



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

August 21, 2023

Honorable Ken Burke  
Clerk of the Board of County Commissioners  
Pinellas County Courthouse  
315 Court Street, 5<sup>th</sup> Floor  
Clearwater, Florida 33756

Dear Ken Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pinellas County Ordinance No. 23-14, which was filed in this office on August 21, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh

## Eres, Christian

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**From:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Sent:** Monday, August 21, 2023 1:03 PM  
**To:** Eres, Christian; County Ordinances  
**Cc:** Revie, Derelynn; Young, Bernie C; DiNapoli, Franchesca  
**Subject:** RE: PIN20230821\_Ordinance2023\_23-14  
**Attachments:** Pinellas20230821\_Ordinance23\_14\_Ack.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Good afternoon,

Please find the attached acknowledgment letter for Pinellas County Ordinance No. 23-14, which was filed in this office on August 21, 2023.

Best,

County Ordinances  
Florida Administrative Code and Register  
Room 701 The Capitol | Tallahassee, Florida

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**From:** Eres, Christian <ceres@mypinellasclerk.gov>  
**Sent:** Monday, August 21, 2023 9:31 AM  
**To:** County Ordinances <CountyOrdinances@dos.myflorida.com>  
**Cc:** Revie, Derelynn <drevie@mypinellasclerk.gov>; Young, Bernie C <bcyoung@mypinellasclerk.gov>; DiNapoli, Franchesca <fdinapoli@mypinellasclerk.gov>  
**Subject:** PIN20230821\_Ordinance2023\_23-14

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Ken Burke, Clerk of the Circuit Court and Comptroller Derelynn Revie, Deputy Clerk, Board Records Department
Sender Phone number:	(727) 464-3458
County Name:	Pinellas
Ordinance Number:	PIN20230821_Ordinance2023_23-14

Thank you,  
Christian Eres  
Senior Records Specialist  
Board Records Department  
Office of Ken Burke, Clerk of the Circuit Court and Comptroller  
Pinellas County, Florida  
315 Court Street, 5<sup>th</sup> Floor, Clearwater, FL 33756  
Office (727)464-3464 | Fax (727)464-4716  
[ceres@mypinellasclerk.gov](mailto:ceres@mypinellasclerk.gov) | [www.mypinellasclerk.gov](http://www.mypinellasclerk.gov)  
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ORDINANCE NO. 23-14

AN ORDINANCE AMENDING PINELLAS COUNTY ORDINANCE NO. 15-30, AS AMENDED, TO UPDATE THE COUNTYWIDE PLAN FOR PINELLAS COUNTY; MODIFYING STANDARDS OF THE COUNTYWIDE RULES ADDRESSING CONVERSION OF INDUSTRIAL AND EMPLOYMENT LAND, INCREASES OF DENSITY OR INTENSITY IN THE COASTAL HIGH HAZARD AREA, DENSITY/INTENSITY BONUSES, TRANSFERS OF DENSITY/INTENSITY, TRANSPORTATION IMPACTS OF PROPOSED AMENDMENTS, PROCEDURES FOR MULTI-JURISDICTIONAL AMENDMENTS, TIMEFRAMES AND REPORTING PROCEDURES FOR CERTAIN LAND USE SUBMITTALS, PUBLIC NOTICE REQUIREMENTS FOR COUNTYWIDE PLAN MAP AMENDMENTS, AND DEFINITIONS; CREATING COUNTYWIDE PLAN MAP SUBMAP NO. 2; UPDATING SECTION NUMBERS, REFERENCES AND TERMINOLOGY FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners, acting pursuant to its countywide planning authority, adopted the Countywide Plan Strategies, Countywide Plan Map, and the Countywide Rules, which collectively comprise the Countywide Plan, by adoption of Ordinance No. 15-30 on August 7, 2015, which has been subsequently amended; and

WHEREAS, Forward Pinellas, in its role as the Pinellas Planning Council, pursuant to Section 6(7)(b), Chapter 2012-245, Laws of Florida, is authorized to develop rules, standards, policies, and objectives that will implement the Countywide Plan; and

WHEREAS, Forward Pinellas, in its role as the Pinellas Planning Council, pursuant to Section 10(3)(a), Chapter 2012-245, Laws of Florida, is authorized to initiate amendments to the rules and strategies of the Countywide Plan as determined necessary by Forward Pinellas to establish effective countywide planning; and

WHEREAS, the Countywide Plan, consisting of the Countywide Plan Map Strategies, Countywide Rules, and Countywide Plan Map, provides for the coordination of land use and transportation planning among the 25 local governments in Pinellas County; and

WHEREAS, Forward Pinellas, in its role as the Pinellas Planning Council, has determined that it is necessary and appropriate to add, modify, reorganize, and clarify Countywide Plan provisions in order to fulfill to identified planning objectives; and

WHEREAS, the requisite procedures concerning notice and public hearing for amendment of the Countywide Plan have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, pursuant to its countywide planning authority, in regular meeting duly assembled on August 15, 2023, as follows:

SECTION 1. Purpose. The Countywide Rules set forth land use categories applicable to the Countywide Plan Map, together with use characteristics, density/intensity standards, locational criteria, other standards, and review procedures, in accordance with the policy direction of the Countywide Plan Strategies.

SECTION 2. Intent. Amendments to Countywide Rules are needed to implement policy objectives that encourage the reservation of land for high-wage target employers; discourage increases of density or intensity in the Coastal High Hazard Area; allow flexible land use planning techniques such as transferable development rights, density/intensity averaging, and density/intensity bonuses; evaluate the potential transportation impacts of proposed Countywide Plan Map amendments; establish timeframes, reporting, and public notice requirements; establish a set of definitions used in review procedures with which adopted local government plans and codes must be consistent; and provide locational criteria for Countywide Plan Map amendments

SECTION 3. Text Amendments. Articles 2 through 8 of the Countywide Rules are hereby amended as set forth in Exhibit "A". All other portions of the Countywide Rules not included in this ordinance are preserved and remain as previously set forth.

SECTION 4. Creation of Countywide Plan Submap No. 2. Countywide Plan Map Submap No. 2 is created as set forth in Exhibit "B" and shall be part of the Countywide Plan Map series pursuant to Division 2.2 of the Countywide Rules. All other portions of the Countywide Plan Map series not included in this ordinance are preserved and remain as previously set forth.

**SECTION 5. Areas Embraced.** Pursuant to Section 2.01 of the Pinellas County Charter, this ordinance shall be effective in the incorporated as well as unincorporated areas of the County."

**SECTION 6. Severability.** It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 7. Filing of Ordinance; Effective Date.** Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing with the Department of State.

**APPROVED AS TO FORM**  
By: Derrill McAteer  
Office of the County Attorney

## **ARTICLE 2**

### **COUNTYWIDE PLAN MAP AND CATEGORIES**

**DIV. 2.1 ADOPTION AND AMENDMENT.****SEC. 2.1.1 COUNTYWIDE PLAN MAP.**

The Countywide Plan Map was originally adopted by Ordinance No. 89-4, as referenced in Exhibits I and II thereof, effective February 6, 1989, and has been repealed and replaced by Ordinance No. 15-30, effective August 7, 2015, as referenced in Exhibit A, Part III thereof.

**SEC. 2.1.2 COUNTYWIDE RULES.**

The Countywide Rules were originally adopted by Ordinance No. 89-4, as referenced in Exhibits I and II thereof, effective February 6, 1989, and have been repealed and replaced by Ordinance No. 15-30, effective August 7, 2015, as referenced in Exhibit A, Part II thereof.

**DIV. 2.2 COUNTYWIDE PLAN MAP PREPARATION AND MAINTENANCE.****SEC. 2.2.1 COUNTYWIDE PLAN MAP ORIGIN AND STATUS.**

The Countywide Plan Map has been compiled and stored on the Pinellas County Enterprise Geographic Information System computer system. The computer-generated composite map and map series have been accepted by the Countywide Planning Authority (CPA), upon recommendation by the Pinellas Planning Council (PPC), and filed with the Clerk of the Board of County Commissioners, as the official Countywide Plan Map.

**SEC. 2.2.2 COUNTYWIDE PLAN MAP CUSTODY AND MAINTENANCE.**

The Countywide Plan Map is maintained by the PPC. The PPC shall be responsible for the maintenance and distribution of the plan map and shall retain all authority therefor. The Countywide Plan Map will be updated to reflect subsequent amendments on a regular basis, and a current copy of said composite map and map series will be printed and officially accepted by the CPA and filed with the Clerk of the Board of County Commissioners not less than on an annual basis.

**SEC. 2.2.3 SUBSEQUENT COUNTYWIDE PLAN MAP AMENDMENTS.**

Amendments to the Countywide Plan Map made subsequent to the effective date of these Countywide Rules shall correspond to and be based on the map legend as set forth in Division 2.3 of these Countywide Rules. All Countywide Plan Map amendments shall be made in accordance with the provisions of these Countywide Rules, as amended. While only a local government may initiate an amendment to the Countywide Plan Map for a particular parcel of property over which it has jurisdiction, the PPC may initiate adoption of a submap or supplementary map providing locational criteria to guide such locally initiated amendments.

**DIV. 2.3 COUNTYWIDE PLAN MAP CATEGORIES.****SEC. 2.3.1 APPLICABILITY.**

The categories and standards contained in this article shall be applied as set forth in these Countywide Rules. Specific reference to the standards contained in this article and the criteria by which they shall be applied are found in Article 4 and Article 5 of these Countywide Rules.

**SEC. 2.3.2 LEGEND.**

**2.3.2.1** The Countywide Plan Map and the Countywide Rules provide for the categories and symbols applicable to the Countywide Plan Map and Countywide Rules as set forth below:

<u>Plan Categories</u>	<u>Plan Symbols</u>
Residential Rural	RR
Residential Very Low	RVL
Residential Low Medium	RLM
Residential Medium	RM
Residential High	RH
Office	O
Resort	R
Retail & Services	R&S
Employment	E
Industrial	I
Public/Semi-Public	P/SP
Recreation/Open Space	R/OS
Preservation	P
Target Employment Center	TEC
Activity Center	AC
Multimodal Corridor	MMC
Planned Redevelopment District	PRD
Scenic/Noncommercial Corridor	SNCC

**SEC. 2.3.3 COUNTYWIDE PLAN MAP CATEGORIES.**

The Countywide Plan Map categories, symbols and the purpose, use characteristics, locational characteristics, traffic generation characteristics, density/intensity standards and other standards shall be as set forth for each of the following categories.

Within the framework provided by these standards, local governments shall have the authority to determine appropriate density and intensity standards for parcels within their jurisdictions. Local plans and regulations may be more restrictive, in accordance with the local government consistency provisions of Article 3, and should be consulted for authorized uses and applicable standards.

### **2.3.3.1. Category/Symbol – Residential Rural (RR).**

**Purpose** – It is the purpose of this category 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, non-intensive qualities and natural resources of such areas.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light; Agricultural.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold as specified below, alone or when added together, exceeding the applicable total acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations distant from urban activity centers; in areas where use and development characteristics are rural in nature; and in areas where environmental features are linked to the protection of natural resources such as aquifer recharge and groundwater resource areas.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential Rural in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 5 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed .5 dwelling unit per acre.
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at .5 dwelling unit per acre.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .30, nor an impervious surface ratio (ISR) of .60.

- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

### **2.3.3.2 Category/Symbol – Residential Very Low (RVL).**

**Purpose** – It is the purpose of this category 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, non-intensive qualities and natural resources of such areas.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light; Agricultural.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the applicable acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations distant from urban activity centers; in areas where use and development characteristics are rural or estate residential in nature; and ranging from areas where environmental features are linked to the protection of natural resources such as aquifer recharge or groundwater resource areas to areas serving as a transition between more rural and more suburban residential areas.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential Very Low in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 8 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 1 unit per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 1 UPA.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .30, nor an impervious surface ratio (ISR) of .60.

- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

### **2.3.3.3 Category/Symbol – Residential Low Medium (RLM).**

**Purpose** – This category is 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.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light; Agricultural.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the applicable acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to One Acre Maximum – Office; Personal Service/Office Support; Retail Commercial.
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations ranging from rural areas distant from urban activity centers, to suburban areas near or in proximity to urban activity centers; in close, walkable, or bikeable proximity to low-intensity neighborhood servicing uses and low to mid-intensity and density mixed-use areas; in areas where use and development characteristics are residential in nature; and in areas serving as a transition between rural or suburban to more urban residential areas. These areas are generally served by and accessed from minor and collector roadways which connect to the arterial and highway network.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential Low Medium in SNCCs are governed by Section 6.5.4.1.4, which restricts the category and its permitted uses to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 67 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 10 units per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 10 UPA.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

#### **2.3.3.4 Category/Symbol – Residential Medium (RM).**

**Purpose** – It is the purpose of this category 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.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the applicable acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Office; Personal Service/Office Support; Retail Commercial; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations within or in proximity to urban activity centers; in areas where use and development characteristics are medium-density residential in nature; and in areas serving as a transition between less urban and more urban residential and mixed-use areas. These areas are generally served by and accessed from minor and collector roadways, which connect to arterial roadways and/or highways. The higher densities are typically in proximity to, and may have direct access from, the arterial and highway network.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential Medium in SNCCs are governed by Section 6.5.4.1.4, which restricts the category and its permitted uses to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 96 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 15 units per acre (UPA).

- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 15 UPA.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

### **2.3.3.5 Category/Symbol – Residential High (RH).**

**Purpose** – It is the purpose of this category to depict those areas of the county that are now developed, or appropriate to be developed, in a high-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the urban and intensive qualities, transportation facilities, including transit, and natural resources of such areas.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Accessory Dwelling Unit; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Office; Personal Service/Office Support; Retail Commercial; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations within or in proximity to urban activity centers; often in close, walkable, or bikeable proximity to high-intensity communities and supporting services; or in areas where use and development characteristics are high density residential in nature. These areas are typically in proximity to and may have direct access from the arterial and highway network and are served by transit in a manner that provides an alternative to individual automobile use.

Amendments designating the Residential High category on the Countywide Plan Map are most appropriate within  $\frac{1}{2}$  mile of Multimodal Corridors or Future Transit Corridors depicted on the Land Use Strategy Map, and shall be discouraged in other locations.

- Scenic/Noncommercial Corridor (SNCC) – Amendments to Residential High in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 162 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 30 units per acre (UPA).

- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 30 UPA.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .60, nor an impervious surface ratio (ISR) of .85.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

### **2.3.3.6 Category/Symbol – Office (O).**

**Purpose** – This plan category is 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.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Office; Personal Service/Office Support; Residential Equivalent; Research/Development-Light; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility; Manufacturing-Light.
  - Uses Subject to Five Acre Maximum – Residential; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2).
- Locational Characteristics – This category is generally appropriate to locations where it would serve as a transition from an urban activity center or more intensive nonresidential use to low density residential or public/semi-public use; and in areas where the size and scale of office and residential use is appropriate to free standing office, medium density residential or a combination thereof. These areas are typically in proximity to and served by the arterial, collector, and highway network, as well as Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Office in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 89 trips per day per acre. When located in a Target Employment Center, the standard shall be 101 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 15 units per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 15 UPA.

- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .50, nor an impervious surface ratio (ISR) of .75.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.
- When located in a Target Employment Center – See Section 2.3.3.14, Table 2-2. Shall not exceed an FAR of 1.0 for Manufacturing, Office, and Research/Development uses.

### **2.3.3.7 Category/Symbol – Resort (R).**

**Purpose** – This plan category is intended to depict areas developed, or appropriate to be developed, in high-density residential and resort use; and to recognize such areas as well-suited for the combination of residential and temporary lodging use consistent with their location, surrounding uses, transportation facilities, and natural resources of such areas.

**Use Characteristics** - Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Temporary Lodging; Recreational Vehicle Parks; Office; Personal Service/Office Support; Retail Commercial; Convention Center; Commercial/Business Service; Commercial Recreation; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Ancillary Nonresidential; Transportation/Utility.
  - Uses Subject to Five Acre Maximum – Institutional
- Locational Characteristics – This category is generally appropriate to locations characterized by, and appropriate for, a highly intensive mix of residential and temporary lodging uses; in locations where unique recreational assets warrant the combination of permanent and temporary accommodations in proximity to and served by the arterial and highway network, as well as Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Resort in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to the enhancement connector SNCC classification.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 279 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 30 units per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 30 UPA.
- Recreational Vehicle Use – Shall not exceed 30 UPA.

