

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II F.

MEETING DATE: July 16, 2008

SUBJECT:

Consent Agenda:

F. Correspondence

RECOMMENDATION:

Council Receive and Discuss as is Appropriate

BACKGROUND

Correspondence Includes:

1. PAC Minutes – July 7, 2008 (draft), June 9, 2008 (approved)
2. Received June 2, 2008 copy of letter sent to Mayor Rick Baker, City of St. Petersburg, from Representative Jim Frishe, District 54, Florida House of Representatives, Re: Annexation of properties in Tierra Verde
3. Letter sent June 3, 2008 to Sally Israel, Re: Response to comments/questions presented at the June 2nd Joint Annexation Subcommittee meeting
4. Letter sent June 3, 2008 to Katie Cole, Attorney at Law, Johnson Pope Law Firm, Re: Transmittal of minutes from both the PPC and CPA meetings for Case CW 95-58
5. Sample of letter sent June 6, 2008 to municipality planners, Re: 2008 Annual Countywide Plan Map Adjustments
6. Letter sent June 6, 2008 to Steve Kurcan, Grady Pridgen, Inc., Re: Master Development Plan for La Entrada
7. Letter sent June 6, 2008 to Mari Campbell, CMC, Town Clerk, Town of North Redington Beach, Re: Review of Proposed Land Development Regulation Amendments for Consistency with the Countywide Rules
8. Letter sent June 6, 2008 to Linda Hallas, City Attorney, City of South Pasadena, Re: Updated Comprehensive Plan
9. Letter sent June 16, 2008 from Mayor Bob Hackworth, Chairman, Joint PPC/CPA Annexation Subcommittee, to Commissioner Robert Stewart, Chairman, and Members of the Pinellas County Board of County Commissioners, Re: Transmittal of Initiating Resolution and accompanying exhibits

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Other Council Business - Correspondence

10. Sample of letter sent June 18, 2008 to all municipality mayors, city managers, and planning directors transmitting copy of the *Target Employment and Industrial Land Study for the Pinellas Community*.
11. Letter sent June 18, 2008 to Lauren Matzke, Senior Planner, City of St. Pete Beach, Department of Community Development, Re: Review of Draft Amendments to the Land Development Regulations for Consistency with the Countywide Rules
12. Letter sent June 18, 2008 to Renea Vincent, Planning and Zoning Director, City of Tarpon Springs, Re: Review of Comprehensive Plan Amendments for Consistency with the Countywide Rules
13. Letter sent June 18, 2008 to Rick MacAulay, Manager, Urban Planning, Design, and Historic Preservation Division, City of St. Petersburg Development Services Department, Re: Review of Proposed Amendments to the City of St. Petersburg's Land Development Regulations for Consistency with the Countywide Rules
14. Letter sent June 18, 2008 to Lauren Matzke, Senior Planner, City of St. Pete Beach, Department of Community Development, Re: Review of Comprehensive Plan, Updated as of February 2008, for Consistency with the Countywide Rules
15. Received June 20, 2008, copy of letters sent June 19, 2008 to Mayor Rick Baker, City of St. Petersburg and Mayor Frank Hibbard, City of Clearwater, from Brian Smith, Planning Director, Pinellas County, Re: CPA actions taken on June 17, 2008
16. Letters sent June 20, 2008 to Mayors of local governments with items on June 18, 2008 PPC Agenda, Re: PPC Meeting Follow-up
17. Letter sent June 23, 2008 to Ms. Jewel White Cole, Managing Assistant County Attorney, Re: Letter of Congratulations on induction as the newly elected President of the Young Lawyers Division of the Florida Bar
18. Letter sent June 24, 2008 to Jerie Guegan, City Clerk, City of Dunedin, Re: Transmittal of fully executed, originally signed copy of the Memorandum of Understanding between the City and the Pinellas Planning Council
19. Letter sent June 24, 2008 to Neale A. Stralow, ASLA, AICP, Regional Manager, WilsonMiller, Re: Agreement for services to be rendered to the City of Dunedin
20. Sample of letter and notice sent June 27, 2008 to property owners, Re: Annual Plan Map Adjustments
21. Letter sent June 27, 2008 to Frederick J. Metcalf, AICP, Director of Community Development, City of Gulfport, Re: Review of Proposed Evaluation and Appraisal Report (EAR) Comprehensive Plan Update for Consistency with the Countywide Rules
22. Memo sent June 30, 2008 to Al Bartolotta and Ryan Brinson, Pinellas County Planning Department, Re: Comments regarding Livable Communities Model Land Development Code

