

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II F.

MEETING DATE: January 21, 2009

SUBJECT:

Consent Agenda:

F. Correspondence

RECOMMENDATION:

Council Receive and Discuss as is Appropriate

BACKGROUND

Correspondence Includes:

1. PAC Minutes – January 12, 2009 (draft), and December 8, 2008 (approved)
2. Letter sent December 1, 2008 to Renea Vincent, Planning and Zoning Director, City of Tarpon Springs, Re: Review of Land Development Code Amendments for Consistency with the Countywide Rules
3. Letter sent December 1, 2008 to Catherine M. Hartley, AICP, Senior Planner, City of St. Pete Beach Community Development Department, Re: Review of Draft Amendments to the Comprehensive Plan (Ordinance No. 2008-47), for Consistency with the Countywide Rules
4. Letters sent December 2, 2008 to Commissioner Nina Bandoni, City of Safety Harbor, Vice Mayor Bob Minning, City of Treasure Island, representing the Group A Communities, and Commissioner Stephanie Oddo, Town of Belleair, representing the Group C Communities, Re: Welcome letter to the Pinellas Planning Council
5. Letter sent December 4, 2008 to Ms. Paula Cohen, Community Development Director, City of Madeira Beach, Re: Review of Proposed Amendments to the City of Madeira Beach's Code of Ordinances (Ordinance 1143) for Consistency with the Countywide Rules
6. Letter sent December 9, 2008 to Sharen Jarzen, Senior Planner, City of Seminole, Re: Appointment of Planners Advisory Committee Chairman for the year 2009.
7. Letter sent December 9, 2008 to Catherine Hartley, Senior Planner, City of St. Pete Beach, Re: Appointment of Planners Advisory Committee Vice-Chairman for the year 2009.
8. Letter sent December 16, 2008 to Paulette E. Cohen, Community Development Director, City of Madeira Beach, Re: Review of Madeira Beach Town Center Special Area Plan

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

SUBJECT: Other Council Business - Correspondence

9. Letter sent December 19, 2008 to Mayor Patricia Gerard, City of Largo, and to Commissioner Calvin Harris, Chairman, Pinellas County Board of County Commissioners, Re: December 17, 2008 PPC Meeting Follow-up
10. Sample of letters sent December 19, 2008 to property owner/representative, Re: December 17, 2008 PPC Meeting Follow-up (Land Use Cases)
11. Sample of letters sent December 19, 2008 to property owner/representative, Re: December 17, 2008 PPC Meeting Follow-up (City of Largo Special Area Plan Change No. 3-2008 – Clearwater-Largo Road)
12. Letter sent December 19, 2008 to Robert G. Bray, Jr., AICP, Community Planning Director, City of Pinellas Park, Re: Review of Proposed Amendments to the City of Pinellas Park's Land Development Code (School Concurrency) for Consistency with the Countywide Rules
13. Sample of letter sent December 22, 2008 to all local jurisdictions transmitting up-dated Countywide Future Land Use Plan Maps and the Scenic/Non-Commercial Corridor Map
14. Letter sent December 23, 2008 to William Roll, Jr., Senior Associate and Demian Miller, Project Manager, Tindale Oliver & Associates, Inc., Re: Curlew Road/SNCC Corridor Study

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, JANUARY 12, 2009
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Sharen Jarzen, Chairman	City of Seminole
Catherine Hartley, Vice Chairman	City of St. Pete Beach
Gordon Beardslee	Pinellas County
Dean Neal	City of Pinellas Park
Bob Jarzen	City of Largo
Danny Taylor	City of Indian Rocks Beach
Fred Metcalf	City of Gulfport
Gina Clayton	City of Clearwater
Marie Dauphinais	City of Oldsmar
Greg Rice	City of Dunedin
Ron Rinzivillo	City of Safety Harbor

Also Present:

Michael Crawford	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

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

Minutes – Chairman Jarzen asked if there were any comments or corrections to be made to the minutes of the December 8, 2008 PAC meeting. There being none, Gina Clayton moved to approve the minutes; the motion was seconded by Dean Neal and carried (vote 9-0).

