



# City of Safety Harbor Florida

HOME OF ESPIRITU SANTO MINERAL SPRINGS

750 Main Street † Safety Harbor, Florida 34695  
(727) 724-1555 † Fax (727) 724-1566  
www.cityofsafetyharbor.com

March 4, 2020

Jared Austin  
Forward Pinellas  
310 Court Street, 2nd Floor  
Clearwater, FL 33756-5137

RE: Request for Countywide Future Land Use Map Amendment

Dear Mr. Austin,

On March 2, 2020, the Safety Harbor City Commission approved Ordinance No. 2020-01 amending the City's Future Land Use Map from Residential Low (RL) to Recreation/Open Space (R/OS) and Ordinance No. 2020-02 on first reading amending the City's Official Zoning Atlas from Single-Family Residential (R-1) to Public & Conservation (P) for the 1.05± acre city-owned property located at 1550 Dr. Martin Luther King Jr. Street N. (Parcel ID # 04-29-16-00000-240-0210)

Please find enclosed our application for a Countywide Future Land Use Map Amendment consistent with the City Commission's action.

Our tentative application schedule is as follows:

3/30/20	Planner's Advisory Committee
4/8/20	Forward Pinellas
5/5/20	Pinellas County BOCC and Countywide Planning Authority
6/1/20	City Commission Ordinance Second Reading

If you need more information to process your review, please do not hesitate to contact me or Community Development Director Marcie Stenmark, AICP.

Sincerely,

Brandon Henry  
Community Planner/GIS Analyst

## Countywide Plan Map Amendment Application Form

### Local Government Contact Information

Requesting Local Government:	City of Safety Harbor
Local Government Contact:	Brandon Henry
Address:	750 Main Street, Safety Harbor, FL 34695
Phone:	727 724 1555 x1703
E-Mail Address:	bhenry@cityofsafetyharbor.com
Local Government Case #:	2019-25 REZ/LUP
Local Government Ordinance #:	2020-01

### Property Owner Contact Information

Name(s):	City of Safety Harbor
Address:	750 Main Street, Safety Harbor, FL 34695
Phone:	727 724 1555 x1703
E-Mail Address:	bhenry@cityofsafetyharbor.com

### Agent Contact Information (if applicable)

Name(s):	
Address:	
Phone:	
E-Mail Address:	

### Characteristics of the Subject Property

Site Address(s):	1550 Dr. Martin Luther King Jr. Street N.	
Total Acreage of the Amendment Area:	1.05 +/-	
Existing Use(s):	Single-Family Dwelling	
Proposed Use(s):	Folly Farms Nature Preserve	
Parcel Identification #:	04-29-16-00000-240-0210	
Legal Description of the Amendment Area:	(See attached)	
What is the adjacent roadway's Level of Service (LOS) grade?	N/A	
Does the Amendment Area impact: [check all that apply]	<input type="checkbox"/> Activity Center <input type="checkbox"/> Multimodal Corridor <input type="checkbox"/> Planned Redevelopment District <input type="checkbox"/> Coastal High Hazard Area	<input type="checkbox"/> Industrial or Employment Land <input type="checkbox"/> Target Employment Center <input type="checkbox"/> Scenic/Noncommercial Corridor

### Disclosure of Interest Statement

Do any other persons have any ownership interest in the subject property?	No
If so, provide the name and address of the person(s):	
If so, is the interest contingent or absolute?	
If so, what specific interest is held?	
Does a contract exist for the sale of the subject property?	No
If so, is the contract contingent or absolute?	
If so, provide the names of all parties to the contract:	
Are there any options to purchase the subject property?	
If so, provide the names of all parties to the option:	
Please provide any other pertinent information which the applicant may wish to submit pertaining to the requested plan map amendment:	

### Countywide Plan Map Information

Current Countywide Plan Map Category(ies):	Residential Low Medium (RLM)
Proposed Countywide Plan Map Category(ies):	Recreation/Open Space (R/OS)
Amendment tier (subject to confirmation):	<input type="checkbox"/> Tier I <input checked="" type="checkbox"/> Tier II <input type="checkbox"/> Tier III <input type="checkbox"/> To be determined

### Local Future Land Use Plan Map Information

Current Local Future Land Use Plan Map Category(ies):	Residential Low (RL)
Proposed Local Future Land Use Plan Map Category(ies):	Recreation/Open Space (R/OS)

### Local Action Date

Date local ordinance was considered at public hearing and authorized by an affirmative vote of the governing body for transmittal of, and concurrence with, the local government future land use plan map amendment:

3/2/20

## Application Checklist

Note: Our email server cannot accept any files with a .zip extension. If you need help with transmitting documents electronically, please call 727.464.8250 or email [info@forwardpinellas.org](mailto:info@forwardpinellas.org).

