

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, MARCH 9, 2009
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Sharen Jarzen, Chairman	City of Seminole
Gordon Beardslee	Pinellas County
Dean Neal	City of Pinellas Park
Bob Jarzen	City of Largo
Danny Taylor	City of Indian Rocks Beach
Fred Metcalf	City of Gulfport
Catherine Porter	City of Clearwater
Marie Dauphinais	City of Oldsmar
Greg Rice	City of Dunedin
Ron Rinzivillo	City of Safety Harbor
Rick MacAulay	City of St. Petersburg
Renea Vincent	City of Tarpon Springs
Marshall Touchton	Pinellas County School Board, Ex Officio Member

Also Present:

David Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Linda Fisher	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Christopher Mettler	Pinellas Planning Council
Willie L. Brown, Jr.	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

PAC Chairman Sharen Jarzen called the meeting to order at 1:30 P.M.

Minutes – Chairman Jarzen asked if there were any comments or corrections to be made to the minutes of the February 9, 2009 Planners Advisory Committee (PAC) meeting. There being none, Dean Neal moved to approve the minutes; the motion was seconded by Catherine Porter and carried (vote 10-0).

Review of PPC Agenda for March 18, 2009 Meeting – Received.

Countywide Planning Authority (CPA) Actions – February 17, 2009 - Mr. Crawford reported the Board approved Case CW 09-01, a City of St. Pete Beach amendment from Residential Low Medium to Residential High with Resort Facilities Overlay and that the approval was subject to development agreements which were signed and made a part of the record. Mr. Crawford further reported that the second public hearing on the proposed amendment of the Countywide Rules regarding Consistency was held on February 17, 2009, resulting in approval by the Countywide Planning Authority.

Annexation Report – February 2009 – Michael Schoderbock summarized the report on voluntary annexations for the month of February as follows:

He stated that the Council received a total of eleven (11) voluntary annexation petitions in February from the cities of Clearwater, Dunedin, Largo and Pinellas Park. The proposed annexations contain nine residential uses and two vacant parcels. The proposed annexations totaled 19.1 acres and approximately \$1.6 million in taxable value. Total Municipal Service Taxing Unit revenues from the \$1.9 million of taxable value are \$3,262 using the 2008/09 fiscal year tax rate. It was estimated that about 17 residents will be affected by a change in jurisdiction. Annexation of five of the eleven parcels will reduce five enclaves in the county by 7.55 acres.

Ability to Serve Report No. 09-1: City of Largo – Michael Schoderbock presented Council staff findings relative to the Florida Power Property located west of US Highway 19, south of Belleair Road, and generally west of Largo's current boundaries. He noted this is referred to by the City as the Florida Power Property Voluntary Annexation; that the area consists of one parcel designated Transportation/Utility and Preservation on the Countywide Plan Map and a portion of Allen's Creek; that the existing use is a power transmission corridor; and the total area is approximately 11.8 acres in size, consisting of a 10.5-acre parcel and a 1.4-acre portion of Allen's Creek. He stated that the staff has completed a review of this voluntary annexation for the purposes of tracking annexations in the County.

Council staff found that the subject area is located within an established planning area pursuant to Chapter 163, F.S.; that it will not create any enclaves; that the City has the ability to provide water, sewer, solid waste, law enforcement fire, EMS, recreation, and library services through city departments, county services, or private contractors; and that the existing service district boundaries will not change.

Mr. Schoderbock pointed out that the area is a large utility transmission line so that in actuality there are no services rendered but they are available.

After full presentation of the report, Mr. Schoderbock stated that the Council staff recommends adopting a finding that the City of Largo has the ability to provide municipal services to this area and recommends this finding be transmitted to the City of Largo.

Gordon Beardslee questioned a section on the map as to whether it created a pocket; after discussion he indicated he will take another look at it.

Renea Vincent moved to approve staff recommendation; the motion was seconded by Dean Neal and carried (vote 10-0).

