

# THE COUNTYWIDE PLAN RULES

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**Effective Date: February 6, 1989**

**Amended Through: February 24, 2009**





# THE COUNTYWIDE PLAN RULES

This Document Prepared and Maintained

by the



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# **THE COUNTYWIDE PLAN RULES**

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## THE COUNTYWIDE PLAN RULES

### ADOPTION AND AMENDMENT CHRONOLOGY

The *Rules Concerning the Administration of the Countywide Future Land Use Plan* (Countywide Rules) were adopted by Ordinance No. 89-4, effective February 6, 1989.

#### INITIAL AMENDMENTS AND 1992 COMPREHENSIVE REVISION/PUBLICATION:

The Countywide Rules as adopted by Ordinance No. 89-4 were amended as follows:

<b>Ordinance Number</b>	<b>Effective Date</b>
89-66A	December 19, 1989
91-5	January 22, 1991
92-04	March 15, 1992

Ordinance No. 92-04 comprehensively revised the Countywide Rules, which were reprinted in their entirety in the Countywide Rules document dated March 15, 1992.

#### SUBSEQUENT AMENDMENTS AND 1998 COMPREHENSIVE UPDATE/PUBLICATION:

The Countywide Rules as amended through March 15, 1992 were further amended as follows:

<b>Ordinance Number</b>	<b>Effective Date</b>
92-51	September 24, 1992
93-112	January 6, 1994
94-20	March 23, 1994
94-55	July 11, 1994
95-78	December 18, 1995
96-17	February 5, 1996
96-32	April 12, 1996

**ADOPTION AND AMENDMENT CHRONOLOGY – Continued**

<b>Ordinance Number</b>	<b>Effective Date</b>
96-47	June 13, 1996
96-55	July 23, 1996
96-87	December 2, 1996
97-71	September 2, 1997
98-41	March 16, 1998

Ordinance No. 98-41 comprehensively updated the Countywide Rules, which were reprinted in their entirety in the Countywide Rules document dated March 16, 1998.

**SUBSEQUENT AMENDMENTS AND SEPTEMBER 2001 PUBLICATION:**

The Countywide Rules as amended through March 16, 1998 were further amended as follows and were reprinted in the Countywide Rules document dated September 30, 2001:

<b>Ordinance Number</b>	<b>Effective Date</b>
99-22	March 24, 1999
99-76	August 20, 1999
00-60	September 30, 2000
01-16	April 11, 2001

**SUBSEQUENT AMENDMENTS AND AUGUST 2005 PUBLICATION:**

The Countywide Rules as amended through April 11, 2001, and contained in the September 30, 2001, Countywide Rules document were further amended as follows, which amendments were reprinted in the Countywide Rules document dated August 8, 2005:

<b>Ordinance Number</b>	<b>Effective Date</b>
03-23	April 24, 2003
04-5	January 14, 2004
05-49	August 8, 2005

**ADOPTION AND AMENDMENT CHRONOLOGY – Continued**

**SUBSEQUENT AMENDMENTS AND MARCH 2007 PUBLICATION:**

The Countywide Rules as amended through August 8, 2005, and contained in the August 8, 2005, Countywide Rules document were further amended as follows, which amendments are included in the Countywide Rules document dated March 19, 2007:

<b>Ordinance Number</b>	<b>Effective Date</b>
06-52	June 29, 2006
06-61	August 7, 2006
07-13	March 19, 2007

**SUBSEQUENT AMENDMENTS AND CURRENT PUBLICATION:**

The Countywide Rules as amended through March 19, 2007, were further amended as follows, which amendments are included in this Countywide Rules document dated February 24, 2009:

<b>Ordinance Number</b>	<b>Effective Date</b>
07-50	October 26, 2007
08-43	September 3, 2008
08-81	December 24, 2008
09-3	January 29, 2009
09-9	February 24, 2009

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**ARTICLE 1**  
**INTRODUCTORY PROVISIONS**

**DIV. 1.1 PURPOSE.**

The purpose of these *Rules Concerning the Administration of the Countywide Future Land Use Plan, As Amended* (Countywide Rules) is as follows: 1) to establish the definitions, standards, criteria, and procedures required to implement and administer the *Countywide Future Land Use Plan* (Countywide Plan Map); 2) to establish parameters and procedures that will be used to determine whether or not the local government's future land use plans and land development regulations are consistent with the Countywide Plan Map and these Countywide Rules; 3) to maintain consistency between local government plans and regulations and the Countywide Plan Map and these Countywide Rules; and 4) to encourage compatibility with and support the implementation of Part II Chapters 4 and 5, Plan Strategies, and Part IV Chapter 9, Scenic/Noncommercial Corridor Plan Element set forth in the Updated Countywide Plan for Pinellas County (Countywide Plan).

**DIV. 1.2 AUTHORITY.**

These Countywide Rules are authorized under Section 5(7)(b) of Chapter 88-464, Laws of Florida, as amended. The Countywide Rules are designed to follow the blueprint set forth in the Countywide Consistency Report, and are consistent with and applied pursuant to Chapter 88-464, Laws of Florida, as amended, the Pinellas County Home Rule Charter, and the Countywide Plan.

**DIV. 1.3 APPLICABILITY.**

These Countywide Rules apply to the Pinellas Planning Council, the Board of County Commissioners in their capacity as the Countywide Planning Authority, and the twenty-five local governments in Pinellas County, in the administration of the Countywide Plan Map as applied to all land and water areas of Pinellas County, Florida.

**ARTICLE 2**

**COUNTYWIDE PLAN MAP AND CATEGORIES**

<b>DIV. 2.1</b>	<b>ADOPTION AND AMENDMENT.</b>
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**SEC. 2.1.1**    **COUNTYWIDE PLAN MAP.**

The Countywide Plan Map was adopted by Ordinance No. 89-4, as referenced in Exhibits I and II thereof, effective February 6, 1989.

**SEC. 2.1.2**    **COUNTYWIDE RULES.**

The Rules Concerning the Administration of the Countywide Future Land Use Plan were adopted by Ordinance No. 89-4, as referenced in Exhibit III thereof, effective February 6, 1989 and are inclusive of all subsequent amendments thereto.

<b>DIV. 2.2</b>	<b>COUNTYWIDE PLAN MAP PREPARATION AND MAINTENANCE.</b>
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**SEC. 2.2.1**    **COUNTYWIDE PLAN MAP ORIGIN AND STATUS.**

The Countywide Plan Map has been compiled on the Pinellas County Property Appraisers computer system using the existing Pinellas County cadastral maps as the base map system. The computer-generated composite map and map series has been accepted by the CPA, upon recommendation by the PPC, and filed with the Clerk of the Board of County Commissioners, as the official Countywide Plan Map.

**SEC. 2.2.2**    **COUNTYWIDE PLAN MAP CUSTODY AND MAINTENANCE.**

The Countywide Plan Map will be maintained by the Pinellas Planning Council. The Planning Council shall be responsible for the maintenance and distribution of the plan map and shall retain all authority therefor. The Countywide Plan Map will be updated to reflect subsequent amendments on a regular basis, and a current copy of said composite map and map series will be printed and officially accepted by the CPA and filed with the Clerk of the Board of County Commissioners not less than on an annual basis.

**SEC. 2.2.3**    **SUBSEQUENT COUNTYWIDE PLAN MAP AMENDMENTS.**

Amendments to the Countywide Plan Map made subsequent to the effective date of these Countywide Rules shall correspond to and be based on the map legend as set forth in Division 2.3 of these Countywide Rules. All Countywide Plan Map amendments shall be made in accordance with the provisions of these Countywide Rules, as amended.

<b>DIV. 2.3</b>	<b>COUNTYWIDE PLAN MAP CLASSIFICATIONS AND CATEGORIES.</b>
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**SEC. 2.3.1**    **APPLICABILITY.**

The classifications, categories, and standards contained in this article shall be applied as set forth in these Countywide Rules. Specific reference to the standards contained in this article and the criteria by which they shall be applied are found in Article 4 of these Countywide Rules.

**SEC. 2.3.2**    **LEGEND.**

**2.3.2.1**        The Countywide Plan Map and the Countywide Rules, as amended, provide for the major classifications, specific categories and symbols applicable to the Countywide Plan Map and Countywide Rules as set forth below:

<u>Plan Classifications</u>	<u>Plan Categories</u>	<u>Plan Symbols</u>
1. Residential:	Residential Rural	RR
	Residential Estate	RE
	Residential Suburban	RS
	Residential Low	RL
	Residential Urban	RU
	Residential Low Medium	RLM
	Residential Medium	RM
	Residential High	RH
	Residential Very High	RVH
2. Mixed Use:	Residential/Office Limited	R/OL
	Residential/Office General	R/OG
	Residential/Office/Retail	R/O/R
	Resort Facilities Overlay	RFO
	Resort Facilities Medium	RFM
	Resort Facilities High	RFH
3. Commercial:	Commercial Neighborhood	CN
	Commercial Limited	CL
	Commercial Recreation	CR
	Commercial General	CG
4. Industrial:	Industrial Limited	IL
	Industrial General	IG

<u>Plan Classifications</u>	<u>Plan Categories</u>	<u>Plan Symbols</u>
5. Public/Semi-Public:	Preservation	P
	Recreation/Open Space	R/OS
	Institutional	I
	Transportation/Utility	T/U
	Resource Management Overlay	RMO
6. Planned Redevelopment:	Residential	PR-R
	Mixed Use	PR-MU
	Commercial	PR-C
	Industrial	PR-IND
7. Special Designations:	Water/Drainage Feature	As Noted
	Scenic/Noncommercial Corridor	As Noted
	Activity Center	AC
	Community Redevelopment District	CRD
	Central Business District	CBD

**SEC. 2.3.3 OUTLINE OF COUNTYWIDE PLAN MAP CATEGORIES.**

The Countywide Plan Map major classifications, specific categories, symbols and the purpose, use characteristics, locational characteristics, traffic generation characteristics, density/intensity standards and other standards shall be as set forth in the following outline for each category. Local plans and regulations may be more restrictive and should be consulted for authorized uses and applicable standards.

### **2.3.3.1 RESIDENTIAL CLASSIFICATION/LOW DENSITY RANGE.**

#### **2.3.3.1.1. Category/Symbol - Residential Rural (RR).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a rural, very low density residential manner; and to recognize such areas as primarily well-suited for residential and agricultural uses that are consistent with the rural, exurban, nonintensive qualities and natural resource features of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Agricultural
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations distant from urban activity centers; in areas where use and development characteristics are rural in nature; and in areas where environmental features are linked to the protection of natural resources such as aquifer recharge and groundwater resource areas.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 10 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed one-half (.5) dwelling unit per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at .5 dwelling unit per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .30, nor an impervious surface ratio (ISR) of .60. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .18 and an ISR of .45.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.1 RESIDENTIAL CLASSIFICATION/LOW DENSITY RANGE - CONT.**

#### **2.3.3.1.2 Category/Symbol - Residential Estate (RE).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a large lot, very low density residential manner; and to recognize such areas as primarily well-suited for estate residential uses that are consistent with the suburban, nonintensive qualities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Agricultural
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations distant from urban activity centers; in areas where use and development characteristics are estate residential in nature; and in areas serving as a transition between more rural and more urban residential areas.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 15 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed one (1.0) dwelling unit per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 1.0 dwelling unit per acre. The standard for the purpose of establishing relative intensity and potential impact shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .30, nor an impervious surface ratio (ISR) of .60. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .18 and an ISR of .45.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.1 RESIDENTIAL CLASSIFICATION/LOW DENSITY RANGE - CONT.**

#### **2.3.3.1.3. Category/Symbol - Residential Suburban (RS).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a suburban, low-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the suburban, nonintensive qualities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses – Residential; Agricultural
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations outside urban activity centers; in areas where use and development characteristics are suburban residential in nature; and in areas serving as a transition between more rural and more urban residential areas. These areas are generally served by and accessed from minor and collector roadways which connect to the arterial and thoroughfare highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 28 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed two and one-half (2.5) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 2.5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .30, nor an impervious surface ratio (ISR) of .60. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .18 and an ISR of .45.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.1 RESIDENTIAL CLASSIFICATION/LOW DENSITY RANGE - CONT.**

#### **2.3.3.1.4 Category/Symbol - Residential Low (RL).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a low density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the low density, nonintensive qualities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations outside urban activity centers; in areas where use and development characteristics are low density residential in nature; and in areas serving as a transition between more suburban and more urban residential areas. These areas are generally served by and accessed from minor and collector roadways which connect to the arterial and thoroughfare highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 50 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed five (5) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .65. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .50.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use- Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.1 RESIDENTIAL CLASSIFICATION/LOW DENSITY RANGE - CONT.**

#### **2.3.3.1.5 Category/Symbol - Residential Urban (RU).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in an urban low density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations removed from, but in proximity to urban activity centers; in areas where use and development characteristics are urban residential in nature; and in areas serving as a transition between more suburban and more urban residential areas. These areas are generally served by and accessed from minor and collector roadways which connect to the arterial and thoroughfare highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 68 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed seven and one-half (7.5) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 7.5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .65. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .50.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.2 RESIDENTIAL CLASSIFICATION/MEDIUM DENSITY RANGE.**

#### **2.3.3.2.1 Category/Symbol - Residential Low Medium (RLM).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a low to moderately intensive residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations in proximity to urban activity centers; in areas where use and development characteristics are low medium residential in nature; and in areas serving as a transition between low density and high density residential areas. These areas are generally served by and accessed from minor and collector roadways which connect to the arterial and thoroughfare highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 67 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed ten (10) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 10 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .30 and an ISR of .56.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

## **2.3.3.2 RESIDENTIAL CLASSIFICATION/MEDIUM DENSITY RANGE - CONT.**

### **2.3.3.2.2 Category/Symbol - Residential Medium (RM).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a moderately intensive residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations within or in proximity to urban activity centers; in areas where use and development characteristics are medium density residential in nature; and in areas serving as a transition between less urban and more urban residential and mixed-use areas. These areas are typically in proximity to and may have direct access from the arterial and thoroughfare highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 102 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed fifteen (15) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 15 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .30 and an ISR of .56.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.3 RESIDENTIAL CLASSIFICATION/HIGH DENSITY RANGE.**

#### **2.3.3.3.1 Category/Symbol - Residential High (RH).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a highly intensive residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban and intensive qualities, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations within or in proximity to urban activity centers; in areas where use and development characteristics are high density residential in nature; and in areas serving as an urban center. These areas are typically in proximity to and may have direct access from the arterial and thoroughfare highway network and are served by mass transit in a manner that provides an alternative to individual automobile use. This designation is generally not appropriate for coastal high hazard and evacuation level "A" areas.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 198 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed thirty (30) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 30 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .60, nor an impervious surface ratio (ISR) of .85. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .36 and an ISR of .65.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.3 RESIDENTIAL CLASSIFICATION/HIGH DENSITY RANGE - CONT.**

#### **2.3.3.3.2 Category/Symbol - Residential Very High (RVH).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a most highly intensive residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban and intensive qualities, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations within or in proximity to urban activity centers, community redevelopment and central business districts; in areas where use and development characteristics are high density residential in nature; and in areas serving as an urban center. These areas are typically in proximity to and may have direct access from the arterial and thoroughfare highway network and are served by mass transit in a manner that provides an alternative to individual automobile use. This designation is generally not appropriate for coastal high hazard and evacuation level "A" areas.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 326 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed the number of dwelling units per acre as provided for in the special area plan approved by Countywide Plan Map amendment to apply this category.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at the approved plan density. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .60, nor an impervious surface ratio (ISR) of .85. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .36 and an ISR of .65.

Other Standards - Shall include the following:

- Special Area Plan Required - The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.4 MIXED USE CLASSIFICATION.**

#### **2.3.3.4.1 Category/Symbol - Residential/Office Limited (R/OL).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in an office and/or urban low density residential use; and to recognize such areas as well-suited for such limited mixed-use consistent with the surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Office
- Secondary Uses - Residential Equivalent; Institutional; Transportation/Utility; Public Educational Facility; Personal Service/Office Support; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations where it would serve as a transition from more intensive nonresidential use to low density residential or less intensive public/semi-public use; and in areas where a combination of office and residential use is established or is determined appropriate as a means of encouraging reuse and neighborhood scale conversion. These areas are typically in proximity to and served by the collector and arterial highway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 125 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed seven and one-half (7.5) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 7.5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .75. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .56.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:

1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.
- Personal Service/Office Support Use - Such use shall not exceed a floor area of three thousand six hundred (3,600) square feet; and no combination of such uses in any single multitenant building, or in the alternative, in any group of buildings that are integral to and function as part of a unified project, shall exceed ten (10) percent of the gross floor area of said buildings.

### **2.3.3.4 MIXED USE CLASSIFICATION - CONT.**

#### **2.3.3.4.2 Category/Symbol - Residential/Office General (R/OG).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in an office and/or medium density residential use; and to recognize such areas as primarily well-suited for mixed-use of an office/residential character consistent with the surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Office
- Secondary Uses - Residential Equivalent; Research/Development; Institutional; Transportation/Utility; Public Educational Facility; Personal Service/Office Support; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive nonresidential use to low density residential or public/semi-public use; and in areas where the size and scale of office and residential use is appropriate to free standing office, medium density residential or a combination thereof. These areas are typically in proximity to and served by the arterial and major thoroughfare highway network, as well as by mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 178 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed fifteen (15) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 15 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .30 and an ISR of .56.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:

1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.
- Personal Service/Office Support Use - Such use shall not exceed a floor area of five thousand (5,000) square feet; and no combination of such uses in any single multitenant building or, in the alternative, in any group of buildings that are integral to and function as part of a unified project, shall exceed ten (10) percent of the gross floor area of said buildings.
  - Research/Development Use – Shall be allowed in this category only on the basis of and pursuant to local government standards which address, as a minimum, the following criteria in relationship to the nature of the proposed use:
    1. Neighboring uses and the character of the commercial area in which it is to be located;
    2. Noise, solid waste and air quality emission standards;
    3. Hours of operation;
    4. Traffic generation; and
    5. Parking, loading, storage, and service provisions.

### **2.3.3.4 MIXED USE CLASSIFICATION - CONT.**

#### **2.3.3.4.3 Category/Symbol - Residential/Office/Retail (R/O/R).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in residential, office and/or retail commercial use; and to recognize such areas as well-suited for mixed-use of a residential/office/retail character consistent with the surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Residential; Residential Equivalent; Office; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Temporary Lodging
- **Secondary Uses** - Institutional; Transportation/Utility; Ancillary Nonresidential; Recreation/Open Space; Research/Development; Light Manufacturing/Assembly (Class A); Mini-warehouse Storage

Locational Characteristics - This category is generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive nonresidential use to residential, office or public/semi-public use; and in areas where the size and scale of development will accommodate true mixed residential, office and retail use. These areas are typically in proximity to and served by the arterial and major thoroughfare highway network in and adjacent to activity centers where mixed-use development allows interaction between uses and encourages mass transit and nonvehicular trips.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 339 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- **Residential Use** - Shall not exceed eighteen (18) dwelling units per acre.
- **Residential Equivalent Use** - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 18 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- **Temporary Lodging Use** - Shall not exceed: 1) thirty (30) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- **Nonresidential Use** - Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .85, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .65.
- **Mixed-Use** - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.
  
- Research/Development; Light Manufacturing/Assembly (Class A) Use; Mini-warehouse Storage - Shall be allowed in this category only on the basis of and pursuant to local government standards which address, as a minimum, the following criteria in relationship to the nature of the proposed use:
  1. Neighboring uses and the character of the commercial area in which it is to be located;
  2. Noise, solid waste and air quality emission standards;
  3. Hours of operation;
  4. Traffic generation; and
  5. Parking, loading, storage, and service provisions.

### **2.3.3.4 MIXED USE CLASSIFICATION - CONT.**

#### **2.3.3.4.4 Category/Symbol - Resort Facilities Overlay (RFO).**

Purpose - It is the purpose of this category to depict, utilizing an overlay, those areas of the county that are now developed, or appropriate to be developed, in residential and temporary lodging use; and to recognize such areas as well-suited for the combination of residential and temporary lodging use consistent with the location, density, surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Temporary Lodging
- Secondary Uses - Residential Equivalent; Recreational Vehicle Parks; Institutional; Transportation/Utility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations where it would identify existing low to moderately intensive mixed residential and small scale temporary lodging use in and adjacent to the resort areas of the county; in locations where unique recreational assets warrant the combination of permanent and temporary accommodations in proximity to and served by the arterial and major thoroughfare network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be based upon the underlying residential category, adjusted to account for the temporary lodging ratio, using the appropriate traffic generation characteristics for temporary lodging use.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed the maximum number of dwelling units per acre determined by the underlying residential category.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at the underlying residential density. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Temporary Lodging Use - Shall not exceed: 1) a ratio of 1.67 temporary lodging units to the permitted number of underlying residential units; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- Nonresidential Use - Shall not exceed the maximum floor area ratio (FAR) nor the maximum impervious surface ratio (ISR) of the underlying residential category, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be the FAR and ISR as called for in the underlying residential category.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.4 MIXED USE CLASSIFICATION - CONT.**

#### **2.3.3.4.5 Category/Symbol - Resort Facilities Medium (RFM).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in medium density residential and resort, tourist facility use; and to recognize such areas as well-suited for the combination of residential and temporary lodging use consistent with their location, surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Temporary Lodging
- Secondary Uses - Residential Equivalent; Tourist Facilities; Office; Personal Service/Office Support; Commercial Recreation; Institutional; Transportation/Utility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations where it would identify existing moderately intensive mixed residential and hotel/motel use in the resort areas of the county; in locations where unique recreational assets warrant the combination of permanent and temporary accommodations in proximity to and served by the arterial and major thoroughfare network, as well as by mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 178 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed eighteen (18) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 18 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Temporary Lodging Use - Shall not exceed: 1) thirty (30) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .65, nor an impervious surface ratio (ISR) of .85, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .39 and an ISR of .65.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.4 MIXED USE CLASSIFICATION - CONT.**

#### **2.3.3.4.6 Category/Symbol - Resort Facilities High (RFH).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in high density residential and resort, tourist facility use; and to recognize such areas as well-suited for the combination of residential and temporary lodging use consistent with their location, surrounding uses, transportation facilities and natural resource characteristics of such areas.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Residential; Temporary Lodging
- Secondary Uses - Residential Equivalent; Tourist Facilities; Office; Personal Service/Office Support; Convention Center; Commercial Recreation; Institutional; Transportation/Utility; Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations where it would identify existing highly intensive mixed residential and hotel/motel use in the resort areas of the county; in locations where unique recreational assets warrant the combination of permanent and temporary accommodations in proximity to and served by the arterial and major thoroughfare network, as well as by mass transit. New development at this density will be discouraged in coastal high hazard areas and evacuation level "A" areas.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 331 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed thirty (30) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 30 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Temporary Lodging Use - Shall not exceed: 1) fifty (50) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of 1.2, nor an impervious surface ratio (ISR) of .95, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .72 and an ISR of .72.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of three (3) acres.
  2. Institutional Use (except Public Educational Facilities which are not subject to this threshold) - Shall not exceed a maximum area of five (5) acres.

### **2.3.3.5 COMMERCIAL CLASSIFICATION.**

#### **2.3.3.5.1 Category/Symbol - Commercial Neighborhood (CN).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a manner designed to provide local, neighborhood scale, convenience commercial goods and services; and to recognize such areas as primarily well-suited for neighborhood commercial use consistent with the need, scale, and character of adjoining residential areas which they serve.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service
- **Secondary Uses** - Residential; Residential Equivalent; Institutional; Transportation/Utility; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations adjacent to and the periphery of large, definable residential neighborhoods; in areas distant from other commercially designated properties and situated so as to preclude strip-like commercial development. These areas are generally located on a collector roadway and oriented to a specific and limited geographic neighborhood as distinct from through traffic on an arterial or major thoroughfare.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 362 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- **Residential Use** - Shall not exceed ten (10) dwelling units per acre.
- **Residential Equivalent Use** - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 10 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- **Nonresidential Use** - Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .80. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .24 and an ISR of .60.
- **Mixed-Use** - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- **Acreage Limitations** - Institutional; Transportation/Utility Use - Shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.

### **2.3.3.5 COMMERCIAL CLASSIFICATION - CONT.**

#### **2.3.3.5.2 Category/Symbol - Commercial Limited (CL).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a manner designed to provide limited, highway oriented commercial goods and services; and to recognize such areas as primarily well-suited for limited commercial use consistent with the need, relationship to surrounding uses, and provision for safe and efficient connection to the highway system.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Temporary Lodging
- Secondary Uses - Residential; Residential Equivalent; Commercial Recreation; Storage/Warehouse (Class A); Wholesale/Distribution (Class A); Institutional; Transportation/Utility; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations adjacent to and fronting on those arterial and major roadways not reserved for noncommercial corridor protection; in areas located between and connecting urban activity centers. These areas are generally located along the arterial and major thoroughfare roadway network.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 398 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed eighteen (18) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 18 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- Temporary Lodging Use - Shall not exceed: 1) thirty (30) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- Nonresidential Use - Shall not exceed a floor area ratio (FAR) of .45, nor an impervious surface ratio (ISR) of .85, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .27 and an ISR of .65.
- Mixed-Use - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - Institutional; Transportation/Utility Use - Shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.