### All Amendments

The following MUST be furnished with all applications (incomplete applications will not be accepted):

- A completed Countywide Plan Map amendment application form
- A map or map series depicting the current and proposed future land use categories of the subject property and surrounding area
- A copy of the ordinance being considered by the governing body
- A copy of the local government staff report and any other pertinent information considered during the local public hearing process
- A GIS shapefile of the amendment area (if technically feasible)
- A boundary survey (if applicable)
- A development agreement (if applicable)\*
- Review against locally-adopted Coastal High Hazard Area balancing criteria consistent with Countywide Rules Section 4.2.7.1 A-H (if applicable)
- Review against conversion criteria for employment-related categories and uses of Countywide Rules Section 6.5.4.4 (if applicable)
- Summary of public outreach conducted and/or public comment received (if applicable)

### Additional Requirements for Activity Centers (ACs), Multimodal Corridors (MMCs) and Planned Redevelopment Districts (PRDs)

Tier I, II and III amendments must additionally provide the following:

- Parcel specific boundary map(s) of the entire AC, MMC, or PRD, and shapefile or list of parcels
- Current future land use designations and their acreages, permitted uses and maximum densities/intensities
- Proposed future land use designations and their acreages, permitted uses and maximum densities/intensities, including areawide density/intensity averaging if applicable
- For AC and MMC categories, documentation of consistency with size criteria
- For amendments of 10 acres or more, documentation of how the Planning and Urban Design Principles will be addressed

Tier II and III amendments must additionally provide the following:

- Pre-application meeting
- For amendments of 10 acres or more, transportation impact analysis pursuant to Countywide Rules Section 6.2.5
- Enumeration of existing and proposed plan/code provisions, including schedule for proposed adoption

Tier III amendments must additionally provide the following:

- Justification narrative demonstrating one or more of these unanticipated changes:
  - Improvement in transit facilities
  - Increases in population or employment densities
  - Local government funding study for public infrastructure
  - Other unique conditions

\* Any development agreement submitted as part of an application for Countywide Plan Map amendment may become a condition of approval of the amendment and will be subject to the provisions of Countywide Rules Section 6.1.5.

**MEETING DATE:** March 2, 2020

**NAME:** Folly Farms Northwest Addition

**CASE #:** 2019-25 REZ/LUP

## **CITY COMMISSION STAFF REPORT**

### **I. GENERAL INFORMATION**

#### **A. Request:**

To amend the Future Land Use designation of the Folly Farms Northwest Addition from Residential Low (RL) to Recreation/Open Space (R/OS).

#### **B. Location:**

1550 Dr. Martin Luther King Jr. Street N (Parcel ID# 04-29-16-00000-240-0210)

#### **C. Site Area:**

1.05 +/- acres

### **II. SUMMARY REPORT**

#### **A. Summary**

In 2015, Mr. George Weiss donated an estimated 8 acres of property located at 1538 - 1550 Dr. Martin Luther King Jr. Street N., now known as Folly Farms Nature Preserve.

Mr. Weiss offered the City the opportunity to buy the northwest property located at 1550 Dr. Martin Luther King Jr. Street N. The City purchased the property on December 6<sup>th</sup>, 2019 and is the subject of this City-initiated Future Land Use Map amendment application.

Part of the agreement between the City and the Weiss Family is to keep the property in a natural, passive park setting. To help accomplish this and to better reflect the use on the property, staff recommends the Future Land Use be amended. According to the City's Future Land Use Element, the current Residential Low (RL) Future Land Use category is intended for low density residential development up to 5.0 dwelling units per acre. The proposed Recreation/Open Space (R/OS) Future Land Use category is intended for recreation open space uses such as passive recreation areas, active recreational areas which include developed physical facilities, public/private open space and golf courses. The category is generally appropriate to locations where the natural and manmade conditions contribute to the recreation and open space needs of the community.

This is a similar request to a Future Land Use amendment heard in 2019, for the northeast corner property, purchased by the City from Mr. Weiss on October 1<sup>st</sup>, 2018.

Staff finds the amendment to be consistent with the standards of review for amendments as provided under Sec. 226.03 of the Code.

Attached is draft Ordinance 2020-01. This amendment is a companion to Ordinance 2020-02, which amends the Zoning designation of the site from Single Family Residential (R-1) to Public and Conservation (P).

## **B. Recommendation**

Approve/deny draft Ordinance 2020-01.

The Planning and Zoning Board's public hearing was held on February 12<sup>th</sup>, 2020. The board unanimously recommended the City Commission approve the application as submitted.

