

# Forward Pinellas Guide to Submittal Requirements (last updated on 7/6/17)

The various submittals described below may be sent to us via email or regular mail.

- For emails, please send to [aparinello@forwardpinellas.org](mailto:aparinello@forwardpinellas.org) with a cc: to [rschatman@forwardpinellas.org](mailto:rschatman@forwardpinellas.org) and [tmjablon@forwardpinellas.org](mailto:tmjablon@forwardpinellas.org).
- For regular mail, please send to:

Forward Pinellas  
310 Court Street, 2<sup>nd</sup> Floor  
Clearwater, FL 33756-5137  
Attn: Alicia Parinello, Program Planner

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## **Consistency Reviews**

### ***What is a consistency review?***

Local comprehensive plans and land development regulations are required to be consistent with the future land use categories and standards set forth in the Countywide Rules. Before your local government amends any comprehensive plan or land development code language that addresses a topic covered in the Rules, you will need to submit it to Forward Pinellas for a staff review and consistency determination. [Countywide Rules, Division 3.2 & 3.3.]

### ***What types of plan and code amendments are subject to consistency requirements?***

Plan and code amendments required to be submitted for consistency are those that touch on topics addressed in Article 4 or 5 of the Countywide Rules. Broadly speaking, that includes those addressing the purpose, locational criteria, allowable uses, density/intensity standards, or acreage limitations for any future land use or zoning category; or affecting the criteria for amending future land use or zoning categories in the Coastal High Hazard Area or along a Scenic/Noncommercial Corridor. [Countywide Rules, Section 3.3.1]

There is one exception to the above. Plan and/or code text amendments that specifically address standards within the Activity Center or Multimodal Corridor category are classified as Countywide Plan Map amendments. See the next section of this guide for more information on those amendments. [Countywide Rules, Section 6.1.2.2]

If you're uncertain about whether an amendment is subject to consistency requirements, you're welcome to request an informal determination from our staff.

### ***What are the submittal requirements and timelines for consistency reviews?***

Plan and/or code amendments need to be submitted at least 21 days prior to the initial public hearing by your governing body. Our staff will respond with a consistency determination within 15 days. [Countywide Rules, Section 3.3.1.1 and 3.3.1.2]

## **Countywide Plan Map Amendments**

### ***How has the Countywide Plan Map amendment process changed under the new Countywide Plan?***

Before the new Countywide Plan was adopted in August 2015, the Countywide Plan Map categories were identical to those of local future land use maps (FLUMs), and every local FLUM amendment required a corresponding Countywide Plan Map amendment, with public hearings before the Pinellas Planning Council and Countywide Planning Authority. Under the new plan, the Countywide Plan Map categories are more generalized. While every local FLUM amendment must still be submitted to Forward Pinellas for review, some types of amendments will not trigger a change to the Countywide Plan Map, and will only be reviewed for consistency under the new tiered amendment process, as described below.

### ***Do I need to amend my local FLUM categories to match the Countywide Plan Map?***

No. You may keep your existing FLUM categories, or create new ones with unique names and standards, provided that each FLUM category falls within the standards of a corresponding Countywide Plan Map category. As described in the Required and Optional Provisions section of this guide, you are required to identify a corresponding Countywide Plan Map category for each of your FLUM categories in a table or matrix adopted into your comprehensive plan. [Countywide Rules, Sections 4.2.1.1 and 4.2.2.1]

### ***What are the different Countywide Plan Map amendment tiers?***

Tier I amendments are those for which the existing and proposed FLUM categories fall within the same corresponding Countywide Plan Map category. For example, a FLUM amendment from Commercial Limited to Commercial General would qualify as a Tier I, since both FLUM categories correspond to Retail & Services on the Countywide Plan Map, and no amendment to the latter map would be required. (Note: A table of Tier I amendments for commonly-used local FLUM categories can be found at <http://forwardpinellas.org/wp-content/uploads/2016/08/Countywide-Plan-Map-Tier-I-Amendments.pdf>.) Plan and/or code amendments pertaining to the Activity Center or Multimodal Corridor category that do not address density, intensity or use standards are also Tier I amendments. [Countywide Rules, Section 6.1.2.1]