### **2.3.3.5 COMMERCIAL CLASSIFICATION - CONT.**

#### **2.3.3.5.3 Category/Symbol - Commercial Recreation (CR).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a manner designed to provide commercial recreation activities; and to recognize such areas as primarily well-suited for commercial recreation consistent with the need, scale, and character of adjoining areas which they serve.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Commercial Recreation including Waterfront/Marina Facilities; Sports Stadium; Race Track/Paramutual Facility
- **Secondary Uses** - Residential; Residential Equivalent; Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Temporary Lodging; Recreational Vehicle Parks; Institutional; Transportation/Utility; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations adjacent to activity centers or areas designated for commercial use; in water-dependent locations for marina and boat service use; and with good access to major transportation facilities so as to serve the commercial recreation and major sports facility needs of the resident and tourist population of the county.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 550 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- **Residential Use** - Shall not exceed twenty-four (24) dwelling units per acre.
- **Residential Equivalent Use** - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- **Temporary Lodging Use** - Shall not exceed: 1) forty (40) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- **Nonresidential Use** - Shall not exceed a floor area ratio (FAR) of .55, nor an impervious surface ratio (ISR) of .90, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .33 and an ISR of .68.
- **Mixed-Use** - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- Acreage Limitations - Institutional; Transportation/Utility Use - Shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.

### **2.3.3.5 COMMERCIAL CLASSIFICATION - CONT.**

#### **2.3.3.5.4 Category/Symbol - Commercial General (CG).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a manner designed to provide community and countywide commercial goods and services; and to recognize such areas as primarily consistent with the need, relationship to adjoining uses and with the objective of encouraging a consolidated, concentrated commercial center providing for the full spectrum of commercial uses.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Temporary Lodging; Wholesale/Distribution (Class A); Storage/Warehouse (Class A);
- **Secondary Uses** - Commercial Recreation; Residential; Residential Equivalent; Institutional; Transportation/Utility; Recreation/Open Space; Research/Development; Light Manufacturing/Assembly (Class A)

Locational Characteristics - This category is generally appropriate to locations in and adjacent to activity centers where surrounding land uses support and are compatible with intensive commercial use; and in areas in proximity to and with good access to major transportation facilities, including mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 487 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- **Residential Use** - Shall not exceed twenty-four (24) dwelling units per acre.
- **Residential Equivalent Use** - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impacts shall be the equivalent of 2.5 beds per dwelling unit.
- **Temporary Lodging Use** - Shall not exceed: 1) forty (40) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- **Nonresidential Use** - Shall not exceed a floor area ratio (FAR) of .55, nor an impervious surface ratio (ISR) of .90, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .33 and an ISR of .68.
- **Mixed-Use** - Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.

Other Standards - Shall include the following:

- **Acreage Limitations** - Institutional; Transportation/Utility Use - Shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all

contiguous like uses.

- Research/Development; Light Manufacturing/Assembly (Class A) Use - Shall be allowed in this category only on the basis of and pursuant to local government standards which address, as a minimum, the following criteria in relationship to the nature of the proposed use:
  1. Neighboring uses and the character of the commercial area in which it is to be located;
  2. Noise, solid waste and air quality emission standards;
  3. Hours of operation;
  4. Traffic generation; and
  5. Parking, loading, storage, and service provisions.

### **2.3.3.6 INDUSTRIAL CLASSIFICATION.**

#### **2.3.3.6.1 Category/Symbol - Industrial Limited (IL).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a limited industrial manner; and so as to encourage the reservation and use of consolidated areas for industrial and industrial/mixed-use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Office; Research/Development; Light Manufacturing/Assembly (Class A) and (Class B); Wholesale/Distribution (Class A) and (Class B); Storage/Warehouse (Class A) and (Class B);
- Secondary Uses - Residential (subject to master development plan approval by the CPA); Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Institutional; Transportation/Utility; Recreation/Open Space; Transfer/Recycling; Incinerator Facility; Agricultural

Locational Characteristics - This category is generally appropriate to locations with sufficient size to encourage an industrial park arrangement, as well as integrated industrial/mixed-use projects, with provision for internal service access in locations suitable for light industrial use with minimal adverse impact on adjoining uses; and served by the arterial and thoroughfare highway network, as well as mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 178 trips per day per acre. Traffic impacts for industrial/mixed-use projects shall be determined based on the composition and density/intensity of the specific project.

Density/Intensity Standards - Shall include the following:

- Residential Use – Shall not exceed thirty (30) dwelling units per acre.
- Temporary Lodging Use - Shall not exceed: 1) fifty (50) units per acre; or 2) in the alternative, upon adoption of provisions for compliance with Section 4.2.7.6, the density and intensity standards set forth in Table 3 therein.
- All Other Uses - Shall not exceed a floor area ratio (FAR) of .65 nor an impervious surface ratio (ISR) of .85, except as provided for in Section 4.2.7.6. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .39 and an ISR of .65.

Other Standards - Shall include the following:

- Industrial Uses Adjacent to Residential Categories - An appropriate buffer, as determined by the local jurisdiction except for an industrial/mixed-use project requiring the submission of a master plan as outlined below, shall be provided in and between the Industrial Limited category and an adjoining Residential classification.

- Acreage Limitations for Nonindustrial Secondary Uses That Are Not Part of a Master Development Plan - Institutional; Transportation/Utility; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; Temporary Lodging; Agricultural Uses - shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses. Secondary residential uses are only permitted pursuant to the requirements set forth for “Projects That Include Residential Use.”

Standards for Industrial/Mixed-Use Projects – Industrial/mixed-use projects shall require the following:

- Number of Uses – Provision for two or more primary or secondary uses that are mutually supportive, and designed to be physically and functionally integrated.
- Public Transit – Location within reasonable proximity, and with specific provision for access, to a designated public transit corridor and connection point.
- Project Components – Integration of project components, including uninterrupted pedestrian connections, an internal roadway system to reduce impacts to offsite areas, open space and recreation facilities, public/common spaces in relationship to key project uses, bicycle facilities, and accommodation for mass transit, as appropriate. Such integration shall be designed so as to increase the interaction between uses, to reduce the need for automobile use within the project, as well as reduction of off-site automobile trips attributable to the project, and to encourage the provision of shared infrastructure.
- Master Development Plan – Preparation of a master development plan that stipulates the type and scale of uses, permitted densities and intensities, and relationships among plan components. Such plan shall distinguish the industrial/mixed-use project from the unplanned placement of uses on a site or sites, resulting from separate unrelated actions of distinct developments that fail to provide for synergism between uses.

Master Development Plan Requirements for Industrial/Mixed-Use Projects – Shall include the following:

- Projects That Do Not Include Residential Use – An industrial/mixed-use project which comprises not less than fifty (50) acres may include secondary Institutional; Transportation/Utility; Retail Commercial; Personal Service/Office Support; Commercial/Business Service; Commercial Recreation; and Temporary Lodging uses subject to the following:
  1. The secondary nonindustrial uses that are part of a planned industrial/mixed-use project shall be subject to a master development plan, providing for unified control of the entire project.
  2. Such secondary nonresidential uses, alone or in combination, shall not comprise more than 25% of the area of the project governed by the master development plan.
  3. The master development plan required for industrial/mixed-use projects that do not include residential use shall be approved by the local government with jurisdiction.
  4. Where the property included in the master development plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction for review and comment.

- Projects That Include Residential Use – An industrial/mixed-use project which comprises not less than one hundred (100) contiguous acres under common control as of the effective date of this ordinance (*sic*)<sup>1</sup> may include secondary residential use subject to the following:
  1. Such residential component shall not:
    - a. Comprise more than 25% of the area of the master development plan;
    - b. Be located within the Coastal High Hazard Area;
    - c. Be located within the 65 decibel Day-Night Sound Level area as identified on the St. Petersburg-Clearwater International Airport Noise Contours map, April 1996 by Greiner, Inc., and as adopted by Pinellas County in Ordinance Number 97-58 (sec. 142-39(b));
    - d. Be permitted to transfer density to other Countywide Plan Map categories or outside of the approved master development plan area discussed below;
    - e. Be permitted to use density averaging, outside the master development plan area, as provided for in Section 6.1.3.
  2. The secondary residential use that is part of a planned industrial/mixed-use project shall be subject to a master development plan, providing for unified control of the entire project.
  3. The master development plan required for industrial/mixed-use projects that include residential use shall, upon preliminary approval by the local government with jurisdiction, be submitted to the PPC for review and recommendation to the CPA. The CPA may approve, approve with conditions, or deny the master development plan; which action shall require a majority plus one vote of the entire CPA if such action is contrary to the PPC recommendation. The local government with jurisdiction shall not approve a final site plan or issue a development order other than as is consistent with the action of the CPA.
  4. Where the property included in the master site plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction, at the same time that it is submitted to the PPC/CPA, for review and comment by that adjoining jurisdiction.
  5. The master development plan shall include sufficient information to demonstrate that the secondary use components are integrated with the other uses in the project. The master site plan shall also include sufficient information to demonstrate to the PPC and CPA the relationships between, and compatibility of, the industrial, secondary nonindustrial and residential uses within and adjacent to the project. Criteria used to determine an acceptable, integrated industrial/mixed-use project that includes residential use shall include:
    - a. An appropriate justification for the residential component, including consideration of the following:
      - 1) Functional relationship between the residential component and anticipated demand for this housing created by the remainder of the development proposal;
      - 2) Phasing or sequencing of the project to coordinate residential construction with the anticipated demand for and timing of the nonresidential portion of the project;
      - 3) Contributory nature of the employment created and the percentage of the wages

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<sup>1</sup> Editor's Note: This subsection adopted by Ordinance No. 04-5, effective January 14, 2004.

- paid over and above the average Metropolitan Statistical Area (MSA) wage;
- 4) Adequacy of infrastructure in relationship to the phasing and scale of the project.
- b. An appropriate buffer in and between the residential component of the master planned industrial/mixed-use project and adjoining categories or uses in those categories. This buffer requirement will consider the following:
- 1) the nature and characteristics of the adjoining nonresidential use(s), including noise, air, odor, and visual operating characteristics;
  - 2) the distance from and elevation of the adjoining nonresidential use, including the intervening land form, building or structural opaque barrier, and type and dimensions of landscape buffer; and
  - 3) Any county ordinance that regulates the setback of residential uses from a county-owned solid waste disposal facility.
6. For any jurisdiction to provide residential uses within the Industrial Limited category, the land development regulations of that jurisdiction shall be amended to require the PPC review and CPA approval of the master development plan, as a condition precedent to approval of the local site plan and/or development order.
7. Development of the project shall proceed in a manner that is substantially consistent with the CPA approved master development plan. Any amendment required to maintain that consistency shall be reviewed by the PPC and approved by the CPA.

### **2.3.3.6 INDUSTRIAL CLASSIFICATION - CONT.**

#### **2.3.3.6.2 Category/Symbol - Industrial General (IG).**

Purpose - It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a general industrial manner; and so as to encourage the reservation and use of consolidated areas for industrial use in a manner and location consistent with surrounding use, transportation facilities, and natural resource characteristics.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Research/Development; Light Manufacturing/Assembly (Class A) and (Class B); Heavy Manufacturing/Assembly; Wholesale/Distribution (Class A) and (Class B); Storage/Warehouse (Class A) and (Class B); Agricultural Processing; Vehicular Salvage
- **Secondary Uses** – Agricultural; Institutional; Transportation/Utility; Commercial Recreation; Solid Waste/Refuse Disposal; Transfer/Recycling; Incinerator Facility; Electric Power Generation Plant; Recreation/Open Space

Locational Characteristics - This category is generally appropriate to locations with sufficient size to encourage an industrial park type arrangement with provision for internal service access and adequate buffering of adverse noise, odor, or emissions; with minimal adverse impact on adjoining uses; and served by the arterial and thoroughfare highway network, as well as mass transit.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 216 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .75 nor an impervious surface ratio (ISR) of .95. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .45 and an ISR of .72.

Other Standards - Shall include the following:

- **Office; Retail Commercial; Personal Service/Office Support; and Commercial/Business Service** - Shall be allowed only as accessory uses, located within the structure to which it is accessory, and not exceed twenty-five (25) percent of the floor area of the principal use to which it is accessory.
- **Industrial; Other Use** - An appropriate buffer, as determined by the local jurisdiction, shall be provided in and between the Industrial General category and an adjoining classification other than Industrial or Transportation/Utility.
- **Acreage Limitations** - Institutional; Transportation/Utility; Agricultural Use - Shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.

### **2.3.3.7 PUBLIC/SEMI-PUBLIC CLASSIFICATION.**

#### **2.3.3.7.1 Category/Symbol - Preservation (P).**

Purpose - It is the purpose of this category to depict those areas of the county that are now characterized, or appropriate to be characterized, as a natural resource feature worthy of preservation; and to recognize the significance of preserving such major environmental features and their ecological functions.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Open Space; Natural Resource Conservation and Management; and Watershed Management Uses designed to recognize and protect open and undeveloped areas consistent with the following natural resource features and considerations: Tidal Wetlands including Saltwater Marsh, Saltwater Swamp, Estuary; Nontidal Wetlands including Freshwater Swamps, Freshwater Marsh, Lacustrine River and Stream; Undeveloped Barrier Islands and Spoil Islands; 25-year Floodplains; Natural Drainageways; Land Seaward of a seawall or revetment; Beach Areas; Dune Systems; Habitat for endangered or threatened species as designated on applicable local government comprehensive plans; and such additional areas determined to have environmental significance and recognized in the applicable local government comprehensive plan.
- Secondary Uses – Environmental Education/Research; Wellfield Protection, and Groundwater Monitoring and Recharge; Resource-Based Recreation; Replacement/Repair of Water Infrastructure; Site Alterations as Permitted by a Management Plan Approved by a Local Government; Use characteristics provided for and located in adjoining Countywide Plan Map categories which are accessory to or are the incidental extension of the permitted adjoining use such as a dock or boardwalk.

Locational Characteristics - This category is generally appropriate to those natural resource features it is designed to recognize wherever they may appear and at a size significant to the feature being depicted in relationship to its surroundings. In recognition of the natural conditions which they are intended to preserve, these features will frequently occur in a random and irregular pattern interposed among the other categories.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 3 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .10 nor an impervious surface ratio (ISR) of .20. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .05 and an ISR of .10.
- Transfer of development rights shall be allowed consistent with Article 4, Section 4.2.7 Special Rules.

- Where an entire parcel of property is located seaward of the Coastal Construction Control Line and no transfer of development rights has occurred, the property shall be permitted a minimum beneficial use subject to the various provisions of these Countywide Rules and the Countywide Plan Map, but private property shall not be taken without due process of law and the payment of just compensation. In particular, any such property shall be permitted, as a minimum, one (1) dwelling unit irrespective of parcel size, and a maximum of one (1) dwelling unit per acre.

Other Standards - Shall include the following:

- An appropriate buffer, as determined by the local jurisdiction, shall be provided for wetland Preservation areas.
- Where the mapped delineation of these areas is inconclusive due to the scale of the Countywide Plan Map, or the nature of the environmental feature, a field determination and mapping of the actual boundary at an appropriate scale may be required as part of any amendment or project approval determination. Where determined necessary, such field survey will be conducted by the local government with jurisdiction, the Pinellas County Environmental Management Department, or by a qualified Consultant, consistent with the above described purpose and use characteristics and the provisions of Division 6.3, and in particular Section 6.3.8.

### **2.3.3.7 PUBLIC/SEMI-PUBLIC CLASSIFICATION - CONT.**

#### **2.3.3.7.2 Category/Symbol - Recreation/Open Space (R/OS).**

Purpose - It is the purpose of this category to depict those areas of the county that are now used, or appropriate to be used, for open space and/or recreational purposes; and to recognize the significance of providing open space and recreational areas as part of the overall land use plan.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- Primary Uses - Public/Private Open Space; Public/Private Park; Public Recreation Facility; Public Beach/Water Access; Golf Course/Clubhouse
- Secondary Uses – Transportation/Utility in compliance with Section 163.3208, F.S.

Locational Characteristics - This category is generally appropriate to those public and private open spaces and recreational facilities dispersed throughout the county; and in recognition of the natural and man-made conditions which contribute to the active and passive open space character and recreation use of such locations.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 3 trips per day per acre.

Density/Intensity Standards - Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .25 nor an impervious surface ratio (ISR) of .60. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .15 and an ISR of .45.
- Transfer of development rights shall be allowed consistent with Article 4, Section 4.2.7, Special Rules.

Other Standards – Shall include the following:

- An appropriate buffer, as determined by the local jurisdiction, shall be provided between any such Transportation/Utility use, authorized pursuant to Section 163.3208, F.S., and any other adjoining use.

### **2.3.3.7 PUBLIC/SEMI-PUBLIC CLASSIFICATION - CONT.**

#### **2.3.3.7.3 Category/Symbol - Institutional (I).**

Purpose - It is the purpose of this category to depict those areas of the county that are now used, or appropriate to be used, for public/semi-public institutional purposes; and to recognize such areas consistent with the need, character and scale of the institutional use relative to surrounding uses, transportation facilities, and natural resource features.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Public Educational Facilities; Private Schools; Colleges; Hospital, Medical Clinic; Church, Religious Institution, Cemetery; Funeral Home/Mortuary; Social/Public Service Agency; Child Day Care; Fraternal, Civic Organization; Municipal Office Building, Courthouse; Library; Public Safety Facility, Emergency Medical Service Building; Convention Center
- **Secondary Uses** - Residential; Residential Equivalent; Recreation/Open Space; Transportation/Utility; Ancillary Nonresidential

Locational Characteristics - This category is generally appropriate to those locations where educational, health, public safety, civic, religious and like institutional uses are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 192 trips per day per acre.

Where the specific type of proposed use is known, one of the following subcategories within the Institutional category and their corresponding traffic generation rates may be used to calculate estimated traffic impact:

- Educational Facilities - 114 vehicle trips per day per acre.
- Medical Facilities - 173 vehicle trips per day per acre.
- Religious/Civic Facilities - 104 vehicle trips per day per acre.
- Municipal/Public Facilities - 835 vehicle trips per day per acre.
- Other - 67 vehicle trips per day per acre.

Density/Intensity Standards - Shall include the following:

- Residential Use - Shall not exceed twelve and one-half (12.5) dwelling units per acre.
- Residential Equivalent Use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 12.5 dwelling units per acre. The standard for the purpose of establishing relative intensity and potential impact shall be the equivalent of 2.5 beds per dwelling unit.

- All Other Uses - Shall not exceed a floor area ratio (FAR) of .65, except for hospital use which shall not exceed a FAR of 1.0 within any single jurisdiction, subject to and based on the bonus provision set forth below, nor exceed an impervious surface ratio (ISR) of .85. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .39 and an ISR of .65.

Under the bonus provision, a hospital use may exceed a FAR of .65 provided that it does not exceed a FAR of 1.0 and further provided that conditions 1, 2, 3 and 4, as set forth below are complied with:

1. The hospital use must not exceed an ISR of .85; and
2. The hospital use must be based upon and subject to an approved final master plan or site plan; and
3. The master plan or site plan must include any and all adjacent, contiguous, or touching property, structures, facilities, and uses which are:
  - a. attributable to common ownership; or
  - b. part of a common plan of operation, administration, promotion, advertising, service, or business; or
  - c. voluntarily sharing facilities or infrastructure; or
  - d. used in any way in conjunction with the hospital use; and
4. Where the municipal boundary of any adjoining local government is contiguous to or within one hundred fifty (150) feet of the hospital use, the provisions set forth hereunder shall apply. It is the purpose of this requirement to create a transition area that ensures respect for and compatibility with the physical and visual character, intensity of development, and type, of use in the adjoining jurisdiction(s). In particular, the local government in which jurisdiction the FAR bonus is approved shall review and approve the final master or site plan, or any amendment thereto, subject to the following specific provisions:
  - a. The hospital use shall not exceed a FAR of .65 for the uses located within one hundred fifty (150) feet of a municipal boundary of adjoining local government(s);
  - b. Adjoining local government(s) shall be given an opportunity to review and comment on the master plan or site plan, or any amendment thereto, as it applies to the property within one hundred fifty (150) feet of the municipal boundary. This shall include, at a minimum, the following:
    - 1) Transmittal of two (2) copies of the master plan or site plan, or any amendment thereto, to the adjoining local government(s) not less than thirty (30) days prior to scheduled action by the approving local government;
    - 2) The opportunity and specific process by which to provide comments and recommendations by the adjoining local government(s) so as to be timely and meaningfully considered by the approving local government.
  - c. The final master plan or site plan, or any amendment thereto, will be reviewed and approved only after full and fair consideration of its impact on the adjoining local government(s) with the objective of maintaining the integrity of the land use plan, land development regulations and existing use of land in the adjoining local government(s). In particular any proposed use within one hundred fifty (150) feet shall be so designed and located as to specifically consider each of the following:
    - 1) The height of any building or structure in relationship to the distance from adjoining property and buildings in the adjoining jurisdiction(s) to ensure

- minimum negative visual impact based on the standards for setback, separation distance and buffering in the adjoining local government(s).
- 2) The separation distance and landscape buffer provisions for any vehicular use, storage, or service area or structure, consistent with the character and use of the adjoining property based on the standards for such buffer area in the adjoining local government(s).
  - 3) The landscape treatment, including the type, size and intensity of vegetative buffer areas consistent with the character and use of the adjoining property based on the standards for such landscape treatment in the adjoining local government(s).
  - 4) That no use shall constitute a nuisance with respect to noise, odor, air quality, fire or explosive hazard, vibration or electromagnetic interference based on the performance standards in the adjoining local government(s).

Other Standards - Shall include the following:

- Acreage Limitations - Ancillary Nonresidential; Transportation/Utility Use - Shall not exceed a maximum area of ten (10) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.
- Institutional Overlay Designation - The Institutional category may be used as an overlay in combination with an underlying principal category in accord with the map symbol and legend as depicted on the Countywide Plan Map. The Institutional overlay designation may be used by a local government to provide for one or more selected use(s) from those Primary and Secondary Uses permitted in the Institutional category, while retaining the otherwise applicable standards of the underlying principal category. The purpose of the Institutional overlay designation is to allow a local government the option of narrowing the range of permitted uses allowed in the Institutional category and to preserve the otherwise applicable provisions of the underlying principal category as to permitted uses and density/intensity standards.

### **2.3.3.7 PUBLIC/SEMI-PUBLIC CLASSIFICATION - CONT.**

#### **2.3.3.7.4 Category/Symbol - Transportation/Utility (T/U).**

Purpose - It is the purpose of this category to depict those areas of the county that are now used, or appropriate to be used, for transport and public/private utility services; and to recognize such areas consistent with the need, character and scale of the transport/utility use relative to surrounding uses, transportation facilities, and natural resource features.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Airport, Seaport, Marina; Coast Guard, Customs Facility; Electric Power Generation Plant; Utility Transmission Line; Municipal Water Supply, Wastewater Disposal Facility; Solid Waste/Refuse Disposal; Transfer/Recycling; Public Works Garage/Storage; Electric Power Substation; Telephone Switching Station; Wholesale/Distribution (Class A) and (Class B);
- **Secondary Uses** - Storage/Warehouse (Class A) and (Class B); Recreation/Open Space; Institutional; Ancillary Nonresidential

Locational Characteristics - This category is generally appropriate to those air and sea transport terminals, utility installations, major transmission lines, refuse disposal, and public works facilities serving the county; and to reflect the unique siting requirements and consideration to adjoining uses required in the placement of these facilities.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 18 trips per day per acre.

Where the specific type of proposed use is known, one of the following subcategories within the Transportation/Utility category and their corresponding traffic generation rates may be used to calculate estimated traffic impact:

- Transportation - 15 vehicle trips per day per acre.
- Municipal/Public Utilities - 16 vehicle trips per day per acre.
- Other - 79 vehicle trips per day per acre.

Density/Intensity Standards - Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .70, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .42 and an ISR of .68.

Other Standards - Shall include the following:

- An appropriate buffer, as determined by the local jurisdiction, shall be provided within and between the Transportation/Utility category and any other adjoining classification, other than Industrial.

- Where a utility transmission line otherwise included within this category is located in an easement as distinct from a right-of-way, this category shall be shown as an overlay, superimposed over, and applicable in addition to, the otherwise applicable underlying category.
- Acreage Limitations - Institutional; Ancillary Nonresidential Use - Shall not exceed a maximum area of ten (10) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous like uses.

