

MINUTES OF THE MEETING OF THE
PINELLAS PLANNING COUNCIL
February 21, 2001

The Pinellas Planning Council met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:05 A.M. with the following members present:

Nadine Nickeson, Vice-Chairman, City of Safety Harbor Vice-Mayor
Janet Henderson, Secretary, City of Dunedin Commissioner
Frank DiDonato, City of Tarpon Springs Mayor
Robert DiNicola, City of Indian Rocks Beach Mayor
Bill Foster, City of St. Petersburg Councilmember
Max R. Gessner, Pinellas County School Board Member
Calvin D. Harris, Pinellas County Commissioner
Ed Hart, City of Clearwater Commissioner
Robert Jackson, City of Largo Mayor
William B. "Bill" Smith, Town of Kenneth City Mayor
David Tilki, City of Oldsmar Councilmember

Absent:

Thomas DeCesare, Chairman, City of Madeira Beach Mayor
Chuck Williams, Treasurer, City of Pinellas Park Councilmember

Also Present:

David P. Healey, Executive Director, Pinellas Planning Council (PPC)
Jewel White Cole, Senior Assistant County Attorney
April Collins, PPC Staff
Michael Crawford, PPC Staff
Larry Pflueger, PPC Staff
Other interested individuals
Helen Groves, Board Reporter

AGENDA

- I. CALL TO ORDER/ROLL CALL
- II. INVOCATION AND PLEDGE
- III. CONSENT AGENDA
 - A. Minutes of January 17, 2001 Meeting
 - B. Financial Statement for January 2001
- IV. REPORTS AND OTHER ACTION
 - A. Countywide Planning Authority Actions - January
 - B. Annexation Report - January
 - C. Countywide Plan Update
- V. PUBLIC HEARING - To begin at 9:30 A.M. or as soon thereafter as agenda permits.
 - A. Public Hearing Format Announcement and Oath
 - B. Proposed Amendments to the Countywide Future Land Use Plan
 - Group 1: Subthreshold Amendments
 - 1. Case #CW 01-7: Pinellas County
 - 2. Case #CW 01-9: St. Petersburg
 - Group 2: Regular Amendments
 - 3. Case #CW 01-8: Pinellas County
 - C. Rule Amendment Re: Transient Accommodation Use
- VI. EXECUTIVE DIRECTOR ITEMS
 - A. Amendment of PAC Bylaws Re: Quorum
 - B. State Growth Management Study Commission Report
 - C. Preliminary March Agenda
 - D. Verbal Reports
- VII. OTHER COUNCIL BUSINESS
 - A. Chairman/Member Items
 - B. Correspondence
- VIII. ADJOURNMENT

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CALL TO ORDER

Vice-Chairman Nickeson called the meeting to order at 9:05 A.M. and pursuant to her request, a roll call was taken.

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INVOCATION AND PLEDGE

The Invocation was given by Commissioner Harris, following which he led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Commissioner Henderson moved, seconded by Commissioner Harris and carried, that the Consent Agenda, consisting of Item III, A and B, be approved as follows:

A. Approval of Minutes

Minutes of the regular meeting of January 17, 2001.

B. Financial Statement for January 2001

The subject financial statement was filed for audit.

REPORTS AND OTHER ACTION

A. Report on Countywide Planning Authority (CPA) Actions - January - Received

Mr. Healey reported that the Countywide Planning Authority (CPA) had approved Council's recommendations on the cases heard at the December meeting.

B. Annexation Report - January - Received

Mr. Healey reported that the 20 voluntary annexation petitions reviewed during January complied with Ordinance No. 00-63; whereupon, Mr. Crawford reviewed the acreage of each petition and indicated that the information would be added to the monthly reports.

C. Countywide Plan Update - Reviewed and Discussed

Mr. Healey related that the present Countywide Plan and Rules were adopted in

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1989, and in 1993 the CPA and the PPC adopted a joint resolution limiting the scope of the Plan to the areas of land use and intergovernmental coordination.

Mr. Pflueger reviewed a list of issues and focus items derived from interviews with Planners Advisory Committee (PAC) members and outlined the Countywide Plan format; whereupon, he led a discussion regarding the County's established development pattern.

PUBLIC HEARINGS

A. Public Hearing Format Announcement and Oath

Upon request by Vice-Chairman Nickeson, all persons planning to give testimony were duly sworn by the Board Reporter.

B. Proposed Amendments to the Countywide Future Land Use Plan

GROUP 1: SUBTHRESHOLD AMENDMENTS

PUBLIC HEARING: CASE #CW 01-7, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO COMMERCIAL GENERAL - OFFICIALLY ACCEPTED

Pursuant to legal notice published in the February 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case #CW 01-7, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Urban to Commercial General, re 0.18 acres located 427 feet east of Park Street, 165 feet south of 48th Avenue North.