- Temporary Lodging Use – Shall not exceed: 1) 50 UPA; or 2) in the alternative, upon adoption of provisions for compliance with Section 5.2.2.1.3, the density and intensity standards set forth in Table 65-1 therein; or 3) in the alternative, the nonresidential intensity standards may be used.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of 1.2, nor an impervious surface ratio (ISR) of .95.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

### **2.3.3.8 Category/Symbol – Retail & Services (R&S).**

**Purpose** – This plan 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.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Office; Personal Service/Office Support; Retail Commercial; Commercial/Business Service; Commercial Recreation, Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Recreational Vehicle Park; Temporary Lodging; Research/Development- Light; Storage/Warehouse/Distribution-Light; Manufacturing-Light; Recreation/Open Space; Community Garden; Agricultural-Light.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the same acreage threshold specified below, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Manufacturing-Medium.
  - Uses Subject to Five Acre Maximum – Institutional; Transportation/Utility; Agricultural; Ancillary Nonresidential.
- Locational Characteristics – This category is generally appropriate to locations in and adjacent to activity centers where surrounding land uses support and are compatible with intensive commercial use; in areas in proximity to and with access to major transportation facilities, including transit; and on Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map, where its proximity to transit service supports the type and density/intensity of the proposed use characteristics.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Retail & Services in SNCCs are governed by Section 6.5.4.1.4, which restricts the category and its permitted uses to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 433 trips per day per acre; which impacts may take into account the proximity and availability of transit service.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 24 units per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 24 UPA.

- Recreational Vehicle Use – Shall not exceed 24 UPA.
- Temporary Lodging Use – Shall not exceed: 1) 40 UPA; or 2) in the alternative, upon adoption of provisions for compliance with Section 5.2.21.3, the density and intensity standards set forth in Table 65-1 therein; or 3) in the alternative, the nonresidential intensity standards may be used.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .55, nor an impervious surface ratio (ISR) of .90.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.
- When located in a Target Employment Center – See Section 2.3.3.14, Table 2-2, Shall not exceed an FAR of 1.1 for Manufacturing, Office, and Research/Development uses.

### **2.3.3.9. Category/Symbol – Employment (E).**

**Purpose** – This plan category is intended to recognize areas developed with, or appropriate to be developed with, a wide range of employment uses, including ~~primary~~ i Target 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.

**Use Characteristics** - Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Office; Research/Development-Light; Research/Development-Heavy; Storage/Warehouse/Distribution-Light; Storage/Warehouse/Distribution-Heavy; Manufacturing-Light; Manufacturing-Medium; Incinerator Facility.
- Permitted Uses Subject to Acreage Thresholds – Any contiguous use or combination of uses subject to the respective acreage threshold specified below, alone or when added together within any distinct, separately delineated area designated Employment, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another category that permits the use(s) where the acreage maximum does not apply:
  - Uses Subject to Three Acre Maximum – Retail Commercial; Personal Service/Office Support; Transfer/Recycling.
  - Uses Subject to Five Acre Maximum – Temporary Lodging; Commercial/Business Service; Commercial Recreation; Institutional; Transportation/Utility; Community Garden; Agricultural-Light; Agricultural.
- Locational Characteristics – This category is generally appropriate to locations with sufficient size to support target employment and other industrial uses, as well as integrated industrial/mixed-use projects, with provision for internal service access and other necessary site improvements in locations suitable for light industrial use with minimal adverse impact on adjoining uses; served by the collector, arterial, and highway network; and on Multimodal Corridors and Future Transit Corridors depicted on the Land Use Strategy Map, where its proximity to transit service supports the type and density/intensity of the proposed use characteristics.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Employment in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to the enhancement connector SNCC classification.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 206 trips per day per acre; which impacts may take into account the proximity and availability of transit in a designated Multimodal Corridor or Future Transit Corridor. When located in a Target Employment Center, the standard shall be 236 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Temporary Lodging Use – Shall not exceed: 1) 50 units per acre (UPA); or 2) in the alternative, upon adoption of provisions for compliance with Section 5.2.~~2~~1.3, the density and intensity standards set forth in Table ~~6~~5-1 therein; or 3) in the alternative, the nonresidential intensity standards may be used.
- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .65, nor an impervious surface ratio (ISR) of .85.
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property.
- When located in a Target Employment Center – See Section 2.3.3.14, Table 2-2, ~~Shall not exceed an FAR of 1.3 for Manufacturing, Office, and Research/Development uses.~~

### **2.3.3.10 Category/Symbol – Industrial (I).**

**Purpose** – This plan category is intended to depict areas developed, or appropriate to be developed, in a general industrial manner; and so as to encourage the reservation and use of areas for industrial use in a manner consistent with surrounding use, transportation facilities, other necessary infrastructure, and natural resources.

**Use Characteristics** - Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds or Other Limitations – Research/Development-Light; Research/Development-Heavy; Storage/Warehouse/Distribution-Light; Storage/Warehouse/Distribution-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.
- Permitted Uses Subject to Acreage Thresholds – Institutional, Transportation/Utility, Community Garden, Agricultural-Light, and Agricultural uses are subject to a five-acre maximum. Any contiguous use or combination of uses subject to this acreage threshold, alone or when added together, exceeding the acreage maximum shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply.
- Permitted Uses Subject to Other Limitations – Office; Retail Commercial; Personal Service/Office Support; Commercial/Business Service are allowed only as accessory to the uses listed under “Permitted Uses Not Subject to Acreage Thresholds or Other Limitations” above; must be located within the structure to which they are accessory; and may not exceed 25% of the floor area of the permitted use to which they are accessory.
- Locational Characteristics – This category is generally appropriate to locations with sufficient size to encourage an industrial park type arrangement with provision for internal service access and adequate buffering of adverse noise, odor, or emissions; with minimal adverse impact on adjoining uses; and served by the arterial and highway network.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Industrial in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to the enhancement connector SNCC classification.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 216 trips per day per acre. When located in a Target Employment Center, the standard shall be 246 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .75, nor an impervious surface ratio (ISR) of .95.
- When located in a Target Employment Center – See Section 2.3.3.14, Table 2-2. ~~Shall not exceed an FAR of 1.5 for Manufacturing, Office, and Research/Development uses.~~

### **2.3.3.11 Category/Symbol – Public/Semi-Public (P/SP).**

**Purpose** – This plan category is 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.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Institutional; Transportation/Utility; Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Storage/Warehouse/Distribution-Light; Storage/Warehouse/Distribution-Heavy; Recreation/Open Space; Community Garden; Agricultural-Light; Ancillary Nonresidential.
- Locational Characteristics – This category is generally appropriate to those locations where institutional uses (such as educational, health, public safety, civic, religious and like uses) and transportation/utility uses (such as air and sea transport terminals, utility installations, major transmission lines, refuse disposal, and public works facilities) are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Public/Semi-Public in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 192 trips per day per acre for institutional uses, 114 trips per day per acre for educational uses, 173 trips per day per acre for medical uses, 104 trips per day per acre for religious/civic facilities, 835 trips per day per acre for municipal/public facilities, 67 trips per day per acre for other institutional uses, 15 trips per day per acre for transportation uses, 16 trips per day per acre for municipal/public utilities uses, and 79 trips per day per acre for other transportation/utility uses.

**Density/Intensity Standards** – Shall include the following:

- Residential and Vacation Rental Use – Shall not exceed 12.5 units per acre (UPA).
- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 12.5 UPA.

- Nonresidential Use:
  - Institutional uses shall not exceed a floor area ratio (FAR) of .65, except for hospital use which shall not exceed an FAR of 1.0 within any single jurisdiction, subject to and based on the bonus provision set forth below. Institutional uses shall not exceed an impervious surface ratio (ISR) of .85.
  - Transportation/utility uses shall not exceed an FAR of .70, nor an impervious surface ratio (ISR) of .90
- Mixed-Use – Shall not exceed, in combination, the respective number of UPA and FAR permitted, when allocated in their respective proportion to the net land area of the property. In the alternative, the mixed-use bonus provisions of Section 4.2.34.6 may be used.

Under the bonus provision, a hospital use may exceed an FAR of .65 provided that it does not exceed an FAR of 1.0 and further provided that conditions 1, 2, 3 and 4, as set forth below are complied with:

1. The hospital use must not exceed an ISR of .85; and
2. The hospital use must be based upon and subject to an approved final master plan or site plan; and
3. The master plan or site plan must include any and all adjacent, contiguous, or touching property, structures, facilities, and uses which are:
  - a. attributable to common ownership; or
  - b. part of a common plan of operation, administration, promotion, advertising, service, or business; or
  - c. voluntarily sharing facilities or infrastructure; or
  - d. used in any way in conjunction with the hospital use; and
4. Where the municipal boundary of any adjoining local government is contiguous to or within one hundred fifty (150) feet of the hospital use, the provisions set forth hereunder shall apply. It is the purpose of this requirement to create a transition area that ensures respect for and compatibility with the physical and visual character, intensity of development, and type, of use in the adjoining jurisdiction(s). In particular, the local government in which jurisdiction the FAR bonus is approved shall review and approve the final master or site plan, or any amendment thereto, subject to the following specific provisions:
  - a. The hospital use shall not exceed an FAR of .65 for the uses located within one hundred fifty (150) feet of a municipal boundary of adjoining local government(s);
  - b. Adjoining local government(s) shall be given an opportunity to review and comment on the master plan or site plan, or any amendment thereto, as it applies to the property within one hundred fifty (150) feet of the municipal boundary. This shall include, at a minimum, the following:
    - 1) Transmittal of two (2) copies of the master plan or site plan, or any amendment thereto, to the adjoining local government(s) not less than thirty (30) days prior to scheduled action by the approving local government;

- 2) The opportunity and specific process by which to provide comments and recommendations by the adjoining local government(s) so as to be timely and meaningfully considered by the approving local government.
- c. The final master plan or site plan, or any amendment thereto, will be reviewed and approved only after full and fair consideration of its impact on the adjoining local government(s) with the objective of maintaining the integrity of the land use plan, land development regulations and existing use of land in the adjoining local government(s). In particular any proposed use within one hundred fifty (150) feet shall be so designed and located as to specifically consider each of the following:
  - 1) The height of any building or structure in relationship to the distance from adjoining property and buildings in the adjoining jurisdiction(s) to ensure minimum negative visual impact based on the standards for setback, separation distance and buffering in the adjoining local government(s).
  - 2) The separation distance and landscape buffer provisions for any vehicular use, storage, or service area or structure, consistent with the character and use of the adjoining property based on the standards for such buffer area in the adjoining local government(s).
  - 3) The landscape treatment, including the type, size and intensity of vegetative buffer areas consistent with the character and use of the adjoining property based on the standards for such landscape treatment in the adjoining local government(s).
  - 4) That no use shall constitute a nuisance with respect to noise, odor, air quality, fire or explosive hazard, vibration or electromagnetic interference based on the performance standards in the adjoining local government(s).

### **2.3.3.12      Category/Symbol – Recreation/Open Space (R/OS).**

**Purpose** – This plan category is intended to recognize recreation/open space uses that serve the community or region.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Recreation/Open Space; Community Garden; Agricultural-Light; Electric substations in compliance with Section 163.3208, F.S.
- Permitted Uses Subject to Acreage Thresholds – Transportation/Utility uses (excluding electric substations) are subject to a five-acre maximum. Any contiguous use or combination of uses subject to this acreage threshold, alone or when added together, exceeding the acreage maximum, shall require a Countywide Plan Map amendment to another land use category that permits the use(s) where the acreage maximum does not apply.
- Locational Characteristics – This category is generally appropriate to those public and private open spaces and recreational facilities dispersed throughout the county; and in recognition of the natural and man-made conditions which contribute to the active and passive open space character and recreation use of such locations.
- Scenic/Noncommercial Corridor (SNCC) – Per the provisions of Section 6.5.4.1.4, this category is permitted in all SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 3 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- No use shall exceed a floor area ratio (FAR) of .25 nor an impervious surface ratio (ISR) of .60.
- Transfer of development rights shall be allowed consistent with Section 5.2.24.1.

**Other Standards** – Shall include the following:

- An appropriate buffer, as determined by the local jurisdiction, shall be provided between any electric substation and any other adjoining use.

### **2.3.3.13      Category/Symbol – Preservation (P).**

**Purpose** – This plan category is intended to recognize natural resource features worthy of preservation and those areas of the county that are now used, or are appropriate to be used, for the conservation, production, and management of the regional potable water supply and the supporting infrastructure, consistent with the natural resources of the area.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses Not Subject to Acreage Thresholds – Preservation; Environmental Education/Research; Wellfield Protection, and Groundwater Monitoring and Recharge; Resource-Based Recreation; Replacement/Repair of Water Infrastructure; Site Alterations as Permitted by a Management Plan Approved by a Local Government
- Uses subject to requirements per the local government management plan: Wellfield Development; Water Supply Infrastructure and Facilities
- Locational Characteristics – This category is generally appropriate to those natural resource features it is designed to recognize wherever they may appear and at a size significant to the feature being depicted in relationship to its surroundings. In recognition of the natural conditions which they are intended to preserve, these features will frequently occur in a random and irregular pattern interposed among the other categories. This category is also generally appropriate to those properties that are the assets of a regional, county or municipal utility, held and operated for the provision, operation and delivery of a public water supply system consistent with the natural resource features of the property, pursuant to a management plan approved by the local government.
- Scenic/Noncommercial Corridor (SNCC) – Per the provisions of Section 6.5.4.1.4, this category is permitted in all SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be 0.3 trips per day per acre.

**Density/Intensity Standards** – Shall include the following:

- Nonresidential Use:
  - Shall not exceed a floor area ratio (FAR) of .10, nor an impervious surface ratio (ISR) of .20.
  - No public water supply use shall exceed an FAR of .25 nor an ISR of .50.
- Where an entire parcel of property is located seaward of the Coastal Construction Control Line and no transfer of development rights has occurred, the property shall be permitted a minimum beneficial use subject to the various provisions of these Countywide Rules and the Countywide Plan Map, but private property shall not be taken without due process of law and

the payment of just compensation. In particular, any such property shall be permitted, as a minimum, one (1) dwelling unit irrespective of parcel size, and a maximum of one (1) dwelling unit per acre.

**Other Standards** – Shall include the following:

- An appropriate buffer, as determined by the local jurisdiction, shall be provided for wetland Preservation areas.
- Where the mapped delineation of these areas is inconclusive due to the scale of the Countywide Plan Map, or the nature of the environmental feature, a field determination and mapping of the actual boundary at an appropriate scale may be required as part of any amendment or project approval determination. Where determined necessary, such field survey will be conducted by the local government with jurisdiction, or by a qualified Consultant, consistent with the above described purpose and use characteristics and the provisions of ~~Division 7.3, and in particular Section 7.3.8.~~ [Section 7.4.2.](#)
- Appropriate height, setback and buffer requirements, as determined by the local jurisdiction in conjunction with the regional, county or municipal facility operator and set forth in the local government management plan shall be provided between any facility located within this category and the adjoining plan category.

### 2.3.3.14 Category/Symbol – Target Employment Center (TEC).

**Purpose** – It is the purpose of this category to depict, utilizing an overlay, those areas of the county that are now developed, or appropriate to be developed, in a concentrated and cohesive pattern to facilitate employment uses of countywide significance. Per the completion of the 2023 Target Employment and Industrial Lands Study (TEILS) Update, the TEC category and its associated sub-categories are intended to reflect the unique location, intended use, appropriate density/intensity, and pertinent planning considerations associated with each TEC overlay boundary that is unique to each jurisdiction.

#### Use Characteristics

- Permitted Uses – See applicable underlying categories and Table 2-2. For uses permitted by Table 2-2 that are not otherwise permitted by the underlying category, Target Employment uses are required to be developed concurrently with or before all other non-Target Employment uses.
- Scenic/Noncommercial Corridor (SNCC) – Amendments to Target Employment Center in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be: 1) for the Office, Employment, and Industrial categories, the traffic generation rate (trips per day per acre) of the underlying category, multiplied by 114% to account for the higher intensity allowed for Manufacturing, Office, and Research/Development uses when using this overlay; and 2) for all other categories, the traffic generation rate of the underlying category.

**Locational Characteristics** - This category is generally appropriate to those areas based on their size, concentration of, and potential for, Target Employment opportunities, i.e., those employers and industries paying above-average wages and producing goods and services for sale and consumption that import revenue to the community, consistent with the locational criteria identified in the 2023 TEILS Update and in Table 2-1 below, and depicted on Submap No. 2, entitled *Target Employment Centers Map*. The North American Industry Classification System (NAICS) codes for associated Target Employment clusters can be found in the Countywide Plan Appendix.

