



SUBJECT: Approval/Denial of Ordinance No. 2019-07, on first reading, updating the Downtown Master Plan

ACTION REQUESTED: Approval/Denial of Ordinance No. 2019-07

REQUESTED BY: Marcie Stenmark, AICP, Community Development Director

SUPPORTING DOCUMENTS: Yes

SUMMARY

Ordinance No. 2019-07 accepts the recommendations of the CRA to amend the Community Redevelopment Plan (aka Downtown Master Plan). An accompanying resolution (Res. 2019-01 CRA) was heard by the Community Redevelopment Agency earlier this evening.

BACKGROUND

The City Commission held discussions regarding the draft Downtown Master Plan amendment on August 6, 2018, October 1, 2018, December 3, 2018, January 7, 2019, March 4, 2019, April 1, 2019, and May 20, 2019. A Community Redevelopment Agency discussion was held on May 6, 2019. The Planning and Zoning Board held discussions on March 13, 2019 and April 10, 2019.

In 2018, Pinellas County updated their Tax Increment Financing eligibility policies. On March 1, 2019, the City of Safety Harbor purchased the Baranoff Oak property.

At their March 4, 2019 meeting, the City Commission requested the Planning and Zoning Board prepare ideas for the areas within the Community Redevelopment District that have a maximum height of 45,' including architectural design, design elements such as roof lines, balconies, step backs, number of stories, and maximum height.

On April 10, 2019, the Planning and Zoning Board recommended the City Commission approve the three-story maximum, changing the Baranoff Park character district to "Public" and updating the objectives by:

- Changing the bicycle parking goal from "where needed" to "where possible";
- Adding a goal to implement a lighting policy in public parks to address night skies, turn off times, and lighting design; and,
- Adding a goal to ensure adequate landscaping downtown.

In addition, the Planning and Zoning Board recommended implementation of an architectural design review process for new development within the Community Town Center (CTC) and Main Street Marketplace (MSM) character districts, including the preparation of design guidelines by a design professional.

At their May 6, 2019 meeting, the Community Redevelopment Agency (CRA) requested staff prepare the Downtown Master Plan update.

DOWNTOWN MASTER PLAN AMENDMENT

Ordinance No. 2019-07 accepts the recommendations of the CRA to amend the Community Redevelopment Plan (also known as the Downtown Master Plan), as summarized below:

- 1) Change the Future Land Use of Baranoff Oak park from the Community Town Center character district (CTC) to the Public (P) character district (Exhibit A);
- 2) Establish a maximum height for buildings and structures in portions of the Community Town Center (CTC), Public (P), and Traditional Neighborhood Development-1 (TND-1) Character Districts of thirty-five feet (35') and no more than three (3 stories), except as provided in Land Development Code Section 98.03 (Exhibit B); and,
- 3) Update redevelopment objectives and Pinellas County Tax Increment Financing eligibility policies (Exhibit C).

Exhibit A (DTMP Figure 2: Master Development Plan Framework) is attached, depicting Baranoff Oak park within the "Public" character district.

Exhibit B (DTMP Figure 3: Building Height Maximums) is attached, changing the maximum height in portions of the Community Town Center (CTC), Traditional Neighborhood Development-1 (TND-1), and Public (P) character districts from "45'" to "35'/3 stories**". Footnote ** states "except as provided in Land Development Code Section 98.03." The adopted code section is below:

98.03 Maximum building height.

All development within the Community Redevelopment District shall comply with the building height limitations shown in Figure 3, Maximum Building Height of the adopted City of Safety Harbor Downtown Master Plan which is incorporated [by reference] and made a part of this Article. Article XVI, Definitions, shall be referred to for the method of measuring building height.

A second ordinance (Ordinance No. 2019-16) is being prepared to amend Land Development Code Section 98.03 to establish a process for applicants to request up to five additional feet in building height through a development agreement or site plan demonstrating inclusion of at least four design enhancements. Draft Ordinance No. 2019-16 is tentatively scheduled for the September 3, 2019 City Commission meeting for first reading. The draft language, based on prior City Commission discussions, is below:

*Within areas with a maximum height of "35'/3 stories**," an additional 5' in height may be approved in conjunction with a duly authorized development agreement, or as part of a site plan which demonstrates at least four of the following design enhancements to reduce*

massing and enhance design above the minimum requirements of the Comprehensive Zoning and Land Development code:

- *Second story residential uses over non-residential uses over a minimum of 75 percent of the first floor uses;*
- *Pedestrian arcade, overhang, or awnings along a minimum of 70 percent of the street level of any façade facing a street;*
- *Exterior balconies on the upper story(ies) of front façade(s) with a minimum total balcony coverage of 10 percent per façade and not to exceed a total balcony coverage of 50 percent per façade;*
- *Front setback exceeding required setback by a minimum of five feet;*
- *Side setbacks exceeding required setbacks on both sides by a minimum of three feet each;*
- *Upper story step backs a minimum of 5' along all front façades and side yards; and,*
- *Varied roof lines with a maximum linear length of an uninterrupted roof line facing a street of 40 feet.*

Exhibit C is an update to the redevelopment objectives to reflect current and future programming within the Community Redevelopment District and a replacement of the Tax Increment Financing eligibility table, summarizing Pinellas County requirements. Since the City Commission's last discussion, an item regarding the library addition design and construction was added to the objectives list (Objective 6).