Mr. Healey indicated that staff recommends approval; and that the matter is properly before the Council for official acceptance.

No one appeared in response to the Vice-Chairman's call for persons wishing to be heard; whereupon, she directed that the public hearing be closed.

Commissioner Harris moved, seconded by Commissioner Henderson and carried,

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that Case #CW 01-7 be officially accepted (Vote 11-0).

PUBLIC HEARING: CASE #CW 01-9, PROPOSAL BY CITY OF ST. PETERSBURG TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL URBAN TO RESIDENTIAL/OFFICE GENERAL - OFFICIALLY ACCEPTED

Pursuant to legal notice published in the February 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case #CW 01-9, a proposal by the City of St. Petersburg to amend the Countywide Future Land Use Plan from Residential Urban to Residential/Office General, re 0.23 acre located on the northeast corner of 40th Avenue North and 16th Street North.

Mr. Healey indicated that staff recommends approval; and that the matter is properly before the Council for official acceptance.

No one appeared in response to the Vice-Chairman's call for persons wishing to be heard; whereupon, she directed that the public hearing be closed.

Commissioner Harris moved, seconded by Commissioner Henderson and carried, that Case #CW 01-9 be officially accepted (Vote 11-0).

GROUP 2: REGULAR AMENDMENTS

PUBLIC HEARING: CASE #CW 01-8, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM INSTITUTIONAL TO RESIDENTIAL/OFFICE LIMITED - APPROVED

Pursuant to legal notice published in the February 3, 2001 issue of the Pinellas edition of The Tampa Tribune as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case #CW 01-8, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from Institutional to Residential/Office Limited, re 1.28 acres located on the south side of S.R. 580, 500 feet west of Countryside Boulevard.

Mr. Crawford displayed photographs of the property and presented the staff report, including background information and planning considerations, which has been filed and

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made a part of the record, and stated that a medical office is planned for the site and will have no adverse impact although the site is an enclave adjacent to the City of Clearwater; whereupon, following discussion and in response to query by Mayor Jackson, Vice-Chairman Nickeson noted that the City of Clearwater was represented when the item was heard by PAC and the vote was 13-0 in support.

Timothy J. Kerwin, Tracker Corp., A Florida Corp., indicated that the City of Clearwater had been consulted and the City's planner had recommended the planning change to the Pinellas County staff.

In response to query by Mr. Gessner, Pinellas County Zoning Program Manager John Cueva indicated that the zoning designation limits the building height to 20 feet.

No one appeared in response to the Vice-Chairman's call for persons wishing to be heard; whereupon, she directed that the public hearing be closed.

Commissioner Hart moved, seconded by Councilmember Foster and carried, that Case #CW 01-8 be approved (Vote 11-0).

PUBLIC HEARING: PROPOSED RULE AMENDMENT RE TRANSIENT ACCOMMODATION USE - PPC RESOLUTION NO. 01-2 ADOPTED APPROVING ORDINANCE (EXHIBIT 1) AND RECOMMENDING APPROVAL OF SAID AMENDMENT BY BOARD OF COUNTY COMMISSIONERS ACTING IN THEIR CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY

Mr. Healey presented a staff report including backup information and noted changes and additions in the draft ordinance (Exhibit 1), copies of which have been filed and made a part of the record, noting that the proposed amendment would redefine transient accommodation use to mean one that is offered for a term of less than one month more than three times per year.

Commissioner Harris requested that the affect of the change on water usage be more clearly defined before being sent to the Board of County Commissioners for its consideration; whereupon, Mr. Healey stated that the change would not impact water usage.

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In response to queries by the members, Mr. Healey indicated that the individual cities would be responsible for any grandfathering issues; that he would research whether there would be an impact on schools that run camps or boarding schools and report back to the Council; and that houses which are rented for less than 30 days, more than three times a year, are considered transient accommodation units.

In response to the Chairman's call for persons wishing to be heard, Emily Rogers Coeyman, St. Petersburg, appeared and stated her concerns.

Responding to Ms. Coeyman's concerns, Mr. Healey stated that the occupational license is a function of each local government; that the lease governs the rental period; and that the resort tax applies to any unit rented for less than six months.

Pinellas County General Planning Administrator Gordon R. Beardslee reiterated the need for clarification and confirmation of the impact the change would have on water usage and sewer facilities.

Commissioner Hart moved, seconded by Councilmember Foster, that Resolution No. 01-2 and its accompanying ordinance be approved for forwarding to the CPA (Vote 11-0).

EXECUTIVE DIRECTOR ITEMS

A. Amendment of PAC Bylaws Re: Quorum - Approved

Mr. Healey recommended approval of an amendment to the PAC Bylaws, changing the quorum from seven to eight; whereupon, School Board Member Gessner moved, seconded by Commissioner Henderson and carried, that the amendment be approved (Vote 11-0).

