

**PINELLAS PLANNING COUNCIL
AGENDA MEMORANDUM**

AGENDA ITEM: II F.

MEETING DATE: June 17, 2009

SUBJECT:

Consent Agenda:

F. Correspondence

RECOMMENDATION:

Council Receive and Discuss as is Appropriate

BACKGROUND

Correspondence Includes:

1. Draft PAC Minutes – June 8, 2009
2. Letter sent May 4, 2009 to Rodney Chatman, AICP, Principal Planner, Development Services Department, Planning & Zoning Division, City of Tarpon Springs, Re: Review of Land Development Code Amendments (Ordinance 2009-03) for Consistency with the Countywide Rules
3. Letter sent May 5, 2009 to Mary Palmer, Town Clerk, Town of Redington Shores, Re: Zoning Map Issues
4. Copy of letters sent May 7, 2009 to Mayor Beverly Billiris, City of Tarpon Springs, and John Cueva, DRS Permit Section Manager, Pinellas County, from Brian Smith, Director, Pinellas County Planning Department, received May 12, 2009, Re: CPA actions taken on May 5, 2009
5. Letter sent May 22, 2009 to Mayor Frank Hibbard, City of Clearwater, Mayor Dave Eggers, City of Dunedin, and Commissioner Calvin Harris, Chairman, Pinellas County Board of County Commissioners, Re: May 20, 2009 PPC Meeting Follow-up
6. Sample of letters sent May 22, 2009 to property owner/representative, Re: May 20, 2009 PPC Meeting Follow-up (Land Use Cases)
7. Sample of letter sent May 22, 2009 to all local jurisdictions, Re: 2009 Annual Countywide Plan Map Adjustments

PINELLAS PLANNING COUNCIL ACTION:

COUNTYWIDE PLANNING AUTHORITY ACTION:

MINUTES OF THE PLANNERS ADVISORY COMMITTEE MEETING
MONDAY, JUNE 8, 2009
BANK OF AMERICA BUILDING
600 CLEVELAND STREET, SUITE 850, EIGHTH FLOOR
CLEARWATER, FLORIDA

Members Present:

Sharen Jarzen, Chairman	City of Seminole
Gordon Beardslee	Pinellas County
Dean Neal	City of Pinellas Park
Bob Klute	City of Largo
Catherine Porter	City of Clearwater
Matt MacLachlan	City of Safety Harbor
Rick MacAulay	City of St. Petersburg
Catherine Hartley	City of St. Pete Beach
Danny Taylor	City of Indian Rocks Beach
Paula Cohen	City of Madeira Beach
Lynn Rosetti	City of Treasure Island
Marshall Touchton	Pinellas County School Board, Ex Officio Member

Also Present:

Michael Crawford	Pinellas Planning Council
Michael Schoderbock	Pinellas Planning Council
Christopher Mettler	Pinellas Planning Council
Willie L. Brown, Jr.	Pinellas Planning Council
Carolyn Shoemaker	Pinellas Planning Council

PAC 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 May 11, 2009 Planners Advisory Committee (PAC) meeting. There being none, Catherine Porter moved to approve the minutes; the motion was seconded by Rick MacAulay and carried (vote 10-0).

Old Business – None.

Review of PPC Agenda for June 17, 2009 Meeting – Received.

Countywide Planning Authority (CPA) Actions (Verbal) - Mr. Crawford reported the Board will meet on June 16 to take action on the cases which were discussed by the PAC in May.

Annexation Report – May 2009 – Michael Schoderbock summarized the report on voluntary annexations for the month of May as follows:

He stated that the Council received a total of three voluntary annexation petitions in May from the cities of Pinellas Park and Seminole. The proposed annexations contain three residential uses and totaled 0.49 acres and approximately \$185,300 in taxable value. Total Municipal

Service Taxing Unit revenues are \$386 using the 2008/09 fiscal year tax rate. It was estimated that about six residents will be affected by a change in jurisdiction. One of the three annexations will reduce an enclave in the county by 0.14 acre and one other annexation will eliminate a 0.16-acre enclave.

Scenic/Non-Commercial Corridor (SNCC) Pilot Study – Preliminary Draft Report – Mr. Crawford reported that he and Larry Pflueger have worked with the consultant, Tindale-Oliver, to prepare the preliminary draft report for PAC members' comment and input. He stated that there are issues with document format which will be addressed prior to the July meeting.

He noted that the SNCC Master Plan was developed in 1994 and that in 1995, the Council and CPA adopted the Countywide SNCC Element of the Countywide Plan which established goals, objectives and policies to provide a basis for protecting and enhancing scenic qualities, ensuring the integrity of the Countywide Future Land Use Plan to discourage visual clutter, enhance design considerations and encourage more efficient traffic operation along selected roadway corridors; and that the Rules were then amended to incorporate these goals and objectives.