If approved on first reading, this request is subject to the submittal and approval of a Countywide Plan amendment. Prior to the tentatively scheduled City Commission second reading on June 1st, 2020, the following hearings will take place:

- Planners Advisory Committee: March 30, 2020
- Forward Pinellas: April 8, 2020
- Countywide Planning Authority: May 5, 2020

## **III. SITE VICINITY AND CHARACTERISTICS**

### **A. Site Characteristics**

The site currently contains a single-family detached dwelling.

### **B. Surrounding Zoning and Future Land Use**

The site is surrounded by the Recreation/Open Space (R/OS) Future Land Use and Public and Conservation zoning directly adjacent to the east and south, which represents the Folly Farms Nature Preserve as previously acquired by the City.

The Los Prados neighborhood to the west is classified as Residential Medium (RM) on the Future Land Use Map with Planned Development District (PDD) zoning. The Harbor Oaks Estates neighborhood to the north is classified as Residential Low (RL) on the Future Land Use Map with Conditional Mix District (R-3) zoning.

### **C. Allowable Uses**

#### **Permitted uses in the Recreation/Open Space Future Land Use Category:**

- Passive recreation areas
- Active recreational areas which include developed physical facilities (tennis courts, ball fields, swimming pools, etc.)
- Public/private open space
- Golf courses

## **IV. REVIEW CRITERIA**

### **A. Standards**

No amendment shall be recommended for approval or receive a final action of approval unless a positive finding based upon substantial competent evidence either presented at a public hearing held by the Board or reviewed personally by the Board members, is made on each of the following:

- (1) *Conformance with the requirements of the Land Development Code.*
- (2) *The available uses to which the property may be put are appropriate to the property in question and is compatible with existing and planned uses in the area.*
- (3) *The amendment is consistent with the goals, objectives and policies of all elements of the City Comprehensive Plan.*
- (4) *The amendment will not result in significant adverse impacts to the environment or historical resources.*
- (5) *The amendment will not create an isolated district unrelated to the scale and character of adjoining uses.*
- (6) *The amendment will not adversely affect adjoining property values.*
- (7) *The amendment will not adversely impact nor exceed the capacity of the fiscal ability of the City to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities. Compliance with the adopted Levels of Service standards can be demonstrated if necessary.*
- (8) *The amendment shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.*

## **B. Analysis**

### **1) Consistent with Land Development Code**

The companion Ordinance 2020-02 amends the Zoning designation from Single Family Residential (R-1) to Public and Conservation (P). The Public and Conservation zoning district is established to provide areas where the public and semi-public facilities serve the needs of the community, to provide areas where the preservation of property unsuitable for development is desirable, and to provide for the public and quasi-public ownership of land. The subject property will be serving as an extension of the Folly Farms Nature Preserve, which is consistent with the intent of the district.

### **2) Compatibility**

The site is surrounded on two sides by an existing publicly owned nature preserve. The current intent is to maintain the site as an extension of this preserve. The proposed Future Land Use amendment is compatible with the surrounding uses, including the residential to the west.

### **3) Consistent with Comprehensive Plan**

This amendment is consistent with the goals, objectives and policies of all elements of the City's Comprehensive Plan and the following in particular:

FLUE GOAL 1: The City shall ensure that the general character, density, and land use pattern is maintained and protected while:

- *Enhancing the City's open space character by providing public and private open space.*

FLUE OBJECTIVE 1.13: The City of Safety Harbor shall provide and maintain recreation/open space consistent with opportunities available in a growing community.

FLUE POLICY 1.13.4: The City shall continue its efforts to identify, preserve, and maintain open space in congested and developed areas or in areas demonstrating greatest need.

This request is subject to a Countywide Plan amendment. As such, a corresponding application must be approved by Forward Pinellas and the Countywide Planning Authority before being adopted by the City Commission.

4) **Environmental or Historic Resources**

The proposed amendment reflects the City's intent to maintain the property under public ownership for a passive park.

5) **Scale and Character**

The proposed Future Land Use classification is consistent with the scale, character, and development patterns of the area.

6) **Property Values**

No adverse impacts to property values are anticipated.

7) **Public Facilities (Level of Service Analysis)**

No adverse impacts to public facilities are anticipated.

8) **Orderly Growth Pattern**

The proposed Future Land Use map amendment is consistent with the growth pattern of the adjacent area.

## **V. PUBLIC CORRESPONDENCE**

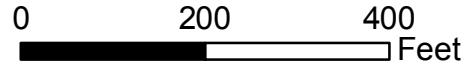
None to date.

## **VI. RECOMMENDED MOTION**


I move to approve/deny Ordinance 2020-01 (Case #2019-25 REZ/LUP) to amend the Future Land Use designation from Residential Low (RL) to Recreation/Open Space (R/OS), finding the amendment to be consistent with the requirements of the Land Development Code and the Comprehensive Plan.