**Table 2-1**  
**Locational Characteristics for Target Employment Centers**

Target Employment Center Subcategory	Description	Typical Target Employment Clusters
TEC - Urban	<p>These are the existing and emerging urban areas of the county with larger scale target employment uses <b>with denser, vertically mixed-use character</b>. These are areas where the highest value Class A Office users seek to be. These locations also have high quality placemaking attributes that enable walk, bike and transit access with nearby amenities. Examples of these areas include Downtown St. Petersburg and Downtown Clearwater.</p>	<p>Business Services, Financial Services, Information Technology, and Marketing, Design &amp; Publishing.</p>
TEC – Suburban Office	<p>These areas are where suburban office, retail and residential already exists in a campus-style character. These are areas with the <b>most potential for infill and redevelopment in more urban patterns with a greater vertical mix of uses</b>. These are areas also in need of the strongest placemaking enhancements to improve the sense of place, walkability and other amenities needed to attract more Class A Office users and create new 'centers' of mixed-use activity. An example of this type of place is Northern Gateway (Bay Vista).</p>	<p>Business Services, Financial Services, Information Technology, and Marketing, Design &amp; Publishing.</p>
TEC – Suburban Industrial	<p>These are areas characterized by <b>lower densities, large building footprints, suburban character and high auto-access</b>. These areas would encourage a mix of industrial and commercial uses, with an emphasis on industrial use preservation for target industries. An example of the Suburban Industrial designation would be the Central Gateway TEC.</p>	<p>Medical Technologies/Life &amp; Marine Sciences, Micro-Electronics Manufacturing, Aviation/Aerospace/Defense.</p>
TEC - Local	<p>These areas that house <b>smaller scale manufacturers and artisan users with industrial and warehouse space needs</b>. The TEC Local designation would allow for flex-space and mixed use in conjunction with local sub-area planning efforts (visioning studies, special area plans, etc.). An example of a TEC Local area would be the Warehouse Arts District in Downtown St. Petersburg.</p>	<p>See Local Special Area Plan</p>

**Density/Intensity Standards** – Maximum permitted density-intensity standards for each TEC subcategory are listed in Table 2-2 below, provided that the applicable uses are permitted by the underlying category and subject to the following:

- Residential Use – Local governments can choose to use either the common standard of units per acre (UPA) in determining how many dwellings are allowed on a parcel, or floor area ratio (FAR) can be used as the measure instead, regardless of the number of dwelling units included.
- Mixed-Use – For mixed-use projects, either an all-inclusive FAR or a proportionate share of UPA and FAR can be used. In the alternative, the mixed-use bonus provisions of Section 4.2.~~3~~4.6 may be used.
- Density/Intensity Averaging – If the underlying category is Activity Center, Multimodal Corridor, or Planned Redevelopment District, maximum density and/or intensity standards may be calculated on an average areawide basis pursuant to Section 5.2.1.3.

**Other Standards** – Shall include the following:

- Amendment Process – Adoption or amendment of the Target Employment Center category is subject to the tiered review process provided in Section 6.1.2 and 6.5.4.4.2.
- Size Criteria – The size of a Target Employment Center shall be consistent with the acreage for the applicable subcategory listed in Table 2-2 below, except as follows:
  - If a Target Employment Center is less than the applicable minimum acreage, it will be considered consistent if it is located adjacent to, and functions in concert with, an existing Target Employment Center; or if geographic constraints of the jurisdiction prevent the minimum size from being achieved.
- Map Delineation – Amendments to Target Employment Center utilizing one of the four subcategories will be designated as the Target Employment Center category on the Countywide Plan Map and identified with the applicable subcategory on Submap No. 2 entitled *Target Employment Centers Map*.
- Subcategories – The Target Employment Center category includes four subcategories, enumerated in Table 2-2 below. All incentives associated with Target Employment subcategories listed in Table 2-2 below are dependent upon Target Employment uses being developed concurrently with or before all other non-Target Employment uses, through a commitment from the applicant such as a development agreement, or other binding action by the local government.
- Local adoption of a subcategory in the CHHA will be subject to the balancing criteria provisions of Section 4.2.7. of the Countywide Rules.

**Table 2-2**  
**Standards Applicable to Target Employment Center Subcategories**

<u>Target Employment Center Subcategory</u>	<u>Minimum Acreage</u>	<u>Maximum Allowable Density and Intensity</u>		<u>Intensity Bonus</u>	<u>Additional Incentives for Target Employment</u>
		<u>Residential Density (Units Per Acre)<sup>3</sup></u>	<u>Nonresidential or Mixed-Use Intensity (Floor Area Ratio)<sup>3</sup></u>		
<u>TEC - Urban</u>	<u>10</u>	<u>As permitted by the underlying category or 100 UPA, whichever is greater</u>	<u>8.0</u>	<u>100% intensity bonus, relative to underlying category, for Office and Research/Development uses.</u>	<u>For properties 15,000 sq.ft. or greater: Class A Office Units will not count towards maximum allowable FAR.</u>
<u>TEC – Suburban Office</u>	<u>10</u>	<u>As permitted by the underlying category or 50 UPA, whichever is greater</u>	<u>5.0</u>	<u>100% intensity bonus, relative to underlying category, for Manufacturing, Office, and Research/Development uses.</u>	<u>For properties 25,000 sq.ft. or greater: Class A Office Units will not count towards maximum allowable FAR.</u>
<u>TEC – Suburban Industrial</u>	<u>10</u>	<u>As permitted by the underlying category</u>	<u>3.0</u>	<u>100% intensity bonus, relative to underlying category, for Manufacturing, Office, and Research/Development uses.</u>	<u>For properties 25,000 sq.ft. or greater: Industrial and Manufacturing space will not count towards maximum allowable FAR.</u>
<u>TEC - Local</u>	<u>10</u>	<u>Determined by local Special Area Plan</u>	<u>Determined by local Special Area Plan</u>	<u>100% intensity bonus, relative to underlying category, for Manufacturing, Office, and Research/Development uses.</u>	<u>Additional Incentives reflected in local Special Area Plan per section 6.5.4.4.1 guidelines</u>

### **2.3.3.14 Category/Symbol – Target Employment Center (TEC).**

**Purpose** – It is the purpose of this category to depict, utilizing an overlay, those areas of the county that are now developed, or appropriate to be developed, in a concentrated and cohesive pattern to facilitate employment uses of countywide significance;

#### **Use Characteristics**

- **Permitted Uses** – See applicable underlying categories.
- **Locational Characteristics** – This category is generally appropriate to those areas based on their size, concentration of, and potential for, target employment opportunities, i.e., those employers and industries paying above average wages and producing goods and services for sale and consumption that import revenue to the community.
- **Scenic/Noncommercial Corridor (SNCC)** – Amendments to Target Employment Center in SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications.
- **Traffic Generation Characteristics** – The standard for the purpose of calculating typical traffic impacts relative to an amendment for this category shall be: 1) for the Office, Employment, and Industrial categories, the traffic generation rate (trips per day per acre) of the underlying category, multiplied by 114% to account for the higher intensity allowed for Manufacturing, Office, and Research/Development uses when using this overlay; and 2) for all other categories, the traffic generation rate of the underlying category.

#### **Density/Intensity Standards** – Shall include the following:

- **Densities and intensities** will be guided per the underlying plan categories, plus a 100% intensity bonus for Manufacturing, Office, and Research/Development uses.

#### **Other Standards** – Shall include the following:

- **Minimum Size** – These locations shall be a minimum of ten acres in size.

### **2.3.3.15 Category/Symbol – Activity Center (AC).**

**Purpose** – The purpose of this category is 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. Activity Centers are designed at a size and scale that allows for internal circulation by pedestrians, bicyclists, and transit users, and typically encompass areas developed in a radial pattern within walking distance ( $\frac{1}{4}$  to  $\frac{1}{2}$  mile) of a central point or hub served by transit.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses – As determined by the local government’s implementing regulations adopted pursuant to Section 6.2.3.2. Amendments to permitted uses shall be pursuant to Planning and Urban Design Principles described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies, and the use provisions of Section 6.2.4.
- Locational Characteristics – The Land Use Strategy Map and Table 2-4 below identify locations appropriate to be designated as Activity Center utilizing one of four subcategories. Additional locations may be deemed appropriate pursuant to the Countywide Plan Map amendment process for Activity Centers and Multimodal Corridors provided in Division 6.2.
- Scenic/Noncommercial Corridor (SNCC) – Amendments adopting or modifying the Activity Center category within SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications. Where an existing Activity Center overlaps a designated SNCC, the local regulatory provisions governing the Activity Center adopted pursuant to Section 6.2.3.2 shall take precedence.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for each Activity Center subcategory are listed in Table 2-34 below.

**Density/Intensity Standards** – Maximum permitted density-intensity standards for each Activity Center subcategory are listed in Table 2-34 below, and shall be subject to the following:

- Residential Use – Local governments can choose to use either the common standard of units per acre (UPA) in determining how many dwellings are allowed on a parcel, or floor area ratio (FAR) can be used as the measure instead, regardless of the number of dwelling units included. Vacation Rentals pursuant to the provisions of Section 509.242(1)(c), Florida Statutes are subject to the residential density/intensity standard.

- Temporary Lodging Use – Local governments can choose to use either the temporary lodging UPA standard in determining how many temporary lodging units are allowed on a parcel, or FAR can be used as the measure instead, regardless of the number of units included. In the alternative, upon adoption of provisions for compliance with Section 5.2.~~213~~<sup>213</sup>, the density and intensity standards set forth in Table ~~65-1~~<sup>65-1</sup> may be used.
- Mixed-Use – For mixed-use projects, either an all-inclusive FAR or a proportionate share of UPA and FAR can be used. In the alternative, the mixed-use bonus provisions of Section 4.2.~~34~~<sup>34</sup>.6 may be used.
- When Located in a Target Employment Center – See Section 2.3.3.14, Table 2-2.A-100%  
~~intensity bonus may be applied to the applicable nonresidential intensity standard for Manufacturing, Office, and Research/ Development.~~
- Density/Intensity Averaging – Maximum density and/or intensity standards may be calculated on an average areawide basis pursuant to Section 5.2.1.~~23~~<sup>23</sup>.

**Other Standards** – Shall include the following:

- Amendment Process – Adoption or amendment of the Activity Center category is subject to the tiered review process provided in Division 6.2.
- Size Criteria – The size of an Activity Center shall be consistent with the acreage range for the applicable subcategory listed in Table ~~2-34~~<sup>2-34</sup> below, except as follows:
  - If an Activity Center exceeds the applicable maximum acreage, it will be considered consistent if it is organized into one or more smaller subarea(s) that are individually consistent with the applicable size range, and which facilitate internal circulation of pedestrians, bicyclists and transit users within each subarea.
  - If an Activity Center is less than the applicable minimum acreage, it will be considered consistent if it is located adjacent to, and functions in concert with, an existing Activity Center; or if geographic constraints of the jurisdiction prevent the minimum size from being achieved.
- Employment-Related Land Use Categories – Adoption or amendment of the Activity Center category is subject to the provisions of Section 6.5.4.4.
- Map Delineation – Amendments to Activity Center utilizing one of the four subcategories will be designated as the Activity Center category on the Countywide Plan Map and identified with the applicable subcategory on the Land Use Strategy Map. Where a more permissive subcategory is depicted on the Land Use Strategy Map than indicated by the locational characteristics of Table ~~2-4~~<sup>2-4</sup>, the Land Use Strategy Map shall prevail.
- Subcategories – The Activity Center plan category includes four subcategories, enumerated in Tables ~~2-34~~<sup>2-34</sup> and ~~2-4~~<sup>2-4</sup> below.

**Table 2-3-1**  
**Standards Applicable to Activity Center Subcategories**

Activity Center Subcategory	Acreage Range	Maximum Density/Intensity Standard <sup>1</sup>			Traffic Generation Rate (Average Daily Trips Per Acre)
		Residential Density (Units Per Acre) <sup>3</sup>	Temporary Lodging Density (Units Per Acre) <sup>2</sup>	Nonresidential or Mixed-Use Intensity (Floor Area Ratio) <sup>3</sup>	
Urban Center	200 to 500	200	330	8.0	724
Major Center	100 to 500	150	250	5.0	542
Community Center	50 to 500	90	150	3.0	325
Neighborhood Center	20 to 500	60	100	2.0	216

**Notes:**

- <sup>1</sup> Maximum density/intensity may be calculated on an average areawide basis pursuant to Section 5.2.1.[23](#).
- <sup>2</sup> For residential or temporary lodging units, either the applicable UPA or the nonresidential FAR standard may be used. In the alternative, upon adoption of provisions for compliance with Section 5.2.[21-3](#), the density and intensity standards set forth in Table [65-1](#) may be used.
- <sup>3</sup> For mixed-use projects, either an all-inclusive FAR standard or a proportionate share of residential density and nonresidential intensity may be used. In the alternative, the mixed-use bonus provisions of Section 4.2.[34](#).6 may be used.

**Table 2-4**  
**Locational Criteria for Activity Center Subcategories**

Appropriate Intersections <sup>1, 2, 3</sup>		Multimodal Corridor or Future Transit Corridor					
		Premium Transit Corridors	Primary Corridors	Secondary Corridors	Supporting Corridors	Other Arterials	Other Collectors
Multimodal Corridor or Future Transit Corridor	Premium Transit Corridors	Urban Center	Urban Center	Major Center	Major Center	Community Center	Neighborhood Center
	Primary Corridors	Urban Center	Major Center	Major Center	Community Center	Community Center	Neighborhood Center
	Secondary Corridors	Major Center	Major Center	Community Center	Community Center	Community Center	Neighborhood Center
	Supporting Corridors	Major Center	Community Center	Community Center	Neighborhood Center	Neighborhood Center	Neighborhood Center
	Other Arterials	Community Center	Community Center	Community Center	Neighborhood Center	Neighborhood Center	Neighborhood Center
	Other Collectors	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center	Neighborhood Center

**Notes:**

1. Intersections are as depicted on the Land Use Strategy Map. In locations where three or more corridor types intersect, the two corridor types with the most permissive density and intensity standards shall take precedence.
2. Local governments may choose to use more restrictive subcategories; for example, at an intersection deemed appropriate for a Major Center, a Community Center or Neighborhood Center is also considered appropriate.
3. Additional locations appropriate for an Activity Center subcategory may be approved through the Countywide Plan Map amendment process and shall be depicted on the Land Use Strategy Map. Where a more permissive subcategory is depicted on the Land Use Strategy Map, it shall supersede Table 2-4.

### **2.3.3.16 Category/Symbol – Multimodal Corridor (MMC).**

**Purpose** – This plan category is intended to recognize those corridors of critical importance to the movement of people and goods throughout the county, and that are served by a combination of automobile, bus, bicycle, rail, and/or pedestrian transportation. This category is characterized by mixed-use development, supported by and designed to facilitate transit, and is particularly appropriate for creating transit connections between Activity Centers.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses – As determined by the local government's implementing regulations adopted pursuant to Section 6.2.3.2. Amendments to permitted uses shall be pursuant to the Planning and Urban Design Principles described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies, and the use provisions of Section 6.2.4.
- Locational Characteristics – The Land Use Strategy Map and Table [2-64](#) below identify locations appropriate to be designated as Multimodal Corridor utilizing one of four subcategories. Additional locations may be deemed appropriate pursuant to the Countywide Plan Map amendment process for Activity Centers and Multimodal Corridors provided in Division 6.2.
- Scenic/Noncommercial Corridor (SNCC) – Amendments adopting the Multimodal Corridor category within SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications. Where an existing Multimodal Corridor designated on the Countywide Plan Map overlaps a designated SNCC, the local regulatory provisions governing the Multimodal Corridor adopted pursuant to Section 6.2.3.2 shall take precedence.
- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for each Multimodal Corridor subcategory is listed in Table [2-53](#) below.

**Density/Intensity Standards** – Maximum permitted density-intensity standards for each Multimodal Corridor subcategory are listed in Table [2-53](#) below, and shall be subject to the following:

- Residential Use – Local governments can choose to use either the common standard of units per acre (UPA) in determining how many dwellings are allowed on a parcel, or floor area ratio (FAR) can be used as the measure instead, regardless of the number of dwelling units included. Vacation Rentals pursuant to the provisions of Section 509.242(1)(c), Florida Statutes are subject to the residential density/intensity standard.
- Temporary Lodging Use – Local governments can choose to use either the temporary lodging UPA standard in determining how many temporary lodging units are allowed on a parcel, or FAR can be used as the measure instead, regardless of the number of units included. In the alternative, upon adoption of provisions for compliance with Section 5.2.[243](#), the density and intensity standards set forth in Table [65-1](#) may be used.

- Mixed-Use – For mixed-use projects, either an all-inclusive FAR or a proportionate share of UPA and FAR can be used. In the alternative, the mixed-use bonus provisions of Section 4.2.~~34~~.6 may be used.
- When located in a Target Employment Center – See Section 2.3.3.14, Table 2-2.~~A 100% intensity bonus may be applied to the applicable nonresidential intensity standard for Manufacturing, Office, and Research/Development.~~
- Density/Intensity Averaging – Maximum density and/or intensity standards may be calculated on an average areawide basis pursuant to Section 5.2.1.~~23~~.

