

ORDINANCE NO. 20- \_\_\_\_

ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA, BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 64 ACRES COMPRISING THE GREATER DOWNTOWN PALM HARBOR AREA, CENTERED AROUND THE INTERSECTION OF ALTERNATE US-19 AND FLORIDA AVENUE LOCATED IN SECTION 1 & 2, TOWNSHIP 28, RANGE 15, FROM ACTIVITY CENTER-NEIGHBORHOOD, COMMERCIAL GENERAL, RESIDENTIAL URBAN, RESIDENTIAL MEDIUM, RESIDENTIAL/OFFICE/LIMITED, RESIDENTIAL/OFFICE/RETAIL, INSTITUTIONAL, EMPLOYMENT & RECREATION/OPEN SPACE TO ACTIVITY CENTER-NEIGHBORHOOD AND AMENDING THE SUPPORTING DOWNTOWN PALM HARBOR MASTER PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pinellas County has petitioned the Board of County Commissioners of Pinellas County to amend the Future Land Use Map of the real property hereinafter described from Activity Center-Neighborhood, Commercial General, Residential Urban, Residential Medium, Residential/Office/Limited, Residential/Office/Retail, Institutional, Employment & Recreation/Open Space to Activity Center-Neighborhood; and

WHEREAS, the County has completed an update to the Downtown Palm Harbor Master Plan (Master Plan), incorporating recommendations from the community and expanding the associated Activity Center- Neighborhood Future Land Use Map designation; and

WHEREAS, the County is currently proposing a companion Ordinance establishing and adopting the Downtown Palm Harbor Form Based Code (new Article XII of Chapter 138 of the Pinellas County Land Development Code) to serve as the regulatory zoning code to implement the Master Plan and associated Activity Center-Neighborhood Future Land Use Map designation; and

WHEREAS, legal notice of public hearing on proposed amendments to the Future Land Use Map and the supporting Master Plan was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with; and

WHEREAS, this Board has determined that the Future Land Use Map designations of said property should be changed and the supporting Master Plan should be amended.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, on \_\_\_\_\_, \_\_\_\_\_, 2020, that:

Section 1. Findings.

- a. The requirements of Policy 1.3.4 of the Future Land Use Element establish the requirements for an Activity Center designation on the Future Land Use Map.
- b. These requirements are hereby satisfied through the establishment and adoption of the Downtown Palm Harbor Form Based Code (Article XII of Chapter 138 of the Pinellas County Land Development Code) and the amended Downtown Palm Harbor Master Plan (Exhibit “A” to this Ordinance).

Section 2. Purpose and Intent

- a. Pinellas County has determined that the Downtown Palm Harbor Master Plan establishes the foundation for public and private investment in Downtown Palm Harbor, and documents the decisions about the future of Downtown that were made through the extensive community participation process involved in this process.
- b. Through area analysis and community input the County determined appropriate to expand the existing Activity Center-Neighborhood Future Land Use Map designation to include additional property to form a more cohesive neighborhood area and transition land uses and development intensity moving away from the Downtown Palm Harbor core into the predominantly single-family residential areas.

Section 3. The Future Land Use Map designation for property identified in Exhibit “B.1” and Exhibit “B.2” is hereby amended from Activity Center-Neighborhood, Commercial General, Residential Urban, Residential Medium, Residential/Office/Limited, Residential/Office/Retail, Institutional, Employment & Recreation/Open Space to Activity Center-Neighborhood.

Section 4. The Downtown Palm Harbor Master Plan is hereby amended in its entirety as provided for in Exhibit “A”.

Section 5. Severability

If any Section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgement or decree shall be rendered.

Section 6. This Ordinance shall take effect upon:

- a. Receipt of notice from the Secretary of State that the Ordinance has been filed is received; and
- b. Approval by the Countywide Planning Authority of the requisite amendment of the Countywide Future Land Use Plan submitted herein pursuant to Chapter 2012-2.45, Laws of Florida; and
- c. Pursuant to Section 163.3184 (3), Florida Statutes, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after the state land planning agency notifies Pinellas County that the plan amendment packet is complete. If timely challenged, an amendment shall not become effective until that state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM

By:   
\_\_\_\_\_  
Office of the County Attorney

**EXHIBIT “A”**

Proposed Downtown Palm Harbor Master Plan

(can be viewed at:

[http://www.pinellascounty.org/downtownpalmharbor/pdf/  
DPHPlanApp.pdf](http://www.pinellascounty.org/downtownpalmharbor/pdf/DPHPlanApp.pdf) )



# DOWNTOWN PALM HARBOR NEIGHBORHOOD ACTIVITY CENTER

## CURRENT FUTURE LAND USE

### EXHIBIT "B.1"



	Residential Urban (RU)		Institutional (I)
	Residential Medium (RM)		Commercial General (CG)
	Residential/Office/Limited (ROL)		Employment (E)
	Residential/Office/Retail (ROR)		Recreation/Open Space (ROS)
	Activity Center - Neighborhood (AC-N)		Downtown Palm Harbor Activity Center Boundary

0 500 1000 Ft

NORTH



# DOWNTOWN PALM HARBOR NEIGHBORHOOD ACTIVITY CENTER

## PROPOSED FUTURE LAND USE

### EXHIBIT "B.2"