Old Business – none.

Mr. Crawford introduced new PAC member Greg Rice, Director of Planning and Development, from the City of Dunedin.

Review of PPC Agenda for January 21, 2009 Meeting – Received.

Countywide Planning Authority (CPA) Actions - December - Mr. Crawford presented CPA actions from December 2 and 16, 2008 and January 6, 2009. He noted that the second reading on the Resource Management Overlay category will be heard on January 20; and that public hearing dates have been set for February 3 and 17, 2009 on the proposed amendment of the Countywide Rules regarding Consistency.

Annexation Report – December 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of December as follows:

He stated that the Council received a total of eight voluntary annexation petitions in December from the cities of Clearwater, Oldsmar and Pinellas Park. The proposed annexations contain seven residential uses and one office use. The proposed annexations totaled 2.6 acres and approximately \$1.5 million in taxable value. Total Municipal Service Taxing Unit revenues from the \$1.5 million of taxable value are \$3,068 using the 2008/09 fiscal year tax rate. It is estimated that about 17 residents will be affected by a change in jurisdiction. Annexation of three of the eight parcels will reduce two enclaves in the county by 0.45 acres and annexation of one of the eight parcels will eliminate a 1.28-acre enclave.

Annexation Report – Quarterly Summary – Mr. Schoderbock reported on the Quarterly Summary for the first quarter of FY 2008/09, October through December 2008. He stated that the acreage and taxable value for the first quarter were 4.04 acres and \$1,970,651 respectively; that forty-nine percent (1.98 acres) reduced or eliminated an enclave; and that there was one completed non-voting referendum annexation by the City of St. Petersburg in this quarter. Mr. Schoderbock noted that the proposed Tierra Verde annexation is currently in mediation.

Local Assistance – Quarterly Status Report – Mr. Crawford reported that Mr. Pflueger and Ms. Fisher have been working with Redington Shores and Redington Beach to finish their Evaluation and Appraisal Report based amendments to their land development codes; and that once those two are completed, all communities will have completed the process. He further noted that Mr. Pflueger has been assisting with the redevelopment plan rewrite for the City of Largo.

Mr. Crawford stated that he is working with the consultants and the City of Dunedin regarding the Patricia and Douglas Avenue Corridors. He further noted that once appropriate changes are made, these projects will then be scheduled for public meetings.

PLAN AMENDMENTS

Subthreshold Plan Amendments:

Mr. Crawford summarized the subthreshold case as follows:

Case CW 09-01: City of St. Pete Beach – Mr. Crawford stated that this 0.7 acre site is proposed to be amended from Residential Low Medium (RLM) to Residential High (RH) with Resort Facilities Overlay (RFO) and is located at 1301 and 1307 Gulf Way. He stated that the amendment would reclassify two parcels near the Gulf of Mexico to reflect their current use which includes two small hotels with a total of 20 rooms; that these current non-conforming uses could then be rebuilt or expanded.

Marie Dauphinais entered the meeting at this time.

Mr. Crawford noted that the City intends to apply their Traditional Hotel District zoning designation to the properties which does not allow any residential uses, in addition to

entering into a development agreement with each property owner that would limit residential density to 10 upa should a different zoning designation be applied.

Ms. Hartley noted that the rezoning and development agreements have been approved by the planning board and City Commission on first reading. In response to query from Ms. Clayton, Ms. Hartley noted that there are six other hotels in this vicinity, but no others have applied for similar consideration.

After full presentation of the report, Gina Clayton moved approval of staff recommendation of approval, subject to the attached development agreements; the motion was seconded by Fred Metcalf and carried (vote 10-0).

Regular Plan Amendments: None.

Minor Plan Change: CW 94-55 (SAP Change No. 7-2009) – Clearwater CBD – Mr. Crawford stated that the City of Clearwater is proposing to amend the Clearwater Downtown Redevelopment Plan by revising the text to encourage the development of a performing arts theater downtown and to support community policing efforts downtown.