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, JULY 7, 2008
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Renea Vincent, Chairman	City of Tarpon Springs
Sharen Jarzen, Vice Chairman	City of Seminole
John Cueva	Pinellas County
Rick MacAulay	City of St. Petersburg
Dean Neal	City of Pinellas Park
Lauren Matzke	City of St. Pete Beach
Marie Dauphinais	City of Oldsmar
Ron Rinzivillo	City of Safety Harbor

Also Present:

Liz Freeman	Pinellas County
Karl Holley	City of St. Pete Beach
David Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Larry Pflueger	Pinellas Planning Council
Phyllis Fleming	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

Chairman Renea Vincent called the meeting to order at 1:35 P.M.

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the June 9, 2008, PAC meeting. There being none, Sharen Jarzen moved to approve the minutes; the motion was seconded by John Cueva and carried (vote 6-0).

Old Business – none.

Review of PPC Agenda for July 16, 2008 Meeting – Received.

Countywide Planning Authority Actions – June and July – Mr. Crawford presented the actions of the Countywide Planning Authority from the June 17 meeting and the PAC accepted them. He noted that the Board continued the Clearwater amendment, CW 08-24, to their July 22 CPA meeting because the property was not fully annexed into the City at the time of the hearing date.

Annexation Report – June 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of June.

He stated that the Council received a total of seven (7) petitions for voluntary annexation review in June from the cities of Clearwater, Largo, Oldsmar and Seminole. Existing uses that were within the seven annexations include one commercial and six residential uses. The proposed annexations totaled 13.1 acres and approximately \$2.1 million in taxable value. Total Municipal Service Taxing Unit revenues from the \$2.1 million of taxable value are \$4,325 using the 2007/08 fiscal year tax rate. It is estimated that fifteen residents will be affected by a change in jurisdiction. Annexation of one of the seven parcels will reduce an enclave in the county by 0.18 acres.

Annexation Report – Quarterly Summary, Third Quarter Fiscal Year 2007/08 - Mr. Schoderbock reported that this report provides a synopsis of staff receipt and tracking of voluntary annexations for the third quarter of this fiscal year and includes details regarding other forms of annexation that have occurred over the past few years.

Charts were shown on the conference room screen providing acreage summaries (Chart 1), Chart 2 taxable value, and Chart 3 the percentage of acres annexed in enclaves, all for annexations reviewed in each fiscal year since 2000/01 through the third quarter of Fiscal Year 2007/08. The acreage and taxable value for the third quarter of FY 07/08, April through June, were 55.4 acres and \$7,015,213 respectively. Twelve percent (6.9 acres) of the acreage annexed during the quarter reduced or eliminated an enclave.

Mr. Schoderbock outlined the comparison of current activities to previous years noting that annexations in enclaves are increasing and that the recently processed annexations which required “Ability to Serve” reports have not been completed, but are expected to be presented in the next quarterly report.

PLAN AMENDMENTS

Subthreshold Plan Amendments:

Case CW 08-27: City of Dunedin – Phyllis Fleming stated that this 3.0 acre site is located at 1142 Martin Luther King Jr. Boulevard. The proposed amendment is from Residential Medium (RM) to Residential Low Medium (RLM). The amendment qualifies as a Type “D” subthreshold and is therefore eligible for approval under the official acceptance process. The site is comprised of two parcels, both of which are vacant and owned by the Dunedin Housing Authority. Ms. Fleming stated that the parcels are north of the Community Redevelopment District and adjoin the City of Dunedin Wastewater Treatment Plant to the south and west; that the parcel south of Lorraine Leland Street abuts several vacant lots and single-family residences; and that the parcel north of Lorraine Leland Street abuts several multi-family parcels owned by the Shiloh Missionary Baptist Church. She noted that the site was the location of 30 units of the Highlander Village, Dunedin Housing Authority affordable housing development and that this amendment would allow a maximum of 25 dwelling units, and that redevelopment of the site is expected to include 25 affordable housing condominium units. Ms. Fleming also noted that these parcels are west of the 2.5-acre site approved by the Council in March 2008 and subsequently approved by the CPA in April (CW 08-15).