Lynn Rosetti entered the meeting at this time.

Mr. Crawford noted that a number of amendment requests on SNCCs challenged these objectives and that an exception to the corridor subclassification was made in each case. He noted that part of the problem is that the Rules now have an "all or nothing" approach to solving the amendment dilemma, and that incremental changes that have occurred do not address the SNCC principles in many cases, which puts the PPC/CPA and those involved in a tough situation resulting in unnecessary complexity with little positive results.

Mr. Crawford noted that the report includes a recommendation that a new "Transitional" subclassification be created, coupled with the recommended adoption and administration of local land development codes addressing the objectives of the SNCC. It is believed that amendment of the Countywide Plan Map to categories that allow more residential density or nonresidential uses is insufficient protection without the more specific and refined ability of local governments to address the potential negative consequences of changing uses or intensification in these corridors.

The report also includes recommendations on which roadways in the county are situated similarly to the Curlew Road Corridor and might be candidates for treatment with the new "Transitional" sub-classification. It further suggests development of a model set of LDRs and completion of an overall evaluation of the SNCC Element as part of the scheduled five-year review of the Countywide Plan.

Once comments are received on the preliminary draft report, staff will work with Tindale-Oliver to finalize it and bring it back to the PAC and the Council for receipt and acceptance in July.

Discussion followed with regard to effects on SNCC at the time of road widening with the possibility of adding this as a consideration in order that areas not be allowed to convert to more intensive uses. The conclusion was that noncommercial is just as important as scenic. The County would not support conditioning land use amendments with site restrictions.

Discussion followed with regard to the City of Safety Harbor looking at evaluation of signage issues in the SNCCs.

Ms. Hartley inquired about the timeframe on the model land development regulations to which Mr. Crawford stated it is not in next year's Work Program; but that it will likely follow completion of the five-year review of the Countywide Plan.

It was noted that the CPA has approved all exceptions thus far, but requests are "too incremental" and need to be dealt with more comprehensively.

PLAN AMENDMENTS

Subthreshold Plan Amendments:

Case CW 09-15 City of Dunedin – Willie Brown stated that this 4.8-acre site is proposed to be amended from Residential Estate, Preservation with Water/Drainage Feature Overlay to Residential Suburban, Preservation with Water/Drainage Feature Overlay and is located at 1000 Lyndhurst Street, 1099 Virginia Street, and the southern adjacent vacant lot with all three parcels generally located east of Cedarwood Dr. Mr. Brown noted this qualifies as a Type "C" subthreshold amendment.

He stated that the City of Dunedin seeks to reclassify the three parcels in response to property owner annexation petitions for inclusion into the City. The properties at 1000 Lyndhurst Street and 1099 Virginia Street are developed with single-family dwellings (two total) and are currently developed at less than 0.5 units per acre, including a single vacant lot. The City of Dunedin has asked that the Residential Suburban (RS) category, which allows 2.5 units per acre, be applied to the subject area because they do not have a lower density category available within their Future Land Use Plan. He also noted that no change is proposed in either the Preservation or Water/Drainage Feature categories.

Lynn Rosetti moved to approve the staff recommendation of approval; the motion was seconded by Bob Klute and carried (vote 11-0).

Regular Plan Amendments:

Case CW 09-14 City of Safety Harbor (SAP Adoption 2009) – Mr. Brown stated that this approximately 156.5-acre area is proposed to be amended from Residential Low, Residential Urban, Residential Urban/with Resort Facilities Overlay, Residential Medium, Residential/Office Limited, Industrial Limited, Institutional, Recreation/Open Space, and Central Business District to Community Redevelopment District.

Mr. Brown provided background on the proposal noting that in 1992 the Countywide Planning Authority under case CW 92-32 approved 129.5 acres of land in the downtown area to the Central Business District (CBD) - special designation - to allow implementation of the City of Safety Harbor Downtown Master Plan, hereinafter referred to as the Special Area Plan (SAP). The 2009 SAP proposes to expand those boundaries beyond the original CBD, encompassing traditional residential areas one block northward to MLK Jr. Street and two blocks westward to 14th Avenue South, adding an additional 27 acres to the redevelopment area boundaries.

He stated that the objectives of the proposed SAP are to:

- Protect and enhance the natural environment;
- Improve parking and mobility;
- Improve the physical appearance and ambiance of the public realm and encourage private sector reinvestment in declining properties;
- Increase the supply of affordable housing;
- Recruit targeted businesses, showcase the downtown, and create a more favorable business environment; and
- Promote arts, culture, and leisure activities and encourage the preservation of historic structures and Safety Harbor's unique sense of history.