Tier II amendments include 1) FLUM amendments that require a corresponding amendment to the Countywide Plan Map, and 2) FLUM or text amendments that address density, intensity or use standards within the Activity Center or Multimodal Corridor category and meet the specified locational criteria. [Countywide Rules, Section 6.1.2.2] Tier II amendments of either type are further classified as regular or subthreshold, as discussed below. [Countywide Rules, Section 6.3.1]

Tier III amendments include FLUM or text amendments that address density, intensity or use standards within the Activity Center or Multimodal Corridor category and do not meet the specified locational criteria. [Countywide Rules, Section 6.1.2.3]

### ***What's the difference between regular and subthreshold Tier II amendments?***

Subthreshold amendments are considered minor in nature, and are subject to more limited review than regular amendments. If multiple subthreshold amendments are reviewed in a single month, they may be voted on as a group (similar to a consent agenda) by the Planners Advisory Committee, Forward Pinellas Board, and/or Countywide Planning Authority. [Countywide Rules, Division 6.3]

An amendment qualifies as a Type A subthreshold if it is:

- No more than five acres if being amended to the Residential Very Low, Residential Low Medium, Residential Medium, Residential High, Office, Resort, Retail & Services, Public/Semi-Public, Recreation/Open Space, or Preservation category; or no more than ten acres if being amended to the Employment (E), Industrial (I), Activity Center (AC), Multimodal Corridor (MMC), or Target Employment Center (TEC) category;
- Not causing a decrease in acreage of the E, I, AC, MMC, or TEC category;
- Consistent with the purpose and locational characteristics of the proposed category;
- Adjacent to a roadway segment with a Level of Service “D” or better, both before and after the amendment (does not apply to amendments to the E, I, AC, MMC, and TEC category);
- Located outside of a designated Scenic/Noncommercial Corridor;
- Located outside of a designated Coastal High Hazard Area;
- Not located adjacent to another jurisdiction, or there is a cooperative agreement with an adjacent jurisdiction (either written or verbally affirmed during Planners Advisory Committee meeting); and
- Does not significantly impact a public education facility. [Countywide Rules, Section 6.3.4.1]

An amendment of any size qualifies as a Type B subthreshold if it is:

- From any category to the Preservation category; or
- From any category except Preservation, to the Recreation/Open Space category. [Countywide Rules, Section 6.3.4.2]

An amendment of any size qualifies as a Type C subthreshold if it is:

- From a higher-density residential category to a lower-density residential category (for example, from Residential Medium to Residential Low Medium). [Countywide Rules, Section 6.3.4.3]

### ***What are the submittal requirements for Countywide Plan Map amendments?***

All Countywide Plan Map amendment requests must include:

- An ordinance being considered by your governing body;
- A completed [Countywide Plan Map Amendment Application](#); and
- A map or map series depicting the future land use categories of the subject property and surrounding area, and any other pertinent information. [Countywide Rules, 6.1.4.2]

Additional requirements for Tier II and III amendments to the AC or MMC category:

- A pre-application meeting with Forward Pinellas staff;
- Identification of current and proposed FLUM categories and/or character districts within the AC or MMC category, their acreages, and their associated maximum densities/intensities;
- A copy of the implementing regulations applicable to the AC or MMC category (e.g., special area plan, corridor plan, comprehensive policies, land development regulations);
- A written description of how each of the Planning and Urban Design Principles described in the Countywide Plan Strategies, Land Use Goal 16.0, are addressed within the AC or MMC category [Countywide Rules, 6.1.4.3]; and
- A transportation impact analysis [Countywide Rules, Section 6.5.3.1.2].

For Tier III amendments, in addition to all of the above requirements, applicants must submit a justification narrative demonstrating that the proposed density/intensity standards are appropriate for the subject area despite not meeting the applicable locational requirements, due to changed conditions or other unique factors. [Countywide Rules, Section 6.1.4.4]

**How are the locational requirements determined for the AC or MMC categories?**

When an amendment to the AC or MMC category is proposed, the locational requirements are based on the proposed density and/or intensity. If both density and intensity are being amended and fall into different equivalent subcategories, the more dense/intense of the equivalent subcategories is used. If the amendment area meets the locational requirements for the equivalent subcategory, it is eligible for the Tier II amendment process. Otherwise, the more restrictive Tier III process is used.