That approval was for an amendment from RM to RLM for 19 Habitat for Humanity townhomes.

Marie Dauphinais entered the meeting at this time.

After full presentation of the report, Rick MacAulay moved to approve staff recommendation of approval for Case CW 08-27 from the City of Dunedin. The motion was seconded by Dean Neal and carried (vote 7-0).

Regular Plan Amendments:

Case CW 08-28: Pinellas County – Phyllis Fleming stated that this 3 acre site is located at the southwest corner of N. Pinellas Ave. and Anclote Road. The proposed amendment is from Residential Urban (RU) and Commercial General (CG) to Commercial General (CG). The site is comprised of three parcels. Two parcels located at the corner of Anclote Road and Pinellas Avenue are designated Commercial General. The approximate 1.32 acres immediately to the west are designated RU. The request is to include all three parcels under the terms of a development agreement and to amend the 1.32 acre parcel from RU to CG. Ms. Fleming stated that the impacted considerations are:

Consistency with the Countywide Plan and Rules - The land use pattern is primarily RU to the north of the site, but is surrounded by the CG category to the south, west, east and northeast. The Countywide Rules state that the CG designation is intended 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.

Adopted Roadway Level of Service (LOS) Standard - Although Pinellas Ave. is shown at a level of service "B" from Tarpon Ave. to Anclote Blvd., it is a constrained corridor and will remain a constrained corridor with or without project traffic.

Location within a Coastal High Hazard Area (CHHA) - The terms of the development agreement submitted with the request restrict the uses on the site to boat storage and parking. With these development restrictions in place, the residential development potential of the site is eliminated.

Adjacent To or Impacting an Adjoining Jurisdiction - The proposed CG category is not anticipated to impact the City's services, or the ability to provide water, sewer, and fire service to the site. Therefore, there should be no significant impacts to Tarpon Springs should the amendment be approved.

Ron Rinzivillo entered the meeting at this time.

Ms. Fleming stated that the County has submitted a development agreement and two concept plans; that the agreement is for a period not to exceed five years; and limits use of the parcel to boat storage and vehicular parking; and limits ingress/egress on Anclote Road by vehicles towing boats. Discussion followed with regard to potentially moving boats across Oscar Hill Road, which Mr. Cueva stated is being working out with Public Works; and Ms. Vincent mentioned that if a building permit were to be applied for, increasing utility requirements, there would be a requirement to annex into the City. Mr. Cueva stated that this had been discussed with the applicant and they are aware of this requirement.

PPC staff has concluded that the requested CG category can be considered an appropriate Countywide Plan Map designation because of the site's proximity to the marina south of Oscar Hill Road and other CG and industrial uses.

After full presentation of the report, John Cueva moved to approve Case CW 08-28 subject to the conditions noted. The motion was seconded by Dean Neal and carried (vote 8-0).

St. Pete Beach CRD – CW 08-26: SAP 1-2008 – This 248.3 acre area is located as follows: The Gulf Boulevard Redevelopment District is located along the corridor of Gulf Boulevard, north of Pinellas Bayway and south of 64th Avenue. The Downtown Redevelopment District is centered along Corey Avenue, Blind Pass Road, and Gulf Boulevard.

Ms. Fleming outlined the proposal as shown in the staff analysis provided; discussing the Gulf Blvd. Redevelopment District which contemplates the revitalization of hotels, and the reduction of the potential for new residential condominiums along the beach, and noting that the SAP attempts to address hotel unit non-conformities by increasing the number of units allowed in certain redevelopment scenarios. Ms. Fleming outlined the Large Resort Character District, Boutique Hotel/Condo District, Activity Center District and Bayou Residential District and the proposed effects of each.

