.

Successes and Shortcomings

While the City adopts a capital improvements budget annually, the plan should be updated to include the new schedule.

Recommended Action

- Amend Objective 1.1 to provide for the annual update of the capital improvements schedule. Also revise Policy 1.1.2 in the CIE as this policy provides for an annual update to the capital improvements program.

Evaluation of LOS Standards

A LOS for each of Belleair Bluff's services and facilities was adopted in applicable elements of the plan. Potable water, sanitary sewer, and solid waste standards were adopted in Policy 1.1.1 of the Infrastructure Element. For the convenience of reviewing all LOSS in one place, the remainder will be analyzed in this section as well. The adopted LOSS are shown in Table 3-1 below and information about the existing LOS is contained in Table 3-2.

Services and Facilities	Adopted Levels-of-Service	Existing Levels-of-Service
Roads	<i>Traffic Circulation Element Objective 1.1</i> Peak hour LOS “D” for all arterial and collector roads	Belleair Causeway, LOS F ³
Sanitary Sewer	<i>Infrastructure Element Policy 1.1.1</i> 1989: 109 gallons per day, per capita 1996: 98 gallons per day, per capita	No deficiencies identified by Pinellas County ⁴
Potable Water	<i>Infrastructure Element Policy 1.1.1</i> 1989: 150 gallons per day, per capita 1996: 135 gallons per day, per capita	No deficiencies identified by Pinellas County ⁵
Solid Waste	<i>Infrastructure Element Policy 1.1.1</i> 1989: 6.5 pounds per day, per capita 1992: 5.9 pounds per day, per capita	2.9 pounds per day, per capita
Drainage	<i>Infrastructure Element Policy 2.1.1</i> 25-year frequency, 24-hour storm event	Adopt a new LOS to conform to state rules: 100-year frequency, 24-hour storm event
Recreation/Open Space	<i>Recreation/Open Space Element Policy 1.1.1</i> Acreage and Facilities (as adopted in Tables 1 & 2)	The City continues to make improvements to its overall recreational facilities. No changes are needed to the LOS.

Sanitary Sewer

Pinellas County provides system-wide sanitary sewer service to Belleair Bluffs. The “adopted LOSS are consistently met and no deficiencies are anticipated,” according to the Pinellas County EAR.⁶

Potable Water

Pinellas County continues to provide potable water supplies to Belleair Bluffs. No deficiencies have been identified.

Roads

The Metropolitan Planning Organization (MPO) maintains level-of-service information for road segments within Pinellas County and its municipalities. The Link ID numbers and functional classifications are those listed in the *2005 Level of Service Inventory Report*.

³ MPO, Level of Service Report.

⁴ Pinellas County, *Evaluation and Appraisal Report (EAR)*, J-60.

⁵ Ibid, J-63.

⁶ Ibid, J-60.

Link ID #	Street	From	To	Functional Classification	2005 LOS
610	Belleair Causeway	Indian Rocks Rd.	Gulf Blvd.	Arterial Class 3	F
881	Indian Rocks Rd.	West Bay Dr.	Sunset Blvd.	Arterial Class 2	D
882	Indian Rocks Rd.	Sunset Blvd.	Mehlenbacher Rd.	Arterial Class 2	D

Solid Waste

Solid waste within Belleair Bluffs is collected by a private company. Curbside recycling is available to city residents. The company reports the collection of solid waste totaling 46,000 pounds per week. Using the 2005 estimated population of 2,257, the current daily per capita rate is 2.9 pounds. This per capita rate is well below the adopted LOS⁷.

Drainage

Belleair Bluffs approved the *Sunset Bluff Drainage Plan* in January 2001. The city was divided into segments for the purpose of planning improvement projects for stormwater drainage. Two projects are complete, with plans in progress for other areas. These projects are needed to relieve existing drainage problems.

Parks and Recreation

Belleair Bluffs has 9.8 acres of recreation and open space land. A city park is located adjacent to City Hall and contains picnic tables, playground equipment, and open space. The adopted LOS gives the City the opportunity to expand both park acreage and recreation facilities. Therefore, no changes to the LOSS are recommended.

⁷ Robert David, email 5-4-06.

Section 4: Summary of Recommendations

The anticipated actions or corrective measures discussed in Sections 2 and 3, and Tables 163 and 9J-5 are presented in this section. These recommendations are based on the analysis of new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element.

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
Future Land Use (FLUE)	1. The plan update shall include new planning periods. Recommend that these time frames be 2015 and 2025.	F.S. 163.3177(5)(a)
	2. Consider adding Clearwater Harbor to the list of recreational facilities.	F.S. 163.3177(6)(e)
	3. Consider the addition of an objective that will guide the style and character of residential development, including architectural features, lot coverage, and buffering.	Section 2, Issues
	4. Consider the addition of an objective that will guide the style and character of commercial development, including architectural style and features, lot coverage, buffering, and unified signage criteria.	Section 2, Issues
	5. Consider providing for mitigation of stormwater impacts when a residential use increases the ISR from 45 to 55 percent.	Section 2, Issues
	6. Consider revision to the land use categories along West Bay Drive to eliminate the possibility of residential-only uses within the existing commercial areas.	Section 2, Issues Section 3, Elements
	7. Consider adding criteria to guide the evaluation of proposed amendments to the future land use map to ensure compatibility with the adjacent uses.	Section 2, Issues
	8. Revise FLUE Objective 3.1 and policies to incorporate contemporary agencies, the city’s evacuation plan, and to eliminate past dates.	Section 2, Issues
	9. Revise Objective 1.4 to eliminate the date.	Section 2, Issues
	10. Consider designation of an Indian Rocks Road redevelopment corridor as part of Objective 1.12. Analyze and consider issues such as compatibility of land uses, consistent architectural style, color and design, street lighting, landscaping, pedestrian access, and underground utilities.	Section 2, Issues Section 3, Elements

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	11. Amend the FLUE to include a list of the land use categories consistent with the Future Land Use Map (FLUM), and to be consistent with the locational determinants and other standards of the Countywide Rules. 12. Revise FLUE to include an analysis of proposed development and redevelopment based upon the most recent hazard mitigation report prepared by Pinellas County. 13. Amend FLUE to encourage elimination or reduction of uses that are inconsistent with the current local mitigation strategy report. 14. Provide future land use map or map series that contains all applicable uses and requirements. 15. Rewrite Objective 2.1 and associated policies to effectively guide development along the coastline. Eliminate the past date and reference to the coastal management plan. 16. Revise and update FLUE Policy 1.2.1.	163.3177(6)(a) 9J-5.006 9J-5.006(2)(g) 9J-5.006(3)(b) 9J-5.006(4) Section 3, Elements 9J-5.010(c)(3)
Traffic Circulation (TCE)	1. Amend the TCE to re-title it “Transportation Element” and include any necessary amendments. 2. Objective 1.3: Assess both W. Bay Dr. and Indian Rocks Road and consider a corridor design that addresses consistent development guidelines for lighting, landscaping, architectural design, underground utilities, and pedestrian-friendly design. 3. Revise TE Objective 1.6 to correctly cite agencies and plans based on contemporary terminology.	163.3177(6)(h), 9J-5.019, & Section 3 Section 2, Issues Section 2, Issues Section 3, Elements

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	<ol style="list-style-type: none"> 4. Consider further traffic calming techniques on local streets. This could include enhanced pedestrian cross-walks at street corners as well as additional speed humps. 5. Coordinate with Pinellas County to enhance pedestrian crossings at street corners along Indian Rocks Road and West Bay Drive. 	Section 3, Elements
Housing (HE)	<ol style="list-style-type: none"> 1. Amend the HE to coordinate with Pinellas County in the development of a multi-jurisdictional program to address affordable housing. 2. Consider amending the HE to provide guidance to avoid concentrations of affordable housing. 3. Revise and update housing inventory and analysis to incorporate most current data. 4. Amend the HE to consider economic solutions as developed through strategies to address affordable housing. 5. Update housing analysis to address the existing housing delivery system. 	<p>Section 2, Issues</p> <p>163.3177(6)(f)1.</p> <p>9J-5.010(1) & (2) Section 3, Elements</p> <p>9J-5.010(3)</p> <p>9J-5.010(2)(e)</p>
Intergovernmental Coordination (ICE)	<ol style="list-style-type: none"> 1. Consider establishing a notification process for work completed within city rights-of-way as a policy under Objective 1.1. 2. Assess the feasibility of in-house training, plan review, and permitting. 3. Address the possibility of including transportation disadvantaged as part of the “special needs” category and coordination with the Pinellas County Emergency Management Department in the ICE as part of hurricane evacuation. 	<p>Section 2, Issues</p> <p>Section 2, Issues</p> <p>Section 2, Issues</p> <p>163.3177(4)(a)</p>

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	<ol style="list-style-type: none"> 4. Revise ICE Policy 1.1.5 to coordinate alternative water resources through Pinellas County and its agreement with Tampa Bay Water. Update to correct the names of agencies. 5. Update ICE Objective 1.1 and Policy 1.1.5 to include the Coast Guard in the list of agencies with whom coordination takes place. This will include revision to the data and analysis. 	Section 3, Elements
Infrastructure (IE)	<ol style="list-style-type: none"> 1. Update IE Objective 2.1 to remove the date and to include short and long-term planning objectives and policies based on the city’s adopted drainage plan, <i>Sunset Bluffs Drainage Plan</i>. 2. Amend IE Objectives 1.1, 1.2, 1.3, and 1.4, to revise the dates. 3. Update the IE data and analysis to correctly cite the partnership agreement between Pinellas County, Southwest Florida Water Management District, and TBW. 4. Include stormwater drainage projects in the schedule of capital improvements proposed during the planning timeframes. 5. Adopt a new level-of-service (LOS) to conform to state rules: 100-year frequency, 24-hour storm event. 6. Revise percentage reduction in use of potable water in Objective 1.2 based on the potential for use of reclaimed water and continued conservation strategies. 7. Revise Objective 1.3 to reduce the percentage of solid waste based on an analysis of current technology and recycling. 8. Revise Objective 1.4 to change the title of “DER” to “DEP.” 	<p>Section 2, Issues Section 3, Elements</p> <p>9J-5.0055</p> <p>9J-5.011(1)(g)</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p>

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
Coastal Conservation (CCE)	1. Update CCE Policy 2.1.1 to include coordination with the most up-to-date regional hurricane evacuation plan.	9J-5.003
Capital Improvements (CIE)	<p>1. Provide that the CIE Objective 1.1 will be amended annually to update the 5-year schedule of capital improvements. Amend Policy 1.1.2 to be consistent with the schedule of capital improvements.</p> <p>2. Consider alternative funding resources for comprehensive planning update, corridor plans, and associated plan amendments.</p> <p>3. Amend the CIE to include an objective pertaining to concurrency management. Such an objective and policy may include the following timing standards.:</p> <ul style="list-style-type: none"> ▪ The proposed development consists of a single-family house on a lot of record. ▪ The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted level-of-service standard for the peak hour for the affected roads or road segments. ▪ The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one percent of the maximum service volume at the adopted level-of-service standards of the road or road segment, if the facility does not meet the minimum level-of-service standard; or ▪ The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110% of the roadway capacity for the adopted LOS. <p>4. Amend CIE to include a Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement.</p> <p>5. Amend the CIE for school concurrency based on the LOS adopted in the Pinellas County Public School Facility Element (PSFE).</p>	<p>Section 2, Issues & 163.3177</p> <p>Section 2, Issues</p> <p>163.3180 & 9J-5.0055</p> <p>163.3180</p> <p>163.3180(13)</p>

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	6. Amend CIE to ensure that it is financially feasible.	163.3177
	7. Amend the CIE and concurrency management, as necessary, to recognize the common methodology prepared by the MPO for measuring traffic impacts and to provide for its use in applicable situations.	163.3191(2)(p)
Recreation and Open Space (R/OSE)	1. Amend the element to include Clearwater Harbor in the system of public and private sites for recreation.	163.3177(6)(e)
Public School Facilities (New)	1. Belleair Bluffs is exempt from the need to prepare a PFSE. See Letter of exemption in Appendix G of this report.	163.3177(6)(a); 163.31777; 3177(12); 163.3180(13); 9J-5.025; 9J-5.015(3)(c)
All Elements	1. Review all goals, objectives and policies and remove all past deadlines and acknowledge any new or updated reports and agreements adopted since the last plan update. Revise names of agencies and departments as needed. 2. Amend objectives and policies that contain language deferring implementation of objectives and policies to the Land Development Regulations. Include instead language that ensures ongoing implementation.	