Ron Rinzivillo entered the meeting at this time.

Gina Clayton stated that the Community Redevelopment Agency and the City Council have entered into an interlocal agreement for additional community policing and provided background on the City's community policing efforts. Mr. Beardslee noted that since this has not yet gone to the Board, he will have to abstain from voting. Discussion followed regarding community policing and financial impacts relating to Tax Increment Financing monies.

Ms. Clayton noted that the City has purchased the former Royalty Theater and that Ruth Eckerd Performing Arts will be taking over the operation of the theater.

Fred Metcalf moved approval of staff recommendation that the Council receive and accept the proposed minor change to the Clearwater Downtown Redevelopment Plan and submission to the CPA for receipt and acceptance. The motion was seconded by Bob Jarzen and carried (vote 10-0 with one abstention by the representative of Pinellas County).

Review of the 2008 Tampa Bay Water Long-Term Water Supply Plan – Mike Crawford referred to the provided background information from Tampa Bay Water and asked that any questions or comments be referred to Larry Pflueger.

Other PAC Business:

Plan Map Amendments with Development Agreements – Mr. Crawford presented PAC members with a revised application for Countywide Plan Map amendments containing new provisions for submission of local ordinances and development agreements in accordance with recent changes in the Countywide Rules. He noted that another change has been added

regarding development agreements, stating that any development agreement submitted as part of plan map amendment may become a condition of approval. These changes have been forwarded to legal counsel for review once they are reviewed by legal counsel, they will be posted on the PPC website.

Gina Clayton questioned streamlining the application process with regard to cover letter or email to the Executive Director.

Ms. Clayton inquired as to when a development agreement was made a condition to the approval, and a change was made to the development agreement, what determined when and if it had to be brought back to the Council and CPA. Mr. Crawford responded that determination as to whether an amendment is necessary is left up to the local government, and only if amended or revoked will it be subject to review and possible reconsideration.

In response to concern expressed by Ms. Jarzen concerning local government approval as noted under Local Action, Mr. Crawford stated that this refers to local government endorsement and approval at first reading, as opposed to execution.

Ms. Jarzen also suggested that a reference be added for a legal description to which Mr. Crawford agreed and will add under site and parcel information.

Mr. Neal suggested that a "sketch" is required along with a survey by State law.

There being no further business, the PAC adjourned at 2:05 P.M.

Respectfully submitted,

David P. Healey, Executive Director

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, DECEMBER 8, 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
Gordon Beardslee	Pinellas County
Dean Neal	City of Pinellas Park
Bob Jarzen	City of Largo
Rick MacAulay	City of St. Petersburg
Danny Taylor	City of Indian Rocks Beach
Fred Metcalf	City of Gulfport
Catherine Hartley	City of St. Pete Beach
Gina Clayton	City of Clearwater
Steve DeMerritt	City of Treasure Island
Marie Dauphinais	City of Oldsmar

Also Present:

Dave Healey	Pinellas Planning Council
Michael Crawford	Pinellas Planning Council
Chris Mettler	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Linda Fisher	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council
Bob Klute	City of Largo
Carol Stricklin	City of Largo
Lauren Matzke	City of Clearwater
Steve Kurcan	Grady Pridgen and Associates

Chairman Renea Vincent called the meeting to order at 1:30 P.M.

Minutes – Chairman Vincent asked if there were any comments or corrections to be made to the minutes of the November 10, 2008 PAC meeting. There being none, Bob Jarzen moved to approve the minutes; the motion was seconded by Sharen Jarzen and carried (vote 10-0).

Old Business – none.

Review of PPC Agenda for December 17, 2008 Meeting – Received.

Countywide Planning Authority Actions - December - Mr. Crawford presented CPA actions from December 2, noting that the CPA held the first public hearing on proposed

changes to the Countywide Rules regarding Development Agreements, and that the second public hearing has been advertised for December 16.

Mr. Crawford also reported on the Board appointments to the Council for 2009-10.

