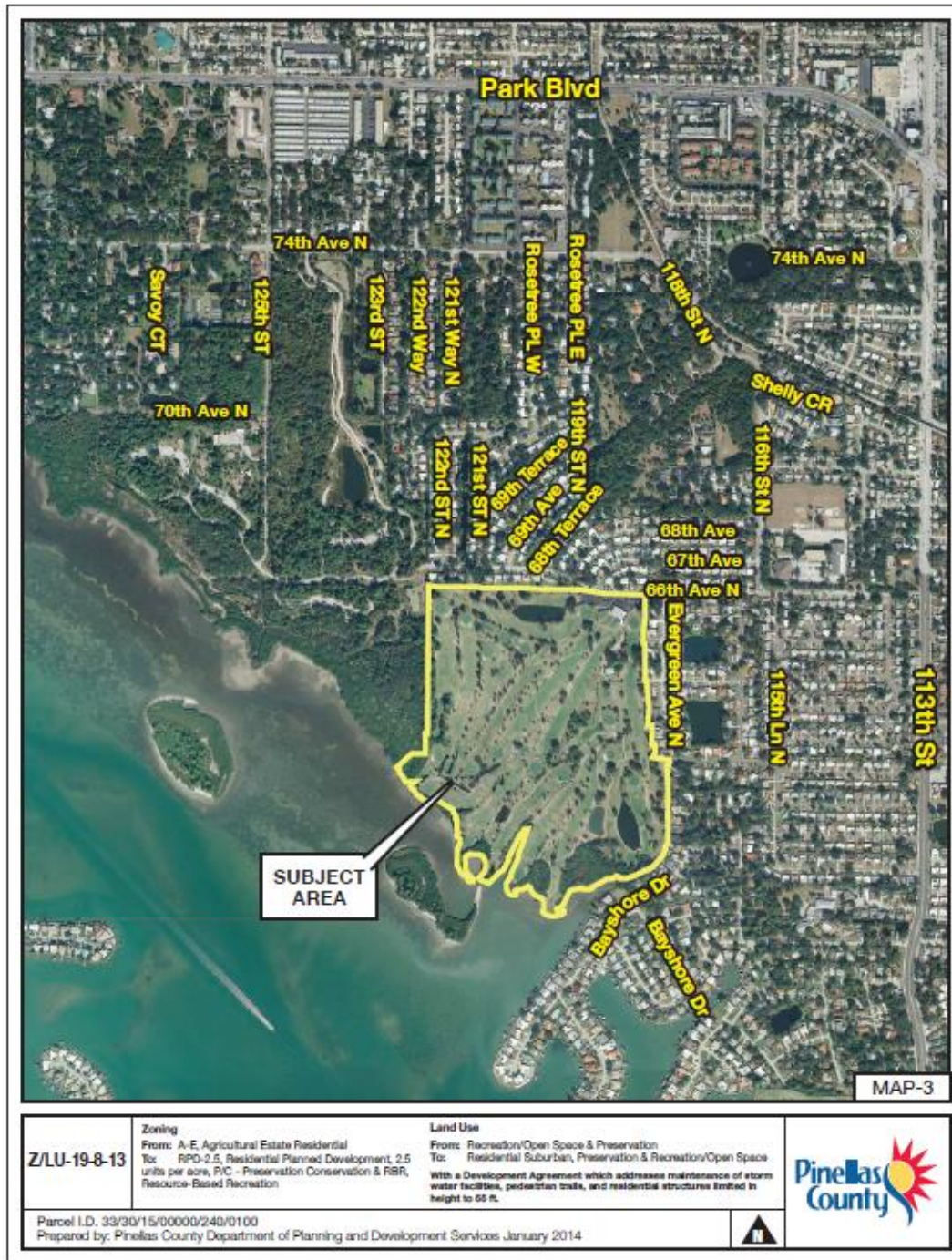


# Restoration Bay

Pinellas County BOCC Hearing – 5/25/2021



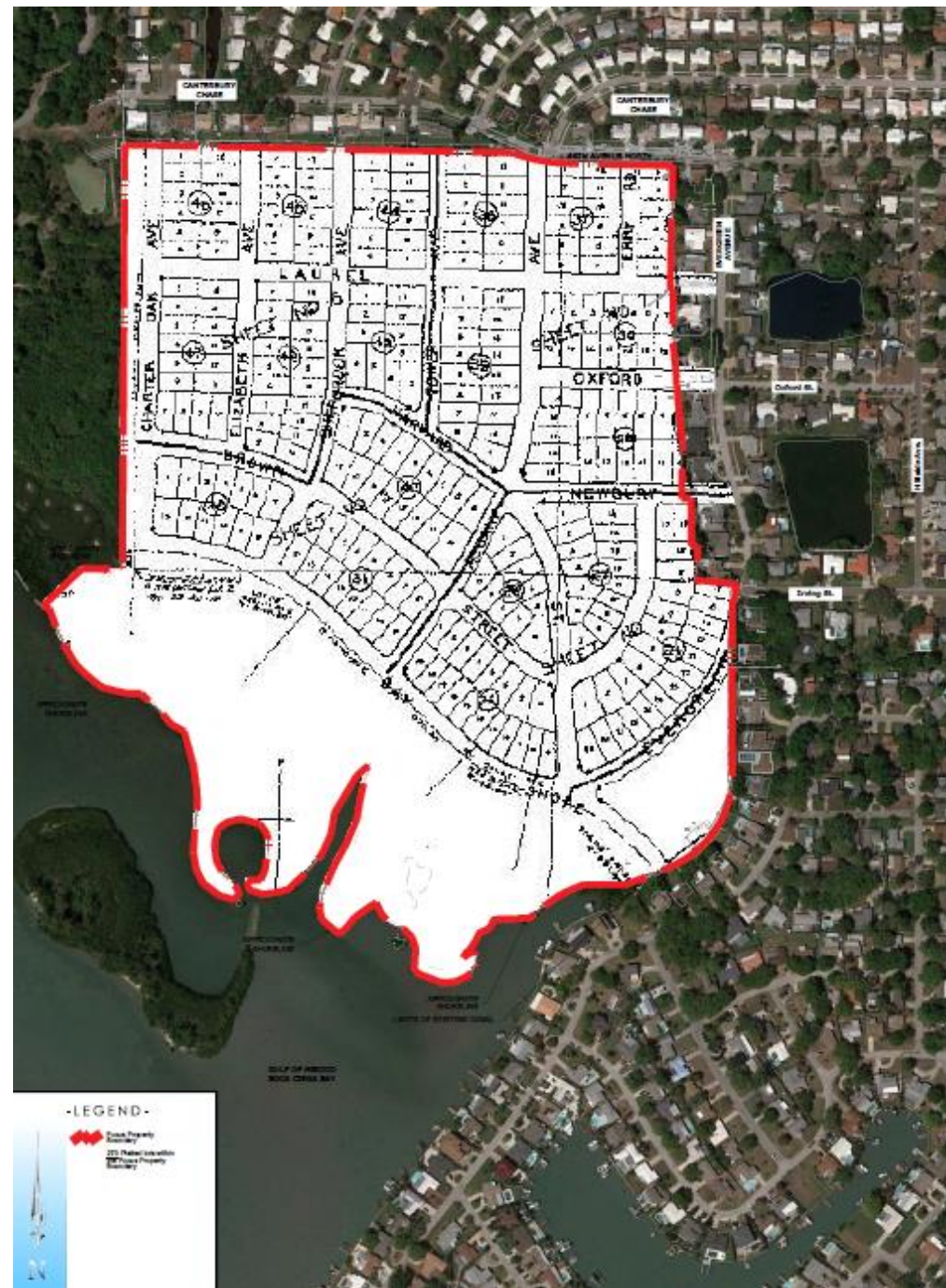
# Aerial Location



# Aerial Close View



# Historical Plat Overlay







# Pinellas County Comprehensive Plan

## Future Land Use Element

- **POLICY 4.3.1:** In order to limit the exposure of residents and property to coastal hazards and not increase existing and planned demands on hurricane evacuation corridors and public shelters, the population density and development intensity within the coastal planning area shall be consistent with Objective 1.3 of the Coastal Management Element and the supporting policies.

## Coastal Management Element

- **OBJECTIVE 1.3:** Pinellas County shall restrict development within the Coastal Storm Area and shall direct population concentrations out of the Coastal Storm Area.
- **POLICY 1.3.5:** Pinellas County shall not approve any request to amend the Future Land Use Map to designate parcels of land within the coastal storm area with a Future Land Use Map category that permits more than 5.0 dwelling units per gross acre.
- **POLICY 1.3.11:** Mitigation required...[for coastal storm area residential development] shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to their development and shall require Pinellas County and the developer to enter into a binding agreement to memorialize the mitigation plan.