Evaluation and Appraisal Report

APPENDICES

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element	
1986: [Ch. 86-191, SS.7 - 12, & 18 - 31, <u>Laws of Florida</u>]						
1	The requirement that plans include soil surveys which indicate the suitability of soils for septic tanks moved from the Capital Improvements Element to the General Sanitary Sewer, Solid Waste, Drainage, Potable Water & Natural Groundwater Aquifer Recharge Element, by striking Subparagraph 163.3177(3)(a)4., & adding the last sentence of Paragraph 163.3177(6)(c).	163.3177(6)(c)			Future Land Use Element, Data and Analysis	
2	A Future Land Use Element must have "goals, policies, & measurable objectives ," rather than "measurable goals, objectives, & policies."	163.3177(6)(a)			Future Land Use Element	
3	Eliminated the 12-month delay for consistency with the comprehensive regional policy plans.	163.3177(9)(c)	X			
4	<p>Approved 9J-5, F.A.C.</p> <p>Defined "consistency," "compatible with," & "furthers."</p> <p>Required each local government to review & address all State Comprehensive Plan provisions relevant to that jurisdiction.</p> <p>Support data shall not be subject to the compliance review process, but that goals & policies must be clearly based on appropriate data. The Department of Community Affairs authorized to reject data if not collected in a professionally accepted manner, but forbidden to require a particular professionally accepted methodology. 9J-5 does not require original data collection.</p> <p>Recognized that local governments are charged with setting level-of-service standards.</p> <p>Public facilities & services needed to support development shall be available concurrent with the impacts of development.</p>	163.3177(10)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	Established the "shield" against rule challenges to 9J-5 until July 1, 1987.				
5	Required the comprehensive master plan for each deepwater port to be submitted to the appropriate local government at least 6 months before the due date of the local plan; defined "appropriate local government," & provided for sanctions for deepwater ports which are not part of a local government & which fail to submit their comprehensive master plan.	163.3178(2)(k)	X		
6	Substantially reworded Section 163.3184, " Process for adoption of comprehensive plan or amendment thereto," to basic format in place today.	163.3184		X	
7	Extended development of regional impact exemption from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)		X	
8	Exempted small scale amendments from the twice-a-year limitation.	163.3187(1)(c)		X	
9	Required the local planning agency evaluation & appraisal report to be transmitted to DCA, & required the governing body of the local government to adopt, or adopt with changes, the local planning agency's report within 90 days after receipt. Authorized transmittal of the EAR plan amendments, rather than the entire plan as amended, to DCA.	163.3191(1) & (4) [Note: 163.3191 was amended & reworded in 1998. Check statutes for current wording.]		X	
10	Delayed implementation of concurrency until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)		X	
11	Initial adoption of the Florida Local Government Development Agreement Act .	[Now: 163.3220-.3243]		X	
1987: [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), & Ch. 87-338, <u>Laws of Florida</u>]					
12	Extended date for DCA to adopt schedule for submittal of local plans from October 1, 1986 to October 1, 1987, & extended the latest date for submission by non-coastal counties from July 1, 1990 to July 1, 1991.	[Now: 163.3167(2)]		X	
1988: None					
1989: None					

Changes to Chapter 163, Florida Statutes 1986-2005

	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	1990: None 1991: [Ch. 91-45, SS. 31 & 32, <u>Laws of Florida</u>] Nothing substantive. 1992: [Ch. 92-129, <u>Laws of Florida</u> , & Ch. 92-279, S. 77, <u>Laws of Florida</u>]					
13	Clarified that the procedures for approval of the original plans also applied to plan amendments .	[Now: 163.3189(2)(a)]		X		
14	Provided that the local planning agency should prepare plan amendments.	163.3174 163.3164(13) [Now: (14)] 163.3221(10) [Now: (11)]		X		
15	Added " spoil disposal sites for maintenance dredging located in the intracoastal waterways, except for spoil disposal sites owned or used by ports" to the definition of "public facilities."	163.3164(24)	X			
16	Added requirement that independent special districts submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. [Now: 163.3177(6)(h)3.]		X		
17	Extended " shield against challenges to the portion of Rule 9J-5 that was adopted before October 1, 1986, from July 1 1987 to April 1, 1993.	163.3177(10)(k)		X		
18	Recognized the need for innovative planning & development strategies to address the anticipated continued urbanization of the coast & other environmentally sensitive areas. Stated that plans should allow land use efficiencies within existing urban areas, & should also allow for the conversion of rural lands to other uses. Provided that plans & land development regulations (LDRs) should maximize the use of existing facilities & services through redevelopment, urban infill , & other strategies for urban revitalization.	163.3177(11)(a) (11)(b) (11)(c)		X X X		
19	Amended definition of "affected person" to clarify that the affected person's comments, recommendations, or objections have to be submitted to the local government after the transmittal hearing for	163.3184(1)(a)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	the plan amendment & before the adoption of the amendment.					
20	Required the local government to include such materials as DCA specifies by rule with each plan amendment transmittal.	163.3184(3)(b)		X		
21	Gave the local government 120 days , rather than 60 days, after receipt of the objections, recommendations, & comments to adopt or adopt with changes the plan or amendment ; & gives the local government 10 days, rather than 5 days, after adoption to transmit the adopted plan or amendment to DCA. Also requires that a copy of the adopted plan or amendment be transmitted to the regional planning council.	163.3184(7)(a) [Now: 163.3184(7)(c)1]		X		
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can issue a notice of intent (NOI) .	163.3184(8)(b)		X		
23	Required that the Division of Administrative Hearings hearing must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)		X		
24	Provided that new issues cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)		X		
25	Added a procedure for compliance agreements .	163.3184(16)		X		
26	<p>Changed the requirements for small scale amendments:</p> <ul style="list-style-type: none"> • Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; & for other land use, an increase from 3 to 10 acres. Also increased the annual total from 30 to 60 acres. • Allowed local governments to use a newspaper ad of less than a quarter page in size. • Authorized DCA to adopt rules establishing an alternative process for public notice for small scale amendments. 	163.3187(1)(c)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Provided that small scale amendments require only an adoption hearing. 					
27	Provided that a plan amendment required by a compliance agreement may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) [Now: 163.3187(1)(d)]		X		
28	Stated that nothing in the statute prevented a local government from requiring a person requesting an amendment to pay the cost of publication of notice .	163.3187(5)		X		
29	Created an alternative process for amendment of adopted comprehensive plans	163.3189		X		
30	Provided that the first EAR report is due 6 years after the adoption of the comp plan, & subsequent EAR reports are due every 5 years thereafter.	163.3191(5) [Now: 163.3191(13)]		X		
31	Amended the Development Agreement Act by providing: <ul style="list-style-type: none"> Development agreements are not effective unless the comp plan or plan amendments related to the agreement are found in compliance. Development agreements are not effective until properly recorded & until 30 days after received by DCA. 	163.3235 163.3239		X		
1993: [Ch. 93-206, <u>Laws of Florida</u> (aka the ELMS bill) & Ch. 93-285, S. 12, <u>Laws of Florida</u>]						
32	Amended the intent section to include that constitutionally protected property rights must be respected.	163.3161(9)		X		
33	Added definitions for "coastal area", "downtown revitalization", "Urban redevelopment", "urban infill", "projects that promote public transportation", & "existing urban service area."	163.3164			All definitions are those provided by State unless otherwise stated in the Plan.	
34	Amended the scope of the act to provide for the articulation of state, regional, & local visions of the future physical appearance & qualities of a community.	163.3167(11)		X		
35	Amended the requirements for the housing element by:	163.3177(6)(f)1.			H.E. Objective 1.1: The City shall increase the opportunity for all citizens	Consider amending HE to include very low income housing, affordable

Changes to Chapter 163, Florida Statutes 1986-2005

	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Having the element apply to the jurisdiction, rather than the area. Including very-low income housing in the types of housing to be considered. Provided guidance that the creation or preservation of affordable housing should minimize the need for additional local services & avoid the concentration of affordable housing units only in specific areas. Required DCA to prepare an affordable housing needs assessment for all local jurisdictions, which will be used by each local government in preparing the EAR report & amendments, unless DCA allows the local government to prepare its own needs assessment. 	(f)2.	X		<p>of the City and surrounding areas to purchase or rent decent, safe and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition.</p> <p>HE Policy 1.1.5: The City shall increase the opportunity for all citizens of the City and surrounding areas to purchase or rent decent, safe and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition.</p>	housing strategies in conjunction with Pinellas County, and guidance to avoid concentrations of affordable housing.
36	<p>Amended the intergovernmental coordination element (ICE) by:</p> <p>Requiring each ICE to include:</p> <ul style="list-style-type: none"> A process to determine if development proposals will have significant impacts on state or regional facilities. A process for mitigating extra-jurisdictional impacts in the jurisdiction in which they occur. A dispute resolution process. A process for modification of DRI development orders without loss of recognized development rights. 	163.3177(6)(h)1. & 2. [Note: Requirement deleted in 1996]	X		<p>ICE 1.1: The City of Belleair Bluffs shall utilize the forum of the Pinellas County Planning Council for the purpose of providing close coordination, evaluation and integration of local comprehensive plans and development proposals.</p> <p>ICE 1.1.2: The City of Belleair Bluffs will use the PPC as a forum to identify</p>	

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Procedures to identify & implement joint planning areas. Recognition of campus master plans. Requiring each county, all municipalities within that county, the school board, & other service providers to enter into formal agreements, & include in their plans, joint processes for collaborative planning & decision-making. Requiring DCA to: <ul style="list-style-type: none"> Adopt rules to establish minimum criteria for ICE. Prepare a model ICE. Establish a schedule for phased completion & transmittal of ICE plan amendments. 	[Now: 163.3177(9)(h) 163.3177(9)(h) 163.3177(6)(h)5.]	X X	 X	and discuss issues related to plan implementation, development and funding. ICE 1.1.3: The process established by the PPC for conflict resolution will be utilized to resolve disputes.	
37	Providing that amendments to implement the ICE must be adopted no later than December 31, 1997. [Now: 1999]	Now: 163.3177(6)(h)5.	X			
38	Requiring a transportation element for urbanized areas.	163.3177(6)(h) [Now: 163.3177(6)(j)]			Belleair Bluffs currently has a Traffic Circulation Element in place.	Amend plan to adopt as the Transportation Element.
39	Adding an optional hazard mitigation/post disaster redevelopment element for local governments that are not required to have a coastal management element.	163.3177(7)(l)	X			
40	Requiring DCA to consider land use compatibility issues in the vicinity of airports .	163.3177(10)(l)		X		
41	Amended the coastal management element by: <ul style="list-style-type: none"> Defining "high hazard coastal areas" as category I evacuation zones, & stated that mitigation & redevelopment policies are at the discretion of the local government. Affirming state commitment to deepwater ports, & required the Section 186.509 dispute resolution process to reconcile inconsistencies between port master plans & local comp plans. Encouraging local governments to adopt countywide marina siting plans. 	163.3178 (2)(h) (5) (6) (7)	X X X X		CIE Policy 1.4.1: The City shall expend funds in Coastal High Hazard Areas only for the replacement and renewal of public facilities serving existing development. CCE, Objective 2.1: As of adoption of this	

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Requiring coastal local governments to identify spoil disposal sites in the future land use & port elements. Requiring each county to establish a process for identifying & prioritizing coastal properties for state acquisition. 	(8)	X		Comprehensive Plan, the City shall limit public expenditures that subsidize development permitted in Coastal High Hazard Area except for restoration or enhancement of natural resources.	
42	<p>Created a new section for concurrency which:</p> <ul style="list-style-type: none"> Provides concurrency on a statewide basis only for roads, sewers, solid waste, drainage, potable water, parks & recreation, & mass transit; a local government can extend concurrency to public schools if it first conducts a study to determine how the requirement would be met. Set timing standards for concurrency of: <ul style="list-style-type: none"> For sewer, solid waste, drainage & potable water facilities, in place no later than the issuance of the certificate of occupancy. For parks & recreation facilities, no later than 1 year after issuance of certificate of occupancy. For transportation facilities, in place or under actual construction no later than 3 years after issuance of a certificate of occupancy. Allowing exemptions from transportation concurrency for urban infill, urban redevelopment & downtown revitalization. Allowing a de minimus transportation impact of not more than 0.1% of the maximum volume of the adopted level of service as an exemption from concurrency. Authorizing the designation of transportation management areas. Allowing urban redevelopment to create 110% of the actual transportation impact caused by existing development before complying with concurrency. 	163.3180	X	X		Amend CIE, 1.5.13 (1) The proposed development consists of a single-family house on a lot of record. (2) The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted Level of Service standard for the peak hour for the affected roads or road segments. (3) The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one (1) percent of the maximum service volume at the adopted Level of Service standards of the road or road segment, if the facility does not meet the minimum

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	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Authorizing local governments to adopt long-range transportation concurrency management systems with planning periods of up to 10 years where significant backlogs exist. Requiring local governments to adopt the level-of-service standard established by the Department of Transportation for facilities on the Florida Intrastate Highway System. Allows development that does not meet concurrency if the local government has failed to implement the Capital Improvements Element, & the developer makes a binding commitment to pay the fair share of the cost of the needed facility. 		X		TE 1.1: Level of Service (LOS) D peak hour shall be the standard for all arterial and collector roads within the City.	Level of Service standard; or (4) The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110% of the roadway capacity for the adopted LOS. Amend CIE Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement
43	Provided a procedure to ensure public participation in the approval of a publicly financed capitol improvement.	163.3181(3)		X		
44	Amended the procedure for the adoption of plans & plan amendments as follows: <ul style="list-style-type: none"> Proposed plans or amendments, & materials, must be transmitted to the regional planning councils, the water management districts, the Department of Environmental Protection, & the Department of Transportation as specified in DCA's rules. DCA reviews amendments only upon the request of the regional planning council, an affected person, or the local government, or those, which it wishes to review. The regional planning council's review of plan amendments is limited to effects on regional facilities or resources identified in the strategic regional policy plan & extra jurisdictional impacts. 	163.3184		X		