### **2.3.3.7 PUBLIC/SEMI-PUBLIC CLASSIFICATION - CONT.**

#### **2.3.3.7.5 Category/Symbol – Resource Management Overlay (RMO).**

Purpose – It is the purpose of this category to depict, as an overlay, those areas of the county that are now used, or are appropriate to be used, for the conservation, production and management of the regional potable water supply and the supporting infrastructure and appurtenances that serve a regional public water supply purpose, consistent with the natural resources of the area.

Use Characteristics – Those uses appropriate to and consistent with this category include:

- Primary Uses – Open Space; Natural Resource Conservation and Management; Watershed Management; Resource-Based Recreation, Environmental Education/Research; Wellfield Protection and Groundwater Monitoring and Recharge.
- Secondary Uses - Wellfield Development; Water Supply Infrastructure and Support Facilities.

Locational Characteristics – This category is generally appropriate to those properties that are the assets of a regional, county or municipal utility, held and operated for the provision, operation and delivery of a public water supply system consistent with the natural resource features of the property, pursuant to a management plan approved by the local government.

Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be based upon the underlying category, adjusted to account for the specific type of use proposed to reflect the appropriate traffic generation characteristics for said use within the Preservation, Recreation/Open Space or Transportation/Utility plan categories as is applicable.

Density/Intensity Standards – Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .25 nor an impervious surface ratio (ISR) of .50. The standard for the purpose of establishing relative intensity and potential impacts shall be a FAR of .15 and an ISR of .30.

Other Standards – Shall include the following:

- Appropriate height, setback and buffer requirements, as determined by the local jurisdiction in conjunction with the regional, county or municipal facility operator and set forth in the local government management plan shall be provided between any facility located within this category and the adjoining plan category.

### **2.3.3.8 PLANNED REDEVELOPMENT CLASSIFICATION.**

#### **2.3.3.8.1 Category/Symbol – Planned Redevelopment - Residential (PR-R).**

Purpose – It is the purpose of this category to depict those areas of the county that are developed with a collection of residential uses, at the same or varying densities and building styles, in neighborhoods or distinct areas that are interrelated and complementary. This category should facilitate infill and desired redevelopment of these neighborhoods or distinct areas while preserving the existing residential character. This category should help to create a desirable residential area by promoting aesthetically pleasing, safe, private residential environments, and buildings that are compatible with the area's character.

Use Characteristics – Those uses allowed in this category must be set forth in the required special area plan and shall be selected from and limited to the uses found in the Low, Medium, or High range of Residential Classifications in Sections 2.3.3.1 through 2.3.3.3, as specified in the local government's special area plan described in Section 4.2.7.5.

Locational Characteristics – The Locational Characteristics used with this category must be based on the density specified in the local government's special area plan and the commensurate Locational Characteristics found in the applicable plan categories under Sections 2.3.3.1 through 2.3.3.3 for the Low, Medium, and High range of Residential Classifications (with the exception of the Residential Very High (RVH) category).

Traffic Generation Characteristics – The Traffic Generation Characteristics used with this category must correspond with the density specified in the local government's special area plan and the commensurate Traffic Generation Characteristics found in Sections 2.3.3.1 through 2.3.3.3 for the Low, Medium, and High range of Classifications (with the exception of the Residential Very High (RVH) category), or as provided for by the local government in their special area plan, as appropriate to the specific density proposed.

Density/Intensity Standards – The density/intensity allowed in this category must be set forth in the required special area plan and shall be selected from and limited to that provided for in the respective residential plan category as found in the Low, Medium, or High range of Residential Classifications (with the exception of the Residential Very High (RVH) category) in Sections 2.3.3.1 through 2.3.3.3.

Other Standards – Shall include the following:

- **Area Requirements** – This plan category shall be a minimum of ten (10) acres in size, must include neighborhoods or distinct areas that are interrelated and complementary, and shall be of countywide significance. The Pinellas Planning Council and the Countywide Planning Authority may, at their discretion, consider a smaller area as requested and justified by the local government.
- **Acreage Limitations** – The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:

1. Ancillary Nonresidential; Transportation/Utility Use – Shall not exceed a maximum area of three (3) acres.
2. Institutional Use (except Public Education Facilities which are not subject to this threshold) – Shall not exceed a maximum of five (5) acres.

These uses shall be compatible with, and limit the negative impacts on, surrounding residential neighborhoods. Development standards for such uses shall be identified and referenced in the special area plan.

- Special Area Plan Required – The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.8 PLANNED REDEVELOPMENT – CONT.**

#### **2.3.3.8.2 Category/Symbol – Planned Redevelopment - Mixed Use (PR-MU).**

Purpose – It is the purpose of this category to depict those areas of the county that are developed with a collection of residential, office, and commercial uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complementary. This category should facilitate infill and redevelopment of these areas to create a desirable mix of nonresidential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area’s character, uses, and transportation facilities.

Use Characteristics – Those uses allowed in this category must be set forth in the required special area plan and shall be selected from and limited to the uses found in the Mixed Use Classification in Section 2.3.3.4.

Locational Characteristics – The Locational Characteristics used with this category must correspond with the uses specified in the local government’s special area plan and the commensurate Locational Characteristics found in the applicable plan category under Section 2.3.3.4 for the Mixed Use Classification.

Traffic Generation Characteristics – The Traffic Generation Characteristics used with this category must be based on the density/intensity specified in the local government’s special area plan and the commensurate Traffic Generation Characteristics found in Section 2.3.3.4 for the Mixed Use Classification, or as appropriate to and provided for by the local government in their special area plan for density/intensity that exceeds the limits found in Section 2.3.3.4.

Density/Intensity Standards – The density/intensity standards are as found in each individual category in the Mixed Use Classification in Section 2.3.3.4, or as specified in the local government’s special area plan described in Section 4.2.7.5, or combination thereof specifically set forth in the special area plan.

Other Standards – Shall include the following:

- **Area Requirement** – This plan category shall be a minimum of ten (10) acres in size, must include residential, and office, and/or commercial uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complementary, and shall be of countywide significance. The Pinellas Planning Council and the Countywide Planning Authority may, at their discretion, consider a smaller area as requested and justified by the local government.
- **Acreage Limitations** – The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
  1. **Ancillary Nonresidential; Transportation/Utility Use** – Shall not exceed a maximum area of three (3) acres.
  2. **Institutional Use (except Public Educational Facilities which are not subject to this threshold)** – Shall not exceed a maximum area of five (5) acres.

These uses shall be compatible with, and limit the negative impacts on, surrounding mixed-use areas. Development standards for such uses shall be identified and referenced in the special area plan.

- Special Area Plan Required – The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.8 PLANNED REDEVELOPMENT – CONT.**

#### **2.3.3.8.3 Category/Symbol – Planned Redevelopment - Commercial (PR-C).**

Purpose – It is the purpose of this category to depict those areas of the county that are developed with intensive commercial uses and may include residential and office uses that are concentrated within distinct areas that are interrelated and complementary. This category should facilitate infill and redevelopment of these areas to create a desirable and consolidated area of intensive commercial uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area’s character, uses, and transportation facilities.

Use Characteristics – Those uses allowed in this category must be set forth in the required special area plan and shall be selected from and limited to the uses found in the Commercial Classification in Section 2.3.3.5.

Locational Characteristics – The Locational Characteristics used with this category must correspond with the uses specified in the local government’s special area plan and the commensurate Locational Characteristics found in the applicable plan category under Section 2.3.3.5 for the Commercial Classification.

Traffic Generation Characteristics – The Traffic Generation Characteristics used with this category must be based on the density/intensity specified in the local government’s special area plan and the commensurate Traffic Generation Characteristics found in Section 2.3.3.5 for the Commercial Classification, or as appropriate to and provided for by the local government in their special area plan for density/intensity that exceeds the limits found in Section 2.3.3.4.

Density/Intensity Standards – The density/intensity standards are as found in each individual category in the Commercial Classification in Section 2.3.3.5, or as specified in the local government’s special area plan described in Section 4.2.7.5, or combination thereof specifically set forth in the special area plan.

Other Standards – Shall include the following:

- **Area Requirements** – This plan category shall be a minimum of ten (10) acres in size, include intensive commercial uses and may include residential and/or office uses that are concentrated into distinct areas that are interrelated and complementary, and shall be of countywide significance. The Pinellas Planning Council and the Countywide Planning Authority may at their discretion consider a smaller area as requested and justified by the local government.
- **Acreage Limitations** – Institutional and Transportation/Utility uses shall not exceed a maximum area of five (5) acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses. These uses shall be compatible with, and limit the negative impacts on, surrounding commercial areas. Development standards for such uses shall be identified and referenced in the special area plan.
- **Special Area Plan Required** – The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.8 PLANNED REDEVELOPMENT – CONT.**

#### **2.3.3.8.4 Category/Symbol – Planned Redevelopment - Industrial (PR-IND).**

Purpose – It is the purpose of this category to depict those areas of the county that are developed with intensive businesses generating extensive employment activity. These areas consist of a collection of manufacturing, office, institutional (i.e., higher educational or training facilities), and high-tech light industrial uses in areas that are interrelated and complementary. This category should help to create a desirable employment district by promoting aesthetically pleasing, safe environments, interrelated uses, and buildings that are compatible with the stated character for the area.

Use Characteristics – Those uses allowed in this category must be set forth in the required special area plan and shall be selected from and limited to the uses found in the Industrial Classification in Section 2.3.3.6; Public Educational Facilities; Private Schools; Colleges; and Public Service Agencies that offer training and education for targeted industries.

Locational Characteristics – The Locational Characteristics used with this category must correspond with the uses specified in the local government’s special area plan and the commensurate Locational Characteristics found in the applicable plan category under Section 2.3.3.6 for the Industrial Classification.

Traffic Generation Characteristics – The Traffic Generation Characteristics used with this category must be based on the density/intensity specified in the local government’s special area plan and the commensurate Traffic Generation Characteristics found in Section 2.3.3.6 for the Industrial Classification, or as appropriate to and provided for by the local government in their special area plan for density/intensity that exceeds the limits found in Section 2.3.3.4.

Density/Intensity Standards – The density/intensity standards are as found in each individual category in the Industrial Classification in Section 2.3.3.6, or as specified in the local government’s special area plan described in Section 4.2.7.5, or combination thereof specifically set forth in the special area plan.

Other Standards – Shall include the standards as found in each individual category in the Industrial Classification found in Section 2.3.3.6.

Standards and Master Development Plan Requirements for Industrial/Mixed-Use Projects – Shall include the provisions as found in the Industrial Limited category.

- Area Requirement – This plan category shall be a minimum of ten (10) acres in size, include a collection of manufacturing, office, institutional (i.e., higher educational or training facilities), and high-tech light industrial uses in areas that are interrelated and complementary, and shall be of countywide significance. The Pinellas Planning Council and the Countywide Planning Authority may at their discretion reduce this size as requested and justified by the local government.
- Special Area Plan Required – The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.9 SPECIAL DESIGNATIONS.**

#### **2.3.3.9.1 Category/Symbol - Water/Drainage Feature (as noted on the Countywide Plan Map).**

Purpose - It is the purpose of this category to depict those water bodies and drainage features, now committed to, or proposed to be recognized for, these respective functions based on their physical characteristics and use. Water bodies include ocean, estuary, lake, pond, river, stream and drainage detention areas. Drainage features recognize existing natural and man-made drainageways and water bodies, and proposed drainageways and water bodies, that are part of the Pinellas County Master Drainage Plan, as subsequently refined through the individual Watershed Management Plans, that are shown in the Stormwater Management Element of the respective local government Comprehensive Plans, or that are part of an approved site plan or other authorized development order action of the local government with jurisdiction.

Use Characteristics - Those uses appropriate to and consistent with this category include:

- **Primary Uses** - Open and undeveloped areas consistent with the water and/or drainage feature(s) which characterize these locations.
- **Secondary Uses** - Use characteristics limited to drainage structures/facilities, environmental restoration, and nonpermanent open space and recreation uses consistent with the primary purpose of stormwater management in the case of the drainage feature designation used as the principal category (other than as an overlay); these same use characteristics plus those provided for in the underlying Countywide Plan Map category in the case of the drainage feature designation used as an overlay; and use characteristics provided for and located in the adjoining Countywide Plan Map category which are accessory to or are the extension of the permitted adjoining use in the case of a water feature.

Locational Characteristics - This category is designed to reflect water bodies and drainage features as defined herein and located on the Countywide Plan Map, as same may be revised from time to time through the map amendment or map adjustment process, and subject to their actual location on the ground.

Traffic Generation Characteristics - Not Applicable.

Density/Intensity Standards - Shall be as follows:

- **Submerged Land; Drainage Feature (other than as an overlay)** - No density/intensity allocation.
- **Drainage Overlay (as an overlay)** - As for the underlying category.

Other Standards - Shall include the following:

- **Water bodies of three (3) or more acres** shall be designated as Water/Drainage Feature on the Countywide Plan Map with the appropriate map symbol for water bodies. Drainage features shall be designated on the Countywide Plan Map when appropriate in accord with these Countywide Rules using the appropriate map symbol for drainage facility.

- The drainage feature map symbol may be used as the principal category (other than as an overlay) or in combination with an underlying principal category (as an overlay).
- Water bodies of less than three (3) acres shall be as shown on the Countywide Plan Map based on the map as amended through September 30, 1995; and thereafter may be added or deleted at the request of the local government with jurisdiction through the map amendment or map adjustment process.

### **2.3.3.9 SPECIAL DESIGNATIONS - CONT.**

#### **2.3.3.9.2 Category/Symbol - Scenic/Noncommercial Corridor (as noted on the Countywide Plan Map).**

Purpose - See Article 4, Section 4.2.7, Special Rules, subsections 4.2.7.1.1 and 4.2.7.1.2

Use Characteristics - See applicable principal categories for specific use characteristics and “Countywide Plan Map/Corridor Classification - Consistency” (Article 4, Section 4.2.7.1.4 A) for correlation of the Countywide Plan Map categories and Corridor Subclassifications.

Locational Characteristics - Corridors shall be as set forth herein and depicted on the Countywide Plan Map and accompanying *Future Land Use Plan Submap No. 1* entitled *Countywide Scenic/Noncommercial Corridor Map*, including:

#### “Primary” Corridors:

- Keystone Road from US 19 to Hillsborough County Line
- Alderman Road from US Alternate 19 to Fish Hatchery Road
- Tampa Road from US Alternate 19 to East Lake Woodlands Parkway
- Curlew Road from US Alternate 19 to McMullen-Booth Road
- CR-1/Keene Road from Alderman Road to East Bay Drive
- Belcher Road from Klosterman Road to 38th Avenue North
- McMullen-Booth Road/East Lake Road from Pasco County Line to SR-60
- 102nd Avenue North/Bryan Dairy Road from Oakhurst Road to Belcher Road
- Pinellas County Bayway from Gulf Boulevard to U.S. 19/I-275
- 113th Street/Ridge Road from West Bay Drive to Madeira Beach Causeway
- Park Street from Park Boulevard to Central Avenue
- Tyrone Boulevard from 113th Street North to Park Street

#### “Unique” Corridors:

- Edgewater Drive from Scotland Street (Dunedin) to Sunset Point Road
- Bayshore Drive from Main Street (Safety Harbor) to SR-60
- Courtney Campbell Parkway (Causeway) from McMullen-Booth Road/Bayside Bridge (49th Street Bridge) to Hillsborough County Line
- Dunedin Causeway from Honeymoon Island Park to east approach
- Memorial Causeway and its approaches
- Bayside Bridge (49th Street Bridge) and its approaches
- Gandy Bridge approach to Hillsborough County Line
- Howard Frankland Bridge (I-275) approach to Hillsborough County Line
- Belleair Causeway and its approaches
- Park Boulevard Bridge and its approaches
- Treasure Island Causeway and its approaches
- Pinellas Bayway (SR-679) from Fort DeSoto Park to Pinellas County Bayway (SR-682)
- Sunshine Skyway Bridge (I-275) approach to Hillsborough County line

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for this category shall be based upon the respective principal categories.

Density/Intensity Standards - See applicable principal categories.

Other Standards - See Article 4, Section 4.2.7, Special Rules.

### **2.3.3.9 SPECIAL DESIGNATIONS - CONT.**

#### **2.3.3.9.3 Category/Symbol - Activity Center (AC).**

Purpose - It is the purpose of this category to depict, utilizing an overlay, those areas of the county that are now developed, or appropriate to be developed, in a concentrated and cohesive pattern to facilitate mixed-use development as focal points of commerce, employment and housing of countywide significance; and to provide a mechanism whereby separate standards for density/intensity of use are employed, consistent with their special purpose, character, and capacity for service.

Use Characteristics - See applicable underlying categories.

Locational Characteristics - This category is generally appropriate to those concentrated commercial and mixed-use centers that are well-suited to a more intensive and integrated pattern of development; that are situated to serve a significant area of the countywide population; and to recognize and provide for those concentrated activity centers in a manner consistent with their relationship to adjoining uses and the transportation system, including mass transit. There will be two types of Activity Centers:

- These locations shall be a minimum of fifty (50) acres in size and shall be of countywide significance.
- The designated locations for activity centers shall include mixed land uses and may include regional shopping centers, major office and employment centers, public facilities, commercial recreation complexes, and high density residential.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be based upon the underlying categories, adjusted to account for the proposed density/intensity within each category.

Density/Intensity Standards - Shall include the following:

- Shall not exceed 2.5 times otherwise permitted density/intensity.

Other Standards - Shall include the following:

- Special Area Plan Required - The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.9 SPECIAL DESIGNATIONS - CONT.**

#### **2.3.3.9.4 Category/Symbol - Community Redevelopment District (CRD).**

Purpose - It is the purpose of this category to depict those areas of the county that are now designated, or appropriate to be designated, as community centers and neighborhoods for redevelopment in accord with a special area plan therefor.

Use Characteristics - Those uses appropriate to and consistent with this category shall include:

- Primary Uses - Residential; Office; Commercial; Industrial; Institutional; and Transportation/Utility uses as enumerated in the approved special area plan for an area so designated.

Locational Characteristics - This category is generally appropriate to those community areas designed to serve as local retail, financial, governmental, residential, and employment focal points for a community; and to specified target neighborhoods designed to encourage redevelopment in one or a combination of uses as identified above and set forth in the special area plan therefor.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for this category shall be based upon the actual mix and intensity of land use proposed in the special area plan, calculated by using the appropriate traffic generation characteristics for each corresponding category of land use, adjusted to account for proposed density/intensity of said land use.

Density/Intensity Standards - Shall be as set forth for each classification of use and location in the approved special area plan. Densities/intensities shall be consistent with the redevelopment strategy for this category and shall generally parallel the medium to high density/intensity standards of the conventional categories for the respective types of use characteristics provided for thereunder.

Other Standards - Shall include the following:

- Special Area Plan Required - The utilization of this category shall require a special area plan as set forth in Section 4.2.7.5.

### **2.3.3.9 SPECIAL DESIGNATIONS - CONT.**

#### **2.3.3.9.5 Category/Symbol - Central Business District (CBD).**

Purpose - It is the purpose of this category to depict those areas of the county that are now designated, or appropriate to be designated, as urban centers for redevelopment in accord with a special area plan therefor.

Use Characteristics - Those uses appropriate to and consistent with this category shall include:

- Primary Uses - Residential; Office; Commercial; Industrial; Institutional; and Transportation/Utility uses as enumerated in the approved special area plan for an area so designated.

Locational Characteristics - This category is generally appropriate to those central business districts designed to serve as the primary retail, financial, governmental, residential, and employment focal points for a community; and to reflect those urban centers in the county served by adequate vehicular and mass transit service so as to accommodate their more intensive urban character.

Traffic Generation Characteristics - The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for this category shall be based upon the actual mix and intensity of land use proposed in the special area plan, calculated by using the appropriate traffic generation characteristics for each corresponding category of land use, adjusted to account for proposed density/intensity of said land use.

Density/Intensity Standards - Shall be as set forth for each classification of use and location in the approved special area plan. Densities/intensities shall be consistent with the redevelopment strategy for this category and shall generally be at or above the highest density/intensity standards of the conventional categories for the respective types of use characteristics provided for thereunder.

Other Standards - Shall include the following:

- Special Area Plan Required - The utilization of this category shall require a special area plan as set forth in section 4.2.7.5.

**Table 1 - SUMMARY CATEGORY MATRIX**

<u>CLASSIFICATION</u>	<u>CATEGORY/SYMBOL</u>	<u>D.U./ACRE MAX.</u>	<u>FAR MAX./STD.</u>	<u>ISR MAX./STD.</u>	<u>TRAFFIC GENERATION RATE (ADT/ACRE)</u>
<b>RESIDENTIAL:</b>	Residential Rural (RR)	.5	.30/.18	.60/.45	10
	Residential Estate (RE)	1.0	.30/.18	.60/.45	15
	Residential Suburban (RS)	2.5	.30/.18	.60/.45	28
	Residential Low (RL)	5.0	.40/.24	.65/.50	50
	Residential Urban (RU)	7.5	.40/.24	.65/.50	68
	Residential Low Medium (RLM)	10.0	.50/.30	.75/.56	67
	Residential Medium (RM)	15.0	.50/.30	.75/.56	102
	Residential High (RH)	30.0	.60/.36	.85/.65	198
	Residential Very High (RVH)		.60/.36	.85/.65	326
<b>MIXED USE:</b>	Residential/Office Limited (R/OL)	7.5	.40/.24	.75/.56	125
	Residential/Office General (R/OG)	15.0	.50/.30	.75/.56	178
	Residential/Office/Retail (R/O/R)	18.0	.40/.24	.85/.65	339
	Resort Facilities Overlay (RFO)	Per Underlying Category			
	Resort Facilities Medium (RFM)	18.0	.65/.39	.85/.65	178
	Resort Facilities High (RFH)	30.0	1.2/.72	.95/.72	331
<b>COMMERCIAL:</b>	Commercial Neighborhood (CN)	10.0	.40/.24	.80/.60	362
	Commercial Limited (CL)	18.0	.45/.27	.85/.65	398
	Commercial Recreation (CR)	24.0	.55/.33	.90/.68	550
	Commercial General (CG)	24.0	.55/.33	.90/.68	487
<b>INDUSTRIAL:</b>	Industrial Limited (IL)		.65/.39	.85/.65	178
	Industrial General (IG)		.75/.45	.95/.72	216
<b>PUBLIC/SEMI-PUBLIC:</b>	Preservation (P)		.10/.05	.20/.10	0.3
	Recreation/Open Space (R/OS)		.25/.15	.60/.45	3
	Institutional (I)	12.5	.65/.39*	.85/.65	192
	Transportation/Utility (T/U)		.70/.42	.90/.68	18
	Resource Management Overlay (RMO)		.25/.15	.50/.30	See Sec. 2.3.3.7.5
<b>PLANNED REDEVELOPMENT</b>	Planned Redevelopment - Residential (PR-R)	Per Approved Special Area Plan			
	Planned Redevelopment - Mixed Use (PR-MU)	Per Approved Special Area Plan			
	Planned Redevelopment - Commercial (PR-C)	Per Approved Special Area Plan			
	Planned Redevelopment - Industrial (PR-IND)	Per Approved Special Area Plan			
<b>SPECIAL DESIGNATIONS:</b>	Water/Drainage Feature	Not Applicable			
	Scenic/Noncommercial Corridor	See Otherwise Applicable Category			
	Activity Center (AC)	See Otherwise Applicable Category and Multiplier Factor			
	Community Redevelopment District (CRD)	Per Approved Plan			
	Central Business District (CBD)	Per Approved Plan			

\*Notes: See Bonus Provision, Section 2.3.3.7.3 Traffic Generation Characteristics are Average Daily Trips Per Acre

**ARTICLE 3**

**LOCAL GOVERNMENT CONSISTENCY PROVISIONS**

### **DIV. 3.1 AUTHORITY.**

The specific authority for consistency is contained in Sections 5(7)(b), 10(2), 10(3)(b), and 10(3)(c) of Chapter 88-464, Laws of Florida, as amended, as it relates to all elements of the Countywide Plan, including the Countywide Future Land Use Plan (Countywide Plan Map). The consistency requirements as set forth in these Countywide Rules pertain to the Countywide Plan Map and were derived from Chapter 88-464, Laws of Florida, as amended, and the Countywide Consistency Report.

Chapter 88-464, Laws of Florida, as amended, clearly distinguishes the Countywide Plan Map from the other elements of the Countywide Plan in its application of the consistency requirement. Sections 10(3)(c) and 5(7)(b), Chapter 88-464, Laws of Florida, as amended, define consistency specifically with regard to how the local government future land use elements and plans and local land development regulations, and amendments thereto, relate to the Countywide Plan Map. Section 5(7)(b), Chapter 88-464, Laws of Florida, as amended, provides clear direction as to the minimum criteria to be used by the PPC and CPA to evaluate the consistency of local future land use plans and local development regulations, and amendments thereto, with the Countywide Plan Map and these Countywide Rules.

### **DIV. 3.2 CONSISTENCY REQUIREMENT.**

Amendments to local future land use plans and land development regulations shall be consistent with the Countywide Plan Map and the criteria and standards set forth in Article 4, Plan Criteria and Standards of these Countywide Rules.

