



**PLANNERS ADVISORY COMMITTEE
(PAC) MEETING AGENDA**

August 31, 2020 – 1:30 p.m.

[Virtual Meeting](#)

THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY

[Zoom Meeting Information](#)

1. **CALL TO ORDER AND INTRODUCTIONS**
2. **[APPROVAL OF MINUTES – June 29, 2020](#)**
3. **REVIEW OF FORWARD PINELLAS AGENDA FOR SEPTEMBER 9, 2020**

PUBLIC HEARINGS

Countywide Plan Map Amendment(s)

- A. Case CW 20-13 – Pinellas County (Residential Rural)
- B. Case CW 20-14 – Pinellas County (Downtown Palm Harbor)
- C. Case CW 20-15 – City of Largo

REGULAR AGENDA ITEMS

- D. Map Adjustment – City of Safety Harbor – Official Acceptance
- E. CPA Actions and Tier I Countywide Plan Map Amendments July and August 2020

4. **PLANNING TOPICS OF INTEREST**

- A. Legislative Update – HB 1339 Follow Up
- B. Legislative Priorities for 2021
- C. Flexibility of Land Use Categories for Employment and Residential Uses
- D. Countywide Rules Amendment Update

5. **OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA**

- A. Pinellas SPOTlight Emphasis Areas Update (Information)

6. **UPCOMING EVENTS**

October 9 th	Forward Pinellas Waterborne Transportation Subcommittee Meeting – 1-3:00 p.m.
October 16 th - 31 st	Virtual Bike Your City 2020 – Safety Harbor
November 16 th - 19 th	<u>Gulf Coast Safe Streets Summit</u>

7. **ADJOURNMENT**

NEXT PAC MEETING – MONDAY, OCTOBER 5, 2020

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the Office of Human Rights, 400 South Fort Harrison Avenue, Suite 300, Clearwater, Florida 33756; [(727) 464-4062 (V/TDD)] at least seven days prior to the meeting.

Appeals: Certain public meetings result in actions taken by the public board, commission or agency that may be appealed; in such case persons are advised that, if they decide to appeal any decision made at a public meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Planners Advisory Committee – August 31, 2020

2. Approval of Minutes – June 29, 2020



SUMMARY

The Summary Agenda Action Sheet for the June 29, 2020 PAC meeting is attached for committee review and approval.

ATTACHMENT(S): PAC Summary Agenda Action Sheet for the June 29, 2020 meeting

ACTION: PAC to approve the Summary Agenda Action Sheet from the June 29, 2020 meeting.

PAC AGENDA – SUMMARY AGENDA ACTION SHEET

DATE: JUNE 29, 2020

ITEM	ACTION TAKEN	VOTE
1. <u>CALL TO ORDER AND ROLL CALL</u>	The meeting was called to order at 1:35 p.m. and roll call was taken of the members present. Those committee members in virtual attendance included: Kyle Brotherton, Derek Reeves, Michael Schoderbock, Felicia Donnelly, Marshall Touchton, Marie Dauphinais, Rick Perez, Pat McNeese, Jan Norsoph, Britton Wilson, Frances Leong-Sharp, Marcie Stenmark and Zain Hussain. Forward Pinellas staff included Rodney Chatman, Linda Fisher, Jared Austin, Christina Mendoza, Nousheen Rahman, Tina Jablon, Amy Elmore and Whit Blanton. Note: Zain Hussain did not cast any votes during the meeting and left early due to technical issues.	
2. <u>MINUTES OF REGULAR PAC MEETING OF JUNE 1, 2020</u>	Motion: Jan Norsoph Second: Britton Wilson	11-0
3. <u>REVIEW OF FORWARD PINELLAS AGENDA FOR JULY 8, 2020 MEETING REGULAR AGENDA ITEMS</u> A. Map Adjustment – City of Clearwater – Official Acceptance	Motion: Jan Norsoph Second: Frances Leong-Sharp	11-0
B. CPA Actions and Tier I Countywide Plan Map Amendments	None required; informational item only	
4. <u>PLANNING TOPICS OF INTEREST</u> A. Highest and Best Use Analysis – City of Tarpon Springs	In 2019, the City of Tarpon Springs was awarded a Planning & Place-Making Grant to assess the redevelopment potential of a group of key properties in the downtown area that are publicly and privately-owned. Luis Serna, consultant with Calvin, Giordano & Associates, reviewed the major conclusions and findings of the analysis with the PAC members.	
B. Tri-City District Special Area Plan – City of Largo	In 2019, the City of Largo was awarded a Planning & Place-Making Grant to assist in the development of a Special Area Plan (SAP) for the US 19 and Roosevelt Boulevard/East Bay Drive area. Rick Perez, City of Largo, presented the final draft of the Tri-City District Special Area Plan to the PAC members.	
C. Online Countywide Plan Map	Linda Fisher alerted the PAC members that the interactive Countywide Plan Map on the Forward Pinellas website has been updated to include additional information that may be useful. The application now includes layers on the Coastal High Hazard Area, Countywide Plan Map amendments, Scenic/Noncommercial Corridor subcategories, aerial imagery, municipal boundaries, and parcels. She provided the PAC members a demonstration on how to use the new tools.	

<p>5. <u>OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</u></p> <p>A. Pinellas SPOTlight Emphasis Areas Update (Information)</p>	<p>Rodney Chatman updated the PAC members on the latest information concerning the Forward Pinellas SPOTlight Emphasis Areas. He advised that staff is in the process of receiving comments from the local funding partners to finalize the Memorandum of Understanding for the Gateway Area Master Plan.</p>	
<p>B. Cancellation of the August 3, 2020 PAC Meeting</p>	<p>Motion: Marshall Touchton Second: Britton Wilson Note: Marcie Stenmark left the meeting early</p>	<p>10-0</p>
<p>C. Hybrid Virtual/In-Person Meetings</p>	<p>Tina Jablon advised the PAC members that meeting platforms may be changing after the August break depending on Executive Orders from the Office of the Governor. Meetings may continue to be virtual or move to a hybrid version if physical quorums are once again required. She alerted the members that information would be forthcoming on the status as the next meeting approaches.</p>	
<p>7. <u>ADJOURNMENT</u></p>	<p>The meeting was adjourned at 2:43 p.m.</p>	

Respectfully Submitted,

PAC Chairman

Date

SUMMARY

From: Residential Very Low
To: Residential Rural
Area: 2,919.5 acres m.o.l.
Location: East Lake Tarpon Community

This proposed amendment is submitted by Pinellas County to amend properties totaling approximately 2,919.5 acres from Residential Very Low (intended to depict those areas of the county that are now developed, or appropriate to be developed, in a large lot, very low density residential manner; and to recognize such areas as primarily well-suited for estate residential uses that are consistent with the suburban, nonintensive qualities and natural resources of such areas) to Residential Rural (intended to depict those areas of the county that are now developed, or appropriate to be developed, in a rural, very low density residential manner; and to recognize such areas as primarily well-suited for residential and agricultural uses that are consistent with the rural, exurban, nonintensive qualities and natural resources of such areas).

The amendment area is comprised of properties in the East Lake Tarpon community, generally located east of Lake Tarpon, west of Brooker Creek Preserve, south of the Pasco County Boundary, and north of Tampa Road. The East Lake Tarpon Community Overlay was established in the Pinellas County Comprehensive Plan in April 2012 as a means to maintain the community’s low-density residential character and expansive open space. In February 2020, the Pinellas County Board of County Commissioners requested the restoration of the Residential Rural Countywide Plan Map category that was eliminated during the major update of the Countywide Plan in 2014.

As such, the Residential Rural category was readopted into the Countywide Rules earlier this month so that local governments could apply this category in rural, low-density areas. Pinellas County government now requests that the Residential Rural category be applied to the lands in the East Lake Tarpon community given that the area meets the purpose, use characteristics, and other standards for this category. The proposed amendment would not change the permitted uses, but would result in a reduction in the allowable density of the identified parcels to 0.5 unit per acre.

FINDINGS

Staff submits the following findings in support of the recommendation for approval:

- A. The Residential Rural category is appropriate for the proposed use of the property and is consistent with the criteria for utilization of this category.
- B. The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

Please see accompanying attachments and documents in explanation and support of these findings.

LIST OF MAPS & ATTACHMENTS:

- Map 1 Location Map
- Map 2 Jurisdictional Map
- Map 3 Aerial Map
- Map 4 Current Countywide Plan Map
- Map 5 Proposed Countywide Plan Map

Map 6 Scenic Non-Commercial Corridor

Attachment 1 Forward Pinellas Staff Analysis

Attachment 2 East Lake Tarpon Community Overlay

Attachment 3 Pinellas County Resolution No. 20-9

MEETING DATES:

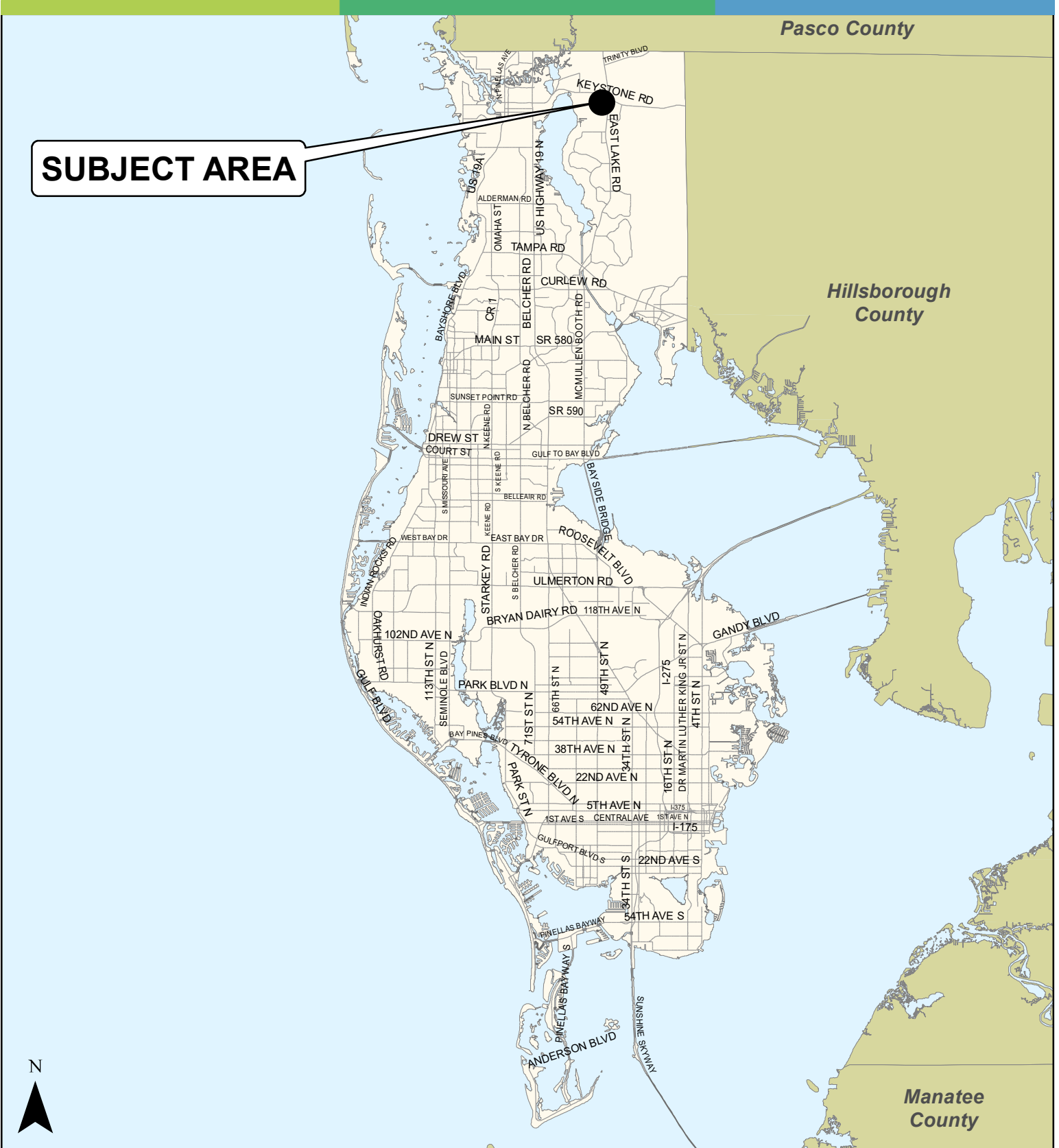
Planners Advisory Committee, August 31, 2020 at 1:30 p.m.

Forward Pinellas, September 9, 2020 at 1:00 p.m.

Countywide Planning Authority, October 6, 2020 at 9:30 a.m.

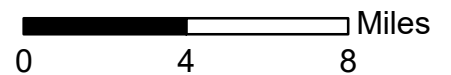
Case CW20-13

Map 1: Location Map



JURISDICTION: Pinellas County **FROM:** Residential Very Low

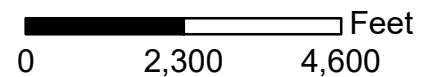
AREA: 2919.5 Acres **TO:** Residential Rural





JURISDICTION: Pinellas County **FROM:** Residential Very Low

AREA: 2919.5 Acres **TO:** Residential Rural



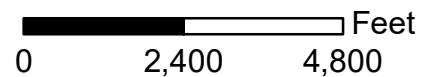
Case CW20-13

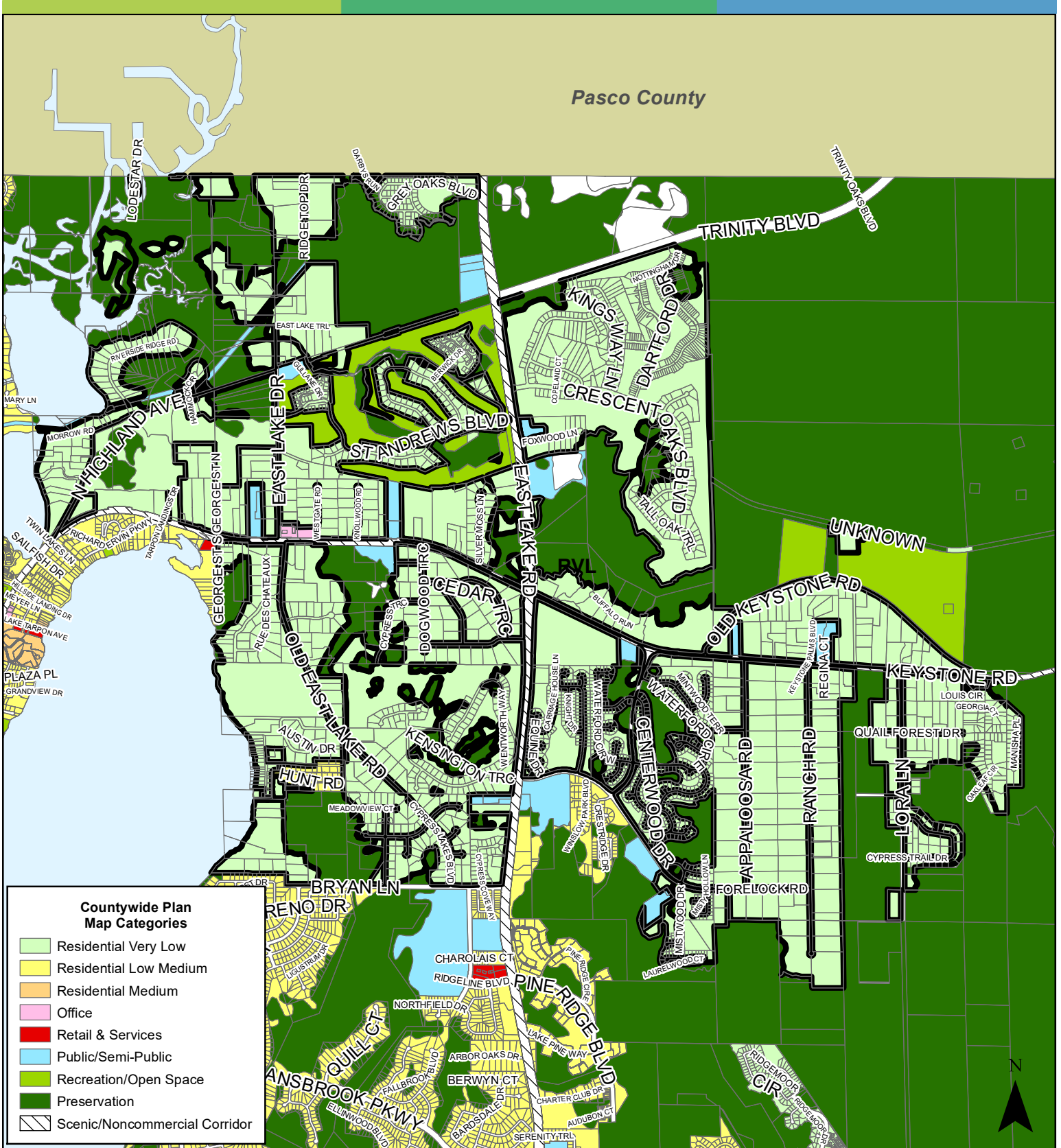
Map 3: Aerial Map



JURISDICTION: Pinellas County **FROM:** Residential Very Low

AREA: 2919.5 Acres **TO:** Residential Rural



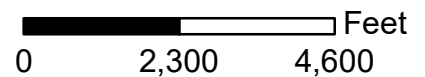


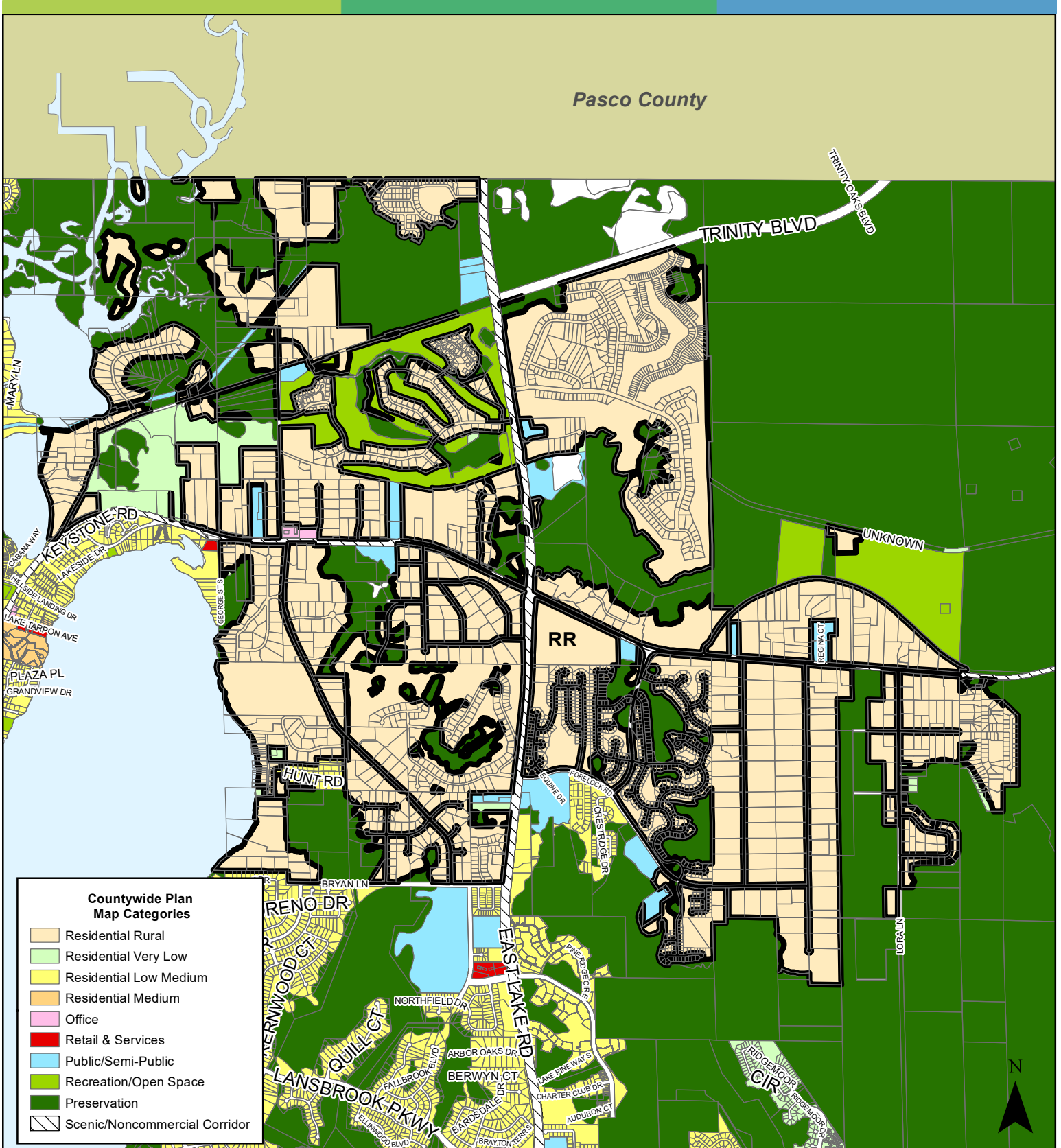
Countywide Plan Map Categories

- Residential Very Low
- Residential Low Medium
- Residential Medium
- Office
- Retail & Services
- Public/Semi-Public
- Recreation/Open Space
- Preservation
- Scenic/Noncommercial Corridor

JURISDICTION: Pinellas County **FROM:** Residential Very Low

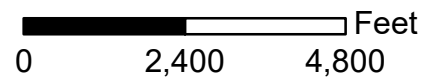
AREA: 2919.5 Acres **TO:** Residential Rural

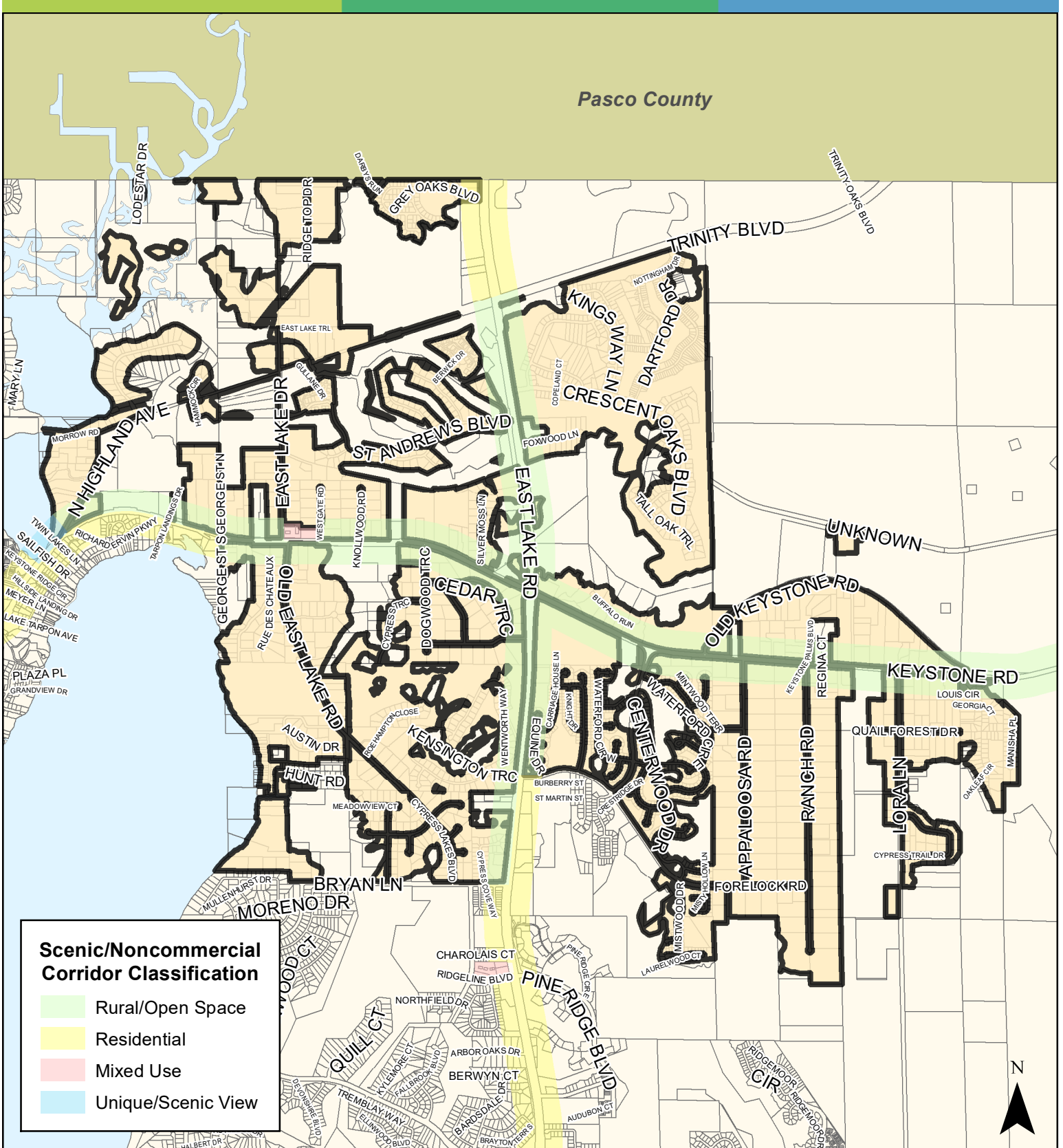




JURISDICTION: Pinellas County **FROM:** Residential Very Low

AREA: 2919.5 Acres **TO:** Residential Rural





CW 20-13
Forward Pinellas Staff Analysis

RELEVANT COUNTYWIDE CONSIDERATIONS:

- 1) **Consistency with the Countywide Rules** – The proposed amendment is submitted by Pinellas County and seeks to amend the designation of approximately 2,919.5 acres of property from Residential Very Low to Residential Rural.