**Other Standards** – Shall include the following:

- Amendment Process – Adoption or amendment of the Multimodal Corridor category is subject to the tiered review process provided in Division 6.2.
- Size Criteria – The width of a designated Multimodal Corridor may extend up to  $\frac{1}{2}$  mile from the parcel boundary adjacent to the corridor on either side. The length shall not be less than  $\frac{1}{2}$  mile, although longer lengths are encouraged. There is no maximum length for a designated Multimodal Corridor.
- Employment-Related Land Use Categories – Adoption or amendment of the Activity Center category is subject to the provisions of Section 6.5.4.4.
- Map Delineation – Amendments to Multimodal Corridor utilizing one of the four subcategories will be designated as the Multimodal Corridor category on the Countywide Plan Map, and identified with the applicable subcategory on the Land Use Strategy Map. Where a more permissive subcategory is depicted on the Land Use Strategy Map than indicated by the locational characteristics of Table 2-6~~4~~, the Land Use Strategy Map shall prevail.
- Subcategories – The Multimodal Corridor plan category includes four subcategories, enumerated in Table 2-5~~3~~ below.

**Table 2-53**  
**Standards Applicable to Multimodal Corridor Subcategories**

Multimodal Corridor Subcategory	Maximum Density/Intensity Standard <sup>1</sup>			Traffic Generation Rate (Average Daily Trips Per Acre)
	Residential Density (Units Per Acre) <sup>2</sup>	Temporary Lodging Density (Units Per Acre) <sup>2</sup>	Nonresidential or Mixed-Use Intensity (Floor Area Ratio) <sup>3</sup>	
Premium Transit Corridor	60	100	4.0	600
Primary Corridor	55	90	3.5	533
Secondary Corridor	50	85	3.0	467
Supporting Corridor	45	75	2.5	400

<sup>1</sup> Maximum density/intensity may be calculated on an average areawide basis pursuant to Section 5.2.1.[23](#).

<sup>2</sup> For residential or temporary lodging units, either the applicable UPA or the nonresidential FAR standard may be used. In the alternative, upon adoption of provisions for compliance with Section 5.2.[2.1.3](#), the density and intensity standards set forth in Table [65-1](#) may be used.

<sup>3</sup> For mixed-use projects, either an all-inclusive FAR standard or a proportionate share of residential density and nonresidential intensity may be used. In the alternative, the mixed-use bonus provisions of Section 4.2.[34.6](#) may be used.

**Table 2-64**  
**Locational Criteria for Multimodal Corridor Subcategories**

<b>Future Transit Corridors<sup>1</sup></b>	<b>Appropriate Multimodal Corridor Subcategory<sup>2,3</sup></b>
Premium Transit Corridor	Premium Transit Corridor
Primary Corridor	Primary Corridor
Secondary Corridor	Secondary Corridor
Supporting Corridor	Supporting Corridor

**Notes:**

1. Future Transit Corridors are as depicted on the Land Use Strategy Map. In locations where two or more corridors overlap, the Multimodal Corridor subcategory with the most permissive density and intensity standards shall take precedence.
2. Local governments may choose to use more restrictive subcategories; for example, in a location deemed appropriate for a Primary Corridor, a Secondary Corridor or Supporting Corridor is also considered appropriate.
3. Additional locations appropriate for a Multimodal Corridor subcategory may be approved through the Countywide Plan Map amendment process and shall be depicted on the Land Use Strategy Map. Where a more permissive subcategory is depicted on the Land Use Strategy Map, it shall supersede Table 2-64.

### **2.3.3.17 Category/Symbol – Planned Redevelopment District (PRD).**

**Purpose** – It is the purpose of this category to depict those areas of the county that are developed with a mix of residential and nonresidential uses, within neighborhoods or distinct areas that are interrelated and complementary, with densities/intensities and urban design that promote walking, biking and transit use. This category is intended for areas that are more dense/intense than typical for the surrounding community but less dense/intense than Activity Centers or Multimodal Corridors, with supportive planning that facilitates infill and redevelopment and may allow for a variety of densities and building styles.

**Use Characteristics** – Those uses appropriate to and consistent with this category include:

- Permitted Uses – As determined by the local government's implementing regulations adopted pursuant to Section 6.2.3.2. Amendments to permitted uses shall be pursuant to the Planning and Urban Design Principles described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies, and the use provisions of Section 6.2.4.
- Locational Characteristics – This category is generally appropriate to locations in close, walkable, or bikeable proximity to Activity Centers and Multimodal Corridors, and may serve as a buffer between those categories and surrounding uses; or in other areas where use and development characteristics include higher densities and intensities than the surrounding community. These areas are typically in proximity to and may have direct access from the arterial and highway network and are served by transit in a manner that provides an alternative to individual automobile use.
- Scenic/Noncommercial Corridor (SNCC) – Amendments adopting or modifying the Planned Redevelopment District category within SNCCs are governed by Section 6.5.4.1.4, which restricts the category to certain SNCC classifications. Where an existing Planned Redevelopment District overlaps a designated SNCC, the local regulatory provisions governing the Planned Redevelopment District adopted pursuant to Section 6.2.1.2 shall take precedence.

**Density/Intensity Standards** – Shall include the following:

- Residential Use and Temporary Lodging Use – Local governments can choose to use either the common standard of units per acre (UPA) in determining how many dwelling units or temporary lodging units are allowed on a parcel, or floor area ratio (FAR) can be used as the measure regardless of the number of units included, subject to the following:
  - Residential use shall not exceed 45 UPA or 2.0 FAR; and
  - Temporary lodging use shall not exceed 75 UPA or 2.0 FAR. In the alternative, upon adoption of provisions for compliance with Section 5.2.24.3, the density and intensity standards set forth in Table 65-1 may be used.

Vacation Rentals pursuant to the provisions of Section 509.242(1)(c), Florida Statutes are subject to the residential density/intensity standard.

- Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 45 UPA.
- Nonresidential Use – Shall not exceed an FAR of 2.0.
- Mixed-Use – For mixed-use projects, either an all-inclusive FAR or a proportionate share of UPA and FAR can be used. In the alternative, the mixed-use bonus provisions of Section 4.2.~~34~~.6 may be used.
- When located in a Target Employment Center – ~~See Section 2.3.3.14, Table 2-2.A-100% intensity bonus may be applied to the applicable nonresidential intensity standard for Manufacturing, Office, and Research/Development.~~
- Density/Intensity Averaging – Maximum density and/or intensity standards may be calculated on an average areawide basis pursuant to Section 5.2.1.~~23~~.

**Other Standards** – Shall include the following:

- Amendment Process – Adoption or amendment of the Planned Redevelopment District category is subject to the tiered review process provided in Division 6.2.
- Size Criteria – The minimum size of a Planned Redevelopment District shall be ten acres in size, except as follows:
  - If it is located adjacent to, and functions in concert with, an existing Planned Redevelopment District; or
  - If geographic constraints of the jurisdiction prevent the minimum size from being achieved.

**2.3.3.18      Category/Symbol – Scenic/Noncommercial Corridor (as noted on the Countywide Plan Map).**

**Purpose** – See Section 6.5.4.1, subsections 6.5.4.1.1 and 6.5.4.1.2.

**Use Characteristics**

- Permitted Uses – See applicable underlying categories and Section 6.5.41, Table 10.
- Locational Characteristics – Corridors shall be as set forth herein and depicted on the Countywide Plan Map and accompanying *Countywide Plan Map, Submap No. 1* entitled *Countywide Scenic/Noncommercial Corridor Map*, including:

**“Primary” Corridors:**

- Keystone Road from US 19 to Hillsborough County Line
- Alderman Road from US Alternate 19 to Fish Hatchery Road
- Tampa Road from US Alternate 19 to East Lake Woodlands Parkway
- Curlew Road from US Alternate 19 to McMullen-Booth Road
- CR-1/Keene Road from Alderman Road to East Bay Drive
- Belcher Road from Klosterman Road to 38th Avenue North
- McMullen-Booth Road/East Lake Road from Pasco County Line to SR-60
- 102nd Avenue North/Bryan Dairy Road from Oakhurst Road to Belcher Road
- Pinellas County Bayway from Gulf Boulevard to U.S. 19/I-275
- 113th Street/Ridge Road from West Bay Drive to Madeira Beach Causeway
- Park Street from Park Boulevard to Central Avenue
- Tyrone Boulevard from 113th Street North to Park Street

**“Unique” Corridors:**

- Edgewater Drive from Scotland Street (Dunedin) to Sunset Point Road
- Bayshore Drive from Main Street (Safety Harbor) to SR-60
- Courtney Campbell Parkway (Causeway) from McMullen-Booth Road/Bayside Bridge (49th Street Bridge) to Hillsborough County Line
- Dunedin Causeway from Honeymoon Island Park to east approach
- Memorial Causeway and its approaches
- Bayside Bridge (49th Street Bridge) and its approaches
- Gandy Bridge approach to Hillsborough County Line
- Howard Frankland Bridge (I-275) approach to Hillsborough County Line
- Belleair Causeway and its approaches
- Park Boulevard Bridge and its approaches
- Treasure Island Causeway and its approaches
- Pinellas Bayway (SR-679) from Fort DeSoto Park to Pinellas County Bayway (SR-682)
- Sunshine Skyway Bridge (I-275) approach to Hillsborough County line

- Traffic Generation Characteristics – The standard for the purpose of calculating typical traffic impacts relative to a Countywide Plan Map amendment for this category shall be based upon the respective principal categories.

**Density/Intensity Standards** – See applicable underlying categories.

**Other Standards** – See Section 6.5.4.1.

**Table 2-75**  
**Summary Category Matrix**

CATEGORY/SYMBOL	UPA MAX.	FAR MAX.	ISR MAX.	TRAFFIC GENERATION RATE (ADT/ACRE)
Residential Rural (RR)	0.5	.30	.60	5
Residential Very Low (RVL)	1.0	.30	.60	8
Residential Low Medium (RLM)	10	.50	.75	67
Residential Medium (RM)	15.0	.50	.75	96
Residential High (RH)	30.0	.60	.85	162
Office (O)	15.0	.50	.75	89
		<b>1.0 (specified uses in TEC)</b>		<b>101 (in TEC)</b>
Resort (R)	30.0	1.2	.95	279
Retail & Services (R&S)	24.0	.55	.90	433
		<b>1.1 (specified uses in TEC)</b>		
Employment (E)	N/A	.65	.85	206
		<b>1.3 (specified uses in TEC)</b>		<b>236 (in TEC)</b>
Industrial (I)	N/A	.75	.95	216
		<b>1.5 (specified uses in TEC)</b>		<b>246 (in TEC)</b>
Public/Semi-Public (P/SP)	12.5	.65 (institutional) .70 (trans./utility) 1.0 (hospital)	.85 (institutional) .90 (trans./utility)	192 (institutional) 114 (educational) 173 (medical) 104 (religious/civic) 835 (municipal/public) 67 (other institutional) 15 (transportation) 16 (municipal/public utility) 79 (other transportation/utility)
Recreation/Open Space (R/OS)	N/A	.25	.60	3
Preservation (P)	N/A	.10 (preservation) .25 (water supply)	.20 (preservation) .50 (water supply)	0.3
<u>Target Employment Center (TEC)</u>				<u>See Otherwise Applicable Category and Multiplier Factor</u>
<u>TEC - Urban</u>	<u>100*</u>	<u>8.0</u>	<u>N/A</u>	<u>469</u>
<u>TEC – Suburban Office</u>	<u>50*</u>	<u>5.0</u>	<u>N/A</u>	<u>424</u>
<u>TEC – Suburban Industrial</u>	<u>N/A</u>	<u>3.0</u>	<u>N/A</u>	<u>396</u>
<u>TEC - Local</u>	<u>N/A</u>	<u>Determined by Local Special Area Plan</u>	<u>N/A</u>	<u>216</u>
Activity Center (AC)				
Urban Center	200	8.0	N/A	724
Major Center	150	5.0	N/A	542
Community Center	90	3.0	N/A	325
Neighborhood Center	60	2.0	N/A	216
Multimodal Corridor (MMC)				
Premium Transit Corridor	60	4.0	N/A	600
Primary Corridor	55	3.5	N/A	533
Secondary Corridor	50	3.0	N/A	467
Supporting Corridor	45	2.5	N/A	400
Planned Redevelopment District (PRD)	45	2.0	N/A	364
Scenic/Noncommercial Corridor (SNCC)				<u>See Otherwise Applicable Category</u>

Key to abbreviations:

UPA: dwelling units per acre  
FAR: floor area ratio

ISR: impervious surface ratio  
ADT: average daily trips

**TEC: Target Employment Center**

\*See Table 2-2, column title “Residential Density (Units Per Acre)”

## **ARTICLE 3**

### **LOCAL GOVERNMENT CONSISTENCY PROVISIONS**

## **DIV. 3.1 AUTHORITY.**

The specific authority for consistency is contained in Sections 6(7)(b), 10(1)(e), 10(2)(a), and 10(2)(b) of Chapter 2012-245, Laws of Florida, as amended, as it relates to the Countywide Plan, including the Countywide Plan Map and the Countywide Rules. The consistency requirements as set forth in these Countywide Rules pertain to the Countywide Plan Map and were derived from Chapter 2012-245, Laws of Florida, as amended.

Chapter 2012-245, Laws of Florida, as amended, clearly distinguishes the Countywide Plan Map and the Countywide Rules from the Countywide Plan Strategies in its application of the consistency requirement. Sections 10(2)(b) and 6(7)(b), Chapter 2012-245, Laws of Florida, as amended, define consistency specifically with regard to how the local government future land use elements and plans and local land development regulations, and amendments thereto, relate to the Countywide Plan Map and the Countywide Rules. Section 6(7)(b), Chapter 2012-245, Laws of Florida, as amended, provides clear direction as to the minimum criteria to be used by the PPC and CPA to evaluate the consistency of local future land use plans and local development regulations, and amendments thereto, with the Countywide Plan Map and these Countywide Rules.

## **DIV. 3.2 CONSISTENCY REQUIREMENT.**

Amendments to local future land use plans and land development regulations shall be consistent with the Countywide Plan Map and the criteria and standards set forth in these Countywide Rules.

Consistency, as used in the determination of whether or not a local government future land use plan or land development regulation is consistent with the Countywide Plan Map and these Countywide Rules, shall be construed to mean that the compared item is in accordance with, and is within the parameters specified, for the item by the criterion to which it is compared. If any one or combination of item(s), required to be compared, deviate or depart in any way from the parameters specified, other than as specifically provided in Chapter 2012-245, Laws of Florida, as amended, the compared item shall be deemed to be inconsistent with the norm and shall render the local government plan or land development regulation so compared, inconsistent.

## **DIV. 3.3 LOCAL FUTURE LAND USE PLAN AND LAND DEVELOPMENT REGULATION AMENDMENTS.**

### **SEC. 3.3.1 REQUIRED PROCEDURES.**

Local future land use plan and land development regulation amendments, other than future land use plan map amendments, which deal with any matter addressed by the criteria and standards set forth in Article 4 and Article 5 of these Countywide Rules, and which are proposed to be adopted by the local government, shall utilize the process set

forth herein in order to assure that consistency, once established, is maintained. Local future land use plan map amendments that require a corresponding Countywide Plan Map amendment shall be processed as set forth in Article 6 of these Countywide Rules.

**3.3.1.1** **Local Government Referral.** Amendments to local future land use plans and local land development regulations which relate to, and are governed by, the criteria and standards in Article 4 and Article 5 of these Countywide Rules shall be submitted by the local government to the PPC not less than twenty-one days prior to the initial public hearing by the governing body.

**3.3.1.2** **PPC Staff Review.** The PPC staff shall, within ~~fifteen~~ten business days of the receipt of such proposed amendment, notify the local government if such amendment is not consistent with the criteria contained in these Countywide Rules. Absent such notification, the local government may proceed to adopt such amendment.

If notified by the PPC staff that such amendment is not consistent with the criteria contained in these Countywide Rules, the local government shall be given an opportunity to correct the inconsistency or request a determination by the PPC and CPA prior to adoption of the local ordinance. However, such amendment shall not be adopted by the local government until the issue as to the consistency of the proposed amendment has been reconciled pursuant to this Division.

**3.3.1.3** **Recording with the PPC.** Upon adoption by the local government, a final copy of the ordinance, and any such subsequent codification thereof, for all such amendments shall be filed with and maintained by the PPC.