# 2019-25 REZ/LUP LOCATION MAP



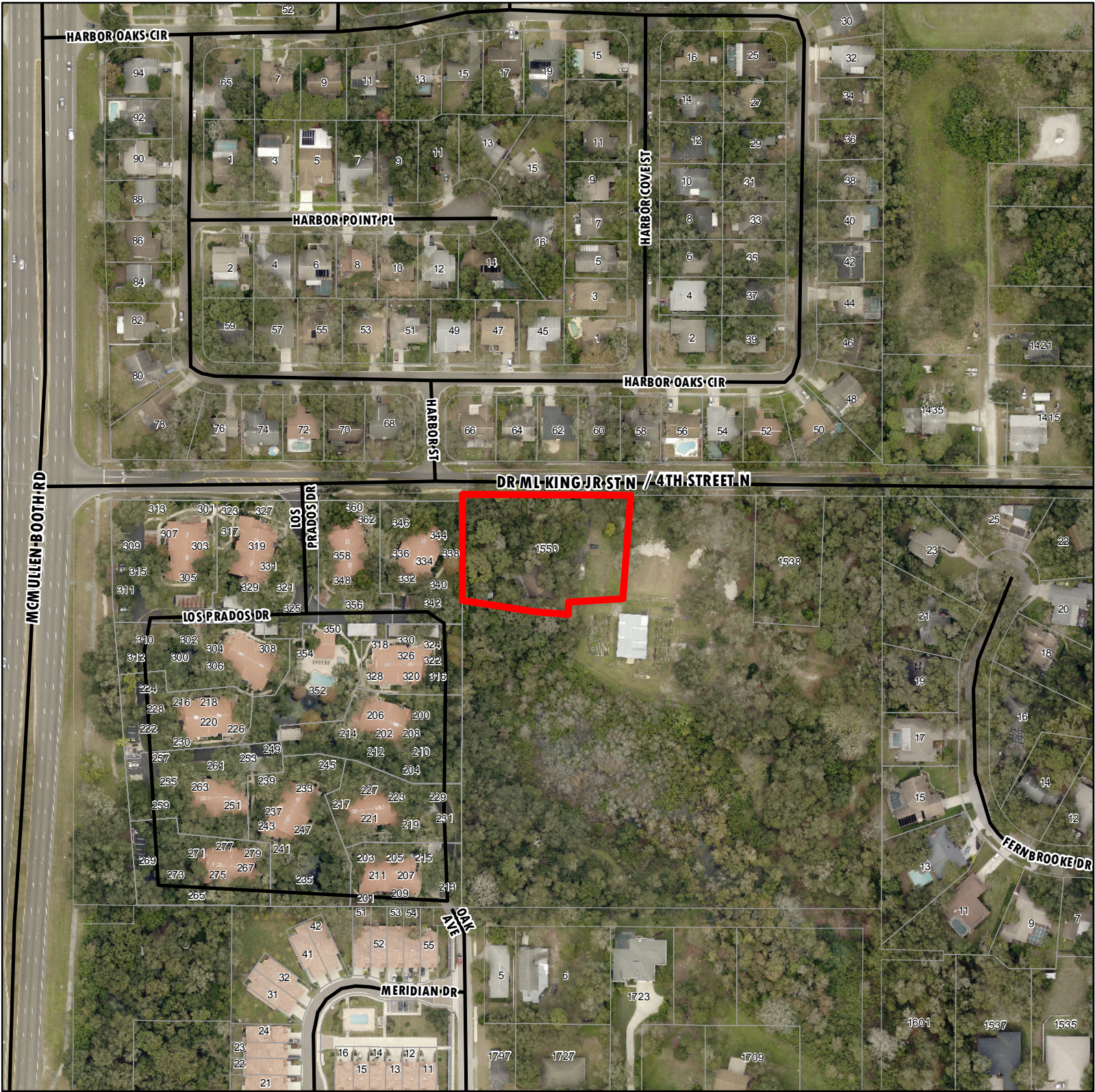
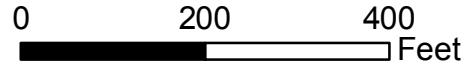
**1550 DR. MARTIN LUTHER KING JR. STREET N.**  
**PARCEL ID#: 04-29-16-00000-240-0210**