The Countywide Rules state that the Residential Rural category is “intended to depict those areas of the county that are now developed, or appropriate to be developed, in a rural, very low density residential manner; and to recognize such areas as primarily well-suited for residential and agricultural uses that are consistent with the rural, exurban, nonintensive qualities and natural resources of such areas”

The amendment area is comprised of properties in the East Lake Tarpon Community, generally located east of Lake Tarpon, west of Brooker Creek Preserve, south of the Pasco County Boundary, and north of Tampa Road. The East Lake Tarpon Community Overlay was established in the Pinellas County Comprehensive Plan in April 2012 and one of the policies of which is to maintain the community’s low density residential character and expansive open space. In February 2020, it was resolved that the Pinellas County Board of County Commissioners further protect the East Lake Tarpon community from further urbanization through additional density limitations incorporated into the Countywide Rules.

As such, the Residential Rural category was readopted into the Countywide Rules to protect the character of rural, low-density unincorporated areas, such as the East Lake Tarpon Community, hence the proposed amendment. The proposed amendment would not change the permitted uses, but would result in a reduction in the allowable density of the identified parcels to 0.5 unit per acre.

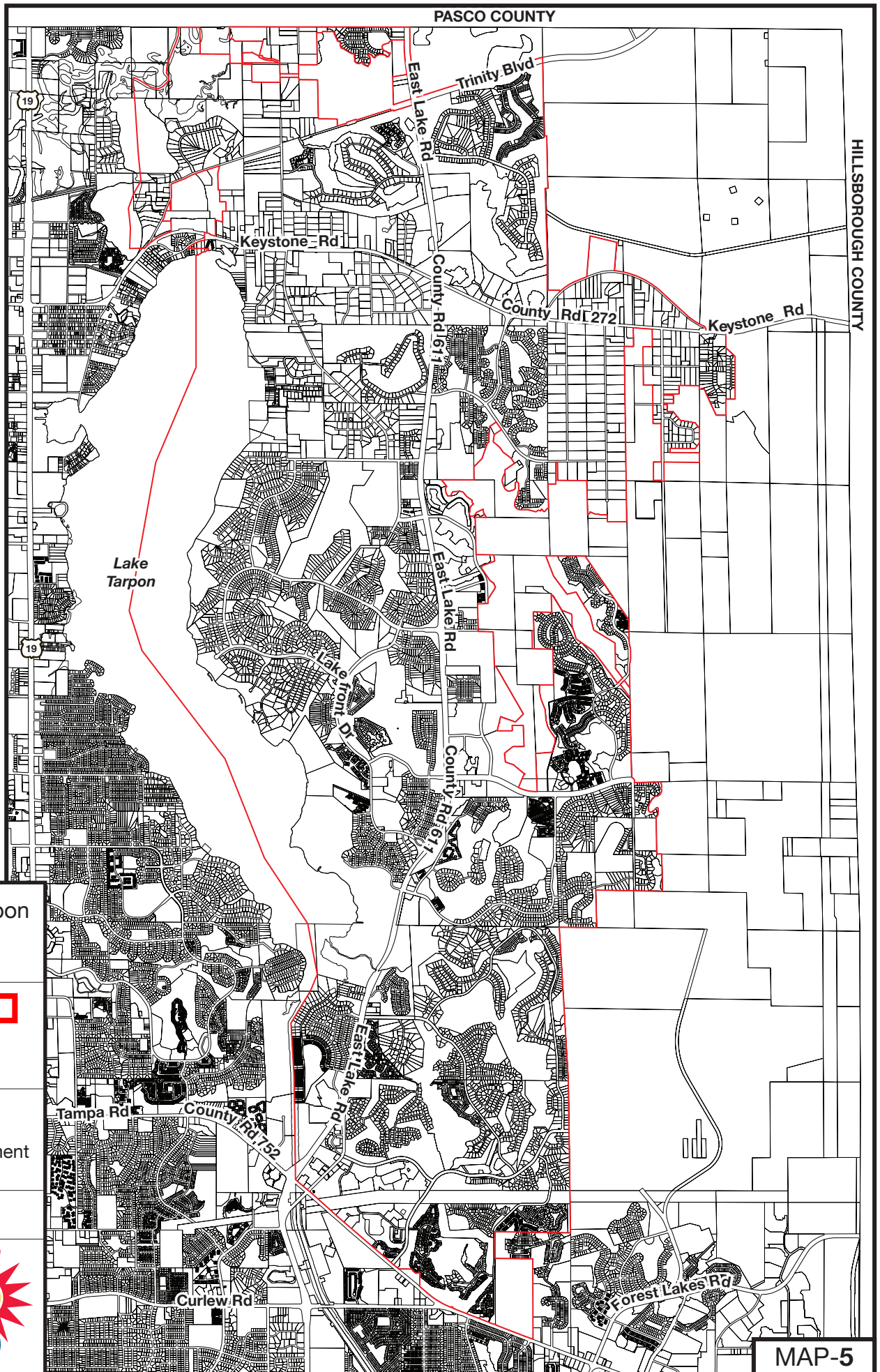
This amendment can be deemed consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – A portion of the amendment area abuts East Lake Road and Keystone Road, where a segment of each roadway is operating at LOS “F”. However, the proposed amendment would reduce the allowable density of the surrounding parcels by half, from 1 unit per acre to 0.5 unit per acre, therefore, the proposed amendment is expected to have no impact on these segments of East Lake Road and Keystone Road.
- 3) **Location on a Scenic/Noncommercial Corridor (SNCC)** – Portions of the amendment area are located on a SNCC, with Rural/Open Space and Residential subclassifications. However, the proposed amendment category is consistent with these subclassifications.
- 4) **Coastal High Hazard Areas (CHHA)** – The amendment area is not located within a CHHA; therefore, those policies are not applicable.
- 5) **Designated Development/Redevelopment Areas** – The amendment area is not located within a designated development/redevelopment area, so those policies are not applicable.
- 6) **Adjacent to or Impacting an Adjoining Jurisdiction or Public Educational Facility** – The proposed amendment area is adjacent to two public educational facilities. However, the amendment will reduce the maximum allowable density of the area; therefore, the amendment will not negatively impact the adjacent public educational facilities. The proposed amendment area is adjacent to the City of Tarpon Springs; however, City staff reviewed the amendment and found no issues.

7) **Reservation of Industrial Land** – The proposed amendment area does not involve the reduction of land designated as Industrial or Employment; therefore, those policies are not applicable.

Conclusion:

On balance, it can be concluded that the proposed amendment is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.



East Lake Tarpon
Community
Overlay



Subject Area
Exhibit A

Prepared by:
Pinellas County
Planning Department
September 2011



RESOLUTION NO. 20-9

RESOLUTION REAFFIRMING THE INTENT OF THE EAST LAKE OVERLAY AND SPECIFIC POLICIES OF THE PINELLAS COUNTY COMPREHENSIVE PLAN RESTRICTING DENSITY TO .5 UNITS PER ACRE IN THE NORTH PORTION OF PLANNING SECTOR TWO; REQUESTING THAT THE PINELLAS PLANNING COUNCIL AMEND THE COUNTYWIDE PLAN RULES TO ESTABLISH A RESIDENTIAL RURAL LAND USE MAP CATEGORY LIMITING DENSITY TO .5 UNITS PER ACRE; AND REQUESTING THAT UPON COMPLETION OF THE AMENDMENT TO THE COUNTYWIDE PLAN RULES THAT THE COUNTYWIDE PLAN MAP FOR THE AREA IDENTIFIED IN ATTACHEMNT "A" BE AMENDED FROM 1 UNIT PER ACRE TO .5 UNITS PER ACRE

WHEREAS, the Goals, Objectives and Policies of the Pinellas County Comprehensive Plan provide specific guidance for future development in the unincorporated County; and

WHEREAS, Objective 1.8 states that Pinellas County shall continue to implement future land use policies which restrict the proliferation of urban sprawl at a density which is not compatible with support facilities; and

WHEREAS, Policy 1.8.1 states that the County shall continue to utilize a maximum density of .5 units per gross acre in the norther portion of Planning Sector 2 as a mechanism to contain urban sprawl and protect the County's wellfields; and

WHEREAS, in 2012, Pinellas County adopted ordinance No. 12-13 establishing the East Lake Tarpon Community overlay with associated objectives and policies that define the characteristics of the area and further the community's vision for the future;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 25th day of February 2020, that the Pinellas County Board of County Commissioners seeks to further protect the East Lake Tarpon community through additional density limitations incorporated into the Pinellas Countywide Plan Rules and subsequent map amendment to the Countywide Plan Map as follows:

- 1) The Pinellas County Board of County Commissioners hereby requests that the Pinellas Planning Council add an additional land use map category of “Residential Rural”, limiting density to .5 units per acre, to the Countywide Plan Rules
- 2) Upon completion of amendments specified in 1) above that the Pinellas Planning Council amend the Countywide Land Use Map from Residential Very Low (1 unit per acre) to Residential Rural (.5 units per acre) for the parcels identified as Residential Rural in Attachment A.

Commissioner Eggers offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Welch upon the roll call the vote was:

Ayes: Gerard, Eggers, Justice, Long, Peters, Seel, and Welch



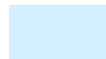
Nays: None

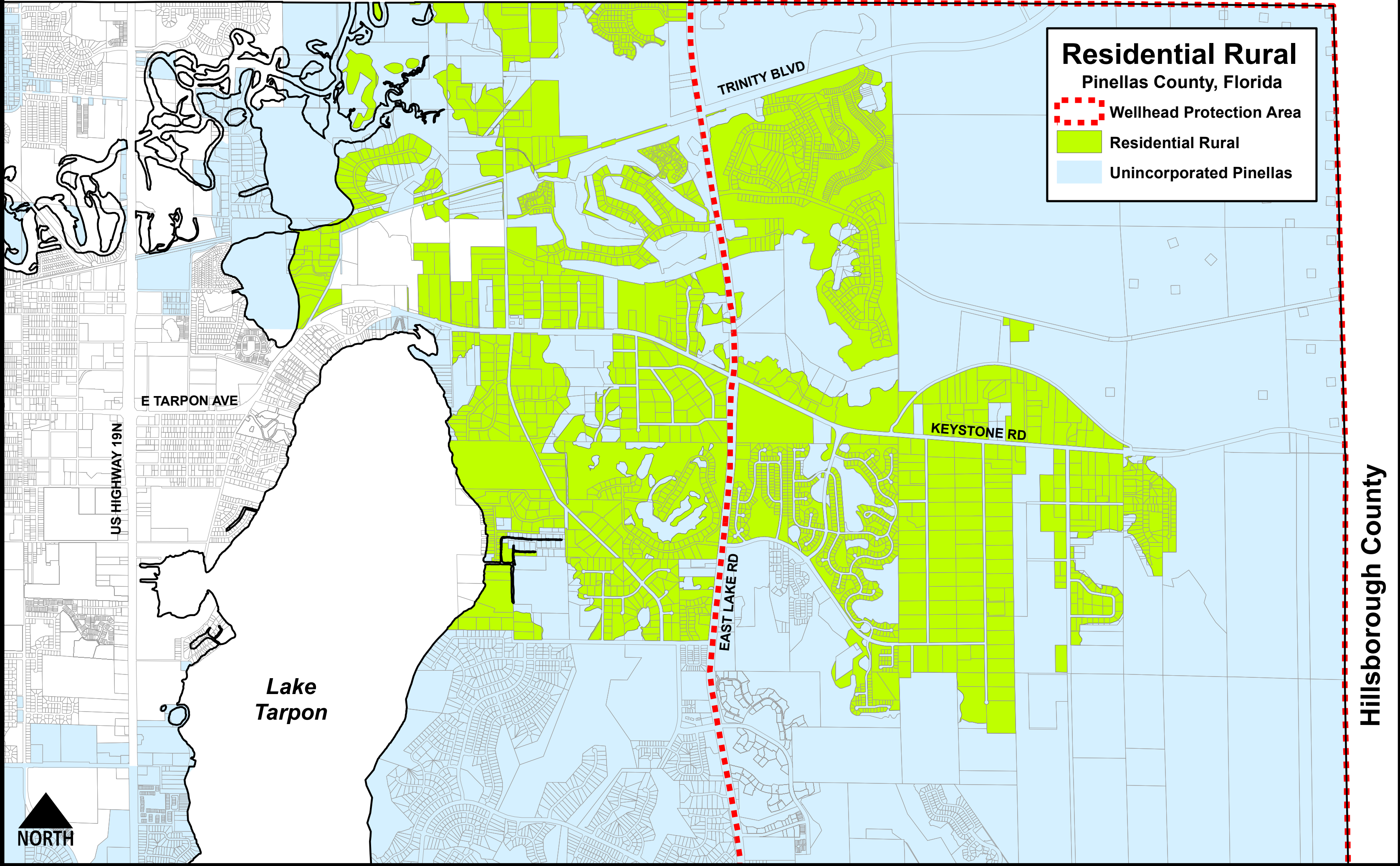
Absent and not voting: None

APPROVED AS TO FORM

By: 
Office of the County Attorney

Residential Rural
Pinellas County, Florida

-  Wellhead Protection Area
-  Residential Rural
-  Unincorporated Pinellas



E TARPON AVE

US HIGHWAY 19N

Lake Tarpon

TRINITY BLVD

KEYSTONE RD

EAST LAKE RD

Hillsborough County



NORTH

Planners Advisory Committee – August 31, 2020

3B. Case CW 20-14– Pinellas County



SUMMARY

From: Activity Center, Employment, Office, Public/Semi-Public, Retail & Services, Residential Medium, Residential Low Medium
To: Activity Center
Area: 63.8 acres m.o.l.
Location: Downtown Palm Harbor

This proposed amendment is submitted by Pinellas County to expand the existing Activity Center by amending properties totaling approximately 63.8 acres from the categories listed in the table below to Activity Center (Intended to recognize those areas of the county within each local government jurisdiction that have been identified and planned for in a special and detailed manner, based on their unique location, intended use, appropriate density/intensity, and pertinent planning considerations. In particular, it is the intent of this category to recognize those important, identifiable centers of business, public, and residential activity, as may be appropriate to the particular circumstance, that are the focal point of a community, and served by enhanced transit commensurate with the type, scale, and intensity of use).

Category	Definition
Activity Center	Intended to recognize those areas of the county within each local government jurisdiction that have been identified and planned for in a special and detailed manner, based on their unique location, intended use, appropriate density/intensity, and pertinent planning considerations. In particular, it is the intent of this category to recognize those important, identifiable centers of business, public, and residential activity, as may be appropriate to the particular circumstance, that are the focal point of a community, and served by enhanced transit commensurate with the type, scale, and intensity of use
Retail & Services	Intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses
Employment	Intended to recognize areas developed with, or appropriate to be developed with, a wide range of employment uses, including primary industries (i.e., those with a customer base that extends beyond Pinellas County), allowing for flex space, and for uses that have minimal external impacts
Office	Intended to accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to an acreage threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scale residential/office mixed-use development
Public/Semi-Public	Intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses

Residential Medium	Intended to depict those areas of the county that are now developed, or appropriate to be developed, in a medium-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban qualities, transportation facilities, including transit, and natural resources of such areas
Residential Low Medium	Intended to depict areas that are now developed, or appropriate to be developed, in a suburban, low density or moderately dense residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the suburban qualities, transportation facilities, including transit, and natural resources of such areas

The amendment area is comprised of properties in Downtown Palm Harbor, generally located east of 8th Street, south of Pennsylvania Avenue, west of Omaha Street and north of Wisconsin Avenue. The amendment area is included in the Downtown Palm Harbor Master Plan which was updated in 2018/2019 timeframe. A key recommendation included in the update of the Master Plan was the expansion of the existing Activity Center-Neighborhood designation, hence the proposed amendment.

Pinellas County also intends to adopt a new zoning district to serve as a regulating plan for new development in this area. The Palm Harbor Form-Based Code Zoning District, the boundaries of which would be consistent with the proposed Activity Center-Neighborhood is still under development and will be adopted by the Board of County Commissioners in the coming months. By expanding the boundaries of the Activity Center and the associated Form-Based Code Zoning District, it is the intention of the County to provide a more holistic approach to planning for the greater downtown area, and to plan for transition between the downtown core that centers along Florida Avenue and the primarily residential neighborhoods that are adjacent to the boundaries of the proposed Activity Center.

The County has submitted documentation which addresses how the expansion of the Activity Center will address the Planning and Urban Design Principles, required by the Countywide Rules and Countywide Strategies. For example, the proposed amendment addresses the “Connectivity” principle through recommendations in the Downtown Palm Harbor Master Plan focused around enhancing the pedestrian experience and safety in the area. Furthermore, the County addresses the “Site Orientation” principle through regulations in the Form-Based Code which include, but are not limited to, human-scaled street enclosures, support for non-automobile movement and locating parking away from building frontages, further supporting pedestrian movement.

FINDINGS

Staff submits the following findings in support of the recommendation for approval:

- A. The Activity Center category is appropriate for the proposed use of the property and is consistent with the criteria for utilization of this category.
- B. The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

Please see accompanying attachments and documents in explanation and support of these findings.

LIST OF MAPS & ATTACHMENTS:

- Map 1 Location Map
- Map 2 Jurisdictional Map
- Map 3 Aerial Map
- Map 4 Current Countywide Plan Map
- Map 5 Proposed Countywide Plan Map
- Map 6 Current Scenic Non-Commercial Corridor
- Map 7 Proposed Scenic Non-Commercial Corridor
- Map 8 Coastal High Hazard Area

Attachment 1 Forward Pinellas Staff Analysis
[Attachment 2 Downtown Palm Harbor Master Plan](#)
[Attachment 3 Downtown Palm Harbor- Form Based Code](#)
Attachment 4 Planning and Urban Design Principles

MEETING DATES:

Planners Advisory Committee, August 31, 2020 at 1:30 p.m.
Forward Pinellas, September 9, 2020 at 1:00 p.m.
Countywide Planning Authority, October 6, 2020 at 9:30 a.m.

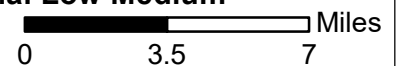
Case CW20-14

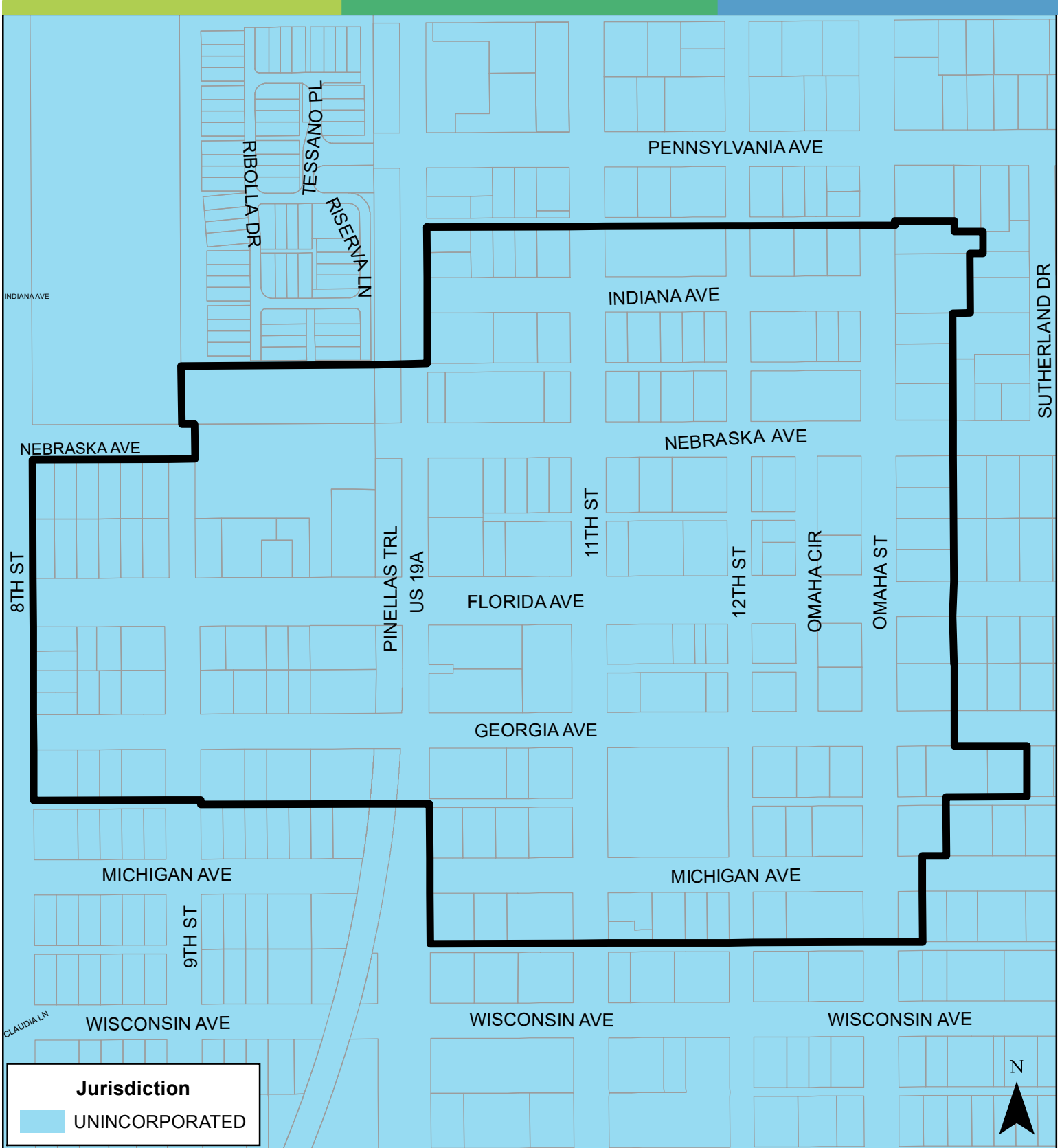
Map 1: Location Map



JURISDICTION: Pinellas County **FROM:** Activity Center, Employment, Office, Public/Semi-Public, Retail & Services, Residential Medium, Residential Low Medium

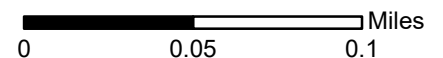
AREA: 63.8 Acres **TO:** Activity Center