### **SEC. 3.3.2 APPEAL OF STAFF DETERMINATION.**

**3.3.2.1** **Appeal to the Pinellas Planning Council.** If the local government disputes the PPC staff interpretation, they may request the PPC to review the subject amendment. The PPC will review the staff and local government positions at a public meeting and make a recommended determination concerning the consistency of the proposed amendment. If found consistent by the PPC, the local government may then adopt the proposed local amendment.

If the PPC concurs with staff and finds the item inconsistent, such amendment shall not be adopted by the local government.

**3.3.2.2** **Appeal to the Countywide Planning Authority.** If the local government disputes the determination of the PPC, they may appeal such determination to the CPA. If the CPA determines the amendment to be consistent by a majority plus one vote of the entire CPA, the local government may then adopt the proposed amendment. If the CPA agrees with the PPC and determines the amendment not to be consistent, such amendment shall not be adopted by the local government.

- 3.3.2.3** **Administrative Hearing.** If the local government disagrees with the determination of the CPA, the local government may petition for administrative hearing under and pursuant to the Chapter 120, F.S., administrative hearing process as authorized in Chapter 2012-245, Laws of Florida, as amended. A final decision shall be rendered by the CPA following any administrative hearing based upon the findings of fact of the hearing officer.

## **ARTICLE 4**

### **PLAN CRITERIA AND STANDARDS**

## **DIV. 4.1      APPLICABILITY.**

All local government future land use plans and land development regulations shall be consistent with the criteria and standards in these Countywide Rules. The parameters for the criteria and standards have been established by category and shall be the basis for the administration of the Countywide Plan Map. The specific criteria by which consistency of the local future land use plans and land development regulations shall be judged include the following:

- Nomenclature
- Plan Categories
- Density/Intensity Standards
- Use and Locational Characteristics
- Map Delineation
- Acreage Thresholds and Other Standards

## **DIV. 4.2      CRITERIA AND STANDARDS.**

### **SEC. 4.2.1      NOMENCLATURE.**

**4.2.1.1**      Local government future land use categories shall be utilized in a manner that is consistent with the criteria and standards hereby established.

While the names or titles of local governments' future land use categories are not required to be precisely the same as the Countywide Plan Map categories, the names shall relate to the primary purposes of the categories as they relate to the Countywide Plan Map categories. For example, a local government category name of "Residential/Office Limited" would be deemed consistent with the Countywide Plan Map category of "Office," and "Planned Redevelopment-Mixed Use," would be deemed consistent with the "Activity Center" or "Multimodal Corridor" Countywide Plan Map category, depending upon intended use as addressed in the local government's amendment that addresses the Planning Criteria found in Article 2 for each respective category, specifically items 2-5.

The local government may, where it determines appropriate, append a local term to such category to tailor same to their local application; e.g., "Commercial General - Tarpon Springs Waterfront" or "Office - Downtown." Such local suffix may also be used to distinguish between the Countywide Plan Map category and its more specific local application.

**4.2.1.2      A local future land use map shall be consistent if the local future land use designation for each parcel does not exceed the criteria and standards of the corresponding Countywide Plan Map designation.**

**4.2.1.32** This shall not be interpreted to mean that a local future land use plan is required to contain all or any specific number of the Countywide Plan Map categories.

#### **SEC. 4.2.2 PLAN CATEGORIES.**

**4.2.2.1** **Categories.** The Countywide Rules hereby establish the following Countywide Plan Map categories:

- Residential Rural
- Residential Very Low
- Residential Low Medium
- Residential Medium
- Residential High
- Office
- Resort
- Retail & Services
- Employment
- Industrial
- Public/Semi-Public
- Recreation/Open Space
- Preservation
- Target Employment Center
- Activity Center
- Multimodal Corridor
- Planned Redevelopment District
- Scenic/Noncommercial Corridor

Each jurisdiction within Pinellas County must include a table or matrix in the future land use element of its comprehensive plan that shows each local future land use category corresponding to one of these Countywide Plan Map categories.

**4.2.2.2** **Continuum.** A local future land use category that reflects a countywide category of equal or lesser density/intensity shall be considered consistent.

**4.2.2.2.1** A local future land use plan designation of Preservation shall be considered less dense/intense than all other Countywide Plan Map designations.

**4.2.2.2.2** A local future land use plan designation of Recreation/Open Space shall be considered less dense/intense than all other Countywide Plan Map designations except Preservation.

## **SEC. 4.2.3 DENSITY/INTENSITY AND SPECIAL USE STANDARDS.**

### **4.2.3.1**

**Provision for Comparison.** Each local future land use category shall either:

- Identify specifically the density/intensity standard which shall be applicable to said category, consistent with the applicable standard as set forth in the Countywide Plan Map and these Countywide Rules; or
- Provide a definitive statement that the pertinent density/intensity standard shall comply with the applicable standard as set forth in the Countywide Plan Map and these Countywide Rules and shall be specifically set forth in the corresponding local land development regulations.

### **4.2.3.2**

**Required Consistency.** A local future land use plan with no required reference to, or specific standard for density/intensity, and any local land development regulation that does not specifically set forth the required density/intensity standard, shall be inconsistent with the Countywide Plan Map and these Countywide Rules. The local future land use plan and corresponding land development regulation category shall be considered consistent provided the applicable density/intensity is equal to or less than the density/intensity of the corresponding Countywide Plan Map category.

### **4.2.3.3**

**Measurement of Density/Intensity.** At a minimum, local future land use plan and local development regulation standards will include the following measures of density/intensity:

1. Nonresidential:
  - Floor area ratio (FAR); and
  - If required by the applicable Countywide Plan Map category, impervious surface ratio (ISR).
2. Residential, and Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes:
  - Dwelling units per net acre (UPA); or
  - If permitted by the applicable Countywide Plan Map category, FAR.
3. Residential Equivalent:
  - Equivalent beds per dwelling unit.
4. Temporary Lodging:
  - Temporary lodging UPA; or
  - Nonresidential FAR and (if required) ISR; or
  - If permitted by the applicable Countywide Plan Map category, upon adoption of provisions for compliance with Section 5.2.213, the density and intensity standards set forth in Table 6 may be used.

5. Mixed Use:

- A combination of the applicable residential and nonresidential density/intensity standards, allocated in their respective proportion of the total lot area; or
- If permitted by the applicable Countywide Plan Map category, all-inclusive FAR; or
- The mixed-use bonus provisions of Section 4.2.~~34~~.6 may be used.

Density and intensity standards are expressed as a maximum, with the upper end of any range being the effective maximum for each category as set forth in Article 2 of these Countywide Rules. In determining the maximum number of units to be allowed, any proportional fraction thereof can be rounded up to the nearest whole number, at the discretion of the local government with jurisdiction.

**4.2.3.4**

**Provision for Adjustment.** Adjustment of intensity standards for floor area ratio (FAR) and impervious surface ratio (ISR) is provided for as set forth in Division 7.4 of these Countywide Rules. The provision for adjustment of intensity standards shall be considered a legitimate means by which to administer these Countywide Rules, but shall not be construed to qualify or in any manner diminish the requirement for definitive intensity standards in the local future land use plan and land development regulations, consistent with the Countywide Plan Map and these Countywide Rules.

**[Note: The content of this section has been moved to new Section 4.2.4]**

**4.2.3.5**

~~**Housing Density/Intensity Bonus.** A density/intensity bonus may be authorized by local government above the otherwise applicable maximum permitted density/intensity for each category as an incentive to provide affordable or Missing Middle housing, in addition to providing opportunities for more Senior Housing accommodations. This housing density/intensity bonus may permit an increase in the number of dwelling units and floor area allowed as provided for in the local government plan and/or land development regulations. No Countywide Plan Map amendment is required to employ this density/intensity bonus, but amendments are subject to the consistency review procedures outlined in Section 3.3.1.~~

~~A. In order to utilize this bonus provision to encourage affordable housing, the local government shall approve an affordable housing plan and corresponding land development regulations, which shall be filed with the Council. An affordable housing plan shall contain, at a minimum, the following:~~

- ~~1. Definitions of what qualifies as affordable housing and other terms used within the plan;~~
- ~~2. Methodology for determining the maximum dwelling unit and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;~~
- ~~3. Manner in which affordable housing density and/or intensity bonus units are calculated relative to the otherwise allowable mixed use density/intensity formula;~~

4. ~~Provisions that commit the resulting affordable units to a minimum specified period of time; and~~

5. ~~Provisions for enforcement and monitoring, including any periodic reports required to be submitted to the local government.~~

B. ~~The purpose of Missing Middle housing, as defined within these Countywide Rules, is to integrate more diverse types of housing into single family neighborhoods while retaining compatibility with the existing neighborhood character. In order to utilize this housing density/intensity bonus for Missing Middle housing, the local government shall adopt applicable land development regulations, which shall be filed with the Council and which shall contain, at a minimum, the following:~~

1. ~~Definitions of what qualifies as Missing Middle housing and other terms used within the regulations;~~

2. ~~Identified locations or locational characteristics appropriate for Missing Middle housing, consistent with the Forward Pinellas *Finding the Missing Middle* study published October 2017, incorporated by reference in Countywide Plan Strategies LU 11.4;~~

3. ~~Methodology for determining the maximum dwelling unit and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;~~

4. ~~Form based or other land development regulations limiting the size and scale of Missing Middle housing to ensure its compatibility with adjacent neighborhood scale development; and~~

5. ~~Design features that encourage walking, biking and transit use, such as lower parking standards, reduced setbacks, required sidewalks, etc.~~

C. ~~The Senior Housing bonus is intended to increase the number and diversity of dwelling units available to senior residents, provide for continuity of care across the aging spectrum, and encourage an active lifestyle. In order to utilize the housing density/intensity bonus for Senior Housing, as defined within these Countywide Rules, the local government shall adopt applicable land development regulations, which shall be filed with the Council and which shall contain, at a minimum, the following:~~

1. ~~Definitions of what qualifies as Senior Housing and other terms used within the regulations;~~

2. ~~Methodology for determining the maximum Residential dwelling unit, Residential Equivalent beds, and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;~~

3. ~~Form based or other land development regulations determining the size and scale of Senior Housing to ensure its compatibility with adjacent developments;~~

4. ~~Land development regulations prohibiting application of this density/intensity bonus in the Coastal High Hazard Area; and~~
5. ~~Design features that ensure accessibility and promote age appropriate physical activity.~~

**4.2.3.6 Mixed Use Density/Intensity Bonus.** ~~A local government may authorize a waiver to the proportionate density/intensity allocation requirement of Section 4.2.3.3(5) as an incentive to encourage vertically integrated, transit supportive mixed use development. This bonus may permit the full allocation of residential density and nonresidential intensity to be used, as provided for in the local government plan and/or land development regulations, for developments containing a mix of residential and nonresidential land uses within the same building. No Countywide Plan Map amendment is required to employ this density/intensity bonus, but amendments are subject to the consistency review procedures outlined in Section 3.3.1.~~

~~In order to utilize this provision, a local government shall adopt applicable land development regulations, which shall be filed with the Council and which shall contain, at a minimum, the following:~~

~~Definitions of what qualifies as vertically integrated, transit supportive mixed use development, and other terms used within the regulations;~~  
~~Identified locations or locational characteristics appropriate for such mixed use development, consistent with the Planning and Urban Design Principles described in Land Use Goal 16.0 of the Countywide Plan Strategies, or other best practices;~~  
~~Form based or other land development regulations governing the size, scale, and mix of uses; and~~  
~~Design features that encourage walking, biking and transit use, such as lower parking standards, reduced setbacks, required sidewalks, etc.~~

**4.2.3.5<sup>7</sup> Development Impacts.** Density/intensity permitted at the time of application for platting or site plan approval, and subsequently impacted by the dedication of public right-of-way and/or the creation of submerged land as a function of that approval, shall thereafter be deemed to be consistent and conforming as to the maximum permitted density/intensity of the Countywide Rules.

#### 4.2.3.6<sup>8</sup>

#### Previously Approved Transferable Development Rights and Density/Intensity

**Averaging.** Density/intensity permitted as a function of transfer of development rights or density/intensity averaging through an approved master plan, planned development, or comparable process, prior to the effective date of this provision (Ordinance No. 10-23, April 15, 2010), including any density/intensity or transfer of development rights process adopted into a special area plan consistent with these Countywide Rules prior to that date, shall be deemed to be consistent and conforming as to the maximum permitted density/intensity requirements of the Countywide Rules, and any such permitted development that has received the appropriate development order may remain and be rebuilt or reconstructed to the same density or intensity after the effective date of Ordinance No. 10-23), unless such density or intensity is specifically prohibited by a local government's code or ordinance. Any such permitted development shall be considered consistent with the recording and filing requirements of the Countywide Rules.

#### 4.2.3.7<sup>9</sup>

#### Exemptions from Intensity Standards in the Activity Center and Multimodal Corridor

**Categories.** To assist in achieving redevelopment goals within the Activity Center and Multimodal Corridor categories, exemptions to otherwise applicable intensity standards may be allowed as an incentive for limited uses that implement the Planning and Urban Design Principles described in Section 6.5.4.6 and Land Use Goal 16.0 of the Countywide Plan Strategies, and other local planning priorities (e.g., workforce housing and historic preservation), to a maximum of an additional 10% of the otherwise permitted floor area ratio. In order to utilize this provision, the local government shall adopt corresponding land development regulations which shall be filed with the Council. An FAR exemption subject to an applicable special area plan adopted prior to August 7, 2015, shall be considered to be consistent with the provisions of this section.

#### 4.2.3.8<sup>10</sup>

**Temporary Emergency Housing Following a Disaster.** Temporary emergency housing shall be permitted in accordance with the provisions of Pinellas County Code Chapter 34 Article II Division 2, or other applicable local government ordinance that applies to those municipalities that have opted out of the countywide temporary emergency housing ordinance. Such provisions include, but are not limited to, the allowance of temporary emergency housing in certain future land use categories where residential uses are not typically permitted, and the placement of temporary housing units on parcels of land containing uninhabitable permanent dwellings for a length of time as specified in the County Code or applicable municipal ordinance.

#### 4.2.3.9<sup>11</sup>

**Submerged Lands.** Submerged lands, as specifically defined within these Countywide Rules, shall have no designation and no associated density/intensity standards. Drainage detention areas created as a function of development that are recorded on an approved final site plan or other authorized development order action of the local government with jurisdiction, and wetlands landward of the mean and/or ordinary high water line, shall not be considered submerged land, and thus may be included in the computation of net land area for the purpose of determining permitted density/intensity, provided that they are also included in the computation of net land area for any applicable

acreage threshold. Submerged lands may be added, deleted, or adjusted pursuant to Section 7.4.2~~7.3.8.4~~.

**4.2.3.10 Exceptions Authorized by Florida Statutes.** Land uses and densities authorized by Florida Statutes shall be permitted in addition to those established in Article 2 of these Countywide Rules.

## SEC. 4.2.4 DENSITY/INTENSITY BONUSES.

**4.2.4.1** **Density/Intensity Bonuses Authorized.** A density/intensity bonus may be authorized by a local government above the otherwise applicable maximum permitted density/intensity for each category as an incentive for a public purpose as outlined in this section. A density/intensity bonus may permit an increase in the number of dwelling units and floor area allowed as provided for in the local government plan and/or land development regulations. No Countywide Plan Map amendment is required to employ this density/intensity bonus, but amendments are subject to the consistency review procedures outlined in Section 3.3.1.

**4.2.4.2** **Application of Bonuses.** An applicable density and/or intensity bonus shall be calculated based on the allowable maximum density and intensity of the adopted local future land use category. When a property is eligible for multiple density and/or intensity bonuses, each bonus shall be calculated individually prior to being added together. Density or intensity generated by one bonus shall not be included in the calculation of another bonus.

If a local comprehensive plan and/or land development code adopted prior to [DATE] is in conflict with the provisions of this section, but was determined consistent with these Countywide Rules prior to [DATE], such provision shall continue to be determined consistent.

**4.2.4.3** **Affordable Housing Bonus.** In order to utilize a density/intensity bonus provision to encourage affordable housing, the local government shall approve an affordable housing plan and corresponding land development regulations, which shall be filed with the Pinellas Planning Council. An affordable housing plan shall contain, at a minimum, the following:

1. Definitions of what qualifies as affordable housing and other terms used within the plan;
2. Methodology for determining the maximum dwelling unit and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;
3. Manner in which affordable housing density and/or intensity bonus units are calculated relative to the otherwise allowable mixed-use density/intensity formula;
4. Provisions that commit the resulting affordable units to a minimum specified period of time; and
5. Provisions for enforcement and monitoring, including any periodic reports required to be submitted to the local government.