Consistency, as used in the determination of whether or not a local government future land use plan or land development regulation is consistent with the Countywide Plan Map and these Countywide Rules, shall be construed to mean that the compared item is in accordance with, and is within the parameters specified, for the item by the criterion to which it is compared. If any one or combination of item(s), required to be compared, deviate or depart in any way from the parameters specified, other than as specifically provided in Chapter 88-464, Laws of Florida, as amended, the compared item shall be deemed to be inconsistent with the norm and shall render the local government plan or land development regulation so compared, inconsistent.

### **DIV. 3.3 LOCAL FUTURE LAND USE PLAN AND LAND DEVELOPMENT REGULATION AMENDMENTS.**

#### **SEC. 3.3.1 REQUIRED PROCEDURES.**

Local future land use plan and land development regulation amendments, other than future land use plan map amendments, which deal with any matter addressed by the criteria and standards set forth in Article 4 of these Countywide Rules, and which are proposed to be adopted by the local government, shall utilize the process set forth herein in order to assure that consistency, once established, is maintained. Local future land use plan map amendments that require a corresponding Countywide Plan Map amendment shall be processed as set forth in Article 5 of these Countywide Rules.

**3.3.1.1 Local Government Referral.** Amendments to local future land use plans and local land development regulations which relate to, and are governed by, the criteria and standards in Article 4 of these Countywide Rules shall be submitted by the local government to the PPC not less than twenty-one (21) days prior to the initial public hearing by the governing body.

All such amendments shall have been reviewed by the local government with jurisdiction to determine the consistency of said amendment(s) with these Countywide Rules; and the submission to the PPC shall include an affirmative declaration that the amendment has been determined to be consistent with these Countywide Rules, in particular Article 4, Plan Criteria and Standards, thereof.

**3.3.1.2 PPC Staff Review.** The PPC staff shall, within fifteen (15) days of the receipt of such proposed amendment, notify the local government if such amendment is not consistent with the criteria contained in these Countywide Rules. Absent such notification, the local government may proceed to adopt such amendment.

If notified by the PPC staff that such amendment is not consistent with the criteria contained in these Countywide Rules, the local government shall be given an opportunity to correct the inconsistency or request a determination by the PPC and CPA prior to adoption of the local ordinance. However, such amendment shall not be adopted by the local government until the issue as to the consistency of the proposed amendment has been reconciled pursuant to this Division.

**3.3.1.3 Recording with the PPC.** Upon adoption by the local government, a final copy of the ordinance, and any such subsequent codification thereof, for all such amendments shall be filed with and maintained by the PPC.

#### **SEC. 3.3.2 APPEAL OF STAFF DETERMINATION.**

**3.3.2.1 Appeal to the Pinellas Planning Council.** If the local government disputes the PPC staff interpretation, they may request the PPC to review the subject amendment. The PPC will review the staff and local government positions at a public meeting and make a recommended determination concerning the consistency of the proposed amendment. If found consistent by the PPC, the local government may then adopt the proposed local amendment.

If the PPC concurs with staff and finds the item inconsistent, such amendment shall not be adopted by the local government.

**3.3.2.2 Appeal to the Countywide Planning Authority.** If the local government disputes the determination of the PPC, they may appeal such determination to the CPA. If the CPA determines the amendment to be consistent by a majority plus one vote of the entire CPA, the local government may then adopt the proposed amendment. If the CPA agrees with the PPC and determines the amendment not to be consistent, such amendment shall not be adopted by the local government.

**3.3.2.3 Administrative Hearing.** If the local government disagrees with the determination of the CPA, the local government may petition for administrative hearing under and pursuant to the Chapter 120, F.S., administrative hearing process as authorized in Chapter 88-464, Laws of Florida, as amended. A final decision shall be rendered by the CPA following any administrative hearing based upon the findings of fact of the hearing officer.

**ARTICLE 4**  
**PLAN CRITERIA AND STANDARDS**

## **DIV. 4.1 APPLICABILITY.**

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

- Nomenclature
- Major Classifications and Categories/Continuum
- Density/Intensity Standards
- Use and Locational Characteristics
- Map Delineation
- Other Standards
- Special Rules

## **DIV. 4.2 CRITERIA AND STANDARDS.**

### **SEC. 4.2.1 NOMENCLATURE.**

- 4.2.1.1** The name or title of local future land use categories shall be precisely the same as the Countywide Plan Map categories as set forth in these Countywide Rules. Precisely the same shall mean the exact name of the Countywide Plan Map category, with the provision that a local suffix may be attached to and following that Countywide Plan Map category name. For example, the name of a Countywide Plan Map category such as “Commercial General” will be required, where applicable, to be used by the local government.
- 4.2.1.2** The local government may, where it determines appropriate, append a local term to such category to tailor same to their local application; e.g., “Commercial General - Tarpon Springs Waterfront.” Such local suffix may also be used to distinguish between the Countywide Plan Map category and its more specific local application. For example, “Recreation/Open Space - Resource Protection” and “Recreation/Open Space – Parkland” are acceptable applications of the Countywide Plan Map category nomenclature.
- 4.2.1.3** This shall not be interpreted to mean that a local future land use plan is required to contain all or any specific number of the Countywide Plan Map categories, but those category names that are used shall be precisely the same as those named Countywide Plan Map categories, except for any local suffix added thereto.

## **SEC. 4.2.2 MAJOR CLASSIFICATIONS AND CATEGORIES/CONTINUUM.**

**4.2.2.1 Major Classifications.** The Countywide Rules hereby establish and identify major land use classifications, under which the specific categories are enumerated. Each local future land use category shall be placed within one of the following seven (7) major countywide classifications:

- Residential
- Mixed Use
- Commercial
- Industrial
- Public/Semi-Public
- Planned Redevelopment
- Special Designations

The purpose of the major classifications is to preclude comparison, with respect to use characteristics and the relative density and intensity, between or among the major classifications. This requirement specifies that no direct hierarchy or pyramid of use characteristics or density and intensity standards exists between the seven major classifications; rather a hierarchy exists only among categories within a particular classification.

Appropriate land uses within a category under one major classification are not considered consistent with those under another major classification, unless such land uses are specifically referenced in a category under that separate major classification.

Special Designations may be placed over or in place of any category, as per their description, and may contain standards which supplement and/or supersede those of the underlying category.

**4.2.2.2 Categories.** Within each of the seven major classifications, specific categories are hereby established and named below. The nomenclature and relative density and intensity continuum for local government future land use plans shall be as follows:

<u>Major Classification</u>	<u>Category Name and Symbol</u>	<u>Relative Density/ Intensity Continuum</u>
Residential	Residential Rural (RR)	Least Density       to      Most Density
	Residential Estate (RE)	
	Residential Suburban (RS)	
	Residential Low (RL)	
	Residential Urban (RU)	
	Residential Low Medium (RLM)	
	Residential Medium (RM)	
	Residential High (RH)	
Residential Very High (RVH)		
Mixed Use	Residential/Office Limited (R/OL)	Least Density/ Intensity   to  Most Density/ Intensity
	Residential/Office General (R/OG)	
	Residential/Office/Retail (R/O/R)	
	Resort Facilities Overlay (RFO)*	
	Resort Facilities Medium (RFM)	
Resort Facilities High (RFH)		
Commercial	Commercial Neighborhood (CN)	Least Density/Intensity   to  Most Density/Intensity
	Commercial Limited (CL)	
	Commercial Recreation (CR)	
	Commercial General (CG)	
Industrial	Industrial Limited (IL)	Least Intensity to Most Intensity
	Industrial General (IG)	
Public/ Semi-Public	Preservation (P)	Least Intensity   to  Most Intensity
	Recreation/Open Space (R/OS)	
	Institutional (I)	
	Transportation/Utility (T/U)	
Resource Management Overlay (RMO)*		
Planned Redevelopment:**	-Residential (PR-R)	As Noted in Countywide Rules
	-Mixed Use (PR-MU)	
	-Commercial (PR-C)	
	-Industrial (PR-IND)	
Special Designations**	Water/Drainage Feature	As Noted in Countywide Rules
	Scenic/Noncommercial Corridor	
	Activity Center (AC)	
	Community Redevelopment District (CRD)	
	Central Business District (CBD)	

\* Based upon the underlying density/intensity

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

A local future land use plan may include, from among the listed categories, as few or as many of such categories as the local government determines appropriate to its plan.

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

**4.2.2.3.1** A local future land use plan designation of Preservation shall be considered less dense/intense than all other Countywide Plan Map designations.

**4.2.2.3.2** A local future land use plan designation of Recreation/Open Space shall be considered less dense/intense than all other Countywide Plan Map designations except Preservation.

**SEC. 4.2.3** **DENSITY/INTENSITY STANDARDS.**

**4.2.3.1** **Provision for Comparison.** Each local future land use category shall either:

- Identify specifically the density/intensity standard which shall be applicable to said category, consistent with the applicable standard as set forth in the Countywide Plan Map and these Countywide Rules; or
- Provide a definitive statement that the pertinent density/intensity standard shall comply with the applicable standard as set forth in the Countywide Plan Map and these Countywide Rules and shall be specifically set forth in the corresponding local land development regulations.

**4.2.3.2** **Required Consistency.** A local future land use plan with no required reference to, or specific standard for density/intensity, and any local land development regulation that does not specifically set forth the required density/intensity standard, shall be inconsistent with the Countywide Plan Map and these Countywide Rules. As required by Chapter 88-464, Laws of Florida, as amended, the local future land use plan, and corresponding land development regulation category, shall be considered consistent provided the applicable density/intensity is equal to or less than the density/intensity of the corresponding Countywide Plan Map category.

**4.2.3.3** **Measurement of Density/Intensity.** At a minimum, local future land use plan and local development regulation standards will include the following measures of density/intensity:

- Residential - Dwelling units per gross acre (D.U./Acre)
- Residential Equivalent - Equivalent beds per dwelling unit and impervious surface ratio (ISR)
- Nonresidential - Impervious surface ratio (ISR) and floor area ratio (FAR)

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

Density and intensity standards are expressed as a maximum, with the upper end of any range being the effective maximum for each category as set forth in Article 2 of these Countywide Rules.

**4.2.3.4** **Provision for Adjustment.** Adjustment of intensity standards for floor area ratio (FAR) and impervious surface ratio (ISR) is provided for as set forth in Division 6.4 of these Countywide Rules. The provision for adjustment of intensity standards shall be considered a legitimate means by which to administer these Countywide Rules, but shall not be construed to qualify or in any manner diminish the requirement for definitive intensity standards in the local future land use plan and land development regulations, consistent with the Countywide Plan Map and these Countywide Rules.

**4.2.3.5** **Affordable Housing.** A density/intensity bonus may be authorized by local government to the otherwise applicable maximum permitted density/intensity for each category as an incentive to provide affordable housing. This affordable housing density/intensity bonus may permit an increase in the number of dwelling units and floor area allowed, based on the number of units which qualify and are set aside as affordable housing units, as provided for in the local government plan. No Countywide Plan Map amendment is required to employ this density/intensity bonus.

In order for a local government to utilize this provision, the local government shall approve an affordable housing plan and corresponding land development regulations which shall be filed with the Council.

An affordable housing plan shall contain, at a minimum, the following:

1. Definitions of what qualifies as affordable housing and other terms used within the plan;
2. Maximum dwelling unit and floor area ratio bonuses, in relationship to the number and percentage of affordable units, allowable in the specified zoning districts, future land use plan categories, and/or special area plans;
3. Manner in which affordable housing density and/or intensity bonus units are calculated relative to the otherwise allowable mixed-use density/intensity formula;
4. Provisions that commit the resulting affordable units to a minimum specified period of time; and
5. Provisions for enforcement and monitoring, including any periodic reports required to be submitted to the local government.

**4.2.3.6** **Development Impacts.** Density/intensity permitted at the time of application for platting or site plan approval, and subsequently impacted by the dedication of public right-of-way and/or the creation of submerged land as a function of that approval,

shall thereafter be deemed to be consistent and conforming as to the maximum permitted density/intensity of the Countywide Plan and Rules.

**4.2.3.7**      **Previously Approved Transferable Development Rights and Density/Intensity Averaging.** Density/intensity permitted as a function of transfer of development rights or density/intensity averaging through an approved master plan, planned development, or comparable process, prior to the effective date of this provision (Ordinance No. 09-9, February 24, 2009), shall be deemed to be consistent and conforming as to the maximum permitted density/intensity and the recording and filing requirements of the Countywide Plan and Rules.

**SEC. 4.2.4**      **USE/LOCATIONAL CHARACTERISTICS.**

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

**4.2.4.1**      Locational characteristics as set forth in the local government land use plan or land development regulations shall be consistent with and sufficiently detailed so as to be comparable to the corresponding Countywide Plan Map category as enumerated in these Countywide Rules.

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

Primary uses are a principal use identified under the use characteristics of each category and represent those uses which the category is primarily designed to accommodate. Secondary uses are a principal use identified under the use characteristics of each category and represent those uses which the category is designed to accommodate as a secondary priority. Uses consistent with either primary or secondary use characteristics identified in a particular category shall be considered to have met this criterion for consistency.

Accessory uses normally found in association with, incidental to, and subordinate to the permitted primary and secondary use characteristics of the Countywide Rules, are allowed as provided for by the local jurisdiction and subject to their specific requirements.

#### 4.2.4.3

Uses in the local government land use plan and land development regulations may provide for use characteristics not normally allowed under the respective category of these Countywide Rules, subject to all of the following criteria:

1. Uses in the local government plan and regulations may include, but shall not exceed, the use characteristics of another category under the same Major Classification of these Countywide Rules; and
2. This section shall apply only to, and exclusively within, the respective Residential, Mixed Use, Commercial, or Industrial Major Classifications of these Countywide Rules; and
3. This section shall not apply to any property located on a Scenic/Noncommercial Corridor of these Countywide Rules; and
4. This section shall not apply to any property which has an area of more than three (3) acres in the Residential or Mixed Use Major Classification or more than five (5) acres in the Commercial or Industrial Major Classification; and
5. Uses in the local government plan and regulations shall be subject to specified provisions of the local plan governing compatible land use relationships, and shall further be subject to all applicable density/intensity standards and traffic generation rates which govern the local plan map category in which the subject use is located, or the Countywide Plan Map category in which the subject use is located, whichever is more restrictive, said determinations to be made as follows:
  - a. The maximum permitted density shall not exceed the maximum number of dwelling units per acre permitted under the land use category of record in the local plan or the Countywide Plan Map, whichever is more restrictive;
  - b. The maximum permitted intensity shall not exceed the maximum floor area ratio (FAR) or the maximum impervious surface ratio (ISR) permitted under the land use category of record in the local plan or the Countywide Plan Map, whichever is more restrictive; and
  - c. The maximum permitted density and/or intensity of use shall be further limited such that no additional traffic is generated above that which would have been produced by the maximum density/intensity of the uses otherwise permitted in the category of record in the local plan or the Countywide Plan Map, whichever is more restrictive. Traffic generation rates shall be calculated based upon the Countywide Plan standard for the land use category of record or as provided for under the local plan and regulations, whichever shall be the more restrictive.

#### SEC. 4.2.5 MAP DELINEATION.

The local future land use plan maps shall be consistent if the local future land use plan designation for each parcel is equal to or less dense/intense than the corresponding Countywide Plan Map designation, in accordance with the continuum of density/intensity standards within each major classification.

**SEC. 4.2.6 OTHER STANDARDS.**

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

**SEC. 4.2.7 SPECIAL RULES.**

**4.2.7.1 Scenic/Noncommercial Corridors.**

**4.2.7.1.1** Designated Scenic/Noncommercial Corridors, as set forth in these Countywide Rules and depicted on the Countywide Plan Map, shall be deemed to have countywide significance and will be recognized as Scenic/Noncommercial Corridors, consistent with the Scenic/Noncommercial Corridor Plan Element of the Countywide Plan.

**4.2.7.1.2** The intent and purpose of the Scenic/Noncommercial Corridor designation is to guide the preservation and enhancement of scenic qualities, to ensure the integrity of the Countywide Plan Map, and to maintain and enhance the traffic operation of these especially significant roadway corridors in Pinellas County.

The principal objectives of Scenic/Noncommercial Corridor designations are:

- A. To preserve and enhance scenic qualities found along these corridors and to foster community awareness of the scenic nature of these corridors.
- B. To encourage superior community design and enhanced landscape treatment, both outside of and within the public right-of-way.
- C. To encourage land uses along these corridors which contribute to an integrated, well planned and visually pleasing development pattern, while discouraging the proliferation of commercial, office, industrial, or intense residential development beyond areas specifically designated for such uses on the Countywide Plan Map.
- D. To assist in maintaining the traffic operation of roadways within these corridors through land use type and density/intensity controls, and by conformance to access management regulations, by selective transit route location, and by the development of integrated and safe pedestrian and bicycle access systems.
- E. To encourage design standards identified within the *Pinellas County Countywide Scenic/Noncommercial Corridor Master Plan*, through the

adoption of local ordinances and regulations consistent with those standards set forth within the Master Plan.

**4.2.7.1.3** Delineation of Scenic/Noncommercial Corridors shall be as follows:

- A. Corridors shall be as set forth within Article 2, Section 2.3.3.9.2, and as depicted on the Countywide Plan Map and Submap No. 1 entitled *Countywide Scenic/Noncommercial Corridor Map*.
- B. All corridors or portions (segments) thereof shall be classified as either Rural/Open Space, Residential, Mixed Use, Unique/Scenic View, or Enhancement Connector as identified on the Scenic/Noncommercial Corridor Map, as approved and as it may be subsequently amended. Corridor subclassifications are intended to be consistent with the corresponding approved Countywide Plan Map categories as enumerated in the Scenic/Noncommercial Corridor Plan Element. Upon amendment of the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor, the Corridor Subclassification (and all standards which apply) shall be changed concurrently to be consistent with the amended Countywide Plan Map categories. Specifically, any amendment of the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor will include, as a function of that amendment, any requisite change to the Corridor Subclassification and said change will be reflected on Submap No. 1 concurrent with the effective date of the Countywide Plan Map amendment, except as specifically provided for herein:

The PPC and CPA shall have the authority to grant exceptions to the concurrent change to the Corridor Subclassification, as reflected on Submap No. 1, upon approval of an amendment to the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor, based upon a finding that:

- 1. The size and configuration of the amendment is *de minimus* in relationship to its frontage on the affected Scenic/Noncommercial Corridor; or
  - 2. The size and configuration of the amendment is *de minimus* in relationship to the length of the affected Scenic/Noncommercial Corridor; or
  - 3. The size and location of the amendment is consistent in relationship to the surrounding existing Countywide Plan Map designations.
- C. Corridor width shall be determined, considering the depth of each land use which abuts or functionally relates to the roadway right-of-way, from a land use, visual or traffic operations standpoint, generally to a depth of 500 feet (measured from the right-of-way that is required to implement the current MPO Long Range Transportation Plan). The five hundred (500) feet distance may be expanded or diminished at the discretion of the Pinellas Planning Council and Countywide Planning Authority for the purpose of reviewing amendments to the Countywide Plan Map only where exceptional circumstances warrant, based upon, but not limited to, the following considerations:

1. The distance to and sight-line for a particular scenic view or visual characteristic;
2. Access from the property in question to the Scenic/Noncommercial Corridor and its relationship thereto; and
3. The location and degree to which any man-made structure or natural feature interrupts or precludes a view or visual relationship from the roadway.

**4.2.7.1.4** The following criteria shall be considered by the Pinellas Planning Council and Countywide Planning Authority, in concert with other consistency and amendment criteria, in the review of an application by local government for amendment of the Countywide Plan Map on a Scenic/Noncommercial Corridor:

- A. Countywide Plan Map Consistency - The extent to which the local government request is consistent with the following Table 2, *Countywide Plan Map/Corridor Classification Consistency*. Nothing in these consistency guidelines shall preclude a local government from being more restrictive, i.e., to determine that a particular category shall not be considered consistent with a particular corridor subclassification, irrespective of provision for same in Table 2.
- B. Considerations by Countywide Plan Map Classification
  1. Residential Countywide Plan Map Classification - With respect to a Residential Countywide Plan Map classification, the extent to which the local government request discourages the intensification of residential use on a Scenic/Noncommercial Corridor. In particular, an amendment to the Countywide Plan Map to increase residential density shall be discouraged, except where such amendment is determined to be consistent with the existing delineation of Countywide Plan Map categories, adjoining existing use, and the purpose and intent of the Scenic/Noncommercial Corridor Plan Element as applied through these Countywide Rules and the otherwise applicable amendment process.
  2. Mixed Use, Commercial, or Industrial Countywide Plan Map Classifications - With regard to Mixed Use, Commercial, or Industrial Countywide Plan Map classifications:
    - a. The extent to which the local government request discourages nonresidential uses on a Scenic/Noncommercial Corridor. In particular, amendment to the Countywide Plan Map to allow a new or expanded Mixed Use, Commercial, or Industrial category shall be discouraged, except where such amendment is:
      - i. the logical in-fill, extension or terminus of an existing nonresidential classification; and
      - ii. the logical in-fill, extension or terminus of an adjoining existing nonresidential use; and

- iii. considered in relationship to the existing delineation of surrounding categories on the Countywide Plan Map and Corridor Subclassification(s); and
    - iv. consistent with the purpose and intent of the Scenic/Noncommercial Corridor Plan Element, as applied through these Countywide Rules and the otherwise applicable amendment process.
  - b. The extent to which the local government request minimizes any increase in density/intensity on a Scenic/Noncommercial Corridor. Specifically, in reviewing any application for nonresidential use on a Scenic/Noncommercial Corridor, the proposed density/intensity of use as measured by dwelling units per acre, floor area ratio and impervious surface ratio, as is applicable, shall be considered with the objective of not exceeding the density/intensity of either the adjoining nonresidential uses or the mid-point of the range for the density/intensity standards of the applicable category, whichever is less.
- 3. Public/Semi-Public Countywide Plan Map Classifications - With respect to Public/Semi-Public Countywide Plan Map classifications, the extent to which the local government request provides for Public/Semi-Public categories consistent with the character, intensity, and scale of the uses permitted within these respective categories in relation to the existing delineation of Countywide Plan Map categories, adjoining existing use, the need for and service area of the public/semi-public use, and the purpose and intent of the Scenic/Noncommercial Corridor Plan Element, as applied through these Countywide Rules and the otherwise applicable amendment process.
- 4. Special Designations and Planned Redevelopment Classification – Those Countywide Plan Map categories that require a special area plan under Section 4.2.7.5 shall be evaluated as part of the special area plan review process to determine their consistency with the purpose and intent of Section 4.2.7.1.
- C. Scenic/Noncommercial Corridor Plan Element - The extent to which the local government request has taken into account the Scenic/Noncommercial Corridor Plan Element, including the goals, objectives, and policies articulated within the Plan Element, as is relevant to the particular amendment under consideration. Consistent with its advisory nature, the Scenic/Noncommercial Corridor Plan Element shall not serve as a basis for denial of an amendment.
- D. MPO Long Range Transportation Plan - The extent to which the local government request has taken into account the current MPO Long Range Transportation Plan, and any enhanced access management standards, as is relevant to the particular roadway under consideration. Particular

consideration shall be given to the established policies of the governmental entity having construction and maintenance responsibility over the subject facility.

- E. Countywide Sign Regulations - The extent to which the local government request has taken into account the Countywide Sign Ordinance, Part III Chapter 162, as amended, of the *Pinellas County Land Development Code* including provisions which govern the placement of off-premise signs, as is relevant to the particular amendment under consideration.

**Table 2**  
**COUNTYWIDE PLAN MAP/CORRIDOR CLASSIFICATION CONSISTENCY**

<b><u>FUTURE LAND USE PLAN DESIGNATION</u></b>	<b><u>RURAL/ OPEN SPACE</u></b>	<b><u>RESIDENTIAL</u></b>	<b><u>MIXED USE</u></b>	<b><u>UNIQUE SCENIC VIEW</u></b>	<b><u>ENHANCEMENT CONNECTOR</u></b>
<b><u>RESIDENTIAL</u></b>					
Residential Rural (RR)	x	x	x	-	x
Residential Estate (RE)	x	x	x	-	x
Residential Suburban (RS)	-	x	x	-	x
Residential Low (RL)	-	x	x	-	x
Residential Urban (RU)	-	x	x	-	x
Residential Low Medium (RLM)	-	-	x	-	x
Residential Medium (RM)	-	-	x	-	x
Residential High (RH)	-	-	x	-	x
Residential Very High (RVH)	-	-	x	-	x
<b><u>MIXED USE</u></b>					
Residential/Office Limited (R/OL)	-	-	x	-	x
Residential/Office General (R/OG)	-	-	x	-	x
Residential/Office/Retail (R/O/R)	-	-	x	-	x
Resort Facilities Overlay (RFO)	-	-	-	-	x
Resort Facilities Medium (RFM)	-	-	-	-	x
Resort Facilities High (RFH)	-	-	-	-	x
<b><u>COMMERCIAL</u></b>					
Commercial Neighborhood (CN)	-	-	x	-	x
Commercial Limited (CL)	-	-	x	-	x
Commercial Recreation (CR)	-	-	x	-	x
Commercial General (CG)	-	-	x	-	x
<b><u>INDUSTRIAL</u></b>					
Industrial Limited (IL)	-	-	-	-	x
Industrial General (IG)	-	-	-	-	x
<b><u>PUBLIC/SEMI-PUBLIC</u></b>					
Preservation (P)	x	x	x	x	x
Recreation/Open Space (R/OS)	x	x	x	x	x
Transportation/Utility (T/U)	-	x	x	-	x
Institutional (I)	-	x	x	-	x
Resource Management Overlay (RMO)	x	x	x	x	x

An “x” indicates that the Countywide Plan Map category may be considered potentially consistent, subject to all other applicable criteria, with the corresponding Corridor Classification. The absence of an “x” indicates that the Countywide Plan Map category is not considered compatible with the Corridor Classification, unless a specific finding to the contrary is made in accordance with Sec. 4.2.7.1.3 B.