The Planning and Zoning Board met in its capacity as the Downtown Redevelopment Board on June 12, 2019 to review draft Ordinance No. 2019-07. The Downtown Redevelopment Board voted 5-2 to recommend approval of items 1 (Baranoff Park character district map change) and 3 (objectives and TIF policy list) and recommend denial of item 2 (building and structure height). More specifically, they recommend denial of item #2 to "Establish a maximum height for buildings and structures in portions of the Community Town Center (CTC), Public (P), and Traditional Neighborhood Development-1 (TND-1) Character Districts of thirty-five feet (35') and no more than three (3 stories), except as provided in Land Development Code Section 98.03 (Exhibit B)." In their motion, it was stated the ordinance did not meet standards for review item numbers 4, 5, and 6 as listed on page 4 of this staff report. The draft meeting minutes are attached.

The board confirmed their prior recommendations regarding the objectives list, including:

- Changing the bicycle parking goal from "where needed" to "where possible";
- Adding a goal to implement a lighting policy in public parks to address night skies, turn off times, and lighting design; and,
- Adding a goal to ensure adequate landscaping downtown.

In addition, the board gave input regarding the second, future ordinance (Ordinance No. 2019-16), which is summarized on page 4 of the draft minutes. The board is scheduled to review the second ordinance on August 14, 2019.

Public comment regarding the draft Downtown Master Plan update is attached.

SCHEDULE

The Downtown Master Plan update requires review by Pinellas County, Forward Pinellas and state agencies, including the Florida Department of Economic Opportunity. The character district map amendment (Exhibit A) will result in a Countywide Plan map amendment. The tentative schedule is below:

<u>Date</u>	<u>Step</u>
6/12/19	Downtown Redevelopment Board (Ordinance No. 2019-07)
7/15/19	Community Redevelopment Agency Resolution (2019-01 CRA)
7/15/19	City Commission Ordinance No. 2019-07 first reading
8/14/19	Planning and Zoning Board (Ordinance No. 2019-16)
9/3/19	Forward Pinellas Planner Advisory Committee (PAC) City Commission first reading (Ordinance No. 2019-16)
9/11/19	Forward Pinellas public hearing
10/8/19	Pinellas County Board of County Commissioners and Countywide Planning Authority public hearing
11/4/19	City Commission Ordinance second readings
Mid. December	Effective Date

STANDARDS FOR REVIEW

Land Development Code Section 226.03 states that no amendment shall be recommended for approval or receive a final action of approval unless a positive finding 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.

RECOMMENDATION

Staff finds that Ordinance 2019-07 meets the standards for review under Code Sec. 226.03 and recommends the City Commission approve or deny the ordinance, upon first reading.

Legal Ad: A legal ad was required prior to the Downtown Redevelopment Board meeting and City Commission first reading. A legal ad was published on May 31, 2019 in the Tampa Bay Times. A mail out was completed to properties within the Community Redevelopment District and within 500' of the Community Redevelopment District. A sign was posted. A legal ad is required before the second reading.