**4.2.4.4** **Missing Middle Housing Bonus.** The purpose of Missing Middle housing, as defined within these Countywide Rules, is to integrate more diverse types of housing into single-family neighborhoods while retaining compatibility with the existing neighborhood

character. In order to utilize this housing density/intensity bonus for Missing Middle housing, the local government shall adopt applicable land development regulations, which shall be filed with the Pinellas Planning Council and which shall contain, at a minimum, the following:

1. Definitions of what qualifies as Missing Middle housing and other terms used within the regulations;
2. Identified locations or locational characteristics appropriate for Missing Middle housing, consistent with the Forward Pinellas *Finding the Missing Middle* study published October 2017, incorporated by reference in Countywide Plan Strategies LU 11.4;
3. Methodology for determining the maximum dwelling unit and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;
4. Form-based or other land development regulations limiting the size and scale of Missing Middle housing to ensure its compatibility with adjacent neighborhood-scale development; and
5. Design features that encourage walking, biking and transit use, such as lower parking standards, reduced setbacks, required sidewalks, etc.

**4.2.4.5 Senior Housing Bonus.** The Senior Housing bonus is intended to increase the number and diversity of dwelling units available to senior residents, provide for continuity of care across the aging spectrum, and encourage an active lifestyle. In order to utilize the housing density/intensity bonus for Senior Housing, as defined within these Countywide Rules, the local government shall adopt applicable land development regulations, which shall be filed with the Pinellas Planning Council and which shall contain, at a minimum, the following:

1. Definitions of what qualifies as Senior Housing and other terms used within the regulations;
2. Methodology for determining the maximum Residential dwelling unit, Residential Equivalent beds, and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;
3. Form-based or other land development regulations determining the size and scale of Senior Housing to ensure its compatibility with adjacent developments;
4. Land development regulations prohibiting application of this density/intensity bonus in the Coastal High Hazard Area; and
5. Design features that ensure accessibility and promote age-appropriate physical activity.

**4.2.4.6 Mixed Use Density/Intensity Bonus.** A local government may authorize a waiver to the proportionate density/intensity allocation requirement of Section 4.2.3.3(5) as an incentive to encourage vertically integrated, transit supportive mixed-use development.

This bonus may permit the full allocation of residential density and nonresidential intensity to be used, as provided for in the local government plan and/or land development regulations, for developments containing a mix of residential and nonresidential land uses within the same building. No Countywide Plan Map amendment is required to employ this density/intensity bonus, but amendments are subject to the consistency review procedures outlined in Section 3.3.1.

In order to utilize this provision, a local government shall adopt applicable land development regulations, which shall be filed with the Pinellas Planning Council and which shall contain, at a minimum, the following:

1. Definitions of what qualifies as vertically integrated, transit supportive mixed-use development, and other terms used within the regulations;
2. Identified locations or locational characteristics appropriate for such mixed-use development, consistent with the Planning and Urban Design Principles described in Land Use Goal 16.0 of the Countywide Plan Strategies, or other best practices;
3. Form-based or other land development regulations governing the size, scale, and mix of uses; and
4. Design features that encourage walking, biking and transit use, such as lower parking standards, reduced setbacks, required sidewalks, etc.

#### 4.2.4.7

**Water Quality and Conservation Bonus.** A density/intensity bonus may be authorized by a local government as an incentive to encourage water conservation and improved water quality, through management of stormwater runoff, wastewater, surface waters or other related measures. Such incentives may include those authorized by Section 403.892, Florida Statutes, to encourage the use of graywater technology.

In order to utilize this provision, a local government shall adopt applicable land development regulations, which shall be filed with the Pinellas Planning Council and which shall contain, at a minimum, the following:

1. Definitions of what qualifies as water conservation, water quality, and other terms used within the regulations;
2. Methodology for determining the maximum dwelling unit and/or floor area ratio bonuses relative to the underlying zoning district and/or future land use category;
3. Manner in which housing density and/or intensity bonus units are calculated relative to the otherwise allowable mixed-use density/intensity formula;
4. Provisions for enforcement and monitoring, including any periodic reports required to be submitted to the local government.

## **SEC. 4.2.54 USE/LOCATIONAL CHARACTERISTICS.**

Local future land use categories shall establish a description of appropriate uses and proper locations, in sufficient detail, so as to be determined comparable to, and consistent with, said characteristics for each Countywide Plan Map category as set forth in these Countywide Rules. Each local government designation in the local land development regulations must be consistent with the local future land use category and the corresponding Countywide Plan Map category.

- 4.2.54.1** Locational characteristics as set forth in the local government land use plan or land development regulations shall be consistent with and sufficiently detailed so as to be comparable to the corresponding Countywide Plan Map category as enumerated in these Countywide Rules.
- 4.2.54.2** Use characteristics, as set forth in the local government land use plan or land development regulations, shall be considered consistent where they are comparable to, less extensive than, or more narrowly defined than, the corresponding enumerated list of permitted uses for each category under these Countywide Rules. Such use characteristics in the local plan or regulations shall not exceed the parameters of, or provide for uses not allowed under, the corresponding categories of these Countywide Rules as established under Section 4.2.2.1, except as expressly and specifically provided in Section 4.2.45.3.

Accessory uses normally found in association with, incidental to, and subordinate to the permitted use characteristics of the Countywide Rules, are allowed as provided for by the local jurisdiction and subject to their specific requirements.

- 4.2.54.3** Uses in the local government land use plan and land development regulations may provide for use characteristics not normally allowed under the respective category of these Countywide Rules, subject to all of the following criteria:
1. This section shall apply only to the Retail & Services and Office categories and the uses allowed under those categories;
  2. This section shall not apply to any property located on a Scenic/Noncommercial Corridor of these Countywide Rules;
  3. This section shall not apply to any property which has an area of more than three acres; and
  4. Uses in the local government plan and regulations shall be subject to specified provisions of the local plan governing compatible land use relationships, and shall further be subject to all applicable density/intensity standards and traffic generation rates which govern the local plan map category in which the subject use is located, or the Countywide Plan Map category in which the subject use is located, whichever is more restrictive, said determinations to be made as follows:

- a. The maximum permitted density shall not exceed the maximum number of dwelling units per acre permitted under the land use category of record in the local plan or the Countywide Plan Map, whichever is more restrictive;
- b. The maximum permitted intensity shall not exceed the maximum floor area ratio or the maximum impervious surface ratio permitted under the land use category of record in the local plan or the Countywide Plan Map, whichever is more restrictive; and
- c. The maximum permitted density and/or intensity of use shall be further limited such that no additional traffic is generated above that which would have been produced by the maximum density/intensity of the uses otherwise permitted in the category of record in the local plan or the Countywide Plan Map, whichever is more restrictive. Traffic generation rates shall be calculated based upon the Countywide Plan standard for the land use category of record or as provided for under the local plan and regulations, whichever shall be the more restrictive.

**SEC. 4.2.5 MAP DELINEATION.**

~~The local future land use plan maps shall be consistent if the local future land use plan designation for each parcel does not exceed the criteria and standards of the corresponding Countywide Plan Map designation.~~

**SEC. 4.2.6 ACREAGE THRESHOLDS AND OTHER STANDARDS.**

Local future land use plans and development regulations shall include policies and/or standards consistent with the acreage threshold and other standards contained in the description of each Countywide Plan Map category. Where no such standards are in place in the local future land use plan or land development regulations, the local future land use plan or land development regulation shall be amended to provide for same or be found inconsistent. This shall not be interpreted to preclude the local government from having a smaller, more restrictive acreage threshold for amendment.

**SEC. 4.2.7 COASTAL HIGH HAZARD AREAS.**

- 4.2.7.1** The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the Coastal High Hazard Area (CHHA) which results in an increase of density or intensity; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the following criteria, as are determined applicable and significant to the subject amendment:
- A. Access to Emergency Shelter Space and Evacuation Routes – The uses associated with the requested amendment will have access to adequate emergency shelter space as well as evacuation routes with adequate capacities and evacuation clearance times.

- B. Utilization of Existing and Planned Infrastructure – The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.
- C. Utilization of Existing Disturbed Areas – The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms.
- D. Maintenance of Scenic Qualities and Improvement of Public Access to Water – The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Boca Ciega Bay), and Tampa Bay.
- E. Water Dependent Use – The requested amendment is for uses which are water dependent.
- F. Part of Community Redevelopment Plan – The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment areas.
- G. Overall Reduction of Density or Intensity – The requested amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA.
- H. Clustering of Uses – The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.
- I. Resilient Building – The requested amendment includes a commitment from the applicant, such as a development agreement or other binding action by the local government, to make structures more resilient to disasters, through techniques such as building to more stringent wind standards, increasing building elevation, and/or providing an independent source of electricity.
- J. Integral Part of Comprehensive Planning Process – The requested amendment has been initiated by the local government as an integral part of its comprehensive planning process, consistent with the local government comprehensive plan.

**4.2.7.2** The Pinellas Planning Council and the Countywide Planning Authority shall deny an amendment to the Countywide Plan Map within the CHHA which would permit the siting or expansion of uses that are inconsistent with the CHHA, given their susceptibility to storm damage or special evacuation requirements, including hospitals, nursing homes, convalescent homes, adult living facilities, recreational vehicles, and mobile homes; except that they may, at their sole and absolute discretion, consider approving such amendment based upon a balancing of the criteria in Section 4.2.7.1, ~~A-H~~, as are determined applicable and significant to the subject amendment.

**4.2.7.3** Local government amendments that would result in an increase in density or intensity within the CHHA as discussed in Section 4.2.7.1, or would permit the siting or expansion of uses that are inconsistent with the CHHA as discussed in Section 4.2.7.2 must be

reviewed against locally-adopted requirements that are consistent with the balancing criteria found in Section 4.2.7.1.~~A-H~~. For Tier II and III amendments, an evaluation of these criteria must be included with a Countywide Plan Map submittal pursuant to Section 6.1.3.2. For Tier I amendments, if a local government has not adopted and utilized the balancing criteria in its review process, any such amendments will be found inconsistent with the Countywide Plan pursuant to the provisions of Article 3.

- 4.2.7.4** Nothing in these Countywide Rules shall be construed or applied to preclude a local government with jurisdiction from having requirements in the CHHA that are more restrictive than the terms set forth herein.
- 4.2.7.5** Nothing in these Countywide Rules should be construed as superseding or otherwise modifying the local plan amendment requirements of Section 163.3178(8), Florida Statutes.

**ARTICLE 5**

**OPTIONAL PROVISIONS**

## DIV. 5.1 APPLICABILITY.

The following standards are provisions that local governments may choose to utilize in their local future land use plans and land development regulations:

- Transferable Development Rights
- Density/Intensity Averaging
- Temporary Lodging Use Standards

If a local government chooses to utilize such provisions, they shall be consistent with the applicable plan criteria and standards in this article.

## DIV. 5.2 CRITERIA AND STANDARDS.

### SEC. 5.2.1 SPECIAL RULES, TRANSFERS OF DENSITY/INTENSITY

#### 5.2.1.1 General Provisions.

5.2.1.1.1 Local governments may adopt provisions to allow density and/or intensity to be transferred between parcels, or portions of parcels, consistent with this section of the Countywide Rules. These provisions are intended to be used when traditional amendment of land use categories would be infeasible, or to incentivize a public purpose such as environmental or historic preservation, affordable housing, transit-oriented development, economic development, or other purpose as determined by the local government.

Use of these provisions requires:

- A sending area from which unused density or intensity entitlements will be transferred to the receiving area. The transferred entitlements will be subtracted from the allowable density/intensity standards of the land use category of the sending area.
- A receiving area to which density or intensity entitlements will be transferred from the sending area. Transferred entitlements will be in addition to the allowable density/intensity standards of the land use category of the receiving area.

The sending or receiving area may be an entire parcel, a portion of a parcel delineated by a land use category boundary, or a group of parcels under a unity of title. Common ownership of the sending and receiving areas is not required.

5.2.1.1.2 For purposes of this section, the term “land use category” shall mean the more restrictive of either the Countywide Plan Map category or the locally adopted future land use map category applicable to a given parcel.

- 5.2.1.1.3** The following requirements apply to Transferable Development Rights, subject to the additional requirements of subsection 5.2.1.2; Density/Intensity Averaging, subject to the additional requirements of subsection 5.2.1.3, and Density/Intensity Pools, subject to the additional requirements of subsection 5.2.1.4:
- A. There shall be no transfer of density or intensity to the Recreation/Open Space or Preservation categories.
  - B. There shall be no transfer of density or intensity from the Activity Center (AC), Multimodal Corridor (MMC), or Planned Redevelopment District (PRD) category to any category other than AC, MMC, or PRD, except as provided in subsection G below.
  - C. There shall be no transfer of density or intensity into the Coastal High Hazard Area (CHHA) from outside the CHHA. Transfers within the CHHA are permitted.
  - D. There shall be no transfer of density or intensity to submerged lands, unless the receiving area includes a drainage detention area created as a function of development, which has density/intensity entitlements recorded by the local government with jurisdiction pursuant to Section 4.2.3.9<sup>44</sup>.
  - E. There shall be no transfer of nonconforming density or intensity from the sending area in excess of what is permitted by the adopted land use category.
  - F. Following transfer of density and/or intensity, permitted uses in both the sending and receiving areas must remain consistent with their respective land use categories.
  - G. If the local plan and/or code provisions filed of record in support of the AC, MMC or PRD plan category prior to [DATE] allow Transferable Development Rights, Density/Intensity Averaging, and/or a Density/Intensity Pool in conflict with the requirements of Section 5.2.1, the locally adopted provisions shall take precedence.

- 5.2.1.1.4** Once density or intensity has been transferred using the Transferable Development Rights, Density/Intensity Averaging, or Density/Intensity Pool process adopted by the local government, the transferred density or intensity may no longer be used by the sending parcel. Following such transfer, the combined density/intensity entitlements of the sending and receiving area may not exceed the combined density/intensity entitlements allowed by the land use categories of the sending and receiving areas prior to the transfer.

For the purposes of this section, “density/intensity entitlements” shall mean the number of residential units, residential equivalent beds, temporary lodging units, and/or building square footage that can be built in the sending and receiving areas, as applicable.

The base density/intensity of the land use category must be used for all Transferable Development Rights, Density/Intensity Averaging, and Density/Intensity Pool calculations. If either the sending or receiving area is eligible for a density and/or

intensity bonus as provided in Section 2.3.3.14 or 4.2.4, the bonus shall be calculated after density and/or intensity is transferred.

**5.2.1.1.5** There shall be no transfer from existing developed property except as specifically provided in subsections 5.2.1.2, 5.2.1.3 and/or 5.2.1.4. Developed property shall include land containing one or more structures, whether currently occupied or not. Small or ancillary structures such as utility towers, storage sheds, or parking booths are considered structures for the purposes of this section.

The boundaries of an existing developed property shall consist of the boundaries of the parcel(s) or the land use category(ies) containing the developed use, whichever is smaller. If a portion of the land within such boundary is developed, the entire area within the boundary is considered developed.

**5.2.1.1.6** A sending area designated Preservation or Recreation/Open Space may transfer a density of one dwelling unit per acre or an intensity of 0.05 floor area ratio per acre, as an incentive to preserve these areas and to ensure a minimum beneficial use. Such transfer may occur only once and must be recorded pursuant to subsection 5.2.1.1.8. All other provisions of Section 5.2.1 apply.

**5.2.1.1.7** Unless otherwise provided by the local government with jurisdiction, density and/or intensity transferred using Transferable Development Rights, Density/Intensity Averaging, and/or Density/Intensity Pools will remain in effect notwithstanding any future amendment of the land use category of either the sending or receiving area, as follows:

- A. If the sending area is amended to a different land use category, the transferred density/intensity entitlements will be subtracted from the otherwise allowable density/intensity entitlements of the new category.
- B. If the receiving area is amended to a different land use category, the transferred density/intensity entitlements will remain in addition to the otherwise allowable density/intensity standards of the new land use category.
- C. Prior to amendment, the previously transferred entitlements will be taken into account as part of the Countywide Plan Map amendment review process.

Any locally adopted provisions that vary from this section remain subject to the requirements of subsection 5.2.1.1.4.

**5.2.1.1.8** In order to use Transferable Development Rights, Density/Intensity Averaging, or Density/Intensity Pools, land development regulations enabling their use must be adopted by the local government with jurisdiction and found consistent with these Countywide Rules pursuant to the provisions of Article 3.

Subsequent to the adoption of enabling local land development regulations, local actions implementing Transferable Development Rights, Density/Intensity Averaging, or

Density/Intensity Pool do not require review by PPC staff, but at local government request, PPC staff will provide an informal review for consistency.