It is the intent of this provision to discourage the proliferation of nonresidential use and to monitor any increase in the density/intensity on a Scenic/Noncommercial Corridor.

## **4.2.7.2 Transferable Development Rights and Density/Intensity Averaging.**

**4.2.7.2.1** Transfer of development rights shall be as provided for in the applicable local government comprehensive plan and land development regulations, subject to the following:

- A. The land use characteristics within any given Countywide Plan Map category shall be consistent with those land use characteristics enumerated for each Countywide Plan Map category, and no transfer of development rights shall be permitted which is inconsistent with the use characteristics of a given Countywide Plan Map category.
- B. There shall be no transfer of development rights from existing developed property, irrespective of whether or not that property has been developed to the maximum density/intensity permitted under the Countywide Plan and Countywide Rules, except for archaeological, historical, architectural preservation, or Leadership in Energy and Environmental Design (LEED) building certification purposes, pursuant to the enumerated policies and locations as set forth in the local government comprehensive plan and LDRs, which shall have been determined to be consistent with these Rules.
- C. Transfer of development rights is permitted between all Countywide Plan Map categories except for transfer to the Preservation and Recreation/Open Space categories.
- D. The maximum permitted density/intensity of the Countywide Plan Map category for any parcel of land to which development rights are transferred shall not exceed twenty (20) percent of the otherwise maximum permitted density/intensity allowed for each respective Countywide Plan Map category applicable to such parcel, except as specifically provided for parcels within an area designated CBD, CRD, or PR on the Countywide Plan Map. Transfer of development rights within these categories shall be in accordance with the terms for transfer of development rights and permitted maximum density/intensity of the approved special area plan.
- E. Where development rights are transferred from a sending parcel, that property shall only be used in a manner and to the extent specified in the transfer and recording mechanism. Any parcel from which development rights are transferred will be limited to the use and density/intensity that remains after the transfer. In particular:
  - 1. The residual development rights on the sending parcel will be limited to the remnant use and density/intensity available under the Countywide Plan Map category, and not otherwise transferred.
  - 2. Determination of available remnant use and density/intensity for any mixed use, or combination of distinct uses, shall be in accord with the consistency criteria as set forth in Sec. 4.2.3 and 4.2.4 of the Countywide Rules.

3. Neither the use nor density/intensity of a sending parcel shall be double-counted and the transfer of development rights shall not result in any combination of use or density/intensity above that which was otherwise permitted under the applicable Countywide Plan Map category for each the sending and receiving parcels, when taken together.
  4. A sending parcel from which all development rights are transferred shall not thereafter be available for use except consistent with the use characteristics and density/intensity standards of the Recreation/Open Space category, except for sending parcels classified as Preservation or required to be classified as Preservation as a function of the transfer, in which case such parcels shall be limited to the use characteristics and density/intensity standards of the Preservation category.
- F. Where all development rights have previously been transferred from a sending parcel through a local government approved or Countywide Plan Map approved process, no additional development rights shall be transferable from that sending parcel.
- G. There shall be no transfer of development rights from or to submerged land, or from outside the coastal high hazard area into the coastal high hazard area.
- H. Where development rights cannot otherwise be determined for the Preservation or Recreation/Open Space category based on local government provisions for transfer of development rights, such categories shall be assigned a maximum density/intensity of one (1) dwelling unit or five (5) percent floor area ratio per acre, or both, as is applicable based on the use characteristics to be utilized in the receiving parcel for any transfer of development rights under the Countywide Plan Map and these Countywide Rules.
- I. Where an entire parcel of property is located in a Preservation or Recreation/Open Space category, and the development rights of such parcel have not been and cannot be transferred, such property shall be permitted a minimum beneficial use subject to the various provisions of these Countywide Rules and the Countywide Plan Map, but private property shall not be taken without due process of law and the payment of just compensation.
- J. Any project utilizing transfer of development rights shall require the local government having jurisdiction to provide for a recording mechanism, in a form approved by the Countywide Planning Authority, which shall as a minimum, require written evidence of the transfer of development rights in a document to be recorded in the public records with the Clerk of the Circuit Court for Pinellas County, and a record copy of same to be filed with the PPC.

**4.2.7.2.2** Density/intensity averaging is permitted between all Countywide Plan Map categories except Preservation, Recreation/Open Space, Central Business District and Community Redevelopment District. The entire area under consideration must be considered as one project by the local government in which the property is located, must be under master site plan or unity of title, and the total dwelling unit count, floor area, and impervious surface, shall not exceed what is otherwise allowed under the Countywide Plan Map for the total area under consideration.

All uses for projects involving density/intensity averaging shall be consistent with the use characteristics permitted within the respective Countywide Plan Map categories involved in the density/intensity averaging.

Mixed uses shall not exceed, in combination, the respective number of units per acre, floor area ratio, and impervious surface ratio permitted, when allocated in their respective proportion to the total lot area.

Any project utilizing density/intensity averaging shall require written evidence of the averaging in a document to be recorded in the public records with the Clerk of the Circuit Court for Pinellas County, and a record copy of same shall be filed with the PPC.

#### **4.2.7.3 Public Educational Facility Siting.**

**4.2.7.3.1** It is the intent and purpose of this section to provide for and encourage compliance with the *Educational Facilities Act of 1995* (Chapters 235 and 163, Florida Statutes) in a uniform and consistent manner.

**4.2.7.3.2** These Countywide Rules provide for an exception for Public Educational Facilities to the otherwise applicable threshold limitation for Institutional Uses in Residential and Residential/Office categories.

**4.2.7.3.3** In furtherance of the objectives of the Educational Facilities Act and these Countywide Rules, a Model Interlocal Agreement for Public Educational Facility Siting in Pinellas County has been developed for utilization by the Pinellas County School Board and Local Government (attached as Exhibit "A" to Ordinance No. 96-55). This Model Interlocal Agreement is advisory only and provides for an alternative process as authorized under Section 235.193(7), F.S., and locational review criteria that will help foster a uniform approach to public school siting throughout Pinellas County. Although not required, the Pinellas County School Board and Local Governments are encouraged to utilize the Model Interlocal Agreement for Public Educational Facility Siting in Pinellas County.

#### **4.2.7.4 Coastal High Hazard Areas.**

**4.2.7.4.1** The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the Coastal High Hazard Area (CHHA) which results in an increase of density or intensity; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the following criteria, as are determined applicable and significant to the subject amendment:

- A. Distinction Between Direct Storm Damage and Damage to Evacuation Routes. - The requested amendment is for a parcel that is included within the CHHA because of evacuation difficulties caused by projected storm damage to evacuation routes, not because of predicted storm damage to the parcel, and where it can be established that adequate evacuation routes are available.
- B. Access to Emergency Shelter Space and Evacuation Routes. - The uses associated with the requested amendment will have access to adequate emergency shelter space as well as evacuation routes with adequate capacities and evacuation clearance times.
- C. Utilization of Existing and Planned Infrastructure. - The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.
- D. Utilization of Existing Disturbed Areas. - The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms.
- E. Maintenance of Scenic Qualities and Improvement of Public Access to Water. - The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Boca Ciega Bay), and Tampa Bay.
- F. Water Dependent Use. - The requested amendment is for uses which are water dependent.
- G. Integral Part of Comprehensive Planning Process. - The requested amendment has been initiated by the local government as an integral part of its comprehensive planning process, consistent with the local government comprehensive plan.
- H. Part of Community Redevelopment Plan. - The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment areas.
- I. Overall Reduction of Density or Intensity. - The requested amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA.
- J. Clustering of Uses. - The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.

**4.2.7.4.2** The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the CHHA which would permit the siting or expansion of uses that are inconsistent with the CHHA, given their susceptibility to storm damage or special evacuation requirements, including

hospitals, nursing homes, convalescent homes, adult living facilities, recreational vehicles, and mobile homes; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the criteria in Section 4.2.7.4.1, A-J, as are determined applicable and significant to the subject amendment.

**4.2.7.4.3** Nothing in these Countywide Rules shall be construed or applied to preclude a local government with jurisdiction from having requirements in the Coastal High Hazard Area that are more restrictive than the terms set forth herein.

**4.2.7.5** **Special Area Plans.**

**4.2.7.5.1** Special Area Plans Required. A proposed amendment of the Countywide Plan Map to Residential Very High, Activity Center, Community Redevelopment District, Central Business District, or the Planned Redevelopment categories of Residential, Mixed Use, Commercial, or Industrial shall require a special area plan. Such special area plan shall be approved by official action of the legislative body of the local government in support of the proposed category, in a form sufficient to ensure compliance with the special area plan. The special area plan shall include, at a minimum, information addressing the following:

A. Plan Issues and Objectives

1. Existing land use and related characteristics of the area;
2. Issues to be addressed by the plan; and
3. Plan objectives in relationship to the local government comprehensive plan and *Pinellas by Design: An Economic Development and Redevelopment Plan for the Pinellas Community*.

B. Plan Composition

1. Permitted uses and any differentiation by location;
2. Density/intensity standards for permitted uses;
3. Design guidelines, if any, appropriate to the plan;
4. Affordable housing provisions, if any, appropriate to the plan;
5. Mixed-use provisions, if any, appropriate to the plan;
6. Special provision for mobility and circulation, including mass transit, access management, parking, pedestrians, and bicycles;
7. Identification of and reference to land development regulations that implement the plan;
8. Public and/or private improvements, contributions and/or incentives, if any, appropriate to the plan; and
9. The local government plan approval process.

C. Plan Impacts

1. Identification of water, sewer, and stormwater drainage impacts that may be anticipated based on the plan, identification of overall system capacities, and an analysis of the difference between these anticipated

- impacts on the systems as compared to the impacts based on the current Countywide Plan Map designations; and
2. Relevant Countywide Consideration, as enumerated in Sections 5.5.3.1.1 through 5.5.3.1.6.

The special area plan must address the above items in one document, but to accomplish this, the local government may reference other documents (e.g., the local government's comprehensive plan or implementing land development regulations) as appropriate.

The proposed Countywide Plan Map amendment, along with the special area plan, shall be reviewed in accordance with the provisions of Article 5 of these Countywide Rules.

**4.2.7.5.2** Progress Assessment. The local government shall provide an assessment of the special area plan's progress with respect to its enumerated objectives five years from the effective date of a Countywide Plan Map amendment for such special area plan, which report shall be submitted to the PPC and CPA for receipt and acceptance.

**4.2.7.5.3** Changes to Approved Special Area Plans. Substantive changes to an approved special area plan shall be reviewed according to the provisions of Article 5 of these Countywide Rules, which require recommendation by the PPC and approval by the CPA in the same manner as for new special area plans accompanying Countywide Plan Map amendments. Substantial changes include:

1. Expansion or contraction of the geographic area of the plan;
2. Changes to the permitted uses, or their location within the plan area, if specified;
3. Increase in density/intensity or to projected traffic, water, sewer, or stormwater drainage impacting public infrastructure improvements;
4. Changes affecting the Relevant Countywide Considerations; and
5. Any other change determined by the local government, the PPC, or CPA to be a material change to the approved plan, affecting the plan issues and objectives, plan composition, or plan impacts that is relevant and fundamental to the basis on which the special area plan was approved and is to be administered under the Countywide Plan and Rules.

Minor plan changes that are not considered substantive shall not constitute an amendment to the Countywide Plan Map, and shall be submitted to the PPC and CPA for receipt and acceptance.

**4.2.7.5.4** Relationship of Special Area Plans to Community Redevelopment Area Plans. In the event that a community redevelopment plan, per Chapter 163, Part III, Florida Statutes, is prepared for the same area as the special area plan, all applicable provisions of the community redevelopment plan approval process shall be complied with prior to processing of the special area plan for Countywide Plan Map amendment.

#### **4.2.7.6 Temporary Lodging Use Standards.**

**4.2.7.6.1** Alternative Density/Intensity. Local governments may utilize the standard temporary lodging densities and intensities specified within each Countywide Plan Map category that provides for such use; or may, in the alternative, utilize all, or any part of, the higher temporary lodging densities and associated intensities included in the accompanying Table 3, subject to the following:

- A. Amendment of the local government comprehensive plan and land development regulations to provide for all, or any portion of, the alternative densities and intensities in Table 3, based on a Development Agreement prepared and approved pursuant to Chapter 163, Sections .3220-.3243, F.S., as amended.
- B. A Development Agreement proposing to utilize the higher densities and intensities identified in Table 3 and authorized by this Section shall address, at a minimum, the following:
  - 1. The ability of the local government, or the applicable service provider, to meet the concurrency management standards for sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools and transportation facilities, as required pursuant to Section 163.3180, F.S., and the applicable local government or service provider plan and regulations.
  - 2. Provision for all temporary lodging uses to comply with all county and local hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III. In particular, all temporary lodging uses which are located in Hurricane Evacuation Level A, as identified by the Pinellas County Emergency Management Agency, shall prepare a legally enforceable mandatory evacuation/closure covenant, stating that the temporary lodging use will be closed as soon as practicable after a hurricane watch is posted for Pinellas County by the National Hurricane Center. Further, a plan implementing the closure and evacuation procedures shall be prepared and submitted to the county or municipal emergency management coordinator, whichever is applicable, within 90 days of the issuance of a certificate of occupancy. This plan will be updated and sent for review when there is a change of ownership or substantive change to the plan or as required by the county or municipal emergency management coordinator, whichever is applicable.
  - 3. Design considerations in Section 4.2.7.6.2, the transportation concurrency management provisions in Section 4.2.7.6.3 and the restrictions on temporary lodging use in Section 4.2.7.6.4. set forth following.
- C. A Development Agreement prepared pursuant to this Section shall be approved by the local government governing body, recorded with the Clerk of the Circuit Court pursuant to Section 163.3239, F.S., a copy filed with the

Property Appraiser's Office, and a copy submitted to the PPC and CPA for receipt and filing within fourteen (14) days after recording. The development limitations set forth in the Development Agreement shall be memorialized in a deed restriction, which shall be recorded in the Official Records of Pinellas County prior to the issuance of a building permit for the temporary lodging use.

- D. The alternative densities and intensities set forth in Table 3 are maximums, except as provided for in E. below. A local government may choose to utilize a density and intensity standard equal to or less than the alternative density and intensity standard, when adopted in their comprehensive plan and land development regulations, based on the maximums set forth in Table 3.
- E. Intensity standards governing floor area ratio (FAR) and impervious surface ratio (ISR) may be varied by the local government with jurisdiction pursuant to the provisions of Division 6.4 of these Rules. The FARs in Table 3 apply to the temporary lodging use, residential dwelling uses integrated in the same structure with the temporary lodging use, associated parking structures, and uses accessory to temporary lodging uses (e.g., meeting space, restaurants, spas, clubs, etc.).
- F. For development that includes a combination of temporary lodging and residential dwelling use, each use shall be allowed in proportion to the size of the property and the permitted density and intensity of the respective use.

**Table 3  
TEMPORARY LODGING DENSITY AND INTENSITY STANDARDS**

<b>Plan Category</b>	<b>Temporary Lodging On Property That Is:</b>	<b>Maximum Density/Intensity Standards</b>		
		<b>Units/Acre</b>	<b>FAR</b>	<b>ISR</b>
RFM	Less Than One Acre	45	1.0	0.85
	Between One Acre And Three Acres	60	1.5	0.85
	Greater Than Three Acres	75	2.0	0.85
RFH	Less Than One Acre	75	2.0	0.95
	Between One Acre And Three Acres	100	3.0	0.95
	Greater Than Three Acres	125	4.0	0.95
R/O/R	No Property Size Limitations	45	1.0	0.85
CL		45	1.0	0.85
CR		60	1.2	0.90
CG		60	1.2	0.90
IL		75 [subject to master development plan requirements in Section 2.3.3.6.1]	1.5	0.85
RFO		Not to exceed a ratio of 2.5 temporary lodging units to the permitted number of residential units in the underlying Countywide Plan Map category.	1.2	0.85

#### 4.2.7.6.2

Design Considerations. The purpose of the design considerations is to enable the local government to authorize the increased density and intensity provided for in Table 3, subject to a determination that the project is compatible with the size, location, configuration and character of the site, its relationship to the Countywide Plan Map category in which it is located, and to adjoining uses; and that the overall principles of quality urban design as set forth in *Pinellas By Design: An Economic Development and Redevelopment Plan for Pinellas County* are furthered.

In particular, design considerations applicable to the proposed use shall address the following in the Development Agreement so as to ensure compatibility in terms of context-sensitive design, and the scale and placement of the proposed use so as to achieve a harmonious relationship and fit relative to its location and surroundings:

- A. Building scale, including height, width, location, alignment, and spacing.
- B. Building design, including elevations, façade treatment, entrance and porch or balcony projections, window patterns and roof forms.
- C. Site improvements, including building and site coverage, accessory structures, service and amenity features, walkway and parking areas, open space, and view corridors.
- D. Adjoining property use, including density/intensity, and building location, setbacks, and height.

#### 4.2.7.6.3

Transportation Concurrency Management. The purpose of this provision is to ensure that a project authorized to use the increased density and intensity provided for in Table 3 is consistent with the Metropolitan Planning Organization (MPO) countywide approach to the application of concurrency management for transportation facilities.

In particular, transportation analysis for the project shall include the following:

- A. Recognition of standard data sources as established by the MPO.
- B. Identification of level of service (LOS) standards for state and county roads as established by the MPO.
- C. Utilization of proportionate fair share requirements consistent with Chapter 163, F.S., and the MPO model ordinance.
- D. Utilization of the MPO Traffic Impact Study Methodology.
- E. Recognition of the MPO designation of “Constrained Facilities” as set forth in the most current *MPO Annual Level of Service Report*.

**4.2.7.6.4** Operating Characteristics and Restrictions. The purpose of this provision is to ensure that a project authorized to use any portion of the increased density and intensity provided for in Table 3 is built, functions, operates, and is occupied exclusively as temporary lodging.

In particular, temporary lodging uses at the densities/intensities in Table 3, or any density higher than the standard density provided for such use in each applicable Countywide Plan Map category, shall comply with the following restrictions:

- A. No temporary lodging unit shall be occupied as a residential dwelling unit, and a locally-determined maximum length of stay for any consecutive period of time shall be established by the local government to ensure that any temporary lodging use does not function as a residential use.
- B. Temporary lodging units shall not qualify or be used for homestead or home occupation purposes.
- C. All temporary lodging units must be included in the inventory of units that are available within a temporary lodging use.
- D. No conversion of temporary lodging units to residential dwelling units shall be permitted unless the conversion is in compliance with the Countywide Rules with respect to the permitted residential density and, where applicable, the intensity for associated nonresidential uses.
- E. A temporary lodging use may include accessory uses, such as recreational facilities, restaurants, bars, personal service uses, retail uses, meeting space, fitness centers, spa facilities, parking structures and other uses commonly associated with temporary lodging uses. All such uses shall be included in the calculation of allowable floor area ratio.
- F. Any license required of a temporary lodging use by the local government, county, or state agency shall be obtained and kept current.
- G. Temporary lodging uses shall be subject to all applicable tourist development tax collections.
- H. A reservation system shall be required as an integral part of the temporary lodging use, and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for temporary lodging would be operated.
- I. Temporary lodging uses must have sufficient signage that complies with local codes and is viewable by the public designating the use as a temporary lodging use.
- J. The books and records pertaining to use of each temporary lodging unit shall be open for inspection by authorized representatives of the applicable local government, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.
- K. The applicable local government may require affidavits of compliance with this Section from each temporary lodging use and/or unit owner.

**ARTICLE 5**

**COUNTYWIDE PLAN MAP AMENDMENT**

<b>DIV. 5.1</b>	<b>COUNTYWIDE PLAN MAP AMENDMENTS / GENERAL ACTION.</b>
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**SEC. 5.1.1**    **APPLICATION.**

Local governments may initiate Countywide Plan Map amendments only as provided for in this Article in accordance with Section 10 of Chapter 88-464, Laws of Florida, as amended, and the particular procedures established in these Countywide Rules. No amendment to the Countywide Plan Map shall be considered by the PPC until the local government applying for such amendment has established jurisdiction.

Applications for amendment of the Countywide Plan Map shall be preceded by, and based upon, a local ordinance considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use map amendment; subject to any requisite determination of compliance by the State Land Planning Agency pursuant to Chapter 163, Part II, Florida Statutes, adoption of an ordinance effectuating a consistent amendment of the Countywide Plan Map by the Countywide Planning Authority pursuant to Chp. 88-464, Laws of Florida, and final action by the local governing body.

**SEC. 5.1.2**    **PROCEDURES.**

Countywide Plan Map amendments shall be considered according to the following process, consistent with the more detailed wording set forth in Chapter 88-464, Laws of Florida, as amended, CPA Resolution No. 90-205, and as provided for in each Division in this Article.

**5.1.2.1**        **Initiation.** Only the governing body may initiate an amendment to the Countywide Plan Map for a particular parcel of property over which it has jurisdiction. Application for amendment of the Countywide Plan Map shall be transmitted to the PPC subsequent to the initial action by the governing body authorizing the transmittal of and concurrence with the local ordinance, and prior to finalizing adoption of the local ordinance, except where Chapter 163.3187(1)(c)3., Florida Statutes, provides for a small scale map amendment to be adopted based on a single public hearing.

**5.1.2.2**        **Submission of Application.** Before an application of a Countywide Plan Map amendment shall be heard by the PPC, a written application shall be submitted in a form established by the PPC. In order to qualify for formal receipt and action by the PPC, a complete application shall be filed in the office of the PPC not later than twenty-eight (28) days prior to the PPC meeting at which it is eligible to be considered.

**5.1.2.3**        **Determination of Completeness.** The Executive Director shall have the authority to make the interpretation as to the completeness of a submitted application to amend the Countywide Plan Map. If the Executive Director determines that the submitted application is not complete, the Executive Director shall provide written notice to the applicant specifying the deficiencies. No action shall be taken on the requested

amendment until the Executive Director determines that the deficiencies have been remedied.

**5.1.2.4**      **Notice and Public Hearing by PPC.** The PPC shall hold a public hearing, advertised and noticed as required by Chapter 88-464, Laws of Florida, as amended, prior to taking action on a requested amendment of the Countywide Plan Map. A single published advertisement and requisite mailed notice for all amendments shall be provided which shall include notice of both the PPC and CPA public hearings.

**5.1.2.5**      **Recommendation by PPC.** The PPC shall make a recommendation to the CPA within sixty (60) days of receipt of a complete application for amendment.

**SEC. 5.1.3**      **DETERMINATION.**

Amendments to the Countywide Plan Map shall be reviewed by, and require the approval of, the CPA upon recommendation of the PPC. Decisions of the PPC and the CPA, with respect to the disposition of Countywide Plan Map amendments, are considered legislative in nature.

**5.1.3.1**      **PPC Action.** The PPC may recommend approval, denial, continuation or alternative action to the CPA; any of which such recommendations shall constitute action by the PPC within the stipulated sixty- (60) day period.

**5.1.3.2**      **Notice of Denial.** The PPC shall, within five (5) days, notify the applicant local government in writing of any recommendation by the PPC to deny an amendment eligible for administrative hearing, and shall advise the applicant local government of their right to apply for such administrative hearing and the time limitation applicable thereto.

**5.1.3.3**      **Right to Administrative Hearing.** If the PPC recommends denial of an amendment to the Countywide Plan Map relating to the land use designation of a particular parcel of land, any substantially affected person may apply for an administrative hearing within twenty-one (21) days of denial.

**5.1.3.4**      **Applications for Administrative Hearing.** All applications for administrative hearing by a substantially affected person will be filed with the office of the PPC within twenty-one (21) days of denial. Said application will be in a form for consideration under, and subject to the procedures of, Chapter 120, Florida Statutes. In the event an application for administrative hearing is filed, the Countywide Plan Map amendment shall not be considered by the CPA pending disposition of the administrative hearing.

**5.1.3.5**      **CPA Consideration.** The CPA shall consider an application for amendment of the Countywide Plan Map upon receipt of the recommendation of the PPC.