Ms. Fleming then outlined the Downtown Redevelopment District consisting of the Downtown Core and the original downtown shopping district which contains the Town Center Core District, Town Center Corey Circle District, Town Center Coquina West District, Downtown Core Residential District, Upham Beach Village District, Commercial Corridor-Blind Pass Road District and Commercial Corridor Gulf Blvd. District.

Ms. Fleming noted that a transportation management plan would be filed with each application for development; and that staff has recommended the City identify the steps for implementation of the various directives that are included in the SAP as part of the monitoring and assessment report.

Mr. Crawford also noted that the map and application submitted to the PPC included the area designated Preservation in the Gulf Blvd. District, but the SAP itself did not address

the required safeguards for Preservation adequately; therefore staff is recommending that these areas not be amended to CRD.

Mr. Holley stated the City is operating under mandate of the electorate; that 57.8% of voters had approved this plan; that it was initiated by citizen petition and has significant resemblance to what was presented by the City staff in 2005. He noted there is a great deal of detail in the SAP, for example dealing with community improvements which the City might have preferred be dealt with outside this process, but the plan drafters felt it was necessary to use the SAP to nail down these details; and that normally these types of things would be dealt with in a parallel process. Mr. Holley stated that the SAP is a step in the right direction from a growth management perspective and will provide badly needed redevelopment. He stated that the SAP gives protection to non-conforming hotel densities in the event of catastrophic loss, but does not protect non-conforming uses.

Mr. Crawford provided a historical background noting that this plan builds on the previous one that was rescinded, and that the local implementing land development regulations are being addressed in a variety of ordinances, adopted and yet to be adopted.

In response to query from Mr. MacAulay, Ms. Matzke stated that the expedited alternative review is underway by the Florida Department of Community Affairs and is expected by August 1.

In response to query by Mr. MacAulay concerning the impacts that a referendum-approved plan would have on the potential for approval or denial by the PPC and the CPA, Mr. Healey noted it will be reviewed upon its merits; that legal objections may be anticipated; and that legal counsel is looking into any potential issues, but the application is expected to proceed as would otherwise be the case.

Mr. Holley noted there is litigation challenging the legitimacy of ballot descriptions; but as to whether these will be considered substantive, the City believes that ultimately, from a legal perspective, it will proceed.

In response to query as to the timeline for the completion of district zoning regulations, Mr. Holley stated they will attempt to have them before the City Commission by October.

After full presentation and report, Sharen Jarzen moved to approve staff recommendation of approval, subject to the conditions noted in the staff memorandum. The motion was seconded by Ron Rinzivillo and carried (vote 8-0).

Development Agreements – Request for Authorization of Public Hearing for Proposed Amendment of the Countywide Rules (continued from June) – Mr. Mettler stated that the Council is being asked to review the accompanying draft ordinance amending the Countywide Rules regarding development agreements and to authorize public hearing for the September Council meeting to consider amendment of the Rules.

Mr. Mettler stated that the Council had continued the proposed ordinance at their June meeting and directed Council staff to communicate with the County staff and the City of St. Petersburg staff in order to better understand and accommodate their concerns with regard to the proposed ordinance. Council staff, based on the concerns expressed by the County and St. Petersburg staffs, has deleted all references to site plans in the revised ordinance. He stated that the draft ordinance is now limited to establishing policies and procedures for review of development agreements provided in support of a Countywide Plan Map amendment; and that instead of providing standards to define a substantive change to a development agreement, the revised draft ordinance now provides reference to Chapter 163 of the Florida Statutes. Mr. Mettler noted that in order to address concerns raised by the County legal staff, a section was added to the revised ordinance to repeal the Council's 2002 resolution regarding development agreements and site plans (02- 6) and the Joint Pinellas Planning Council/Countywide Planning Authority Resolution No. 08-70.

Mr. Mettler stated that the last issue that has to be addressed is "reconsideration" in the event a change is made to a development agreement and whether the plan map amendment will have to be reconsidered by the PPC and CPA. He stated that legal counsel is looking into this issue. PPC staff feels that if a Countywide Plan Map amendment is approved and the development agreement is amended or revoked as per the Chapter 163 process, the amendment should come back for reconsideration.