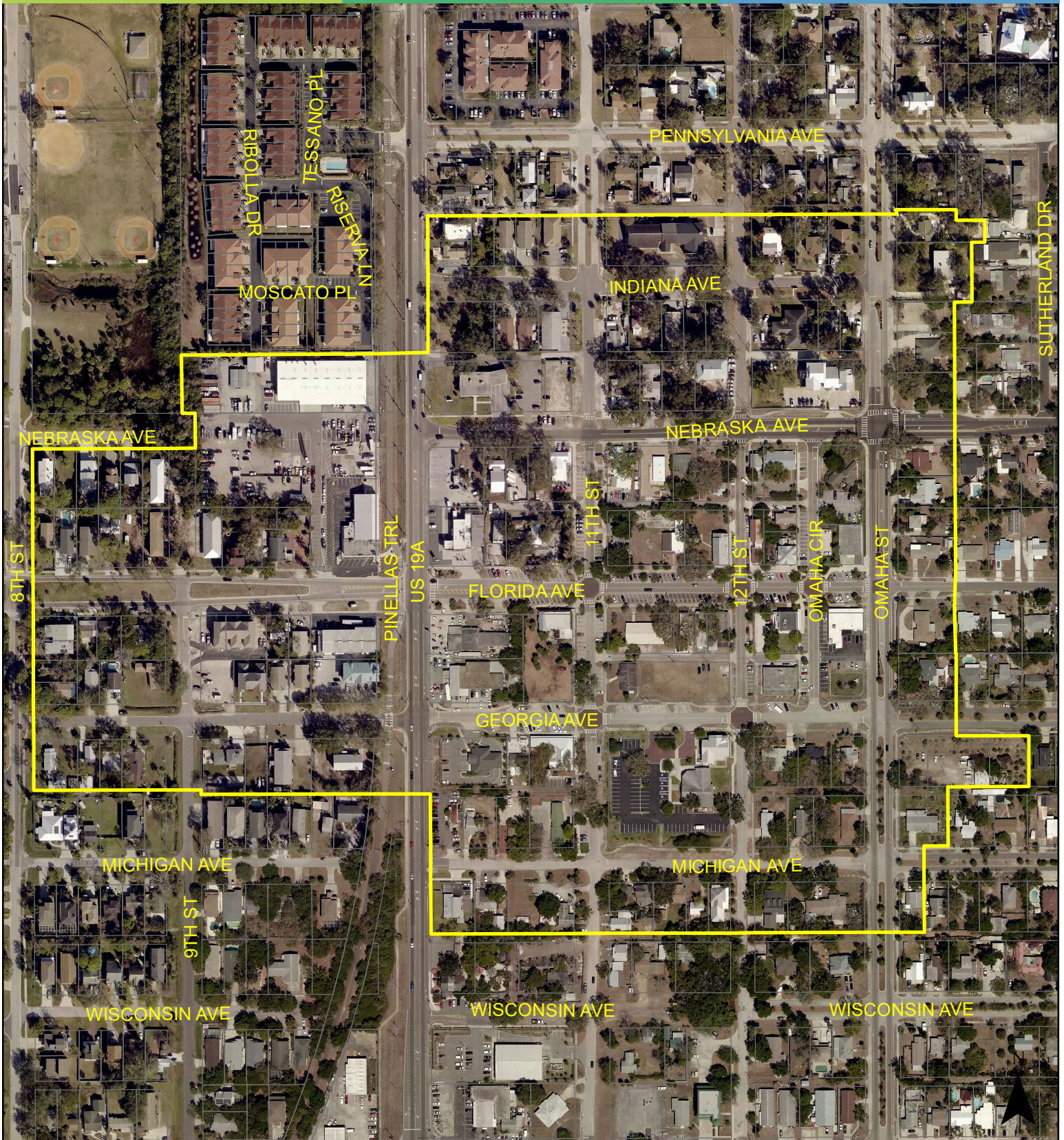
JURISDICTION: Pinellas County **FROM:** Activity Center, Employment, Office, Public/Semi-Public, Retail & Services
Residential Medium, Residential Low Medium

AREA: 63.8 Acres **TO:** Activity Center



Case CW20-14

Map 3: Aerial Map



JURISDICTION: Pinellas County

FROM:

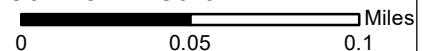
Activity Center, Employment,
Office, Public/Semi-Public, Retail & Services
Residential Medium, Residential Low Medium

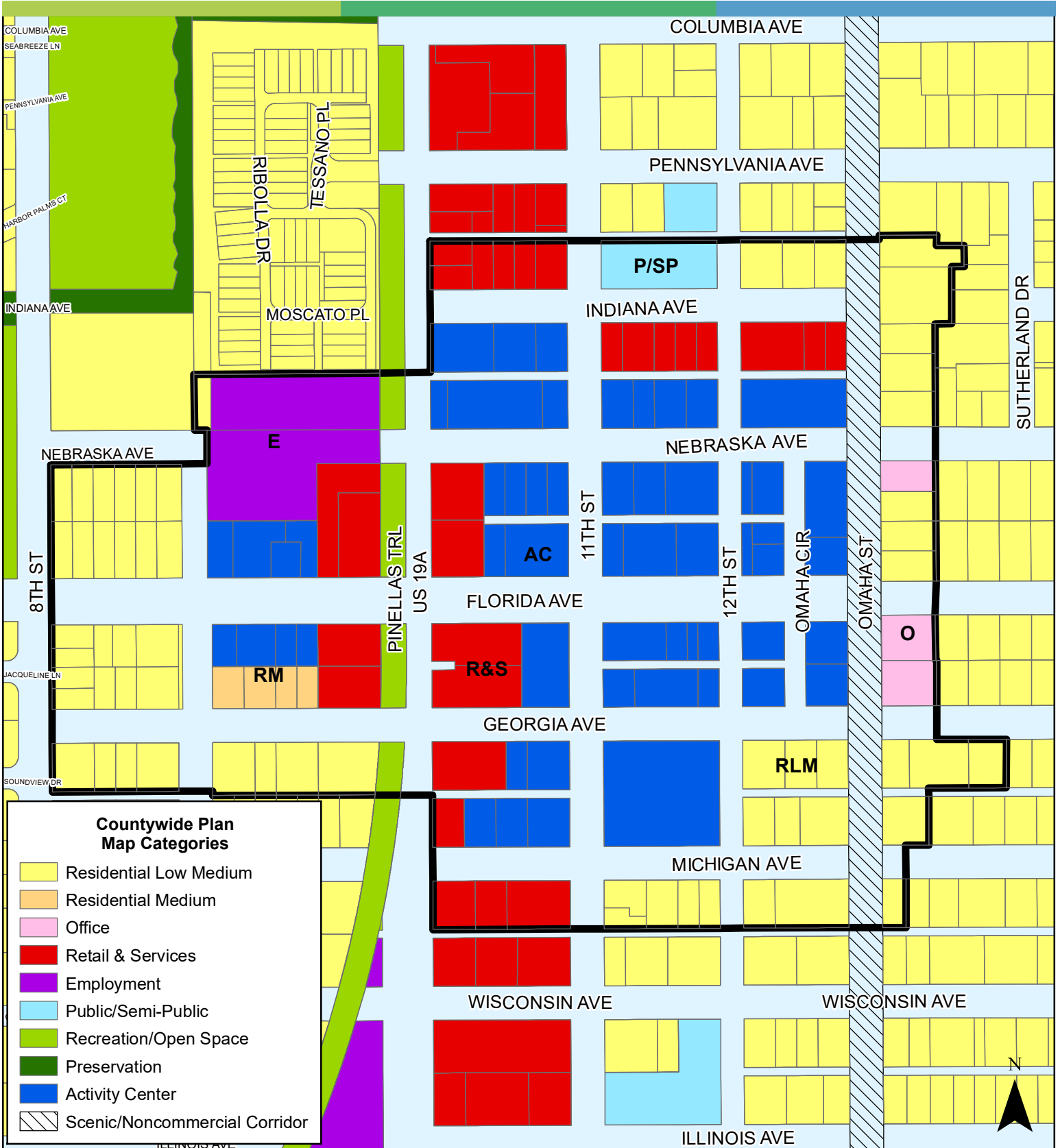
AREA:

63.8 Acres

TO:

Activity Center

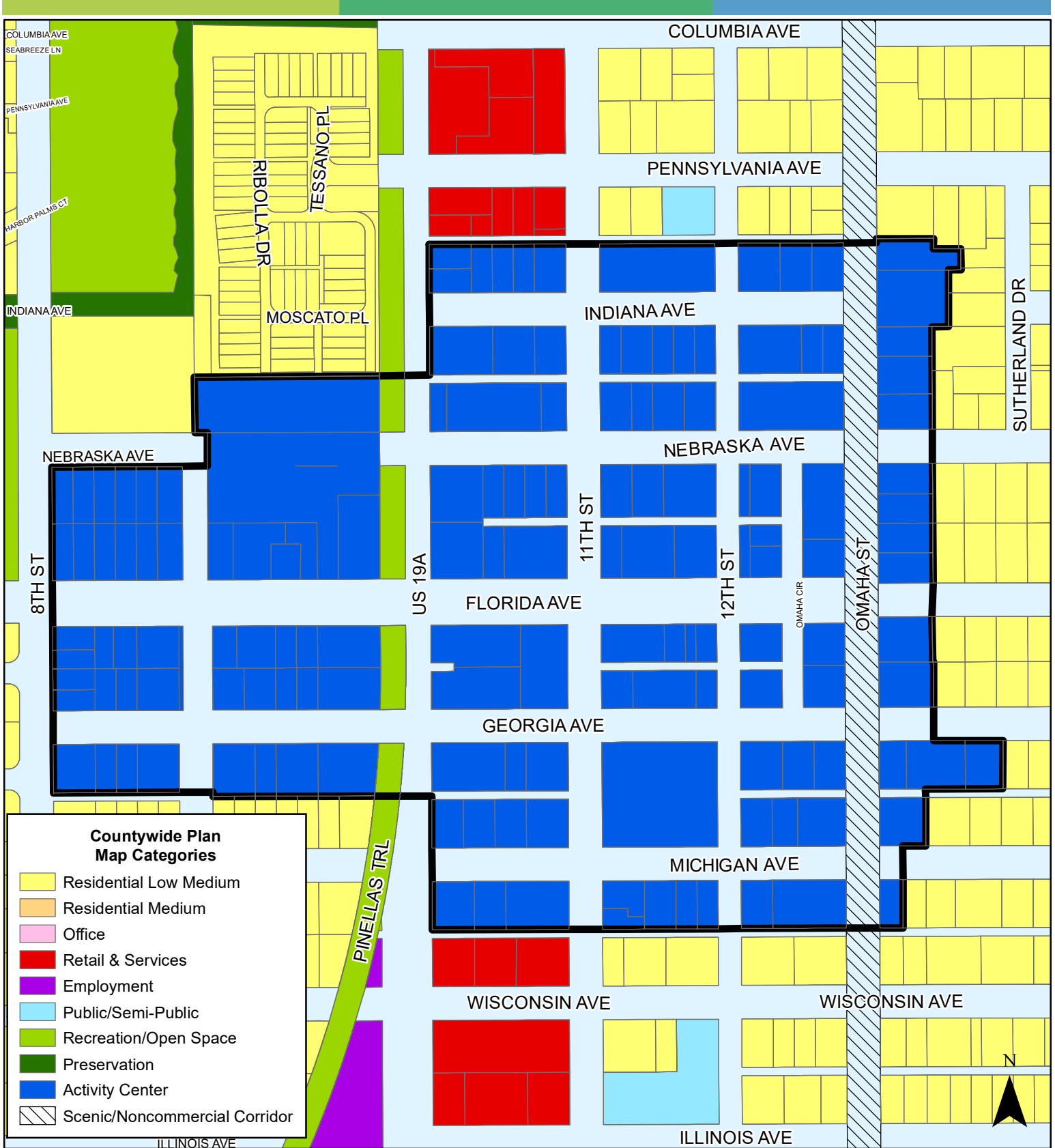




JURISDICTION: Pinellas County **FROM:** Activity Center, Employment, Office, Public/Semi-Public, Retail & Services, Residential Medium, Residential Low Medium

AREA: 63.8 Acres **TO:** Activity Center

0 0.05 0.1 Miles



Countywide Plan Map Categories

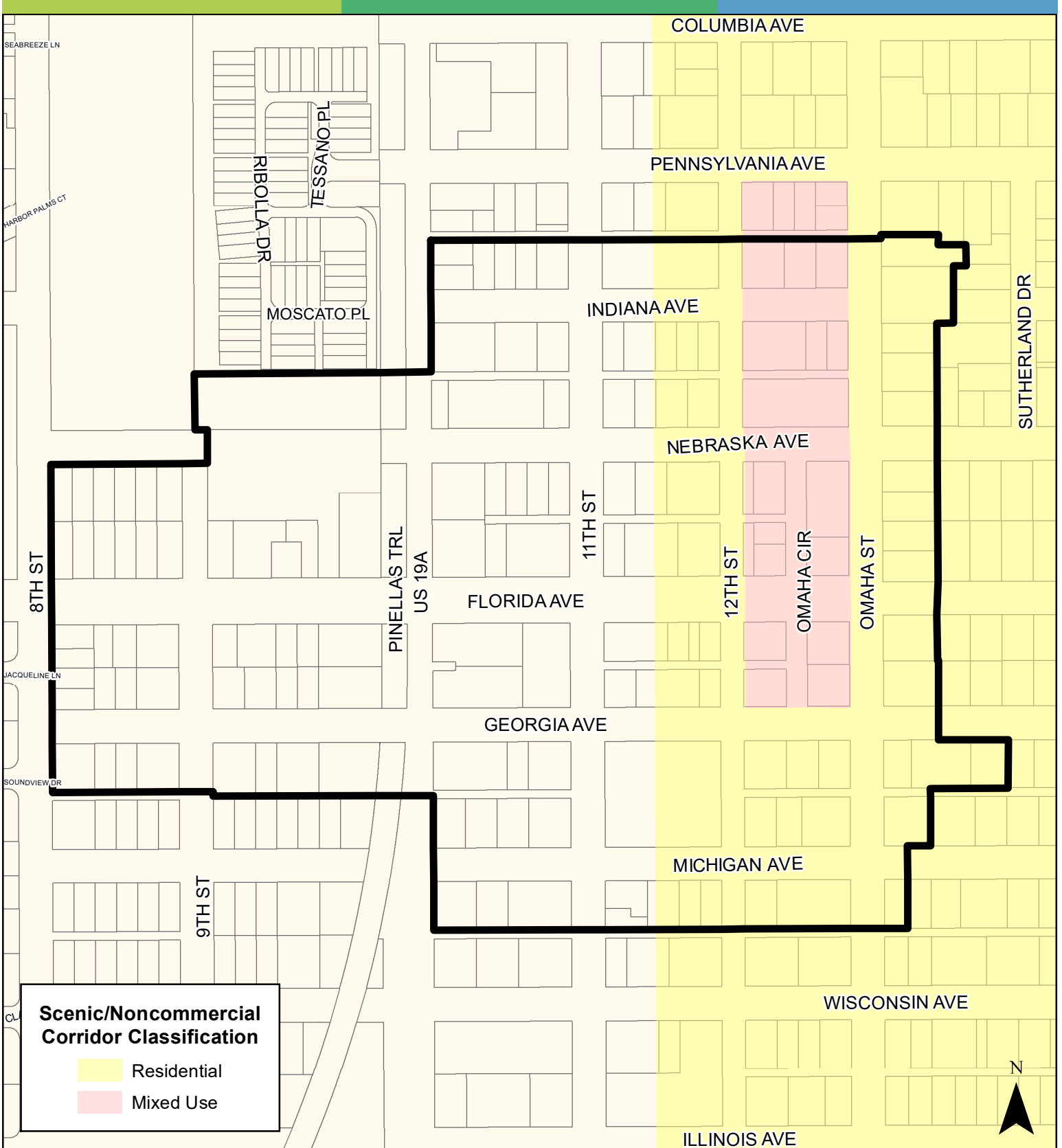
- Residential Low Medium
- Residential Medium
- Office
- Retail & Services
- Employment
- Public/Semi-Public
- Recreation/Open Space
- Preservation
- Activity Center
- Scenic/Noncommercial Corridor

JURISDICTION: Pinellas County **FROM:** Activity Center, Employment, Office, Public/Semi-Public, Retail & Services, Residential Medium, Residential Low Medium

AREA: 63.8 Acres **TO:** Activity Center

Case CW20-14

Map 6: Current Scenic/Noncommercial Corridor



JURISDICTION: Pinellas County

FROM:

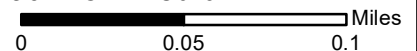
Activity Center, Employment,
Office, Public/Semi-Public, Retail & Services
Residential Medium, Residential Low Medium

AREA:

63.8 Acres

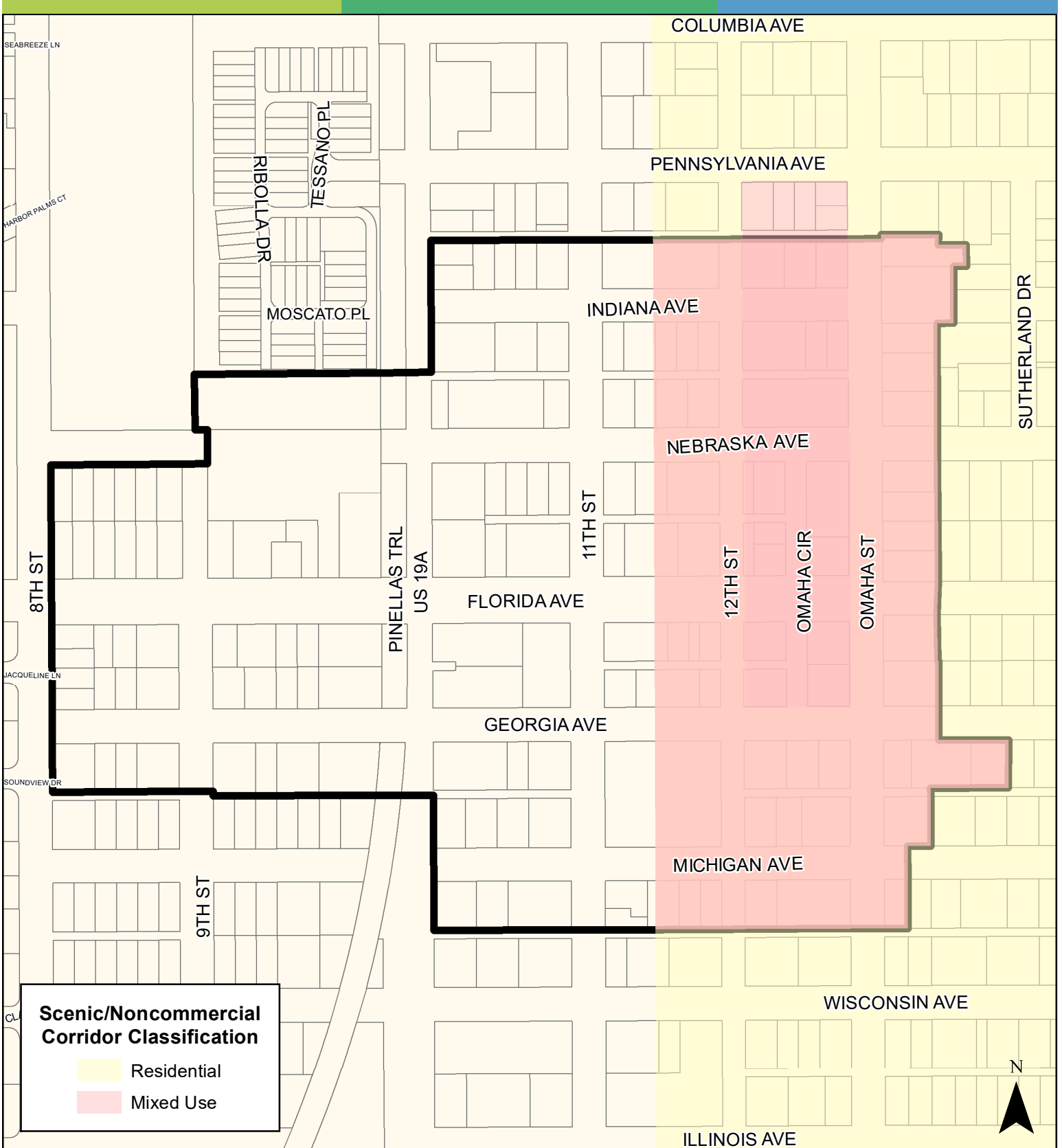
TO:

Activity Center



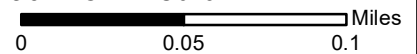
Case CW20-14

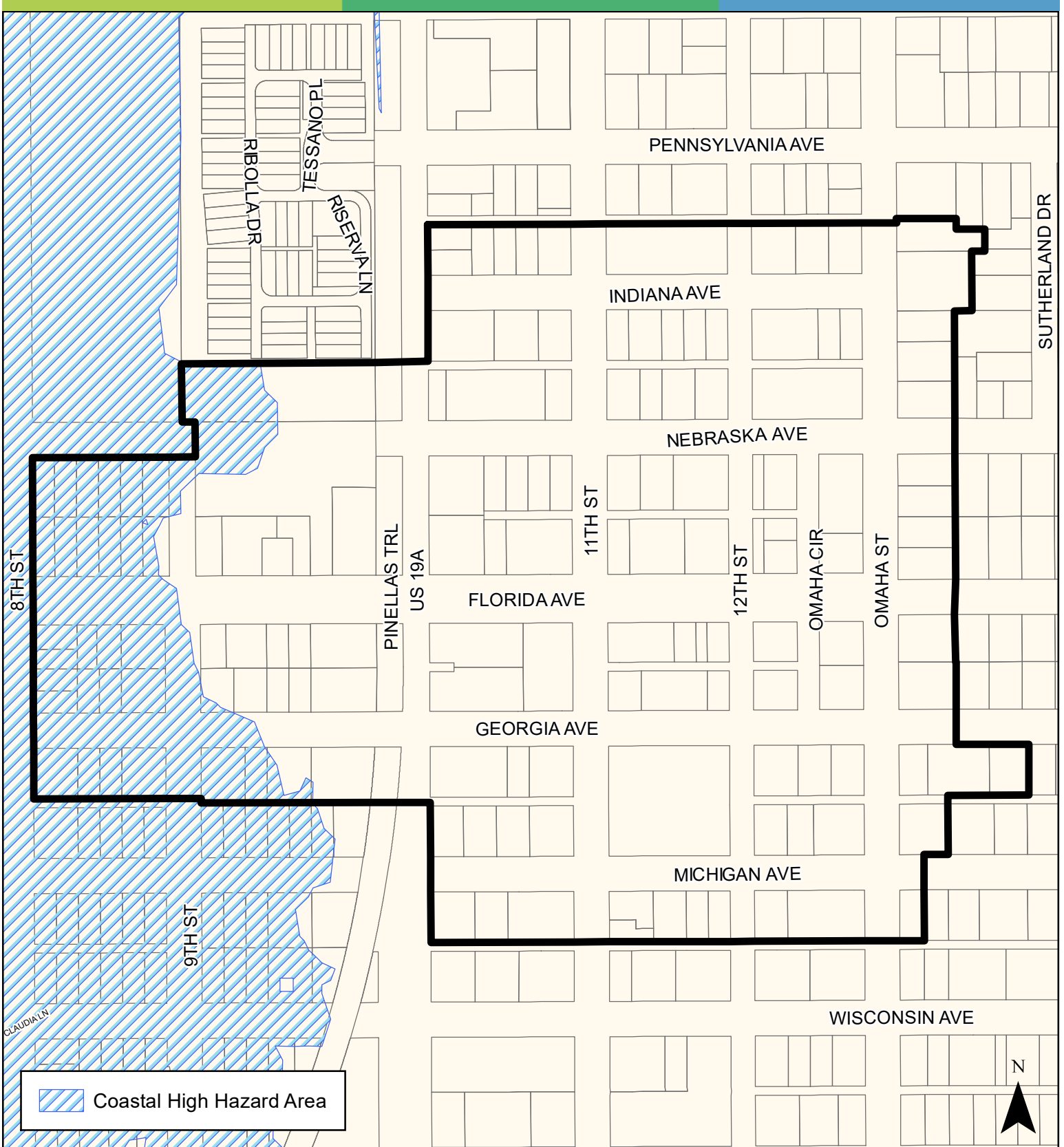
Map 7: Proposed Scenic/Noncommercial Corridor




JURISDICTION: Pinellas County **FROM:** Activity Center, Employment, Office, Public/Semi-Public, Retail & Services
Residential Medium, Residential Low Medium

AREA: 63.8 Acres **TO:** Activity Center





 Coastal High Hazard Area



JURISDICTION: Pinellas County	FROM: Activity Center, Employment, Office, Public/Semi-Public, Retail & Services Residential Medium, Residential Low Medium
AREA: 63.8 Acres	TO: Activity Center

0 0.05 0.1 Miles

CW 20-14
Forward Pinellas Staff Analysis

RELEVANT COUNTYWIDE CONSIDERATIONS:

- 1) **Consistency with the Countywide Rules** – The proposed amendment is submitted by Pinellas County and seeks to amend the designation of approximately 63.8 acres of property from Activity Center-Neighborhood, Retail & Services, Employment, Office, Public/Semi-Public, Residential Medium and Residential Low Medium to Activity Center-Neighborhood, to expand the existing Activity Center in Downtown Palm Harbor.

The Countywide Rules state that the Activity Center category is “intended to recognize those areas of the county within each local government jurisdiction that have been identified and planned for in a special and detailed manner, based on their unique location, intended use, appropriate density/intensity, and pertinent planning considerations. In particular, it is the intent of this category to recognize those important, identifiable centers of business, public, and residential activity, as may be appropriate to the particular circumstance, that are the focal point of a community, and served by enhanced transit commensurate with the type, scale, and intensity of use.”

The amendment area is comprised of properties in Downtown Palm Harbor, generally located east of 8th Street, south of Pennsylvania Avenue, west of Omaha Street and north of Wisconsin Avenue. The amendment area is included in the Downtown Palm Harbor Palm Harbor Master plan which was updated in 2018/2019. A recommendation included in the update of the Master Plan proposed expansion of the existing Activity Center-Neighborhood designation, hence the proposed amendment.