- LEGEND**
-  Subject Site
  -  Parcels






# 2019-25 REZ/LUP AERIAL MAP



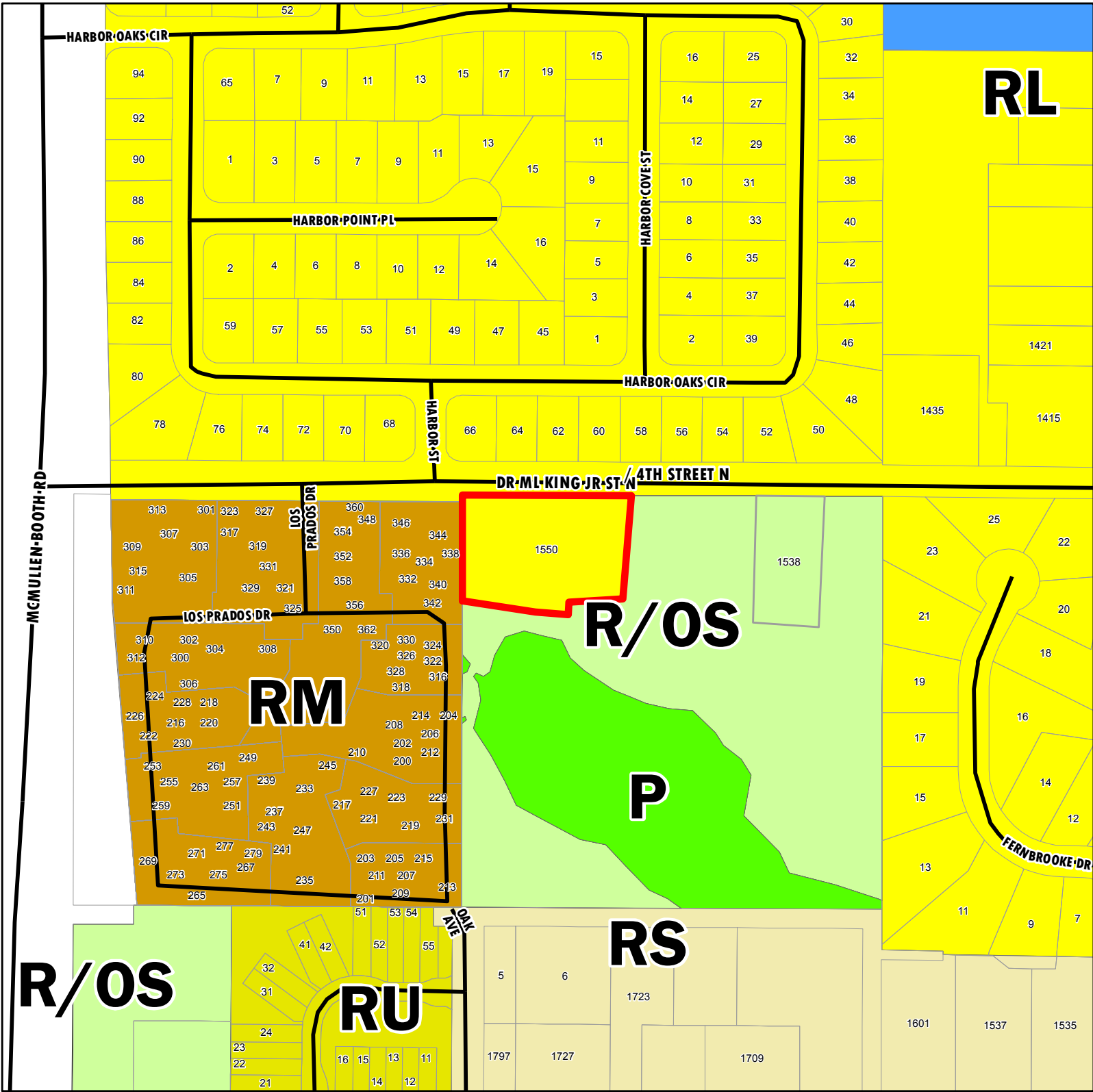
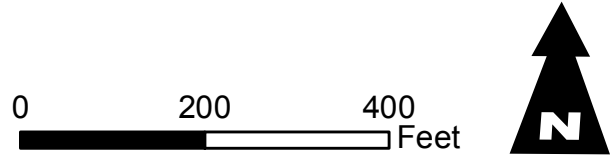
**1550 DR. MARTIN LUTHER KING JR. STREET N.**  
**PARCEL ID#: 04-29-16-00000-240-0210**