Annexation Report – November 2008 – Michael Schoderbock summarized the report on voluntary annexations for the month of November as follows:

He stated that the Council received a total of two voluntary annexation petitions in November from the City of Clearwater. Both proposed annexation properties contain single-family homes. The proposed annexations totaled 0.5 acres and approximately \$236,310 in taxable value. Total Municipal Service Taxing Unit revenues from the \$236,310 of taxable value are \$493 using the 2008/09 fiscal year tax rate.

Mr. Schoderbock also reported that the City of St. Petersburg had finalized the Tierra Verde annexation heard by the Council at their November meeting.

Marie Dauphinais entered the meeting at this time.

PLAN AMENDMENTS

Mr. Crawford pointed out the formatting changes made to the cases at the request of the Council.

Subthreshold Plan Amendments:

Mr. Crawford summarized the subthreshold cases as follows:

Case CW 08-42: Pinellas County – Mr. Crawford stated that this 0.2 acre site is proposed to be amended from Residential/Office General to Residential/Office/Retail. He stated that the amendment would reclassify so as to reflect its current use which includes a restaurant and ice cream shop with outdoor covered seating; that the amendment would allow the current non-conforming use to be rebuilt or expanded and would also allow other types of retail, office, or residential uses in place of the current use.

Case CW 08-43: Pinellas County – Mr. Crawford stated that this 0.6 acre site is proposed to be amended from Commercial General (CG) and Residential Urban to CG. He stated that the proposed amendment would reclassify a portion of the parcel; that the majority of the site is designated CG and this amendment would reclassify one residential lot on the east end of the site to CG as well; that the amendment would allow the current storage of boats to continue in conformance with the County's Land Development Code; and that it should be noted that a single-family residence abuts the site to the east and should be buffered from any non-residential use of the site. Mr. Crawford pointed out that the amendment area is adjacent to a Mixed Use subclassification of the Scenic/Non-Commercial Corridor, but should not have a detrimental or significant impact upon this Corridor.

Case CW 08-47: Pinellas County – Mr. Crawford stated that this 0.3 acre site is proposed to be amended from Commercial Neighborhood (CN) to Residential Low (RL). He stated that the site is now vacant and was formerly a dry cleaner business; that Pinellas County Community Development purchased the site in 2006 for construction of a single-family home; and that the property to the south contains a vacant commercial building, the property to the west is occupied by a single-family home, and to the east is a vacant restaurant.

Sharen Jarzen inquired regarding Case CW 08-43 as to whether there would be buffering requirements to the north and south to which Mr. Crawford responded that staff will include this in the report as it is presented to Council at their December meeting; that buffering requirements will be on three sides.

After full presentation of the reports and following discussion, Bob Jarzen moved to approve the staff recommendation of approval for Cases CW 08-42, CW 08-43 and 08-47; the motion was seconded by Rick MacAulay and carried (vote 11-0).

Gina Clayton entered the meeting at this time.

Regular Plan Amendments:

Case CW 08-44: Pinellas County – Mr. Crawford stated that this 3.7 acre site is located on the east side of Seminole Blvd. between Grove Terrace and Valencia Terrace and is proposed to be amended from Residential Urban (RU) to Residential Low Medium (RLM). He stated that the proposed amendment to RLM would allow construction of residential apartment units at a density of 10 units per acre (upa); that the former mobile home park had 37 units resulting in a density of 10 upa as well; and that all but two of the mobile homes have been removed from the site. The subject area has frontage on Lake Seminole and is also adjacent to the City of Seminole on three sides. Mr. Crawford stated that the area to the south of the site has a new residential complex built at 15 upa and the area to the north contains a mobile home park. The remainder of the adjacent and nearby parcels along Seminole Boulevard contain a mixture of commercial and office uses.

Mr. Crawford also noted the nearby urban activity center; noted there would be no significant increase in school impact; and no negative or significant impact to the City of Seminole.

Ms. Jarzen noted that the City of Seminole supports this amendment.

After full presentation and findings of the report, Sharen Jarzen moved to approve the staff recommendation of approval; the motion was seconded by Fred Metcalf and carried (vote 12-0).