Mr. MacAulay noted appreciation of the work and tremendous compromise made; and noted that there are some concerns left on the part of the City of St. Petersburg legal staff. Discussion followed as to the definition of substantive change and as to intent for use of these agreements to which Mr. Healey stated that development agreements can be used as a tool, especially in our built-out county.

In response to query as to whether the PPC staff and the PPC and CPA could recommend that a development agreement be modified, Mr. Healey stated that is within their prerogative as the measure is proposed. Questions were raised as to the PPC not being a signatory on the document and Ms. Freeman stated that the County has also raised concerns in this regard. Mr. Healey stated that development agreements are sometimes important to address concerns that might otherwise preclude the amendment; and to ask the Council to look at a development agreement and make recommendations on plan amendments based upon it, and then not allow an opportunity to readdress the issue if substantive changes are made would not be appropriate.

Dean Neal stated that the issue of addressing concurrency was the function of development agreements and that he believed this is being turned into something it was not intended to do. He also stated that he felt that use of development agreements in this fashion was an indication of the failure of the comprehensive planning process.

John Cueva moved that PAC recommend not authorizing this for public hearing at this time pending discussion by the attorneys; the motion was seconded by Rick MacAulay and failed (vote 3-5 with representatives of Tarpon Springs, Seminole, Safety Harbor, St. Pete Beach and Oldsmar dissenting).

Lauren Matzke moved to recommend approval of the draft ordinance, as submitted, requesting the Council authorize public hearing for the September Council meeting. The motion was seconded by Marie Dauphinais and carried (vote 5-3 with representatives of Pinellas County, Pinellas Park and St. Petersburg dissenting.)

Annual Plan Map Adjustments – Official Acceptance – Phyllis Fleming reported that the Countywide Rules provide a procedure for local governments within Pinellas County to submit minor requests for Countywide Plan Map boundary adjustments for the following categories: Water/Drainage Feature, Preservation, and Recreation/Open Space. This year, a total of three map adjustments were submitted:

Pinellas County:

Area 1. – This area is part of the St. Petersburg/Clearwater International Airport. This adjustment will add the Transportation/Utility designation and remove the Water designation in one location to reflect the configuration of a parcel containing a helicopter landing area.

Area 2. – This is an adjustment to the Preservation category to reflect the landward boundaries of wetlands and other surface waters as delineated in the Southwest Florida Water Management District Formal Determination of Wetlands and Other Surface Waters. The parcel is located on the east side of U.S. 19, south of Belleair Road.

St. Petersburg:

Area 1. – This adjustment will apply the Water/Drainage Feature to represent the drainage easements that are located on a parcel located south of the intersection of Carillon Parkway and Newbury Place.

Council staff is recommending that the proposed adjustments be officially accepted.

Dean Neal moved to approve staff recommendation regarding 2008 Annual Plan Map Adjustments. The motion was seconded by Sharen Jarzen and carried (vote 8-0).

Joint PPC/CPA Annexation Subcommittee – Status Report – Mr. Crawford reported that the Joint PPC/CPA Annexation Subcommittee had submitted a draft initiating resolution regarding the Interlocal Boundary Service Agreement process to the Board of County Commissioners for their consideration; and that the Board had discussed this at a work session in early June. At the July 1 regular meeting, the initiating resolution was approved by the Board, which resolution will now be transmitted to each local government and independent special district for consideration and action.

Mr. Healey outlined the procedures to start the process and suggested that the local government attorneys review the process even if a local jurisdiction does not have a vital stake in the process. He added information regarding what is addressed in the resolution and suggested that communities weigh in on the process in order to continue to have a say in the outcome.

Legislative Update – Mr. Pflueger provided PAC members a synopsis of the 2008 regular session of the Florida Legislature.

Additionally, Mr. Pflueger asked for PAC members input and participation in a subcommittee to address the new comprehensive plan modifications which will require local jurisdictions in Pinellas County to develop “green” goals, objectives and policies that meet state energy conservation and efficiency review standards. PAC members were asked to email their interest in participation in this process to Mr. Pflueger.

Other PAC Business:

Mr. Mettler presented proposed amended Countywide Rules definitions to the PAC addressing consistency issues; he asked that the PAC members review and provide input; noting that Council staff expects to provide a draft ordinance for discussion with PAC at their September meeting.

