



PINELLAS PARK CITY COUNCIL

AGENDA MEMORANDUM

FROM: Tom Shevlin, Assistant City Manager/Community Development Administrator

DATE: May 11, 2010

SUBJECT: Discussion of the Pinellas Planning Council's Future and City's Consistency with the Countywide Future Land use Plan and Rules

BACKGROUND:

David Healey, PPC Executive Director, and Christopher Mettler, PPC Program Planner, will be present to update City Council on the future of the PPC and discuss the Resolution approving the Determination of Consistency between the City and the Countywide Future Land Use Plan and Rules.

Attached Backup May Be Required:

- Attorney Approval
- Purchasing Approval
- OMB Approval
- Finance Approval
- Minutes from Board or Commission
- Document required for Council action

- Workshop Agenda
- Council Agenda

Department Head Approval 

City Manager Approval _____

**BOARD OF COUNTY
COMMISSIONERS**

Nancy Bostock
Neil Brickfield
Calvin D. Harris
Susan Latvala
John Morroni
Karen Williams Seel
Kenneth T. Welch



February 26, 2010

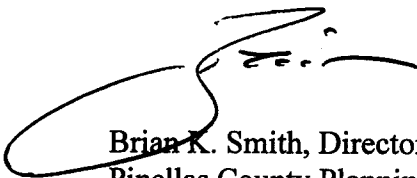
The Honorable William Mischler
Mayor, City of Pinellas Park
P.O. Box 1100
Pinellas Park, FL 33780-1100

Dear Mayor Mischler:

At its February 16, 2010 meeting, the Board of County Commissioners, acting as the Countywide Planning Authority, took action to adopt a resolution approving an updated Determination of Consistency with the Countywide Future Land Use Plan and Rules for the City. A certified copy of the resolution is attached.

David Healey, PPC Executive Director, and Christopher Mettler, PPC Program Planner, look forward to discussing the Determination of Consistency with the Pinellas Park City Council at their workshop at Pinellas Park City Hall at 7:00 p.m. on Tuesday, April 20, 2010.

Sincerely,



Brian K. Smith, Director
Pinellas County Planning Department

BKS:ck

Attachment

cc: Tom Shevlin, Assistant Community Development Director



RESOLUTION NO. 10-39

**AN UPDATED DETERMINATION OF CONSISTENCY
FOR
THE CITY OF PINELLAS PARK**

A RESOLUTION APPROVING AN UPDATED DETERMINATION OF CONSISTENCY FOR PINELLAS PARK, FLORIDA, IN ACCORDANCE WITH CHAPTER 88-464, LAWS OF FLORIDA, AS AMENDED AND THE RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN, AS AMENDED; PROVIDING FOR TRANSMITTAL OF SAID DETERMINATION; AND PROVIDING FOR THE FILING AND MAINTENANCE THEREOF.

WHEREAS, the Pinellas County Board of County Commissioners, in its capacity as the Countywide Planning Authority (CPA) has adopted the Countywide Future Land Use Plan and accompanying Rules Concerning the Administration of the Countywide Future Land Use Plan (Rules); and

WHEREAS, the Pinellas County Planning Council (PPC), pursuant to Chapter 88-464, Laws of Florida, as amended is required to develop rules, standards, policies and objectives that will implement the Countywide Future Land Use Plan, including the provisions for consistency therewith; and

WHEREAS, pursuant to this authority and the Countywide Future Land Use Plan and Rules, the PPC prepared and approved by Resolution No. 91-2, a report entitled, "The Countywide Consistency Report: Implementing the Consistency Requirements of Chapter 88-464, Laws of Florida, as amended" (Consistency Report No. 1), which report was accepted by the CPA by Resolution No. 91-307; and

WHEREAS, said Consistency Report established the initial process, timetable and guidelines by which to achieve consistency with the Countywide Future Land Use Plan and Rules; and

WHEREAS, pursuant to this process to determine and achieve consistency, the PPC by Resolution No. 93-6, and the CPA by Resolution No. 93-330, issued a Determination of Consistency for the City of Pinellas Park on November 2, 1993; and