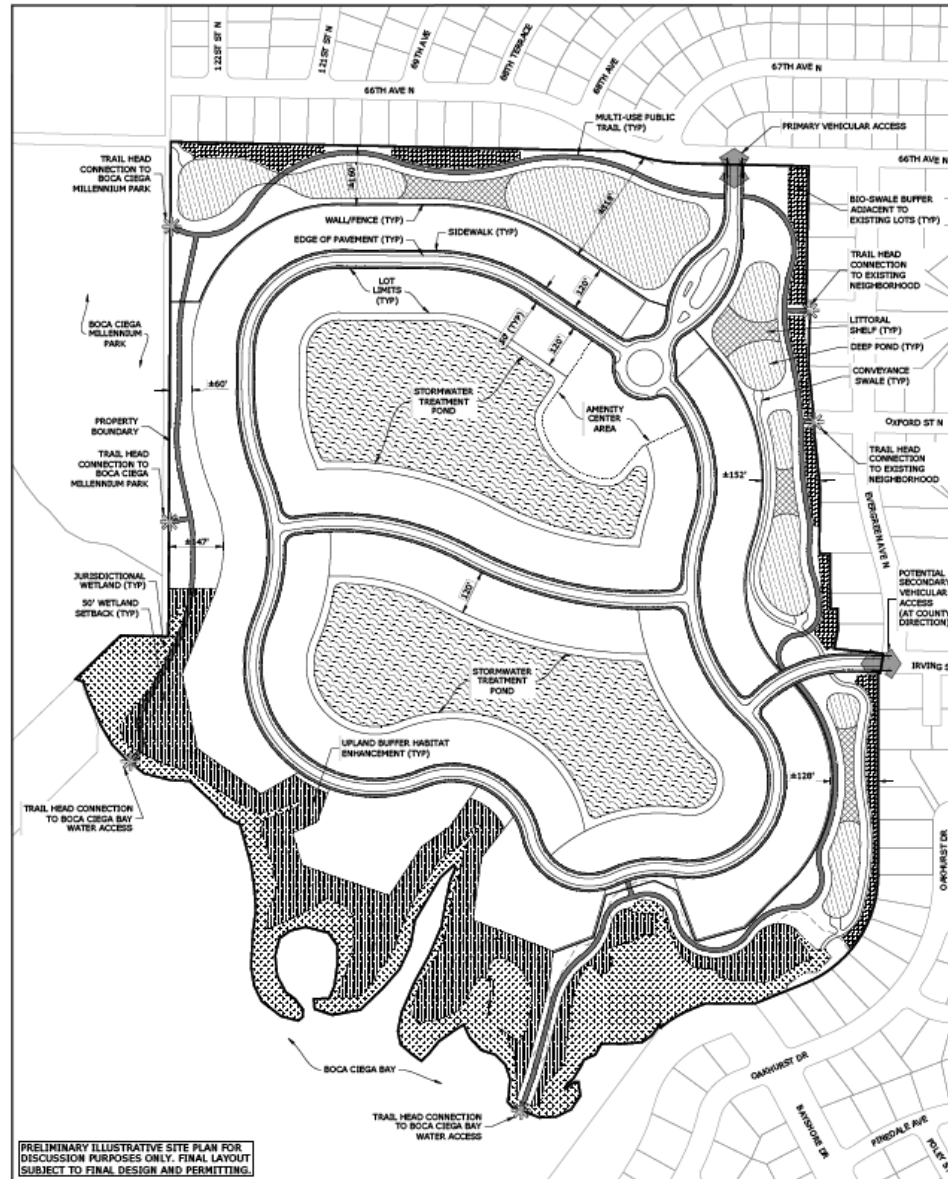
# Pinellas County Comprehensive Plan

## Recreation, Open Space & Culture (ROSC) Element

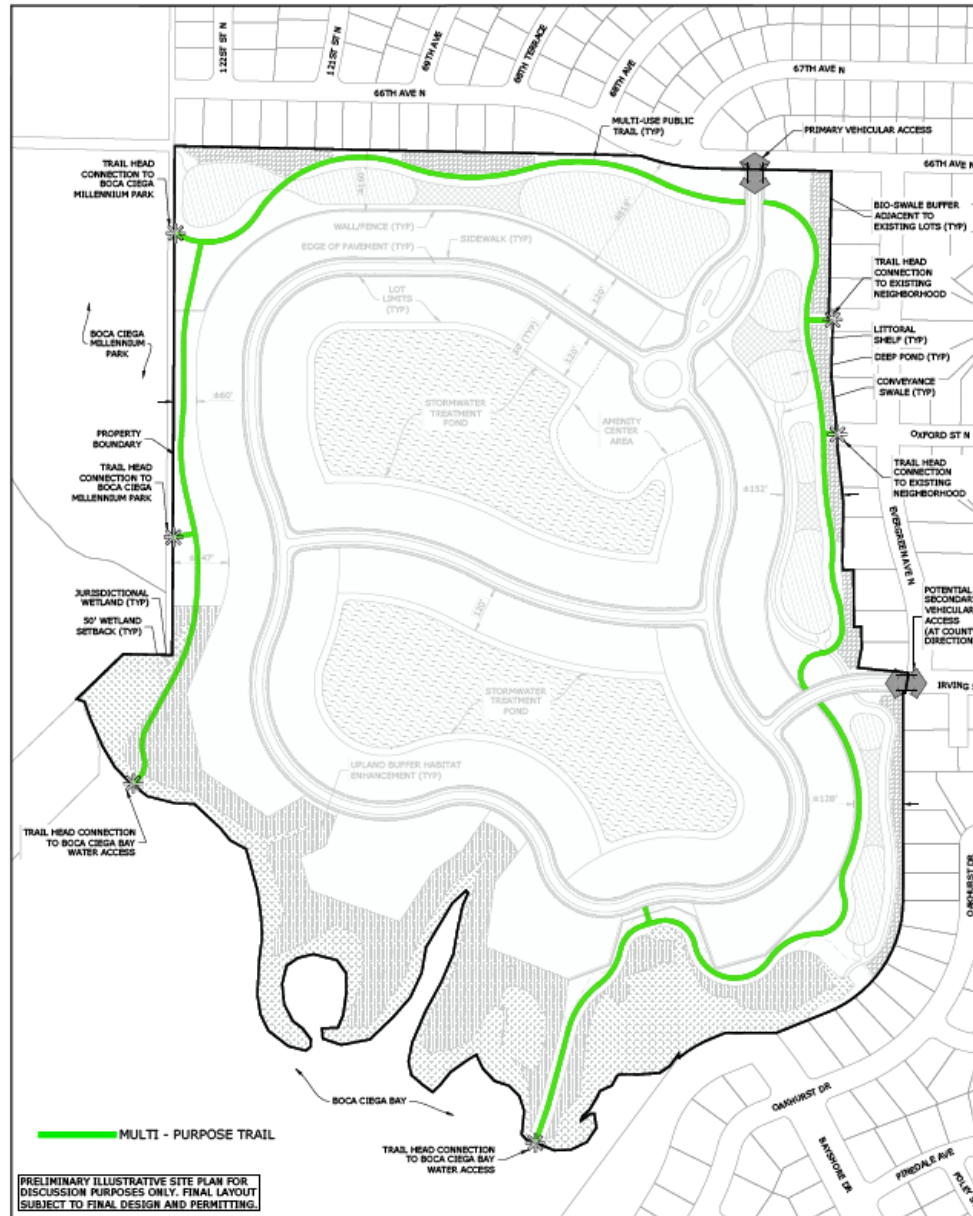
- **OBJECTIVE 1.5**: In recognition of the limited amount of available open space remaining within the County, Pinellas County shall **prohibit** the conversion of **dedicated** recreation/open space land uses and **encourage** the retention of **non-dedicated** recreation/open space land uses.
- Pinellas County **Staff Report** (Page 24): “**Non-Dedicated**” = “**Privately-Owned**” Recreation/Open Space Land.
- **Result**: There is **no prohibition** in the Comprehensive Plan for the conversion of this **non-dedicated** (i.e., privately-owned) R/OS land to residential land use **at less than 5.0 dwelling units per gross acre.**