Activity Center Amendments

To be eligible for the Tier II amendment process:

An amendment to this density...	Must meet the locational requirements for this subcategory...
Up to 15 units per acre (UPA)	Neighborhood Center
Between 16 and 50 UPA	Community Center
Between 51 and 75 UPA	Major Center

An amendment to this intensity...	Must meet the locational requirements for this subcategory...
Up to .75 floor area ratio (FAR)	Neighborhood Center
Between .76 and 1.50 FAR	Community Center
Between 1.51 and 2.5 FAR	Major Center

AC amendments above 75 UPA or 2.5 FAR are evaluated under the Tier III process.

Multimodal Corridor Amendments

To be eligible for the Tier II amendment process:

An amendment to this density...	Must meet the locational requirements for this subcategory...
Up to 30 UPA	Secondary Corridor
Between 31 and 40 UPA	Primary Corridor

An amendment to this intensity...	Must meet the locational requirements for this subcategory...
Up to 1.0 FAR	Secondary Corridor
Between 1.01 and 1.50 FAR	Primary Corridor

MMC amendments above 40 UPA or 1.5 FAR are evaluated under the Tier III process.

If an amendment area meets the locational requirements for a given subcategory, it also meets the requirements for less dense/intense subcategories. For example, in an area meeting locational requirements for a Major Center, amendments to densities/intensities equivalent to a Community Center or Neighborhood Center are also eligible for the Tier II process.

Local governments can choose to use either UPA or FAR for residential development. For mixed-use projects, either an all-inclusive FAR or a proportionate share of UPA and FAR can be used.

There are no separate temporary lodging standards established for the AC or MMC categories. Amendments to temporary lodging standards will be evaluated against the general UPA or FAR standards established for a given subcategory. [Countywide Rules, Sections 2.3.3.14-15 and 6.5.4.3]

**What are the Tier II-eligible locations for MMC subcategories?**

Tier-II eligible locations for the MMC category are those depicted as Primary or Secondary Corridors on the Transit-Oriented Land Use Vision Map, shown below. The location is defined as generally extending a quarter-mile in each direction from the centerline of a given corridor. Where two or more MMC subcategories overlap, the subcategory with the most permissive density and intensity standards takes precedence. [Countywide Rules, Section 2.3.3.15; Countywide Plan Strategies, Land Use Goal 3.0]



**What are the Tier II-eligible locations for AC subcategories?**

Tier-II eligible locations for the AC subcategories are based on the intersections of the MMC subcategory locations shown on the Vision Map, as well as other major roadway classifications. A table of intersection types and their corresponding Tier II-eligible AC subcategories is shown below.

**MULTIMODAL CORRIDOR SUBCATEGORY INTERSECTIONS<sup>1</sup> PROVIDING TIER II ELIGIBLE LOCATIONS FOR ACTIVITY CENTER SUBCATEGORIES<sup>2</sup>**

	<b>Primary Corridor</b>	<b>Secondary Corridor</b>	<b>Regional Corridor (at transit stop)</b>	<b>Supporting Corridor</b>	<b>Other Arterial Roadway</b>	<b>Other Collector Roadway</b>
<b>Primary Corridor</b>	Major Center	Major Center	Major Center	Community Center	Community Center	Neighborhood Center
<b>Secondary Corridor</b>	Major Center	Community Center	Community Center	Community Center	Community Center	Neighborhood Center
<b>Regional Corridor (at transit stop)<sup>3</sup></b>	Major Center	Community Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center
<b>Supporting Corridor</b>	Community Center	Community Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center
<b>Other Arterial Roadway</b>	Community Center	Community Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center
<b>Other Collector Roadway</b>	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center

<sup>1</sup> As shown on the Transit Oriented Land Use Vision Map. In locations where two or more Multimodal Corridor subcategories are depicted on the same corridor, the subcategory with the most permissive density and intensity standards shall take precedence.

<sup>2</sup> Local governments may choose to use more restrictive subcategories; for example, at intersections where Major Centers are eligible for the Tier II amendment process, Community Centers and Neighborhood Centers are also eligible.