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	166.041, respectively.	163.3184(15)(a)-(c), 163.3187(1)(c)				
55	Prohibited any initiative or referendum process in regard to any development order or comprehensive plan or map amendment that affects five or fewer parcels of land.	163.3167(12)		X		
56	Reduced to 30 [Note: changed to 20] days the time for DCA to review comp plan amendments resulting from a compliance agreement .	163.3184(8)(a)		X		
57	Amended the requirements for the advertisement of DCA notice of intent .	163.3184(8)(b)		X		
58	Required the administrative law judge to realign the parties in a Division of Administrative Hearings (DOAH) proceeding where a local government adopts a plan amendment pursuant to a compliance agreement.	163.3184(16)(f)		X		
59	Added clarifying language relative to those small scale plan amendments that are exempt from the twice-per-year limitation & prohibited DCA review of those small scale amendments that meet the statutory criteria in Paragraph 163.3187(1)(c).	163.3187(1)(c) & (3)(a)-(c)		X		
60	Required DCA to consider an increase in the annual total acreage threshold for small scale amendments . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)		X		
61	Required local planning agencies to provide opportunities for involvement by district school boards & community college boards .	163.3174(1)		X		
62	Required that the future land use element clearly identify those land use categories where public schools are allowed.	163.3177(6)(a)				Amend FLUE to include all land use categories consistent with the FLUM. The institutional land use category provides for educational uses.
63	Established certain criteria for local governments wanting to extend concurrency to public schools . (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) [Now: 163.3180(13)]		X		

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	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
1996: [Ch. 96-205, s. 1; Ch. 96-320, ss. 10-11; 96-416, ss. 1-6, 15, <u>Laws of Florida</u>]						
64	Substantially amended the criteria for small scale amendments that are exempt from the twice-per-year limitation .	163.3187(1)(c)		X		
65	Revised the objectives in the coastal management element to include the maintenance of ports .	163.3177(6)(g)9.	X			
66	Provide that certain port related expansion projects are not DRIs under certain conditions.	163.3178(2), (3), & (5)	X			
67	Allowed a county to designate areas on the future land use plan for possible future municipal incorporation .	163.3177(6)(a)	X			
68	Required the ICE to include consideration of the plans of school boards & other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)			ICE 1.1.5: The City of Belleair Bluffs shall continue to communicate with other units of local government.	
69	Revised the processes & procedures to be included in the ICE.	163.3177(6)(h)		X		
70	Required that within 1 year after adopting their ICE each county & all municipalities & school boards therein establish by interlocal agreement the joint processes consistent with their ICE.	163.3177(6)(h)2.		X		
71	Required local governments who utilize school concurrency to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. [Now: 163.3180(13)(g)]	X			Does not apply.
72	Permitted a county to adopt a municipal overlay amendment to address future possible municipal incorporation of a specific geographic area.	163.3217	X			
73	Authorized DCA to conduct a sustainable communities demonstration project .	163.3244 [Now: Repealed]	X			
1997: [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u>]						
74	Amended the definition of de minimis impact as it pertains to concurrency requirements.	163.3180(6)		X		
75	Established that no plan or plan amendment in an area of critical state concern is effective until found in compliance by a final order.	163.3184(14)	X			

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
76	Amended the criteria for the annual effect of Duval County small scale amendments to a maximum of 120 acres.	163.3187(1)(c)1.a.I II	X			
77	Prohibited amendments in areas of critical state concern from becoming effective if not in compliance.	163.3189(2)(b)	X			
1998: [Ch. 98-75, s. 14; Ch. 146, ss. 2-5; Ch. 98-176, ss. 2-6 & 12-15; Ch. 98-258, ss. 4-5, <u>Laws of Florida</u>]						
78	Exempted brownfield area amendments from the twice-a-year limitation .	163.3187(1)(g)	X			
79	Required that the capital improvements element set forth standards for the management of debt .	163.3177(3)(a)4.			CI 1.2: The City shall continue to manage its debt in a manner to retain the integrity of its fiscal resources. Policies 1.2.1 through 1.2.5 set specific standards for debt management.	
80	Required inclusion of at least two planning periods – at least 5 years & at least 10 years.	163.3177(5)(a)				The plan update must address new planning periods
81	Allowed multiple individual plan amendments to be considered together as one amendment cycle.	163.3184(3)(d)		X		
82	Defined “optional sector plan” & created Section 163.3245 allowing local governments to address DRI issues within certain identified geographic areas.	163.3164(31) & 163.3245		X		
83	Established the requirements for a public school facilities element .	163.3177(12)		X		
84	Established the minimum requirements for imposing school concurrency .	163.3180(12) [Now: Section (13)]		X		
85	Required DCA adopt minimum criteria for the compliance determination of a public school facilities element imposing school concurrency.	163.3180(13) [Now: Section 14]		X		
86	Required that evaluation & appraisal reports address coordination of the comp plan with existing public schools & the school district’s 5-year work	163.3191(2)(i) [Now: 163.3191(2)(k)]				The EAR addresses current requirements.

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program.					
87 Amended the definition of "in compliance" to include consistency with Sections 163.3180 & 163.3245.	163.3184(1)(b)		X		
88 Required DCA to maintain a file with all documents received or generated by DCA relating to plan amendments & identify; limited DCA review of proposed plan amendments to written comments, & required DCA to identify & list all written communications received within 30 days after transmittal of a proposed plan amendment.	163.3184(2), (4), & (6)	X			
89 Allowed a local government to amend its plan for a period of up to one year after the initial determination of sufficiency of an adopted EAR even if the EAR is insufficient.	163.3187(6)(b)		X		
90 Substantially reworded Section 163.3191, F.S., related to evaluation & appraisal reports .	163.3191			See the EAR, Appendix F	
91 Changed the population requirements for municipalities & counties which are required to submit otherwise optional elements.	163.3177(6)(i)		X		
1999: [Ch. 99-251, ss. 65-6, & 90; Ch. 99-378, ss. 1, 3-5, & 8-9, <u>Laws of Florida</u>]					
92 Required that ports & local governments in the coastal area, which has spoil disposal responsibilities , identify dredge disposal sites in the comp plan.	163.3178(7)	X			
93 Exempted from the twice-per-year limitation certain port related amendments for port transportation facilities & projects eligible for funding by the Florida Seaport Transportation & Economic Development Council.	163.3187(1)(h)	X			
94 Required rural counties to base their future land use plans & the amount of land designated industrial on data regarding the need for job creation, capital investment, & economic development & the need to strengthen & diversify local economies.	163.3177(6)(a)	X			
95 Added the Growth Policy Act to Ch. 163, Part II to promote urban infill & redevelopment .	163.2511, .2514, .2517,.2520, .2523, & .2526		X		

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
96	Required that all comp plans comply with the school siting requirements by October 1, 1999.	163.3177(6)(a)	X			
97	Made transportation facilities subject to concurrency.	163.3180(1)(a)	X			
98	Required use of professionally accepted techniques for measuring level of service for cars, trucks, transit, bikes & pedestrians.	163.3180(1)(b)		X		
99	Excludes public transit facilities from concurrency requirements.	163.3180(4)(b)	X			
100	Allowed multiuse DRIs to satisfy the transportation concurrency requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)	X			
101	Allowed multimodal transportation districts in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X			
102	Exempted amendments for urban infill & redevelopment areas, public school concurrency from the twice-per-year limitation .	163.31879(1)(h) & (i) [Now: (i) & (j)]		X		
103	Defined brownfield designation & added the assurance that a developer may proceed with development upon receipt of a brownfield designation. [Also see Section 163.3221(1) for "brownfield" definition.]	163.3220(2)		X		
2000: [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <u>Laws of Florida</u>]						
104	Repealed Section 163.3184(11)(c), F.S. , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) [Now: Repealed]	X			
105	Repealed Section 163.3187(7), F.S. that required consideration of an increase in the annual total acreage threshold for small scale plan amendments & a report by DCA.	163.3187(7) [Now: Repealed]	X			
106	Repealed Sections 163.3191(13) & (15), F.S.	163.3191(13) & (15) [Now: Repealed]	X			
107	Allowed small scale amendments in areas of critical state concern to be exempt from the twice-per-year	163.3187(1)(c)1.e		X		

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	limitation only if they are for affordable housing.					
108	Added exemption of sales from local option surtax imposed under Section 212.054, F.S., as examples of incentives for new development within urban infill & redevelopment areas .	163.2517(3)(j)2.	X			
2001: [Ch. 2001-279, s. 64, <u>Laws of Florida</u>]						
109	Created the rural land stewardship area program.	163.3177(11)(d)	X			
2002: [Ch. 2002-296, ss. 1 - 11, <u>Laws of Florida</u>]						
110	Required that all agencies that review comprehensive plan amendments & rezoning include a nonvoting representative of the district school board .	163.3174		X		
111	Required coordination of local comprehensive plan with the regional water supply plan.	163.3177(4)(a)			ICE 1.1.5 States that the City will communicate with the West Coast Regional Water Supply Authority.	Revise ICE 1.1.5 to coordinate alternative water resources through Pinellas County and their agreement with Tampa Bay Water.
112	Plan amendments for school-siting maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		X		
113	Required that by adoption of the EAR , the sanitary sewer, solid waste, drainage, potable water & natural groundwater aquifer recharge element consider the regional water supply plan & include a 10-year work plan to build the identified water supply facilities.	163.3177(6)(c)				See #145
114	Required consideration of the regional water supply plan in the preparation of the conservation element.	163.3177(6)(d)	X			
115	Required that the intergovernmental coordination element (ICE) include relationships, principles & guidelines to be used in coordinating comp plan with regional water supply plans.	163.3177(6)(h)				See #145
116	Required the local governments adopting a public educational facilities element execute an interlocal agreement with the district school board, the county, & non-exempting municipalities.	163.3177(6)(h)4.	X			Belleair Bluffs is exempt from the PSFE. See Appendix G

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
117	Required that counties larger than 100,000 population & their municipalities submit a interlocal service delivery agreement (existing & proposed, deficits or duplication in the provisions of service) report to DCA by January 1, 2004. Each local government is required to update its ICE based on the findings of the report. DCA will meet with affected parties to discuss & identify strategies to remedy any deficiencies or duplications.	163.3177(6)(h)6., 7., & 8.	X			
118	Required local governments & special districts to provide recommendations for statutory changes for annexation to the Legislature by February 1, 2003.	163.3177(6)(h)9.		X		
119	Added a new Section 163.31776 that allows a county, to adopt an optional public educational facilities element in cooperation with the applicable school board.	163.31776	X			
120	Added a new Section 163.31777 that requires local governments & school boards to enter into an interlocal agreement that addresses school siting, enrollment forecasting, school capacity, infrastructure & safety needs of schools, schools as emergency shelters, & sharing of facilities.	163.31777	X			PSFE exemption in Appendix G
121	Added a provision that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill & redevelopment areas.	163.3180(4)(c)		X		
122	Expanded the definition of "affected persons" to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		X		
123	Expanded the definition of "in compliance" to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		X		
124	Streamlined the timing of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), & (8)		X		
125	Required that local governments provide a sign-in form at the transmittal hearing & at the adoption hearing for persons to provide their names & addresses.	163.3184(15)(c)		X		

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
126	Exempted amendments related to providing transportation improvements to enhance life safety on “controlled access major arterial highways” from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)(k)		X		
127	Required EARs to include (1) consideration of the appropriate regional water supply plan, & (2) an evaluation of whether past reductions in land use densities in coastal high hazard areas have impaired property rights of current residents where redevelopment occurs.	163-3191(2)(1)			See EAR, Appendix F	
128	Allowed local governments to establish a special master process to assist them with challenges to local development orders for consistency with the comprehensive plan.	163.3215		X		
129	Created the Local Government Comprehensive Planning Certification Program to allow less state & regional oversight of comprehensive plan process if the local government meets certain criteria.	163.3246		X		
130	Added a provision to Section 380.06(24), Statutory Exemptions , that exempts from the requirements for developments of regional impact, any water port or marina development if the relevant local government has adopted a “boating facility siting plan or policy” (which includes certain specified criteria) as part of the coastal management element or future land use element of its comprehensive plan. The adoption of the boating facility siting plan or policy is exempt from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)	X			
131	Prohibited a local government, under certain conditions, from denying an application for development approval for a requested land use for certain proposed solid waste management facilities.	163.3194(6)	X			
2003: [Ch. 03-1, ss. 14-15; ch. 03-162, s. 1; ch. 03-261, s. 158; ch. 03-286, s. 61, <u>Laws of Florida.</u>]						
132	Creates the Agricultural Lands & Practices Act.	163.3162	X			