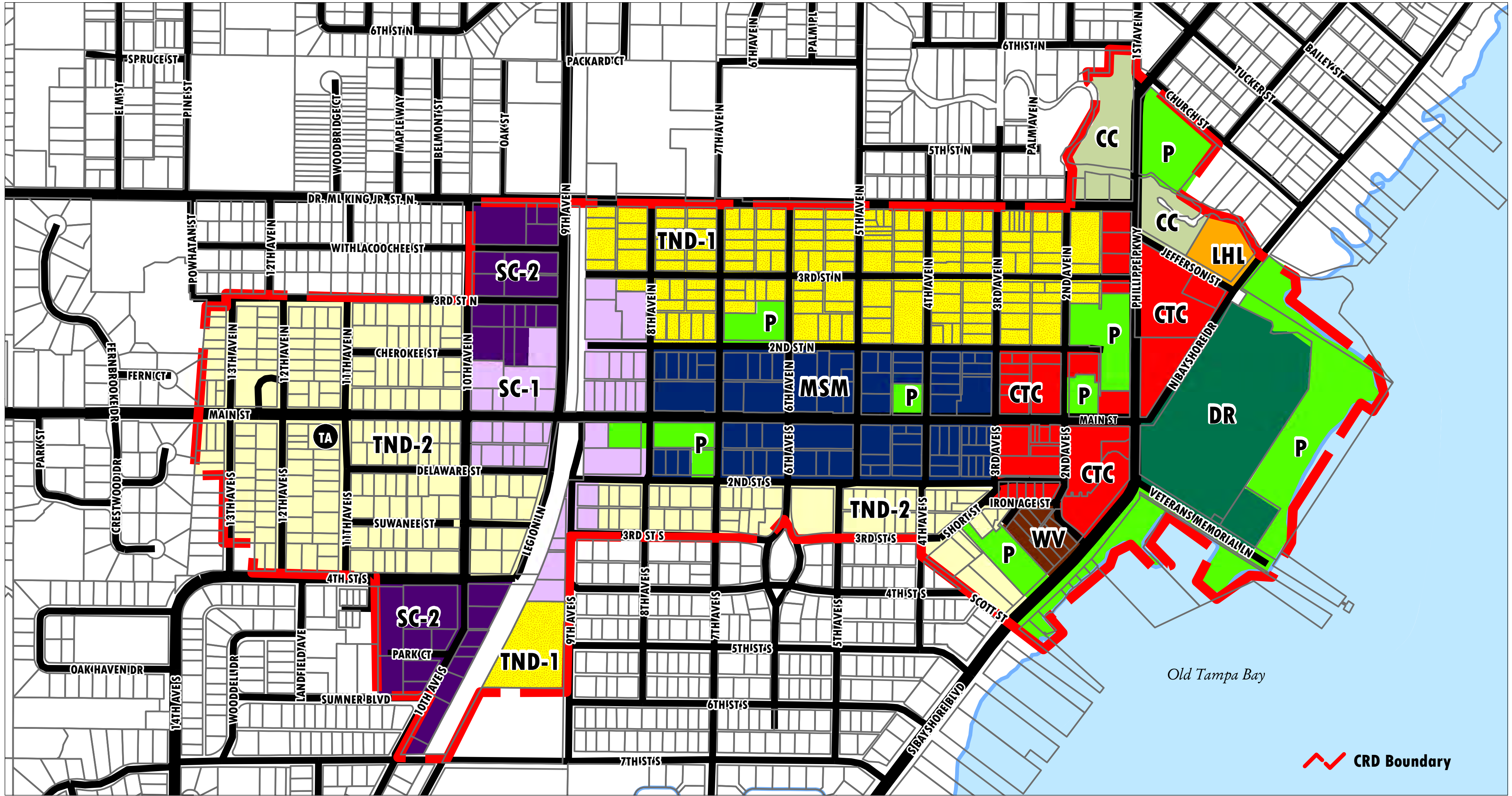
To view legal ads, visit:

<http://fl-safetyharbor3.civicplus.com/59/Legal-NoticesElections>

To sign up for legal ad reminder e-mails, visit

<http://www.cityofsafetyharbor.com/list.aspx>

EXHIBIT A



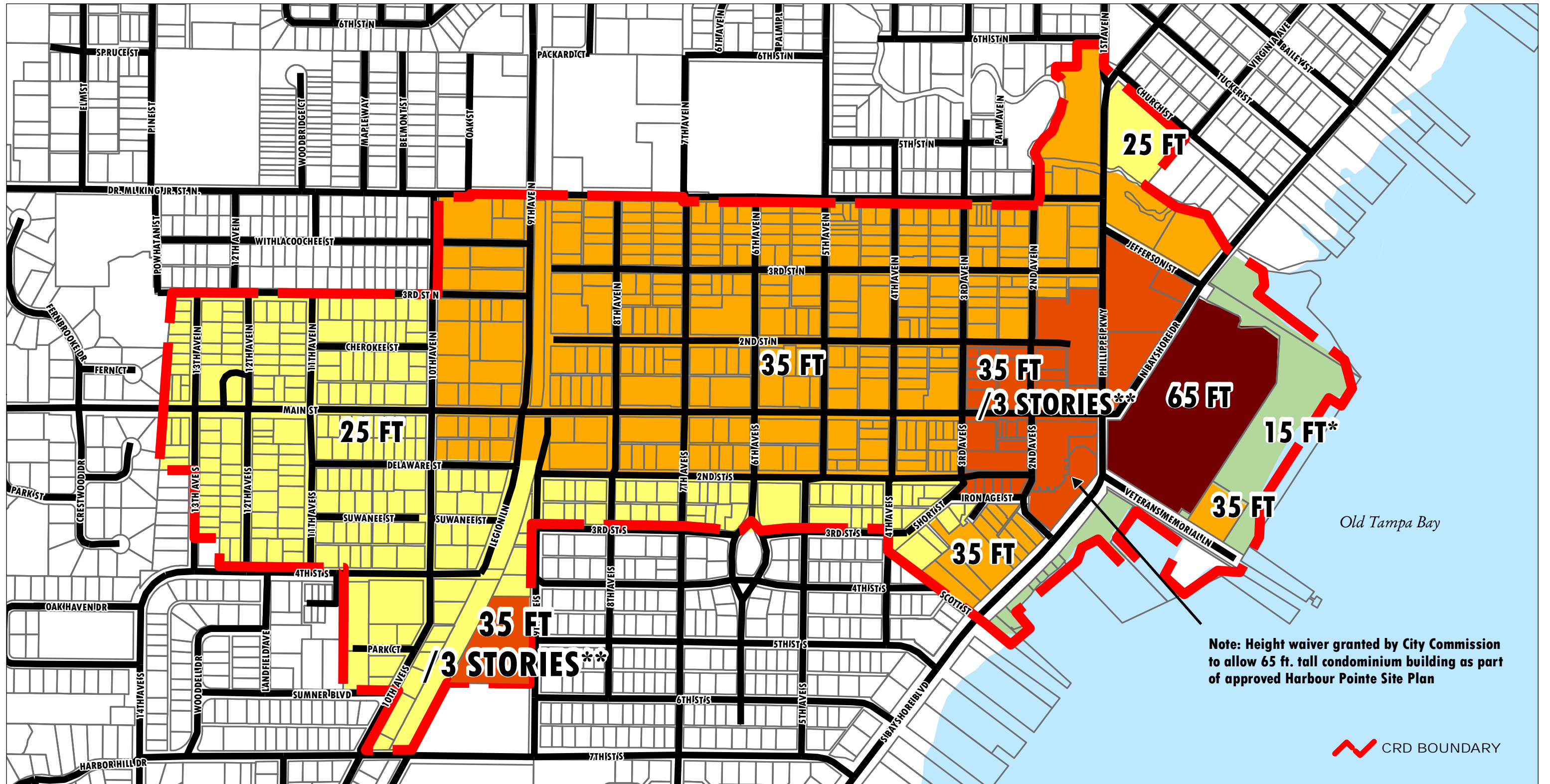
- | | | |
|---|------------------------------------|----------------------------------|
| TND-1 Traditional Neighborhood Development - 1 (Mixed Residential) | MSM Main Street Marketplace | P Public |
| TND-2 Traditional Neighborhood Development - 2 (Single-Family Residential) | CTC Community Town Center | TA Transient Accomodation |
| LHL Local Historic Landmark | DR Destination Resort | |
| CC Creekside Conservation | SC-1 Service Corridor - 1 | |
| WV Waterfront Village (Transition) | SC-2 Service Corridor - 2 | |

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 Community Development Department
 Planning and Zoning Division

**FIGURE 2:
 MASTER DEVELOPMENT PLAN FRAMEWORK**

0 250 500 1,000 Feet

EXHIBIT B



MAXIMUM BUILDING HEIGHT



*Or as stipulated in use and easement agreement between the City of Safety Harbor and SHS Resort, LLC.

**Except as provided in Land Development Code Section 98.03

The Downtown Master Plan is implemented by the Comprehensive Zoning and Land Development Code Article VI. Section 98.03 of the Comprehensive Zoning and Land Development Code adopts maximum heights by reference to Figure 3 in the Downtown Master Plan

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 Community Development Department
 Planning and Zoning Division

**FIGURE 3:
 BUILDING HEIGHT MAXIMUMS**

0 245 490 980 Feet



EXHIBIT C
CITY OF SAFETY HARBOR DOWNTOWN MASTER PLAN

Redevelopment Objectives (Updated 2019)

Objective 1: Protect and enhance the natural environment

- * Promote compact development forms that preserve open space, healthy protected trees ~~(especially those that qualify as grand trees)~~ and native vegetation.
- * Remove litter, debris, and invasive species from Mullet Creek and enhance its aesthetic, ecological and recreational value. Retain wooded areas bordering the creeks through a conservation easement in coordination with Pinellas County regulations for environmental setbacks.
- * Promote the use of native plant species in meeting landscape requirements.
- * Concentrate development outside of the 100-Year Floodplain to the maximum extent practicably feasible.
- * Upgrade the existing drainage system to include stormwater treatment for water quality.
- * Add passive park amenities to the Baranoff Oak property including seating, walkways and lighting.
- * Replace public street lights and lighting within public buildings with LED lighting.
- * Within Waterfront Park, install a living shoreline along Tampa Bay, continue to add native plantings, and restore natural spring features.
- * Review adopted impervious surface ratios and potential incentives for use of pervious paving materials.
- * ~~Acquire undeveloped portions of the Safety Harbor Resort and Spa waterfront property for public use and enjoyment while preserving the mangrove fringe and environmentally sensitive areas of the site.~~

Objective 2: Improve parking and mobility

- * Complete missing segments of the sidewalk network where adequate right-of-way exists.
- * ~~Widen the Bayshore linear trail system to 10 feet and add pedestrian amenities (3,000 linear feet).~~
- * Install traffic calming devices according to the established protocol for installing such devices.
- * Support and encourage the continuation and expansion of

public transit linkages to make transit stops more accommodating.