**5.1.3.6**      **Public Hearing by CPA.** The CPA shall hold a public hearing, advertised and noticed as required by Chapter 88-464, Laws of Florida, as amended, prior to taking action on a requested amendment of the Countywide Plan Map.

**5.1.3.7**      **CPA Action.** The CPA may approve or deny the application for amendment upon consideration of the recommendation of the PPC. Any action by the CPA contrary to the PPC recommendation shall require a majority plus one vote of the entire CPA.

**5.1.3.8**      **Reconsideration.** The reconsideration of any action on an amendment by the PPC or CPA shall be as otherwise prescribed by the respective operating procedures of each the PPC and the CPA. In the absence of such defined operating procedures, reconsideration shall be by motion of a member of the prevailing side on the applicable amendment vote, and affirmative action on such motion, at the same meeting at which the initial action was taken.

**5.1.3.9**      **Right to Administrative Hearing.** If the CPA denies an amendment which was recommended to be approved by the PPC, any substantially affected person may apply for an administrative hearing within twenty-one (21) days of denial.

**5.1.3.10**     **Final Action by CPA After Administrative Hearing.** Final action by the CPA subsequent to any administrative hearing shall be based upon the findings of fact of the administrative hearing officer.

**SEC. 5.1.4**    **APPLICATIONS CONTAINING DEVELOPMENT AGREEMENTS.**

**5.1.4.1**      **Submission of a Development Agreement.** A development agreement is not required to be submitted as part of an application for Plan Map amendment, however a development agreement may be submitted in support of a Plan Map amendment. Such submission shall be entirely at the discretion of the local government jurisdiction.

Local governments shall enter into, amend, and revoke a development agreement per the requirements pertaining to development agreements found in Sections 163.3220 - 163.3243, Florida Statutes.

Prior to submission of the Countywide Plan Map amendment for consideration by the Council, any development agreement submitted for consideration as part of an application for Countywide Plan Map amendment shall, at a minimum, be approved by the local jurisdiction after public hearing by the legislative body and be executed by the applicant property owner and other private party(ies) to the agreement.

The amendments to the Rules, as contained in Article 5, Section 5.1.4, subsections 5.1.4.1 through 5.1.4.3, shall not apply retroactively to any development agreement previously submitted and made a condition of a plan amendment approved by the PPC and CPA.

**5.1.4.2**      **Consideration of Development Agreement by PPC and CPA.** The Council and CPA shall consider a development agreement, submitted by a local government jurisdiction in support of a Plan Map amendment request, in accordance with the consistency criteria and Relevant Countywide Considerations of the Countywide Plan Rules.

After all necessary approvals are obtained by the local jurisdiction and the development agreement is fully executed, a true and correct copy of the fully executed development agreement shall be submitted to the Council, to be filed with the corresponding Countywide Plan Map amendment ordinance.

**5.1.4.3 Change to Development Agreement Subsequent to Countywide Plan Map Approval.** The local government with jurisdiction will make the determination as to whether any change to an approved development agreement constitutes an amendment or revocation of the development agreement, and will make any such amendment or revocation in accordance with Sections 163.3220 – 163.3243, Florida Statutes.

A development agreement submitted and made a condition of a Countywide Plan Map amendment that is approved by the CPA, which development agreement is subsequently amended or revoked by a local government pursuant to the requirements in Sections 163.3220 – 163.3243, Florida Statutes, shall be resubmitted to the PPC and CPA.

The PPC shall recommend, and the CPA shall determine, based on the significance of the amendment or revocation in relation to the consistency criteria and the Relevant Countywide Considerations of the Countywide Rules pertaining to the Plan Map amendment, whether the amendment or revocation of the development agreement requires the Plan Map amendment to which it corresponded to be reconsidered.

If the CPA determines that the amendment or revocation of the development agreement requires the Countywide Plan Map amendment to be reconsidered, the local government jurisdiction will be so notified and may request the Plan Map amendment be reheard, void and amend its local plan consistent with the Countywide Plan Map as it existed prior to the subject Plan Map amendment, resubmit an application for Plan Map amendment, with or without a revised development agreement, or such other action as will result in consistency between the local and Countywide Plan Maps.

A resubmitted Plan Map amendment will be processed as any other application for amendment.

**SEC. 5.1.5 OFFICIAL RECORD.**

Upon approval of a Countywide Plan Map amendment by the CPA, an official record copy of said ordinance will be maintained in the office of the Clerk of the Board. The office of the PPC shall maintain a record copy of all Countywide Plan Map amendments and, upon transmittal of the ordinance amending the Countywide Plan Map by the Clerk of the Board, shall cause such amendment to be properly recorded on the official Countywide Plan Map.

<b>DIV. 5.2 COUNTYWIDE PLAN MAP AMENDMENTS / SPECIAL ACTION.</b>
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With respect to any recommendation for an alternative compromise recommendation or request to continue, withdraw, resubmit, or modify an amendment to the Countywide Plan Map which has been submitted for consideration, the provisions as set forth following shall govern.

**SEC. 5.2.1 ALTERNATIVE COMPROMISE RECOMMENDATION.**

Pursuant to Section 10(4)(b) of Chapter 88-464, Laws of Florida, as amended, the PPC shall forward recommendations for Countywide Plan Map amendments to the applicant local government when said action by the PPC constitutes denial with an alternative compromise recommendation. The process for referral to and action by the governing body shall be as hereinafter set forth.

- 5.2.1.1** The PPC shall transmit any such denial with an alternative compromise recommendation for amendment to the applicant local government within five (5) days of action by the PPC.
- 5.2.1.2** The applicant governing body shall consider the alternative compromise recommendation of the PPC at an official meeting of the governing body and take formal action to accept or reject the PPC recommendation. The governing body action to accept or reject the PPC recommendation shall be as is determined necessary by the governing body to lawfully accomplish such action, and in the form required by the PPC.
- 5.2.1.3** The governing body action to accept or reject the PPC recommendation shall be transmitted to the PPC within forty-five (45) days of receipt of the PPC recommendation, except as the governing body may require additional time to lawfully accomplish such action and shall request an extension as set forth below within the forty-five (45) days.
- 5.2.1.4** If the governing body accepts the recommendation of the PPC, and transmits said acceptance in the requisite form within the required forty-five (45) days, or as same may be extended, the PPC staff shall advertise and notice the amended application for Countywide Plan Map amendment in accordance with Section 5.1.3.6 for public hearing by the CPA, and forward the compromise amendment to the CPA with the PPC recommendation for approval.
- 5.2.1.5** Upon approval of the alternative compromise amendment by the CPA, the local governing body shall conform the ordinance amending the local government future land use map with the action of the CPA on the alternative compromise amendment to the Countywide Plan Map.
- 5.2.1.6** If the governing body does not accept the recommendation of the PPC as forwarded, or fails to take action in the requisite form or within the required forty-five (45) days, or as same may be extended, the PPC staff shall advertise and notice the original

application for Countywide Plan Map amendment in accordance with Section 5.1.3.6 for public hearing by the CPA, and forward the original application to the CPA with the PPC recommendation for denial.

**SEC. 5.2.2 CONTINUATION.**

A request to continue an amendment to the Countywide Plan Map, once formally submitted, shall be in writing by an authorized representative of the local government with jurisdiction. Such request for continuation may be submitted to the PPC at, or prior to, the applicant local government's opening statement to the PPC, and must state a future date for consideration. The PPC shall review such request for continuation, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation, and if approved, shall reschedule the public hearing on the application for amendment to a specified future date. A request for continuation may also be submitted to the CPA subsequent to the PPC action, at or prior to the applicant local government's opening statement to the CPA, and must state a future date for consideration. The CPA shall review such request for continuation, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation, and if approved, shall reschedule the application for amendment to a specified future date.

Nothing herein shall be construed to prohibit the PPC or CPA from continuing a public hearing at any time in the course of the proceeding, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation.

Nothing herein shall prevent the CPA from continuing its hearing and requesting the PPC to rehear, clarify, or explain its initial action.

**SEC. 5.2.3 WITHDRAWAL.**

A request to withdraw an amendment to the Countywide Plan Map, once formally submitted, shall be in writing by an authorized representative of local government with jurisdiction. Such request for withdrawal may be submitted to the PPC at, or prior to, the applicant local government's opening statement to the PPC and, upon recommendation to accept the request for withdrawal by the PPC, the request for withdrawal shall be forwarded to the CPA for their consideration. A request for withdrawal may also be submitted to the CPA subsequent to PPC action, at or prior to the applicant local government's opening statement to the CPA. Acceptance of the request for withdrawal by the CPA, shall remove the application for amendment from further consideration.

**SEC. 5.2.4 RESUBMISSION.**

No Countywide Plan Map amendment denied by the CPA shall be resubmitted for consideration by the PPC within six (6) months of the date of denial; except where denial is "without prejudice," which shall allow an application, as previously submitted, to be resubmitted without limitation as to the six (6) month restriction. Any such resubmitted application shall be treated pursuant to, and meet the requirements of, Section 5.1.1.

**SEC. 5.2.5 MODIFICATION.**

Any request by a local government to modify an amendment to the Countywide Plan Map shall require the original amendment to be withdrawn as set forth in Section 5.2.3, and the modified amendment to be submitted as for a new amendment, as required in Section 5.1, including action by the applicant governing body as required in Sections 5.1.1 and 5.1.2 to initiate the modified amendment, and consideration and recommendation by the PPC after public hearing.

<b>DIV. 5.3 COUNTYWIDE PLAN MAP AMENDMENTS / SUBTHRESHOLD REVIEW.</b>
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**SEC. 5.3.1 PURPOSE.**

It is the purpose of this subthreshold process to recognize and provide for amendments of the Countywide Plan Map that are minor in nature and have relatively minimal intergovernmental impact or affect on the policies and objectives of the Countywide Plan. In particular, this process shall be designed to accomplish the following objectives:

1. Comply with the legal requirements for public notice and hearing under Chapter 88-464, Laws of Florida, as amended;
2. Provide a fail-safe mechanism that preserves the legislative prerogative of the PPC and CPA; and
3. Minimize staff and public time and expense.

**SEC. 5.3.2 PROCEDURE.**

The procedure for subthreshold Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 5.1 and the process outlined herein.

**5.3.2.1 Official Acceptance.** Action by the PPC and CPA for subthreshold amendments shall be considered according to this “official acceptance” process.

**5.3.2.2 Action by PPC and CPA.** Subthreshold amendments shall be separately identified on the public hearing portion of the PPC and CPA agenda. The PPC and CPA may, upon a majority vote of members present and constituting a quorum, remove a subthreshold amendment from the subthreshold portion of the agenda for separate consideration, in which event the amendment may be discussed and acted upon at that same meeting or continued to the next available meeting with an analysis of any issues identified by the PPC or CPA.

**SEC. 5.3.3 DETERMINATION.**

**5.3.3.1 Considerations.** In the determination of the type(s) of subthreshold Countywide Plan Map amendment, it is the objective of these Countywide Rules to properly reflect the following considerations:

1. The appropriate key variables affecting relative impact, including size, intensity, location and aggregation;
2. The relationship and need to coordinate with Chapter 163.3187, Florida Statutes, small-scale amendment factors and process; and
3. The overall purpose and integrity of the Countywide Plan Map and Countywide Rules.

**SEC. 5.3.4 SUBTHRESHOLD AMENDMENT TYPES**

<b>Types of Threshold</b>	<b>Maximum Size of Amendment</b>	<b>Plan Classification/ Category of Amendment<sup>1</sup></b>	<b>Adjacent to Scenic Corridor</b>	<b>Aggregation Limit Per Year<sup>2</sup></b>
A.	1 Acre	Any	Not Eligible	30 Acres
B.	3 Acres	Same Classification Only	Not Eligible	30 Acres
C.	5 Acres	Residential at 7.5 units/acre Or less	See Section 4.2.7.1 Table 2	30 Acres
D.	No Limit	Same Classification Only - Less Intensive Category	Not Applicable	Not Applicable
E.	No Limit	Water/DF, Rec./OS & Pres. Categories Only; excluding from Pres. to Rec./OS	Not Applicable	Not Applicable
F.	See Section 5.3.4.6			

<sup>1</sup> Countywide Plan Map amendments to Residential Very High, Activity Center, Community Redevelopment District, Central Business District, and the Planned Redevelopment categories shall not be considered as subthreshold amendments. Additionally, amendments from Industrial Limited or Industrial General shall not be considered subthreshold amendments.

<sup>2</sup> Type A, B, and C Aggregation Limits are cumulative.

**5.3.4.1** **Type A.** Except as specifically excluded herein, amendments of one (1) acre or less, irrespective of the Countywide Plan Map classification or category from which and to which the amendment is sought (e.g., from Residential Low to Commercial General), are subthreshold. The subthreshold status does not apply to amendments located on a Scenic/Noncommercial Corridor. Type A subthreshold status is subject to a thirty (30) acre per year aggregation limit (Type A + B + C) for each local government.

**5.3.4.2** **Type B.** Except as specifically excluded herein, amendments of three (3) acres or less within the same major classification only (e.g., from Commercial Neighborhood to Commercial General) are subthreshold — subject to the limitations on Scenic/Noncommercial Corridors, and the thirty (30) acre aggregation limit (Type A + B + C).

**5.3.4.3.** **Type C.** Amendments up to five (5) acres where the density does not exceed seven and a half (7.5) units per acre (e.g., Residential Urban) are subthreshold — without limitations, except as outlined in Section 4.2.7.1, Table 2, and the thirty (30) acre aggregation limit (Type A + B + C).

**5.3.4.4**      **Type D.** Amendments irrespective of size, providing they are within the same classification and made from a more intensive category to a less intensive category are subthreshold (e.g., from Residential High to Residential Medium). There are no limitations as to location or aggregation.

**5.3.4.5**      **Type E.** Amendments of any size to the Water/Drainage Feature, Recreation/Open Space, and Preservation categories are subthreshold — without limitation, except from Preservation to Recreation/Open Space, which shall be considered as a Type B subthreshold amendment.

**5.3.4.6**      **Type F.** All amendments that are ineligible as Type A through E subthreshold amendments shall be reviewed to determine whether they involve, and therefore must be considered as a regular amendment pursuant to, the enumerated Relevant Countywide Considerations in Section 5.5.3 of these Countywide Rules. The amendment shall be treated as a subthreshold amendment if:

1.      The amendment is consistent with Article IV, Plan Criteria and Standards of these Countywide Rules, and with the Countywide Plan as implemented through the Countywide Rules.
2.      The amendment does not negatively impact a roadway segment where the existing Level of Service (LOS) is below LOS “D,” or where projected traffic resulting from the amendment would cause the existing LOS to fall below LOS “D.”
3.      The amendment is not located within a designated Scenic/Noncommercial Corridor as delineated on the *Countywide Scenic/Noncommercial Corridor Map*, (Submap No.1.)
4.      The amendment is not located within a designated Coastal High Hazard Area.
5.      The amendment does not involve the creation, expansion, or contraction of a Residential Very High (RVH), Activity Center (AC), Community Redevelopment District (CRD), Central Business District (CBD), Industrial Limited (IL), Industrial General (IG) category, or the Planned Redevelopment (PR) categories.
6.      The amendment is not located adjacent to another jurisdiction and does not significantly impact a public education facility.

**SEC. 5.3.5**      **INTERPRETATIONS.**

Any interpretation or dispute with respect to whether a Countywide Plan Map amendment is subthreshold or not, and the administration of this subthreshold amendment process, shall be as provided for under Article 6, Division 6.3 Interpretations.

<b>DIV. 5.4</b>	<b>COUNTYWIDE PLAN MAP AMENDMENTS / ECONOMIC DEVELOPMENT - EXPEDITED REVIEW.</b>
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**SEC. 5.4.1**    **PURPOSE.**

It is the purpose of this expedited review process to recognize and provide for amendments of the Countywide Plan Map that result from economic development projects that have been certified by the Governor's Office of Tourism, Trade, and Economic Development pursuant to Senate Bill 1154.

**SEC. 5.4.2**    **PROCEDURE.**

The procedure for expedited Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 5.1 and the process outlined herein.

**5.4.2.1**        **Notice and Public Hearing.** All expedited amendments shall be advertised, noticed and considered at a public hearing as required under Chapter 88-464, Laws of Florida and as more particularly set forth herein. The advertisement, notice and public hearing will identify amendments to be considered under this expedited process. A single published advertisement and requisite personal notice for all expedited amendment actions shall be provided which shall include notice of both the PPC and CPA public hearings.

**5.4.2.2**        **Submission Requirements.** In addition to the application items in Section 5.1.2.2, all local government submittals of an expedited amendment shall include: 1) copy of the recommendation of the governing body for expedited review; 2) copy of the certificate of eligibility from the Governor's Office of Tourism, Trade and Economic Development; and 3) copy of the finalized 90 day time schedule negotiated between the local government and the state, incorporating all deadlines, including public meetings and notices.

**5.4.2.3**        **Action by PPC and CPA.** The PPC and CPA shall act upon an expedited amendment within the finalized 90 day time schedule established between the local government and the State for the subject property.

<b>DIV. 5.5</b>	<b>COUNTYWIDE PLAN MAP AMENDMENTS / REGULAR REVIEW.</b>
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**SEC. 5.5.1**    **PURPOSE.**

It is the purpose of this regular amendment review process to recognize and provide for amendments of the Countywide Plan Map that do not otherwise qualify as subthreshold amendments, but that do impact Relevant Countywide Considerations.

**SEC. 5.5.2 PROCEDURE.**

The procedure for regular Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 5.1.

**SEC. 5.5.3 REVIEW CRITERIA.**

**5.5.3.1 Relevant Countywide Considerations.** In the consideration of a regular Countywide Plan Map amendment, it is the objective of these Countywide Rules to evaluate the amendment so as to make a balanced legislative determination based on the following six (6) Relevant Countywide Considerations, as they pertain to the overall purpose and integrity of the Countywide Plan.

**5.5.3.1.1 Consistency with the Countywide Rules.** The manner in, and extent to, which the amendment is consistent with Article 4, Plan Criteria and Standards of these Countywide Rules and with the Countywide Plan as implemented through the Countywide Rules.

**5.5.3.1.2 Adopted Roadway Level of Service (LOS) Standard.** The manner in, and extent to, which the amendment significantly impacts a roadway segment where the existing Level of Service (LOS) is below LOS “D” or where projected traffic resulting from the amendment would cause the existing LOS to fall below LOS “D.”

**5.5.3.1.3 Scenic/Noncommercial Corridors.** If located within a Scenic/Noncommercial Corridor, the manner in, and extent to, which the amendment conforms to the criteria and standards contained in Section 4.2.7.1, and Section 4.2.7.1.4 of these Countywide Rules.

**5.5.3.1.4 Coastal High Hazard Areas (CHHA).** If located within a Coastal High Hazard Area, the manner in, and extent to, which the amendment conforms to the terms set forth in Section 4.2.7.4.

**5.5.3.1.5 Designated Development/Redevelopment Areas.** If the amendment involves the creation, expansion, or contraction of a Residential Very High (RVH), Activity Center (AC), Community Redevelopment District (CRD), Central Business District (CBD) category, or the Planned Redevelopment categories, the manner in, and extent to, which the amendment conforms to the purpose and requirements of the applicable category and Section 4.2.7.5.

**5.5.3.1.6 Impact on a Public Educational Facility or an Adjoining Jurisdiction.** The manner in, and extent to, which the amendment significantly impacts a public educational facility or an adjoining jurisdiction.

**ARTICLE 6**

**COUNTYWIDE PLAN MAP AND COUNTYWIDE RULES**  
**ADMINISTRATION**

<b>DIV. 6.1</b>	<b>GENERAL PROVISIONS.</b>
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**SEC. 6.1.1** **COMPLIANCE.**

**6.1.1.1** All land development and land use in Pinellas County shall be in accordance with these Countywide Rules, subject to the provisions of Division 6.5.

**6.1.1.2** All local government future land use plans and land development regulations shall be consistent with the Countywide Plan Map and Countywide Rules. Subsequent to any amendment to the Countywide Rules, all local governments shall have one (1) year to amend their future land use plan and/or land development regulations as may be necessary to become consistent with the amended Countywide Rules. Such local government plan and/or regulation amendments shall be processed according to the terms contained in Article 3 herein.

**6.1.1.3** Any land development or land use not in accordance with these Countywide Rules, and any local future land use plan and land development regulations not consistent with these Countywide Rules, as set forth above, is subject to enforcement pursuant to Division 6.7.

**SEC. 6.1.2** **MORE RESTRICTIVE LOCAL PLANS/REGULATIONS.**

Local governments may enact and enforce more detailed and more restrictive comprehensive plans and land development regulations than the Countywide Plan Map and these Countywide Rules.

**SEC. 6.1.3** **TRAFFIC GENERATION CHARACTERISTICS.**

**6.1.3.1** **Utilization of Traffic Generation Characteristics.** The traffic generation characteristics contained in each category will be utilized to review Countywide Plan Map amendments for that category, and are based upon and will be applied according to the methodology set forth in the current *Traffic Characteristics for the Countywide Future Land Use Plan* study prepared in support of these Countywide Rules and approved by the Council. Nothing herein shall preclude an applicant local government from submitting additional traffic generation data based on local government concurrency management standards or site specific conditions as part of an application for Countywide Plan Map amendment.

**6.1.3.2** **Traffic Studies.** A third party traffic impact study may be completed by the local government requesting the amendment, or by a qualified professional engineer or planner selected by the applicant.

The third party responsible for completing the study shall attend a methodology meeting with the MPO and PPC staffs to discuss the reason for the study, study submittal requirements, and to obtain closure on all issues pertaining to the study. The responsible third party shall submit a methodology letter to the MPO and PPC staffs documenting the items discussed and agreements reached at the meeting, and prepare the study according to such discussion and agreements.

The submittal requirements for the study are as follows:

1. Table of Contents, including reference to all sections, tables, figures, and appendices, as appropriate;
2. Summary of relevant findings and recommendations;
3. The main report narrative, including, as appropriate, tables and figures, and a summary of all field data;
4. Report appendices, as appropriate, including detailed information concerning field data; and
5. Five (5) copies of the final report with distribution as follows: two (2) copies to the MPO and three (3) copies to the PPC.

The process for MPO and PPC review of third party traffic impact studies, including dispute resolution, shall be according to the steps set forth in the current *Traffic Characteristics for the Countywide Future Land Use Plan* study.

<b>DIV. 6.2</b>	<b>PLANNERS ADVISORY COMMITTEE.</b>
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Directors of individual local government planning departments shall be members of the Planners Advisory Committee. The Planners Advisory Committee may, at the direction of the PPC, perform a professional planning review of such PPC staff recommendations as are to be acted on by the PPC and such other duties assigned to it by the PPC, consistent with the provisions of Section 6(2), Chapter 88-464, Laws of Florida, as amended.

<b>DIV. 6.3</b>	<b>INTERPRETATIONS.</b>
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**SEC. 6.3.1**    **AUTHORITY.**

The Executive Director shall have the authority to make all interpretations of the text of the Countywide Plan, including all elements thereof, the Countywide Plan Map, these Countywide Rules, and the boundaries of land use categories on the Countywide Plan Map.

**SEC. 6.3.2**    **INITIATION.**

An interpretation may be requested from the Executive Director by any local government, the PPC, or the CPA.

**SEC. 6.3.3**    **PROCEDURES.**

**6.3.3.1**    **Submission of Request for Interpretation.** Requests for interpretation shall be submitted in writing to the Executive Director, in a form established by him.

**6.3.3.2**    **Determination of Completeness.** Within five (5) days after a Request for Interpretation has been received, the Executive Director shall determine whether the request is complete. If the Executive Director determines that the request is not complete, he shall provide written notice to the applicant specifying the deficiencies.

The Executive Director shall take no further action on the Request for Interpretation until the deficiencies are remedied.

**6.3.3.3**      **Rendering of Interpretation.** Within thirty (30) days after the Request for Interpretation has been determined complete, the Executive Director shall review and evaluate the request in light of the Countywide Plan, including the Countywide Plan Map, these Countywide Rules, and the other elements of the Plan, and render an interpretation. The Executive Director may consult with Legal Counsel for the PPC.

**SEC. 6.3.4**      **FORM.**

The interpretation shall be in writing and shall be sent to the applicant.

**SEC. 6.3.5**      **OFFICIAL RECORD.**

The Executive Director shall maintain an official record of all interpretations in the PPC Offices. The official record shall be available for public inspection during normal business hours. A copy of any official interpretation shall be transmitted to each local government for their information and records.

**SEC. 6.3.6**      **APPEAL OF INTERPRETATION.**

**6.3.6.1**      **Appeal to PPC.** Within thirty (30) days after issuance of a written interpretation by the Executive Director, the applicant may appeal the interpretation to the PPC. The PPC shall hold a public meeting on the appeal and shall consider the interpretation of the Executive Director and public testimony in light of the Countywide Plan, any elements or portions thereof, these Countywide Rules, and pertinent laws, whichever is applicable. The PPC may adopt the Executive Director's interpretation, with or without modifications or conditions, or reject his interpretation. Any such interpretation by the PPC must be supported by substantial competent evidence, and be consistent with the Countywide Plan, any elements or portions thereof, these Countywide Rules, or pertinent laws, whichever is applicable.