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(2): Provides legislative findings & purpose with respect to agricultural activities & duplicative regulation.</p> <p>(3): Defines the terms “farm,” “farm operation,” & “farm product” for purposes of the act.</p> <p>(4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a bona fide farm operation on land that is classified as agricultural land.</p> <p>(4)(a): Provides that the act does not limit the powers of a county under certain circumstances.</p> <p>(4)(b): Clarifies that a farm operation may not expand its operations under certain circumstances.</p> <p>(4)(c): Provides that the act does not limit the powers of certain counties.</p> <p>(4)(d): Provides that certain county ordinances are not deemed to be a duplication of regulation.</p>					
133	Changes “State Comptroller” references to “Chief Financial Officer.”	163.3167(6)		X		
134	Provides for certain airports to abandon DRI orders.	163.3177(6)(k)	X			
135	Amended to conform to the repeal of s. 235.185 & the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2)-(3)		X		
136	Amended to conform to the repeal of ch. 235 & the enactment of similar material in ch. 1013.	163.37111(1)(c), (2)(e)-(f), (3)(c), (4), (6)(b)		X		
2004: [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, <u>Laws of Florida</u> .]						
137	(10): Amended to conform to the repeal of the Florida High-Speed Rail Transportation Act, & the creation of the Florida High-Speed Rail Authority Act.	163.3167	X			

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(13): Created to require local governments to identify adequate water supply sources to meet future demand.</p> <p>(14): Created to limit the effect of judicial determinations issued subsequent to certain development orders pursuant to adopted land development regulations.</p>			X		See 2005 legislative updates in #145.
138	<p>(1): Provides legislative findings on the compatibility of development with military installations.</p> <p>(2): Provides for the exchange of information relating to proposed land use decisions between counties & local governments & military installations.</p> <p>(3): Provides for responsive comments by the commanding officer or his/her designee.</p> <p>(4): Provides for the county or affected local government to take such comments into consideration.</p> <p>(5): Requires the representative of the military installation to be an ex-officio, nonvoting member of the county's or local government's land planning or zoning board.</p> <p>(6): Encourages the commanding officer to provide information on community planning assistance grants.</p>	Creates 163.3175.	X			
139	<p>(6)(a):</p> <ul style="list-style-type: none"> • Changed to require local governments to amend the future land use element by June 30, 2006 to include criteria to achieve compatibility with military installations. • Changed to specifically encourage rural land stewardship area designation as an overlay on the future land use map. 	163.3177	X X			

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<p>(6)(c): Extended the deadline adoption of the water supply facilities work plan amendment until December 1, 2006; provided for updating the work plan every five years; & exempts such amendment from the limitation on frequency of adoption of amendments.</p>		X	X		
<p>(10)(l): Provides for the coordination by the state land planning agency & the Department of Defense on compatibility issues for military installations.</p>		X			
<p>(11)(d)1.: Requires DCA, in cooperation with other specified state agencies, to provide assistance to local governments in implementing provisions relating to rural land stewardship areas.</p>		X			
<p>(11)(d)2.: Provides for multicounty rural land stewardship areas.</p>		X			
<p>(11)(d)3.-4: Revises requirements, including the acreage threshold for designating a rural land stewardship area.</p>		X			
<p>(11)(d)6.j.: Provides that transferable rural land use credits may be assigned at different ratios according to the natural resource or other beneficial use characteristics of the land.</p>			X		
<p>(11)(e): Provides legislative findings regarding mixed-use, high-density urban infill & redevelopment projects; requires DCA to provide technical assistance to local governments.</p>			X		
<p>(11)(f): Provides legislative findings regarding a program for the transfer of development rights & urban infill & redevelopment; requires DCA to provide technical assistance to local governments.</p>			X		

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	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
140	<p>(1): Provides legislative findings with respect to the shortage of affordable rentals in the state.</p> <p>(2): Provides definitions.</p> <p>(3): Authorizes local governments to permit accessory dwelling units in areas zoned for single family residential use based upon certain findings.</p> <p>(4) An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.</p> <p>(5): Provides for certain accessory dwelling units to apply towards satisfying the affordable housing component of the housing element in a local government's comprehensive plan.</p> <p>(6): Requires the DCA to report to the Legislature.</p>	Creates 163.31771		<p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p>		
141	Amends the definition of "in compliance" to add language referring to the Wekiva Parkway & Protection Act .	163.3184(1)(b)	X			
142	<p>(1)(m): Created to provide that amendments to address criteria or compatibility of land uses adjacent to or in close proximity to military installations do not count toward the limitation on frequency of amending comprehensive plans.</p> <p>(1)(n): Created to provide that amendments to establish or implement a rural land stewardship area do not count toward the limitation on frequency of amending comprehensive plans.</p>	163.3187	<p style="text-align: center;">X</p> <p style="text-align: center;">X</p>			
143	Created to provide that evaluation & appraisal reports evaluate whether criteria in the land use element were successful in achieving land use compatibility with military installations .	163.3191(2)(n)	X			

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	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
2005 [Ch. 2005-290 & Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u>]						
144	Added the definition of “ financial feasibility .”	Creates s. 163.3164(32)		X		
145	<p>(2): Required comprehensive plans to be “financially” rather than “economically” feasible.</p> <p>(3)(a)5.: Required the comprehensive plan to include a 5-year schedule of capital improvements. Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be guaranteed in the form of a development agreement or interlocal agreement.</p> <p>(3)(a)6.b.1.: Required plan amendment for the annual update of the schedule of capital improvements. Deleted provision allowing updates & change in the date of construction to be accomplished by ordinance.</p> <p>(3)(a)6.c.: Added oversight & penalty provision for failure to adhere to this section’s capital improvements requirements.</p> <p>(3)(a)6.d.: Required a long-term capital improvement schedule if the local government has adopted a long-term concurrency management system.</p> <p>(6)(a): Deleted date (October 1, 1999) by which school sitting requirements must be adopted.</p> <p>(6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the alternative water supply projects selected by the local government to meet its water supply needs.</p> <p>(6)(e): Required recreation and open space elements</p>	163.3177		X	CI 1.1 addresses the 5-year schedule of capital improvements.	<p>Amend CIE to be financially feasible</p> <p>Amend CIE to include a 5-year schedule of capital improvements.</p> <p>Amend CIE to require an annual update of the schedule of capital improvements.</p> <p>See EAR, Section 3</p> <p>Amend Recreation and Open Space Element to include any viable waterways in the system of public and private sites for recreation.</p>

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>to include waterways in the comprehensive system of public and private sites for recreation.</p> <p>(11)(d)4.c.: Required rural land stewardship areas to address affordable housing.</p> <p>(11)(d)5.: Required a listed species survey be performed on rural land stewardship receiving area. If any listed species present, must ensure adequate provisions to protect them.</p> <p>(11)(d)6.: Must enact an ordinance establishing a methodology for creation, conveyance, & use of stewardship credits within a rural land stewardship area.</p> <p>(11)(d)6.j.: Revised to allow open space & agricultural land to be just as important as environmentally sensitive land when assigning stewardship credits.</p> <p>(12): Must adopt public school facilities element.</p> <p>(12)(a) & (b): A waiver from providing this element will be allowed under certain circumstances.</p> <p>(12)(g): Expanded list of items to include colocation, location of schools proximate to residential areas, & use of schools as emergency shelters.</p> <p>(12)(h): Required local governments to provide maps depicting the general location of new schools & school improvements within future conditions maps.</p> <p>(12)(i): Required DCA to establish a schedule for adoption of the public school facilities element.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>		<p>See Appendix G</p>

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(12)(j): Established penalty for failure to adopt a public school facility element.</p> <p>(13): (New section) Encourages local governments to develop a “community vision,” which provides for sustainable growth, recognizes its fiscal constraints, & protects its natural resources.</p> <p>(14): (New section) Encourages local governments to develop a “urban service boundary,” which ensures the area is served (or will be served) with adequate public facilities & services over the next 10 years. See s. 163.3184(17).</p>			X		
146	163.31776 is repealed	163.31776 [Now: Repealed]		X		
147	<p>(2): Required the public schools interlocal agreement (if applicable) to address requirements for school concurrency. The opt-out provision at the end of Subsection (2) is deleted.</p> <p>(5): Required Palm Beach County to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.</p> <p>(7): Provided that counties exempted from public school facilities element shall undergo re-evaluation as part of its EAR to determine if they continue to meet exemption criteria.</p>	163.31777	X			
147 .1	Based on Chapter 2005-157 , Laws of Florida (2)(g), the shoreline use component shall address strategies to preserve recreational and commercial working waterfronts as defined in s. 342.07				ROE 1.4.3: The provision of adequate public beach/shore access shall be considered requisite to any and all shoreline development. Public access to identified recreation sites shall be ensured and shall be	

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>(6): Required local government to maintain records to determine whether 110% de minimis transportation impact threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.</p>			X		
<p>(7): Required consultation with the Department of Transportation prior to designating a transportation concurrency management area (to promote infill development) to ensure adequate level-of-service standards are in place. The local government & the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p>			X		
<p>(9)(a): Allowed adoption of a long-term concurrency management system for schools.</p>		X		See the EAR, Section 3	
<p>(9)(c): (New section) Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a long-term concurrency management system.</p>		X			
<p>(9)(d): (New section) Required evaluation in EAR of progress in improving levels of service.</p>			X		
<p>(10): Added requirement that level of service standard for roadway facilities on the Strategic Intermodal System must be consistent with FDOT standards. Standards must consider compatibility with adjacent jurisdictions.</p>		X			Belleair Bluffs is exempt from the PSFE requirement. See Appendix G.
<p>(13): Required school concurrency (not optional).</p>			X		
<p>(13)(c)1.: Requires school concurrency after five years to be applied on a “less than districtwide basis” (e.g., by using school attendance zones, etc).</p>			X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.			X		
(13)(c)3.: No application for development approval may be denied if a less-than-districtwide measurement of school concurrency is used; however the development impacts must be shifted to contiguous service areas with school capacity.			X		
(13)(e): Allowed school concurrency to be satisfied if a developer executes a legally binding commitment to provide mitigation proportionate to the demand.			X		
(13)(e)1.: Enumerated mitigation options for achieving proportionate-share mitigation .			X		
(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must credit this amount toward any impact fee or exaction imposed on the community: <ul style="list-style-type: none"> • contribution of land • construction, expansion, or payment for land acquisition 		X			
(13)(g)2.: (Section deleted) – It is no longer required that a local government & school board base their plans on consistent population projection & share information regarding planned public school facilities, development & redevelopment & infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.			X		
(13)(g)6.a.: [Formerly (13)(g)7.a.] Local governments must establish a uniform procedure for determining if development applications are in compliance with school concurrency .			X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(13)(g)7. [Formerly (13)(g)8.] Deleted language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p> <p>(13)(h): (New 2005 provision) The fact that school concurrency has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p> <p>(15): Prior to adopting Multimodal Transportation Districts, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government & the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p> <p>(16): (New 2005 section) Required local governments to adopt by December 1, 2006 a method for assessing proportionate fair-share mitigation options. FDOT will develop a model ordinance by December 1, 2005.</p>			X		
149	<p>(17): (New 2005 section) If local government has adopted a community vision & urban service boundary, state & regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>(18): (New 2005 section) If a municipality has adopted an urban infill & redevelopment area, state & regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	163.3184	X			
150	<p>(1)(c)1.f.: Allowed approval of residential land use as a small-scale development amendment when the</p>	163.3187		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>proposed density is equal to or less than the existing future land use category. Under certain circumstances affordable housing units are exempt from this limitation.</p> <p>(1)(c)4.: (New 2005 provision) If the small-scale development amendment involves a rural area of critical economic concern, a 20-acre limit applies.</p> <p>(1)(o): (New 2005 provision) An amendment to a rural area of critical economic concern may be approved without regard to the statutory limit on comprehensive plan amendments.</p>		X			
151	<p>(2)(k): Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the EAR whether the local government continues to meet the exemption criteria in s.163.3177(12).</p> <p>(2)(l): The EAR must determine whether the local government has met its various water supply requirements, including development of alternative water supply projects.</p> <p>(2)(o): (New 2005 provision) The EAR must evaluate whether its Multimodal Transportation District has achieved the purpose for which it was created.</p> <p>(2)(p): (New 2005 provision) The EAR must assess methodology for impacts on transportation facilities.</p> <p>(10): The EAR-based amendment must be adopted within a single amendment cycle. Failure to adopt within this cycle results in penalties. Once updated, the comprehensive plan must be submitted to the DCA.</p>	163.3191	X		See EAR Section 3, Plan Element Review	See Appendix G

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
November 22, 1989						
1	Defined availability or available, concurrency, concurrency management system, currently available revenue sources, & public facilities & services. <i>Note: the definition of availability or available was repealed March 23, 1994 & the that for public facilities & services was repealed Feb. 25, 2001.</i>	9J-5.003		X		
2	Required comp plan amendments applicable to the Wekiva River Protection Area to meet requirements of section 369.301, F.S., in addition to meeting compliance requirements of section 163.3184, F.S.	9J-5.005(8)	X			
3	Required local governments to adopt a concurrency management system in their comprehensive plans & established requirements for such systems.	9J-5.0055			Infrastructure Element, Objective 1.1: By 1990, the City of Belleair Bluffs shall implement procedures, in cooperation with its sewage, solid waste and potable water system providers to ensure that development permits are issued only when adequate facility capacity is available to serve the development.	Amend IE Objective 1.1 to revise date.
4	Required the capital improvement element (CIE) to include requirements to ensure an adequate concurrency management system is implemented.	9J-5.016			CIE, Policies 1.3.4 and 1.3.5	
5	Clarified requirements relating to projected revenue sources that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.		X		
April 2, 1992						
6	Defined transportation concurrency management area, transportation demand management, transportation system management, & transportation mobility element. <i>Note: definitions of TCMA & TME were repealed March 23, 1994.</i>	9J-5.003		X		
7	Authorized local governments to establish optional transportation concurrency management areas &	9J-5.0057	X			