<sup>3</sup> Existing or planned transit stops as identified by the Pinellas County Transit Authority along its Regional Express routes.

Source: Countywide Rules, Article 2, Table 2a; Countywide Plan Strategies, Land Use Goal 3.0, Figure 2

***How do special area plans adopted prior to the new Countywide Plan fit into the tiered amendment process?***

When the new Countywide Plan was adopted in August 2015, previously adopted special area plans (SAPs) were designated with the AC or MMC category, utilizing the Special Center or Special Corridor subcategory as depicted on the Transit-Oriented Land Use Vision Map.

Because these SAPs were not subject to the same locational requirements that the AC and MMC categories are required to meet under the new plan, the currently adopted density/intensity standards of the Special Centers and Special Corridors will continue to be recognized regardless of whether they would be approved in these locations today. As these Special Centers/Corridors are amended going forward, the current locational requirements are applied to the proposed new densities and intensities.

Special Center/Corridor amendments are classified according to the following tiers:

Tier I

- Special Center/Corridor amendments that do not change the boundaries, permitted uses, density/intensity standards or other substantive component of the SAP.

Tier II

*Subthreshold*

- An amendment of ten acres or less from another category to the AC or MMC category, which otherwise meets the Type A subthreshold requirements of Section 6.3.4.1.

*Regular*

- Amendments to density/intensity standards within the Special Center/Corridor, including within an individual character district, which meet the locational requirements for the equivalent subcategory based on maximum density and/or intensity standards.
- Any other amendment that changes the boundaries, permitted uses, or other substantive component of the Special Center/Corridor.

Tier III

- Amendments to density or intensity standards within the Special Center/Corridor, including within an individual character district, that do not meet the locational requirements for the equivalent subcategory based on maximum density and/or intensity standards. Tier III amendments require additional justification for approval. [Countywide Rules, Section 6.5.4.3]

***How are locational requirements determined for amendments to Special Centers/Corridors?***

When a Special Center/Corridor amendment is proposed, the equivalent AC or MMC subcategory is determined by the proposed density and/or intensity. If both density and intensity are being amended and fall into different equivalent subcategories, the more dense/intense of the equivalent subcategories is used. If the amendment area meets the locational requirements for the equivalent subcategory, it is eligible for the Tier II amendment process. Otherwise, the more restrictive Tier III process is used. The intersection associated with the amendment area governs the amendment process. [Countywide Rules, Section 6.5.4.3.4] If an amendment to a Special Center falls within an

area with no Tier-II eligible intersections, Forward Pinellas staff will make a determination as to the equivalent AC subcategory.

### ***What are the submittal and approval timelines for Countywide Plan Map amendments?***

Tier I amendment requests need to be submitted prior to your first public hearing. Our staff will respond with an administrative review notice within five days. If the amendment increases densities and/or intensities in the Coastal High Hazard Area (CHHA), you will need to have local regulations in place that ensure the consistency of such amendments with the Countywide Rules, as described in the Required and Optional Provisions section of this guide. [Countywide Rules, Section 6.1.2.1]

Tier II and III amendment requests need to be submitted immediately following your first public hearing. The amendment will be heard at the next scheduled round of Planners Advisory Committee, Forward Pinellas Board, and Countywide Planning Authority (CPA) meetings following the applicable submittal deadline, as published on <http://forwardpinellas.org/guiding-plans/countywide-plan>. Amendments must be approved by the CPA and recorded by the Florida Department of State before they are final. [Countywide Rules, Section 6.1.1] Overall, the countywide review process for Tier II and III amendments takes about 60 to 90 days.