All local actions implementing Transferable Development Rights, Density/Intensity Averaging, or Density/Intensity Pools must be recorded in the public records with the Clerk of the Circuit Court, and a copy filed with the PPC for tracking purposes. If the local government has an established procedure for annual or other periodic reporting, that information may be filed with the PPC on the same schedule. If no such procedure exists, individual actions must be filed with the PPC as soon as they are finalized by the local government.

#### **5.2.1.2 Transferable Development Rights.**

##### **5.2.1.2.1 The Transferable Development Rights process may be used to transfer density and/or intensity between a sending and receiving area that are in different land use categories, that are non-contiguous, or both, subject to the general provisions of Section 5.2.1.1 and the following:**

- A. Transfer of development rights from existing developed property shall only be allowed if the sending and receiving areas are part of a unified development; or as may be adopted by the local government with jurisdiction to incentivize a public purpose such as preservation of archaeological, historical, environmental, or architectural resources, or Leadership in Energy and Environmental Design (LEED) building certification.**
- B. Transferred density/intensity entitlements shall not exceed 25 percent of the otherwise allowable density/intensity entitlements of the receiving area; except that the maximum transferred intensity entitlement to a receiving area designated Office, Employment, or Industrial shall not exceed 30 percent of the allowable intensity entitlement.**

##### **5.2.1.1.1 Transfer of development rights shall be as provided for in the local government comprehensive plan or land development regulations, or if applicable, in a separate plan filed of record in support of the Activity Center (AC), Multimodal Corridor (MMC), or Planned Redevelopment District (PRD) category, subject to the following:**

- A. The land use characteristics within any given Countywide Plan Map category shall be consistent with those land use characteristics enumerated for each Countywide Plan Map category, and no transfer of development rights shall be permitted which is inconsistent with the use characteristics of a given Countywide Plan Map category.**
- B. There shall be no transfer of development rights from existing developed property, irrespective of whether or not that property has been developed to the maximum density/intensity permitted under the Countywide Plan and Countywide Rules, or the local future land use plan designation where it may be more restrictive, except**

~~for preservation of archaeological, historical, environmental, or architectural sites or features or for Leadership in Energy and Environmental Design (LEED) building certification purposes, or as adopted into a special area plan consistent with these Countywide Rules prior to April 15, 2010.~~

~~C. Transfer of development rights is permitted between all Countywide Plan Map categories except as follows:~~

- ~~1. There shall be no transfer to the Recreation/Open Space or Preservation categories.~~
- ~~2. There shall be no transfer from the AC, MMC or PRD category to another category, except as may be provided for in the local plan and/or code provisions that establish the basis for and are filed of record in support of the AC, MMC or PRD plan category.~~

~~D. The maximum permitted density/intensity of the Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, for any parcel of land to which development rights are transferred shall not exceed twenty-five percent of the otherwise maximum permitted density/intensity allowed for each respective Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, applicable to such parcel, except as may be otherwise specifically provided for as follows:~~

- ~~1. If the local plan and/or code provisions filed of record in support of the AC, MMC or PRD plan category contain provisions governing transfer of development rights, those provisions shall take precedence.~~
- ~~2. For a parcel of land that provides or contains Manufacturing, Office, or Research/Development uses and to which development rights are transferred, the maximum permitted density/intensity of the Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, shall not exceed thirty percent of the otherwise maximum permitted density/intensity allowed for each respective Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, applicable to such parcel.~~

~~E. Where development rights are transferred from a sending parcel, that property shall only be used in a manner and to the extent specified in the transfer and recording mechanism. Any parcel from which development rights are transferred will be limited to the use and density/intensity that remains after the transfer. In particular:~~

- ~~1. The residual development rights on the sending parcel will be limited to the remnant use and density/intensity available under the Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, and not otherwise transferred.~~

2. ~~Determination of available remnant use and density/intensity for any mixed use, or combination of distinct uses, shall be in accord with the consistency criteria as set forth in Sec. 4.2.3 and 4.2.4 of the Countywide Rules.~~
3. ~~Neither the use nor density/intensity of a sending parcel shall be double counted and the transfer of development rights shall not result in any combination of use or density/intensity above that which was otherwise permitted under the applicable Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, for each the sending and receiving parcels, when taken together.~~
4. ~~A sending parcel from which all development rights are transferred shall not thereafter be available for use except consistent with the use characteristics and density/intensity standards of the Recreation/Open Space category, except for sending parcels classified as Preservation or required to be classified as Preservation as a function of the transfer, in which case such parcels shall be limited to the use characteristics and density/intensity standards of the Preservation category.~~
- F. ~~Where all development rights have previously been transferred from a sending parcel through a local government approved or Countywide Plan Map approved process, no additional development rights shall be transferable from that sending parcel.~~
- G. ~~There shall be no transfer of development rights from or to submerged land, or from outside the coastal high hazard area into the coastal high hazard area.~~
- H. ~~Where development rights cannot otherwise be determined for the Preservation or Recreation/Open Space category based on local government provisions for transfer of development rights, such categories shall be assigned a maximum density/intensity of one dwelling unit or five percent floor area ratio per acre, or both, as is applicable based on the use characteristics to be utilized in the receiving parcel for any transfer of development rights under the Countywide Plan Map and these Countywide Rules.~~
- I. ~~Where an entire parcel of property is located in a Preservation or Recreation/Open Space category, and the development rights of such parcel have not been and cannot be transferred, such property shall be permitted a minimum beneficial use subject to the various provisions of these Countywide Rules and the Countywide Plan Map, but private property shall not be taken without due process of law and the payment of just compensation.~~
- J. ~~Any project utilizing transfer of development rights shall require the local government having jurisdiction to provide for a recording mechanism, in a form approved by the Countywide Planning Authority, which shall as a minimum, require~~

~~written evidence of the transfer of development rights in a document to be recorded in the public records with the Clerk of the Circuit Court for Pinellas County, and a record copy of same to be filed with the PPC.~~

**5.2.1.32 Density/Intensity Averaging.**

**5.2.1.3.1** The Density/Intensity Averaging process may be used to transfer density and/or intensity between sending and receiving areas that are contiguous or within a unified development, and which may be designated with the same or different land use categories, subject to the general provisions of Section 5.2.1.1 and the following:

- A. Density/Intensity Averaging from existing developed property shall only be allowed if the sending and receiving areas are part of a unified development; or as may be adopted by the local government with jurisdiction to incentivize a public purpose such as preservation of archaeological, historical, environmental, or architectural resources, or Leadership in Energy and Environmental Design (LEED) building certification.
- B. An individual Activity Center, Multimodal Corridor, or Planned Redevelopment District may be considered as a unified development for the purposes of this section.
- C. Where the sending and receiving areas are designated with different land use categories, the combined sending and receiving areas may not exceed five acres.

**5.2.1.2.1** ~~Density/intensity averaging shall be permitted as provided for in the applicable local government comprehensive plan, or the local plan and/or land development code provisions filed of record in support of the Activity Center (AC), Multimodal Corridors (MMC) or Planned Redevelopment District (PRD) plan category, and in accordance with all applicable provisions of these Rules.~~

**5.2.1.2.2** ~~Density/intensity averaging may occur from any Countywide Plan Map category to any other Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, except as follows:~~

- ~~A. There shall be no density/intensity averaging to the Preservation or Recreation/ Open Space categories.~~
- ~~B. There shall be no density/intensity averaging from the AC, MMC or PRD category to another category. However, density/intensity averaging is permitted within an Activity Center, Multimodal Corridor or Planned Redevelopment District pursuant to Section 5.2.1.2.4.~~
- ~~C. There shall be no density/intensity averaging from or to submerged land or from outside the coastal high hazard area into the coastal high hazard area.~~

**5.2.1.2.3** Density/intensity averaging in categories other than AC, MMC or PRD may occur only in accordance with the following:

- A. Aggregation within contiguous property(ies) in the same Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, based on the maximum density/intensity allowed in that category.
- B. Aggregation within contiguous property(ies) in different Countywide Plan Map categories, or the local future land use plan designations where they may be more restrictive, based on the maximum density/intensity allowed in the combination of applicable categories, provided that the subject area (i.e., the combined area of all sending and receiving parcels) does not exceed a maximum area of five acres.
- C. Such aggregation of density/intensity as provided for in either A. or B. above shall require the property(ies) to be subject to a local government site plan or comparable approval process and a written record of the density/intensity averaging recorded in the public record with the Clerk of the Circuit Court for Pinellas County, and a record copy of same filed with the Pinellas Planning Council.

**5.2.1.2.4** Density/intensity averaging is permitted within an individual Activity Center, Multimodal Corridor or Planned Redevelopment District as a whole, provided that:

- For an Activity Center or Multimodal Corridor, the maximum density or intensity standard for the applicable subcategory classification is not exceeded on an average areawide basis; and
- For a Planned Redevelopment District, the maximum density or intensity standard for the PRD category is not exceeded on an average areawide basis; and
- Adoption and subsequent amendment of density/intensity standards is subject to the provisions of Division 6.2.

**5.2.1.2.5** Density/intensity averaging as otherwise governed by these Countywide Rules shall be allowed to include any development rights available to, but previously unused by, existing developed property that is being added to or redeveloped using the density/intensity averaging provisions of these Rules.

#### **5.2.1.4 Density/Intensity Pools**

**5.2.1.4.1** The Density/Intensity Pool process may be used to transfer density and/or intensity from one or more sending areas into an entitlement pool from which density/intensity bonuses are granted to receiving areas meeting locally specified criteria, subject to the general provisions of Section 5.2.1.1 and the following:

- A. A Density/Intensity Pool may only be used within an individual Activity Center (AC), Multimodal Corridor (MMC), or Planned Redevelopment District (PRD).
- B. The sending and receiving areas may be contiguous or non-contiguous.
- C. Density and/or intensity may be transferred from either undeveloped or existing developed property.

- D. The criteria and methodology for transferring density/intensity from a sending area to a Density/Intensity Pool, and from a Density/Intensity Pool to a receiving area, must be adopted as part of the local plan and/or code provisions filed of record in support of the AC, MMC or PRD.

**SEC. 5.2.213 ALTERNATIVE TEMPORARY LODGING USE STANDARDS.**

**5.2.213.1 Alternative Density/Intensity.** Local governments may utilize the provisions of this section in lieu of the standard temporary lodging densities or intensities specified within each Countywide Plan Map category that provides for such use, subject to the following:

- A. A local government may utilize all, or any part of, the higher temporary lodging densities and associated intensities included in the accompanying Table [65-1](#), provided that both a density and intensity standard are applied to the temporary lodging use.
- B. Amendment of the local government comprehensive plan and land development regulations to provide for all, or any portion of, the alternative densities and intensities in Table [65-1](#), based on a Development Agreement prepared and approved pursuant to [Chapter 163, Sections 3220-3243, F.S., Sections 163.3220-163.3243, Florida Statutes](#), as amended.
- C. A Development Agreement proposing to utilize the higher densities and intensities identified in Table [65-1](#) and authorized by this Section shall address, at a minimum, the following:
  1. The ability of the local government, or the applicable service provider, to meet the concurrency management standards for sanitary sewer, solid waste, drainage, and potable water, as required pursuant to Section 163.3180, [Florida Statutes, F.S.](#), and the applicable local government or service provider plan and regulations.
  2. Provision for all temporary lodging uses to comply with all county and local hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III. In particular, all temporary lodging uses which are located in Hurricane Evacuation Level A, as identified by the Pinellas County Comprehensive Emergency Management Plan, shall prepare a legally enforceable mandatory evacuation/closure covenant, stating that the temporary lodging use will be closed as soon as practicable after a hurricane watch is posted for Pinellas County by the National Hurricane Center. Further, a plan implementing the closure and evacuation procedures shall be prepared and submitted to the county or municipal emergency management coordinator, whichever is applicable, within 90 days of the issuance of a certificate of occupancy. This plan will be updated and sent for review when there is a change of ownership

or substantive change to the plan or as required by the county or municipal emergency management coordinator, whichever is applicable.

3. Design considerations in Section 5.2.4.3.2, the mobility management provisions in Section 5.2.4.3.3 and the restrictions on temporary lodging use in Section 5.2.4.3.4 set forth following.
- D. A Development Agreement prepared pursuant to this Section shall be approved by the local government governing body, recorded with the Clerk of the Circuit Court pursuant to Section 163.3239, [Florida Statutes F.S.](#), a copy filed with the Property Appraiser's Office, and a copy submitted to the PPC and CPA for receipt and filing within fourteen days after recording. The development limitations set forth in the Development Agreement shall be memorialized in a deed restriction, which shall be recorded in the Official Records of Pinellas County prior to the issuance of a building permit for the temporary lodging use.
- E. The alternative densities and intensities set forth in Table 65-1 are maximums, except as provided for in F. below. A local government may choose to utilize a density and intensity standard equal to or less than the alternative density and intensity standard, when adopted in their comprehensive plan and land development regulations, based on the maximums set forth in Table 65-1.
- F. Intensity standards governing floor area ratio (FAR) and impervious surface ratio (ISR) may be varied by the local government with jurisdiction pursuant to the provisions of Division 7.4 of these Rules. The FARs in Table 65-1 apply to the temporary lodging use, residential dwelling uses integrated in the same structure with the temporary lodging use, associated parking structures, and uses accessory to temporary lodging uses (e.g., meeting space, restaurants, spas, clubs, etc.).
- G. For development that includes a combination of temporary lodging and residential dwelling use, each use shall be allowed in proportion to the size of the property and the permitted density and intensity of the respective use.

**Table 65-1**  
**Alternative Temporary Lodging Density and Intensity Standards**

Plan Category	Temporary Lodging On Property That Is:	Maximum Density/Intensity Standards		
		Units/Acre	FAR	ISR
R, AC, MMC, PRD	Less Than One Acre	75	2.2	0.95
	Between One Acre And Three Acres	100	3.0	0.95
	Greater Than Three Acres	125	4.0	0.95
R&S	No Property Size Limitations	60	1.2	0.90

E	Subject To 5-Acre Property Size Limitation Per Section 2.3.3.8	75	1.5	0.85
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**5.2.2.1.3.2 Design Considerations.** The purpose of the design considerations is to enable the local government to authorize the increased density and intensity provided for in Table 65-1, subject to a determination that the project is compatible with the size, location, configuration and character of the site, its relationship to the Countywide Plan Map category in which it is located, and to adjoining uses; and that the overall principles of quality urban design as set forth in *Pinellas By Design: An Economic Development and Redevelopment Plan for the Pinellas Community* are furthered.

In particular, design considerations applicable to the proposed use shall address the following in the Development Agreement so as to ensure compatibility in terms of context-sensitive design, and the scale and placement of the proposed use so as to achieve a harmonious relationship and fit relative to its location and surroundings:

- A. Building scale, including height, width, location, alignment, and spacing.
- B. Building design, including elevations, façade treatment, entrance and porch or balcony projections, window patterns and roof forms.
- C. Site improvements, including building and site coverage, accessory structures, service and amenity features, walkway and parking areas, open space, and view corridors.
- D. Adjoining property use, including density/intensity, and building location, setbacks, and height.

**5.2.2.3.1.3.3 Mobility Management.** The applicant shall ensure that a project authorized to use the increased density and intensity provided for in Table 65-1 adequately addresses its impacts on the surrounding road network through the implementation of mobility improvements or strategies consistent with the Pinellas County Mobility Plan, as implemented by the countywide Multimodal Impact Fee Ordinance.

**5.2.2.4.1.3.4 Operating Characteristics and Restrictions.** The purpose of this provision is to ensure that a project authorized to use any portion of the increased density and intensity provided for in Table 65-1 is built, functions, operates, and is occupied exclusively as temporary lodging.

In particular, temporary lodging uses at the densities/intensities in Table 65-1, or any density higher than the standard density provided for such use in each applicable Countywide Plan Map category, or the local future land use plan designation where it may be more restrictive, shall comply with the following restrictions:

- A. No temporary lodging unit shall be occupied as a residential dwelling unit, and a locally-determined maximum length of stay for any consecutive period of time shall be established by the local government to ensure that any temporary lodging use does not function as a residential use.
- B. Temporary lodging units shall not qualify or be used for homestead or home occupation purposes.
- C. All temporary lodging units must be included in the inventory of units that are available within a temporary lodging use.
- D. No conversion of temporary lodging units to residential dwelling units shall be permitted unless the conversion is in compliance with the Countywide Rules with respect to the permitted residential density and, where applicable, the intensity for associated nonresidential uses.
- E. A temporary lodging use may include accessory uses, such as recreational facilities, restaurants, bars, personal service uses, retail uses, meeting space, fitness centers, spa facilities, parking structures and other uses commonly associated with temporary lodging uses. All such uses shall be included in the calculation of allowable floor area ratio.
- F. Any license required of a temporary lodging use by the local government, county, or state agency shall be obtained and kept current.
- G. Temporary lodging uses shall be subject to all applicable tourist development tax collections.
- H. A reservation system shall be required as an integral part of the temporary lodging use, and there shall be a lobby/front desk area that must be operated as a typical lobby/front desk area for temporary lodging would be operated.
- I. Temporary lodging uses must have sufficient signage that complies with local codes and is viewable by the public designating the use as a temporary lodging use.
- J. The books and records pertaining to use of each temporary lodging unit shall be open for inspection by authorized representatives of the applicable local government, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.
- K. The applicable local government may require affidavits of compliance with this Section from each temporary lodging use and/or unit owner.