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>					
8	Required transportation concurrency management areas to be shown on the future land use map.	9J-5.006(4)(a)		X		
9	Required CIE to ensure concurrency management areas are implemented, if designated.	9J-5.016		X		
March 23, 1994						
10	Defined central business district, coastal area, evaluation & appraisal report, partial evaluation & appraisal report, proposed evaluation & appraisal report, sufficiency review, & very low income family. <i>Note: definition of VLI family repealed March 21, 1999.</i>	9J-5.003		X		
11	Revised definition of coastal high hazard areas & modified definition of coastal area & included the term coastal planning area. <i>Note: the definition of coastal planning area was revised March 21, 1999.</i>	9J-5.003		X	Coastal Conservation Element (CCE), Objective 2.1.1	Update CCE 2.1.1 to include coordination with the most up-to-date regional hurricane evacuation plan.
12	Repealed definitions of availability or available, transportation concurrency management area, & transportation mobility element.	9J-5.003		X		
13	Required local comprehensive plans to include a countywide marina siting plan for participating local governments in the coastal area & intergovernmental coordination processes.	9J-5.005(1)(c)	X			
14	Revised monitoring & evaluation requirements to include a description of the public participation process & components of the evaluation & appraisal process. <i>Note: Revised Feb. 25, 2001.</i>	9J-5.005(7)		X	Monitoring & evaluation procedures	
15	Added procedures for transmittal & review of evaluation & appraisal reports & evaluation & appraisal amendments . <i>Note: Repealed March 21, 1999 & February 25, 2001.</i>	9J-5.0053	X			
16	Revised requirements for the concurrency management system to include provisions regarding level of service standards, & minimum requirements for concurrency,	9J-5.0055			LOS standards provided in R/OS Policy 1.1.1, TCE Objective 1.1, and IE	

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	& authorized local governments to incorporate within their concurrency management system optional long term concurrency management systems, transportation concurrency management areas, transportation concurrency exception areas; concurrency exceptions for projects that promote public transportation, & provisions for private contributions to local government capital improvement planning.				policies 1.1.1, 2.1.1, 2.1.2, and 2.2.1	
17	Repealed provisions authorizing establishment of optional transportation concurrency management areas & providing requirements for such areas.	9J-5.0057		X		
18	Required the future land use element for coastal counties & municipalities that have dredge spoil disposal responsibilities to identify any existing dredge spoil disposal sites & include an analysis of the need for additional dredge spoil disposal sites.	9J-5 .006(1)(f)3 & .006(2)(f)		X	Only applicable if a jurisdiction has disposal responsibilities.	
19	Required the future land use element to include an analysis of proposed development & redevelopment based upon hazard mitigation reports.	9J-5.006(2)(g)				Revise FLUE to include an analysis of proposed development & redevelopment based upon the most recent hazard mitigation report prepared by Pinellas County.
20	Required the future land use element to include objectives encouraging elimination or reduction of uses that are inconsistent with an interagency hazard mitigation report & ensure the availability of dredge spoil disposal sites for coastal counties & cities.	9J-5.006(3)(b)				Amend FLUE to encourage elimination or reduction of uses that are inconsistent with the current local mitigation strategy report.
21	Required policies of the future land use element to designate dredge spoil disposal sites for affected coastal counties & municipalities & establish site selection criteria for future dredge spoil disposal sites.	9J-5.006(3)(c)		X	Policy 1.6.7: Dredge and fill activities shall be conducted only when necessary, as determined after review and comment by the appropriate governmental agencies and interested citizens, and in a manner least harmful to the surrounding environment.	

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
22	Required local governments to adopt the level of service standards established by the Department of Transportation for facilities on the Florida Intrastate Highway System & adopt adequate level of service standards for all other transportation facilities. <i>Note: 9J-5.007 repealed Feb. 20, 1996, & replaced by 9J-5.019.</i>	9J-5.007(3)(c)			TE 1.1 adopts Level of Service "D" for arterial and collector roads.	
23	Required the ports, aviation & related facilities element to include an analysis of the need for additional dredge spoil disposal sites for existing & proposed ports. <i>Note: 9J-5.009 repealed Feb. 20, 1996, & replaced by 9J-5.019, F.A.C.</i>	9J-5.009(2)(c)	X			
24	Required the housing element inventory & analysis to: <ul style="list-style-type: none"> • Use data from the affordable housing needs assessment; • Address housing needs of existing & future residents; • Avoid the concentration of affordable housing; & • Address the needs of very-low income families as well as low & moderate income families. 	9J-5.010(1) & (2)			Inventory and analysis in the Housing Element.	Revise and update housing inventory and analysis to incorporate most current data.
25	Required housing element objectives to address: <ul style="list-style-type: none"> • Housing needs of current & future residents; • Sites & distribution of housing for very-low income & low-income families; & • Use of job training, job creation & economic solutions to address affordable housing concerns. 	9J-5.010(3)			Housing Element Goal 1 addresses housing needs. HE Objective 1.1: The City shall increase the opportunity for all citizens of the City and surrounding areas to purchase or rent decent, safe and sanitary housing which they can afford, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition. Policy 1.1.3: The City shall	Amend the HE to consider economic solutions as developed through strategies to address affordable housing.

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					continue to allow a variety of residential densities and housing types in order to enhance the opportunity for the private sector to provide housing in a wide range of types and costs.	
26	Required coastal management element inventories & analyses to be coordinated with the countywide marina siting plan .	9J-5.012(2)	X			
27	<p>Required coastal management element policies to:</p> <ul style="list-style-type: none"> • Incorporate recommendations from interagency hazard mitigation reports; • Address the relocation, mitigation or replacement of infrastructure within the coastal high-hazard area; • Include criteria consistent with the countywide marina siting plan; & • Include a procedure to resolve inconsistencies between the local comprehensive plan & the deepwater port master plan. 	9J-5.012(3)	X X		<p>CCE 2.1.2: The City shall not support or finance new local transportation corridors which lie within the Coastal High Hazard Area.</p> <p>CCE 2.1.3: The City shall not support sewer and water line extensions or expansions within the Coastal High Hazard Area which will encourage future growth/higher densities in those vulnerable areas.</p> <p>CCE 2.4.5: Special care facilities shall not be located in the Coastal High Hazard Area.</p>	
28	Required affected local governments to incorporate the marina siting plan in the coastal management element.	9J-5.012(4)	X			
29	<p>Required objectives of the intergovernmental coordination element to:</p> <ul style="list-style-type: none"> • Ensure coordination in the designation of new dredge spoil disposal sites; • Involve the navigation & inlet districts, state & federal 	9J-5.015(3)	X X			

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	agencies & the public in identifying dredge spoil disposal sites ; & <ul style="list-style-type: none"> • Resolve conflicts between a coastal local government & a public agency seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process. 		X			
30	Required & established criteria for local governments having all or part of their jurisdiction within the urbanized area of a MPO to prepare & adopt a transportation element which replaces the traffic circulation element, the mass transit element, & the ports, aviation & related facilities element.	9J-5.019				Retitle the TCE to "Transportation Element" and include any amendments needed.
May 18, 1994						
31	Added provisions for settlement of conflicts through compliance agreements .			X		
32	Defined adjusted for family size, adjusted gross income, affordable housing, agency, amendment, clustering, compatibility, composition, density, development, development controls, distribution, environmentally sensitive lands, extent, facility availability, floodprone areas, functional relationship, high recharge area, hurricane vulnerability zone, intensity, manufactured home, moderate income household, natural drainage flow, natural groundwater aquifer recharge areas or natural groundwater recharge areas, new town, pattern, potable water wellfield, purchase of development rights, rural areas, rural village or rural activity center, stormwater basin, stormwater facilities, stormwater management system, suitability, transfer of development rights, urban area, urban sprawl, very low income household, wellhead protection area, & wetlands. <i>Note: the definitions of adjusted for family size, adjusted gross income, development, & high recharge area were repealed & the definitions of affordable housing & wetlands were revised March 21, 1999.</i>	9J-5.003		X		
33	Revised definitions of areas subject to coastal flooding, conservation uses, deepwater ports, estuary, low income	9J-5.003		X		

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	household, mobile home, natural reservations, & oceanic waters.					
34	Revised comprehensive plan content requirements to clarify that the future land use map or map series must be included in the adopted comprehensive plan.	9J-5.005(1)		X	Future Land Use Element	
35	Required all goals, objectives, policies, standards, findings & conclusions of the comp plan & plan amendments to be based upon analysis as well as data, explained the meaning of being based upon data , referenced the DCA's guide to data sources & National Wetland Inventory Maps, & authorized local governments to submit textual portions of their plan or amendment on electronic processing storage media .	9J-5.005(2)		X		
36	Required goals, objectives & policies to establish standards for the use of land & guidelines for land development regulations.	9J-5.005(6)		X		
37	Required plan amendments exempt from the twice-a-year restriction under the development of regional impact provision to be transmitted as required by law & revised adoption by reference requirements. <i>Note: adoption by reference requirements were further revised March 21, 1999.</i>	9J-5.005(8)		X		
38	Authorized local governments to recognize in their comprehensive plans, statutory & common law vested rights .	9J-5.005(8)		X		
39	Required public potable water wells & wellhead protection areas to be shown on existing land use map or map series & provided that educational uses, public buildings & grounds & other public facilities may be shown as one land use category.	9J-5.006(1)		X	There are no public wellfields or wellhead protection areas within Belleair Bluffs.	
40	Required policies of the future land use element to address protection of potable water wellfields by designating appropriate activities & land uses within wellhead protection areas .	9J-5.006(3)	X			
41	Required public potable waterwells, wellhead protection areas, & coastal high hazard areas to be shown on the future land use map & provided that educational uses, public buildings & grounds & other	9J-5.006(4)				Provide future land use map or map series that contains all applicable uses and requirements.

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	public facilities may be shown as one land use category. Provided that if mixed-use categories are used, policies must specify types of land uses allowed, the percentage distribution among the mix of uses or other objective measurement, & the density & intensity of each use.					
42	Provided criteria for reviewing local comprehensive plans & plan amendments for adequacy in discouraging the proliferation of urban sprawl , including indicators of sprawl & measures for evaluating land uses, local conditions, & development controls.	9J-5.006(5)		X		
43	Required the housing element to address housing for moderate income, low income, & very low income households, group homes, foster care facilities, & households with special housing needs, including rural & farmworker housing.	9J-5.010			HE 1.1.5: The City shall provide incentives for private sector development of low-income housing. HE 1.5: Siting for group homes HE 1.5.1: Criteria for location of group homes and foster care facilities. See also #25, in this table	
44	Required the housing element analysis to address the existing housing delivery system.	9J-5.010(2)(e)				Update housing analysis to address the housing delivery system.
45	Required objectives of the housing element to address adequate sites for mobile & manufactured homes .	9J-5 .010(3)(b)3.			HE 1.1.4: Siting for mobile homes in moderate & high density residential areas.	
46	Required policies of the housing element to: <ul style="list-style-type: none"> • Include specific programs & actions to streamline the permitting process & minimize costs & delays for housing; • Establish principles & criteria guiding the location of manufactured homes; • Identify interlocal agreements with nearby local governments to provide affordable housing; & 	9J-5.010(3)(c) 2. 5. 10.			HE 1.1.4: Siting for mobile homes in moderate and high density residential areas. HE 1.1.5: The City shall provide incentives for the private sector development of low income housing by	

Changes to Rule 9J-5, F.A.C., 1989-2001

	Changes to Rule 9J-5, F.A.C., 1989-2001	9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Designate sufficient sites at sufficient densities to accommodate affordable housing. 	11.			<p>offering the waiver of town permitting fees, the reduction of parking requirements, and other incentives as may be specified in the land development regulations.</p> <p>Policy 1.2.1: By 1990, land development regulations shall be adopted,, pursuant to the land use categories established on the Future Land Use Map, which implement this Comprehensive Plan and are based on and consistent with the following residential density categories: sub-policies include density up to 30 units per acre.</p>	Amend FLUE Policy 1.2.1 to revise the date.
47	Required the data & analysis of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to identify major natural drainage features & natural groundwater aquifer recharge areas , including areas identified by the water management district as prime or high groundwater recharge areas .	9J-5.011(1)(g)			<p>SSE 2.1.5: Where necessary, the City shall consider construction of drainage retention areas in the public right-of-way and the use of eminent domain condemnation to acquire property for drainage retention purposes.</p> <p>IE-SSE 2.1.8 coordination of aquifer recharge areas with the water management district.</p>	
48	Required the policies of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to establish water	9J-5.011(2)(c)			IE-SSE 2.1.4: Adopts the standards/programs established in the	