- * Add bicycle parking downtown, where possible.
- * Continue to require larger event organizers to prepare a parking plan to accommodate anticipated parking demand.
- * Continue to maintain a website with information regarding public parking areas for vehicles and bicycles and to install signage, where needed, to identify public parking areas.
- * Continue to enhance pedestrian amenities in Waterfront Park including sidewalks, shade structures, and shade trees.
- * Research ride sharing parking/unloading, bicycle share or scooter share regulations.
- * Research tiny house regulations for the non-conforming mobile home park located in the vicinity of N. 13th Avenue and Main Street.

Objective 3: Improve the physical appearance and ambience of the public realm and encourage private sector reinvestment in declining properties

- * Extend the streetscape and landscape design elements completed on Main Street to side-streets where sufficient right-of-way exists to provide continuity. ~~Prioritize streetscape projects, including decorative lighting, in conjunction with other planned improvements or large scale development projects.~~
- * Prepare and implement corridor enhancement plan for Philippe Parkway and South Bayshore Boulevard.
- * Continue with the brick street restoration program.
- * ~~Continue to bury overhead utility lines.~~
- * Develop a sense of place for traditional neighborhoods through thematic improvements and identity features.
- * Maintain a strong code enforcement presence.
- * ~~Market the availability~~ Offer incentives such as matching grants, fee waivers or reimbursements, and/or tax abatements available through the Downtown Partnership Program for building renovation, rehabilitation, landscaping, murals and public art, bike racks, and new construction that is compatible with community redevelopment objectives.
- * Continue to upgrade facilities within public parks.

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- * Implement an “Adopt a Flowering Plant Basket” program downtown
- * Continue to upgrade landscaping, irrigation, electrical infrastructure along Main Street.
- * Implement a lighting policy in public parks to address night skies, turn off times, and lighting design
- * Ensure adequate landscaping downtown.

Objective 4: Increase the supply of affordable housing

- * Partner with Pinellas County Community Development Department and the private sector in assembling property for the creation of affordable housing.
- * Promote down payment and closing cost assistance for first time homebuyers that are income qualified through the American Dream Down Payment Initiative under HOME Program administered by Pinellas County.
- * Recognize modern building materials and alternative construction techniques (such as prefabricated modular housing) that reduce the cost of home building but offer quality appearance.

Objective 5: Recruit targeted businesses, showcase the downtown, and create a more favorable business environment

- * Provide technical support and other forms of assistance to the Chamber of Commerce its Economic Development Committee as deemed appropriate. [The existing business and property owners are the best marketing personnel for Downtown. Whenever a property becomes available, its location, description, and lease or sale terms should be shared with existing retailers and property owners. Every business needs to view itself as an active recruiter. The stronger the retail mix and activity is in the Downtown, the higher the sales for every merchant.]
- * Through a economic development liaison position, develop a recruitment program that focuses on three priorities: (1) Expansion or relocation of -existing businesses. The tenant recruitment program should first focus on existing successful businesses that wish to expand their operations within the Downtown or move to an improved location

within the Downtown. (2) Tenant recruitment within the Downtown market area. Retailers located within or near the primary market area already understand the strengths of the market. They may be looking to expand their operations or to establish additional stores and should be actively pursued by the committee. (3) Tenant recruitment outside the primary market area. This may include a direct mailing to target businesses, selective use of print advertising and web communication, reviewing trade journals for leads on expanding businesses, using real estate professionals or other intermediaries. [The retail recruitment program should be targeted to create clusters of compatible activity. Compatible businesses will strengthen all of the businesses. For example, a row of restaurants on a side-street will create more of a draw than one standing in isolation or adjacent to non-related uses.]

- ~~* Develop a simple brochure that locates and describes Downtown Safety Harbor, its retail goals and strategies, location in the region, demographics, and its market size and description. The brochure should identify reasons why a business may want to locate in Downtown Safety Harbor by highlighting unique advantages.~~
- * Expand the public relations program to promote Downtown success stories in local and area-wide media.
- * Continue to support the downtown directional-wayfinding signage program to help downtown visitors discover Main Street and side-street businesses.
- * Continue to sponsor special events that draw people (customers) to the downtown.
- * Encourage residents within the primary market area to patronize downtown businesses through joint advertising programs that communicate available products and services.
- * Develop customized financial incentives for attracting targeted businesses, such as a green grocer.