Case CW 08-45: Pinellas County – Mr. Crawford stated that this 5.6 acre site is located on the north side of Park Blvd, 650 feet west of 66th St. North and is proposed to be amended

from Residential Urban (RU), Commercial General (CG), and Preservation to CG and Preservation. He stated that the proposed amendment to CG would allow development of a former 116-unit mobile home park with a commercial, office, or mixed use project including residential units; that all mobile homes have been removed from the site and it remains vacant. The northern boundary of the parcel has a drainage canal running through it from east to west and north of that lies a thin strip of CG designated land. Mr. Crawford also noted that the City of Pinellas Park annexed the parcel to the west on Park Street in 2004 and would be considered an adjacent local government that could be impacted by this request. Additionally, the Council recommended approval of an amendment from RU to CG for this adjacent parcel in September. He further noted that the majority of uses in this area are commercial in nature and include a shopping center to the east, a car sales lot to the west, St. Pete College to the southeast and a mobile home park directly across Park Blvd. Additionally there are two separate areas that include residential uses adjacent to the site - one area on the east and one area on the west. There is not an amendment to the area designated Preservation included with this application.

Mr. Crawford further noted that staff has asked the County to buffer the single family uses adjacent to the amendment area.

In response to query from Ms. Vincent, Mr. Beardslee stated there had been no opposition received from the single-family areas and discussion followed with regard to the 200 ft. notification requirement in all directions.

After full presentation and findings of the report, Dean Neal moved to approve the staff recommendation of approval; the motion was seconded by Gordon Beardslee and carried (vote 12-0).

Case CW 08-46: Pinellas County – Mr. Crawford stated that this 1.5 acre site is located on the east and west sides of 63rd St. North, north of 150th Ave. North and is proposed to be amended from Residential Urban (RU) to Industrial Limited (IL). He stated that the proposed amendment to IL is to recognize the industrial uses: metal recycling, roof repair, and commercial hauling that have been operating on the subject parcels for over 20 years; that these uses have been classified as “grandfathered” by the County, which means they could continue operating in their current form without the requested amendment, but are restricted from expanding and would not be allowed to rebuild if they were destroyed.

Mr. Crawford stated that the larger area to the north and west is vacant, but is owned by Pinch-a-Penny Pool Supplies and is slated for industrial development; that the surrounding developed area is a mix of older single-family homes and industrial uses designated RU, with Commercial Neighborhood along 150th Ave. North; and that three of the six homes in the immediate area are not part of the requested amendment, but appear to have associated industrial type businesses and are designated RU. He stated that the PPC staff believes the amendment to IL is appropriate to recognize that the subject area, as well as the fact that the character of the surrounding area has changed significantly from its single-family beginnings and that to properly recognize these other uses, the remaining area northwest of 150th Ave. and 62nd St. should be studied by Pinellas County

to determine what other corresponding Future Land Use Plan map amendments should be pursued for this area.

Discussion ensued with the suggestion that the County look at the area and come back with what uses should eventually be allowed. In response to query from Renea Vincent, Mr. Beardslee stated he believed the non-conforming status was given several years ago and that the County realizes the concern for the area and has asked the Board of County Commissioners to authorize staff to review and make additional amendments in this area.

Bob Jarzen stated the City of Largo supports this amendment with the understanding that the County will take a look at the larger area and come up with recommendations.

After full presentation and findings of the report, Catherine Hartley moved to approve the staff recommendation of approval; the motion was seconded by Marie Dauphinais and carried (vote 12-0).

Case CW 01-13/CW 06-44 (SAP Change No. 3-2008): City of Largo – Mr. Mettler reported that this 18.1 acre area is located at three separate areas on the west side of Clearwater-Largo Road, south of Belleair Road and north of 16th Ave. NW, and is proposed to be amended from Residential Urban (RU), Residential Low Medium (RLM), and Residential/Office/Retail (R/O/R) to Community Redevelopment District (CRD).