The amendment area would also be included in the Palm Harbor Form-Based Code Zoning District, the boundaries of which would be consistent with the proposed Activity Center-Neighborhood. By expanding the boundaries of the Activity Center and adopting the associated Form-Based Code Zoning District, it is the intention of the County to provide a more holistic approach to planning for the greater downtown area, and to plan for transition between the downtown core that centers along Florida Avenue and the primarily residential neighborhoods that are adjacent to the boundaries of the proposed Activity Center.

The County addresses how the expansion of the Activity Center will address the Planning and Urban Design Principles, required by the Countywide Plan Rules and Countywide Plan Strategies. For example, the proposed amendment addresses the “Connectivity” principle through recommendations in the Downtown Palm Harbor Master Plan focused around enhancing the pedestrian experience and safety in the area. Furthermore, the County addresses the “Site Orientation” principle through regulations in the Form-Based Code which include, but are not limited to, human-scaled street enclosures, support for non-automobile movement and locating parking away from building frontages, further supporting pedestrian movement.

This amendment can be deemed consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – Properties in the amendment area abut Alternate US 19, which is operating at LOS “F”. However, there is no projected increase in average daily trips because of the change to a floor area ratio-only standard for new development. Furthermore, changes in development patterns in the amendment area are anticipated to increase the mode share of transit, walking, and biking and reduce the need and demand for automobile trips.

- 3) **Location on a Scenic/Noncommercial Corridor (SNCC)** – The amendment area is located on a SNCC with the Residential and Mixed-Use subclassifications. However, the Residential subclassification within the amendment area is proposed to be changed to the Mixed-Use subclassification, which is compatible with the proposed Activity Center category.
- 4) **Coastal High Hazard Areas (CHHA)** – The western portion of the amendment area is partially located in a CHHA. However, most of these properties are existing single-family residential homes that are unlikely to redevelop into more intense uses which limits the impact on the CHHA.
- 5) **Designated Development/Redevelopment Areas** – The amendment area involves the expansion of the Activity Center category. The amendment conforms to the purpose, locational characteristics, and other requirements of the proposed category and addresses the relevant Planning and Urban Design Principles; therefore, the amendment can be deemed consistent with this Relevant Countywide Consideration.
- 6) **Adjacent to or Impacting an Adjoining Jurisdiction or Public Educational Facility** – The proposed amendment area is not adjacent to an adjoining jurisdiction or public educational facility; therefore, those policies are not applicable.
- 7) **Reservation of Industrial Land** – The proposed amendment involves the conversion of Employment designated land to Activity Center; however, this portion of the amendment area is not a viable target employment parcel due to its size and location; therefore, the proposed amendment will not significantly impact the reservation of Industrial land.

Conclusion:

On balance, it can be concluded that the proposed amendment is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.

**COUNTYWIDE PLAN STRATEGIES
LAND USE GOAL 16.0
PLANNING AND URBAN DESIGN PRINCIPLES**

1. Location, Size and Density/ Intensity Standards

The proposed Activity Center would be an expanded area of the existing Activity Center – Neighborhood (AC-N) within Downtown Palm Harbor identified on the Countywide Map. The proposed AC District expansion captures additional parcels around the existing boundary, on both the east and west sides of Alternate US 19 (Alt 19). This new total boundary area would encompass approximately 64 acres and would more holistically address the character of the Downtown and its relationship to adjacent neighborhoods.

The expansion supports focused development and mix of uses in a central district, while protecting and preserving the existing nearby residential neighborhoods. The expanded AC District proposes a maximum combined FAR of 1.5, which stays within Countywide Plan limit of 2.0 for Neighborhoods Activity Centers. The proposed FAR is an increase to the permitted FAR ranges of 0.4 to 0.6, which could potentially enhance demand for area transit services as (re)development is proposed. Additionally, the area has an extensive sidewalk system and supports pedestrian movement within the downtown.

2. Connectivity

The proposed amendment preserves and enhances the existing connectivity of Downtown Palm Harbor through implementation of the Master Plan. Downtown Palm Harbor is located to east and west Alt 19 and the parallel Pinellas Trail. The recommendations in the Master Plan focus around enhancing the pedestrian experience in the Downtown and call for improved pedestrian safety across Alt 19 and Florida Avenue, which serves as the area's 'main street'. Currently, FDOT is considering a potential roundabout at this location, primarily to address this issue.

Downtown Palm Harbor has an extensive gridded street network, with walkable access to surrounding neighborhoods. The gridded nature utilizes alleyways in some areas, with access to the rear of the parcels, and provides options to users which in turn helps reduce automobile congestion on any individual roadway. The existing network of sidewalks also support pedestrian movement in the area. The Master Plan calls for addressing identified gaps in the mostly complete sidewalk network.

3. Site Orientation

To address several of the recommendations outlined in the Master Plan Update, the County proposed to establish a Form-Based Code zoning classification (FBC-DPH) applicable to the proposed Activity Center expanded boundary. The Form-Based Code regulations will minimize setbacks, address building placement, bringing them closer to the right-of-way to support human-scaled street enclosures, support non-auto movement and enhance the pedestrian experience. Innovative parking solutions that reduce parking requirements, allow for shared parking, and locate parking away from building frontages are included in the Form-Based Code, further supporting pedestrian movement. In addition, local streets support on-street parking.

Upon adoption of the Downtown Palm Harbor Master Plan, the proposed Activity Center boundary expansion will take effect upon the effective date of implementing zoning. The Form-

**COUNTYWIDE PLAN STRATEGIES
LAND USE GOAL 16.0
PLANNING AND URBAN DESIGN PRINCIPLES**

Based Code to assist in the implementation of the Master Plan and expanded Activity Center is being prepared by the County and the draft is provided in Appendix 5.

4. Public Realm Enhancements

As a result of the adopted 2001 Downtown Palm Harbor Master Plan, many of the public realm 'placemaking' best practices set forth in Land Use Goal 16 have been realized in Downtown Palm Harbor. Recommendations in the proposed Master Plan Update and an associated Form-Based Code further support enhancement of these features (e.g., on-street parking, sidewalks; street trees; street lighting, etc.) Many of the roadways in Downtown Palm Harbor were repaved and narrowed to provide space for the enhancements. A central focus of the plan was to increase safety and appearance of the public realm. On street parking provides a buffer between the travel lanes and pedestrians. Streetscape design included the installation of brick crosswalks, which delineate the surface texture from the asphalt road.

5. Ground Floor Design and Use

Ground floor uses in the proposed expanded Activity Center currently have specific standards as defined in the OPH-D Zoning District and continue to be part of the proposed Form-Based Code, delineating permitted used between the ground floor and upper floor uses. First-floor uses must be active, geared towards the pedestrian experience, intended to encourage human interaction and socialability.

6. Transition to Neighborhoods

When transitioning between neighborhoods, the Form-Based Code helps distinguish the central core of the downtown from the surrounding primarily residential neighborhoods. The mixed-use core is the most intense, and the transitioning districts soften requirements as you move towards the residential neighborhoods. Allowable uses that support the character of each district were identified. As such, less-intensive neighborhood-scaled non-residential uses remain permissible in the districts outside of the core central district, transition to the adjacent neighborhoods.

SUMMARY

From: Public/Semi-Public
To: Retail & Services
Area: 4.36 acres m.o.l.
Location: 4825 East Bay Drive

This proposed amendment is submitted by the City of Largo to amend a property from Public/Semi-Public (intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses) to Retail & Services (intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses).

The amendment area is located on East Bay Drive, abutting Newport Road and Bedford Circle East. It is currently a church owned property; however, the existing church and land use designation is considered anomalous and inconsistent with the majority of land uses on East Bay Drive, which are mostly retail, commercial and office. It is the applicant's intention to redevelop the site with new retail commercial uses, hence the proposed amendment. A Development Agreement between the applicant and City will restrict the applicant to lower intensity than is allowed by the local land use designation in order to reduce impacts of redevelopment to the adjacent neighborhood.

FINDINGS

Staff submits the following findings in support of the recommendation for approval:

- A. The Retail & Services category is appropriate for the proposed use of the property and is consistent with the criteria for utilization of this category.
- B. The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

Please see accompanying attachments and documents in explanation and support of these findings.

LIST OF MAPS & ATTACHMENTS:

Map 1 Location Map
Map 2 Jurisdictional Map
Map 3 Aerial Map
Map 4 Current Countywide Plan Map
Map 5 Proposed Countywide Plan Map

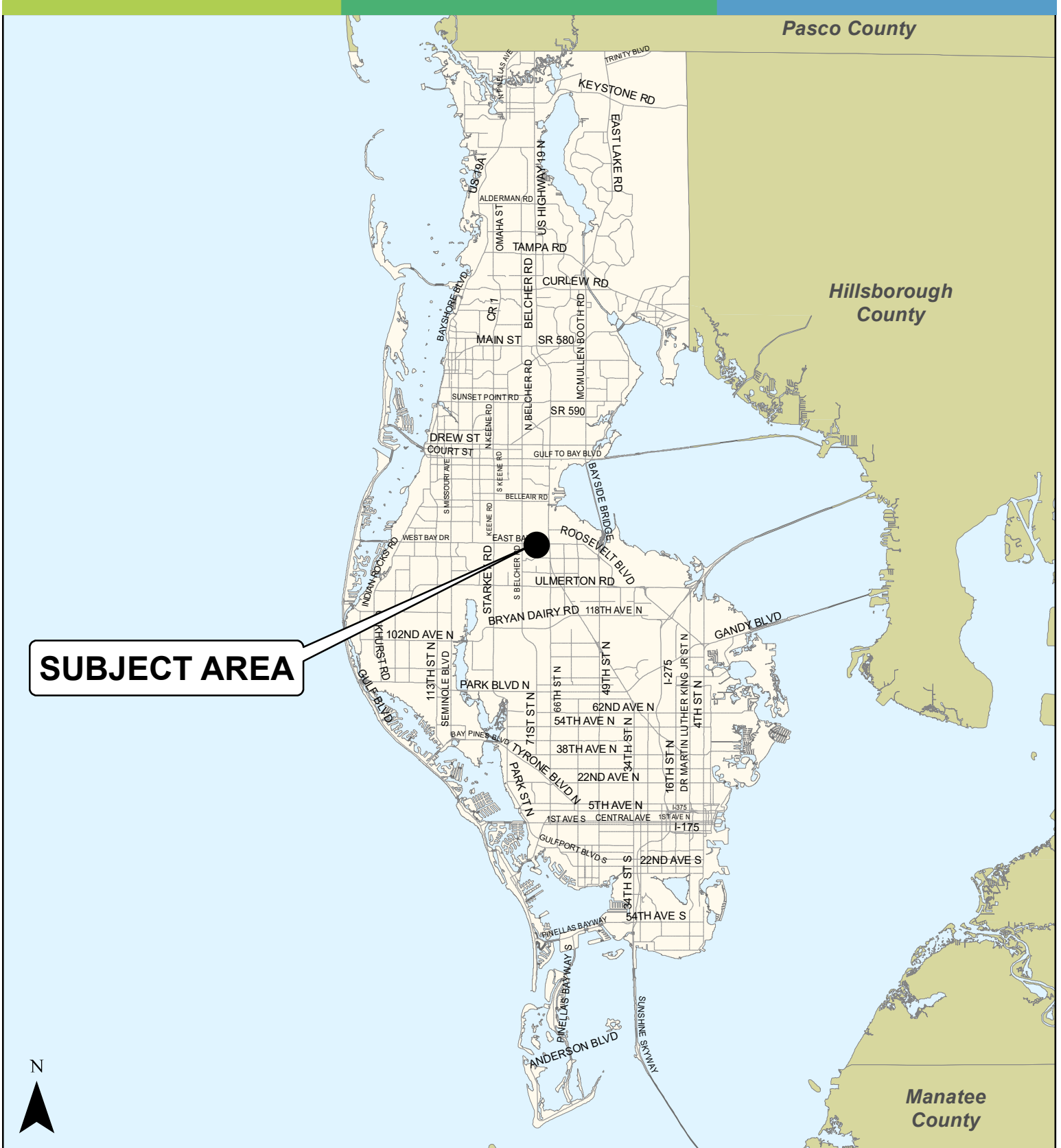
Attachment 1 Forward Pinellas Staff Analysis
Attachment 2 Development Agreement

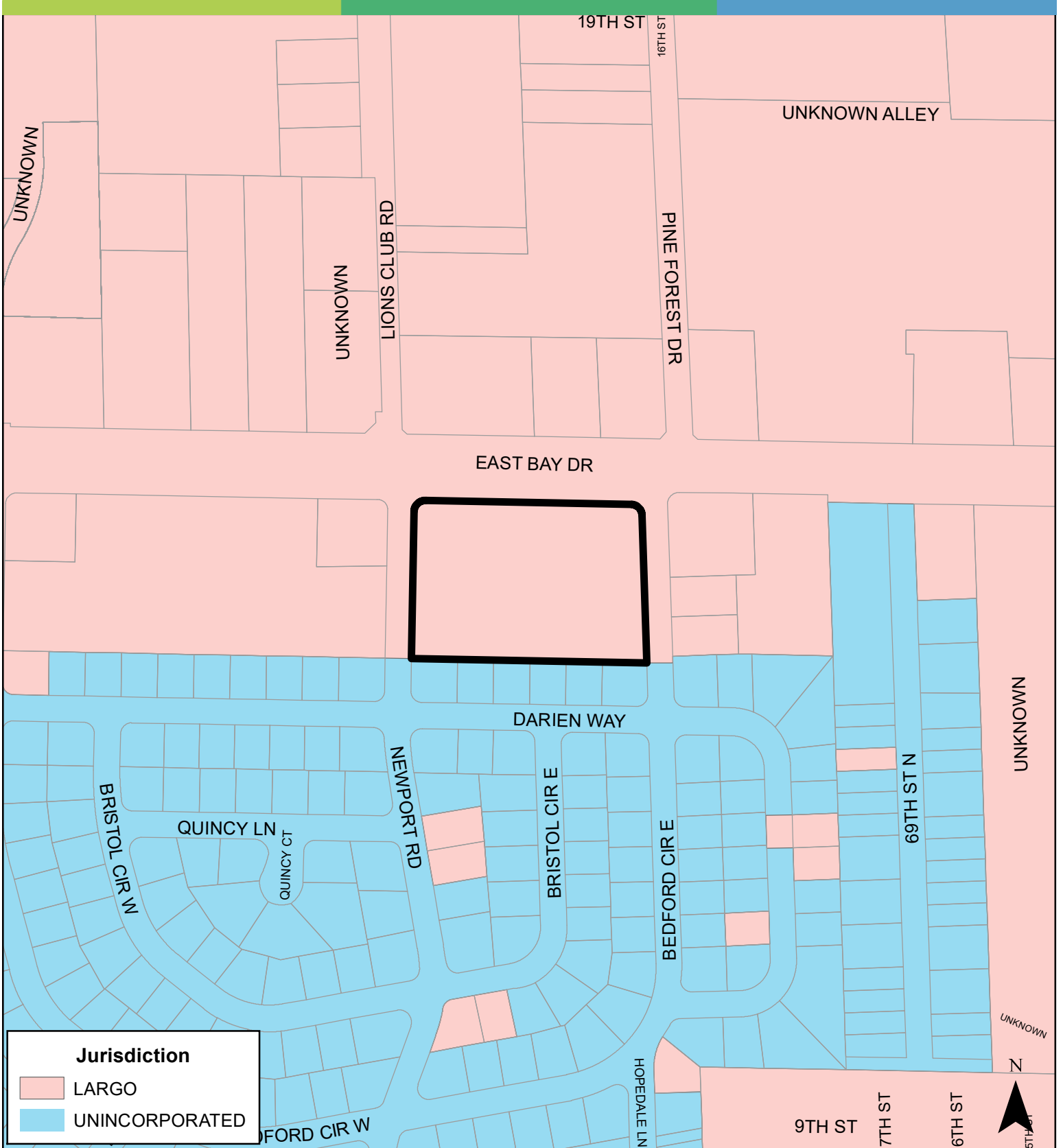
MEETING DATES:

Planners Advisory Committee, August 31, 2020 at 1:30 p.m.
Forward Pinellas, September 9, 2020 at 1:00 p.m.
Countywide Planning Authority, October 6, 2020 at 9:30 a.m.