Objective 6: Promote arts, culture, and leisure activities and encourage the preservation of historic structures and Safety Harbor’s unique sense of history

- * Identify public spaces for permanent and temporary art installations. Coordinate with the Public Art Committee in

EXHIBIT C

CITY OF SAFETY HARBOR DOWNTOWN MASTER PLAN

developing a plan for attracting and maintaining appropriate art exhibits and improving civic infrastructure. The plan should consider findings and recommendations contained in the Pinellas County Public Art Master Plan.

- * Install a major public art project in Waterfront Park.
- * Maintain the historical marker program.
- * Expand the Safety Harbor Library to add a second level to include additional meeting space, including design, engineering, and construction.
- * ~~Continue to provide support to the Safety Harbor Museum of Regional History and Cultural Center on an as needed~~

~~basis to sustain their its presence in the downtown district.~~

- * ~~Develop and implement a master plan for the public land located on the southeast corner of Church Street and Philippe Parkway.~~
- * ~~Identify opportunities for increasing public parks and open space and their utilization particularly along the waterfront.~~
- * Encourage property owners with structures listed on the Florida Master Site File as having potential local significance to apply for designation as a local historic landmark.

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In 2019, Pinellas County ~~has updated~~ adopted ~~their~~ policies that provide more specific parameters and direction than the above statutory guidelines. The major distinction is that the County's portion of future TIF shall be limited to funding capital projects with a District-wide benefit whereas the City's share may be used for projects and activities that are more locally oriented. Moreover, operational and programmatic activities shall be limited to administrative and overhead expenses necessary and incidental to the implementation of the Downtown Master Plan that may include the following scope of tasks:

funding sources

- ~~* Assure that implementation of CRA projects comply with applicable city land development regulations and laws, relocation policies, and other applicable city policies and directives~~
- ~~* Prepare annual progress reports and other periodic progress reports on CRA implementation~~
- ~~* Incidental overhead expenses~~
- ~~* Work with City staff and/or consultant on Plan amendments, assuring statutory and county compliance~~

- ~~* Management of capital improvement projects that implement the Redevelopment Plan to include, but not limited to:
 - ~~— Development of plans and contracts, including consulting, engineering, and architect contracts~~
 - ~~— Solicitation of contractors~~
 - ~~— Project oversight of contract, including negotiations, accounting and inspections~~
 - ~~— Closeout of contracts~~~~
- ~~* Project preparation and staffing of presentations for CRA Board~~
- ~~* Coordinate with City departments and staff and with other applicable agencies on implementation of CRA related plans, projects, and implementation of tasks~~
- ~~* Administer facade grant program, including proposal review, oversight of grant project, inspection, and grant accounting and closeout~~
- ~~* Participate in negotiations for land acquisition or disposition~~
- ~~* Assure that project proposals and implementation are consistent with Redevelopment Plan and other related City plans and programs~~
- ~~* Seek alternative funding sources to leverage present~~

**EXHIBIT C
CITY OF SAFETY HARBOR DOWNTOWN MASTER PLAN**

TABLE 2. PLACED-BASED TAX INCREMENT FINANCING ELIGIBILITY TABLE				
PLACE BASED CAPITAL PROJECT TYPES	COUNTY TIF	CITY/MSTU TIF	INELIGIBLE (F. S.)	INELIGIBLE (COUNTY POLICY)
Identified in CRA Plan and "District Wide" Benefit, such as:				
• Streetscape improvements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Public parking facilities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Major/regional drainage improvements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Mobility improvements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Non-governmental public facilities (e.g. Mahaffey Theater)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Brownfields remediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Affordable housing developments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
• Trail improvements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Undergrounding utility lines		<input checked="" type="checkbox"/>		
Projects that can be funded through enterprise funds (sewer/potable water)		<input checked="" type="checkbox"/>		
Neighborhood improvements (streets, sidewalks, streetlights, parks, drainage)		<input checked="" type="checkbox"/>		
Construction of administrative/police/fire/ buildings with taxing authorities concurrence	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Any capital project not identified in an approved CRA plan			<input checked="" type="checkbox"/>	

