

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II A.

MEETING DATE: May 20, 2009

SUBJECT:

Consent Agenda

A. Minutes of April 15, 2009 Council Meeting

RECOMMENDATION:

Council Approve Minutes for April 15, 2009 Council Meeting

BACKGROUND

Council minutes for April 15, 2009 are attached for your approval.

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

MINUTES OF THE MEETING OF THE
PINELLAS PLANNING COUNCIL

April 15, 2009

The Pinellas Planning Council (PPC) met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 1:02 P.M. with the following members present:

Beverley Billiris, Chairman, City of Tarpon Springs Mayor
Jerry Knight, Vice-Chairman, Town of North Redington Beach Vice-Mayor
Patricia Gerard, Secretary, City of Largo Mayor
John Morroni, Treasurer, County Commissioner
Nina Bandoni, City of Safety Harbor Vice-Mayor
David Carson, City of Dunedin Commissioner
Linda S. Lerner, School Board Member
Sandra L. Bradbury, City of Pinellas Park Councilmember
Jim Kennedy, City of St. Petersburg Councilmember
Stephanie Oddo, Town of Belleair Commissioner
Jim Ronecker, City of Oldsmar Mayor
Patricia J. Shontz, City of Madeira Beach Mayor

Not Present:

John Doran, City of Clearwater Councilmember

Also Present:

David P. Healey, Executive Director, PPC
Willie L. Brown, Jr., PPC Staff
Michael C. Crawford, PPC Staff
Linda Fisher, PPC Staff
Christopher M. Mettler, PPC Staff
Larry S. Pflueger, PPC Staff
Carolyn Shoemaker, PPC Staff
Jewel White Cole, Managing Assistant County Attorney
Other interested individuals
Michael P. Schmidt, Deputy Clerk

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AGENDA

- I. CALL TO ORDER
 - A. Invocation and Pledge
 - B. Identification of Members Present
 - C. Introduction of New Member

- II. CONSENT AGENDA
 - A. Minutes of March 18, 2009 Meeting
 - B. Financial Statement for March 2009
 - C. Countywide Planning Authority (CPA) Actions – April
 - D. Annexation Report – March
 - E. Preliminary May Agenda
 - F. Correspondence

- III. PUBLIC HEARING – To begin at 1:00 P.M. or as soon thereafter as agenda permits
 - A. Public Hearing Format Announcement and Oath
 - B. Amendments to the Countywide Future Land Use Plan
 - Group 1: Subthreshold Amendments
 - 1. Case CW 09-04: Pinellas County
 - Group 2: Regular Amendments
 - 2. Case CW 09-05: Pinellas County
 - 3. Case CW 09-06: Pinellas County
 - 4. Case CW 09-07: City of Tarpon Springs

- IV. REPORTS/OTHER ACTION
 - A. Ability to Serve Report No. 09-2: City of Largo (Shady Lane Mobile Home Park)
 - B. Proposed Amendments to the Countywide Rules Re: Coastal Storm Area

- V. EXECUTIVE DIRECTOR ITEMS
 - A. Mid-Year Budget Report
 - B. Work Program and Budget for Fiscal Year 2009-10 – Discussion Outline
 - C. Verbal Reports

- VI. OTHER COUNCIL BUSINESS
 - A. Chairman/Member Items

- VII. ADJOURNMENT

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CALL TO ORDER

Chairman Billiris called the meeting to order at 1:02 P.M.

INVOCATION AND PLEDGE

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

IDENTIFICATION OF MEMBERS PRESENT

At the request of Chairman Billiris, a roll call was taken in which the members introduced themselves.

INTRODUCTION OF NEW MEMBER

Chairman Billiris welcomed Commissioner Carson as a new member of the Council.

CONSENT AGENDA – APPROVED

Chairman Billiris presented the Consent Agenda items, as follows:

- A. Minutes of March 18, 2009 Meeting
- B. Financial Statement for March 2009
- C. Countywide Planning Authority (CPA) Actions – April
- D. Annexation Report – March
- E. Preliminary May Agenda
- F. Correspondence

Commissioner Morroni moved, seconded by Mayor Shontz and carried, that the Consent Agenda items be approved (Vote 12-0).

PUBLIC HEARING

A. Public Hearing Format Announcement and Oath

Upon request by the Chairman, all persons planning to give testimony were duly sworn by the Deputy Clerk.

B. Amendments to the Countywide Future Land Use Plan

Mr. Healey provided background information relating to three plan amendments being brought forward regarding the Brooker Creek Preserve, and related that over the past two years the PPC staff and the County staff have discussed limitations associated with the existing and proposed uses in the Preservation category in the Preserve. He indicated that the Preservation category in the Countywide Rules was recently amended at the behest of Pinellas County in order to better reflect existing environmental management and passive recreation uses, as well as to reflect certain minor potable water supply infrastructure in the Preserve; that the Resource Management Overlay (RMO) category, with subsets 1 and 2, was adopted as a new Countywide Plan Map category to reflect resource management plans, inclusive of the identified potable water supply system infrastructure.