Case CW20-15

Map 1: Location Map



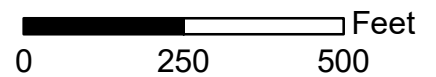


JURISDICTION: Largo

FROM: Public/Semi-Public

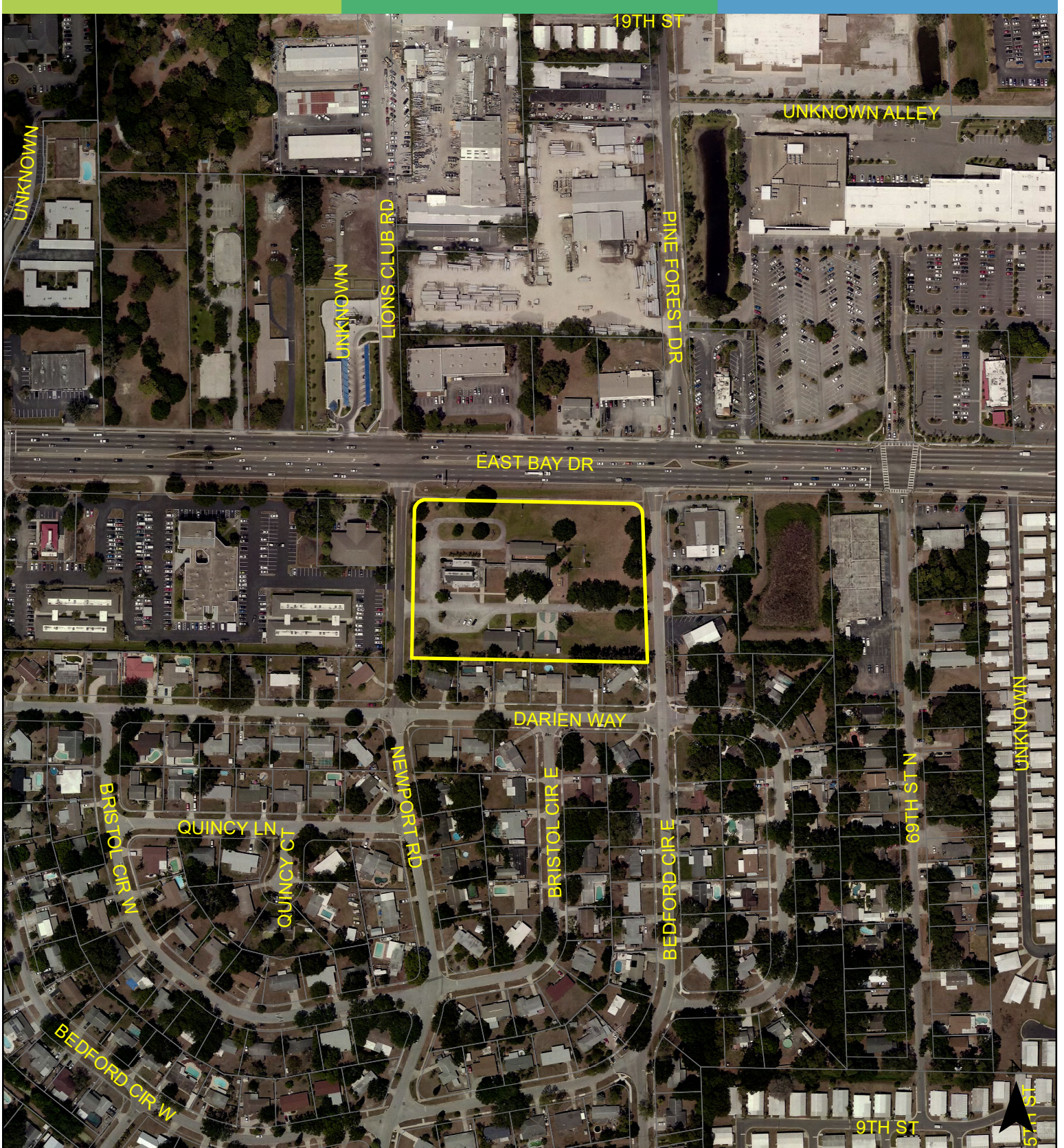
AREA: 4.36 Acres

TO: Retail & Services



Case CW20-15

Map 3: Aerial Map

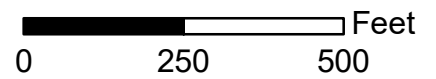


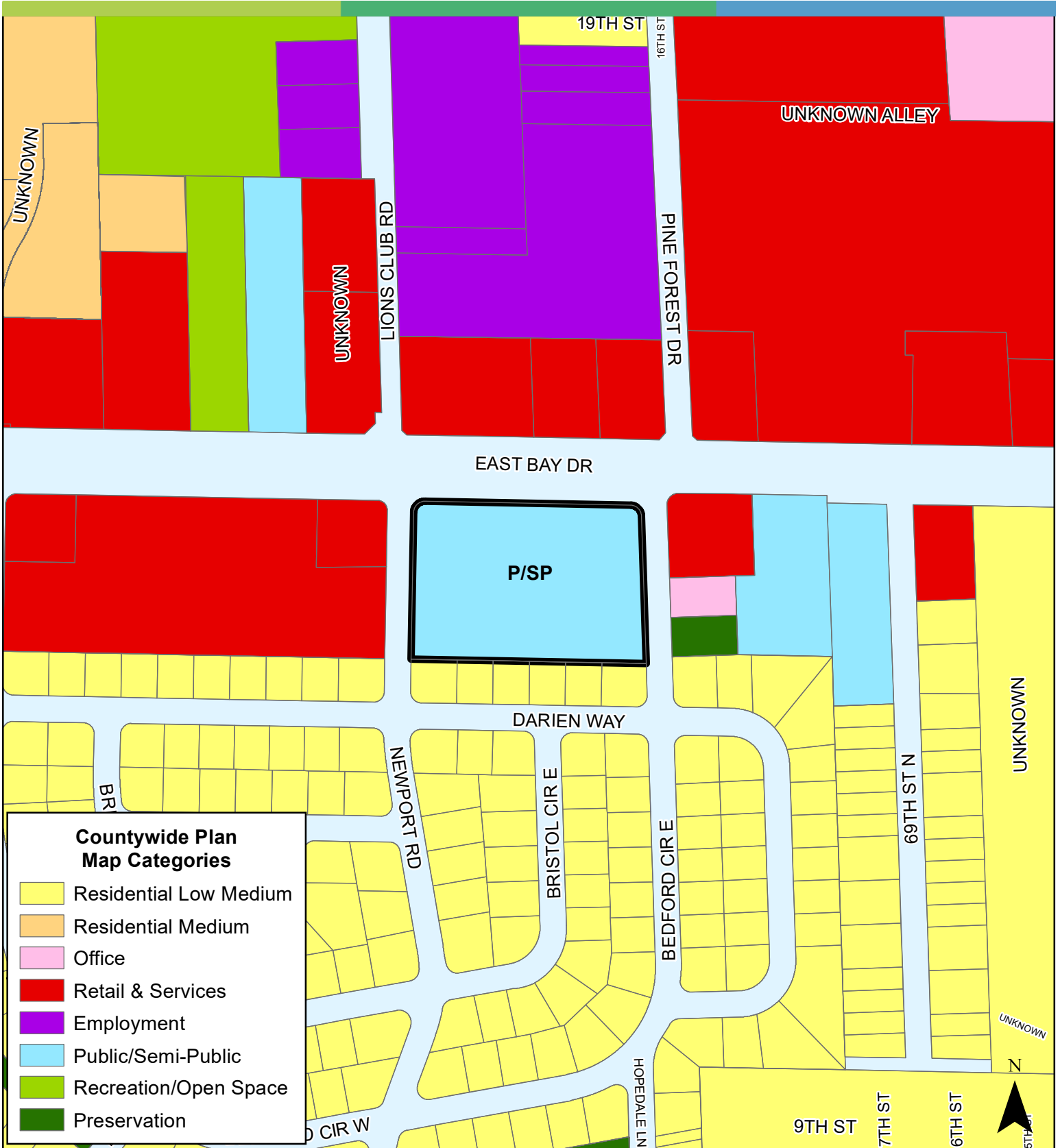
JURISDICTION: Largo

FROM: Public/Semi-Public

AREA: 4.36 Acres

TO: Retail & Services



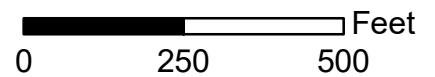


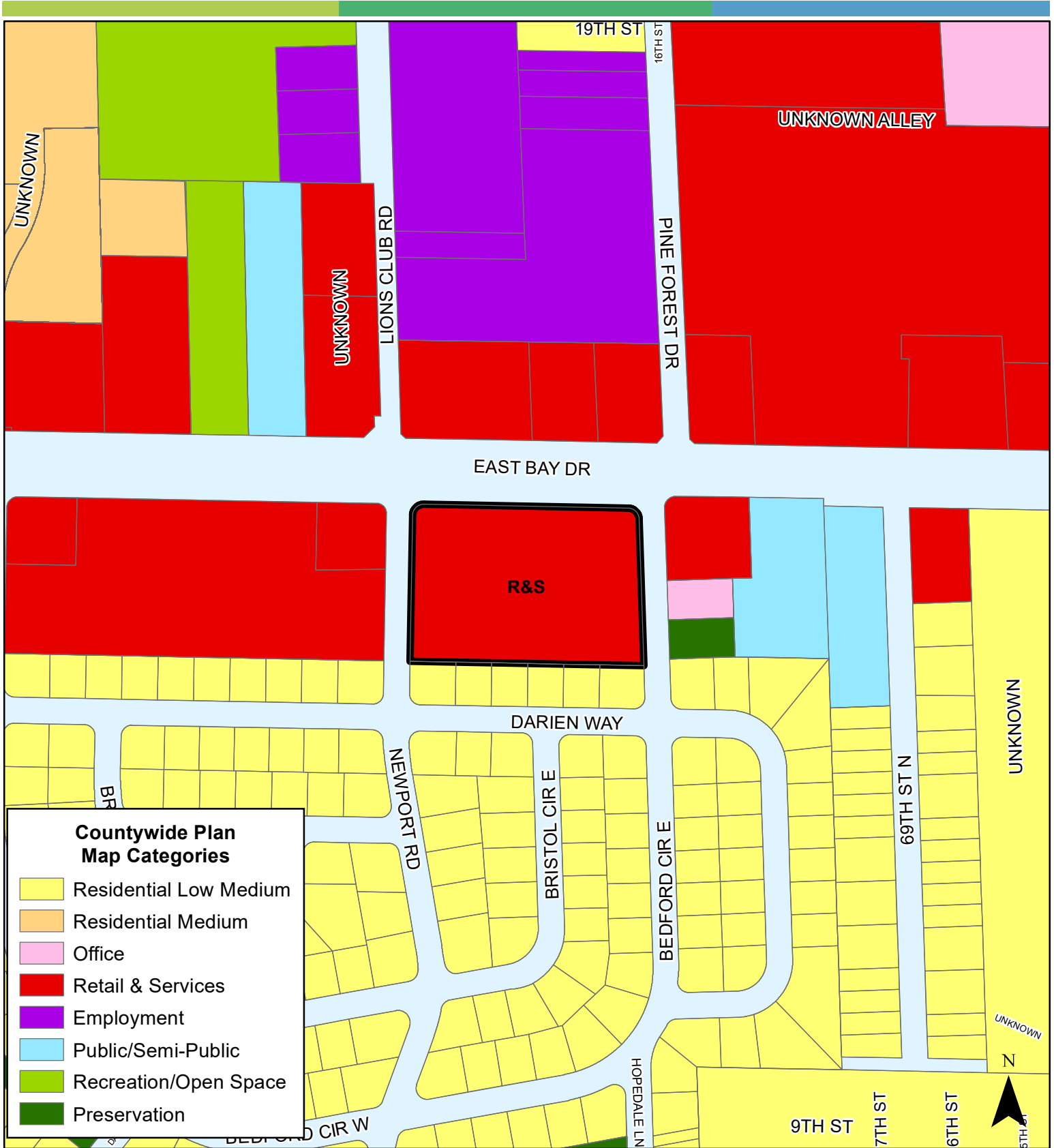
JURISDICTION: Largo

FROM: Public/Semi-Public

AREA: 4.36 Acres

TO: Retail & Services



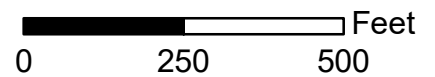


JURISDICTION: Largo

FROM: Public/Semi-Public

AREA: 4.36 Acres

TO: Retail & Services



CW 20-15
Forward Pinellas Staff Analysis

RELEVANT COUNTYWIDE CONSIDERATIONS:

- 1) **Consistency with the Countywide Rules** – The proposed amendment is submitted by the City of Largo and seeks to amend the designation of approximately 4.36 acres of property from Public/Semi-Public to Retail & Services.

The Countywide Rules state that the Retail & Services category is “intended to depict areas developed with, or appropriate to be developed with, a mix of businesses that provide for the shopping and personal service needs of the community or region, provide for employment opportunities and accommodate target employment uses, and may include residential uses as part of the mix of uses.”

The amendment area is located on East Bay Drive and abuts Newport Road and Bedford Circle East. It is currently a church owned property; however, the existing church and land use designation is considered anomalous and inconsistent with surrounding uses on East Bay Drive, which are mostly retail, commercial and office. It is the applicant’s intention to redevelop the site with new retail commercial uses, hence the proposed amendment. A Development Agreement between the applicant and City will restrict the applicant to lower intensity than is allowed by the local land use designation in order to reduce impacts of redevelopment to the adjacent neighborhood.

This amendment can be deemed consistent with this Relevant Countywide Consideration.

- 2) **Adopted Roadway Level of Service (LOS) Standard** – The amendment area is located near a roadway segment where the existing Level of Service is operating at a LOS “D” or better; therefore, those policies are not applicable.
- 3) **Location on a Scenic/Noncommercial Corridor (SNCC)** – The amendment area is not located within a SNCC; therefore, those policies are not applicable.
- 4) **Coastal High Hazard Areas (CHHA)** – The amendment area is not located within a CHHA; therefore, those policies are not applicable.
- 5) **Designated Development/Redevelopment Areas** – The amendment area is not located within a designated development/redevelopment area, so those policies are not applicable.
- 6) **Adjacent to or Impacting an Adjoining Jurisdiction or Public Educational Facility** – The proposed amendment area is not adjacent to a public educational facility; therefore, those policies are not applicable. The proposed amendment area is adjacent to unincorporated Pinellas County; however, County staff reviewed the amendment and found no issues.
- 7) **Reservation of Industrial Land** – The proposed amendment area does not involve the reduction of land designated as Industrial or Employment; therefore, those policies are not applicable.

Conclusion:

On balance, it can be concluded that the proposed amendment is deemed consistent with the Relevant Countywide Considerations found in the Countywide Rules.

**Prepared by and when
recorded mail to:**

**City Attorney
City of Largo
P.O. Box 296
Largo, FL 33779-0296**

DA20-001

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (“AGREEMENT”) is made and entered into this ___ day of _____, 2020, between the **CITY OF LARGO, FLORIDA**, a municipal corporation with its principal address located at is 201 Highland Avenue, Largo, Florida (“CITY”), and **PARADISE GROUP, LLC**, a Florida limited liability company with its principal address located at 2901 Rigsby Lane, Safety Harbor, Florida (“DEVELOPER”), the CITY and the DEVELOPER are together hereinafter referred to as the “PARTIES.”

RECITALS

WHEREAS, the DEVELOPER is party to a purchase and sale agreement pursuant to which the DEVELOPER has agreed to purchase fee simple title from the Evangelical Lutheran Church of Our Savior (“OWNER”) to the real property described on Exhibit "A," attached hereto and made a part hereof (the “PROPERTY”); and

WHEREAS, the CITY is authorized by the Florida Local Government Development Agreement Act, sections 163.3220 – 163.3243, Florida Statutes (the “Act”), and by the CITY's Comprehensive Development Code (the “CDC”) to enter into a development agreement with any person or entity having a legal or equitable interest in real property located within its jurisdiction; and

WHEREAS, section 4.6 of the CDC provides additional standards and requirements relevant to the CITY’s policies and procedures regarding development agreements which are consistent with the Act; and

WHEREAS, the PROPERTY has a future land use designation of Institutional (I), and the DEVELOPER has submitted an application to the City requesting a future land use map amendment to Residential/Office/Retail (R/O/R); and

WHEREAS, the CITY has determined that the terms of this AGREEMENT are consistent with the Comprehensive Plan adopted by the CITY (the “Comprehensive Plan”) and the CDC, unless otherwise expressly set forth herein; and

WHEREAS, the DEVELOPER wishes to develop a retail commercial facility on the PROPERTY, which totals approximately 4.34 acres (the “PROJECT”).

AGREEMENT

NOW, THEREFORE, in consideration of and in reliance upon the mutual promises, covenants, and findings contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the PARTIES voluntarily agree to enter into this AGREEMENT according to

the following terms and conditions:

Section 1. RECITALS.

The foregoing recitals are true and correct, and are incorporated herein by reference. All exhibits to this AGREEMENT are deemed to be part hereof.

Section 2. DEFINITIONS.

A. Development Controls Officer (DCO): The Director of the City of Largo Community Development Department or her/his designee.

B. Development Order (DO): A document issued by the DCO upon approval of an official board, commission, or administrative officer authorizing a specific use and development of the PROPERTY, and further authorizing the subsequent issuance of necessary permits.

C. Development Permit (DP): The final permission to erect, construct, reconstruct, alter, raze, move, or remove improvements, or otherwise develop the PROPERTY within the City of Largo. This includes, but is not limited to, the building permit, sign permit, etc.

D. Mortgagee: The holder of any mortgage or the beneficiary of any deed of trust covering all or part of the PROPERTY or the successor or assignee of any such mortgage holder, or beneficiary, provided that the CITY has received written notice from or on behalf of any such holder or beneficiary providing such party's address and stating its desire to receive notices with respect to this AGREEMENT pursuant to Subsection 14.5.

E. Public Infrastructure: Facilities to be located in deeded rights-of-way or easements and/or dedicated by plat to the use of the public in general, to include, but not limited to, roads, pedestrian sidewalks, sewer collection systems, water distribution systems, storm drainage systems, street lights, and street signage.

F. Private Infrastructure: Facilities for all infrastructure other than Public Infrastructure, including but not limited to roads, pedestrian sidewalks, sewer collection systems, storm drainage systems, street lights and street signage, necessary for the PROJECT.

Section 3. LEGAL DESCRIPTION OF PROPERTY

The PROPERTY is legally described on Exhibit "A" which is attached to and made a part of this AGREEMENT.

Section 4. RELATIONSHIP OF PARTIES SUBJECT TO THIS DEVELOPMENT AGREEMENT

The DEVELOPER is unrelated to the CITY. The CITY is a municipal corporation organized under Florida law. The relationship between the DEVELOPER and the CITY with respect to the subject-matter of this AGREEMENT is contractual and is set forth completely in this AGREEMENT.

Section 5. DURATION OF AGREEMENT

5.1 This AGREEMENT shall become effective on the date this AGREEMENT is properly recorded in the public records of Pinellas County, Florida (the "Effective Date").

5.2 The duration of this AGREEMENT shall be for a period of twenty (20) years from the Effective Date. The duration of this AGREEMENT may also be extended by mutual consent of the PARTIES to the extent that any such extension is not contrary to the laws of the State of Florida or the CDC at the time of the extension.

5.3 The Developer is applying to the CITY to change the land use designation for the PROPERTY to Residential/Office/Retail (R/O/R). If the DEVELOPER's application for the land use change to Residential/Office/Retail (R/O/R) is not approved by all necessary governmental entities, this AGREEMENT shall terminate without any action or notice of the Parties. If the AGREEMENT terminates pursuant to this paragraph, the Parties agree to sign a written termination and the DEVELOPER will record any documents necessary to document the termination of this AGREEMENT at the Developer's sole cost.

5.4 In the event of termination of this AGREEMENT because of DEVELOPER's failure to comply with Section 13.3 or for any other reason prior to the issuance of all required certificates of occupancy for the Project, the CITY may elect to change the future land use designation of the PROPERTY back to Institutional (I) or to any other future land use classification the City deems appropriate at the time of termination, and DEVELOPER agrees not to object to the change of the future land use designation, agrees not to claim any vested rights based on the change of the future land use designation to Residential/Office/Retail (R/O/R), and waives and releases any and all claims arising out of the CITY's determination to revert the future land use designation back to Institutional (I) or to some other classification, including any claims under the Bert Harris Act.

Section 6. OBLIGATIONS OF THE DEVELOPER

The obligations of this AGREEMENT shall be binding on the DEVELOPER and its successors and assigns.

6.1 The DEVELOPER has submitted to the CITY a conceptual site plan, attached hereto as Exhibit "B" ("Conceptual Site Plan"). The DEVELOPER shall develop the PROPERTY in accordance with the Conceptual Site Plan, as modified from time to time subject to CITY approval as herein provided. The PARTIES recognize that as of the time of this AGREEMENT, it is currently uncertain as to the specific allowable uses that will be developed, the exact and final number, square footage, location and design of the buildings and driveway access points.

6.2 The DEVELOPER shall submit preliminary and final site plans for approval to the CITY consistent with the CDC, the Conceptual Site Plan, and this AGREEMENT, and applicable comments of federal, state, county or district agencies. The preliminary site plan and the final site plan must each be approved by the CITY and the final site plan must receive a Development Order and concurrency approval in compliance with all applicable CDC requirements, except as otherwise allowed in Section 6.4 of this AGREEMENT.

6.3 Any revisions to the Conceptual Site Plan must be submitted to the CITY for final approval and shall reflect the final site plan and revisions necessary to comply with the restrictions and performance standards in the AGREEMENT, the CDC, and generally in accordance with the Activity Center Design Guidelines.

6.4 At the time of development of the PROPERTY, DEVELOPER will submit such applications and documentation as are required by law, all applicable technical codes, and the CDC, as they exist on the Effective Date of this AGREEMENT. In the event that DEVELOPER fails to apply for development permits, including but not limited to the Master Development Plan under paragraph 6.5.2, within two (2) years of the Effective Date, including any extension granted by the CDO or by statute, and commence construction within 12 months from the issuance of a development permit, the PROPERTY shall be subject

to any new CDC requirements subsequently adopted, including but not limited the special area plan activity center overlay designation.

6.5 Development Restrictions. The following restrictions shall apply to development of the PROPERTY, even if there is a more restrictive provision of the CDC directly conflicting with these restrictions:

6.5.1 *Use Restrictions.*

6.5.1 A The allowable use of the PROPERTY shall be limited to predominantly retail commercial uses.

6.5.1 B The following uses of the PROPERTY shall be prohibited: adult uses, bars, taverns, nightclubs, mechanical repair shops, recycling centers, vehicle sales, hospitals, manufacturing, contractor yards, storage facilities, indoors and outdoors race track, sports arenas and stadiums, car washes, and gas stations, all as defined in the CDC.

6.5.1 C The PARTIES acknowledge that DEVELOPER may wish to submit a site plan for a convenience store with gas station use on a portion of the Property at some point in the future. Upon completion of the DCO's review of a preliminary site plan submitted by DEVELOPER that includes a convenience store with a gas station use, the DCO may consider whether or not to recommend to the City Commission the approval of an amendment to this Agreement to permit the convenience store with a gas station use. Nothing in this Agreement binds the DCO to recommend approval of such an amendment, nor does it bind the City Commission to approve such an amendment.

6.5.2 *Master Development Plan.* The PROPERTY shall be planned, permitted, and developed as a phased development in accordance with CDC, Sec. 3.6- Level II, Phased Development Site Plan.

6.5.3 *Buffering and Landscaping.*

6.5.3.A DEVELOPER shall construct a buffer around the perimeter of the PROPERTY as follows:

6.5.3.A(1) A 15 foot wide street side Type B buffer, as described in the CDC, along the northern boundary of the PROPERTY

6.5.3.A(2) A 30 foot wide Type C buffer, as described in the CDC, with a 6 foot opaque wall for heavy commercial uses, including uses with loading docks and drive-thrus, and a 20 foot wide Type B buffer, as described in the CDC, with a 6 foot opaque wall for light commercial uses, along the southern boundary of the PROPERTY

6.5.3.A(3) A 10 foot wide street side Type A buffer, as described in the CDC, along the eastern and western boundaries of the PROPERTY.

6.5.4 *Building Elevations and Architectural Design.*

6.5.4.A The preliminary site plan submittal shall include building elevations that include sufficient architectural elements to create visual interest and break up building massing. Architectural treatments on facades facing public right-of-ways shall include elements such as roof parapets of varying height, recesses and projections, banding, decorative columns, etc. Blank walls of greater than 20 feet shall not be permitted. The final site plan shall include the building elevations and the project shall be constructed consistent with the approved building elevations.

6.5.4.B Predominant exterior building materials shall be composed of high quality materials, such as architectural block, brick, concrete with an architectural finish, stucco, or glass. Exterior building materials shall not include unfinished concrete panels, pre-fabricated metal panels or smooth face concrete block. Façade colors shall be neutral or muted colors. The use of bright "primary" colors shall be prohibited. Accent colors may be brighter and more intense but shall harmonize with the dominant building color.

6.5.5 *Trash Collection, Loading Docks, Utility and Service Areas.*

6.5.5.A Areas for trash collection and compaction, loading docks, utility and other service functions shall be incorporated into the overall design of the building using decorative and durable materials consistent with the building facades.

6.5.5.B All containers for trash collection and compaction are required to be screened from the right-of-way and all adjacent properties. Enclosures shall be a minimum of six (6) feet in height and constructed of solid masonry walls with solid gates that totally conceal all of the contents. Where possible, they should be located behind buildings, away from streets, and obscured from public view from driveways.

6.5.5.C Additional plantings shall be provided adjacent to these areas that are visible from the public right-of-way to further enhance the appearance of the enclosure.

6.5.6 *Loading Dock Setbacks.* Loading dock setbacks shall be 40 feet from the southern boundary of the PROPERTY as measured from the south edge of the loading truck's trailer in the parked position, to the south boundary of the PROPERTY.

6.5.7 *Mechanical Equipment.* Mechanical equipment (including roof-mounted equipment) shall be screened from view from the public right-of-way and adjacent properties. This may include air conditioners, electrical transformers, and trash collection equipment including receptacles and compactors.

6.5.8 *Pinellas Suncoast Transit Authority (PSTA) Bus Stop.* The DEVELOPER shall coordinate with PSTA, the CITY, and any other regulatory agency with jurisdiction, to design and construct, at DEVELOPER's sole expense, an enhanced PSTA bus stop (concrete pad and shelter) along the frontage of the northern boundary of the PROPERTY, along East Bay Drive. If there is insufficient existing right-of-way to accommodate the enhanced bus stop, the DEVELOPER shall provide an easement on the

PROPERTY to PSTA for public access to the enhanced bus stop and access for PSTA to use and maintain the enhanced bus stop. The exact location of the bus stop will be determined by PSTA. In addition, the design and construction of the PSTA bus stop shall be approved by PSTA, the CITY Engineer, and any other regulatory agency with jurisdiction over the bus stop prior to the issuance of any permits for the construction of the PSTA bus stop. DEVELOPER shall be responsible for all costs associated with the permitting and construction of the bus stop. If PSTA, in its sole discretion, determines that a bus stop at the PROPERTY is not warranted, the DEVELOPER shall not be obligated to design and construct the enhanced bus stop.

6.5.9 Internal Circulation, Sidewalks, and Connectivity.

- 6.5.9.A The PROJECT shall provide for safe internal connectivity between all buildings, parking areas and surrounding roadways for vehicles and pedestrians. Internal pedestrian connectivity shall include sidewalks or pavement marking when crossing vehicular use areas.
- 6.5.9.B Sidewalks shall be provided along the full length of the primary façade of all buildings.
- 6.5.9.C If the PROPERTY is subdivided into more than one parcel, cross access agreements shall be recorded with the plat.

6.5.10 Large Scale Retail Development Standards. Should DEVELOPER propose to construct 50,000 square feet or more of commercial uses or a mix of commercial and office uses, the PROPERTY will be subject to the standards and requirements of CDC, Chapter 13—Large Scale Retail Development Standards.

6.5.11 Traffic Study.

- 6.5.11.A Prior to preliminary site plan submittal, the DEVELOPER shall conduct a traffic study to determine the PROJECT's traffic impact and operational movements for the property development on all adjacent roadways including Darien Way.
- 6.5.13 B DEVELOPER shall construct any necessary improvements as needed to accommodate the PROJECT's traffic impact and operational movements, which will be determined by the CITY's Engineering Department at the time of the site plan review. These improvements may include, but are not limited to, turn lanes, truck route signage, traffic calming, and pedestrian safety improvements such as crosswalks on adjacent local streets.

Section 7. OBLIGATIONS OF THE CITY

In addition to its application for a future land use change, DEVELOPER shall submit to the CITY and the CITY shall process preliminary and final site plan applications for the PROPERTY that are incorporated as part of this AGREEMENT in accordance with the procedures set forth in the CDC.

Section 8. DEVELOPMENT OF THE PROPERTY

8.1 Applicable Rules, Regulations, and Policies.

8.1.1. Subject to the terms of Section 6.4 of this AGREEMENT, the ordinances, rules, regulations and policies in existence on the Effective Date (excluding those governing impact fees or fee rates, which may be established from time to time in accordance with applicable law) shall govern the development of the PROPERTY for the duration of this AGREEMENT. All existing ordinances, rules, codes, regulations and policies at the termination of this AGREEMENT shall become applicable to the PROPERTY regardless of the terms of this AGREEMENT.

The PROJECT may be subject to ordinances and policies adopted by the CITY after the Effective Date so long as the CITY holds a public hearing and determines that such new ordinances and policies:

1. Are not in conflict with the laws and policies governing this AGREEMENT and do not prevent development of the land uses, intensities, or densities as allowed under this AGREEMENT;
2. Are essential to the public health, safety, or welfare, and expressly state that they shall apply to a development that is subject to a development agreement;
3. Are specifically anticipated and provided for in this AGREEMENT; and
4. The CITY demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of this AGREEMENT, or this AGREEMENT is based on substantially inaccurate information provided by the DEVELOPER.

8.2 Subsequent Laws and Policies. Subsequent adopted laws and policies of general application in the CITY, including laws and policies pertaining to impact fees, shall be applicable to the PROPERTY.

8.3 State and Federal Laws. This AGREEMENT shall not preclude the applicability to the PROJECT of changes in rules, regulations, or policies enacted by state or federal laws after the execution of this AGREEMENT. In the event of the subsequent enactment of any law which, in any PARTY's reasonable judgment, would preclude its compliance with the terms of this AGREEMENT, the affected PARTY shall so notify the other PARTY in writing, and the PARTIES shall use their reasonable efforts to modify this AGREEMENT in order to afford each PARTY with the reasonable opportunity to perform its obligations hereunder to the maximum extent permitted by any such subsequent law. In the event that such modification shall deprive any PARTY of any material benefit intended to have been afforded it by this AGREEMENT, the PARTY so deprived may cause this AGREEMENT to be terminated or may avail itself of such other rights and remedies as may then be available to it in order to realize the benefits intended to have been provided to it hereunder.

Section 9. PUBLIC FACILITIES

9.1 General. DEVELOPER shall design, construct, and maintain, until conveyance to and acceptance by the CITY and/or Pinellas County, all Public Infrastructure necessary for the PROJECT, including but not limited to the sidewalk described in section 6.5.9, providing that said Public Infrastructure facilities have received final site plan approval and construction plan approval by the CITY and/or Pinellas County, and that all review procedures have been complied with fully. Public Infrastructure shall be completed, inspected, and accepted by the CITY and/or Pinellas County prior to the issuance of any certificates of occupancy for the PROPERTY.

9.2 Private Infrastructure. DEVELOPER shall design, construct and maintain, until conveyance, if any, all Private Infrastructure, providing, that said Private Infrastructure has received final site plan approval

and construction plan approval by the CITY, and that all review procedures have been complied with fully. Private Infrastructure shall be inspected and approved by the CITY, and any other required governmental agencies, prior to the issuance of any certificates of occupancy for the PROPERTY.

9.3 Off-Site Public Infrastructure. DEVELOPER shall be required to construct off-site public facilities to mitigate negative impacts on adopted levels of service caused by the PROJECT as determined during the full site plan review process.

9.4 Public Facilities to Service Development. The following public facilities are presently available to the PROPERTY from the sources indicated below. Development of the PROPERTY will be governed by and must satisfy CITY or Pinellas County concurrency ordinance provisions, if applicable, in effect at the time of the Effective Date of this AGREEMENT.

9.3.1. Potable water from Pinellas County.

9.3.2. Sanitary sewer service from the CITY.

9.3.3. Fire protection from the CITY.

9.3.4. Drainage facilities for the PROPERTY are as designated on the Conceptual Site Plan and approved by the Southwest Florida Water Management District.

9.5 Remedies/Enforcement Mechanism. In the event DEVELOPER fails to comply with the requirements of this Section 9, the CITY'S remedy shall be to withhold the certificate(s) of occupancy for structures located on the PROPERTY.

Section 10. DEDICATION OF LAND FOR PUBLIC PURPOSES.

To the extent that DEVELOPER has not done so, the DEVELOPER shall dedicate those portions, if any, of the PROPERTY required for water, sanitary sewer, drainage, utilities, the sidewalk described in section 6.5.9 above, and other publicly owned properties by plat dedication, warranty deed, easement, or by title instrument satisfactory to the Development Controls Officer.