WHEREAS, given the passage of time and the need to reexamine compliance with the consistency requirements of the Rules, the CPA directed the PPC to examine and identify the current status of each local government plan and code with respect to consistency with the Countywide Future Land Use Plan and Rules; and

WHEREAS, the PPC undertook such examination and prepared a report entitled, "Review of Local Government Future Land Use Plans and Land Development Regulations for Consistency with the Countywide Rules" (Consistency Report No. 2), which report the PPC approved by Resolution No. 07-2; and

WHEREAS, the CPA adopted Resolution No. 07-48 on April 3, 2007, approving Consistency Report No. 2; and

WHEREAS, pursuant to Consistency Report No. 2, amendments to both the Countywide Rules and the City of Pinellas Park's Future Land Use Element and Map and Land Development Regulations have been made that address consistency between the local government plan and regulations and the Rules;

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Pinellas County, Florida, in its capacity as the Countywide Planning Authority, that:

Section 1. The City of Pinellas Park's Future Land Use Element and Map and Land Development Regulations pertaining thereto, as referenced in Exhibit A attached hereto and made a part of this Resolution, are hereby determined to be consistent with the Countywide Future Land Use Plan and Rules in effect on this date, pursuant to the requirements therefor, subject to any required amendments to the City plan and regulations enumerated in Exhibit B attached hereto and hereby made a part of the Resolution which amendments shall be made within one (1) year of the date of this Resolution.

Section 2. Upon satisfactory completion of any such required amendments enumerated in Exhibit B, a letter shall be sent from the PPC chairman to the chief elected official of the local government attesting to their satisfactory completion.

Section 3. An official record copy of this Resolution shall be transmitted by the Board of County Commissioners in its capacity as the CPA, to the elected body and clerk of the City of Pinellas Park, Florida.

Section 4. The PPC shall maintain an official record copy of this Resolution and Exhibits A and B, as well as the Rules in effect on the date of this Resolution.

Section 5. The PPC in its advisory capacity to the CPA shall review such future amendments to the City of Pinellas Park's Future Land Use Element and Map and Land Development Regulations as are governed by the consistency requirements and criteria of the Rules in order to maintain such consistency.

Section 6. At intervals of five (5) years from the date of this Resolution, the PPC will review the status of the City of Pinellas Park's Future Land Use Element and Map and pertinent Land Development Regulations in relationship to the Rules and identify any recommended amendments to either the local government plans and regulations or Rules required to maintain the consistency requirements of the Rules.

This Resolution offered and adopted at the February 16, 2010, meeting of the Board, in its capacity as the Countywide Planning Authority, as hereinafter set forth:

Commissioner **Harris** offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner **Morrone** , and the vote was:

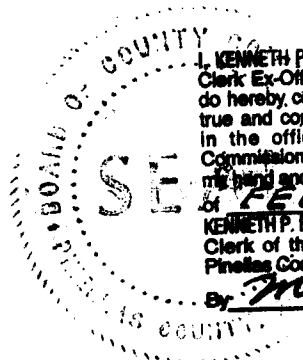
AYES: Seel, Latvala, Morrone, Bostock, Brickfield and Harris.

NAYS: None.

ABSENT AND NOT VOTING: Welch.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By *[Signature]*
Attorney



I, KENNETH P. BURKE, Clerk of the Circuit Court and
Clerk Ex-Officio, Board of County Commissioners,
do hereby certify that the above and foregoing is a
true and correct copy of the original as it appears
in the official files of the Board of County
Commissioners of Pinellas County, Florida. Witness
my hand and seal of said County FL this 18 day
of FEBRUARY A.D. 20 10
KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio
Clerk of the Board of County Commissioners,
Pinellas County, Florida
By *[Signature]*
Deputy Clerk

EXHIBIT "A"

CITY OF PINELLAS PARK

**FUTURE LAND USE ELEMENT, MAP
AND LAND DEVELOPMENT REGULATIONS**

1. The Future Land Use Element (including the Future Land Use Map) of the City's Comprehensive Plan, as revised by Ordinance No. 3658, which is the basis on which this Determination of Consistency has been prepared and approved, is located in the Pinellas Planning Council (PPC) reference room (600 Cleveland Street, Suite 850, Clearwater, Florida 33755).