# Restoration Bay – Master Development Plan



# Restoration Bay – Recreational Trails



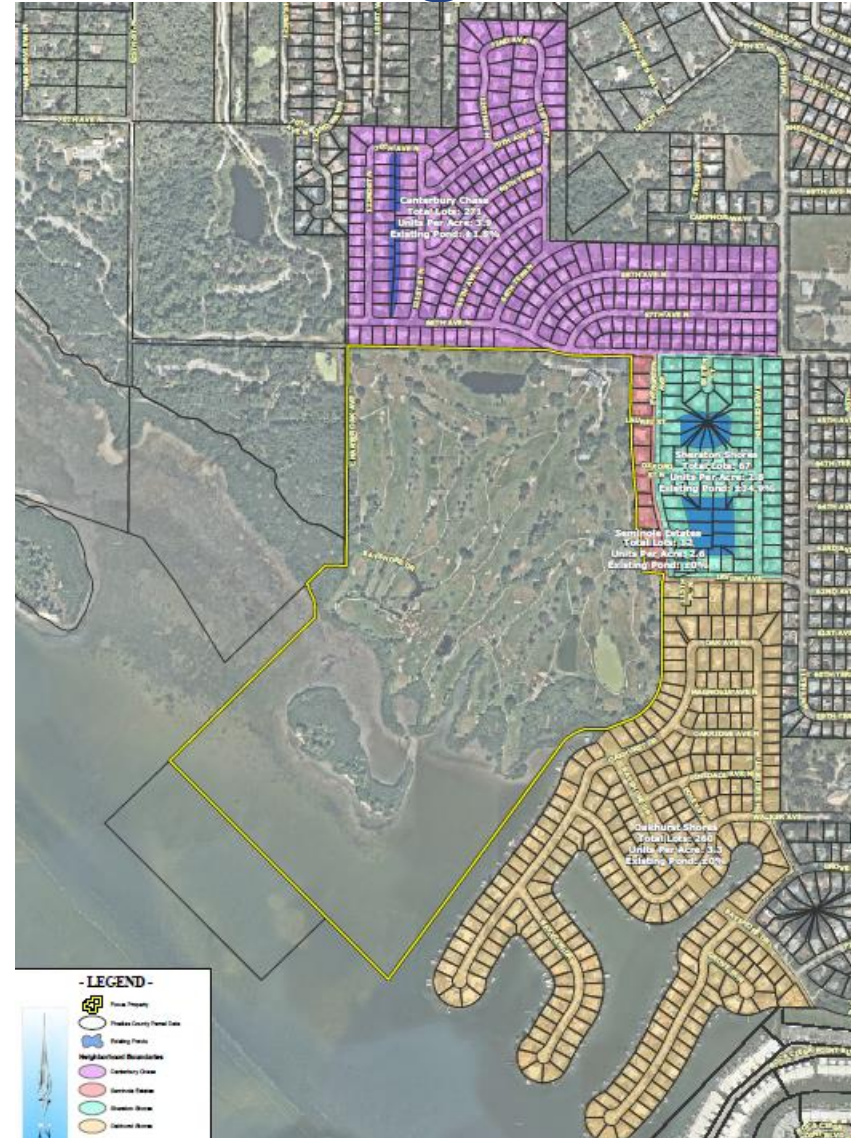
# Restoration Bay – Linear Park & Trail Vision Plan



# Restoration Bay – Linear Park & Trail Vision Plan



# Surrounding Residential Development and Contributing Stormwater Flows



# Restoration Bay – Environmental Enhancements











### Former The Tides Golf Course Use Historical Financial Performance Net Income After Expenses (Losses)



Notes: Prior Financials from January 2012 through November 2016 provided by Wells Fargo Bank to current owner.  
Golf course operation closed in September 2018 due to financial losses however the numbers are annualized for comparison purposes.  
Golf Course Clubhouse and supporting structures demolished in 2019 pursuant to Pinellas County permit approval.

# Restoration Bay Land Use Summary

- The Comprehensive Plan does not prohibit residential development in the coastal storm area; Coastal Management Element Policy 1.3.5 expressly authorizes residential development density up to 5.0 dwellings per acre.
- The staff report and neighborhood opposition rely upon a subjective, arbitrary interpretation of very generalized, vague Comprehensive Plan objectives and goals, and ignore the clear, specific policy directive (1.3.5) which is directly on point here: single family development at a density less than 5.0 dwellings per gross acre is allowed (See Staff Report Page 30, Which Conveniently Omits Policy 1.3.5).
- This land already is zoned for residential use and can be developed at 49 dwelling units under its existing A-E (now called R-A) zoning (Staff Report Page 2).
- When the BCC unilaterally changed the zoning in 1985 from R-1 and R-2 (residential) to A-E (still residential), the Board expressly told the property owner it could apply in the future to return to the prior, more dense residential zoning category (1985 Board Meeting Minutes).
- This land has always had residential zoning and was platted as Seminole Estates for 273 single family lots; the golf course use was simply an interim “conditional use” approved without changing the underlying, residential zoning for the property.