Countywide Rule Amendment Follow-up Re: Coastal Areas – Mr. Crawford provided background on this item and noted that this memo is in response to additional questions and concerns raised by the Council and PAC in February relative to the Coastal High Hazard Area (CHHA) and Coastal Storm Area (CSA) concept. He noted that the Countywide Rules essentially paralleled the previous State definition and that as part of the consistency

ordinance approved by the CPA on February 17, the CHHA definition in the Rules was amended to be the same area identified in the new State definition.

Mr. Crawford stated that in looking at the CHHA versus CSA, staff has prepared a series of maps showing what areas are impacted. He provided two examples indicating the difference between CSA and the state-defined CHHA, which is essentially the area inundated by a Category 1 storm surge. The examples were from the City of Tarpon Springs (with surrounding unincorporated area), and the City of Indian Rocks Beach. He then provided the PAC with the number of acres covered by the CHHA and CSA as well as the percentage of each area covered relative to the city limits. He stated that mapping has been completed for all communities and can be provided upon request.

Marie Dauphinais and Ron Rinzivillo entered the meeting at this time.

Mr. Crawford referred to two questions raised last month regarding the re-running of the SLOSH model (Sea, Lake and Overland Surges from Hurricanes) and the potential for a new CHHA definition from the state. Staff spoke to Betty Johnson at the TBRPC and was informed that the National Hurricane Center is expecting to rerun SLOSH this month after receiving reworked topographical data (referred to as LiDAR). Ms. Johnson indicated that it was unlikely that there would be any significant overall changes to the areas impacted in Pinellas County. In addition, she has seen nothing yet as far as a new definition for the CHHA from the State and did not expect a new definition. Mr. Crawford stated the State Division of Emergency Management had looked at the definition that was adopted in 2006 as applied through the SLOSH model output and were concerned that there were pockets of land, for example on the barrier islands, that were left out and were likely in need of consideration.

Mr. Crawford stated that last month the Council had asked for information as to possible effects of the CHHA and CSA on flood insurance rates and coverage. He pointed out that he and Mr. Healey have been researching this issue and there appear to be two main components to the answer: Federal Emergency Management Agency (FEMA) and the Flood Insurance Rate Maps (FIRM) they produce. These maps delineate flood prone areas based on elevation in relationship to the potential for flooding (coastal or otherwise) and are the basis for any requirement for flood insurance. The cost of this insurance can be influenced by the Community Rating System which establishes a rating for each participating local government based on set criteria that reflect the measures taken to prevent or mitigate flooding in that community; and the Citizens Wind Pool that establishes a directory of specific addresses which are eligible to obtain wind damage coverage from Citizens Insurance Company.

Mr. Crawford stated that based on the best information to date that no one can definitively say that the CHHA or CSA properties could never be affected by such designation, but that they are not presently a determinant for insurance eligibility or cost. He also stated that it is unlikely that they will ever be, but that there are no absolutes.

Mr. Crawford then discussed the criteria that identified what areas were included in the CSA. He stated that last month staff had determined that the criterion that involved inundation of 20% or more of a parcel was not included in staff's proposal, but that since then had determined that it should be included. This would avoid confusion between what the County and a number of other communities adopted and would take into account some of the SLOSH model anomalies.

Mr. Crawford then provided the PAC a hand-out that contained the number of acres and percentages of the areas covered by the CHHA, the CSA, and the Evacuation Level A. He concluded that the CHHA was the smallest area at almost 21,000 acres of the county, the CSA with approximately 29,000, and the Evacuation Level A covering 31,600 acres. The percentages of the county were 11.6%, 15.9%, and 17.5% respectively. He also pointed out a few jurisdictions and their respective acreages and percentage of coverage.

Mr. Crawford stated that Rick MacAulay had asked how many jurisdictions had adopted the CSA concept and directed the PAC to look at page 4 of the staff memorandum. He then shared the results of the table on that page with the PAC. Additionally, he stated that staff contacted other jurisdictions in the Tampa Bay area to determine what course of action they took - also outlined on page 4 of the staff report.