Mr. Healey indicated that a requirement of the new RMO category is that it be based upon and consistent with a resource management plan approved by the local jurisdiction, in this case, the *Brooker Creek Preserve Management Plan – 2008 Update* (Management Plan); that Pinellas County suggests that the amendments will align the subject properties with present and future long range goals of the Management Plan, apply standards and criteria of the newly created Countywide Plan Map RMO category, complement and further the purpose and intent of the Preservation category, and allow the protection, conservation, and management of potable water resources within the Brooker Creek Preserve.

Mr. Healey explained that subset RMO-1 to the Resource Management Overlay category created by the County allows for non-vertical infrastructure, stuff in the ground or slightly above the ground, such as a well field or a pump station above the well; and that subset RMO-2 provides for vertical infrastructure, such as buildings, facilities, and tanks, that are more substantial in nature.

Mr. Healey indicated that the Brooker Creek Preserve is deemed to be a regionally important natural resource and the entire site is proposed to be designated with the Preservation category on the Countywide Plan Map.

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GROUP 1: SUBTHRESHOLD AMENDMENTS

PUBLIC HEARING: CASE CW 09-04, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM RESIDENTIAL RURAL (RR), RESIDENTIAL LOW (RL), NO DESIGNATION, AND RECREATION/OPEN SPACE (R/OS) TO PRESERVATION (P) – APPROVED

Pursuant to legal notice published in the March 30, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-04, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from RR, RL, No Designation, and R/OS to P, re 2.3 acres m.o.l., located north of Old Keystone Road and north of the Upper Pinellas Youth Sport Complex and 14.1 acres m.o.l., located south of Keystone Road and east of East Lake Road.

Mr. Crawford, with input by Mr. Healey, referred to a map, pointed out the site location, and provided historical background information. He reported that it is a subthreshold amendment; that it essentially cleans up a few small pieces of the map; and that staff recommends approval of the proposed amendment; whereupon, Commissioner Morroni related that the Planners Advisory Committee (PAC) had voted 12 to 0 in favor of the request.

In response to queries by Vice-Mayor Knight, Gordon Beardslee, Division Manager, Planning Department, with input by Mr. Healey, related that the amendment has no relationship to the Resource Management Overlay; and that it is basically housekeeping in nature.

No one appeared in response to the Chairman's call for individuals wishing to be heard.

Commissioner Morroni moved, seconded by Councilmember Bradbury and carried, that Case CW 09-04 be approved as recommended by staff (Vote 12-0).

GROUP 2: REGULAR AMENDMENTS

PUBLIC HEARING: CASE CW 09-05, PROPOSAL BY PINELLAS COUNTY TO AMEND THE COUNTYWIDE FUTURE LAND USE PLAN FROM PRESERVATION (P) TO PRESERVATION WITH RESOURCE MANAGEMENT OVERLAY (P-RMO) – APPROVED FOR THE AREA PROPOSED TO BE AMENDED TO RMO-1 WITH THE EXCEPTION OF THE 54.8-ACRE M.O.L. AREA NORTH OF TRINITY BOULEVARD AND DENIED FOR THE 54.8-ACRE M.O.L. AREA NORTH OF TRINITY BOULEVARD; APPROVED FOR THE 64 ACRES M.O.L. PROPOSED TO BE AMENDED TO RMO-2 FOR THE PROPOSED WATER BLENDING FACILITY, THE EXISTING SULFUR SCRUBBING PLANT, AND THE EXISTING CHLORAMINE STORAGE TANKS AND DENIED FOR THE REMAINING 829.3 ACRES M.O.L. PROPOSED TO BE AMENDED TO RMO-2; AND INCLUSIVE OF THE SEPARATE ADDITIONAL RECOMMENDATION

Pursuant to legal notice published in the March 30, 2009 issue of the *St. Petersburg Times* as evidenced by affidavit of publication filed with the Clerk, public hearing was held on Case CW 09-05, a proposal by Pinellas County to amend the Countywide Future Land Use Plan from P to P-RMO, re 948 acres m.o.l., located north of Old Keystone Road extending north to the Pinellas-Pasco county line and 1,660 acres south of Keystone Road along the Pinellas-Hillsborough county line on the east and extending south to the Oldsmar city limits. All amendment areas are within the Brooker Creek Preserve.

Mr. Healey related that staff recommends approval in part and denial in part of the proposed amendment; and that staff is attaching a separate additional advisory recommendation; whereupon, Mr. Crawford referred to a map, pointed out the location of the subject area, and provided a brief overview of the proposal. He related that the site is proposed to be amended to the P-RMO category; that it contains approximately 2,607.6 acres; and that the Preservation category is designed to recognize natural areas, dunes, wetlands, some uplands, groundwater monitoring and recharge, monitoring wells, and resource-based recreational needs such as horse trails and hiking; whereupon, he related that the P-RMO will add well field development, water supply infrastructure, and support facilities pursuant to a management plan.