- LEGEND**
-  Subject Site
  -  Parcels





# 2019-25 REZ/LUP EXISTING FLU

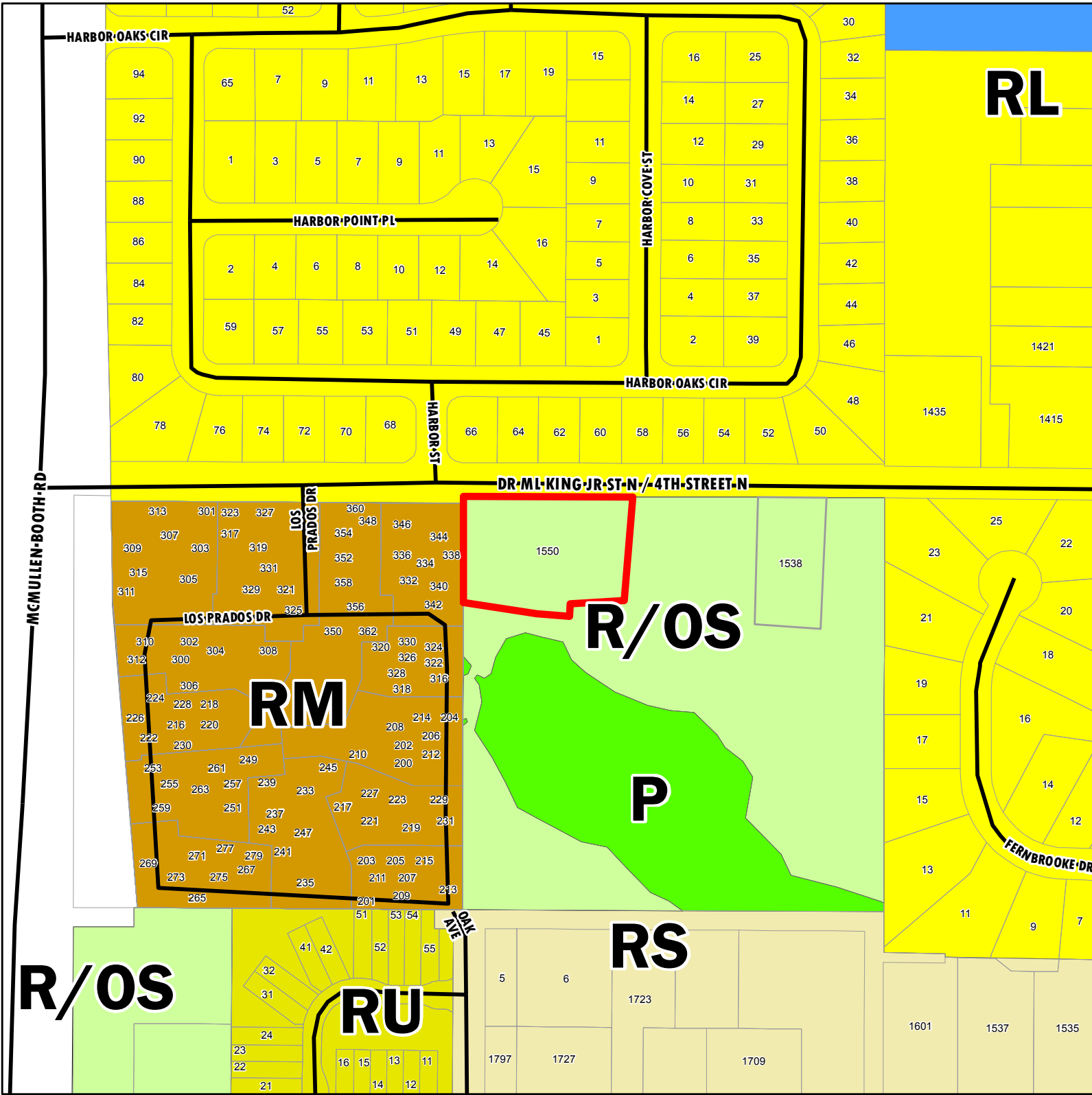
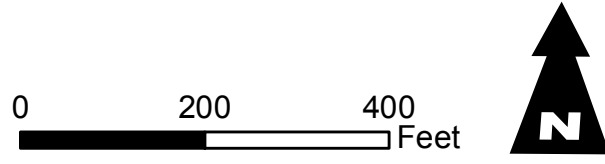


**1550 DR. MARTIN LUTHER KING JR. STREET N.  
PARCEL ID#: 04-29-16-00000-240-0210**

- Subject Site
- Parcels
- Residential Suburban (RS)
- Residential Low (RL)
- Residential Urban (RU)
- Residential Medium (RM)
- Preservation (P)
- Recreation/Open Space (R/OS)
- Institutional (I)



# 2019-25 REZ/LUP PROPOSED FLU



**1550 DR. MARTIN LUTHER KING JR. STREET N.  
PARCEL ID#: 04-29-16-00000-240-0210**

- Subject Site
- Parcels
- Residential Suburban (RS)
- Residential Low (RL)
- Residential Urban (RU)
- Residential Medium (RM)
- Preservation (P)
- Recreation/Open Space (R/OS)
- Institutional (I)



**ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF SAFETY HARBOR COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT 1550 DR. MARTIN LUTHER KING JR. STREET NORTH, SAFETY HARBOR, FLORIDA FROM RESIDENTIAL LOW (RL) TO RECREATION/OPEN SPACE (R/OS); FINDING THE REQUEST CONSISTENT WITH THE REQUIREMENTS OF THE CITY OF SAFETY HARBOR COMPREHENSIVE PLAN AND THE FORWARD PINELLAS COUNTYWIDE PLAN; PROVIDING FOR TRANSMITTAL TO REVIEWING AGENCIES IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Legislature passed the Local Government Comprehensive Planning and Land Development Act in 1986 (the "Act") requiring all counties and cities to prepare a comprehensive plan; and

**WHEREAS**, the City of Safety Harbor has previously enacted its comprehensive plan pursuant to the Act (the "City of Safety Harbor Comprehensive Plan"); and

**WHEREAS**, the Future Land Use Map is an element of the City of Safety Harbor Comprehensive Plan; and

**WHEREAS**, section 163.3187, Florida Statutes, provides the process by which local governments may adopt small scale amendments to their comprehensive plans; and

**WHEREAS**, the property owner, the City of Safety Harbor, has filed an application for an amendment to the Future Land Use Map to change the designation for the property described on Exhibit "A" (the "Property") from Residential Low (RL) to Recreation/Open Space (R/OS) as depicted on the attached Exhibit "B"; and

**WHEREAS**, upon public hearing with due public notice before the Planning and Zoning Board in its capacity as the Local Planning Agency on February 12, 2020, and public hearing with due public notice before the City Commission of the City of Safety Harbor on March 2, 2020 and June 1, 2020, it was determined that the application is consistent with the goals, objectives and policies of the City of Safety Harbor Comprehensive Plan and Forward Pinellas Countywide Plan, would be compatible with surrounding properties, and would best serve the public interest without depriving the owner thereof of its lawful rights; and

**WHEREAS**, upon public hearing with due public notice before the Planning and Zoning

Board and the City Commission on the above referenced dates, it was determined that the request is consistent with the requirements of the City of Safety Harbor Comprehensive Plan and the Forward Pinellas Countywide Plan; and

**WHEREAS**, the City of Safety Harbor has determined to request the amendment of the Forward Pinellas Countywide Plan pursuant to the rules of the Forward Pinellas Countywide Plan; and

**WHEREAS**, this Future Land Use Map amendment meets the defined criteria of a small-scale amendment as defined by Section 163.3187, Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:**

**SECTION 1.** The above recitals are true, correct, and incorporated by reference as the findings of the City Commission.

**SECTION 2.** The Future Land Use Map of the City of Safety Harbor Comprehensive Plan is hereby amended to change the present land use designation of the Property from Residential Low (RL) to Recreation/Open Space (R/OS) as depicted on Exhibit "B."

**SECTION 3.** The following request shall be transmitted to Forward Pinellas for amendment of the Forward Pinellas Countywide Plan for the Property:

FROM: RESIDENTIAL LOW (RL)

TO: RECREATION/OPEN SPACE (R/OS) as depicted on Exhibit "B."

**SECTION 4.** This amendment shall be transmitted to reviewing agencies and other local governments or governmental agencies which have requested, if any.

**SECTION 5.** Each provision of the Ordinance shall be considered separate and severable, and if any section or part thereof is held to be invalid by a court of competent jurisdiction, the validity of the remainder of this Ordinance, the City of Safety Harbor Comprehensive Plan, and/or the City of Safety Harbor Comprehensive Zoning and Land Development Code shall not be affected.

**SECTION 6.** Pursuant to Section 163.3187, Florida Statutes, the effective date of this small-scale future land use map amendment shall be thirty one (31) days after the state land planning agency notifies the City that the land amendment package is complete. If timely

challenged pursuant to Section 163.3187(5), Florida Statutes, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

PASSED ON FIRST READING MARCH 2, 2020.

ENACTED ON SECOND AND FINAL READING JUNE 1, 2020.