In conclusion, Mr. Crawford stated that there are essentially three main options the Council may consider in making its policy decision about how to best address this issue. He asked for a recommendation from PAC and said that they could use one of the three or come up with one of their own. The options presented were:

- Maintain and utilize the state definition of CHHA that was adopted in the Countywide Rules by the CPA on February 17 and maintain existing criteria;
- Await the outcome of the re-run SLOSH model as well as any potential amendments to the State CHHA definition that may or may not be forthcoming prior to considering any change; or
- Add the definition of CSA to be utilized for the purpose of the plan map amendment review and revise the existing criteria to reflect same as well as the revised language relative to an affirmative determination.

Dean Neal inquired about the fundamental planning process – and stated that the greater public good had not been quantified or identified in what was being proposed and that we were removing a tool that could be used to redevelop the areas of the county that were at risk.

Renea Vincent indicated a need for some differentiation in looking at density vs. intensity as it would help her in the City's redevelopment efforts. In response, Gordon Beardslee stated they agree and would suggest that this issue be addressed, possibly have a lower threshold for a review that involves increases in intensity.

Rick MacAulay stated he believes it is important to accommodate redevelopment in a built-out county; however, St. Petersburg has indicated concerns during the consistency process

and this item was pulled out of the package for further consideration. He noted that all 25 jurisdictions had to adopt the state definition at a minimum. The City of St. Petersburg's attorney's office submitted comments which were included in PAC members' agenda (copy attached). He stated that one of the hallmarks of our process is that local governments can always be more restrictive, but this is amending the Countywide Rules to be more restrictive than the CHHA; and that by amending the Rules to create the CSA concept, it takes away the right of the City of St. Petersburg to make that decision and therefore the Rules make the decision for us. Mr. Crawford noted that there are areas where the Countywide process is more restrictive, such as with the Scenic Non-Commercial Corridor and Industrial Lands criteria where countywide issues are addressed. He noted that it is not unusual for us to do so from a countywide perspective.

Discussion continued with regard to changes in the Rules that would subject map amendments to additional criteria and scrutiny, with Mr. MacAulay pointing out that the Florida Department of Community Affairs (FDCA) has already indicated to St. Petersburg that they won't allow more density through the use of the Countywide Rule criteria in the local plan.

Mr. Healey stated that we have adopted this for our purposes in the Countywide Rules; that he understands the state may maintain a more restrictive stance. Renea Vincent stated it would be helpful to have some backing with FDCA; to get some recognition that we are taking a more comprehensive look in at this issue in Pinellas County through the countywide planning process.

Mr. Healey noted that if there is unanimity of approach, there may be a better chance of having a set of balancing criteria approved; that over the last three years there are numerous examples of plan map amendments that we have approved and that were approved at the local level in the CHHA.

Rick MacAulay inquired as to when the CHHA definition was changed in 2006, does the PPC staff have a feel for the number of amendments that have been within the CSA to which Mr. Healey stated we are in process of gathering that information.

Mr. Beardslee stated that with regard to the 20% rule, the County applied it to the velocity zone and not just the CHHA.

Discussion followed with regard to evacuation model to which Ms. Fisher stated that the Tampa Bay Regional Planning Council (TBRPC) has a model which was prepared by consultants for TBRPC and referred interested parties to Ms. Johnson.

Mr. Beardslee stated that with respect to the 20% rule, there is a little more flexibility with regard to parcels greater than 5 acres in that the property could be surveyed by the applicant to determine exactly where the area to be inundated during a Category 1 storm lies, which would allow more opportunity to cluster on the uplands portion of these larger parcels. The County used this for instance with the Bayside Reserve project. Mr. Healey noted that the recommended draft took this a step further by allowing all parcels to have such an option.