Mr. Mettler stated that the City of Largo proposes to expand the CRD area and to amend the Special Area Plan (SAP) that governs the CRD by adding an additional appendix; that the City proposes to expand the CRD by approximately 18.1 acres to a total of approximately 306.2 acres. The City proposes to amend the SAP with new legal descriptions of the subject area, revised maps, tables, an updated traffic study and text reflecting the changed characteristics of the SAP once the annexed parcels are incorporated.

Mr. Mettler outlined the three areas of the expansion noting that the Pinellas County Trail separates the area from the Town of Belleair and that there were minimal impacts to the School District.

Mr. Klute stated he would like to make an additional recommendation in the second recommendation on the report, asking that the phrase “after adoption” be inserted because the city’s adoption hearing will follow very shortly after the CPA; that he expects this to occur in March; and would like time to work on this with the PPC staff. He further stated there are a number of property owners ready to begin development, including some proposed new affordable housing.

After full presentation and findings of the report, Gordon Beardslee moved to approve the staff recommendation of approval inclusive of the separate and additional recommendation; the motion was seconded by Rick MacAulay and carried (vote 12-0).

Mr. Healey stated that the PPC staff will insert the amended language as requested by the City.

Rule Amendment Re: Consistency – Mr. Mettler stated that the report remains almost identical to that presented in November; that Section 4.2.7.4.1(B) has been changed to reflect changes to the “balancing criteria” to reflect that consideration will be given to areas located within the Coastal Storm Area (CSA) but outside of the Coastal High Hazard Area (CHHA).

Mr. MacAulay inquired as to how the CSA concept will affect the City if, for instance, the City does not adopt the CSA, to which Mr. Crawford stated that PPC staff will review the amendment against the Countywide Rules criteria. Mr. Crawford referred to a map of a portion of the City of St. Petersburg pointing out what the PPC definition of CSA is versus the Chapter 163 definition of CHHA. Mr. Crawford stated that staff continues to work on mapping the rest of the County and will have this information before the PPC meeting.

Renea Vincent stated that this seems logical from a planning perspective, but expressed concerns when we get more restrictive than the State.

Discussion followed with regard to an example in the City of St. Petersburg – Coquina Key. Mr. MacAulay noted that we have an existing definition of CHHA from Florida Statutes; that on the map all would now be in the expanded PPC definition of CSA. He inquired as to whether a request for an increase in density would be denied except as “successfully balanced”. Mr. Crawford responded it would be recommended for denial unless it met the criteria in the Rules. Mr. MacAulay noted that in the City of St. Petersburg’s Objections, Recommendations and Comments (ORC) report received from the Florida Department of Community Affairs (FDCA) on their Evaluation and Appraisal Report, language had been inserted from the Countywide Rules relative to balancing, but that the FDCA had objected to that policy language and responded that there shall not be any increases in density in the CHHA.

Discussion continued with Mr. MacAulay stating the City wants to keep focused on State Law, Chapter 163, and does not feel this needs to be in the Rules. He stated that the City of St. Petersburg will not adopt the CSA concept and respectfully requests it be pulled out of this proposal for amendment of the Rules.

Discussion followed with regard to areas containing hotels; Mr. Beardslee stated that the FDCA is more flexible with respect to increases in hotel density in the CHHA. Mr. Beardslee suggested that, since the proposed CSA in the Countywide Rules is different from what has been adopted by several local governments, a different term be used in the Countywide Rules for this area to avoid confusion.

Mr. Healey stated that the PPC staff would be willing to work together with the local jurisdictions to try and work with FDCA; that it is a countywide issue and especially critical to a built-out county. Additionally, PPC staff will give additional thought to the premise that we currently start from a recommendation of denial and will address these issues and bring them to the Council.