**6.3.6.2**      **Appeal to CPA.** Within thirty (30) days after the decision of the PPC, the applicant may appeal the interpretation to the CPA. The CPA shall hold a public hearing on the appeal and shall consider the interpretation of the Executive Director, the PPC, and public testimony in light of the Countywide Plan, any elements or portions thereof, these Countywide Rules, and pertinent laws, whichever is applicable. The CPA may adopt the PPC's interpretation, with or without modifications or conditions, or reject its interpretation. Any interpretation by the CPA must be supported by substantial competent evidence and be consistent with the Countywide Plan, any elements or portions thereof, these Countywide Rules, or pertinent laws, whichever is applicable.

**SEC. 6.3.7**      **RULES OF INTERPRETATION.**

**6.3.7.1**      **Generally.** In construction and interpretation of the language of the Countywide Plan, including elements thereof, the Countywide Plan Map, and these Countywide Rules, the rules established in this division shall be observed unless such construction would be inconsistent with Chapter 88-464, Laws of Florida, as amended, as

expressed in said statute, any ordinances or resolutions adopted thereunder, the Countywide Plan, or an element or portion thereof, or Chapters 163, Part II, and 186, Florida Statutes, and Rules 9J-5 and 9J-24, F.A.C., as applicable. The rules of interpretation and definitions established herein shall not be applied to any express provisions excluding such interpretation or construction, or where the subject matter or context of such section is repugnant thereto.

All provisions, terms, phrases and expressions contained in these rules shall be liberally construed in order that the true intent and meaning of the PPC and CPA may be fully carried out. Terms used in these Countywide Rules, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of this State for the same terms.

In the interpretation and application of any provision of these Countywide Rules, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of these Countywide Rules, the Countywide Plan, or element or portion thereof, or any other law or regulation in effect in incorporated or unincorporated Pinellas County, Florida, imposes greater restrictions upon the subject matter than any other provision of these Countywide Rules, the Countywide Plan, or element or portion thereof, or any other law or regulation in effect in the incorporated or unincorporated Pinellas County, Florida, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

In all circumstances, the provisions of these Countywide Rules shall be interpreted and construed to be consistent with the Countywide Plan and Chapter 88-464, Laws of Florida, as amended. These Countywide Rules are not required to comply with Chapter 163, Part II, F.S., and Rules 9J-5 and 9J-25 F.A.C., but shall not conflict therewith. Where any provision(s) of these Countywide Rules are determined to be in conflict with Chapter 88-464, Laws of Florida, as amended, or Chapter 163, Part II, F.S., the applicable provisions of these respective laws shall control.

**6.3.7.2** **Text.** In case of any difference of meaning or implication between the text of the Countywide Plan, or elements or portions thereof, or these Countywide Rules, and any figure, the text shall control.

**6.3.7.3** **Computation of Time.** The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

**6.3.7.4** **Day.** The word “day” shall mean a calendar day.

**6.3.7.5** **Delegation of Authority.** Whenever a provision appears which requires or designates the Executive Director or some other PPC officer or employee to do some act or perform some duty, it shall be construed to authorize the Executive Director or other officer or employee to designate, delegate and authorize professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

- 6.3.7.6 **Gender.** Words importing the masculine gender shall be construed to include the feminine and neuter.
- 6.3.7.7 **Month.** The word “month” shall mean 30 calendar days, unless a calendar month is indicated.
- 6.3.7.8 **Nontechnical and Technical Words.** Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- 6.3.7.9 **Number.** A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing.
- 6.3.7.10 **Shall, May.** The word “shall” is mandatory; “may” is permissive.
- 6.3.7.11 **Tense.** Words used in the past or present tense include the future as well as the past or present.
- 6.3.7.12 **Week.** The word “week” shall be construed to mean seven (7) calendar days.
- 6.3.7.13 **Written or In Writing.** The term “written” or “in writing” shall be construed to include any representation of words, letters or figures whether by printing or other form or method of writing.
- 6.3.7.14 **Year.** The word “year” shall mean 365 calendar days, unless a fiscal year is indicated, or unless a calendar year is indicated.

**SEC. 6.3.8 RULES FOR INTERPRETATION OF THE COUNTYWIDE PLAN MAP AND COUNTYWIDE PLAN MAP BOUNDARIES.**

Interpretations regarding the Countywide Plan Map or the boundaries of categories on the Countywide Plan Map shall be made by the Executive Director or his designee based on the official Countywide Plan Map and in accordance with the provisions of this section. The official record shall govern in the event of any discrepancy between the official action taken by the PPC and CPA and the printed Countywide Plan Map.

- 6.3.8.1 **Category Rules Extend to all Portions of Category Surrounded by Boundaries.** Except as otherwise specifically provided, a category symbol, color or name shown within category boundaries on the Countywide Plan Map indicates that category regulations pertaining to the category extend throughout the whole area surrounded by the boundary line. The official Countywide Plan Map shall be the final determinant of Countywide Plan Map category boundaries.
- 6.3.8.2 **Interpretation.** Where uncertainty exists as to the boundaries of land use categories as shown on the Countywide Plan Map, the following rules shall apply:

- 6.3.8.2.1** Boundaries indicated as approximately following dedicated streets, highways, alleys, or rights-of-way shall be construed as following the lot or parcel lines of the property adjacent to such right-of-way. In case of a street vacation, the boundary shall be construed as moving with the ownership.
- 6.3.8.2.2** Boundaries indicated as approximately following lot lines, public property lines, and the like shall be construed as following such lines. In the event of street vacation, interpretation shall be as provided in Sec. 6.3.8.2.1.
- 6.3.8.2.3** Boundaries indicated as approximately following city or county limits shall be construed as following such city or county limits.
- 6.3.8.2.4** Boundaries indicated as following physical features other than those listed above shall be construed as following such physical features, except as such may be more specifically determined by survey.
- 6.3.8.2.5** Distances not specifically indicated on the Countywide Plan Map shall be determined by the scale of the map on the page of the map showing the property in question.
- 6.3.8.3** **Water/Drainage Features.** Water bodies and drainage features depicted on the Countywide Plan Map may be generalized. If required to make a more definitive interpretation than is possible from the official Countywide Plan Map, the Countywide Stormwater Management Plan, comprised of the *Pinellas County Master Drainage Plan* and subsequent watershed management plans, stormwater management elements of the respective local government comprehensive plans, individual site inspection and survey at the time of amendment, or final site plan or other authorized development order action of the local government with jurisdiction, shall be determinative of actual location, subject to the provisions of subsection 6.3.8.6 below.
- 6.3.8.3.1** The Water/Drainage Feature category may be added, deleted or adjusted on the Future Land Use Plan map in accord with a stormwater management project, based on the request of the local government(s) with jurisdiction, through the map adjustment process, based on the approved plan(s) for such project. Nothing in these Countywide Rules shall require a local government with jurisdiction to seek or obtain a Countywide Plan Map amendment or adjustment in advance of a project to create, expand, reconfigure, or otherwise establish a body of water and/or drainage feature in connection with a stormwater management project. Within one (1) year from the completion of any such project that would otherwise be required to be shown on the Countywide Plan Map, the local government(s) with jurisdiction shall forward the appropriate designation to the PPC to be officially accepted and recorded on the Countywide Plan Map, through the map adjustment process as set forth in subsection 6.3.8.6.
- 6.3.8.4** **Transportation Facilities.** All existing highways and nonvehicular rights-of-way and easements shall be as depicted on the Countywide Plan Map. All proposed highways and nonvehicular rights-of-way and easements depicted on the Countywide Plan Map may be generalized and the current Metropolitan Planning Organization

Long Range Transportation Plan shall be determinative of all proposed highway facility locations, classifications, and rights-of-way.

**6.3.8.5** **Preservation and Recreation/Open Space Areas.** The Preservation and Recreation/Open Space categories, as depicted on the Countywide Plan Map, frequently denote and are intended to delineate natural and physical characteristics, and may be generalized. If required to make a more definitive interpretation than is possible from the official Countywide Plan Map, individual site inspection and survey at the time of amendment or final site plan or other authorized development order action of the local government with jurisdiction shall be determinative of actual location, subject to the provisions of subsection 6.3.8.6 below.

**6.3.8.6** **Map Adjustment Consistent With Boundary Interpretation.** The provisions set forth above relative to plan map boundary adjustments for Water/Drainage Feature, Preservation, and Recreation/Open Space categories shall not be deemed map amendments; provided that such boundary adjustments are:

- Related to and consistent with a jurisdictional boundary determination under state agency rules which is consistent with such rules; or
- Related to and consistent with an approved site or project plan for a body of water or drainage feature; or
- Related to and consistent with the purpose and characteristics of the particular category being adjusted and, absent a determination by the Executive Director to the contrary, based upon a finding by the local government with jurisdiction or its designee that such adjustment is diminimus in extent and effect.

Upon approval of a final site plan or other authorized development order action of the local government with jurisdiction, the established boundary survey or approved plan shall be forwarded to the PPC. Any adjustments to the Countywide Plan Map deemed necessary to more accurately reflect the boundary interpretation or approved plan on the Countywide Plan Map will be considered for official acceptance by the CPA, upon recommendation by the PPC, during the annual map update process referenced in Section 2.2.2.

**6.3.8.6.1** The PPC staff shall provide property owners affected by this map adjustment process notice, which shall include the proposed map adjustments and the dates and times of both the PPC and CPA public meetings at which the official acceptance of such adjustments will be considered.

**6.3.8.6.2** Determinations by the Executive Director under subsection 6.3.8.6 are interpretations governed by Division 6.3. Any map boundary adjustment determined under the applicable provisions of these Countywide Rules for interpretation to be of such significance as to require plan map amendment, shall comply with the otherwise applicable provisions of these Countywide Rules for map amendment.

**6.3.8.7** **Cases Not Covered by 6.3.8.1 through 6.3.8.6.** In cases not covered by Sec. 6.3.8.1 through 6.3.8.6, or where the property or street layout existing on the ground is at variance with that shown on the Countywide Plan Map, the interpretation of the Countywide Plan Map shall be in accordance with the purpose and intent of the Countywide Plan Map, these Countywide Rules, and Chapter 88-464, Laws of Florida, as amended.

<b>DIV. 6.4</b>	<b>ADJUSTMENT OF INTENSITY STANDARDS.</b>
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**SEC. 6.4.1** **APPLICABILITY.**

In specific cases, an adjustment from the terms of the floor area ratio (FAR) standards and the impervious surface ratio (ISR) standards of these Countywide Rules as will not be contrary to the public interest may be granted by the appropriate local government governing body, or their designee, authorized to hear and determine such adjustments, where, owing to special conditions peculiar to the property, a literal enforcement of such FAR and ISR standards would result in unnecessary and undue hardship. No adjustment from the terms of these Countywide Rules or the Countywide Plan Map shall be granted or otherwise allowed for uses, densities, or any other matter except for FAR standards and ISR standards as set forth in these Countywide Rules. An adjustment from the FAR standards and ISR standards of these Countywide Rules may be granted by the appropriate local government governing body, or their designee, based on the requirements of this division.

**SEC. 6.4.2** **LOCAL GOVERNMENT REQUIRED PROCEDURES.**

**6.4.2.1** **Initiation.** An adjustment may be requested from any local government governing body or their designee by any affected person, resident, developer, landowner, or any person having a contractual interest in land within the jurisdiction of such local government as provided for by the local government.

**6.4.2.2** **Submission of Application.** Before an application for adjustment shall be heard by the appropriate local government governing body or their designee, a written application for adjustment shall be submitted to such local government in a form established by the local government.

**6.4.2.3** **Notice of Public Hearing.** After the application for adjustment has been determined complete, the local government shall provide notice of such public hearing as may be required before the local government governing body, or their designee, in accordance with the notice requirements for similar types of adjustments in that local government jurisdiction.

**6.4.2.4** **Determination by Local Government.** After any required notice, the adjustment shall be considered by the local government governing body or their designee and shall be granted, granted with conditions, or denied. An adjustment under this division shall only be granted by the local government governing body, or its designee, when substantial competent evidence in the official record of the hearing supports findings consistent with the criteria in Section 6.4.3.1

### **SEC. 6.4.3 LOCAL GOVERNMENT REQUIRED FINDINGS.**

**6.4.3.1** In order to grant an adjustment under this division, the local government governing body, or its designee, shall consider the following criteria:

1. A literal interpretation of the provisions of the FAR and ISR standards as governed by these Countywide Rules would result in an undue hardship due to the unique nature of the project and the applicant's property;
2. The alleged hardship is not self-imposed by the applicant and does not result from an illegal act or the actions of the applicant;
3. The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building or structure;
4. The granting of the adjustment will be in harmony with the Countywide Plan Map and these Countywide Rules, the local government's Comprehensive Plan, and the local government's land development regulations, and will not be otherwise detrimental to the public interest or welfare;
5. The adjustment, if allowed, shall not constitute an amendment to the local government's comprehensive plan, land development regulations, or to the Countywide Plan Map, or Countywide Rules.

**6.4.3.2** The local government land development regulations shall set forth these required findings, or contain an appropriate reference thereto, and require compliance therewith for any adjustment of the intensity standards of the Countywide Plan Map and these Countywide Rules.

### **SEC. 6.4.4 CONDITIONS AND SAFEGUARDS.**

In granting any adjustment under this division, the local government governing body or their designee may prescribe appropriate conditions and safeguards in conformity with the Countywide Plan Map, the local government future land use plan and land development regulations, including, but not limited to, reasonable time limits within which action for which the adjustment is required shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the adjustment is granted, shall be deemed a violation of the Countywide Plan Map and these Countywide Rules.

### **SEC. 6.4.5 REPORTING REQUIREMENT.**

**6.4.5.1** **Submission.** Each local government shall submit to the Executive Director copies of all adjustments to intensity standards granted by the local government which exceed the Countywide standards within thirty (30) days of approval.

**6.4.5.2** **Review by Executive Director.** All adjustments to intensity standards submitted by each local government which exceeded the Countywide Rules standards shall be reviewed by the Executive Director for compliance or noncompliance with this division and for consistency with the Countywide Plan Map and these Countywide Rules, and this information made available to the PPC and CPA. In the event the Executive Director finds an adjustment to be noncompliant, a recommendation for

appropriate action shall be furnished by the Executive Director to the PPC and the PPC shall in turn make an advisory recommendation to the CPA.

**SEC. 6.4.6 OFFICIAL RECORD.**

Upon receipt of a copy of an intensity standards adjustment that exceeded the Countywide standards, all such adjustments shall be maintained in an official record in the PPC offices.

<b>DIV. 6.5 <u>NONCONFORMITIES TO THE COUNTYWIDE PLAN MAP AND COUNTYWIDE RULES.</u></b>
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**SEC. 6.5.1 APPLICABILITY.**

**6.5.1.1** It is the intent of these Countywide Rules that existing land use, lots, and structures nonconforming as to the Countywide Plan Map and these Countywide Rules be administered by the respective local government with jurisdiction. It is the further intent of these Countywide Rules that such local government administration provide for the means by which to regulate the expansion, alteration, replacement, or discontinuance of such nonconformities in a manner that shall encourage consistency with the Countywide Plan Map and these Countywide Rules.

**6.5.1.2** Nonconformities to the Countywide Plan Map and Countywide Rules shall be prohibited except as indicated in this division.

**SEC. 6.5.2 NONCONFORMING USES, STRUCTURES, AND LOTS.**

**6.5.2.1** All existing uses, structures and lots that are nonconforming to the Countywide Plan Map or these Countywide Rules shall be prohibited, except to the extent permitted to be continued, replaced, expanded or altered, and according to the limitations thereof, as provided for in the applicable local government future land use plan and land development regulations.

<b>DIV. 6.6 <u>MONITORING AND REVIEW PROVISIONS.</u></b>
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**SEC. 6.6.1 REVIEW OF THE COUNTYWIDE PLAN MAP AND COUNTYWIDE RULES.**

The Executive Director of the PPC shall review and prepare a report for the PPC on the Countywide Plan Map and these Countywide Rules no less than once every five (5) years.

The Executive Director shall review and prepare a report to the PPC on an annual basis concerning official interpretations rendered under these Countywide Rules, such report to include any recommended amendment of the Countywide Rules.

**SEC. 6.6.2 REVIEW OF LOCAL PLANS AND REGULATIONS.**

The Executive Director of the PPC shall, in conjunction with each local government, review the consistency of the local future land use plan and land development regulations on an as-needed basis, as determined by the Council, to assure compliance with the Countywide Plan Map and these Countywide Rules.

**SEC. 6.6.3 COORDINATION WITH OTHER AGENCIES.**

The PPC shall coordinate all revisions to these Countywide Rules which deal with the Regional Policy Plan or the State Comprehensive Plan with the Tampa Bay Regional Planning Council (TBRPC) and the Department of Community Affairs (DCA) as is applicable.

<b>DIV. 6.7 <u>ENFORCEMENT.</u></b>
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**SEC. 6.7.1 AUTHORITY.**

Pursuant to Sections 10(2) and (3)(b) of Chapter 88-464, as amended, and Section 5 of Pinellas County Ordinance No. 89-4, the Board of County Commissioners, acting as the Countywide Planning Authority, has the authority and responsibility to enforce the Countywide Plan, including the Countywide Plan Map and these Countywide Rules, through the appropriate civil action in the court or tribunal of appropriate jurisdiction. The enforcement action of the CPA shall be governed by Chapter 164, Florida Statutes, titled Governmental Disputes, when applicable.

**SEC. 6.7.2 PROCEDURE.**

The procedure for an enforcement action of the CPA may be initiated as follows:

1. The PPC may recommend to the CPA to take enforcement action; or
2. The CPA may take enforcement action notwithstanding number 1 above.

**6.7.2.1 Initiation.** The procedure for an enforcement action of the CPA may be initiated as follows:

1. The PPC may recommend to the CPA to take enforcement action; or
2. The CPA may take enforcement action notwithstanding number 1 above.

**6.7.2.2 Administrative Hearing.** Determination by the CPA to consider enforcement action against an alleged violation may provide that the matter first be considered pursuant to an administrative hearing process.

The administrative hearing process, if employed, will be convened under and conducted pursuant to an agreement between the PPC and the State Department of Administrative Hearings (DOAH), by an administrative law judge.

**6.7.2.3**      **CPA Action.** In the event of an administrative hearing, the administrative law judge shall make findings of fact and issue a recommended order that shall be considered by the CPA in determining any appropriate enforcement action, as provided for above.

<b>DIV. 6.8</b>	<b>RULE AMENDMENTS.</b>
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**SEC. 6.8.1**      **INITIATION.**

An amendment to these Countywide Rules may be initiated only by a local government pursuant to a formal resolution adopted by its governing body requesting and setting forth the specifics of such amendment, or by the PPC or CPA.

**SEC. 6.8.2**      **PROCEDURES.**

The procedures for amendment of these Countywide Rules shall be as provided in Section 10 of Chapter 88-464, Laws of Florida, as amended. Subject to the more detailed provisions of Section 10 of Chapter 88-464, Laws of Florida, as amended, the public hearing and notice requirements for an amendment to these Countywide Rules require one (1) advertised public hearing before the PPC and two (2) advertised public hearings before the CPA, with special hearing and notice requirements specifically described in Section 10(5) of Chapter 88-464, Laws of Florida, as amended.

**SEC. 6.8.3**      **NOTIFICATION TO LOCAL JURISDICTIONS.**

The PPC staff shall, within fifteen (15) days of the receipt of a recorded ordinance from the Department of State, provide the local governments with a copy of the amendment and suggested modifications to the local plan and regulations that may be appropriate, if any, to be performed within one year, to maintain consistency with the Countywide Rules.

<b>DIV. 6.9</b>	<b>VESTED RIGHTS.</b>
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**SEC. 6.9.1**      **PURPOSE AND INTENT.**

**6.9.1.1**      **General.** It is the purpose and intent of this division to provide a procedure for the determination of vested rights under and pursuant to the Countywide Plan and Countywide Rules.

**6.9.1.2**      **Coordination With Local Procedures.** This vested rights procedure is intended to coordinate any vested rights determination that may be made pursuant to an established procedure by a local government and to assure that such determination is made consistent with the Countywide Plan Map and Countywide Rules. It is further the intent of this division to avoid duplication of procedures to which a vested rights applicant may be subject, and to that end, provide a mechanism for intervention by the PPC in any initial vested rights action involving an administrative hearing by an

independent third party at the local level or consideration by a court of competent jurisdiction.

## **SEC. 6.9.2 PROCEDURE FOR VESTED RIGHTS DETERMINATION.**

**6.9.2.1** **Notice.** Notice and determination of any implication of the Countywide Plan and Countywide Rules shall be as follows:

1. Any local government that receives a timely application or notice of a claim for a vested rights determination as to its local comprehensive plan or land development regulations, shall forward notice and a summary description of such application or claim to the PPC within ten (10) days of receipt.
2. The PPC staff shall determine whether the application or claim is timely filed under the Countywide Rules, and whether the application or claim implicates the Countywide Plan and Countywide Rules, based on the consistency criteria set forth in Article 4 of the Countywide Rules, and so notify the local government within fifteen (15) days of receipt of notice from the local government.
3. In the event the PPC staff determines the Countywide Plan and Countywide Rules are implicated, a complete copy of the application or claim for vested rights shall be forwarded to the Council upon request.
4. If the local government does not agree with the PPC staff determination that the Countywide Plan and Countywide Rules are implicated, they may request a review and determination by the PPC, such determination to be made within sixty (60) days, but not less than ten (10) days, after the request by the local government for review and determination. Should the local government not agree with the PPC determination, the local government may, within thirty (30) days, appeal the PPC determination to the CPA. The determination of the CPA as to whether or not the vested rights application or claim implicates the Countywide Plan and Countywide Rules shall be final.
5. Upon determination that the Countywide Plan and Countywide Rules are implicated, the local government shall notify the applicant that any determination by the local government is also subject to a vested rights determination by the CPA as to, and pursuant to, the Countywide Plan and Countywide Rules.

**6.9.2.2** **Types of Local Action.** The vested rights determination process utilized by local government shall determine the procedure for review under the Countywide Plan and Countywide Rules as follows:

1. If a vested rights determination is rendered by local government staff and/or the elected body without an administrative hearing by an independent third party, and such determination concludes that the applicant does have vested rights under the local government plan or regulations, said determination shall be forwarded to the PPC within ten (10) days of the determination by local government.
2. If a vested rights determination by the local government involves an administrative hearing by an independent third party, the local government shall notify the PPC immediately upon the scheduling of such hearing; and where it

has been determined that the Countywide Plan and Countywide Rules are implicated, the Council shall have the right to intervene in any such hearing and have evidence and testimony presented to the finder of fact as to vested rights under the Countywide Plan and Countywide Rules.

3. If a vested rights claim is initiated in a court of competent jurisdiction, the affected local government shall notify the PPC immediately upon the filing of such action; and where it has been determined that the Countywide Plan and Countywide Rules are implicated, the Council shall determine, under these Countywide Rules, whether to intervene in any such action and have evidence and testimony presented to the court as to vested rights under the Countywide Plan and Countywide Rules.

**6.9.2.3**      **Action Based on Local Government Determination.** In the event of an affirmative vested rights determination made by the local government staff or elected body, the local government action shall be transmitted to the PPC within ten (10) days.

1. PPC Action - the PPC staff shall review the local government action and prepare findings and a recommendation for consideration by the Council within sixty (60) days of the date of transmittal. Upon receipt of the staff findings and recommendation, the PPC shall hold a public hearing and make a recommendation to the CPA as to whether or not the applicant has met the burden of proof and has satisfied the standards and criteria for vested rights determinations as set forth in Section 6.9.4 below.
2. CPA Action - the Council's recommendation shall be transmitted to the CPA for consideration at public hearing and final action within sixty (60) days of the date of transmittal. The CPA action shall be based on the Council's recommendation and the standards and criteria for vested rights determination as set forth in Section 6.9.4 below. Any deviation from the Council's recommendation shall be by a majority vote, plus one, of the entire CPA, based on findings that support such decision.

**6.9.2.4**      **Action Based on Administrative Hearing.** In the event of an administrative hearing by an independent third party, the findings of fact and conclusions of law shall be transmitted to the CPA within ten (10) days of their issuance.

1. CPA Action - Upon receipt of the findings and conclusions rendered after an administrative hearing by an independent third party, the CPA shall hold a public hearing within sixty (60) days and consider said findings and conclusions relative to the standards and criteria set forth herein, as to vested rights under the Countywide Plan and Countywide Rules. Said consideration shall be based solely upon the findings of fact and conclusions of law made as a function of the administrative hearing and, to that end, only exceptions to the findings and conclusions by a party of interest may be entertained by the CPA.