Rick MacAulay moved that the CHHA definition remain in the Countywide Rules as it was recently adopted on February 17th (parallel with the state's definition), and that the matter of CSA be deferred until the outcome of the new SLOSH model and any new CHHA definition from that State (Options #1 and #2). The motion was seconded by Catherine Porter. The motion failed 6-6 (in favor: Clearwater, Tarpon Springs, St. Petersburg, Pinellas Park, Oldsmar and Safety Harbor; opposed: Seminole, Largo, Indian Rocks Beach, Pinellas County, Dunedin, Gulfport).

Gordon Beardslee moved to recommend that the Countywide Rule amendments proceed with consideration of the definition of CSA, and the Rule changes associated with that be implemented (Option #3), and to include distinction between review criteria for increases in density vs. intensity; the motion was seconded by Renea Vincent and carried (vote 8-4 with representatives of Clearwater, St. Petersburg, Oldsmar and Safety Harbor opposing).

Consistency – Status Report/Update – Mr. Mettler provided background relating to this item and stated that on February 17, 2009, the CPA adopted Ordinance No. 09-9 amending the Rules to address consistency issues. One of the amendments to the Rules requires the Council staff to provide local governments with a copy of any amendments to the Rules, with suggested modifications to local plans and codes that may be appropriate, if any, to be performed within one year, to maintain consistency with the Rules. By March 11, 2009, the Council staff will have forwarded copies of the adopted ordinance to each of the local jurisdictions with a summary of matters addressed in the ordinance.

He further indicated that individual follow-up letters will be sent to each community relative to remaining consistency issues.

Also he noted that this is the 5th ordinance amending the Rules since the last printing in 2007; and that by the end of June, the Rules will be updated, printed, and forwarded to the jurisdictions.

Mapping Technology Enhancement – Status Report – Ms. Fisher reported that the PPC is upgrading and modernizing the maps we are legally responsible for maintaining, such as the Countywide Future Land Use Plan Map and the Scenic Non-Commercial Corridor Map. Historically, all PPC mapping operations have been performed by the Pinellas County Property Appraiser's Office (PAO), using an older, proprietary software program called MEDIT. However, the PAO has recently converted its own mapping data to geographic information system (GIS) format, and will no longer be supporting MEDIT after the end of this fiscal year.

She stated that in order to address this issue, maintain compatibility with PAO mapping data, and bring our capabilities in line with the Pinellas County Planning Department and other county departments and agencies, the PPC is also converting our maps to the GIS format. The change will allow data to be shared more freely between the PPC and other entities, maximizing efficiency. In addition, moving away from the proprietary PAO software will

allow PPC staff direct control over mapping and data operations, reducing or eliminating the need to contract with other parties for these services.

Following the conversion, which will be completed within the coming months, all PPC mapping data will be maintained in-house by staff. This will allow the efficient production of maps needed for our regular activities, such as monthly plan amendment case maps, yearly updates of the Countywide Plan Map to be distributed to local governments, and maps associated with countywide planning studies and local assistance projects. Staff will be able to catalog and analyze land use data, both for countywide planning purposes and to assist local governments as needed. Finally, the PPC will be able to produce searchable maps in electronic form, such as on CD and on our web site, and make them available to local governments and the public.

Discussion followed with regard to parcel splitting, concurrency issues, and the School District student counts.

Survey of Cities Re: Council Assistance

Ms. Fisher stated that the Council is being asked to consider a member local governments survey to determine ways to improve and refine services offered by the Council; that with the public sector facing budgetary cutbacks, it is even more important to determine how the Council can most efficiently and effectively provide planning assistance to local governments; and accordingly staff is proposing an updated survey this year, with a particular focus on local assistance.

Ms. Fisher stated the last survey was done in 2004 and that the EARs and EAR-based amendment process are coming to a close. Staff is requesting input on where local jurisdictions would like the PPC staff focus to be and requested PAC input prior to the Council discussion.

The PAC members provided a couple of additional suggestions for local assistance and staff indicated that they would take those into consideration.

Other PAC Business: None.

There being no further business, the PAC adjourned at 3:07 P.M.

Respectfully submitted,

David P. Healey, Executive Director