

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**PRELIMINARY FOR  
PAC REVIEW ONLY**

**AGENDA ITEM:**

**MEETING DATE:** May 20, 2009

**SUBJECT:**

Consistency Follow-up Actions

**RECOMMENDATION:**

Council Receive, Discuss and Provide Direction As Appropriate

**I. INTRODUCTION**

Based on the Countywide Planning Authority (CPA) direction to examine and identify the current status of each local government's comprehensive plan (plan) and land development regulations (code) for consistency with the Countywide Rules, a report entitled *Review of Local Government Future Land Use Plans and Land Development Regulations for Consistency with the Countywide Rules* (Consistency Report) was prepared. The Consistency Report, approved by the PPC and CPA, identified the amendments to be made to the local governments' plans and codes in order to address inconsistencies with the Countywide Rules. The Report also concluded that some inconsistencies were best addressed by amendments to the Countywide Rules.

With the approval of Ordinance No. 09-9, the Countywide Rules were amended to address consistency issues best handled through the Rules. Four of the twenty-five local governments have resolved all of the issues identified in their plans and/or codes. Other local governments have made some, but not all, of the changes required. The Council staff now recommends beginning the process of issuing updated Determinations of Consistency to the local governments, contingent upon resolution of any remaining issues identified in the Consistency Report.

**II. BACKGROUND**

The Council staff has drafted two letters, a local ordinance statement and a resolution for the PPC to review and consider. The two letters (Attachments 1 and 2) are proposed to serve as models for the letters to be mailed to the local governments, identifying the status of the resolution of the issues identified in the Consistency Report, offering to assist with drafting plan and/or code amendment ordinances needed to resolve any outstanding issues, informing the local governments of the forthcoming process of presenting the Determinations of Consistency and noting that print copies of the amended Rules will be distributed soon. One

**PINELLAS PLANNING COUNCIL ACTION:**

**COUNTYWIDE PLANNING AUTHORITY ACTION:**

***SUBJECT:*** Consistency Follow-Up Actions

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sample letter is addressed to the City of Belleair Beach, a local government which has resolved all of the issues identified in the Consistency Report. The second sample letter is addressed to the Town of Indian Shores, a local government which has a few remaining Consistency Report issues.

Consistency is in fact an ongoing process, as the local governments continually amend their plans and codes and as the PPC/CPA recommends/approves amendments to the Countywide Rules. The Council staff has drafted a statement (Attachment 3), which is recommended to be included in the local governments' future ordinances amending their plans and codes. The statement is intended to remind the local governments that plan and code amendments are required to be consistent with the Countywide Rules. The basis of authority, requirements and procedures regarding consistency are outlined in Article 3 of the Rules.

Lastly, the Council staff has drafted a resolution (Attachment 4) to be approved by the PPC and adopted by the CPA, determining that a local government's plan and code are consistent with the Rules, subject to any plan and/or code amendments required to resolve any remaining Consistency Report issues. The resolution also notes that at three-year intervals from the date of the resolution, the PPC will review the status of the local government's future land use element, future land use map and pertinent land development regulations in relationship to the Rules and identify any recommended amendments to the local plan, local code or Countywide Rules required to maintain the consistency requirements of the Rules.

***III. RECOMMENDATION***

After discussion and input by the Council, if the draft letters, draft local ordinance statement and draft resolution are found satisfactory, staff will begin the process of mailing letters to the local governments in groups of four or five over the next several months. Staff will allow a period of approximately three weeks after each letter is mailed for the local government to forward any comments about the content of the letter. After the three week period, staff will begin to prepare and process the Determinations of Consistency to be considered by the Council for each local government.

The objective is to have considered the Determinations of Consistency for each of the local governments by the end of the calendar year.

***IV. LIST OF ATTACHMENTS***

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| Attachment 1 | Draft letter to City of Belleair Beach                           |
| Attachment 2 | Draft letter to Town of Indian Shores                            |
| Attachment 3 | Draft local ordinance statement                                  |
| Attachment 4 | Draft resolution regarding updated Determinations of Consistency |