2. The City's Land Development Regulations, as revised through February 10, 2005 by Ordinance No. 3311, which is the basis on which this Determination of Consistency has been prepared and approved, is located in the PPC reference room (600 Cleveland Street, Suite 850, Clearwater, Florida 33755).

EXHIBIT "B"

CITY OF PINELLAS PARK

**AMENDMENTS TO BE COMPLETED WITHIN ONE (1) YEAR
OF THE DATE OF THE RESOLUTION:**

1. Amendment of the land development regulations (LDRs) to clearly specify the manner in which density is measured consistent with the Countywide Rules. The City's density measurements are not clearly defined, whereas density in the Countywide Rules is measured based on units per net land area exclusive of any submerged land and public right-of-way per the definition of "net land area."
2. Amendment of the LDRs to exclude submerged land and public right of way from impervious surface ratio calculations, by providing definitions for "submerged land" and "net land area" that are consistent with the Countywide Rules.
3. Amendment of the LDRs to exclude submerged land and public right of way from floor area ratio calculations, by providing definitions for "submerged land" and "net land area" that are consistent with the Countywide Rules and by amending the definition of "flood area ratio" to refer to "net land area" instead of "gross land area."
4. Amendment of the LDRs to express the residential equivalent for bed and breakfast establishments. The Countywide Rules require they be based on the number of beds per permitted dwelling unit.
5. Amendment of the LDRs to specify the term of occupancy characteristics for temporary lodging.
6. Amendment of the City's LDRs to eliminate utilization of the R-4 zoning district in conjunction with the Transportation/Utility (T/U) future land use plan category.
7. Amendment of the LDRs to disallow commercial/business service uses in the B-1 zoning district when used in conjunction with the Residential/Office General (R/OG) future land use plan category.
8. Amendment of the LDRs to disallow retail uses are in the B-1 zoning district when used in conjunction with the R/OG future land use plan category.
9. Amendment of the LDRs to disallow commercial recreation uses in the B-1 zoning district when used in conjunction with the R/OG and

Residential/Office/Retail (R/O/R) future land use plan categories, except those indoor commercial recreation uses allowed in R/O/R per the Countywide Rules' definition of "retail commercial" use.

10. Amendment of the LDRs to disallow wholesale uses in the B-1 zoning district when used in conjunction with the R/OG and R/O/R future land use plan category.
11. Amendment of the LDRs to disallow Storage/Warehouse uses in the B-1 zoning district when used in conjunction with the R/OG future land use plan category.
12. Amendment of the LDRs to limit outdoor storage for warehouse/storage/miniwarehouse/wholesaling establishment use in the CH zoning district on property designated with the Commercial General future land use plan category to a maximum of 20% of the building area, instead of 35 % of the lot area.
13. Amendment of the LDRs to specify the applicable future land use plan categories associated with the uses permitted in the Public (P) zoning category. The LDRs allow the Public zoning district to be utilized in conjunction with the Recreation/Open Space (R/OS), Institutional (I), Transportation/Utility (T/U), and Preservation (P) future land use plan categories, however the Countywide Rules do not permit some of the uses allowed by this zoning district in all the listed corresponding Countywide Plan Map categories.
14. Amendment of the LDRs to limit public and private utilities in the PRES zoning district with a statement such as "utility uses consistent with those allowed in the Preservation plan category per the Countywide Rules are allowed in the PRES zoning district."
15. Amendment of the LDRs to limit public and private utilities in the OS zoning district with a statement such as "utility uses consistent with those allowed in the R/OS plan category per the Countywide Rules are allowed in the OS zoning district."
16. Amendment of the LDRs to specify that within the residential and mixed use future land use plan categories, transportation/utility uses must not exceed a maximum area of 3 acres without a map amendment.
17. Amendment of the LDRs to specify that within the residential and mixed use future land use plan categories, where off-street parking lots for contiguous non-residential uses are allowed as a conditional use, these uses will not exceed a maximum area of 3 acres without a map amendment.