The PAC was reminded of the cancellation of the August meeting. The next PAC meeting will be September 8, 2008.

There being no further business, the PAC adjourned at 3:16 P.M.

Respectfully submitted,

David P. Healey, Executive Director

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, JUNE 9, 2008
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Renea Vincent, Chairman	City of Tarpon Springs
Sharen Jarzen, Vice Chairman	City of Seminole
Jeffery Dow	City of Dunedin
Gina Clayton	City of Clearwater
Bob Klute	City of Largo
Lynn Rosetti	City of Treasure Island
Fred Metcalf	City of Gulfport
Ron Rinzivillo	City of Safety Harbor
Gordon Beardslee	Pinellas County
Lauren Matzke	City of St. Pete Beach
Marie Dauphinais	City of Oldsmar

Also Present:

Michael Delk	City of Clearwater
Robert Tefft	City of Clearwater
Michael Crawford	Pinellas Planning Council
Phyllis Fleming	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

Chairman Renea Vincent called the meeting to order at 1:32 P.M.

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the May 12, 2008, PAC meeting. Jeffery Dow noted that on page two under Case CW 08-23, the words “square foot” should be removed before “vehicle service store.” Fred Metcalf moved to approve the minutes as corrected; the motion was seconded by Bob Klute and carried (vote 8-0).

Old Business – none.

Review of PPC Agenda for June 18, 2008 Meeting – Received.

Annexation Report – May 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of May.

He stated that the Council received a total of four (4) petitions for voluntary annexation review in May from the cities of Clearwater, Safety Harbor and Tarpon Springs. Existing uses that were within the four annexations include one institutional use and three residential uses. The proposed annexations totaled 36.3 acres and approximately \$218,000

in taxable value. Total Municipal Service Taxing Unit revenues from the \$218,000 of taxable value are \$455 using the 2007/08 fiscal year tax rate. It is estimated that six residents will be affected by a change in jurisdiction. Annexation of one of the four parcels will reduce an enclave in the county by 0.21 acres and annexation of two parcels will eliminate two enclaves by 1.10 acres.

Ability To Serve Report No. 08-4: City of Tarpon Springs (St. Petersburg College Property) - Mr. Schoderbock stated that Section 5(12) of Chapter 88-464, Laws of Florida, as amended, requires the Council to review and make a recommendation to the affected municipality for each annexation of ten acres or more as to the ability of the municipality to provide municipal services to the territory proposed to be annexed.

He stated that the proposed annexation area is located west of U.S. Highway 19, east of Belcher Road, south of Klosterman Road, and generally south of Tarpon Springs' current boundaries and that it is referred to by the City as the St. Petersburg College Olympia Building and Surrounding Property Voluntary Annexation. He stated that the area consists of three parcels that are designated Residential/Office/Retail (R/O/R), Residential Low Medium (RLM), and Preservation (P) on the Countywide Plan Map; that the existing uses are a college building and two areas of vacant land; and that the total area is approximately 35.1 acres consisting of 13.1 acres classified R/O/R, 16.2 acres RLM and 5.7 acres P.

Mr. Schoderbock reported that Council staff has reviewed this voluntary annexation proposal in accordance with the ability to serve review criteria of PPC Resolution No. 98-2, and based upon the accompanying data and analysis, found that the subject area is not located within an established planning area pursuant to Chapter 163, F.S.; that the proposed annexation is adjacent to, but not included in the boundary of the Tarpon Springs planning area agreement with the County; that the proposed annexation will not create any enclaves; that the City has the ability to provide water, sewer, solid waste, law enforcement, fire, EMS, recreation, and library services through city departments, county services, or private contractors; and that the existing service district boundaries will not change.

Discussion followed with regard to the special legislation that controls the Palm Harbor Fire District with Ms. Vincent noting that the Board of County Commissioners have delayed their review pending an interlocal agreement being prepared by the City of Tarpon Springs relating to how fire control responsibilities would be handled in the future should changes in property ownership occur. Gordon Beardslee stated that the County staff is supportive of the annexation pending approval of the interlocal agreement.