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	quality standards for stormwater recharge.				SWFWMD Tampa Bay S.W.I.M. Plan 1988, and Chapters 17-25, 40D-4, and 40D-40.	
49	Required conservation element to identify & analyze groundwater & important fish or shellfish areas .	9J-5.013(1)			CCE 1.1: As an ongoing objective, the City shall protect the quality and quantity of surface and groundwater. CCE 1.1.6 identifies Clearwater Harbor as an area in need of protection. CCE 1.4.2 requires regulations for land uses which abut shorelines to protect natural habitat including fish.	
50	Required policies of the conservation element to address land uses known to affect adversely the quality & quantity of water sources , including natural groundwater recharge areas, wellhead protection areas & surface waters used as a source of public water supply, & the protection & conservation of wetlands .	9J-5.013(2) & (3)			CCE 1.1.3: Land use regulations adopted by the City shall reference the standards and regulations set forth in the Pinellas Aquatic Preserve Management Plan to protect and enhance the water quality of Clearwater Harbor. CCE 1.4.2 requires regulations for land uses which abut shorelines to protect natural habitat including fish.	
February 20, 1996						
51	Repealed rule requirements for the traffic circulation; mass transit; ports, aviation & related facilities elements.	9J-5.007, 9J-5.008, &		x		

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., & 9J-5.019, F.A.C.</i>	9J-5.009				
52	Repealed rule requirements for the recreation & open space element. <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014		x		
53	Repealed rule requirements for consistency of local government comp plans with Comprehensive Regional Policy Plans & with the State Comprehensive Plan. <i>Note: Local government comp plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan & the State Comprehensive Plan.</i>	9J-5.021		x		
October 20, 1998						
54	Established requirements for the public school facilities element for public school concurrency for local governments that adopt school concurrency.	9J-5.025	X			
March 21, 1999						
55	Defined public transit & stormwater management facilities.	9J-5.003		X		
56	Revised the definitions of affordable housing, coastal planning area, port facility, & wetlands.	9J-5.003		X		
57	Repealed the definitions of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit, paratransit, public facilities, & very low-income family.	9J-5.003		X		
58	Revised provisions relating to adoption by reference into the local comprehensive plan.	9J-5.005(2)(g) & (8)(j)		X		
59	Repealed transmittal requirements for proposed evaluation & appraisal reports, submittal requirements for adopted EARs, criteria for determining the sufficiency of adopted EARs, procedures for adoption of EARs. <i>Note: transmittal requirements for proposed EARs & submittal requirements for adopted EARs were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)		X		
60	Repealed conditions for deminimis impact & referenced conditions in subsection 163.3180(6), F.S.	9J-5 .0055(3)(c)6.		X		

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
61	Required the future land use map to show the transportation concurrency exception area boundaries if designated & it may show areas for possible future municipal incorporation.	9J-5.006(4)(a) & (4)(f)	X			
62	Required objectives of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to address protection of high recharge & prime recharge areas.	9J-5 .011(2)(b)5.	X			
63	Repealed the intergovernmental coordination element process to determine if development proposals would have significant impacts on other local governments or state or regional resources or facilities, & provisions relating to resolution of disputes, modification of development orders, & the rendering of development orders to the DCA	9J-5.015(4)		X		
64	Clarified that local governments not located within the urban area of a MPO are required to adopt a traffic circulation element & that local governments with a population of 50,000 or less are not required to prepare mass transit & ports, aviation & related facilities elements .	9J-5.019(1)		X		
65	Required objectives of the transportation element to: <ul style="list-style-type: none"> • Coordination the siting of new, or expansion of existing ports, airports, or related facilities with the future land use, coastal management, & conservation elements; • Coordination surface transportation access to ports, airports, & related facilities with the traffic circulation system; • Coordination ports, airports, & related facilities plans with plans of other transportation providers; • Ensure that access routes to ports, airports & related facilities are properly integrated with other modes of transportation. 	9J-5.019(4)(b)	X X X			Ports and airports are not located in the city and these changes are not applicable.
66	Required policies of the transportation element to: <ul style="list-style-type: none"> • Provide for safe & convenient on-site traffic flow; • Establish measures for the acquisition & preservation 	9J-5 .019(4)(c)15.			TE 1.2: Traffic circulation planning shall be coordinated with the future	.

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	of public transit rights-of-way & corridors; • Promote ports, airports & related facilities development & expansion ; • Mitigate adverse structural & non-structural impacts from ports, airports & related facilities; • Protect & conserve natural resources within ports, airports & related facilities; • Coordinate intermodal management of surface & water transportation within ports, airports & related facilities; & • Protect ports, airports & related facilities from encroachment of incompatible land uses.		X X X X X		land use map, and roadway rights-of-way needs shall be identified, reserved, or acquired. FLUE Policy 1.1.2 provides for open space, and safe and convenient on-site traffic flow and parking requirements.	
67	Added standards for the review of land development regulations by the DCA.	9J-5.022		X		
68	Added criteria for determining consistency of land development regulations with the comp plan.	9J-5.023		X		
February 25, 2001						
69	Defined "general lanes."	9J-5.003		X		
70	Revised the definition of "marine wetlands."	9J-5.003		X		
71	Repeal the definition of "public facilities & services."	9J-5.003		X		
72	Revised procedures for monitoring, evaluating & appraising implementation of local comp plans.	9J-5.005(7)		X		
73	Repealed requirements for evaluation & appraisal reports & evaluation & appraisal amendments.	9J-5.0053		X		
74	Revised concurrency management system requirements to include provisions for establishment of public school concurrency .	9J-5.005(1) & (2)	X			
75	Authorized local governments to establish multimodal transportation level of service standards & established requirements for multimodal transportation districts .	9J-5.0055(2)(b) & (3)(c)		X		
76	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the	9J-5.0055(2)(c)		X		

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	concurrence of the Dept. of Transportation.					
77	Provide that public transit facilities are not subject to concurrency requirements.	9J-5.0055(8)		X		
78	Authorized local comprehensive plans to permit multi-use developments of regional impact to satisfy the transportation concurrency requirements by payment of a proportionate share contribution .	9J-5.0055(9)		X		
79	Required the future land use map to show multimodal transportation district boundaries, if established.	9J-5.006(4)(a)		X		
80	Authorized local governments to establish multimodal transportation districts &, if established, required local governments to establish design standards for such districts.	9J-5.006(6)		X		
81	Required data for the housing element include a description of substandard dwelling units & repealed the requirement that the housing inventory include a locally determined definition of standard & substandard housing conditions.	9J-5.010(1)(c)			Housing Element Analysis	
82	Authorized local governments to supplement the affordable housing needs assessment with locally generated data & repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)		X		
83	Required the intergovernmental coordination element to include objectives that ensure adoption of interlocal agreements within one year of adoption of the amended ICE & ensure intergovernmental coordination between all affected local governments & the school board for the purpose of establishing requirements for public school concurrency .	9J-5.015(3)(b)5. & 6.	X			Belleair Bluffs is exempt from the PSFE requirement.
84	Required the intergovernmental coordination element to include: <ul style="list-style-type: none"> ● Policies that provide procedures to identify & implement joint planning areas for purposes of annexation, municipal incorporation & joint infrastructure service areas; ● Recognize campus master plan & provide procedures for coordination of the campus master 	9J-5.015(3)(c)		X	ICE 1.1: The City of Belleair Bluffs shall utilize the forum of the Pinellas County Planning Council for the purpose of providing close coordination, evaluation and integration of local comprehensive plans and development proposals.	

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	development agreement; <ul style="list-style-type: none"> • Establish joint processes for collaborative planning & decision-making with other units of local government; • Establish joint processes for collaborative planning & decision making with the school board on population projections & siting of public school facilities; • Establish joint processes for the siting of facilities with countywide significance; & • Adoption of an interlocal agreement for school concurrency. 		X		ICE 1.1.3 identifies the PPC as the forum for annexation plans and their consistency with other plans. ICE 1.2: By 1991, the City shall cooperate with neighboring jurisdictions to develop a means by which levels-of-service standards are coordinated and consistent with neighboring jurisdictions. ICE 1.2.1: The City of Belleair Bluffs shall work with FDOT and the PCATS/MPO as necessary to attain and assure acceptable continued operational level of service for the city's streets.	
85	Required the capital improvements element to include implementation measures that provide a five-year financially feasible public school facilities program that demonstrates the adopted level of service standards will be achieved & maintained & a schedule of capital improvements for multimodal transportation districts , if locally established.	9J-5.016(4)(a)	X			
86	Required the transportation element analysis for multimodal transportation districts to demonstrate that community design elements will reduce vehicle miles of travel & support an integrated, multi-modal transportation system.	9J-5.019(3)	X			
87	Required transportation element objectives for multimodal transportation districts to address provision of a safe, comfortable & attractive pedestrian environment	9J-5.019(4)	X			

Changes to Rule 9J-5, F.A.C., 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	with convenient access to public transportation.					
88	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.019(4)(c)	X			

APPENDIX C

Relevant Changes to the Tampa Bay Regional Planning Council: Strategic Regional Policy Plan

Goal Areas

Changes to the *Strategic Regional Policy Plan* Goals, Objectives, and Policies since Belleair Bluffs' Comprehensive Plan was adopted in 1989 have been reviewed. The major goal areas of the *SRPP* include:

- 1) Affordable Housing
- 2) Economic Development
- 3) Emergency Preparedness
- 4) Natural Resources
- 5) Regional Transportation

Belleair Bluffs' Comprehensive Plan has objectives relating to emergency preparedness, natural resources, and regional transportation goal areas. The primary land use in Belleair Bluffs is residential; the non-residential uses are mainly located along West Bay Drive or Indian Rocks Road. The opportunity in this area will be redevelopment, which the community identified as Issue #2. In order to participate with Pinellas County in the regional issue concerning affordable and workforce housing, this item has been identified as Issue #8 and addressed in the EAR Issues Matrix in Section 2 of this report.

Regionally Significant Resources and Facilities

The *SRPP* identified the following regionally significant resources and facilities within or adjacent to the City:

- 1) Clearwater Harbor

Recommendations

- The City may consider amending the plan to include the waterway as a recreational facility, in addition to existing access points.

APPENDIX D

Public Participation Documentation

1. Letter of Agreement from DCA
2. Issues Letter to DCA
3. Commission Workshop Minutes, November 14, 2005
4. Minutes from City Commission meeting, February 22, 2006
5. LPA and City Commission Public Hearing Minutes of August 21, 2006



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

March 22, 2006

The Honorable Chris Arbutine, Sr.
City of Belleair Bluffs 2747 Sunset
Boulevard Belleair Bluffs, Florida
33770

Dear Mayor Arbutine:

The Department of Community Affairs has reviewed your letter of January 21, 2006 which outlines the scope of work for the preparation of the City's Evaluation and Appraisal Report (EAR). The Department agrees with the summary of the issues as set forth in the attached document. In the EAR, the City should also consider Hurricane Evacuation and Affordable Housing.

In addition to these major issues, the EAR should address the evaluation requirements of sections 163.3191(2)(a)-(p), Florida Statutes, as applicable. The City should be aware of newly enacted legislation (Florida Senate Bill 360, now codified as Chapter 2005-290, Laws of Florida) amending Chapter 163, Part II, Florida Statutes, including the EAR requirements. As of July 1, 2005, all evaluation and appraisal reports must address, as applicable, two new evaluation topics: section 163.3191 (2)(o), F.S., relating to concurrency exception areas, concurrency management areas, and multimodal transportation districts; and section 163.3191(2)(p), F.S. relating to the implementation of the local government's concurrency management system. The new legislation also revised the EAR requirements of section 163.3191 (2)(k), F.S. relating to coordination of the comprehensive plan with existing public schools, and section 163.3191(2)(1), F.S. requiring an evaluation of the success of the local government in identifying and implementing alternative and traditional water supply projects necessary to meet the local government's water supply needs.

In addition, Florida House Bill 955, now codified as Chapter 2005-157, Laws of Florida, revised the requirements of Sections 163.3177 and 163.3178 to require comprehensive plans to include waterways in the comprehensive system of public and private sites for recreation and to include in the Coastal Management Element shoreline component management strategies that

2555 SHUMARD OAK BOULEVARD \$ TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

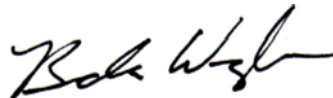
Mayor Chris Arbutine, Sr.
Page 2 of 2 March 22, 2006

will be used to preserve recreational and commercial working waterfronts defined in Section 3421.07, F.S. The EAR should include an evaluation of the City's Plan in relation to these issues and include recommendation for updating the Plan in the EAR-based amendments to address the new requirements.

Two areas requiring attention by the City in the evaluation process are population projections and assessment of the comprehensive plan. The update for population projections should include the 5 and 10 year planning timeframes. The City should use these population projections to forecast the community infrastructure needs for the 5 and 10 year planning timeframes. The EAR should assess the extent to which the City's plan objectives, as related to the major issues, have been achieved. If insufficient progress was made, the EAR should discuss why and either propose actions by the City which should be taken to better achieve to objectives or propose appropriate revisions to the objectives to facilitate their accomplishment, as the case may be. In addition to the evaluation requirements mentioned above, the City should also include a summary of the public participation program and activities undertaken in preparing the EAR (section 163.3191(2)0, F.S.).