Discussion ensued relative to concerns expressed by Gina Clayton, City of Clearwater, relating to density averaging and the 20% limitation. Clearwater would like to continue to handle density averaging through the site plan approval process. Discussion followed relating to Transfer of Density Rights (TDRs) and density averaging. In response to a query from Ms. Clayton, Mr. Mettler stated that once a site receives over 20% of the density otherwise allowable, a plan map amendment would be more appropriate. Mr. Crawford gave an example of Bayside Reserves noting that was an averaging case, with a requested density of 10 units per acre (upa), but ended up 20 upa. He stated that when density becomes greater than that allowed in the next highest Countywide Plan Map category, it should trigger an amendment. Ms. Clayton inquired if there might be a benefit to having a threshold noting that Pinellas County is so built out that there might be a benefit to having a threshold as to certain densities before this restriction is applied.

Gordon Beardslee recommended a revision to language in Section 4.2.3.7 replacing the phrase "as to the maximum permitted density/intensity of" with the word "with". He stated in discussions with the County attorneys, there is a need to recognize approved master plans for TDRs approved prior to this ordinance, and that they shall be deemed to be consistent and conforming with the Countywide Plan and Rules, not just for density and intensity purposes.

Mr. Beardslee acknowledged that the amendments addressing the administrative hearing process had been revised to make the process non-mandatory; however he questioned why the amendments addressing the administrative hearing process must be included at all. There is a section in the Special Act (Section 10 (4) (e)) as to when the administrative hearing process would be used – "Except as provided..., the council and the board of county commissioners are not subject to Ch. 120 Florida Statutes." County staff will be meeting with legal staff to discuss this further.

Rick MacAulay stated that he emailed a memo from the City of St. Petersburg City Attorney's office to PPC staff today, and that copies have been provided to PAC, offering comments on the enforcement provision and administrative hearings that might be required. St. Petersburg's concerns are similar to what Mr. Beardslee just stated.

Renea Vincent stated that the City of Tarpon Springs would like certain types of agricultural uses in the Industrial Limited and Industrial General categories. Mr. Healey stated we can easily add agricultural as a secondary use in these categories.

Gordon Beardslee noted that the County still has concerns over requiring mini-warehousing uses in the Residential/Office/Retail category to meet additional criteria.

Gina Clayton moved to recommend approval of consistency amendments with exceptions including: (1) removal of the amendment introducing the CSA provision; (2) removal of the density averaging provisions, in particular, the 20% limitation; (3) removal of the administrative hearing process provisions; (4) revision of language in Section 4.2.3.7 to replace the phrase "as to the maximum permitted density/intensity of" with the word

“with”; and (5) addition of agricultural uses to the Industrial General and Industrial Limited categories. The motion was seconded by Rick MacAulay and carried (vote 10-2, Representatives of Largo and Seminole, dissenting.)

The representative of Seminole noted that her opposition to the motion was due to the lateness of the changes proposed.

Other PAC Business:

2009 Meeting/Deadline Dates – the PAC received the 2009 Meeting schedule as approved by the Council in November.

Steve DeMerritt and Gina Clayton left the meeting at this time.

2009 PAC Membership Roster/Election of Officers for 2009 – the PAC received and accepted the 2009 membership roster as submitted by the local jurisdictions and recommended it be forwarded to the Council.

Dean Neal moved that Sharen Jarzen, City of Seminole, be selected for Chairman of the PAC for 2009; the motion was seconded by Fred Metcalf and carried (vote 10-0).

Dean Neal moved that Catherine Hartley be selected for Vice Chairman of the PAC for 2009; the motion was seconded by Rick MacAulay and carried (vote 10-0).

Sharen Jarzen thanked the members for the appointment as Chairman of PAC for 2009 and thanked Renea Vincent for her service as Chairman for 2008 which was concurred in by the PAC members.

School District’s Project Update – Receipt and Referral – PAC members were provided copies of the School District Project Update, and it was noted that further updates will be provided with the online PAC agenda materials as they are received by Council staff.

Linda Fisher informed the PAC that the University of Florida, Building for Better Communities, will hold a planning forum on January 15 and 16, 2009, at the offices of Tampa Bay Water. She stated that some sessions will offer American Institute of Certified Planners (AICP) points in Ethics and Law, and that the PAC will receive further information by email in the near future.

There being no further business, the PAC adjourned at 3:15 P.M.

Respectfully submitted,


David P. Healey, Executive Director