\_\_\_\_\_  
Mayor-Commissioner

APPROVED AS TO FORM:

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Nikki C. Day, City Attorney

\_\_\_\_\_  
Commissioner

ATTEST:

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Karen Sammons, CMC, City Clerk

\_\_\_\_\_  
Commissioner

**EXHIBIT "A" - LEGAL DESCRIPTION OF THE PROPERTY**

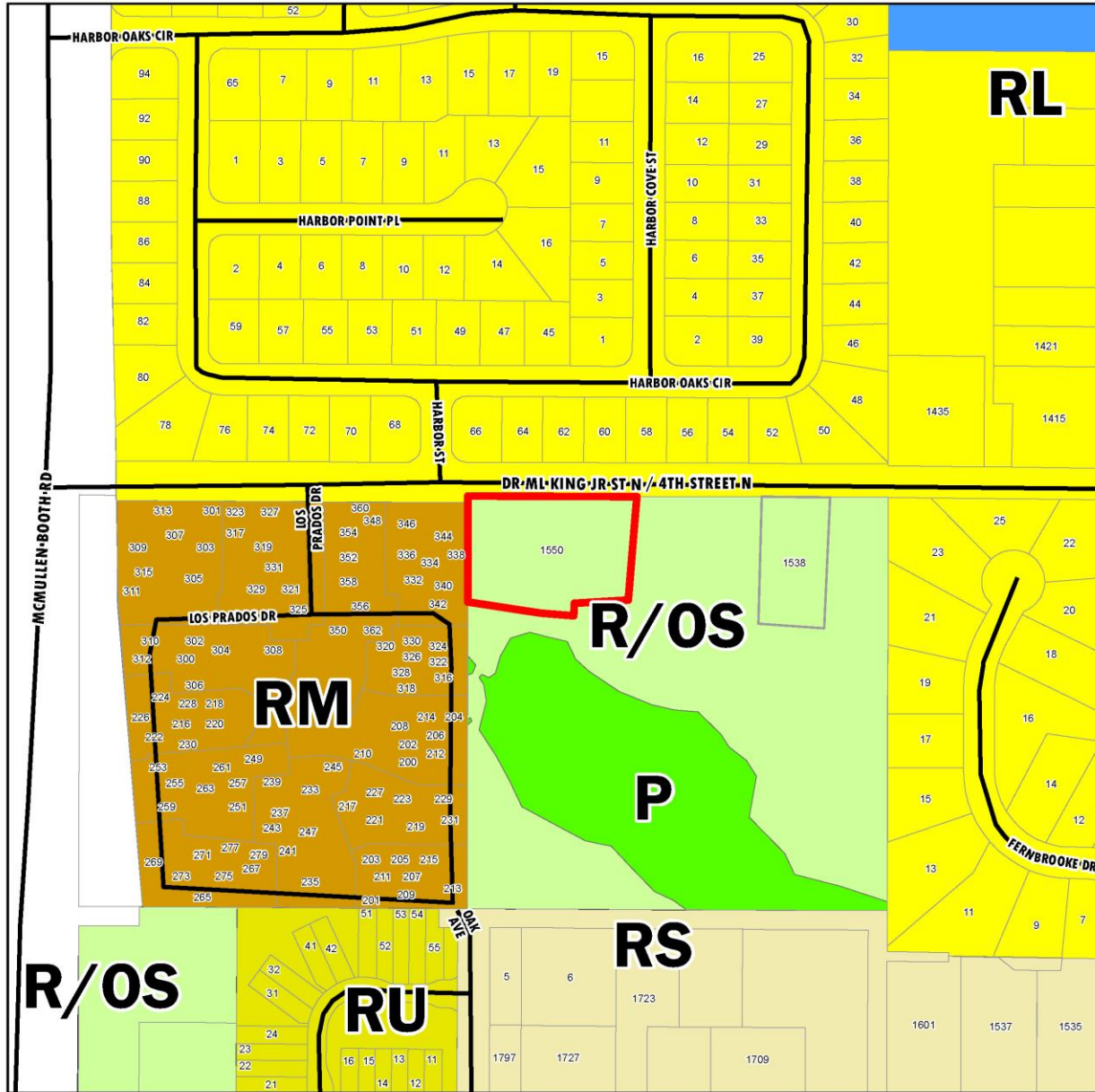
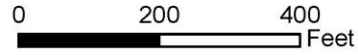
THAT PART OF SE 1/4 OF NW 1/4 OF SEC 04-29-16 DESC COM AT NE COR OF NW 1/4 OF SEC TH S00D05'34"W 1368.69 FT TH N89D49'35"W 398.14FT ALG R/W OF MLK DR FOR POB TH S04D33'58"W 164.67FT TH S86D38'56"W 86.10FT TH S00D45'40"W 19.88FT TH N84D53'13"W 52.69FT TH N81D29'02"W 117.17FT TH N00D12'20"W 168.15FT TH S89D49'35"E 267.48FT TO POB CONT 1.05AC(C)

Parcel Identification Number: 04-29-16-00000-240-0210



**EXHIBIT "B"**

**2019-25 REZ/LUP  
PROPOSED FLU**



**1550 DR. MARTIN LUTHER KING JR. STREET N.  
PARCEL ID#: 04-29-16-00000-240-0210**

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