TABLE 3. PEOPLE-BASED TAX INCREMENT FINANCING ELIGIBILITY TABLE				
PEOPLE BASED PROJECTS & PROGRAMS	COUNTY TIF	CITY/MSTU TIF	INELIGIBLE (F. S.)	INELIGIBLE (COUNTY POLICY)
Affordable housing program efforts/relocation assistance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Planning/engineering/surveys and other professional services associated with an eligible capital project.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Site acquisitions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Commercial façade grants	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Marketing and special events		<input checked="" type="checkbox"/>		
CRA personnel, offices, administrative, etc.		<input checked="" type="checkbox"/>		
Community policing program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Revolving loan fund		<input checked="" type="checkbox"/>		
Residential façade assistance grants		<input checked="" type="checkbox"/>		
CRA redevelopment incentive funding		<input checked="" type="checkbox"/>		
Economic development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Government operating expenses unrelated to CRA operations			<input checked="" type="checkbox"/>	
Utility service costs, including irrigation water, and electrical costs for special events			<input checked="" type="checkbox"/>	
Streetscape maintenance			<input checked="" type="checkbox"/>	
Resiliency / vulnerability adaption improvements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Any project/program not identified in CRA plan			<input checked="" type="checkbox"/>	

*** Any item shown in the color **Green** is a newly proposed eligible use and/or funding source

Background Maps

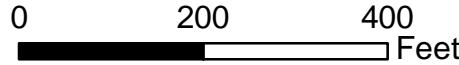
DTMP UPDATE BARANOFF OAK AERIAL



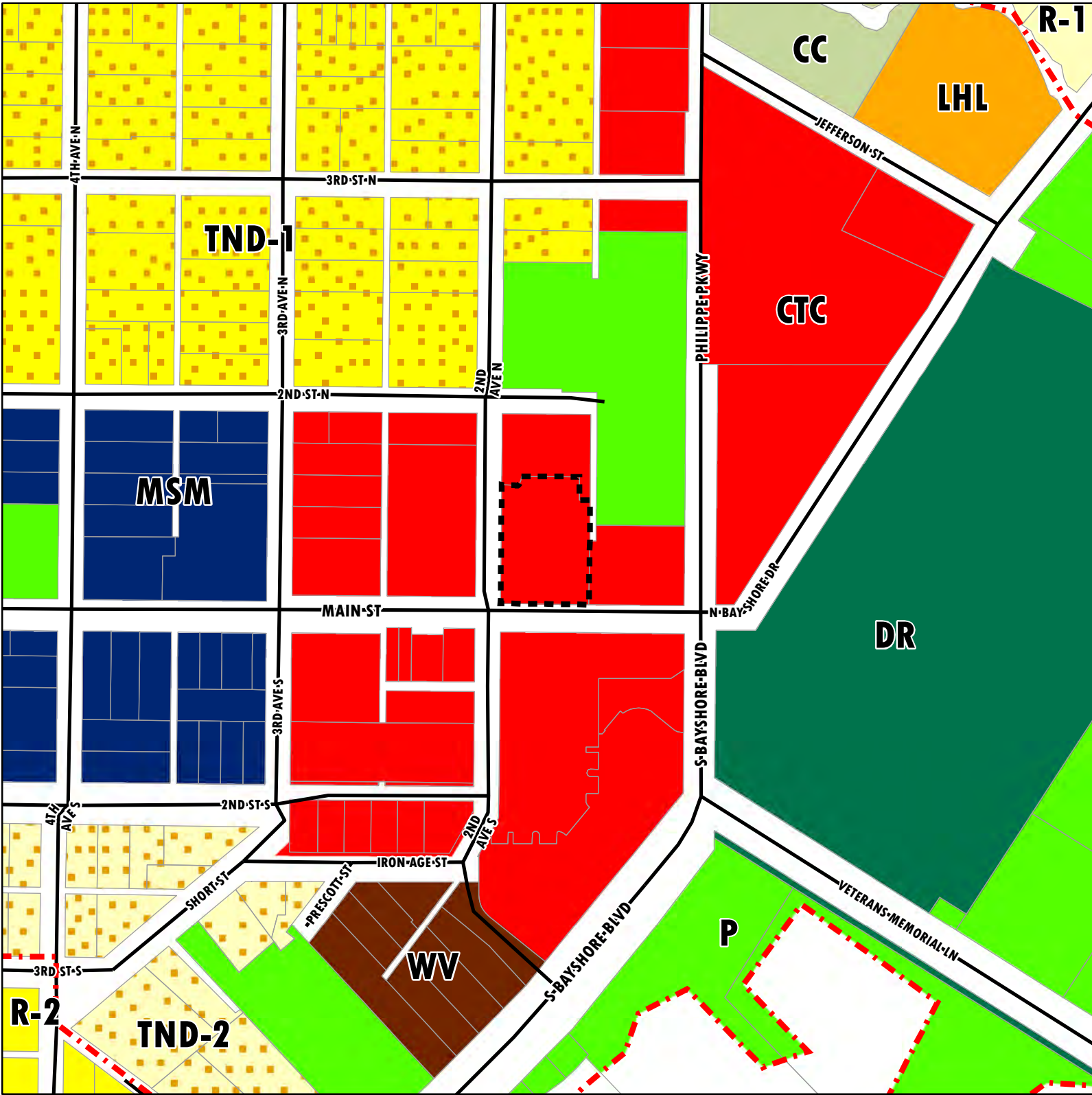
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LEGEND