Section 11. REQUIRED DEVELOPMENT PERMITS

Local development permits which must be approved and issued to DEVELOPER or their successors in interest may include, but are not limited to the following:

- A. Development Order;
- B. Development/Building/Utility Permits;
- C. Plat Approval;
- D. Site Plan approval(s) and associated utility licenses and right-of-way utilization permits;
- E. Construction plan approval(s);
- F. Concurrency determination from Pinellas County on state and county facilities and services;

- G. Drainage permit from Southwest Florida Water Management District and the Department of Environmental Protection (DEP);
- H. Certificates of occupancy;
- I. Future Land Use Map Amendment approval by the CITY, the Pinellas Planning Council (PPC), and the Countywide Planning Authority (CPA);
- J. All other approvals or permits as required by existing or future governmental regulations as they now exist, or as they may exist in the future.

Section 12. AMENDMENT OF AGREEMENT AND DEVELOPMENT ORDER

This AGREEMENT may be amended from time to time by written mutual consent of the PARTIES or their successors in interest, in accordance with section 163.3237, F.S.

Section 13. ANNUAL REVIEW, DEFAULT, AND REMEDIES

13.1 General Provisions. Neither PARTY shall be in default of this AGREEMENT unless it has failed to perform any of its obligations under this AGREEMENT for a period of thirty (30) days after its receipt of written notice from the other PARTY specifying the nature of the alleged default and the manner in which said fault may be satisfactorily cured. If the nature of the alleged default is such that it cannot reasonably be cured within said thirty (30) day period, the commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure within such period. Except as set forth in Section 9.4 above, upon default by a PARTY under this AGREEMENT, the PARTY not in default shall have all rights and remedies provided by law, including but not limited to the right to terminate this AGREEMENT, the right to seek specific performance, and the right to file for injunctive relief in the Sixth Judicial Circuit Court in and for Pinellas County, Florida to enforce the terms of the AGREEMENT or to challenge compliance of this AGREEMENT with the provisions of F.S. 163.3220 - 163.3243. Should any party be forced to retain an attorney to enforce any provisions of this AGREEMENT, the prevailing party shall be entitled to recover its reasonable attorneys' fees, cost, charges and expenses expended or incurred in pursuit of all such claims at every level, including pre-suit, pre-trial, trial and appeal and including any litigation over entitlement to the amount of attorneys' fees and cost owed.

13.2 Annual Review. Each year during the term of this AGREEMENT, beginning one (1) year after the Effective Date, the DEVELOPER shall submit a report to the CITY specifying performance and compliance with this AGREEMENT. The CITY shall review the annual report with the terms of this AGREEMENT, and either accept or reject the report based upon substantial, competent evidence that the DEVELOPER or its successors in interest have complied in good faith with the terms and conditions of this AGREEMENT. Failure to comply with the terms and conditions of this AGREEMENT after being provided with applicable notice and the opportunity to cure as set forth in Section 13.1 shall constitute an event of default under this AGREEMENT. Without limiting the generality of the foregoing, if the CITY finds, on the basis of substantial competent evidence, that there has been a failure on the part of the DEVELOPER to comply with its obligations under this AGREEMENT, the CITY may, after furnishing the default notice described in Section 13.1, exercise any one or more, or all, of its rights and remedies against the DEVELOPER under this AGREEMENT, at law or in equity, including terminating this AGREEMENT. It shall be the responsibility of the DEVELOPER to notify the CITY of any changes in ownership and other interest of the PROPERTY pursuant to Section 14.5.

13.3 Time Frame for Development of Property. The DEVELOPER shall complete construction of the building for the first phase of the Project, as evidenced by issuance of a certificate of completion for the

building, within three (3) years from the Effective Date, subject to any extensions granted by the DCO or required by statute, in accordance with section 3.6 of the CDC. The DEVELOPER shall complete construction of all phases of the Project, as evidenced by issuance of all required certificates of occupancy for the entire Project by the City, within ten (10) years from the Effective Date, subject to any extensions granted by the DCO or required by statute, in accordance with section 3.6 of the CDC.

Section 14. MISCELLANEOUS

14.1 Covenants Running with the Land. The provisions of this AGREEMENT shall constitute covenants which shall run with the land comprising the PROPERTY; the burdens and benefits hereof shall bind and inure to the benefit of the PARTIES hereto and their personal representatives, heirs, successors, grantees and, and a copy of this AGREEMENT shall be recorded among the Public Records of Pinellas County, Florida, upon execution of this AGREEMENT by the PARTIES hereto.

14.2 Mortgagee Rights. CITY shall provide any mortgagee, of which the CITY has notice, with written notice of any default by the DEVELOPER under this AGREEMENT concurrently with its delivery of such notice to the DEVELOPER, and give each mortgagee the same opportunity to cure such default as is provided to the DEVELOPER under this AGREEMENT and will accept any such cure from mortgagee as if such cure was tendered by DEVELOPER. Failure to provide such notice to mortgagee shall not give rise to any liability on the part of the CITY.

14.3 Transfer of PROPERTY. The DEVELOPER may assign or transfer all of or any portion of its interests, rights, or obligations under this AGREEMENT to any party acquiring an interest or estate in all or any portion of the PROPERTY. In the event of any transfer or assignment made by the DEVELOPER as provided in this Section, the assignee's express assumption of the DEVELOPER'S obligations under this AGREEMENT shall relieve the DEVELOPER of all prospective responsibility for the obligations so assumed. The DEVELOPER shall provide the CITY with written notice promptly after the completion of any transfer, assignment or conveyance of the PROPERTY or any portion thereof. If the DEVELOPER shall transfer all or any of the portion of the PROPERTY, the transferee shall succeed to all of DEVELOPER'S rights under this AGREEMENT as they affect the development to that portion of the Property so transferred, and the transferee shall automatically assume all obligations of the DEVELOPER hereunder which relate to the portion of the PROPERTY transferred to it. A transfer of all or part of the Property to any other person or entity not a party to this AGREEMENT shall release the DEVELOPER from its obligations hereunder relating only to the transferred property.

14.4 Construction. This AGREEMENT has been reviewed and revised by legal counsel for both the DEVELOPER and the CITY, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this AGREEMENT.

14.5 Notices. Any notice or request required or authorized to be given by the terms of this AGREEMENT or under any applicable law by either PARTY shall be in writing, hand delivered, or sent certified or registered mail, postage prepaid, return receipt requested. Such notice shall be addressed as follows:

As to the CITY:

Henry Schubert, City Manager
City of Largo
P.O. Box 296
Largo, FL 34649-0296

With a required copy concurrently to:

Alan S. Zimmet, Esq.
Bryant Miller Oliver, P.A.
One Tampa City Center, Suite 2700
Tampa, FL 33602

As to DEVELOPER:

PARADISE GROUP, LLC
2901 RIGSBY LANE
SAFETY HARBOR, FL 34695

With a required copy concurrently to:

BRIAN J. AUNST, SR.
625 COURT ST, STE 200
CLEARWATER, FL 33756

14.6 Severability. If any provision of this AGREEMENT or the application of any provision of this AGREEMENT to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, then, to the extent that the invalidity or unenforceability does not impair the application of this AGREEMENT as intended by the PARTIES, the remaining provisions of this AGREEMENT, or the application of this AGREEMENT to other situations, shall continue in full force.

14.7 Counterparts and Exhibits. This AGREEMENT may be executed in one or more counterparts, each of which when executed and delivered, shall be an original, but all such counterparts shall constitute one and the same instrument. To indicate their agreement to the above, the PARTIES or their authorized representatives or officers have signed this AGREEMENT. This AGREEMENT consists of 14 pages, including Notary acknowledgments, and in addition, two (2) exhibits which constitute the entire understanding and agreement of the PARTIES to this AGREEMENT. The following exhibits are attached to this AGREEMENT and incorporated herein for all purpose:

Exhibit "A"	PROPERTY (Legal Descriptions)
Exhibit "B"	Conceptual Site Plan

14.8 Completion of AGREEMENT. Upon the completion of performance of this AGREEMENT or its revocation or termination, the DEVELOPER or its successors in interest shall record a statement in the official records of Pinellas County, Florida, signed by the PARTIES hereto, evidencing such completion, revocation or termination, and shall forthwith deliver a copy of such statement to the City Manager or his designee.

14.9 Recording this AGREEMENT. This AGREEMENT shall be recorded, by the CITY, at the DEVELOPER'S cost, in the public records of Pinellas County, Florida, in accordance with the requirements of the Act.

14.10 Entire AGREEMENT. This AGREEMENT (including any and all exhibits attached hereto, all of

which are a part of this AGREEMENT to the same extent as if such exhibits were set forth in full in the body of this AGREEMENT), constitutes the entire agreement between the PARTIES hereto pertaining to the subject matter hereof.

14.11 Construction. The titles, captions and section numbers in this AGREEMENT are inserted for convenient reference only and do not define or limit the scope or intent and should not be used in the interpretation of any section, subsection or provision of this AGREEMENT. Whenever the context requires or permits, the singular shall include the plural, and plural shall include the singular.

14.12 Controlling Law and Venue. This AGREEMENT shall be construed by and controlled under the laws of the State of Florida. The PARTIES consent to jurisdiction over them in the State of Florida and agree that venue for any state action arising under this AGREEMENT shall lie solely in the courts located in Pinellas County, Florida, and for any federal action shall lie solely in the United States District Court for the Middle District of Florida, Tampa Division.

The remainder of this page intentionally blank. Please see following pages for signatures and exhibits.

IN WITNESS WHEREOF, the PARTIES have caused this AGREEMENT to be executed the day and year first above written.

By executing this AGREEMENT, the DEVELOPER acknowledges that the undersigned has the lawful authority granted by said entity to execute this AGREEMENT on behalf of the OWNER, and has been granted the right to bind the OWNER and DEVELOPER to the covenants and agreements herein above stated.

Entity Name: PARADISE GROUP, LLC

By (Signature): _____

Print Name: CHARLES A. ERNST, SR.

Title: OPERATING MANAGER

NOTARIZATION: CORPORATE/PARTNERSHIP/TRUST/OTHER ENTITY

STATE OF FLORIDA

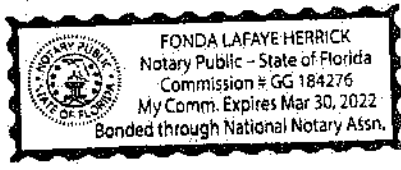
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th day of June, 2020,

by Charles A Ernst as Oper. Mgr of PARADISE GROUP, LLC, who acknowledged before me that he is authorized to execute this AGREEMENT on behalf of said entity and [] is personally known to me or [] has produced identification.

Type of identification produced: _____

My commission expires:
(Notary Seal)



Fonda L Herrick
Notary Public Signature

FONDA L HERRICK
Notary Public Print Name

CITY OF LARGO, Florida
a Municipal Corporation.

BY:

Henry Schubert, City Manager

ATTEST:

Diane Bruner, City Clerk

STATE OF FLORIDA
COUNTY OF PINELLAS

REVIEWED AND APPROVED BY:

Alan S. Z  By Alan S. Zimmer at 2:37 pm, 6/22/20
Zimmer, City Attorney

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by Henry Schubert, as City Manager of the CITY OF LARGO, FLORIDA, a municipal corporation, and he acknowledged before me that he executed the instrument on behalf of the CITY. He is personally known to me.

My commission expires:
(Notary Seal)

Notary Public Signature

Notary Public Print Name

EXHIBIT "A"

**PROPERTY
LEGAL DESCRIPTION OF THE PROPERTY**

All that tracts or parcels of land lying and being in the County of Pinellas, Florida, to wit:

A PARCEL OF LAND LYING IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER QUARTER-CORNER OF SAID SECTION 31; THENCE S 88°55'27" E ALONG THE EAST AND WEST $\frac{1}{4}$ LINE OF SAID SECTION 31, 33.00 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF EAST BAY DRIVE (SR 686) A DISTANCE OF 56.18 FEET TO A POINT OF INTERSECTION WITH THE PROLONGED EASTERLY RIGHT OF WAY BOUNDARY OF NEWPORT ROAD; THENCE S 01°04'13" W, ALONG THE SAID PROLONGED EASTERLY RIGHT OF WAY BOUNDARY OF NEWPORT ROAD, A DISTANCE OF 33.00 FEET, TO A POINT OF INTERSECTION WITH THE NORTHERN BOUNDARY OF NEW PORT UNIT NO. 1 AS RECORDED IN PLAT BOOK 53, PAGE 60, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S 01°04'13" W, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY OF THE 60 FOOT RIGHT WAY OF NEWPORT ROAD, AND THE BOUNDARY OF NEW PORT UNIT NO. 1, AS SHOWN ON THE SAID PLAT OF NEW PORT UNIT NO. 1 A DISTANCE OF 55.00 FEET FOR A POINT OF BEGINNING; THENCE ON AN ARC TO THE RIGHT OF 39.27 FEET, WITH A RADIUS OF 25.00 FEET SUBTENDE BY A CHORD OF 35.36 FEET, CHORD BEARING N 46°04'13" E, TO A POINT OF TANGENCY; THENCE S 88°55'47" E, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE 30 FOOT RIGHT OF WAY OF THE SERVICE ROAD (PROPOSED) 30.00 FEET SOUTHERLY OF AND PARALLEL TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF SAID EAST BAY DRIVE (SR-686) A DISTANCE OF 467.74 FEET TO A POINT OF CURVATURE; THENCE ON AN ARC TO THE RIGHT OF 37.99 FEET, WITH A RADIUS OF 25.00 FEET, SUBTENDE BY A CHORD OF 34.44 FEET, CHORD BEARING S 45°25'31.5" E, TO A POINT OF TANGENCY ON THE WESTERLY RIGHT OF WAY BOUNDARY OF THE 60 FOOT RIGHT OF WAY OF BEDFORD CIRCLE (EAST) AND THE BOUNDARY OF NEW PORT UNIT 1 AS SHOWN ON THE PLAT OF SAID NEW PORT UNIT NO. 1; THENCE S 01°51'16" E, ALONG SAID WESTERLY RIGHT OF WAY BOUNDARY OF BEDFORD CIRCLE (EAST) AND THE BOUNDARY OF NEW PORT UNIT NO. 1 A DISTANCE OF 336.72 FEET; THENCE N 88°55'47" W, CONTINUING ALONG THE NORTHERLY BOUNDARY OF BLOCK 49, NEW PORT UNIT NO. 1, A DISTANCE OF 534.88 FEET THENCE N 01°04'13" E, ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY OF NEW PORT ROAD, A DISTANCE OF 335.00 FEET TO THE POINT OF BEGINNING.

The subject properties as a whole contain 4.34 acres or 189,050 square feet, more or less.

ALSO KNOWN AS PINELLAS COUNTY PARCEL IDENTIFICATION NUMBERS 31-29-16-70344-400-0600

EXHIBIT "B"
CONCEPTUAL SITE PLAN
[SEE ATTACHED]

SITE DATA

TOTAL PROJECT AREA	4.34 AC
EXISTING LAND USE DESIGNATION	"I" (INSTITUTIONAL)
PROPOSED LAND USE DESIGNATION	"ROR" (RESIDENTIAL / OFFICE / RETAIL)
PARCEL IDENTIFICATION NUMBER	31-29-16-70344-400-0600
FEMA FLOOD ZONE DESIGNATION	ZONE "X" **

LANDSCAPE AND / OR SCREENING BUFFERS:	
NORTH	15 FT-WIDE LANDSCAPE BUFFER (TYPE B)
SOUTH	20 FT-WIDE LANDSCAPE BUFFER (TYPE B) WITH 6 FT-TALL OPAQUE SCREEN WALL
EAST	10 FT-WIDE LANDSCAPE BUFFER (TYPE A)
WEST	10 FT-WIDE LANDSCAPE BUFFER (TYPE A)

BUILDING SETBACKS:	
NORTH	125 FT FROM C/L OF EAST BAY DR (50 FT FROM R-Q-W LINE)
EAST	45 FT FROM C/L OF BEDFORD CIRCLE EAST (20 FT FROM R/W LINE)
WEST	45 FT FROM C/L OF NEWPORT RD (20 FT FROM R/W LINE)

MAXIMUM RESIDENTIAL DENSITY (ROR)	18 DU / ACRE
MIN LOT SIZE	7,500 SF
MAX FLOOR AREA RATIO	0.40
MAX IMPERVIOUS SURFACE RATIO (ISR)	0.85

* A FLUMA APPLICATION HAS BEEN SUBMITTED TO AMEND THE LAND USE DESIGNATION OF THIS PROPERTY FROM "INSTITUTIONAL" TO "RESIDENTIAL/OFFICE/RETAIL".
 ** PER FEMA FLOOD INSURANCE RATE MAP #12103C0136G (DATED SEPTEMBER 03, 2003), THE SITE RESIDES IN FLOOD ZONE "X", WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD PLAIN.


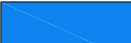

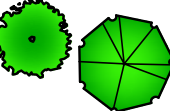


LOT DATA

LOT 1:	
PROPOSED LOT AREA	1.91 ACRES
POTENTIAL BUILDING AREA ENVELOPE	22,000 SF - 23,000 SF
PARKING SPACES PROVIDED	95 SPACES

LOT 2:	
PROPOSED LOT AREA	1.29 ACRES
POTENTIAL BUILDING AREA ENVELOPE	7,500 SF - 8,000 SF
PARKING SPACES PROVIDED	91 SPACES

LOT 3:	
PROPOSED LOT AREA	1.14 ACRES
POTENTIAL BUILDING AREA ENVELOPE	3,500 SF - 4,000 SF
PARKING SPACES PROVIDED	33 SPACES

LEGEND

-  PROPOSED PAVEMENT
-  PROPOSED STORMWATER MANAGEMENT AREA (SIZE AND LOCATION SUBJECT TO CHANGE)
-  POTENTIAL BUILDING ENVELOPE AREA
-  CANOPY TREE
-  UNDERSTORY TREE
-  SHRUBS

****DISCLAIMER****
 THIS SITE PLAN IS PURELY CONCEPTUAL IN NATURE AND IS ONLY INTENDED TO ILLUSTRATE THE DEVELOPMENT POTENTIAL OF THE PROPERTY FOR CITY STAFF TO REFERENCE DURING REVIEW OF THE PROPOSED DEVELOPMENT AGREEMENT. THE BUILDING PLACEMENT, BUILDING ENVELOPE AREAS, PARKING LAOUT AND ACCESS POINTS ARE SUBJECT TO CHANGE.

FULL ACCESS INTERSECTION

PROPOSED RIGHT-IN/OUT ACCESS

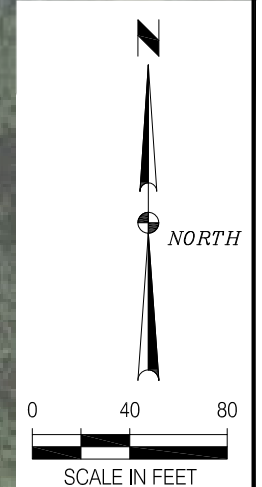
FULL ACCESS

FULL ACCESS

FULL ACCESS

FULL ACCESS

EAST BAY DRIVE (SR 686)
 AADT = 62,500



REVISION HISTORY	DESCRIPTION	REV. BY	DATE

PARADISE VENTURES
 PARADISE VENTURES, INC
 2901 Rigby Lane, Safety Harbor, FL 34895
 Phone - (727) 726-1115
 www.paradiseventuresinc.com

COMMERCIAL PROJECT
 4825 EAST BAY DRIVE
 LARGO, PINELLAS COUNTY, FL
CONCEPT SITE PLAN "A"

PM/DRAWN BY:	BWK
DATE:	01/27/20
SCALE:	AS SHOWN
TWP:	X
RANGE:	X
JOB NUMBER:	X
EXAMINED AND APPROVED DATE:	
SHEET NO.	1 OF 1

SUMMARY

The Countywide Rules include a procedure allowing local governments within Pinellas County to submit Countywide Plan Map boundary adjustments that are minor in nature and include only the following categories: Preservation and Recreation/Open Space.

These categories are often generalized on the Countywide Plan Map and, after site plan review at the local level or other action such as completion of a wetland jurisdictional determination, a more specific area can be delineated. To qualify for this process, the Countywide Rules require submission of one of the following: a letter of determination with accompanying legal description, a wetland jurisdictional survey, or final site plan.

More specifically, as per subsection 7.3.8.5 of the Countywide Rules, adjustments can be:

- Related to and consistent with a jurisdictional boundary determination under state agency rules which is consistent with such rules; or
- Related to and consistent with the purpose and characteristics of the particular plan category being adjusted and, absent a determination by the Executive Director to the contrary, based upon finding the local government with jurisdiction or its designee that such adjustment is de minimis in extent and effect.

The City of Safety Harbor is requesting a map adjustment to a property located at 2200 Marshall Street. The subject property includes 30.03 acres, of which 25.06 upland acres are designated Public/Semi-Public, and the remaining 4.97 acres are designated Preservation, of which 0.104 acres located on the east of the property have been identified as upland upon review.

The City has received an Environmental Resource Permit from the Southwest Florida Water Management District, confirming 0.104 acres as upland, resulting in a change of designation from Preservation to Public/Semi-Public. The request meets the requirements of the map adjustment process and is submitted for official acceptance.

LIST OF MAPS & ATTACHMENTS:

Map 1 Current Countywide Plan Map
Map 2 Proposed Countywide Plan Map

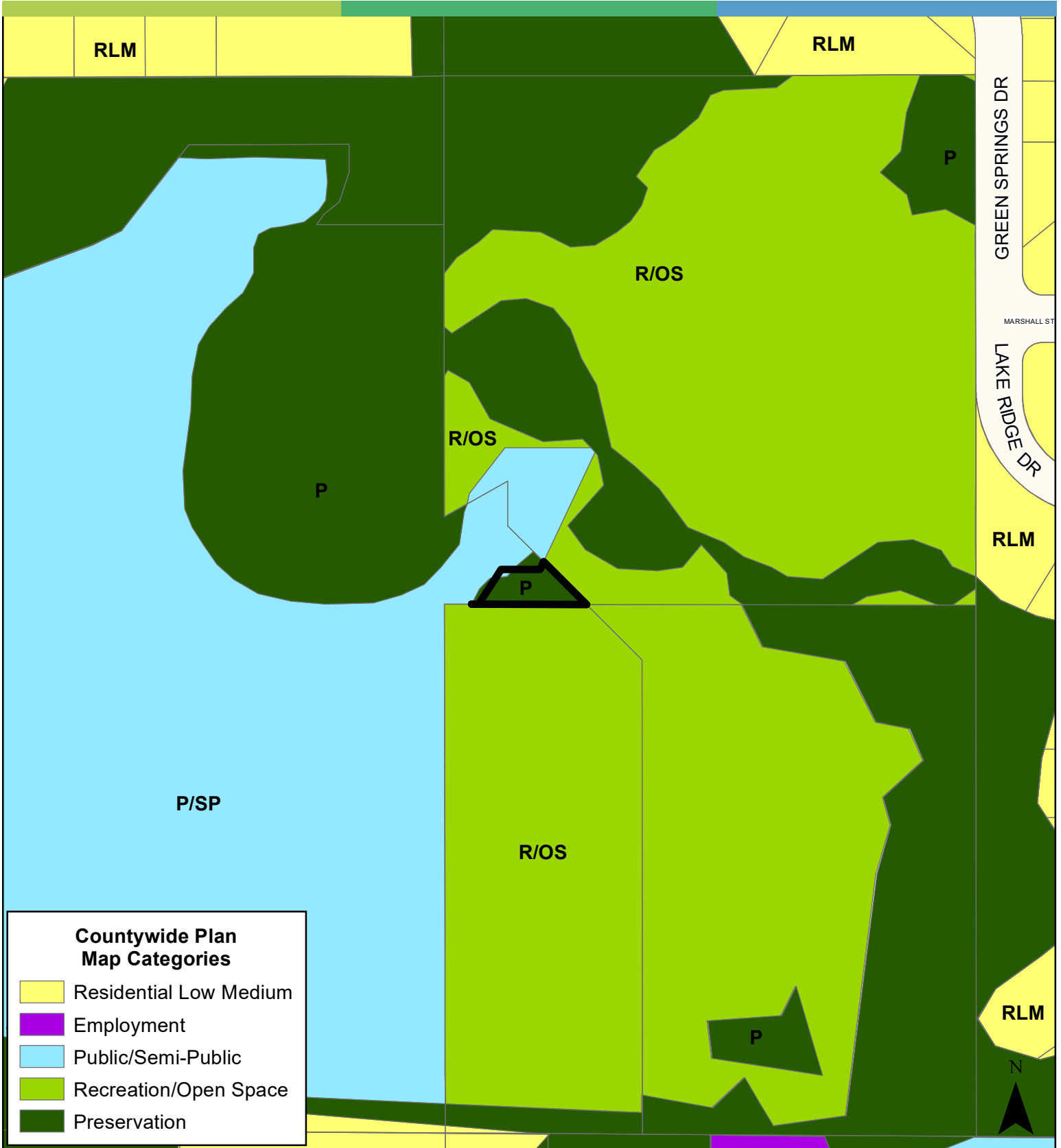
Attachment 1 SWFWMD Notice of Intended Agency Action
Attachment 2 Permitted Site Plan with Wetland Delineation

MEETING DATES:

Planners Advisory Committee, August 31 at 1:30 p.m.
Forward Pinellas, September 9, 2020 at 1:00 p.m.
Countywide Planning Authority, October 6, 2020 at 9:30 a.m.