He noted that the City proposes to accomplish their vision by creating and implementing "Character Districts," by providing for a single land use designation; conserving environmentally sensitive lands; protecting historic structures; directing dollars toward strategic areas along major corridors, town centers, etc.; and directing public dollars toward strategic areas for streetscape projects.

Mr. Brown discussed plan impacts regarding density and intensity resulting in a net reduction in non-residential development (approximately 500,000 square feet) and a minor increase in residential development potential (30 dwelling units) as compared to the original CRA boundaries. He stated that no issues were found with regarding water, sewer and that in fact stormwater drainage is expected to be improved upon as redevelopment occurs; and that there is no expected impact on roadways with a level of service below "D."

Mr. Crawford noted that with regard to staff recommendation #3, that the City intended to control site development primarily through the floor area ratio and that residential density in many areas is unlimited in number of units, but that they must fit within the allowable floor area ratio.

Marshall Touchton inquired as to whether with the gain of about 30 residential units would be subject to school concurrency to which Mr. Crawford and Mr. Beardslee responded that school concurrency would not be a relevant factor unless an individual project came in proposing more than 25 residential units. The 30 units discussed were the result of maximums allowed from the current mix of Countywide Plan Map categories to the proposed SAP.

Mr. MacLachlan stated that there was a substantial re-write after the 1992 version to include guidelines presented in *Pinellas by Design* and *Livable Communities*; and that the major focus was to address compatibility concerns. He noted that tax increment financing guidelines of the County are being met; and that a few examples of the public improvements proposed include an additional 46 parking spaces to be added over the next three months and a park being added at Church Street and Phillippe Parkway.

Mr. Crawford noted that the present CRD category today ties in with the existing City of Safety Harbor Community Redevelopment Area created under Chapter 163, Florida Statutes, and that the City is expanding that CRA by 30 acres. The former smaller Community Redevelopment Area had a CBD designation and the new larger Community Redevelopment Area will all be designated CRD.

Discussion followed with regard to any proposed bonding of capital improvement projects to which Mr. MacLachlan stated there are none proposed. Also, after inquiry he noted that the linear parking project is located within the right-of-way.

Gordon Beardslee moved approval of staff's recommendation for approval subject to the following conditions: (1) Submission by the City of any future amendment to the SAP for receipt and acceptance, or for consideration as an amendment, as is determined necessary, under the Countywide Plan Map amendment process; (2) submission by the City of an assessment of the SAP progress with respect to its enumerated objectives five years from the effective date of the Countywide Plan Map amendments pursuant to this SAP; (3) permitted densities and intensities be applied based on their respective proportion to the total land area, unless specifically noted otherwise in the SAP; and (4) an exception to the Scenic/Non-Commercial Corridor Unique/Scenic View Subclassification for the portion of Bayshore Boulevard in the SAP. The motion was seconded by Catherine Hartley and carried (vote 11-0).

Case CW 09-16 City of Madeira Beach (SAP Adoption 2009) – Mr. Brown stated that this approximately 80-acre area is proposed to be amended from Residential/Office/Retail, Resort Facilities Medium, Commercial General, Recreation/Open Space, Institutional, and Transportation/Utility to Planned Redevelopment – Mixed Use (PR-MU).

Mr. Brown stated that the City of Madeira Beach amended its Comprehensive Plan in 2007 to include the PR-MU category, and completed the "Madeira Beach Town Center Special Area Plan (SAP)" this year. He reported that in addition to revised density and intensity standards to be applied within the planning area, the SAP addresses the following issues:

- Poor Quality Pedestrian Environment
- Problematic Parking Patterns
- Limited Access to Businesses
- Retention of Convenience Retail
- Limited Community Facilities
- Limited Access to Community Facilities

- Inconsistent Public Realm
- Conflicting Land Use
- Barriers to Property Assemblage
- Declining Tourist Amenities
- Overdependence On Tourism To Support Local Economy

Mr. Brown outlined the objectives and strategies within the SAP that propose to correct these issues through architectural guidelines, amending the land development regulations (e.g., sign regulations and site design requirements), grouping the area into functional categories (i.e., the Causeway District, Commercial Core District, Beachfront District, Peninsula District, and Transition District) to address common issues, and identifying funding sources for Town Center improvements (i.e., streetscape improvements, infrastructure investments, and new, multi-use civic buildings). The overall purpose of the SAP is to attract residents and tourists to the area and to “guide redevelopment in an area that is strategically important not only for the City, but for Pinellas County as well.”