B. State Growth Management Study Commission Report - Received and Discussed; Special Work Session Authorized, Date to be Determined

Mr. Pflueger reviewed and evaluated Florida's Growth Management Study Commission Final Draft Report and Recommendations (Report No. 5), noting that the general concept appears valid and potentially beneficial, but the difficulty will be in translating the philosophy

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and theory into manageable implementation techniques and practical applications; and in the ensuing discussion, the following concerns were among those raised:

- ! Cost and benefits accounting system (calculation of cost, revenues and long-term maintenance obligations).
- ! Grading of local governments by State on cumulative impact of local planning decisions with State incentives tied to performance score.
- ! Regional Planning Councils (non-elected officials) acting as reviewing agencies.
- ! Process for integrating public schools into local planning.
- ! Language of report suggests unfunded mandate.
- ! Unified state system (urban and rural areas have different needs).

Council authorized a special work session in approximately two weeks to discuss the specific issues, with the objective being to communicate to the Department of Community Affairs and the Legislative Delegation the County's unified response to the report.

C. Preliminary March Agenda

Mr. Healey pointed out that a follow-up on the State Growth Management Study Commission Report and the work program and budget schedule for 2001-2002 are among the items on the March agenda.

D. Verbal Reports

Mr. Healey reported that during a meeting with the City of Seminole city manager and staff regarding annexation issues, the City's staff had indicated they will compile a comprehensive ability to serve analysis and that he had invited them to bring the completed analysis before the Council for discussion. He indicated that he had been asked to serve on the County's 2010 Task Force; and that he had met with the Lealman Community Association to offer assistance in its efforts to improve the neighborhood.

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OTHER COUNCIL BUSINESS

A. Chairman/Member Items

1. Tour of Turtles

Vice-Chairman Nickeson reported on the Clearwater Aquarium's Tour of Turtles.

B. Correspondence - Received

1. Planners Advisory Committee (PAC) minutes - February 12, 2001 (draft); January 8, 2001 (approved).
2. Letter received January 4, 2001 from Jim Smith, CFA, Property Appraiser, Pinellas County Property Appraiser, re 2000 Mini-Map Atlas.
3. Notice received January 5, 2001 from Cynthia Goudeau, CMC/AAE, City Clerk, City of Clearwater, re notice to taxing authority.
4. Letter dated January 8, 2001 sent to members of the Planners Advisory Committee re PAC Bylaws (quorum).
5. Letter received January 8, 2001 from Ralph Stone, Planning Director, City of Clearwater, re supplemental recommendations.
6. Copy of letter dated January 8, 2001 sent to State Senator Jim Sebesta, from Mayor Fred Held, President, Mayors= Council of Pinellas County, re proposed bill to change membership of the Pinellas Planning Council.
7. Letter dated January 9, 2001 sent to Gordon Beardslee, Program Administrator, Pinellas County Planning Department, re millage, tax, and fee comparison spreadsheets and users manual.
8. Letter received January 10, 2001 from Kathy Wilder, Correspondence Secretary, Speaking Up For Children, re appreciation for participation in Guardian ad Litem Holiday Program.

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9. Copy of letter received January 11, 2001 sent to Senator Jack Latvala, from Mayor Robert DiNicola, City of Indian Rocks Beach, re proposed local bill changing Pinellas Planning Council membership.
10. Copy of letter received January 12, 2001 sent to Senator Jim Sebesta, Chairman, Pinellas County Legislative Delegation, from Mayor Donald Taber, Town of Indian Shores, re proposed local bill changing Pinellas Planning Council membership.
11. Copy of letter received January 16, 2001 sent to Senator Jim Sebesta, Chairman, Pinellas County Legislative Delegation, from Mayor William Smith, Town of Kenneth City, re proposed local bill changing Pinellas Planning Council membership.
12. Letter received January 17, 2001 from Etim Udoh, Senior Planner, City of Clearwater, re Case # CW00-51 - request for continuance.
13. Letter received January 17, 2001 from Richard Goss, AICP, City of Largo, re VA No. 00-50 - request for withdrawal.
14. Sample of letter received January 18, 2001 sent to mayors of local governments from Commissioner Calvin D. Harris, Chairman, Pinellas County Board of County Commissioners, re January 9, 2001 Countywide Planning Authority meeting follow-up.
15. Sample of letter dated January 18, 2001 sent to Pinellas Planning Council members re January 17, 2001 Pinellas Planning Council meeting follow-up.
16. Sample of letter dated January 18, 2001 sent to property owners re January 17, 2001 Pinellas Planning Council meeting follow-up.
17. Sample of letter dated January 18, 2001 sent to mayors of local governments with cases on the January 17 Pinellas Planning Council agenda re Pinellas Planning Council meeting follow-up.