After full presentation of the report, Sharen Jarzen moved to approve staff recommendation to adopt a finding that the City of Tarpon Springs has the ability to provide municipal services to this area and authorize this finding to be transmitted to the City of Tarpon Springs. The motion was seconded by Fred Metcalf and approved (vote 8-0).

Ron Rinzivillo, Lynn Rosetti and Marie Dauphinais entered at this time.

PLAN AMENDMENTS

Beach By Design Special Area Plan (SAP Change No. 08-2): City of Clearwater –

After presentation of the history of the SAP and background regarding amendments to date on Beach By Design, Phyllis Fleming stated that the following findings are submitted for consideration of the recommendation for approval:

- A. With the exception of the maximum temporary lodging (i.e., hotel) density of 175 units per acre the proposed changes are consistent with the overall objectives of the City's Beach by Design Redevelopment Plan (also referred to by the Countywide Rules as a Special Area Plan, or "SAP"), and maintains the essential relationship between the individual districts within the SAP.
- B. With the exception of the maximum hotel density of 175 units per acre the changes are consistent with the Countywide Rules and will maintain consistency with the Updated Countywide Plan for Pinellas County (The Countywide Plan).
- C. The submittal satisfies the requirements of the Countywide Rules, and a condition placed upon the original approval of the amendment adding the Community Redevelopment District designation to the area as part of Case #CW 01-25, that requires the City to submit any amendment to the Beach by Design Special Area Plan to the PPC and CPA for review and consideration based on the nature of the change.

Discussion followed with regard to the rationale used to request 175 units per acre to which Mr. Delk stated this figure had been calculated as a result of the PPC study relating to economic lack of parity between hotel rooms and condos. Ms. Clayton stated that the maximum you can get from the reserve is 100 units so that 150 upa will only be in play on the smaller parcels. She stated this will replace hotels that have been lost. Mr. Delk stated that the City finds the recommended 150 units to be acceptable as opposed to the proposed 175 units per acre. In response to query from Mr. Crawford, Clearwater representatives noted that they will submit a request for additional height revisions for the July PPC meeting.

Sharen Jarzen requested clarification with regard to the Lobby/Front Desk area and whether it includes 24-hour staffing. Mr. Tefft stated this had come from the PPC Rules to distinguish between condos and hotels.

Gordon Beardsley asked for clarification with regard to Bus Rapid Transit as a mitigation option. Ms. Fleming referred to mitigation strategies contained in the letter received from City of Clearwater Traffic Engineer Paul Bertels. Although BRT is an additional program that Clearwater and the MPO are working on, there is no reference to an implementation timeframe.

Discussion followed with regard to the transportation analysis noting that Clearwater is continuing work with the MPO to correct g/c (green cycle time) ratios which may help the level of service issues.

After full presentation of the report, Sharen Jarzen moved to approve staff recommendation. The motion was seconded by Mr. Metcalf and approved (vote 11-0).

Proposed Amendments to the Countywide Plan Rules: Traffic Generation Rates Update – Mr. Crawford stated that Pinellas Planning Council staff has utilized Tindale-Oliver & Associates under a consulting agreement to provide updated trip generation rates used within each Countywide Plan Map category; and that the rates used in the Countywide Rules were last updated in 1997 and are proposed to be revised to reflect changes that have occurred in the 2005 Pinellas County Impact Fee Study and the Institute of Traffic Engineers Trip Generation Manual, 7th Edition.

He stated that the 2008 Trip Rates Update report reviewed by the PPC at last month's meeting showed that certain uses of land that are tracked in our trip rates have either increased or decreased the number of trip associated with them, the length of the trips associated with two uses of land has increased, while two others have decreased, and lastly, the percent of new trips for some uses of land have changed as well. These differences are included in the attached draft ordinance (Exhibit 1 to the attached resolution) resulting in trip generation rates for twenty-one Countywide Plan Map categories shown to have increased, and three to have decreased.

All these factors are taken into consideration to develop a blended trip rate associated with each Countywide Plan Map category. These resulting traffic generation rates provide a basis to compare traffic impacts when comparing one plan category to another during the map amendment process. They are also realistic trip rates, accurately reflecting what is typically found within any given category across the county, as opposed to looking at a "worst-case" scenario during the amendment process.