The changes to allowable densities and intensities in the SAP show a maximum development potential resulting in a 27 percent increase in permanent residential units, a 4 percent decrease in temporary lodging units, and a 41 percent increase in non-residential square footage. However, the actual development potential will vary and is expected to be lower than shown above depending upon existing usage, ownership, and redevelopment potential, as described in the Plan. It was noted that once the current zoning and property usage was factored in that there are actually 73 less permanent residential units expected in the proposed SAP. For example, Mr. Crawford noted that the Peninsula District proposed 15 units per acre overall, but that most of this area is covered with a public park and City Hall - all zoned to not allow any residential units.

As currently constructed, the SAP relies on existing and proposed zoning districts to govern and implement each Character District – thus the reason for condition number 3 in the recommendation. A preferred course of action that the City might consider in the future would be to include additional detail in each Character District to clarify and help administer the SAP, particularly for those areas under public ownership or currently used in a manner that is not expected to change. This would avoid the perception or interpretation that the SAP provides for more density/intensity than can actually be achieved.

Ms. Cohen noted that the City is very serious about proceeding with this proposal; that the southern end of the City includes John’s Pass Village and the northern is the Town Center which is characterized by many vacant storefronts, Commercial General land use, and little incentive to make redevelopment happen. She stated that the Rules require 80 acres to do a SAP but most areas are constructed with residential condominiums, which are unlikely to redevelop. The focus is on the Madeira Way corridor and encouraging multi-use and tourist uses. She also stated that a 126-slip sailing center is proposed within the Peninsula District.

Discussion followed with regard to the PR-MU category as it exists in the City’s comprehensive plan and the assignment of it to a specific geographic location as proposed in this Countywide Plan Map amendment. Ms. Cohen stated that the proposal has been

reviewed by the Florida Department of Community Affairs and Department of Transportation and that no issues were raised by these entities.

Discussion followed regarding potential zoning amendments to which Mr. Crawford stated that the Council is being asked to approve overall densities and intensities via the SAP, but that the underlying zoning could change at the local level, potentially resulting in a substantive Countywide impact without being reviewed through the Countywide Plan Map amendment process.

Matt MacLachlan inquired as to any potential issues with the 50% parking reduction to which Ms. Cohen stated that there are no problems with it right now. Discussion continued with Ms. Hartley referring to the Livable Communities document and provision for on-street parking as suggested for Safety Harbor's SAP.

Mr. Crawford discussed the current 3-story height limitation being a controlling factor with respect to the allowable densities, intensities, and temporary lodging units, but that there is a planned unit development approval process in place in the City to allow for additional height if warranted.

Ms. Cohen also noted the City does not plan to bond any capital improvement projects.

Lynn Rosetti moved approval of staff's recommendation for approval, subject to the following conditions: (1) submission by the City of any future amendment to the SAP for receipt and acceptance, or for consideration as an amendment, as is determined necessary, under the Countywide Plan Map amendment process; (2) submission by the City of an assessment of the SAP progress with respect to its enumerated objectives five years from the effective date of the Countywide Plan Map amendments pursuant to this SAP; (3) submission of any zoning amendments that result in increases in the allowable density or intensity, and that such submission will constitute substantive amendment of the SAP; or amendment of the SAP to include a refinement of the Character Districts to recognize current public ownership and/or existing use; and (4) with the exception of the Commercial Core District, permitted densities and intensities be applied based on their respective proportion to the total land area, unless specifically noted otherwise in the SAP. The motion was seconded by Danny Taylor and was approved (vote 11-0).

Other PAC Business:

Chris Mettler presented the PAC members with a draft form for their review regarding filing of transfer of development rights (TDRs). He noted that the Countywide Rules require documentation in a format approved by the Countywide Planning Authority (CPA). The Council is expected to review the form next week, and the CPA in July, and staff is requesting input from PAC.

Discussion followed in which several members requested delay to allow them time to review with their legal staff. After discussion by PAC of reasons for the delay, Mr. Crawford noted that the recording requirement has been in the Countywide Rules for a number of years and is

not proposed for amendment today, only that the method of recordation is being presented for input.

Rick MacAulay moved to delay action on this item to allow time for review with city staff(s) and to place the item on the July PAC agenda with subsequent recommendation from PAC to the Council for its July meeting; second Catherine Porter and carried (vote 11-0).

Mr. Crawford noted that the Council has cancelled its August 2009 meeting. Bob Klute moved to cancel the August PAC meeting; the motion was seconded by Catherine Porter and carried (vote 11-0).

There being no further business, the PAC adjourned at 3:00 P.M.

Respectfully submitted,

David P. Healey, Executive Director

Draft