## **Required and Optional Provisions**

### ***Are we required to adopt new comprehensive plan or land development code provisions under the new Countywide Rules?***

Every effort was made to minimize the number of local plan or code amendments required under the new Rules. If your plan and code were consistent with the Rules before the new Countywide Plan was adopted, only a few new actions must be taken:

- Every local government must adopt a table or matrix in the future land use element of its comprehensive plan, which shows each local FLUM category corresponding to one of the Countywide Plan Map categories. (Note: A table of commonly-used local FLUM categories and the corresponding Countywide Plan Map categories can be found at <http://forwardpinellas.org/wp-content/uploads/2016/08/Countywide-Plan-Map-Tier-I-Amendments.pdf>.) [Countywide Rules, Section 4.2.2.1]
- For local governments with land area partly or entirely within the Coastal High Hazard Area (CHHA), unless you prohibit increases in densities or intensities in the CHHA as a matter of adopted policy, you must adopt a set of regulatory criteria applicable to FLUM amendments within the CHHA that is consistent with Section 4.2.7.1, A-H and 4.2.7.5 of the Countywide Rules. In the absence of these locally-adopted criteria, Tier I amendments that increase densities or intensities within the CHHA will be found inconsistent. [Countywide Rules, Section 4.2.7]
- As the 36 previous Countywide Plan Map categories were consolidated into the current 16, a small number of local FLUM categories that were previously consistent with their corresponding countywide categories have had minor provisions become inconsistent, mainly pertaining to permitted use acreage thresholds. (For example, transportation/utility uses were previously allowed up to a maximum of five acres in the Commercial Recreation category, but are now restricted to three acres in the corresponding Resort category.) We have been identifying such issues as we find them during routine consistency reviews. [Countywide Rules, Section 2.3.3]

***What are the submittal requirements and timelines for the new required provisions?***

Per the new Special Act, local governments have until the next scheduled evaluation and appraisal review-based amendment of their comprehensive plan, or until August 7, 2018, to become consistent with the new Countywide Rules. However, we encourage you to move forward with these amendments as soon as possible. [Chapter 2012-245, Laws of Florida]

***What optional comprehensive plan or land development code provisions are available under the new Countywide Rules?***

The optional provisions available under the old Countywide Rules are unchanged in the new version, including the affordable housing density/intensity bonus [Section 4.2.3.5], transferable development rights [Section 5.2.1.1], density/intensity averaging, [Section 5.2.1.2], and alternative temporary lodging standards [Section 5.2.1.3]. A new optional provision has also been added, allowing an exemption to intensity standards up to an additional 10% as an incentive for planning priorities in the AC and MMC categories [Section 4.2.3.8]. To use any of these optional provisions, your local government must file the applicable plan and/or code provisions with our office.

***What are the submittal requirements and timelines for the optional provisions?***

There is no submittal timeline for the optional provisions. Please forward the applicable sections of your comprehensive plan and/or land development code along with a request that they be received and filed.

**Other Submittals**

***How do I request a map adjustment for Preservation and/or Recreation/Open Space category boundaries?***

You will need to submit a map, sketch and legal description or boundary determination documentation from the Florida Department of Environmental Protection, along with a letter from your planning director requesting the map adjustment. If possible, please also provide a GIS shapefile of the boundary.

The amendment will be forwarded for acceptance at the next scheduled round of Planners Advisory Committee, Forward Pinellas Board, and Countywide Planning Authority (CPA) meetings following the applicable submittal deadline, as published on <http://forwardpinellas.org/guiding-plans/countywide-plan>. A public hearing is not required, and the adjustment becomes final upon approval of the CPA.

***How do I request that a right-of-way vacation be recognized on the Countywide Plan Map?***

A right-of-way vacation may be submitted to us at any time and is not considered a Countywide Plan Map amendment. Staff will process the change as a routine administrative update. [Countywide Rules, Section 7.3.8.2.1]

***If a project in my jurisdiction uses transferable development rights, do I need to submit that information to Forward Pinellas?***

Yes. Written evidence of the transfer of development rights will need to be recorded in the public records with the Clerk of the Circuit Court for Pinellas County, and a record copy filed with Forward Pinellas. [Countywide Rules, Section 5.2.1.1.1(J)]

***Do I need to submit annexation ordinances to Forward Pinellas?***

No. As of the new Special Act (Chapter 2012-245, Laws of Florida), we are no longer tracking annexation ordinances. But please continue to submit your ordinances to the Pinellas County Planning Department, since they compile a countywide database that we will occasionally use.

Please note that any local FLUM amendments processed in conjunction with an annexation must still be submitted to us, as described in the Countywide Plan Map Amendments section of this guide.