Mr. Crawford provided information regarding those areas which are being recommended for denial and those which are being recommended for approval indicating that:

- Recommend Approval: The area proposed to be amended to RMO, as delineated and restricted by the County application as RMO-1 on approximately 1714.3 acres m.o.l., with the exception of the 54.8-acre m.o.l. area north of Trinity Boulevard, is consistent with the purpose and criteria for utilization of the RMO category, as more specifically reflected in the Management Plan.

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- Recommend Denial: The area proposed to be amended to RMO, and as delineated and restricted by the County application as RMO-1 on the 54.8 acres m.o.l., north of Trinity Boulevard, is not consistent with the purpose and criteria for utilization of the RMO category in that existing uses are accommodated within the existing Preservation plan category and no additional facilities are proposed in the Management Plan.
- Recommend Approval: The area proposed to be amended to RMO, as delineated and restricted by the County application as RMO-2 on the 64 acres m.o.l. identified for the proposed water blending facility project, the existing sulfur scrubbing plant, and chloramine storage tanks, is consistent with the purpose and criteria for utilization of the RMO category, as more specifically reflected in the Management Plan, as well as reflected in the County Comprehensive Plan Potable Water Supply sub-element and Capital Improvements Element.
- Recommend Denial: The area proposed to be amended to RMO, as delineated and restricted by the County application as RMO-2 on the 829.3 acres m.o.l., south of Trinity Boulevard and north of Keystone Road for other than the water blending facility project and existing facilities, is not consistent with the purpose and criteria for the utilization of the RMO category in that it provides for vertical water supply infrastructure that does not exist and is neither specifically provided for or delineated in the Management Plan. Further the need and use for such vertical water supply infrastructure is not otherwise provided for in the County Comprehensive Plan Potable Water Supply sub-element Capital Improvements Element.

Mr. Crawford indicated that there is no justification for the overlay in the areas recommended for denial; and that the vertical infrastructure could be inconsistent with the Master Plan itself. He pointed out on the map where the additional condition would require a buffer from adjacent residential uses; whereupon, Mayor Billiris related that the definition of the word "Preserve" should be respected, and Councilmember Kennedy concurred.

In response to queries by Councilmember Kennedy, Mr. Healey provided information regarding the water blending facility, and related that the project is on hold at the present time, although construction of the facility is included in the Capital Improvement Program; and that Progress Energy is building a substation there to provide the electrical connection; whereupon, he provided information relating to the Council's options should the County decide to place something other than a water blending facility on the parcel and provided additional information relating to the RMO-1 and RMO-2 categories, noting that when the PPC

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places the RMO designation on a Countywide Map, the differentiation between the two subset categories relies on the County, and Mr. Crawford provided information regarding the importance of the underlying Management Plan in selecting the RMO category.

In response to queries by Ms. Lerner, Mr. Healey provided information relating to the 54.8 acres north of Trinity Boulevard, and indicated that the area was recommended for denial because there is nothing there now that the Preservation category does not allow; and there is nothing in the Plan that would suggest there are more water supply facilities intended to be constructed; and that the Management Plan contains a passive recreation area for what is described as the Hammock Lake Park area, which would suggest it is proposed for something other than water supply facilities.

Mr. Healey related that PAC had voted 7 to 5 in support of the County's request as submitted.

Thereupon, Mr. Beardslee provided information relating to the development of the Local Plan Amendment process over the past couple of years, indicating that the direction of the Board of County Commissioners to the Planning Department had been to provide a balance between providing a dependable potable water supply for Pinellas County and the customers of Pinellas County Utilities and to balance that with the protection and management of the unique resources in the Brooker Creek Preserve; whereupon, referring to the Resource Management Overlay map, he discussed the creation of the RMO category and its two subsets.

Mr. Beardslee described the ownership of the land within the Preserve, and pointed out the areas acquired by the Utilities Department for the purpose of well field protection and potable water use and supply looking into the future. He provided information relating to obtaining public input prior to the final decision on the location of vertical water supply facilities in the 260 acres, including general notice to the public, informational meetings, and public hearings. Mr. Beardslee indicated that the Department worked with all the stakeholders, the Environmental Science Forum, the Environmental Department, the Friends of the Brooker Creek Preserve, neighborhood groups, and the general public to identify the best location for the 260 acres and then developed the process in the Local Comprehensive Plan and Land Development Code.

Mr. Beardslee related that ensuring adequate and dependable supplies of potable water being available to meet existing and projected potable water demands is a Comprehensive Plan requirement; that it is a responsibility of the Board of County Commissioners; and that the proposal meets that requirement. He summarized that Planning feels that all areas which the County has proposed are consistent with the Countywide RMO category; that all of these areas should be identified with the proposed RMO category; and that both of the areas that are