# Restoration Bay Land Use Summary

- When the County applied the R/OS land use “Overlay” to this land in 1975, it was simply to acknowledge that its then-current, “conditional use” for a golf course; also, the County did not have a zoning district for recreational uses and did not change the residential zoning when it applied the A-E (now called R-A) zoning district (49 dwellings) to the land in 1985 (Staff Report Page 5).
- The staff report concedes that this privately-owned land is not part of the County’s recreational level of service calculation (Staff Report Page 25); therefore, the County has never considered or counted this private land as dedicated R/OS land.
- The County finally adopted recreational zoning districts in 2009, but has never rezoned this land from residential use to any recreation zoning district; also, the golf course conditional use has now expired, so the land clearly remains zoned (R-A) for residential use at this time (Staff Report Page 5).
- This land was never master-planned with the surrounding communities, no density was ever “transferred-out” of this land to create any adjacent zoning density, and no deed restriction or other legal commitment was ever made to the County or the adjacent neighborhoods to permanently restrict this land for a golf course or any other open space/recreation use (Staff Report Page 5).
- The staff report concedes that the proposed development of this land at 273 dwellings (3.1 unit per acre) “is not in compatible with existing surrounding densities” (Staff Report Page 27; See Adjacent Subdivision Aerial).

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# Restoration Bay Public Benefits Summary

- Master-Planned Community With Current LDC Requirements, Building Code Hurricane Standards, and Flood Management Ordinance Compliance (all habitable living areas must be above Base Flood Elevation).
- Greenway and Public Trail System to provide adjacent neighborhood connectivity and other public access to and from Pinellas County's Boca Ciega Millenium Park to the Boca Ciega Bay Waterfront Area (no current public access).
- Approximately 52 acres of open space (54 % of total land) consisting of environmental preservation/conservation areas, open and landscaped buffers, public greenway/trail system, and stormwater management areas.
- Opportunity to provide on-site water quality treatment for historical off-site discharge of untreated storm water directly into Boca Ciega Bay from the adjacent neighborhoods, which does not comply with current SWFWMD requirements, and which uses Pinellas County easements for such direct discharge of untreated storm water.
- Opportunity for Concurrent Brownfield Designation to Assist with Environmental Mitigation and Clean-Up for Historical Golf Course Use of Insecticides, Pesticides, and Fertilizers, which Storm Run-Off Currently Discharges Into Boca Ciega Bay.
- Opportunity for On-Site Environmental Habitat Restoration of Previously Impacted Wetlands (Including Mangroves) from Historical Golf Course Use, Removal of Nuisance Species, and Re-Introduction of Native Species in the Greenway/Trail System.

# Restoration Bay Public Benefits Summary

- Although the Project's Additional Traffic Impacts Comply With All Level of Service (LOS) Requirements, the Owner Has Committed in the Development Agreement to Provide **Pedestrian Connectivity and Safety Improvements for the Adjacent Neighborhoods**, and To Upgrade the **Pre-Existing County Turning Lane Deficiencies** in 113<sup>th</sup> Street (Although Not Required for this Project's Impacts).
- Additional Phase II and Phase III **Archeological Testing**, As Applicable.
- **Hurricane Shelter Mitigation** will be Provided Pursuant to Coastal Management Element Policy 1.3.11 (**subject to the County's Mandatory Compliance therewith**).
- **Unique, Remaining Infill Opportunity** to Allow 273 Existing or Future Pinellas County Residents to Enjoy **Waterfront Living**, Pinellas County's Distinguishing Geographic Feature, as Now-Enjoyed by all of the Adjacent Neighborhoods and Countless Other Pinellas County Communities (All Coastal and Island Beach Communities, including Downtown St. Pete, Snell Isle, Isla del Sol, Tierra Verde, Pass-a-Grille, Belleview Island, Sand Key, Clearwater Beach, Island Estates, Ozona, Crystal Beach, etc.), None of Which Could Be Developed According to the County Staff's Subjective and Arbitrary Interpretation of the Comprehensive Plan.