-  Subject Site
-  Community Redevelopment District Boundary
-  Parcels



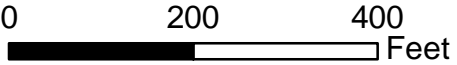
DTMP UPDATE BARANOFF OAK EXISTING CHARACTER DISTRICT



PARCEL ID#: 03-29-16-33372-009-0070

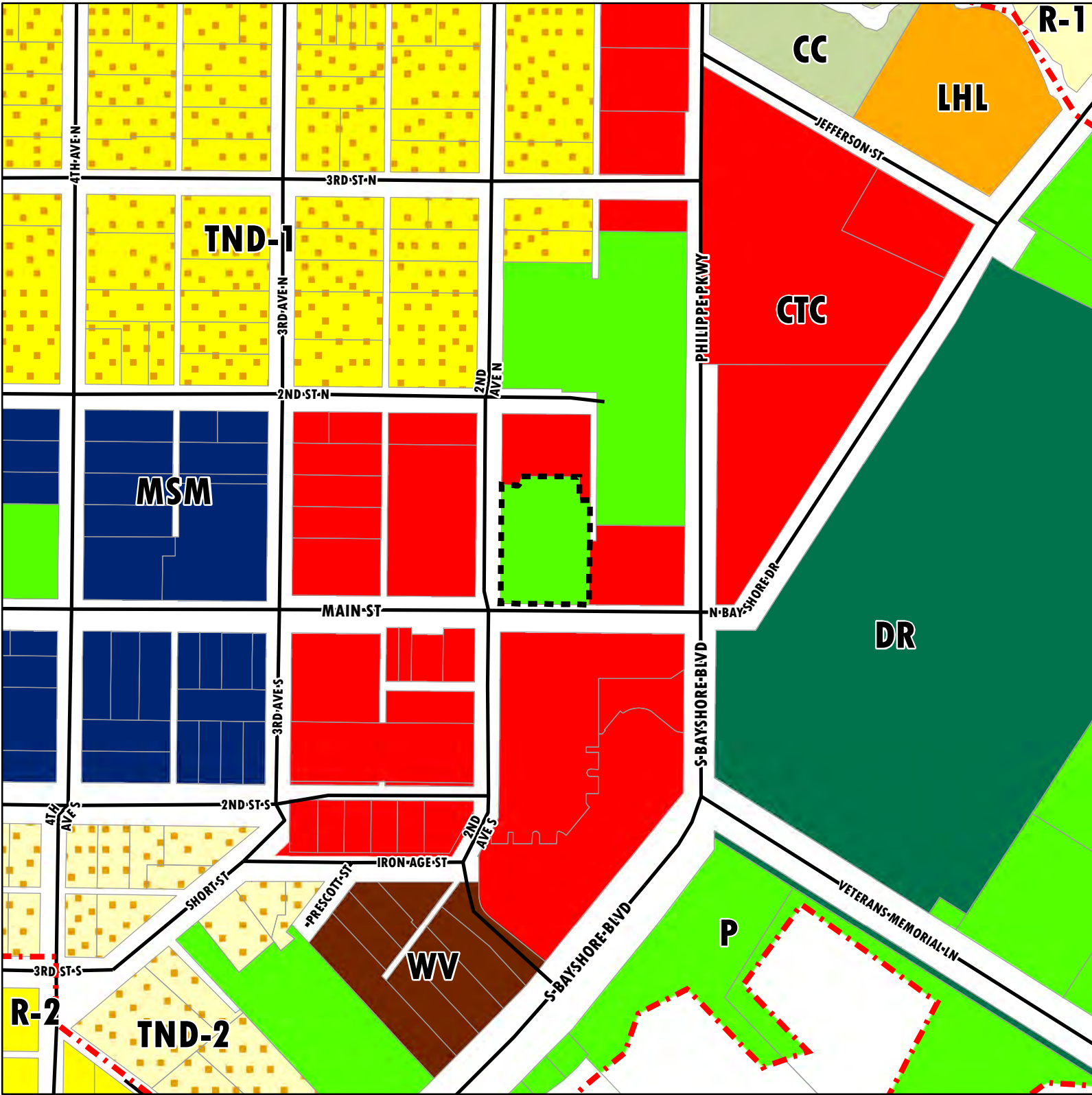
LEGEND

-  Subject Site
-  Community Redevelopment District Boundary
-  Parcels



DTMP UPDATE

BARANOFF OAK PROPOSED CHARACTER DISTRICT



PARCEL ID#: 03-29-16-33372-009-0070

LEGEND

-  Subject Site
-  Community Redevelopment District Boundary
-  Parcels