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18. Letter dated January 18, 2001 sent to Mayor Dottie Reeder, City of Seminole, re Annexation Reports Nos. 01-1, 01-2 and 01-3, re determination of ability to serve.
19. Letter dated January 19, 2001 sent to Brian Smith, AICP, Planning Director, Pinellas County Planning Department, re Amendment to the Pinellas County Future Land Use Map.
20. Copy of letter received January 22, 2001 from Judith Lyons, an individual, to Mayor Thomas DeCesare, re Mandalay Beach Club Project.
21. Copy of letter received January 23, 2001 sent to Senator Jack Latvala, from Mayor Robert Jackson, City of Largo, re proposed local bill changing Pinellas Planning Council membership.
22. Copy of memo received January 23, 2001 from Donna McGaughey, Delegation Assistant, Pinellas County Legislative Delegation, re *Clearwater Gazette* article titled: AHealey >Torpedoes=Pinellas Planning Council Expansion Bill.@
23. Letter dated January 24, 2001 sent to Linda Hallas, Esquire, City of South Pasadena, re requested tax estimates, comparison spreadsheets, and users manual.
24. Copy of letter received January 24, 2001 sent to County Commissioner Calvin Harris from Brian K. Smith, Planning Director, Pinellas County, re Pinellas Planning Council Redevelopment Study.
25. Letter received January 26, 2001 from Barbara Hendrickson, CMC, City Clerk, City of Belleair Bluffs, re request for local assistance on Land Development Code Amendment.
26. Letter dated January 26, 2001 sent to Ric Goss, AICP, Community Development Director, City of Largo, re proposed amendments to the Countywide Future Land Use Plan (Countywide Map).
27. Letter dated January 29, 2001 sent to Grace Kolar, Clerk, Town of Redington Beach, re utility taxes and franchise fees in Redington Beach.

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28. Letter dated January 29, 2001 sent to Judith Lyons, an individual, re response to her letter to Council Chairman DeCesare about Mandalay Beach Club Project.
29. Letter dated January 29, 2001 sent to Lee Benjamin, School Board Member, Pinellas County School Board, re participation on the Pinellas Planning Council.
30. Samples of letter dated January 29, 2001 re Pinellas Planning Council 1999-2000 Annual Report, sent to the following:
 - C mayors of local governments
 - C local civic groups
 - C legislative delegation
 - C local libraries
 - C local Chamber of Commerce
 - C planning directors
 - C city managers
31. Letter dated January 31, 2001 sent to Bill Vola, Building Official/Fire Marshall, City of Seminole, re City of Seminole code review - outdoor sales.
32. Letter received January 31, 2001 from Rick MacAulay, City of St. Petersburg, re annexation inquiry.
33. Letter dated February 1, 2001 sent to Mitch Bobowski, General Services Director, City of Seminole, re interpretation of Countywide Future Land Use Plan Map boundaries.
34. Letter dated February 1, 2001 sent to Senator Don Sullivan re appreciation for the withdrawal of the local bill changing Pinellas Planning Council membership.
35. Copy of letter dated February 1, 2001 sent to Brian Smith, Planning Director, Pinellas County, from Richard Gehring, Project Manager, Prime Interests, re memorandum of January 11, 2001 concerning January 8 Pinellas Advisory Council meeting.
36. Sample of letter dated February 2, 2001 sent to each local government re transmittal of updated Future Land Use Plan Map.

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37. Memo dated February 6, 2000 sent to Rick MacAulay, Planner, City of St. Petersburg, re preliminary response to annexation inquiry.
38. Letter dated February 6, 2001 sent to Donna Draper, CMC, Town Clerk, Town of Redington Shores, re ad graphic.
39. Letter dated February 6, 2001 sent to Ric Goss, AICP, Community Development Director, City of Largo, re consistency amendments.
40. Letter received February 7, 2001 from Pat Imperato, an individual, re zoning.
41. Letter received February 7, 2001 from Barbara Hendrickson, CMC, City Clerk, City of Belleair Bluffs, re local assistance on Land Development Code Amendment.
42. Letter received February 7, 2001 from Frank Edmunds, City Manager, City of Seminole, re City of Seminole Annexation Reports: Determination of Ability to Serve.
43. Letter received February 7, 2001 from David Goodwin, Assistant Director, Development Services Department, City of St. Petersburg, re draft amendments to the St. Petersburg Zoning Ordinance related to residential and transient accommodation use.
44. Letter dated February 9, 2001 sent to Ric Goss, AICP, Community Development Director, City of Largo, re updated Countywide Amendments Table 1 and Table 2 for consistency amendments and the Clearwater-Largo Road CRD.

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ADJOURNMENT

Upon direction of the Chairman, there being no objection, the meeting was adjourned at 11:05 A.M.

Chairman