The EAR process is an essential component of comprehensive planning for local governments in Florida. The Department wishes to encourage your efforts in carrying out this important evaluation and review process. If you or your staff have any questions or need additional assistance, please contact Erin L. Dorn, Senior Planner, at (850)922-1798.

Sincerely,



Brenda Winningham
Regional Planning Administrator

BW/ed

Enclosure

cc: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council
Brian Smith, AICP, Director, Pinellas County Planning Department
Larry Pflueger, Pinellas Planning Council
Gail Easley, The Gail Easley Company

CITY OF BELLEAIR BLUFFS

2747 Sunset Boulevard
Belleair Bluffs, Florida 33770
Tel. (727) 584-2151
Fax: (727) 584-6175
www.belleairbluffs.org

FEB 27 2006

Mayor:
Chris Arbutine Sr.

Commissioners:
Troy Krotz
Brett C. Nelson
Robert Russo
David M. Shimkus

City Clerk
Debra S. Sullivan, CM

City Attorney
Thomas J. Trask

January 21, 2006

K. Marlene Conaway, Chief of Comprehensive Planning
Florida Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: Letter of Understanding—City of Belleair Bluffs Evaluation & Appraisal Report

Dear Ms. Conaway:

On January 11, 2006, the City participated in a joint scoping meeting with the Pinellas Planning Council, City representatives and members of State and regional agencies. Major issues for inclusion in the Evaluation and Appraisal Report (EAR) were identified in a public workshop held on November 14, 2006, with the Local Planning Agency and interested citizens. Those issues were discussed at the scoping meeting and are presented as follows:

1. Residential Redevelopment
 - Non-Conformities
 - Impervious Surface Ratios
2. Redevelopment of Business Districts
 - Mixed Land Use on Indian Rocks Rd.
 - Impervious Surface Ratios
 - Buffering Setbacks
 - Signage
3. Indian Rocks Road Corridor Plan
 - Evaluate Land Use Categories to implement redevelopment vision and Evaluate existing uses in relation to neighboring use (i.e., CG next to RL)
 - Consistency

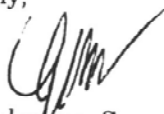
- Street Lighting
 - Trees/landscaping
 - Pedestrian friendly
 - Consider construction [design] and colors
 - Underground utilities
4. Storm Sewer System
 - Replacement of Infrastructure
 5. Intergovernmental Coordination
 - Involve Pinellas County and surrounding cities during budgeting process in order to coordinate capital improvement plans
 - County and State roads
 - Review current interlocal agreements
 - Review current contracts
 - Permitting
 6. Financial Implications
 - Responsibilities attached to any findings in interlocal agreements and contracts
 - Funding Indian Rocks Rd. projects and future corridor plan
 - Funding the EAR and the Comprehensive Plan

The City of Belleair Bluffs proposes that the issues stated above be accepted as the issues around which the City's Comprehensive Plan will be evaluated. Once accepted, the evaluation will focus primarily on these areas of concern. Other recommendations will be provided within the EAR regarding changes needed to meet State laws, address shortcomings of the plan elements, and otherwise update the plan.

Please contact Ms. Gail Easley, FAICP, with The Gail Easley Company if you have any questions or require additional information. Ms. Easley has been retained by the Pinellas Planning Council to provide planning services to Belleair Bluffs and other cities for preparation of the EAR. Her telephone number is 352-795-4920 or she can be reached by email at easleyg@aol.com.

I look forward to receiving your letter of agreement regarding these issues and to coordinate with the Department as we prepare the EAR and update our comprehensive plan.

Sincerely,



Chris Arbutine, Sr.
Mayor, City of Belleair Bluffs

Cc: Gail Easley

City of Belleair Bluffs
COMMISSION WORKSHOP MINUTES
Monday, November 14, 2005
6:00 P.M.

The Belleair Bluffs City Commission held a meeting Monday, November 14, 2005 in the Community meeting room B. The following answered roll call: Mayor Arbutine, Commissioners T. Krotz, B. Nelson, R. Russo, and D. Shimkus. Attorney Trask, City Clerk Sullivan, Director of Public Works R. David, Largo Fire Chief Jeff Bullock, and several residents were also present as staff. The minutes of October 10, 2005 were accepted as written.

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NEW BUSINESS

Evaluation and Appraisal Report for Belleair Bluffs Comprehensive Plan Presentation

Debra Sullivan and Robert David presented the E.A.R. to the commission and residents. Upon completion, there were comments and suggestions from both.

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There being no further commission or resident comments the meeting adjourned at 9:25 P.M.

Respectfully Submitted,

Debra S. Sullivan, CMC
City Clerk

City of Belleair Bluffs
City Commission Regular Meeting Minutes
Wednesday February 22, 2006
7:00 P.M.

The Belleair Bluffs City Commission held a meeting Wednesday, February 22, 2006 at 7:00 pm in Community Room A. The following answered roll call: Mayor Arbutine, Commissioners T. Krotz, B. Nelson, R. Russo and D. Shimkus. Attorney Tom Trask, City Clerk Sullivan, Director of Public Works R. David were present as staff. Several residents were also present. Nancy Smith from the Gail Easley Company was present. The minutes of January 17, 2006 were accepted as written.

.....

Nancy Smith from the Gail Easley Company gave a presentation about the Evaluation and Appraisal Report. She reported on the progress and the continuing upcoming stages. The Letter of Understanding has been completed and requires the signature of the Mayor before it is sent to Florida Department of Community Affairs. Mayor Arbutine asked staff members Sullivan and David if they had approved the letter, which they have. *Approval for signature and mailing of the Letter of Understanding was given by consensus.*

.....

There being no further commission or resident comments the meeting adjourned at 7:43p.m.

Respectfully Submitted,

Debra S. Sullivan, CMC
City Clerk

Excerpt from Unapproved Minutes
City of Belleair Bluffs
REGULAR MEETING MINUTES
August 21, 2006
7:00 P.M.

The Belleair Bluffs City Commission held a meeting Monday, August 21, 2006 at 7:00 p.m. in Community Room A. The following answered roll call: Mayor Arbutine, Commissioners R. Russo and D. Shimkus, T. Krotz and B. Nelson. Attorney Tom Trask, City Clerk Sullivan, Director of Public Works R. David were present as staff. The minutes of July 17, 2006 were accepted.

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SPECIAL PRESENTATION

Presentation of the Evaluation and Appraisal Report (EAR) by the Gail Easley Company

Nancy Smith of the Gail Easley Company presented the EAR to the Commission, explaining the procedures and the content of the EAR. She explained the changes that have been made since the submitted copy was distributed. The EAR document will be amended to reflect the changes.

PUBLIC HEARING - LPA (Local Planning Agency)

PLANNING BOARD'S RECOMMENDATION REGARDING RESOLUTION 2006-11 ADOPTING THE EVALUATION AND APPRASIAL REPORT FOR THE BELLEAIR BLUFF'S COMPREHENSIVE PLAN; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF DCA COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

Planning Board recommendation: Chairman Diller reported a unanimous recommendation from the Planning Board and remarked that it appeared to be a good plan.

Receipt of Planning Board recommendation

A motion was made by Commissioner Krotz to receive and accept the Evaluation and Appraisal Report by the Planning Board as amended which was seconded by Commissioner Russo. Consensus was given to recommend approval from the LPA to the Commission.

The Public Hearing of the LPA was closed.

PUBLIC HEARING – City Commission

RESOLUTION 2006-11 ADOPTING THE EVALUATION AND APPRAISAL REPORT FOR THE BELLEAIR BLUFF'S COMPREHENSIVE PLAN; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF DCA COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES

A motion was made to approve Resolution 2006-11 adopting the Evaluation and Appraisal Report by Commissioner Krotz which was seconded by Commissioner Shimkus.

There being no Commission or public comment roll call was taken:

AYE: Arbutine, Krotz, Nelson, Russo, Shimkus

NEY: None ABSENT: None

.....

There being no further comments the meeting adjourned at 8:24 p.m.

Respectfully Submitted,

Debra S. Sullivan, CMC
City Clerk.

APPENDIX E

Population Table and Methodology

	Census 1990	Census 2000	Census Change 1990-2000	Census % Change 1990-2000	BEBR 2005 Estimate	BEBR Change 2000-05	BEBR % Change 2000-05	Population Change 1990-2005	% Pop. Change 1990-2005	1990 Census % of Pin Co Population	2000 Census % of Pin. Co. Population	2005 BEBR Est % of Pin Co Pop	Pin. Co. 2015 Permanent Pop Projection	Pin. Co. 2030 Permanent Pop Projection	Pin. Co. 2015 Resident Pop Projection	Pin. Co. 2030 Resident Pop Projection	BEBR Medium 2015 Perm Pop Projection	BEBR Medium 2030 Perm Pop Projection											
Local Government																													
Belleair	3,963	4,067	104	2.6%	4,138	71	1.7%	175	4.4%	0.5%	0.4%	0.4%	4,275	4,348	4,628	4,706	4,405	4,756											
Belleair Beach	2,070	1,632	-438	-21.2%	1,619	-13	-0.8%	-451	-21.8%	0.2%	0.2%	0.2%	1,716	1,683	1,857	1,889	1,723	1,861											
Belleair Bluffs	2,234	2,243	9	0.4%	2,257	14	0.6%	23	1.0%	0.3%	0.2%	0.2%	2,358	2,346	2,553	2,596	2,403	2,594											
Belleair Shore	60	75	15	25.0%	72	-3	-4.0%	12	20.0%	0.01%	0.01%	0.01%	79	75	85	87	77	83											
Clearwater	98,784	108,789	10,005	10.1%	110,831	2,042	1.9%	12,047	12.2%	11.6%	11.8%	11.7%	114,360	115,198	123,803	125,891	117,983	127,385											
Dunedin	34,427	35,691	1,264	3.7%	37,426	1,735	4.9%	2,999	8.7%	4.0%	3.9%	3.9%	37,519	38,901	40,617	41,302	39,841	43,016											
Gulfport	11,709	12,527	818	7.0%	12,899	372	3.0%	1,190	10.2%	1.4%	1.4%	1.4%	13,169	13,407	14,256	14,496	13,731	14,826											
Indian Rocks Beach	3,963	5,127	1,164	29.4%	5,311	184	3.6%	1,348	34.0%	0.5%	0.6%	0.6%	5,390	5,520	5,835	5,933	5,654	6,104											
Indian Shores	1,405	1,705	300	21.4%	1,799	94	5.5%	394	28.0%	0.2%	0.2%	0.2%	1,792	1,870	1,940	1,973	1,915	2,068											
Kenneth City	4,345	4,400	55	1.3%	4,544	144	3.3%	199	4.6%	0.5%	0.5%	0.5%	4,625	4,723	5,007	5,092	4,837	5,223											
Largo	65,910	69,371	3,461	5.3%	74,859	5,488	7.9%	8,949	13.6%	7.7%	7.5%	7.9%	72,924	77,809	78,945	80,276	79,689	86,040											
Madeira Beach	4,225	4,511	286	6.8%	4,510	-1	0.0%	285	6.7%	0.5%	0.5%	0.5%	4,610	4,688	5,134	5,220	4,801	5,184											
North Redington Beach	1,135	1,474	339	29.9%	1,487	13	0.9%	352	31.0%	0.1%	0.2%	0.2%	1,549	1,546	1,677	1,706	1,583	1,709											
Oldsmar	8,361	11,910	3,549	42.4%	13,848	1,938	16.3%	5,487	65.6%	1.0%	1.3%	1.5%	12,520	14,394	13,554	13,782	14,742	15,916											
Pinellas Park	43,571	45,658	2,087	4.8%	48,403	2,745	6.0%	4,832	11.1%	5.1%	5.0%	5.1%	47,996	50,310	51,959	52,836	51,526	55,633											
Redington Beach	1,626	1,539	-87	-5.4%	1,545	6	0.4%	-81	-5.0%	0.2%	0.2%	0.2%	1,618	1,606	1,751	1,781	1,645	1,776											
Redington Shores	2,366	2,338	-28	-1.2%	2,357	19	0.8%	-9	-0.4%	0.3%	0.3%	0.2%	2,458	2,450	2,661	2,706	2,509	2,709											
Safety Harbor	15,120	17,203	2,083	13.8%	17,892	689	4.0%	2,772	18.3%	1.8%	1.9%	1.9%	18,084	18,597	19,577	19,907	19,047	20,564											
St. Petersburg	240,318	248,232	7,914	3.3%	253,902	5,670	2.3%	13,584	5.7%	28.2%	26.9%	26.8%	260,945	263,907	282,491	287,255	270,286	291,825											
St. Pete Beach	9,200	9,929	729	7.9%	10,032	103	1.0%	832	9.0%	1.1%	1.1%	1.1%	10,437	10,427	11,299	11,490	10,679	11,530											
Seminole	9,251	10,890	1,639	17.7%	17,944	7,054	64.8%	8,693	94.0%	1.1%	1.2%	1.9%	11,448	18,651	12,393	12,602	19,102	20,624											
South Pasadena	5,644	5,778	134	2.4%	5,836	58	1.0%	192	3.4%	0.7%	0.6%	0.6%	6,074	6,066	6,575	6,686	6,213	6,708											
Tarpon Springs	17,874	21,003	3,129	17.5%	23,660	2,657	12.7%	5,786	32.4%	2.1%	2.3%	2.5%	22,079	24,592	23,902	24,305	25,187	27,194											
Treasure Island	7,266	7,450	184	2.5%	7,514	64	0.9%	248	3.4%	0.9%	0.8%	0.8%	7,832	7,810	8,478	8,621	7,999	8,636											
Unincorporated Pin. Co.	256,832	287,953	31,121	12.1%	283,059	-4,894	-1.7%	26,227	10.2%	30.2%	31.2%	29.9%	302,700	294,213	327,694	333,220	301,324	325,337											
Totals	851,659	921,495	69,836	8.2%	947,744	26,249	2.8%	96,085	11.3%	100.0%	100.0%	100.0%	968,688	985,091	1,048,672	1,066,358	1,008,900	1,089,300											
Population Projections:													Differences Between Pinellas County & BEBR																
2015 Pinellas Co. Permanent Population Projection =						968,688						2015 BEBR Medium =						1,008,900											
2030 Pinellas Co. Permanent Population Projection =						985,091						2015 PC Permanent =						968,688											
2015 Pin. Co. Resident Population (Perm. + Seasonal) =						1,048,672																							
2030 Pin. Co. Resident Population (Perm. + Seasonal) =						1,066,358																							
2015 BEBR Low Projection* =						890,000						* = Florida Statistical Abstract 2005						2030 BEBR Medium =						1,089,300					
2015 BEBR Medium Projection* =						1,008,900												2030 PC Permanent =						985,091					
2015 BEBR High Projection* =						1,132,700																		104,209					
2030 BEBR Low Projection* =						835,700																							
2030 BEBR Medium Projection* =						1,089,300																							
2030 BEBR High Projection* =						1,363,600																							