Staff recommends the Council review and recommend to the Countywide Planning Authority approval of Countywide Rule Amendments by adopting Resolution No. 08-4.

After full presentation of the report, Lynn Rosetti moved to approve staff recommendation. The motion was seconded by Jeffery Dow and approved (vote 11-0).

Development Agreements and Site Plans – Authorization of Public Hearing for Proposed Amendments to the Countywide Rules – Mr. Mettler stated that the Council is being asked to review the draft ordinance amending the Countywide Rules regarding development agreements and site plans and authorize public hearing for the July Council meeting to consider amendment of the Rules. He stated that at the April PPC and May CPA meetings Joint Resolution No. 08-70 was approved, addressing minimum requirements for submission of development agreements as part of a request for a Countywide Plan Map amendment and addressing requirements regarding substantive changes to development agreements.

Mr. Crawford distributed a memorandum received today from City of St. Petersburg staff relating to concerns on this proposed Rule change. Mr. Crawford stated that PPC staff

does not currently require review of development agreements and site plans; that it is up to the local governments if they want to submit them to help the amendment.

Gina Clayton asked for clarification with regard to the timing of execution of development agreements to which Mr. Mettler stated that they would be required to be executed by the property owner or private parties associated with the property owner but not executed by the local government until the second reading. Discussion followed with some local governments noting that approval of development agreements is done through resolution. Mr. Crawford requested that the PAC members continue to review this proposal and advise staff of any concerns. He noted that this request is for a public hearing and there is still time for review and input.

Gordon Beardslee requested clarification on 5.1.3.2. relating to Substantive Change to a Development Agreement and/or site plan. Mr. Mettler stated that the local government is responsible for notifying the Pinellas Planning Council if there is a substantive change; it then goes to the Council for a vote as to whether or not to reconsider the amendment.

After full presentation of the report, Fred Metcalf moved to approve staff recommendation for authorization for public hearing. The motion was seconded by Sharen Jarzen and approved (vote 11-0).

Joint PPC/CPA Annexation Subcommittee – Follow-up – Mr. Crawford updated the PAC members concerning the actions to date by the Joint PPC/CPA Annexation Subcommittee and provided materials from their June 2nd meeting.

He stated that the Subcommittee took the following actions:

- 1) The Subcommittee recommended that Exhibits A and D (included in the back-up materials with the proposed resolution) be combined and that all twenty-four (24) municipalities be invited to participate in the Interlocal Boundary Service Agreement process (vote 6-0).
- 2) The Subcommittee agreed that the term of the agreement(s) be a minimum of ten (10 years) with a possible review mechanism set for the 8th year of the agreement, and a clause allowing for extension of the agreement upon mutual consent (vote 6-0).
- 3) The Subcommittee recommended the proposed annexation boundary map (Exhibit B) reflect Ordinance No. 00-63, with the revisions approved by the previous Annexation Subcommittee in September 2006 (vote 6-0).
- 4) The Subcommittee recommended that the draft resolution, inclusive of the above-referenced actions, be transmitted to the entire Board of County Commissioners for their consideration at their July 2008 meeting (vote 6-0).

Mr. Schoderbock noted that subsequent to the June 2 meeting of the Subcommittee, staff was requested to prepare the above-referenced items for presentation to the Board at their work session on June 10.

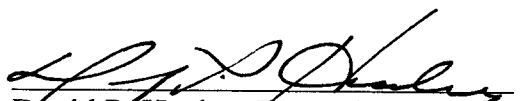
Mr. Crawford discussed the report prepared for the Subcommittee regarding typical costs for services; noting that staff is reworking the fire millage figures and will be submitting them back as a correction. He noted that the Subcommittee did not take official action with regard to the findings presented but was appreciative of the information.

Other PAC Business:

Ron Rinzivillo moved that the PAC cancel their August meeting. The motion was seconded by Lauren Matzke and carried (vote 11-0).

There being no further business, the PAC adjourned at 2:15 p.m.

Respectfully submitted,


David P. Healey, Executive Director