Map Adjustment MA20-03

Map 1: Current Countywide Plan Map

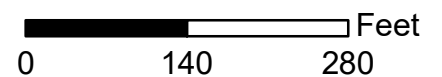


JURISDICTION: Safety Harbor

FROM: Preservation

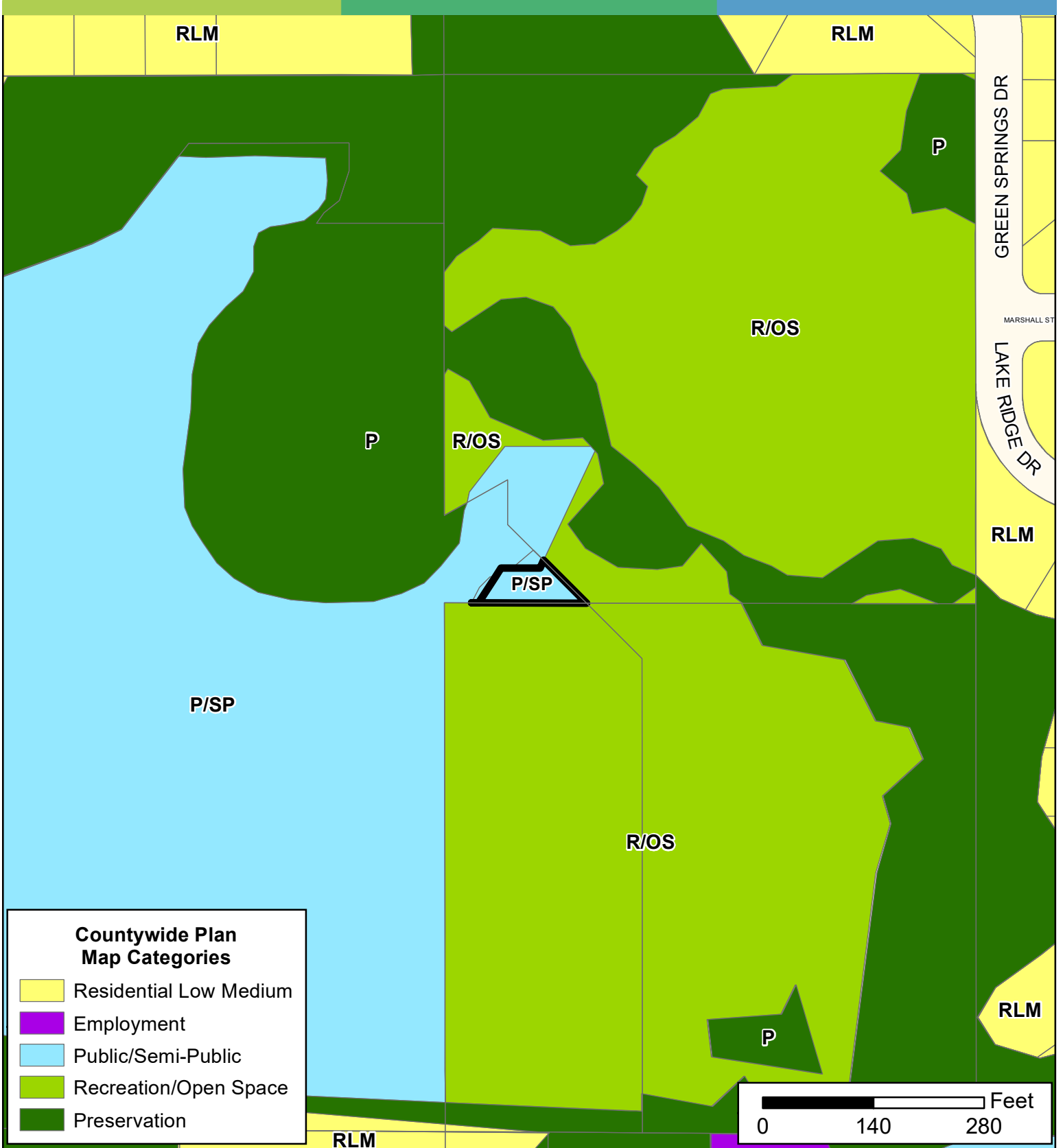
AREA: 0.104 Acres

TO: Public/Semi-Public



Map Adjustment MA20-03

Map 2: Proposed Countywide Plan Map



JURISDICTION: Safety Harbor

FROM: Preservation

AREA: 0.104 Acres

TO: Public/Semi-Public





Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

An Equal
Opportunity
Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

December 12, 2014

Harborside Christian Church
Attn: Dean McSpadden
2200 Marshall Street
Safety Harbor, FL 34695

Subject: **Notice of Intended Agency Action - Approval
ERP Individual Construction**

Project Name: Harborside Church Shared Park Entry Drive at Greensprings Drive
App ID/Permit No: 701408 / 43024558.001
County: PINELLAS
Sec/Twp/Rge: S33/T28S/R16E

Dear Permittee(s):

The Southwest Florida Water Management District (District) has completed its review of the application for Environmental Resource Permit. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at <http://www.18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx> and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.
Manager
Environmental Resource Permit Bureau
Regulation Division

cc: U. S. Army Corps of Engineers
Cumbey & Fair, Inc.
Pankaj Shah, P.E., Cumbey & Fair, Inc.



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

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Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

December 12, 2014

Harborside Christian Church
Attn: Dean McSpadden
2200 Marshall Street
Safety Harbor, FL 34695

Subject: **Notice of Agency Action - Approval
ERP Individual Construction**

Project Name: Harborside Church Shared Park Entry Drive at Greensprings Drive
App ID/Permit No: 701408 / 43024558.001
County: PINELLAS
Sec/Twp/Rge: S33/T28S/R16E

Dear Permittee(s):

The Southwest Florida Water Management District (District) is in receipt of your application for the Environmental Resource Permit. Based upon a review of the information you submitted, the application is approved. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

If you have any questions or concerns regarding your permit or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.
Manager
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Approved Permit w/Conditions Attached
 [As-Built Certification and Request for Conversion to Operation Phase](#)
 Notice of Authorization to Commence Construction
 Notice of Rights

cc: U. S. Army Corps of Engineers
 Cumbey & Fair, Inc.
 Pankaj Shah, P.E., Cumbey & Fair, Inc.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION
PERMIT NO. 43024558.001**

EXPIRATION DATE: December 12, 2019

PERMIT ISSUE DATE: December 12, 2014

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Harborside Church Shared Park Entry Drive at Greensprings Drive

GRANTED TO: Harborside Christian Church
Attn: Dean McSpadden
2200 Marshall Street
Safety Harbor, FL 34695

OTHER PERMITTEES: N/A

ABSTRACT: This permit authorization is for a new stormwater management system to serve the proposed road connection between the church and the intersection of Green Springs Drive and Marshall street. This road will have limited ingress/egress and is for the use of the church congregation for church services only. The road requires the crossing of Mullet Creek. A triple 6' x 4' box culvert is proposed for the crossing. Water quality treatment and attenuation will be provided in the proposed wet detention pond. Compensation for the floodplain encroachment will be provided in the mitigation area.

OP. & MAIN. ENTITY: Harborside Christian Church

OTHER OP. & MAIN. ENTITY: N/A

COUNTY: PINELLAS

SEC/TWP/RGE: S33/T28S/R16E

**TOTAL ACRES OWNED
OR UNDER CONTROL:** 10.34

PROJECT SIZE: 2.40 Acres

LAND USE: Semi-Public

DATE APPLICATION FILED: August 28, 2014

AMENDED DATE: N/A

I. Water Quantity/Quality

POND No.	Area Acres @ Top of Bank	Treatment Type
Pond P1	0.19	MAN-MADE WET DETENTION
Mitigation Area M-1	0.20	NO TREATMENT SPECIFIED
	Total: 0.39	

Water Quantity/Quality Comments:

The proposed wet detention pond will provide water quality treatment and attenuation of the 25-yr, 24-hr storm event. Overtreatment is provided in the pond since a portion of the project area cannot be graded to the pond without causing additional wetland impacts. The design also includes two ditch blocks within the roadside swale to minimize the roadway runoff that is not being treated.

A mixing zone is not required.

A variance is not required.

II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.04	0.10	Equivalent Excavation	N/A

Floodplain Comments:

The project includes impacts to the 100-year floodplain of Mullet Creek. A floodplain analysis of the Safety Harbor Watershed, which was completed in 2006, was utilized to demonstrate that the proposed project would not have adverse impacts. Floodplain encroachment impacts will be compensated for in the mitigation area (M-1). The model documents that the filling of the creek with the triple 6' x 4' box culvert will not result in any increase in upstream or downstream stages for the 100-yr, 24-hr storm event.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
W-1	0.03	0.00	0.03	0.02	0.00	0.00
Total:	0.03	0.00	0.03	0.02	0.00	0.00

* For impacts that do not require mitigation, their functional loss is not included.

Wetland/Other Surface Water Comments:

There is 0.03 acre of wetlands (W-1, FLUCCS 510) located within the project area for this ERP. Permanent filling impacts to 0.03 acre of Wetland W-1 (Mullet Creek) will occur for construction of a roadway crossing. Permanent filling impacts to 0.03 acres of qualifying wetlands were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the UMAM analysis indicate a functional loss of 0.02 unit due to the permanent impacts proposed.

Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement + Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Mitigation Area M-1	0.04	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	0.04	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Mitigation Comments:

Wetland mitigation for permanent filling impacts will be provided by the onsite creation of a 0.04 acre wetland (Mitigation Area M-1, FLUCCS 641). The results of the UMAM analysis indicate a functional gain of 0.02 unit which offsets the 0.02 unit of functional loss proposed to wetland habitat. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat.

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit may be terminated, unless the terms of the permit are modified by the District or the permit is transferred pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. The Permittee shall retain the design professional registered or licensed in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the design professional so employed. This information shall be submitted prior to construction.

3. WETLAND MITIGATION SUCCESS CRITERIA MITIGATION AREA M-1 (0.04 ac)

Mitigation is expected to offset adverse impacts to wetlands and other surface waters caused by regulated activities and to achieve viable, sustainable ecological and hydrological wetland functions. Wetlands constructed for mitigation purposes will be considered successful and will be released from monitoring and reporting requirements when the following criteria are met continuously for a period of at least one year without intervention in the form of irrigation or the addition or removal of vegetation.

a. The mitigation area can reasonably be expected to develop into a Freshwater Marsh (FLUCCS 641) as determined by the Florida Land Use and Cover and Forms Classification System (third edition; January 1999).

b. Topography, water depth and water level fluctuation in the mitigation area are characteristic of the wetlands/ surface water type specified in criterion "a".

c. Planted or recruited herbaceous or shrub species (or plant species providing the same function) shall meet the criteria specified:

Zone: Groundcover,

Percent Cover: 80

Species: Panicum hemitomon, Pontederia cordata

d. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "a".

e. Coverage by nuisance or exotic species does not exceed 10 percent at any area within the mitigation site and 5 percent for the entire mitigation site.

f. The wetland mitigation area can be determined to be a wetland or other surface water according to Chapter 62-340, F.A.C.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

4. The Permittee shall monitor and maintain the wetland mitigation area until the criteria set forth in

the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.

5. The Permittee shall undertake required maintenance activities within the wetland mitigation area as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Condition above. Herbicides shall not be used without the prior written approval of the District.
6. The permittee, prior to beneficial use of the site must submit an as-built survey of the wetland mitigation areas certified by a registered surveyor or professional engineer showing dimensions, grades, ground elevations, water surface elevations, and species composition, numbers and densities. Upon District inspection and approval of the mitigation area, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation area. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to initiate monitoring.
Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation area in compliance according to the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation area in compliance with the Wetland Mitigation Success Criteria Conditions above. Monitoring Data shall be collected semi-annually.
7. Following the District's determination that the wetland mitigation has been successfully completed, the Permittee shall operate and maintain the wetland mitigation area such that it remains in its current or intended condition for the life of the system. The Permittee must perform corrective actions for any portions of the wetland mitigation area where conditions no longer meet the criteria set forth in the Wetland Mitigation Success Criteria Conditions.
8. The Permittee shall commence construction of the mitigation area within 30 days of wetland impacts, if wetland impacts occur between February 1 and August 31. If wetland impacts occur between September 1 and January 31, construction of the mitigation area shall commence by March 1. In either case, construction of the mitigation area shall be completed within 120 days of the commencement date unless a time extension is approved in writing by the District.
9. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No owner of property within the subdivision may perform any work, construction, maintenance, clearing, filling or any other type of activities within the wetland, wetland mitigation area, wetland buffer, and drainage easements described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District.
10. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
 - wetland and surface water areas
 - wetland buffers
 - limits of approved wetland impacts
 - construction access for Mitigation Area M-1

The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

11. If limestone bedrock is encountered during construction of the stormwater water management system, the District must be notified and construction in the affected area shall cease.
12. The Permittee shall notify the District of any sinkhole development in the stormwater management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.
13. The Permitted Plan Set for this project includes: **the set received by the District on November 11, 2014.**
14. If prehistoric or historic artifacts such as pottery or ceramics, stone or shell tools or metal implements, or any other physical remains that could be associated with Native American cultures or early colonial or American settlement are encountered at any time within the project area, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850) 245-6333, as well as the District. Project activities in the immediate vicinity shall not resume without authorization from the District after coordination with the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work that may disturb the unmarked human remains shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
15. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing retention or wet detention, the inspections shall be performed five (5) years after operation is authorized and every five (5) years thereafter.

The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the District.

Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), "Operation and Maintenance Inspection Certification" describing the remedial actions taken to resolve the failure or deviation.

16. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
17. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
18. The permittee shall complete construction of all aspects of the stormwater management system, including wetland compensation (grading, mulching, planting), water quality treatment features,

and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

19. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
 - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
 - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
 - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction
20. All stormwater management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
21. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
22. A "Recorded notice of Environmental Resource Permit," Form No. 62-330.090(1), shall be recorded in the public records of the County(s) where the project is located.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

David Kramer, P.E.

Authorized Signature

EXHIBIT A

GENERAL CONDITIONS:

- 1 The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.
- a. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C., or the permit may be revoked and the permittee may be subject to enforcement action.
 - b. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
 - c. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(8)(b)5, F.A.C., unless a projectspecific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
 - d. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
 - e. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
 - f. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 2. For all other activities - "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
 - g. If the final operation and maintenance entity is a third party:
 1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction

needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

2. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
- h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
- i. This permit does not:
 1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 2. Convey to the permittee or create in the permittee any interest in real property;
 3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
- j. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
- k. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
- l. The permittee shall notify the Agency in writing:
 1. Immediately if any previously submitted information is discovered to be inaccurate; and
 2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
- m. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
- n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification

shall be provided in accordance with Section 872.05, F.S. (2012).

- o. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
 - p. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
 - q. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
 - r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

**NOTICE OF
AUTHORIZATION
TO COMMENCE CONSTRUCTION**

Harborside Church Shared Park Entry Drive at Greensprings Drive

PROJECT NAME

Semi-Public

PROJECT TYPE

PINELLAS

COUNTY

S33/T28S/R16E

SEC(S)/TWP(S)/RGE(S)

Harborside Christian Church

PERMITTEE

APPLICATION ID/PERMIT NO: 701408 / 43024558.001

DATE ISSUED: December 12, 2014



David Kramer, P.E.

Issuing Authority

**THIS NOTICE SHOULD BE CONSPICUOUSLY
DISPLAYED AT THE SITE OF THE WORK**

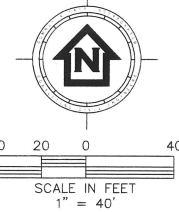
Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-3054. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



*FIELD SURVEY JUNE 12 & JULY 9, 2014

Wetland Line Table

Line No.	Length	Bearing	Line No.	Length	Bearing
L1	15.91'	N 47°51'50" W	L16	45.76'	S 20°36'06" W
L2	35.21'	N 80°45'08" W	L17	24.96'	S 48°07'10" W
L3	11.48'	N 28°03'15" W	L20	30.84'	S 19°06'38" W
L4	16.57'	N 52°50'11" W	L21	32.85'	S 24°48'15" W
L5	26.34'	N 36°47'23" W	L22	35.53'	S 39°38'26" W
L6	14.92'	N 43°45'59" W	L23	20.79'	N 73°40'21" W
L7	30.77'	N 64°46'30" W	L24	16.67'	S 89°47'09" W
L8	20.46'	N 47°17'42" W	L25	18.78'	N 51°30'41" W
L9	20.46'	N 16°17'48" W	L26	23.89'	N 08°25'00" W
L10	22.24'	N 29°16'14" W	L27	36.13'	N 36°07'36" W
L11	38.61'	N 50°06'50" W	L28	22.98'	S 43°19'14" W
L12	32.63'	S 82°53'19" W	L29	22.86'	N 64°44'22" W
L13	37.22'	S 87°32'13" W	L30	22.12'	N 42°19'38" W
L14	34.81'	N 63°30'32" W	L31	40.15'	S 18°10'06" E
L15	45.46'	S 82°32'49" W	L32	23.40'	N 28°08'32" E
L16	35.02'	S 00°35'28" W	L33	27.68'	N 35°23'38" E
L17	55.33'	S 24°28'44" W			

JURISDICTION LINE AND OHW/OLW SET WITH CHAZ COLLINS AND MARTIN ARMSTRONG ON 6/26/14

Curve Table

Curve No.	Radius	Arc Length	Chord Direction	Chord Length
C1	200.00'	90.84'	N 47°37'39" E	90.06'
C2	350.00'	179.16'	N 75°18'14" E	177.21'

WETLAND IMPACT LEGEND

- PERMANENT IMPACTS = 0.03 Ac.
- TEMPORARY IMPACTS = 0.00 Ac.
- WETLAND MITIGATION AREA M-1 AREA = 0.09 Ac.
- WETLANDS WITHIN PROJECT AREA AREA = 0.07 Ac.

NO.	WATER ELEV.
OHW1	14.89
OLW1	13.97
OHW2	15.82
OLW2	14.75
OHW3	16.39
OLW3	15.40

OHW = ORDINARY HIGH WATER
OLW = ORDINARY LOW WATER

WETLAND MITIGATION AREA (M-1) PLANTING SCHEDULE

Species	Common Name	O.C.	Size	Amount
<i>Panicum hemitomon</i>	Mudcane	2'	BR	300
<i>Pontederia cordata</i>	Pickersweed	2'	BR	200
Total				500

NOTES

- 1. This and other sheets are based on previous survey methods to which trees shown within 25' of centerline of proposed road have been included as per item 2.
- 2. Landscaping Plans are not required. However, trees will be planted to compensate for those removed per Florida's County requirements.
- 3. Contractor is to submit shop drawings, submit and sealed by registered structural engineer for the cost to pay for the City's approval.

BENCHMARK:
ELEVATIONS SHOWN HEREON ARE BASED ON NGVD OF 1929. TEMPORARY BENCHMARK LOCATIONS ARE GRATE INLET "G1 13", GRATE ELEVATION = 19.77 AND GRATE INLET "G1 14", GRATE ELEVATION = 19.67 LOCATED IN THE NORTHEAST CORNER OF THE EAST PARKING LOT OF HARBORSIDE CHRISTIAN CHURCH. THE GRATE ELEVATIONS TAKEN FROM THE AS-BUILT SURVEY PREPARED BY: HAMILTON ENGINEERING & SURVEYING, DRAWING NO. 03150ASBLT, ISSUE DATE SEPTEMBER 3, 2004.

LEGEND

- CLEANOUT
- ELECTRIC BOX
- ELECTRIC MANHOLE
- FIRE HYDRANT
- GAS GATE VALVE
- GUY WIRE ANCHOR
- MAILBOX
- POWER POLE
- SANITARY MANHOLE
- STORM MANHOLE
- STREET SIGN
- STREET LIGHT POLE
- TELEPHONE POLE
- WATER GATE VALVE
- WATER METER BOX
- WIRE PULL BOX
- ELEVATIONS BY C & F, INC.

- TREE LEGEND**
- DENOTES TREE TO BE REMOVED
 - DENOTES CYPRESS TREE - SIZE INDICATED
 - DENOTES PALM TREE - SIZE INDICATED
 - DENOTES OAK TREE - SIZE INDICATED
 - DENOTES PINE TREE - SIZE INDICATED
 - DENOTES MAPLE TREE - SIZE INDICATED
 - DENOTES CAMPHOR TREE - SIZE INDICATED

Area of Map Request

UNPLATTED

NO.	GRADE ELEV.	TOP OF PIPE ELEV.	WATER ELEV.
1	9.23		13.48
2	7.92	14.79	13.48
3	9.23		13.48
4	14.3		15.09

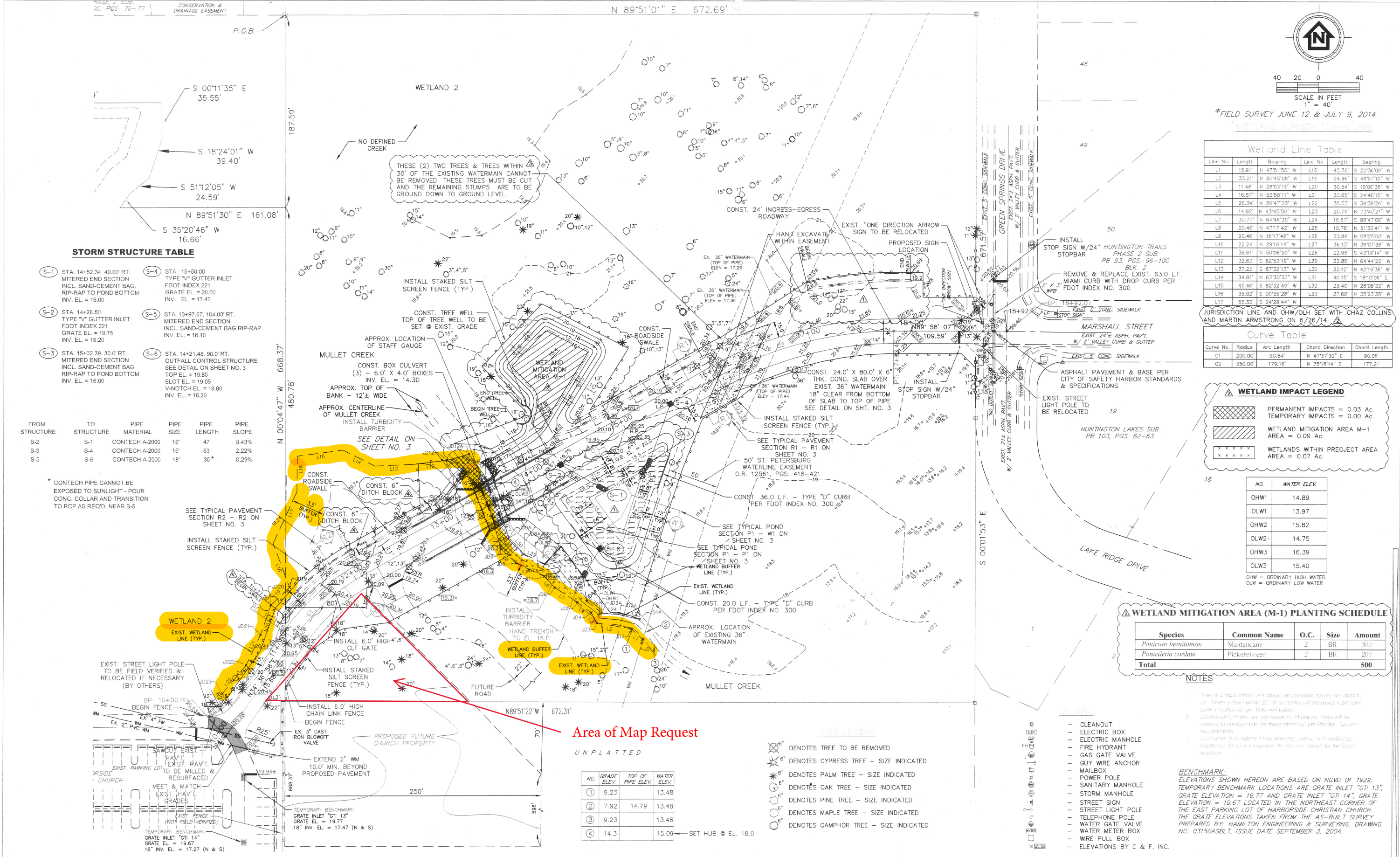
SET HUB @ EL. 18.0

STORM STRUCTURE TABLE

- S-1** STA. 14+52.34, 40.00' RT. MITERED END SECTION INCL. SAND-CEMENT BAG, RIP-RAP TO POND BOTTOM INV. EL. = 16.00
- S-2** STA. 14+28.50 TYPE "V" GUTTER INLET FDOT INDEX 221 GRATE EL. = 19.75 INV. EL. = 16.20
- S-3** STA. 15+02.39, 30.0' RT. MITERED END SECTION INCL. SAND-CEMENT BAG RIP-RAP TO POND BOTTOM INV. EL. = 16.00
- S-4** STA. 15+50.00 TYPE "V" GUTTER INLET FDOT INDEX 221 GRATE EL. = 20.00 INV. EL. = 17.40
- S-5** STA. 13+97.67, 104.00' RT. MITERED END SECTION INCL. SAND-CEMENT BAG RIP-RAP INV. EL. = 16.10
- S-6** STA. 14+21.48, 90.0' RT. OUTFALL CONTROL STRUCTURE SEE DETAIL ON SHEET NO. 3 TOP EL. = 19.80 V-NOTCH EL. = 18.80 INV. EL. = 16.20

FROM STRUCTURE	TO STRUCTURE	PIPE MATERIAL	PIPE SIZE	PIPE LENGTH	PIPE SLOPE
S-2	S-1	CONTECH A-2000	15"	47	0.43%
S-3	S-4	CONTECH A-2000	15"	63	2.22%
S-5	S-6	CONTECH A-2000	18"	35'	0.29%

* CONTECH PIPE CANNOT BE EXPOSED TO SUNLIGHT - POUR CONC. COLLAR AND TRANSITION TO RCP AS REQ'D. NEAR S-5



REVISIONS

BY	DATE	DESCRIPTION	BY	DATE	DESCRIPTION
D.E.C.	10/17/14	WETLAND MITIGATION			
D.E.C.	11/05/14	ADDED NOTE PER CITY OF ST. PETERSBURG COMMENTS			
D.E.C.	11/11/14	ADDED REVISIONS PER SWFWD COMMENTS			

CUMBEY & FAIR, INC.
CONSULTING CIVIL ENGINEERS

CERTIFICATE OF AUTHORIZATION #00002168

ENGINEERING PLANNING LAND SURVEYS

2463 ENTERPRISE ROAD CLEARWATER, FLORIDA 33763-1790

FOR: **harborside** CHRISTIAN CHURCH
2300 Marshall Street Safety Harbor, Florida 34695 PHONE: 727-724-1555

CITY OF SAFETY HARBOR
750 Main Street Safety Harbor, Florida 34695 PHONE: 727-724-1555

DRWN BY: DEC DATE 07/14	PROJECT: HARBORSIDE CHRISTIAN CHURCH	SHEET: 2
DSGN BY: FJS DATE 07/14	JOB NO. 151C	
CHKD BY: FJS DATE 07/14	SITE CONSTRUCTION PLAN	

PANKAJ SHAM P.E. #21180 FLORIDA REGISTERED ENGINEER

Planners Advisory Committee – August 31, 2020

3E. CPA Actions and Tier I Countywide Plan Map Amendments



SUMMARY

This information is presented in order to better, and more systematically, apprise the Forward Pinellas Board of final action(s) by the Board of County Commissioners, in their role as the Countywide Planning Authority (CPA) on matters that have been previously considered. This summary also includes the Tier I Countywide Plan Map Amendments that have been administratively reviewed by Forward Pinellas staff.