**6.9.2.5**      **Action Based on Court Determination.** In the event of an initial court action on a vested rights claim at the local government level in which action the Countywide Plan and Countywide Rules have been considered pursuant to this vested rights process, the action of the court shall be final unless appealed pursuant to applicable law. If a court order addresses vested rights as to the local government plan or regulations, but

does not address vested rights as to the Countywide Plan and Countywide Rules, the PPC and CPA shall consider the court order pursuant to Section 6.9.2.3.

### **SEC. 6.9.3 APPEALS.**

**6.9.3.1 Action Final Subject to Appeal.** The action of the CPA shall be final with respect to vested rights under the Countywide Plan and Countywide Rules, subject only to review by a court of competent jurisdiction.

**6.9.3.2 Appeal Provisions.** After a final decision has been rendered by the CPA, a party of interest may file an appeal with a court of competent jurisdiction within thirty (30) days.

### **SEC. 6.9.4 STANDARDS AND CRITERIA FOR VESTED RIGHTS.**

**6.9.4.1 Burden of Proof.** The applicant in any action under this vested rights process shall have the burden of proof to demonstrate all of the following:

1. There is a valid, unexpired “development permit” authorized by the local government approving the proposed development, which authorization occurred prior to the effective date of the Countywide Plan and Countywide Rules in effect at the time of the filing of the vested rights application. “Development permit” shall mean and include any building permit, final site plan approval, final subdivision plat approval, special exception, conditional use, or variance approval, or any other official action of the local government having the effect of permitting the development of land in the manner and timeframe specified;
2. The applicant relied in good faith upon the issuance of the development permit by the local government, said reliance was reasonable, and development under the authorized development permit was initiated and proceeded in a timely manner and in good faith;
3. The applicant incurred such substantial obligations and expenditures that it would be highly inequitable or unjust to require that the development conform with the Countywide Plan and Countywide Rules in effect at the time of the filing of the vested rights application: and
4. The application must be filed within two (2) years after the adoption of the Countywide Plan or Rule provision against which vesting is sought, subject to Section 6.9.4.3.

**6.9.4.2 Applicable Case Law.** The treatment of similar cases by Florida courts shall be relevant to the determination of the existence and extent of vested rights that may have been established, if any.

**6.9.4.3 Presumption of Validity.** A presumption of validity shall apply to vested rights determinations that have been made pursuant to an established local government process or by a court of competent jurisdiction prior to the effective date of this ordinance (*sic*).<sup>2</sup>

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<sup>2</sup> Editor’s Note: This Division 6.9 adopted by Ordinance No. 03-23, effective April 24, 2003.

**ARTICLE 7**  
**TERMS AND DEFINITIONS**

## **DIV. 7.1 CONSTRUCTION.**

The construction and interpretation of all words, terms and provisions contained in these Countywide Rules shall be as set forth under Article 6, Section 6.3.7 Rules of Interpretation and as defined hereunder.

## **DIV. 7.2 DEFINITIONS.**

**Activity Center** - A Countywide Plan Map category under the Special Designations major classification which includes those areas of the county that are now developed or appropriate to be developed for the purpose of encouraging concentrations of employment, housing, cultural, or business development consistent with the Countywide Plan and special area plan approved therefor. This category will be identified on the Countywide Plan Map as an overlay superimposed over the otherwise applicable category as Activity Center.

**Adjustment** - An adjustment is a departure from the literal requirements of the floor area ratio and impervious surface ratio standards as described in these Countywide Rules and made a part of the local land development regulations.

**Agricultural Processing Use** - The processing, preparation, packaging and distribution of agricultural commodities such as livestock or crop products.

**Agricultural Use** - Crop production, including plant nurseries; raising livestock, including horse stables, dog kennels and animal boarding; veterinary clinics; and associated uses as permitted by local plans and regulations.

**Airport, Seaport, Marina Use** - A public or quasi-public facility for air or marine transport respectively, including such terminal, docking, hangar, storage, parking, transient accommodation, office, retail commercial, and eating/drinking facilities as may be directly related or accessory thereto.

**Ancillary Nonresidential Use** - Off-street parking, drainage retention areas and open space buffer areas for adjacent, contiguous, nonresidential uses.

**Aquifer Recharge Area** - An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into the underground aquifer.

**Arterial Road** - A roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. Arterial roadways interconnect principal traffic generating activity centers within an urban area with the freeway system.

**Buffer Area** - A natural or landscaped area or strip of land, with or without such physical separation devices as a fence or wall, established to separate and insulate one type of land use from another land use; or to shield or block noise, lights or other nuisances; or to separate development and a natural feature so as to reduce the incompatibility between uses or features and protect the integrity of each.

**Coastal Construction Control Line** - The most recently adopted line established by the Florida Department of Environmental Protection, pursuant to Section 161.053, Florida Statutes, for Pinellas County.

**Coastal High Hazard Areas** – Means the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

**Collector Road** - A roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads serve internal traffic movements within an urban area, collecting and distributing traffic between the arterial and local road system.

**Commercial/Business Service Use** - An occupation or service involving the sale, storage, repair, service or rental of motor vehicles, water craft, residential machinery or equipment, examples of which include automobile, boat, and household or yard equipment sales, service or repair, and like uses; the production, assembly or dismantling of which shall be clearly secondary and incidental to the primary use characteristics of the Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Commercial Classification** - A major Future Land Use classification which includes the following categories:

- Commercial Neighborhood
- Commercial Limited
- Commercial Recreation
- Commercial General

**Commercial Recreation Use** - A private or quasi-public recreation facility designed for participant or spectator sports for a charge, including but not limited to marina, miniature golf, dog race track, horse race track, jai-alai fronton, stock car race track, sports stadium, and indoor recreation/entertainment uses such as billiard halls, bowling alleys, movie theatres, and video game parlors.

**Comprehensive Plan** - The official document in ordinance form adopted by the Pinellas Planning Council (PPC), and the Countywide Planning Authority (CPA) setting forth the goals, objectives, and policies regarding the long term development of Pinellas County. In Pinellas County this refers to the text and maps adopted and amended by the PPC and the CPA, pursuant to Chapter 88-464, Laws of Florida, as amended, by Ordinance No. 89-4, as amended, and is called the Pinellas County Countywide Comprehensive Plan.

**Cone of Influence (Zone of Influence)** - An area around one or more major waterwells, designed to protect groundwater resources, the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth.

**County** – Means Pinellas County, Florida.

**Countywide Consistency Report** - A report approved by the Pinellas Planning Council (Resolution No. 91-2) and accepted by the Countywide Planning Authority (Resolution No. 91-307) that documents the issues, criteria and procedures necessary to achieve the consistency requirements of Chapter 88-464, Laws of Florida, as amended.

**Countywide Future Land Use Plan (Countywide Plan Map)** - The officially-adopted future land use plan map supplemented by policies and objectives which designate proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land as adopted by the Pinellas Planning Council and Countywide Planning Authority pursuant to Chapter 88-464, Laws of Florida as amended, by Ordinance No. 89-4, as amended. The Countywide Plan Map shall include the official Countywide Plan Map which may consist of a single map or map series as approved by the PPC and CPA and filed with the Clerk of the Board of County Commissioners.

**Countywide Rules** –Means the *Rules Concerning the Administration of the Countywide Future Land Use Plan*.

**Countywide Land Planning Agency** - Per Section 5(13) of Chapter 88-464, Laws of Florida, as amended, the Pinellas Planning Council shall act as the countywide land planning agency for Pinellas County. This does not prevent the Pinellas Board of County Commissioners from designating a “Local Planning Agency” for the County.

**Countywide Planning Authority (CPA)** - The Board of County Commissioners of Pinellas County, acting in their capacity as the Countywide Planning Authority, under Chapter 88-464, Laws of Florida, as amended.

**DCA** – Means the Florida Department of Community Affairs.

**Density** – The measure of permitted residential development expressed as a maximum number of dwelling units per net acre of land area.

**Drainage Detention Areas** - Ponds, basins or other land forms and associated water areas designed for the storage and/or treatment of stormwater runoff.

**Dune** - A mound or ridge of loose sediments, such as sand, deposited and moved around by wind action, as well as by artificial means. Dune systems are usually held in place by vegetation particularly suited to dune system habitat. Dunes are landward of the shoreline and serve as a transition area between the beach and coastal land.

**Dwelling Unit** - One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This term shall include any type of use authorized to be treated as a dwelling unit by Chapter 419, F.S., Community Residential Homes.

**Estuary** - A semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. Estuaries include bays, embayments, lagoons, sounds and tidal streams.

**Facility-Based Recreation** - Recreational activities that typically require a built facility to accommodate them for recreational sporting events such as a playfield, paved court, horse stable, or swimming pool. Uses may include but are not limited to softball, baseball, football, tennis, basketball, soccer, playgrounds, fitness trails, and swimming pools. These activities are not natural resource dependent.

**Floodplain, 25-Year** - Areas inundated during a 25-year storm/flood event.

**Family** - One or more individuals occupying a dwelling unit and living as a single household unit.

**Floor Area, Gross** - The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, parking garages, or loading space for motor vehicles.

**Floor Area Ratio (FAR)** – A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the net land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the net land area.

**Freeways** – Are devoted entirely to traffic movement with little or no land service function. These facilities have at least some degree of access control, are primarily multi-lane divided roads, with few intersections at grade. These facilities serve large volumes of high speed traffic with extensive trip length and interconnect with the arterial road system.

**Freshwater Marsh** - A wetland having more than 25 percent vegetative cover by terrestrial herbs but 40 percent or less cover by woody plants, occasionally or regularly flooded by freshwater (e.g., sawgrass).

**Freshwater Swamp** - A wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

**Future Land Use Category** - The name and symbol by which the distinct areas of the land use plan are enumerated and administered under each major classification. Each category is defined in terms of purpose, use, locational traffic generation characteristics, specific standards for density/intensity of use, and other standards appropriate to each category.

**Future Land Use Classification** - The major land use headings by which land use categories are grouped under the plan. Under each classification, the order of the categories is ranked from least intensive to most intensive to assist in establishing the continuum of uses as provided for under Chapter 88-464, Laws of Florida, as amended. There are seven major classifications as follows:

- Residential
- Mixed Use
- Commercial
- Industrial
- Public/Semi-Public
- Planned Redevelopment
- Special Designations

**Governing Body** - Means the Board of County Commissioners of Pinellas County or the commission or council of an incorporated municipality within Pinellas County.

**Gross Land Area** - Gross land area for the purpose of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public road right-of-way.

**Groundwater Resource Area** - Those areas of the County that support municipal/public water wells that supply potable water.

**Growth Management Act** - Chapter 163, Part II. F.S. *The Local Government Comprehensive Planning and Land Development Regulation Act.*

**Heavy Manufacturing/Assembly Use** - A use engaged in the manufacture, processing or assembly of materials or substances into parts or products. Such use may include the exterior storage and processing of materials and equipment to the extent and in such manner as is permitted by the local government with jurisdiction.

**Household** - A family living together in a single dwelling unit, with common access to and use of all living and eating areas.

**Hurricane Evacuation Zone** - Areas delineated by vulnerability to possible storm surge damage. Factors such as land elevation, predicted storm location, direction of storm tract, distance from large bodies of water, and physical features are used in vulnerability determination. The hurricane vulnerability zone includes areas requiring evacuation as follows:

- Zone A: First to evacuate (4-5 ft. storm surge)
- Zone B: Next to evacuate (6-8 ft. storm surge)
- Zone C: Next to evacuate (9-12 ft. storm surge)
- Zone D: Next to evacuate (13-18 ft. storm surge)
- Zone E: Next to evacuate (18+ ft. storm surge)

**Impervious Surface** - A surface that has been compacted or covered with a layer of material so that it is highly resistant or prevents infiltration by stormwater. It includes roofed areas and surfaces such as compacted sand, limerock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, and other similar surfaces.

**Impervious Surface Ratio (ISR)** – A measure of the intensity of hard surfaced development on a site. An impervious surface ratio is the relationship between the total impervious surface area on a site and the net land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the net land area.

**Incinerator Facility** – A place licensed pursuant to state law, where cremation of human or animal remains occurs.

**Industrial Classification** - A major Future Land Use classification which includes the following categories:

- Industrial Limited
- Industrial General

**Institutional Uses** - Those Primary and Secondary uses listed under the Use Characteristics of the Institutional category.

**Intensity** – The measure of permitted development expressed as a maximum Impervious Surface Ratio and/or Floor Area Ratio per acre of net land area.

**Lacustrine River and Stream** - Pertaining to a lake, river, or stream system.

**Land Use** - The development that has occurred on the land, the development that is proposed on the land, or the use that is permitted or permissible on the land, under an adopted comprehensive plan or element or portion thereof, land development regulations, a land development code, or these Countywide Rules as the context may indicate.

**Light Manufacturing/Assembly (Class A) Use** - A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products consistent with such standards as may be prescribed by the local government with jurisdiction. This use shall not include or allow for any exterior storage or processing of equipment or materials of any kind.

**Light Manufacturing/Assembly (Class B) Use** - A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products consistent with such standards as may be prescribed by the local government with jurisdiction.

**Local Comprehensive Plan** - A plan prepared by each of the local governments in Pinellas County that meets the requirements of Sections 163.3177 and 163.3171, F.S., and Chapter 88-464, Laws of Florida, as amended.

**Local Future Land Use Plan** - The future land use element and future land use plan map for each of the local governments in Pinellas County.

**Local Government** - Means Pinellas County or any of the twenty-four incorporated municipalities in Pinellas County.

**Local Land Development Regulations** - Land development regulations enacted by each local government, by ordinance, for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or any other regulations controlling the development of land.

**Local Planning Agency** – Local Planning Agency means the agency designated by each local government to prepare that local government's comprehensive plan as required by Chapter 163 Part II, Florida Statutes.

**Local Street** - A minor roadway designed to provide access to adjacent land. Local streets carry a small percentage of the total vehicle mileage traveled, but make up a large percentage of the total street mileage and serve to interconnect individual properties with the collector road system.

**Mass Transit** - Passenger services provided by public, private or nonprofit entities including the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus.

**Mini-warehouse Storage** – An enclosed, indoor facility containing individual compartmentalized storage units for the inside storage of customers' goods or wares.

**Mixed Use** - A combination of uses on a single property.

**Mixed Use Classification** - A major Future Land Use Classification which includes the following categories:

- Residential/Office Limited
- Residential/Office General
- Residential/Office/Retail
- Resort Facilities Overlay
- Resort Facilities Medium
- Resort Facilities High

**Municipality** - An incorporated city or town in Pinellas County.

**Net Land Area** – Net land area for the purpose of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public road right-of-way.

**Nonconforming Lot, Use, or Structure** – A lot, use, or structure which was previously legal and at inception conformed to the then-applicable regulations, that subsequently fails to conform to the requirements of the Countywide Plan Map and these Countywide Rules, as either may be amended from time to time.

**Nonresidential Use** - Those uses as provided for under the respective categories, other than residential or residential equivalent use.

**Nontidal Wetlands** - Wetlands that occur further inland, beyond tidal influence. Included, are freshwater marshes and ponds, shrub swamps, bottomland hardwood forests, wooded swamps, and bogs, as well as inland saline and alkaline marshes and ponds.

**Off-Premise Sign** - Any sign identifying or advertising a product, business, person, activity, condition, or service not located or available on the same lot where the sign is installed and maintained.

**Off-Street Parking** - A parking area improved for licensed motor vehicles, temporarily stored in connection with a use requiring same.

**Office Use** - An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include medical, legal, real estate, design, and financial services, and like uses. No “Office Use” shall include any Personal Service/Office Support Use, Retail Commercial Use, or Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Personal Service/Office Support Use** – An occupation or service attending primarily to one’s personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, dry cleaning/laundry service (collection and distribution only), and like personal service uses; animal grooming; and office equipment or supplies, and like office support uses. Any assembly, sale of merchandise or conveyance of a product in support of a personal service or office support use shall be clearly secondary and incidental to the primary use characteristics of the Personal Service/Office Support Use. No “Personal Service/Office Support Use” shall include any Retail Commercial Use or Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Pinellas County Home Rule Charter** - The Pinellas County Home Rule Charter as it applies to the authority for countywide planning is found in Section 2.04(s) of the Pinellas County Home Rule Charter, Chapter 80-590, Laws of Florida, as amended, which established the legislative authority for the creation, by special law, of a countywide planning authority.

**Pinellas Planning Council (PPC)** - The Pinellas Planning Council is comprised of thirteen (13) elected officials representing their respective governing bodies in Pinellas County as specifically described in Section 3, Chapter 88-464, Laws of Florida, as amended.

**Planned Redevelopment Classification** – A major Future Land Use classification which includes the following categories designed to accommodate a community’s plan(s) for neighborhood, corridor, district or center preservation, revitalization, rehabilitation and/or reconstruction:

- Residential
- Mixed Use
- Commercial
- Industrial

**Planners Advisory Committee (PAC)** - The Planners Advisory Committee is comprised of the directors of individual local government planning departments. The PAC, at the direction of the Pinellas Planning Council, performs a professional planning review of the PPC staff recommendations of plans that are to be acted upon by the PPC. The PAC may perform other such duties assigned to it by the PPC, but may not be involved in the administrative or executive functions of the PPC.

**Primary Uses** - A principal use identified under the use characteristics of each category. These categories of uses are those which the category is primarily designed to accommodate.

**Public Educational Facility** - Elementary schools, special education facilities, alternative education facilities, middle schools, high schools, and area vocational - technical schools of the Pinellas County School District.

**Public Recreation Facility** – A publicly owned or leased recreation site or component thereof, used by the public for active or passive recreational pursuits such as a trail, marina, ball court, athletic field or swimming pool. This term includes both Facility-Based Recreation and Resource-Based Recreation, which terms may be distinguished between as to the use characteristics permitted within a given plan category.

**Public/Semi-Public Classification** - A major Future Land Use Classification which includes the following categories:

- Preservation
- Recreation/Open Space
- Institutional
- Transportation/Utility

**Recreational Vehicle Park** – A lot or parcel of land upon which spaces are occupied or intended for occupancy on a temporary basis by recreational vehicles designed for travel, recreation, and vacation uses.

**Religious Institution Use** - A site, premise, or location that is used principally, primarily, or exclusively for the purposes of religious exercise as protected by the First Amendment to the U.S. Constitution.

**Research/Development Use** - A use devoted to investigation in the natural, physical, or social sciences, or engineering and development as an extension of investigation, with the objective of creating an end product.

**Residential Classification** - A major Future Land Use classification which includes the following categories:

- Residential Rural
- Residential Estate
- Residential Suburban
- Residential Low
- Residential Urban
- Residential Low Medium
- Residential Medium
- Residential High
- Residential Very High

**Residential Equivalent Use** - A residential-like accommodation other than a dwelling unit, including bed and breakfast, group home, congregate care, nursing home and comparable assisted living facilities. No such use shall be required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by Chapter 419, F.S., Community Residential Homes, which is entitled to be treated as a dwelling unit.

**Residential Use** - A dwelling unit including, single-family, multifamily, and mobile home dwelling unit. This use shall include any type of use authorized by Chapter 419, F.S., Community Residential Homes which is entitled to be treated as a residential dwelling unit.

**Resource-Based Recreation** – Recreational activities that typically are dependent on natural resources and a natural outdoor environment. These activities have little, if any, adverse impact on a site and are compatible with natural and/or cultural resource protection. Depending on the site, uses may include picnicking, low-impact camping, educational nature studies, wildlife viewing, horseback riding on trails, fishing, hiking, saltwater beach activities, or freshwater swimming.

**Retail Commercial Use** - An occupation or service providing primarily for the sale of consumer goods, products, merchandise or services from within an enclosed building; examples of which include grocery, pharmacy, apparel, jewelry, electronics, sporting goods, specialty shops, building supplies, convenience goods, restaurant, indoor recreation/entertainment uses (such as billiard halls, bowling alleys, movie theaters, and video game parlors) and like uses. Any exterior storage or facilities in connection with such use shall be clearly secondary and incidental to the primary use characteristics of the Retail Commercial Use. No “Retail Commercial Use” shall include any Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Saltwater Marsh** - A wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).

**Saltwater Swamp** - A wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).

**Secondary Uses** - A principal use, identified under the use characteristics of each category. These categories of uses are those which the category is designed to accommodate as a secondary priority.

**Solid Waste/Refuse Disposal Use** - A facility approved for the collection, separation, storage and disposal of waste materials including garbage, trash, building materials and/or yard waste. Such use shall comprise an approved land fill, compost or incineration facility in accord with the otherwise required provisions of law.

**Special Act** - Means Chapter 88-464, Laws of Florida, as amended. The Special Act establishes the Pinellas Planning Council and the authority for the Countywide Planning Authority and provides the legal requirements for countywide planning and coordination in Pinellas County.

**Special Designations Classification** - A major Future Land Use classification which includes the following categories:

- Water/Drainage Feature
- Scenic/Noncommercial Corridor
- Activity Center
- Community Redevelopment District
- Central Business District

**Storage/Warehouse (Class A) Use** - A use devoted primarily to the storage of goods, materials or equipment. Such use shall be located within an enclosed building and any exterior storage shall be incidental to and not exceed twenty (20) percent of the area of the building to which it is accessory.

**Storage/Warehouse (Class B) Use** - A use devoted primarily to the storage of goods, materials or equipment. Such use may include exterior storage to the extent and in such manner as is permitted by the local government with jurisdiction.

**Submerged Land** – The area situated below the mean high water line or the ordinary high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream. For the purpose of this definition, drainage detention areas created as a function of development that are recorded on an approved final site plan or other authorized development order action of the local government with jurisdiction, and wetlands landward of the mean and/or ordinary high water line, shall not be considered submerged land, and

thus may be included in the computation of net land area for the purpose of determining permitted density/intensity.

**TBRPC** – Means the Tampa Bay Regional Planning Council.

**Temporary Lodging Unit** - An individual room, rooms or suite within a temporary lodging use designed to be occupied as a single unit for temporary occupancy.

**Temporary Lodging Use** - A facility containing one or more temporary lodging units, the occupancy of which occurs, or is offered or advertised as being available, for a term of less than one (1) month, more than three (3) times in any consecutive twelve (12) month period. In determining whether a property is used as a temporary lodging use, such determination shall be made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration.

**Tidal Wetlands** - Areas that are comprised of coastal marshes, mudflats and mangrove swamps that are subject to periodic flooding by ocean-driven tides.

**Tourist Facility Use** - Those facilities and services, such as retail shops, eating and drinking establishments, meeting space and recreation facilities designed primarily to serve tourists, visitors, and seasonal residents in conjunction with the residential and temporary lodging uses where provided for in the Resort Facilities categories.

**Traffic Generation Characteristics** - The measure of traffic impact expressed as a countywide standard in terms of primary network vehicle trips per day per acre, attributable to each land use category, as determined specifically for the Countywide Future Land Use Plan.

**Transfer of Development Rights** - The conveyance of development rights by deed, easement, or other legal instrument authorized by local law, to another parcel of land or within the same parcel of land, and the recording of that conveyance pursuant to these Countywide Rules.

**Transfer/Recycling Use** - A use designed to accommodate the temporary location, sorting and transfer of solid waste. Such use shall be limited as to the type of waste, the time within which it must be transferred from the site and limitations on exterior location by the local government with jurisdiction.

**Transportation/Utility Uses** - Those Primary and Secondary Uses listed under the Use Characteristics of the Transportation/Utility category.

**Undeveloped Barrier Island** - A land form facing the waters of the Gulf of Mexico and surrounded by water, consisting mainly of quartz sands, limestone, rock, coral and other material, including spoil disposal islands, which features lie above the line of mean high water and which has not been developed.

**Vehicular Salvage Use** - A use that provides for the location, storage, dismantling, repair, or salvage of abandoned, derelict or junk vehicles or vehicle parts.

**Water/Drainage Feature** - A Countywide Plan Map special category that recognizes water bodies and drainage features, respectively. Water bodies include ocean, estuary, lake, pond, river, stream and drainage detention areas. Drainage features recognize existing natural and man-made drainageways and water bodies, and proposed drainageways and water bodies, that are part of the *Pinellas County Master Drainage Plan*, as subsequently refined through the individual watershed management plans, that are shown in the Stormwater Management Element of the respective local government comprehensive plans, or that are part of an approved site plan or other authorized development order action of the local government with jurisdiction.

**Water Supply Infrastructure and Support Facilities** – Above or below ground structures, including wells, pipes, pumps, buildings, facilities, fixtures, machinery, reservoirs, and appurtenant facilities and structures, required for the provision of high quality potable water.

**Wetlands** - Those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**Wholesale/Distribution (Class A) Use** - A use devoted primarily to the sale and distribution of manufactured products, supplies or equipment to retailers or institutional users and not to the general public. Such use shall be located within an enclosed building and exterior storage or distribution area shall be incidental to and not exceed twenty (20) percent of the area of the building to which it is accessory.

**Wholesale/Distribution (Class B) Use** - A use devoted primarily to the sale and distribution of manufactured products, supplies or equipment to retailers or institutional users and not to the general public. Such use may include exterior storage and distribution to the extent and in such manner as is permitted by the local government with jurisdiction.