Population Projection Methodology

Florida Statutes requires counties and municipalities to periodically prepare an evaluation of their comprehensive plans, and the evaluation and appraisal report (EAR) legislation contains certain population-related requirements. Sections 163.3191(2), (2)(a), and (2)(i), F.S., require:

(2) The report shall present an evaluation and assessment of the comprehensive plan and shall contain appropriate statements to update the comprehensive plan, including, but not limited to words, maps, illustrations, or other media related to:

(2)(a) Population growth and changes in land area, including annexation, since the adoption of the original plan or the most recent update amendments.

(2)(i) The identification of any actions or corrective measures...shall include, as appropriate, new population projections....

The discussion below provides options for Pinellas County municipalities to use in order to comply with statutory population assessment requirements.

Data Sources

Four data sources have been employed to develop the methodology: 1. the United States Census from 1990 and 2000; 2. the University of Florida's Bureau of Economic and Business Research (BEBR) 2005 population estimates and BEBR *Florida Statistical Abstract 2005*, and 3. Pinellas County Planning Department "permanent" and "resident" population projections.

Facts and Assumptions

While the Census and BEBR produce county estimates and projections, neither entity produces them for municipalities. And, while Pinellas County produces estimates by census tracts and traffic analysis zones (TAZs), none are currently produced for county municipalities. Thus, because municipal projections are currently lacking, certain facts were determined and assumptions made in order to calculate them.

Facts

First, many of the 24 municipalities in the county are landlocked and it is common for jurisdictions to have contiguous borders. As a result, only about half of the municipalities have the ability to annex unincorporated county land that would result in significant population increases.

Second, the county and municipalities have adopted state-mandated land use plans and those plans give a specific designation to each parcel in the county. Pinellas County is approaching buildout and it has virtually no large-scale “holding zones,” e.g., large tracts of agricultural land. Thus, there are few parcels that could accommodate future development of such a scale that it would produce significant population increases.

Third, mainland municipal population increases will occur largely through redevelopment/infill and the annexation of unincorporated land. The annexations will increase municipal populations, but will not affect countywide population. Many mainland communities have planning areas outlined in Ordinance No. 00-63. As a result, they have the potential to annex areas outside their current boundaries and thereby, increase their populations. The extent of population increases resulting from such annexations can and should be calculated by those communities in order to estimate future municipal populations as accurately as possible.

Fourth, countywide population may increase through large-scale incorporated and unincorporated mainland rezonings that would materially alter the planned-for populations in local comprehensive plans.

It should be noted that the annexations or rezonings that *substantially* increase municipal populations are potential actions that need not play a role in developing the EAR, but should be addressed when preparing EAR-based amendments. The methodology presented here, however, does not take into account any such annexations or large-scale rezonings because their timing and extent are unknown to PPC staff.

Assumptions

In light of the above facts, the following are assumed:

1. Many mainland communities have the opportunity to annex unincorporated land and thus, increase their population over time.
2. The barrier island communities will experience negligible, if any, permanent population increases out to the year 2030.
3. Because of buildout and a totally planned-for county, large population increases over and above those already planned for will be limited if they occur at all.
4. A calculation methodology using the percentage of the total county population residing in each municipality can serve as a starting point for EAR and EAR-based amendment preparation purposes. The calculations can be used as presented or modified as determined appropriate to reflect changes brought about by annexations, rezonings, or redevelopment/infill.

Steps Used in Calculating the Projections

The accompanying spreadsheet contains all relevant data used to calculate the projections including Census, BEBR, and Pinellas County data. [Column G, Rows 32 to 41]

1. The 1990 [Column B] and 2000 [Column C] Census numbers for county municipalities were entered and changes between the two Census numbers [Column D] and the percentage change [Column E] were calculated.
2. The BEBR 2005 [Column F to H] estimates, differences, and percentage of change were calculated.
3. Population change was calculated from 1990 and 2005 [Column I, calculated by adding Columns D and G] and the percentage of change [Column J, calculated by dividing Column I by Column B].
4. The percent of countywide population for each municipality was calculated [Column K] using 1990 Census figures with Belleair Shore having the lowest percentage and St. Petersburg the highest. In addition to 1990, the percentage of county population for each municipality was calculated for 2000 and 2005, [Columns L, Census numbers & M, BEBR numbers] however, only the 2000 percentage [Column L, 2000 Census] was employed to produce the municipal permanent and resident 2015 and 2030 projections. [Note: If different planning periods are employed locally, please contact the PPC for additional data.]
5. BEBR produces only permanent population county projections, but Pinellas County produces both permanent and seasonal projections with the combination of the two called the “resident” population. Depending on local preferences, either Pinellas County permanent [Columns N and O] or resident [permanent plus seasonal] [Columns P and Q] projection numbers can be used. If BEBR medium projection numbers [Columns R and S] are preferred, they can be employed for the EAR and EAR-based amendments.

Recommendation

Pinellas County used their “permanent” population figures for the county EAR that was found sufficient by the Department of Community Affairs. It is the PPC recommendation that it would be appropriate for municipalities to follow the county lead and use those numbers [Columns N and O in the spreadsheet] for local population projections absent a definitive reason for doing otherwise.

APPENDIX F
INDEX TO F.S. 163.3191 REQUIREMENTS

163.3191 Evaluation and appraisal of comprehensive plan.--

(2) The report shall present an evaluation and assessment of the comprehensive plan and shall contain appropriate statements to update the comprehensive plan, including, but not limited to, words, maps, illustrations, or other media, related to:

SUMMARY TABLE	
Chapter 163.3191(2) Requirements	Location in EAR
(a) Population growth and changes in land area, including annexation, since the adoption of the original plan or the most recent update amendments.	Section 1: Assessment
(b) The extent of vacant and developable land.	Section 1: Assessment
(c) The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.	Section 3: Plan Element Review, Infrastructure (IE) and Capital Improvements (CIE) Elements
(d) The location of existing development in relation to the location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth.	Section 1: Assessment
(e) An identification of the major issues for the jurisdiction and, where pertinent, the potential social, economic, and environmental impacts.	Section 2: Issues
(f) Relevant changes to the state comprehensive plan, the requirements of this part, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan since the adoption of the original plan or the most recent evaluation and appraisal report update amendments.	Section 4: Summary of Recommendations Appendix A, Table 163 Changes; Appendix B, Table 9J-5; and Appendix C, SRPP
(g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved. The report shall include, as appropriate, an identification as to whether unforeseen or	Section 2: Issues

SUMMARY TABLE	
Chapter 163.3191(2) Requirements	Location in EAR
unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element and the social, economic, and environmental impacts of the issue.	
(h) A brief assessment of successes and shortcomings related to each element of the plan.	Section 3: Plan Element Review
(i) The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element. This paragraph shall not require the submittal of the plan amendments with the evaluation and appraisal report.	Section 4: Summary of Recommendations
(j) A summary of the public participation program and activities undertaken by the local government in preparing the report.	Section 1: Assessment
(k) The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s. 1013.35. The assessment shall address, where relevant,	
<ul style="list-style-type: none"> ▪ The success or failure of the coordination of the future land use map and associated planned residential development with public schools and their capacities, as well as the joint decision-making processes engaged in by the local government and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities. 	Not applicable. There are no schools in Belleair Bluffs.

SUMMARY TABLE	
Chapter 163.3191(2) Requirements	Location in EAR
<ul style="list-style-type: none"> ▪ For those counties or municipalities that do not have a public schools interlocal agreement or public school facilities element, the assessment shall determine whether the local government continues to meet the criteria of s. 163.3177(12). 	Appendix G
<ul style="list-style-type: none"> ▪ If the county or municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments pursuant to the requirements of the public school facilities element, and enter into the existing interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777 in order to fully participate in the school concurrency system. 	Section 4: Summary of Recommendations
(l) The extent to which the local government has been successful in identifying	
<ul style="list-style-type: none"> ▪ Alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s. 373.0361(2)(a) within the local government's jurisdiction. 	Not applicable. See Section 3, Plan Element Review, Infrastructure Element (IE).
<ul style="list-style-type: none"> ▪ The report must evaluate the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the element as necessary to serve existing and new development. 	Not applicable. See Section 3, Plan Element Review, IE.
(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area,	
<ul style="list-style-type: none"> ▪ An evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations. 	Section 3: Plan Element Review, Coastal Conservation Element (CCE)

SUMMARY TABLE	
Chapter 163.3191(2) Requirements	Location in EAR
<ul style="list-style-type: none"> ▪ The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment. 	Section 3: Plan Element Review, CCE
(n) An assessment of whether the criteria adopted pursuant to s. 163.3177(6)(a) were successful in achieving compatibility with military installations.	Not applicable
(o) The extent to which a concurrency exception area designated pursuant to s. 163.3180(5), a concurrency management area designated pursuant to s. 163.3180(7), or a multimodal transportation district designated pursuant to s. 163.3180(15) has achieved the purpose for which it was created and otherwise complies with the provisions of s. 163.3180.	Not applicable
(p) An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to s. 163.3180(10).	The Metropolitan Planning Organization (MPO) has developed a common methodology for measuring impacts on transportation facilities within Pinellas County and all its municipalities for a coordinated approach in the implementation of concurrency management systems. Amend the plan, as necessary, to recognize this methodology and to provide for its use in applicable situations.
Section 163.3180 (9)(d): (New section) Required evaluation in EAR of progress in improving levels of service.	Section 3: Plan Element Review, IE

APPENDIX G

PSFE Letter of Exemption



PINELLAS COUNTY
SCHOOLS

Received

MAY 26 2006

Pinellas Planning
Council

WALTER
POWNALL
SERVICE CENTER

11111 S. Belcher Road
Largo, Florida 33773
(727)541-3526

Gordon Beardslee
General Planning Administrator
Pinellas County Planning Department
6000 Cleveland Street, Suite 750
Clearwater, FL 33755

Dear Mr. Beardslee:

School Board of
Pinellas
County, Florida

Chairperson
Carol J Cook

Vice Chairperson
Mary L. Tyus
Brown

Nancy N. Bosrock
Janet R. Clark
Jane Gallucci
Linda S.
Lerner
Mary L
Russell

Superintendent
Dr. Clayton M.
Wilcox

This will confirm that School District staff has reviewed the methodology and information used to determine exemption status for the Pinellas County jurisdictions listed below, and that the School District concurs that these jurisdictions are exempt from the need for a public school facilities' element.

Jurisdictional Exemptions

Belleair
Belleair Beach
Belleair Bluffs
Belliear Shores
Kenneth City
Indian Rocks Beach
Indian Shores
South Pasadena
North Redington Beach
Redington Beach
Redington Shores
Treasure Island

As discussed, we are in the process of confirming eligibility for Kenneth City and Redington Shores due to their residential annexations and subsequent development orders. In addition we are in the process of confirming enrollment numbers for South Pasadena's eligibility.

Feel free to contact me if you need any additional information.

Sincerely,

Stephen Fairchild
Real Property/Facilities Specialist

Cc: Frank Frail, Educational Specifications Specialist
Jim Miller, Director, Real Property
Jim Robinson, School Board Attorney
Tony Dzielski, Director, Transportation
Marshall Touchton, Demographic Specialist
Jim Underhill, Planning Specialist
Jim Madden, Director, Unitary Status

Sft06/ExemptionLetter

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_____. "Table DP-2. Profile of Selected Social Characteristics: 2000."

_____. "Table DP-3. Profile of Selected Economic Characteristics: 2000."

_____. "Table DP-4. Profile of Selected Housing Characteristics: 2000."