CPA Actions July and August 2020:

PUBLIC HEARINGS

The Board of County Commissioners, acting in its role as the Countywide Planning Authority, held public hearings on July 21, 2020 to consider the following amendments to the Countywide Plan Map:

- CW 20-10, a City of Clearwater case located at 24323 & 24479 US Highway 19 N. The Board of County Commissioners, in its role as the Countywide Planning Authority, **approved** the amendment from Residential Low Medium, Retail & Services, Recreation/Open Space, Preservation to Multimodal Corridor & Preservation (vote: 7-0).
- CW 20-11, a City of Largo case located at 2188 58th Street North. The Board of County Commissioners, in its role as the Countywide Planning Authority, **approved** the amendment from Public/Semi-Public to Retail & Services (vote: 7-0).
- CW 20-12, a City of Largo case located at 2050 50th Street North. The Board of County Commissioners, in its role as the Countywide Planning Authority, **approved** the amendment from Public/Semi-Public to Residential Low Medium (vote: 7-0).

PUBLIC HEARING FOR RULES AMENDMENT

The Board of County Commissioners, acting in its role as the Countywide Planning Authority, held the second and final public hearing on August 11, 2020 to consider a proposed Rules Amendment to add Residential Rural and **approved** the amendment (vote: 7-0).

Tier I Countywide Plan Map Amendments July and August 2020:

- FLUM 20-06, City of Clearwater, satisfies the Tier I provisions of Section 6.1.2.1 of the Countywide Rules
- FLUM 20-07, City of Tarpon Springs, satisfies the Tier I provisions of Section 6.1.2.1 of the Countywide Rules
- FLUM 20-08, City of Tarpon Springs, satisfies the Tier I provisions of Section 6.1.2.1 of the Countywide Rules

ATTACHMENT(S): None

ACTION: None required; informational item only

Planners Advisory Committee – August 31, 2020

4A. Legislative Update – HB 1339 Follow Up



SUMMARY

Following the 2020 legislative session, Governor DeSantis approved House Bill 1339, a bill addressing affordable housing and mobile home parks. Among other provisions, the new law allows the governing body of a county or municipality to approve an affordable housing development on any parcel designated for residential, commercial, or industrial use. This preemption conflicts with a longstanding Countywide Plan policy prohibiting residential uses in the Employment and Industrial categories. At the PAC meeting, we will discuss guidance received from the County Attorney's Office and the implications for countywide and local land use planning.

ATTACHMENT(S):

- [House Bill 1339](#)
- Letter from Forward Pinellas Executive Director to County Administrator

ACTION: None required; informational item only

FORWARD PINELLAS

P: (727) 464.8250

F: (727) 464.8212

forwardpinellas.org

310 Court Street

Clearwater, FL 33756



August 21, 2020

Barry Burton, Pinellas County Administrator
315 Court Street
Clearwater, FL 33756

RE: House Bill 1339

Dear ^{Barm -}Mr. Burton:

In follow-up to the 2020 Legislative Session, I wanted to make you aware of a new law that has implications for countywide and local government land use regulation. House Bill 1339, an omnibus bill addressing affordable housing that was approved by the Governor on June 9, contains preemption language that conflicts with a provision of the Countywide Plan. Our representative in the County Attorney's Office has determined that the new general law supersedes the Special Act granting authority to the Countywide Plan, and that we can no longer enforce the conflicting provision.

The new law amends Sections 125.01055 and 166.04151, Florida Statutes, to allow the governing body of a county or municipality to approve an affordable housing development on any parcel designated for residential, commercial, or industrial use. However, the Countywide Plan does not allow residential developments in industrial land use categories. While the provision remains in force for general residential uses, affordable housing developments are now exempt from that restriction.

This legislative action upends a longtime countywide policy, informed by more than 15 years of research, to reserve industrial land for land uses associated with high-wage employers, including manufacturing, office, and research/development. These employers are critical to the strength of Pinellas County economy and the ability of households to earn a living wage; yet from a real estate perspective, they are easily out-competed by developments that turn higher short-term profits, particularly retail and residential. Prohibiting residential uses on industrial land helps maintain a supply of land that meets high-wage employers' needs, and is a key part of the County's economic development strategy.

It's important to note that while the Countywide Plan cannot stop a local government from allowing affordable housing on industrial land, no local government is *required* to do so. It's simply an option. The Board of County Commissioners is free to continue its current industrial land policy within the unincorporated county, and I strongly encourage it to do so, along with our other partner local governments.

I'm happy to discuss this topic with you further at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Whit Blanton'. The signature is fluid and cursive, with a large initial 'W'.

Whit Blanton, FAICP
Executive Director

cc: Forward Pinellas Board

Planners Advisory Committee – August 31, 2020

4B. Legislative Priorities for 2021



SUMMARY

The 2021 legislative session begins March 2. Each year in advance of the session, the Forward Pinellas Board approves a list of legislative priorities and shares this information with the Pinellas County Legislative Delegation. We would like to have a discussion with the Planners Advisory Committee about planning priorities and concerns in your community, to help inform the board's priorities for the coming year.

ATTACHMENT(S): Forward Pinellas Legislative Agenda 2020

ACTION: None required; discussion item only

Forward Pinellas Legislative Agenda 2020



FORWARD PINELLAS

Integrating Land Use & Transportation

Forward Pinellas is a policy-making and planning agency that identifies transportation needs in the county, prioritizes them, and then identifies potential funding sources. We guide integrated transportation and land use solutions that together create connections and vibrant communities.

Our Priorities

We see three major areas of need for Pinellas County in 2020: **Transportation, Housing, and Resiliency.**

Transportation

- Enable greater funding flexibility
- Invest in community and regional transit
- Eliminate bottlenecks on regional highways
- Strengthen regional connections
- Support “Safe Streets Pinellas”

Housing

- Protect Sadowski Housing Trust Fund
- Empower regulatory reform
- Support investments in location efficiency

Resiliency

- Require vulnerability assessments on transportation projects
- Provide funding to harden infrastructure
- Incentivize resilient development
- Support research and mitigation for sea level rise



CONTACT

Executive Director Whit Blanton, FAICP
727.464.8712
wblanton@forwardpinellas.org
forwardpinellas.org/legislativeaffairs

Regional Decision-Making

Pinellas County is part of a fast-growing urbanized area that needs improved connectivity throughout the region. Within the Tampa Bay area, regional transportation decisions are coordinated through the Transportation Management Area Leadership Group. The TMA Leadership Group is made up of elected representatives serving on the MPOs of Hillsborough, Pasco, and Pinellas Counties.

Tampa Bay TMA Top Priorities, 2020

- I-75 Interchange at Gibsonton
- I-75 Interchange at Overpass
- Central Avenue Bus Rapid Transit
- I-275 Operational Improvements north of downtown Tampa
- Regional Rapid Transit in the I-275 Corridor
- Support HART's exploration and negotiation for use of the CSX right-of-way for passenger transportation

These priorities have been approved by the TMA and Chairs Coordinating Committee.



4C. Flexibility of Land Use Categories for Employment and Residential Uses

SUMMARY

This is an informational item to remind the PAC membership of additional land use options your communities may have under the Countywide Rules. In light of the availability of Penny for Pinellas Affordable Housing funds, there have been inquiries regarding developing affordable housing on Employment designated lands. While understanding the need for affordable housing, we also continue to emphasize the importance of reserving Employment designated lands and encourage the development of affordable housing in other categories, where possible. As a result, we have taken inventory of the flexibility of land use categories around the County to ascertain provisions in local government comprehensive plans and land development regulations for manufacturing, office and residential uses.

Local government comprehensive plans and land development regulations are required to be consistent with the Countywide Plan Map category standards in the Rules, but may choose to be more restrictive in terms of densities, intensities and uses. Accordingly, some local governments have elected to reduce density/intensity standards or prohibit certain land uses in categories where they would be permitted by the Rules.

For example, a local plan may prohibit residential use in the Commercial General category, though it is permitted in the corresponding countywide Retail & Services category. In order for a property designated Commercial General to be redeveloped with residential uses, it would require a local future land use amendment to a residential category, requiring a corresponding Countywide Plan Map amendment to a residential category that would otherwise not be needed.

Forward Pinellas respects and supports the prerogatives of local governments in choosing to be more restrictive than the Countywide Rules. However, we are also aware that some communities may not be aware of all the options that are available to them. A summary table of the Countywide Plan Map categories, density/intensity standards and allowable uses is attached as well as our findings on the flexibility of various categories for allowing office, manufacturing, and residential uses. Additionally, our staff is available to answer questions.

ATTACHMENT(S):

- Countywide Plan Map Category Standards
- Inventory of Category Flexibility

ACTION: None required; discussion item only

Countywide Plan Map Category Standards

Countywide Plan Map Category	Corresponding Local Future Land Use Category Examples	Residential Units Per Acre	Residential Equivalent Beds Per Acre	Recreational Vehicles	Temporary Lodging Beds Per Acre	Nonresidential Floor Area Ratio	Nonresidential Impervious Surface Ratio	Uses Not Subject to Area Limitations		Uses Subject to Limitations			
										One Acre Maximum	Three Acre Maximum	Five Acre Maximum	25% of Primary Structure
Residential Very Low	Residential Rural Residential Estate	1 UPA	3 beds per acre	--	--	0.30 FAR	0.60 ISR	Residential Residential Equivalent Accessory Dwelling Unit ¹ Public Educational Facility	Recreation/Open Space Community Garden Agricultural		Ancillary Nonresidential Transportation/Utility	Institutional (except Public Educational Facilities)	
Residential Low Medium	Residential Suburban Residential Low Residential Urban Residential Low Medium	10 UPA	30 beds per acre	--	--	0.50 FAR	0.75 FAR	Residential Residential Equivalent Accessory Dwelling Unit ¹ Public Educational Facility	Recreation/Open Space Community Garden Agricultural	Office Personal Service/Office Support Retail Commercial	Ancillary Nonresidential Transportation/Utility	Institutional (except Public Educational Facilities)	
Residential Medium	Residential Medium Planned Redevelopment - Residential	15 UPA	45 beds per acre	--	--	0.50 FAR	0.75 FAR	Residential Residential Equivalent Accessory Dwelling Unit ¹	Public Educational Facility Recreation/Open Space Community Garden		Ancillary Nonresidential Office Personal Service/Office Support Retail Commercial Transportation/Utility	Institutional (except Public Educational Facilities)	
Residential High	Residential High	30 UPA	90 beds per acre	--	--	0.60 UPA	0.85 UPA	Residential Residential Equivalent Accessory Dwelling Unit ¹	Public Educational Facility Recreation/Open Space Community Garden		Ancillary Nonresidential Office Personal Service/Office Support Retail Commercial Transportation/Utility	Institutional (except Public Educational Facilities)	
Office	Residential/Office Limited Residential/Office General	15 UPA	45 beds per acre	--	--	0.50 FAR	0.75 FAR	Office Residential Equivalent Research/Development-Light	Public Educational Facility Recreation/Open Space Community Garden		Ancillary Nonresidential Personal Service/Office Support Transportation/Utility Manufacturing-Light	Residential Institutional (except Public Educational Facilities)	
Resort	Resort Facilities Overlay Resort Facilities Medium Resort Facilities High Commercial Recreation	30 UPA	90 beds per acre	30 UPA	50 UPA or per Section 5.2.1.3 of the Countywide Rules	1.2 FAR	0.95 ISR	Residential Residential Equivalent Temporary Lodging Recreational Vehicle Parks Office Personal Service/Office Support	Retail Commercial Convention Center Commercial/Business Service Commercial Recreation Recreation/Open Space Community Garden		Ancillary Non-Residential Transportation/Utility	Institutional	
Retail & Services	Residential/Office/Retail Commercial Neighborhood Commercial Limited Commercial General	24 UPA	72 beds per acre	24 UPA	40 UPA or per Section 5.2.1.3 of the Countywide Rules	0.55 FAR	0.90 ISR	Office Personal Service/Office Support Retail Commercial Commercial/Business Service Commercial Recreation Residential Residential Equivalent	Recreational Vehicle Park Temporary Lodging Research/Development- Light Storage/Warehouse-Light Manufacturing-Light Recreation/Open Space Community Garden		Manufacturing-Medium	Institutional Transportation/Utility Agricultural	
Employment	Industrial Limited	--	--	--	50 UPA or per Section 5.2.1.3 of the Countywide Rules	0.65 FAR, or 1.3 FAR when located in a Target Employment Center	0.85 ISR	Office Research/Development-Light Research/Development-Heavy Storage/Warehouse-Light	Storage/Warehouse-Heavy Manufacturing-Light Manufacturing-Medium Incinerator Facility		Retail Commercial Personal Service/Office Support Transfer/Recycling	Temporary Lodging Commercial/Business Service Commercial Recreation Institutional Transportation/Utility Agricultural	
Industrial	Industrial General	--	--	--	--	0.75 FAR, or 1.5 FAR when located in a Target Employment Center	0.95 ISR	Research/Development-Light Research/Development-Heavy Storage/Warehouse-Light Storage/Warehouse-Heavy Manufacturing-Light Manufacturing-Medium Manufacturing-Heavy	Agricultural Processing Vehicular Salvage Transfer/Recycling Solid Waste/Refuse Disposal Electric Power Generation Plant Incinerator Facility Commercial Recreation			Institutional Transportation/Utility Agricultural	Office Retail Commercial Personal Service/Office Support Commercial/Business Service
Public/Semi-Public	Institutional Transportation/Utility (includes Overlay) Resource Management Overlay	12.5 UPA	37.5 beds per acre	--	--	0.65 FAR (institutional) 0.70 FAR (trans./utility) 1.0 FAR (hospital)	.85 (institutional) .90 (trans./utility)	Institutional Transportation/Utility Residential Residential Equivalent Storage/Warehouse-Light	Storage/Warehouse-Heavy Recreation/Open Space Community Garden Ancillary Nonresidential				
Recreation/Open Space	Recreation/Open Space	--	--	--	--	0.25 FRA	0.60 ISR	Recreation/Open Space Community Garden	Electric substations ²			Transportation/Utility (excluding electric substations)	
Preservation	Preservation	--	--	--	--	0.10 FAR (preservation) 0.25 FAR (water supply)	0.20 FAR (preservation) 0.50 FAR (water supply)	Preservation Environmental Education/Research Wellfield Protection Groundwater Monitoring and Recharge	Resource-Based Recreation Replacement/Repair of Water Infrastructure Site Alterations ³ Water Supply Infrastructure/Facilities ³				
Target Employment Center	No corresponding category	Per underlying Countywide Plan Map category						Per underlying Countywide Plan Map category					
Activity Center	Activity Center Community Redevelopment District Central Business District Transit Oriented Development Planned Redevelopment - Commercial Residential Very High Planned Redevelopment - Mixed Use	Varies by location and local plan/code provisions, per Section 2.3.3.14 of the Countywide Rules						Per local government plan/code provisions					
Multimodal Corridor		Varies by location and local plan/code provisions, per Section 2.3.3.15 of the Countywide Rules											
Scenic/Noncommercial Corridor	Scenic/Noncommercial Corridor	Per underlying Countywide Plan Map category						Certain uses excluded in certain categories per Section 6.5.4.1.4 of the Countywide Rules					

UPA = Units Per Acre
FAR = Floor Area Ratio
ISR = Impervious Surface Ratio

1 Per Section 163.31771, F.S.
2 Per Section 163.3208, F.S.
3 Per local management plan

Flexibility of Land Use Categories for Office, Manufacturing, and Residential Uses

Municipality	Land Use Categories Allowing for Office ONLY	Land Use Categories Allowing for Manufacturing ONLY	Land Use Categories Allowing for Manufacturing AND Office	Comparison to CWP Rules	Mixed Use Categories Allowing for Residential and/or Residential Equivalent (Office on CWP map)	Commercial Categories allowing for Residential and/or Residential Equivalent (R&S on CWP map)
Belleair	Residential/Office Limited	N/A	N/A	No Industrial or Employment categories.	Residential/Office Limited	N/A
Clearwater	Central Business District, Residential/Office Limited, Residential/Office General, Residential/Office/Retail, Commercial Neighborhood, Commercial Limited, Commercial General	Industrial Limited (Light/Medium Manufacturing); also allows for Research/Development.	US 19 Regional Center, US 19 Neighborhood Center, US 19 Corridor, TEC (Light Manufacturing); also allows for Research/Development	CWP Office Category allows for Research/Development-Light. City is more restrictive, only allows for Office in R/OL and R/OG categories	Residential/Office Limited, Residential/Office/General, Residential/Office/General	N/A
Dunedin	Residential/Office General, Residential/Office/Retail, Commercial Neighborhood, Commercial Limited	N/A	Industrial Limited (Light Manufacturing); also allows Research. Industrial General (Light or Heavy not specified)	Industrial Limited is more restrictive than CWP - does not allow for medium manufacturing.	Residential/Office General (residential primary, residential equivalent secondary)	Residential/Office/Retail (residential primary, residential equivalent secondary), Commercial Neighborhood (secondary use), Commercial Limited (secondary use), Commercial Recreation (secondary, residential equivalent only), Commercial General (secondary)
Gulfport	Low Impact Trade and Services Commercial	Freestanding Heavy Industrial (Heavy Manufacturing), Planned Industrial Parks (Light or Heavy not specified)	N/A		N/A	N/A
Kenneth City	Residential/Office General	Industrial Limited (Light Manufacturing)	N/A	Industrial Limited is more restrictive than CWP - does not allow for medium manufacturing.	Residential/Office General	N/A
Largo	Commercial General, Residential/Office Limited, Residential/Office General	N/A	Industrial Limited, Industrial General (Conditionally)	N/A	Residential/Office Limited, Residential/Office General	Commercial Neighborhood, Residential/Office/Retail, Commercial General

Oldsmar	Commercial Neighborhood, Commercial General, Residential/Office/General, Residential/Office/Retail	See CWP Rules	Industrial Limited	N/A	Residential/Office General	Residential/Office Retail, Commercial Neighborhood, Commercial General, Commercial Recreation
Pinellas Park	Residential/Office General, Residential/Office/Retail, Commercial Neighborhood, Commercial Recreation (secondary use only), Commercial General.	Industrial General (Light and Heavy Manufacturing); also allows for Research/Development	Industrial Limited (Light Manufacturing); also allows for Research/Development	Industrial Limited is more restrictive than CWP - does not allow for medium manufacturing.	Residential/Office General (residential primary, residential equivalent secondary)	Residential/Office/Retail, Commercial Neighborhood (secondary), Commercial Recreation (secondary), Commercial General (secondary)
Safety Harbor	Residential/Office Limited, Residential/Office General, Residential/Office/Retail, Commercial Neighborhood, Commercial General	Industrial Limited, Industrial General (Light Manufacturing); also allows for Research/Development	N/A	Industrial Limited is more restrictive than CWP - does not allow for medium manufacturing. Industrial General is more restrictive than CWP - does not allow for medium and heavy manufacturing. CWP Office Category allows for Research/Development-Light. City is more restrictive, only allows for Office in R/OL and R/OG categories	Residential/Office Limited (residential primary, residential equivalent secondary), Residential/Office General (residential primary, residential equivalent secondary)	Residential/Office/Retail (residential equivalent only, primary), Commercial Neighborhood (residential equivalent only, primary) Commercial General (residential equivalent only, secondary),
St. Petersburg	Residential/Office General (also allows for Research/Development), Commercial General	Industrial Limited (Light Manufacturing), Industrial General (Heavy Manufacturing)	Central Business District (Light or Heavy not specified)	Industrial Limited is more restrictive than CWP - does not allow for medium manufacturing.	Residential/Office General,	Commercial General, Central Business District (Residential only, residential equivalent not specified)
Seminole	Office/Residential, Residential/Office/Retail, Commercial Neighborhood, Commercial Limited	Industrial Limited (Light and Medium Manufacturing); also allows for Research/Development	Commercial General (Light Manufacturing); also allows for Research/Development	Does not have an Industrial General category (therefore, heavy manufacturing is excluded)	Office/Residential (secondary),	Residential/Office Retail, Commercial Neighborhood (secondary), Commercial General (secondary)
Tarpon Springs	Residential/Office General, Residential/Office/Retail, Residential/Office Limited, Commercial Neighborhood, Commercial General	Industrial Limited, Industrial General (Light Manufacturing)	N/A	Industrial Limited is more restrictive than CWP, does not allow for medium manufacturing. Industrial General is more restrictive than CWP, does not allow for medium or heavy manufacturing.	Residential/Office General, Residential/Office Limited	Residential/Office/Retail, Commercial Recreation (secondary), Commercial Neighborhood (secondary), Commercial Limited (secondary, and requires conditional use review), Commercial General (secondary, and requires condition use review)

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4D. Countywide Rules Amendment Update



SUMMARY

The latest amendments to the Countywide Rules, adding a Residential Rural category at .5 unit per acre and creating a process for Countywide Plan Map amendments that occur without a corresponding local future land use map amendment, have been approved by the Countywide Planning Authority with an effective date of August 17, 2020. The official copy has been updated on our website at the link below.

Please discard any paper or electronic copies of the Rules dated October 24, 2019 or earlier, and replace them with the updated version.

ATTACHMENT(S): [The Countywide Rules Amended through August 17, 2020](#)

ACTION: None required; informational item only

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5A. Pinellas SPOTlight Emphasis Areas Update



SUMMARY

Forward Pinellas staff will provide a brief update on the status of the activities related to the three SPOTlight Emphasis Areas.

ATTACHMENT(S): None

ACTION: None required; informational item only