**ARTICLE 6**

**COUNTYWIDE PLAN MAP AMENDMENT**

## **DIV. 6.1 COUNTYWIDE PLAN MAP AMENDMENTS / GENERAL.**

### **SEC. 6.1.1 APPLICATION.**

Local governments may initiate Countywide Plan Map amendments only as provided for in this Article in accordance with Section 10(3) of Chapter 2012-245, Laws of Florida, as amended, and the particular procedures established in these Countywide Rules. No amendment to the Countywide Plan Map shall be considered by the PPC until the local government applying for such amendment has established jurisdiction.

Applications for amendment of the Countywide Plan Map shall be preceded by, and based upon, a local ordinance 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 map amendment; subject to any requisite determination of compliance by the State Land Planning Agency pursuant to Chapter 163, Part II, Florida Statutes, adoption of an ordinance effectuating a consistent amendment of the Countywide Plan Map by the Countywide Planning Authority pursuant to Chapter 2012-245, Laws of Florida, and final action by the local governing body.

### **SEC. 6.1.2 TIERED REVIEW PROCESS.**

Local future land use map amendments and other requests to amend the Countywide Plan Map shall be evaluated according to the following process, consistent with Chapter 2012-245, Laws of Florida, as amended, to determine if an amendment to the Countywide Plan Map is required, and if so, to determine the applicable review standards. The PPC Executive Director will make a determination whether the local future land use map amendment is subject to review under the Tier I, II or III process. Boundary interpretations addressed by ~~Section 7.3.8~~ [Division 7.3 or 7.4](#) shall not be subject to the tiered review process.

- 6.1.2.1** **Tier I.** A local future land use map amendment is classified as Tier I if the current and proposed land use categories fall within the same corresponding designation on the Countywide Plan Map as established pursuant to Section 4.2.2.1, with the exception of the Activity Center, Multimodal Corridor and Planned Redevelopment District categories, which are classified subject to the review provisions of Division 6.2.

Upon determination that an amendment is subject to the Tier I process, an administrative review notice will be forwarded to the local government within ten business days, and to the Pinellas Planning Council at their next scheduled meeting, with a finding that the amendment is subject to a Tier I review and did not require a Tier II or III amendment. As a Tier I amendment will not alter the Countywide Plan Map, a public hearing to amend the Countywide Plan Map is not required.

Tier I amendments that increase densities and/or intensities in the Coastal High Hazard Area shall require local adoption of standards consistent with Section 4.2.7.1 ~~AH~~ in order to be found consistent.

**6.1.2.2** **Tier II.** A local future land use map amendment is classified as a Tier II amendment if the current and proposed land use categories do not fall within the same corresponding designation on the Countywide Plan Map as established pursuant to Section 4.2.2.1, with the exception of amendments to the Activity Center, Multimodal Corridor and Planned Redevelopment District categories, which are classified subject to the review provisions of Division 6.2. A public hearing to amend the Countywide Plan Map shall be required.

A request to amend the Countywide Plan Map without a corresponding amendment to a local future land use map may be initiated to correct a documented inconsistency between the local future land use map and the Countywide Plan Map; as part of a multi-jurisdictional agreement pursuant to Section 6.2.8; consistent with Section 4.2.1.1 or to implement a Rule amendment pursuant to Section 7.8.5 ~~and; or in other circumstances as determined applicable by the PPC Executive Director. The amendment shall be classified as a Tier II amendment. Such amendment~~ may be initiated only by the local government with jurisdiction, pursuant to a formal resolution adopted by its governing body requesting and setting forth the specifics of the amendment, and shall be classified as a Tier II amendment.

**6.1.2.3** **Tier III.** A local future land use map amendment to the Activity Center or Multimodal Corridor category is classified as Tier III subject to the review provisions of Division 6.2. A public hearing to amend the Countywide Plan Map shall be required.

### **SEC. 6.1.3 PROCEDURES.**

Countywide Plan Map amendments shall be considered according to the following process, consistent with Chapter 2012-245, Laws of Florida, as amended, and as provided for in each Division in this Article.

**6.1.3.1** **Initiation.** Only the governing body may initiate an amendment to the Countywide Plan Map for a particular parcel of property over which it has jurisdiction. An amendment of the Countywide Plan Map shall be transmitted to the PPC subsequent to the initial action by the governing body authorizing the transmittal of and concurrence with the local ordinance, and prior to finalizing adoption of the local ordinance, except where Section 163.3187(2), Florida Statutes, provides for a small-scale map amendment, which may be submitted subsequent to final adoption.

**6.1.3.2** **Submission of Application.** Before an application of a Countywide Plan Map amendment shall be heard by the PPC, a written application shall be submitted in a form established by the PPC, not later than twenty-eight days prior to the PPC meeting at which it is eligible to be considered.

At submittal, a Countywide Plan Map amendment request must include:

- A completed Countywide Plan Map amendment application form;
- A map or map series sufficient to depict the boundaries, current future land use categories, and proposed future land use categories of the subject property and surrounding area;
- A copy of the ordinance being considered by the governing body;
- If technically feasible, a shapefile of any wetlands or other irregular boundaries included in the amendment; and
- A copy of the local government staff report and any other pertinent information considered during the local public hearing process.

In addition, the following items must be submitted if applicable to the amendment:

- A boundary survey;
- A development agreement;
- If located in the Coastal High Hazard Area (CHHA), review against locally-adopted balancing criteria consistent with Section 4.2.7; ~~4.1 AH~~ and
- If amending the Activity Center or Multimodal Corridor category, additional requirements as outlined in Section 6.2.3.

**6.1.3.3 Determination of Completeness.** The Executive Director shall have the authority to make the interpretation as to the completeness of a submitted application to amend the Countywide Plan Map. If the Executive Director determines that the submitted application is not complete, the Executive Director shall provide written notice to the applicant specifying the deficiencies. No action shall be taken on the requested amendment until the Executive Director determines that the deficiencies have been remedied.

**6.1.3.4 Notice and Public Hearing by PPC.** The PPC shall hold a public hearing, advertised and noticed as required by Division 7.8, prior to taking action on a requested amendment of the Countywide Plan Map.

**6.1.3.5 Recommendation by PPC.** The PPC shall make a recommendation to the CPA within sixty days of receipt of a complete application for amendment.

**SEC. 6.1.4 DETERMINATION.**

Amendments to the Countywide Plan Map shall be reviewed by, and require the approval of, the CPA upon recommendation of the PPC. Decisions of the PPC and the CPA, with respect to the disposition of Countywide Plan Map amendments, are considered legislative in nature.

- 6.1.4.1** **PPC Action.** The PPC may recommend approval, denial, continuation or alternative action to the CPA; any of which such recommendations shall constitute action by the PPC within the stipulated sixty-day period.
- 6.1.4.2** **Notice of Denial.** The PPC shall, within five days, notify the applicant local government in writing of any recommendation by the PPC to deny an amendment eligible for administrative hearing, and shall advise the applicant local government of their right to apply for such administrative hearing and the time limitation applicable thereto.
- 6.1.4.3** **Right to Administrative Hearing.** If the PPC recommends denial of an amendment to the Countywide Plan Map relating to the land use designation of a particular parcel of land, any substantially affected person may apply for an administrative hearing within twenty-one days of denial.
- 6.1.4.4** **Applications for Administrative Hearing.** All applications for administrative hearing by a substantially affected person will be filed with the office of the PPC within twenty-one days of denial. Said application will be in a form for consideration under, and subject to the procedures of, Chapter 120, Florida Statutes. In the event an application for administrative hearing is filed, the Countywide Plan Map amendment shall not be considered by the CPA pending disposition of the administrative hearing.
- 6.1.4.5** **CPA Consideration.** The CPA shall consider an application for amendment of the Countywide Plan Map upon receipt of the recommendation of the PPC.
- 6.1.4.6** **Public Hearing by CPA.** The CPA shall hold a public hearing, advertised and noticed as required by Division 7.8, prior to taking action on a requested amendment of the Countywide Plan Map.
- 6.1.4.7** **CPA Action.** The CPA may approve or deny the application for amendment upon consideration of the recommendation of the PPC. Any action by the CPA contrary to the PPC recommendation shall require a majority plus one vote of the entire CPA.
- 6.1.4.8** **Reconsideration.** The reconsideration of any action on an amendment by the PPC or CPA shall be as otherwise prescribed by the respective operating procedures of each the PPC and the CPA. In the absence of such defined operating procedures, reconsideration shall be by motion of a member of the prevailing side on the applicable amendment vote, and affirmative action on such motion, at the same meeting at which the initial action was taken.
- 6.1.4.9** **Right to Administrative Hearing.** If the CPA denies an amendment which was recommended to be approved by the PPC, any substantially affected person may apply for an administrative hearing within twenty-one days of denial.
- 6.1.4.10** **Final Action by CPA After Administrative Hearing.** Final action by the CPA subsequent to any administrative hearing shall be limited to the findings of fact of the administrative hearing officer.

## **SEC. 6.1.5 APPLICATIONS CONTAINING DEVELOPMENT AGREEMENTS.**

- 6.1.5.1** **Submission of a Development Agreement.** A development agreement is not required to be submitted as part of an application for Countywide Plan Map amendment, however a development agreement may be submitted in support of a Countywide Plan Map amendment. Such submission shall be entirely at the discretion of the local government jurisdiction.

Local governments shall enter into, amend, and revoke a development agreement per the requirements pertaining to development agreements found in Sections 163.3220 - 163.3243, Florida Statutes.

Prior to submission of the Countywide Plan Map amendment for consideration by the Council, any development agreement submitted for consideration as part of an application for Countywide Plan Map amendment shall, at a minimum, be approved by the local jurisdiction after public hearing by the legislative body and be executed by the applicant property owner and other private party(ies) to the agreement.

~~The amendments to the Rules, as contained in Article 6, Section 6.1.6, subsections 6.1.6.1 through 6.1.6.3, This provision~~ shall not apply retroactively to any development agreement submitted and made a condition of a plan amendment approved by the PPC and CPA prior to the effective date of ~~this provision~~ (Ordinance No. 08-81, December 24, 2008).

- 6.1.5.2** **Consideration of Development Agreement by PPC and CPA.** The Council and CPA shall consider a development agreement, submitted by a local government jurisdiction in support of a Plan Map amendment request, in accordance with the consistency criteria and Relevant Countywide Considerations of the Countywide Plan Rules.

After all necessary approvals are obtained by the local jurisdiction and the development agreement is fully executed, a true and correct copy of the fully executed development agreement shall be submitted to the Council, to be filed with the corresponding Countywide Plan Map amendment ordinance.

- 6.1.5.3** **Change to Development Agreement Subsequent to Countywide Plan Map Approval.** The local government with jurisdiction will make the determination as to whether any change to an approved development agreement constitutes an amendment or revocation of the development agreement, and will make any such amendment or revocation in accordance with Sections 163.3220 – 163.3243, Florida Statutes.

A development agreement submitted and made a condition of a Countywide Plan Map amendment that is approved by the CPA, which development agreement is subsequently amended or revoked by a local government pursuant to the requirements in Sections 163.3220 – 163.3243, Florida Statutes, shall be resubmitted to the PPC and CPA.

~~The PPC shall recommend, and the CPA shall determine, based on the significance of the amendment or revocation in relation to the consistency criteria and the Relevant Countywide Considerations of the Countywide Rules pertaining to the Plan Map amendment, whether the amendment or revocation of the development agreement requires the Plan Map amendment to which it corresponded to be reconsidered.~~

If ~~the CPA~~ [the PPC Executive Director](#) determines that the amendment or revocation of the development agreement requires the Countywide Plan Map amendment to be reconsidered, the local government jurisdiction will be so notified and may request the Plan Map amendment be reheard, void and amend its local plan consistent with the Countywide Plan Map as it existed prior to the subject Plan Map amendment, resubmit an application for Plan Map amendment, with or without a revised development agreement, or such other action as will result in consistency between the local and Countywide Plan Maps.

A resubmitted [Countywide](#) Plan Map amendment will be processed as any other application for amendment.

#### **SEC. 6.1.6 OFFICIAL RECORD.**

Upon approval of a Countywide Plan Map amendment by the CPA, an official record copy of said ordinance will be maintained in the office of the Clerk of the Board. The office of the PPC shall maintain a record copy of all Countywide Plan Map amendments and, upon transmittal of the ordinance amending the Countywide Plan Map by the Clerk of the Board, shall cause such amendment to be properly recorded on the official Countywide Plan Map.

### **DIV. 6.2 COUNTYWIDE PLAN MAP AMENDMENTS / ACTIVITY CENTERS, MULTIMODAL CORRIDORS AND PLANNED REDEVELOPMENT DISTRICTS.**

#### **SEC. 6.2.1 NEW ADOPTIONS.**

**6.2.1.1 Adoption of New Activity Centers and Multimodal Corridors.** An amendment adopting the Activity Center (AC) plan category that is not contiguous to, and subject to the same plan/code provisions as, an existing AC designation results in the creation of a new Activity Center. An amendment adopting the Multimodal Corridor (MMC) plan category in a location that is not contiguous to, and subject to the same plan/code provisions as, an existing MMC designation results in the creation of a new Multimodal Corridor.

Each new Activity Center or Multimodal Corridor shall be classified with a subcategory based on the locational criteria of Sections 2.3.3.15-16, or as otherwise approved through the Countywide Plan Map amendment process. The subcategory shall be depicted on the Land Use Strategy Map.

Such amendments are subject to the tiered amendment review process set forth in Section 6.1.2, as determined by the eligibility criteria shown in Table [76-1](#).

As part of the adoption process, the highest allowable density and/or intensity standard applicable to the Activity Center or Multimodal Corridor shall be filed of record and used in determining the applicable tier for subsequent amendments as set forth in Section 6.2.2.1. If residential, temporary lodging, nonresidential and/or mixed uses are differentiated with separate standards by the implementing plan/code provisions, these standards shall be recorded separately.

**Table [76-1](#)**  
**Amendments Creating New Activity Centers or Multimodal Corridors**

Amendment Type	Eligibility Criteria
Tier II	Adoption of the AC or MMC category with implementing plan/code provisions that: <ul style="list-style-type: none"><li>Include density/intensity standards at or below the maximum for the applicable AC or MMC subcategory based on the locational criteria of Sections 2.3.3.15-16; and</li><li>Do not permit uses enumerated in Section 6.2.4.1; and</li><li>Do not eliminate permitted uses enumerated in Section 6.2.4.2.</li></ul>
Tier III	Adoption of the AC or MMC category with implementing plan/code provisions that: <ul style="list-style-type: none"><li>Include density/intensity standards above the maximum for the applicable AC or MMC subcategory based on the locational criteria of Sections 2.3.3.15-16; or</li><li>Permit uses enumerated in Section 6.2.4.1; or</li><li>Eliminate permitted uses enumerated in Section 6.2.4.2.</li></ul>

**6.2.1.2 Adoption of New Planned Redevelopment Districts.** An amendment adopting the Planned Redevelopment District (PRD) plan category in a location that is not contiguous to, and subject to the same plan/code provisions as, an existing PRD designation results in the creation of a new Planned Redevelopment District. Such amendments are subject to the Tier II amendment review process set forth in Section 6.1.2.2.

**SEC. 6.2.2 SUBSEQUENT AMENDMENTS.**

**6.2.2.1 Amendment of Existing Activity Centers or Multimodal Corridors.** An amendment to the local future land use map or plan/code provisions governing an existing Activity Center or Multimodal Corridor that results in a change to the permitted uses, density/intensity standards, or category boundaries on the Countywide Plan Map are

subject to the tiered amendment review process set forth in Section 6.1.2, as determined by the eligibility criteria shown in Table 86-2.

**Table 86-2**  
**Amendments to Existing Activity Centers and Multimodal Corridors**

<b>Amendment Type</b>	<b>Eligibility Criteria</b>
Tier I	<p>Amendment does not exceed the highest allowable density or intensity standard filed of record; and</p> <p>Amendment does not alter the boundaries of the AC or MMC category on the Countywide Plan Map; and</p> <p>Amendment does not add permitted uses enumerated in Section 6.2.4.1 nor eliminate permitted uses enumerated in Section 6.2.4.2; and</p> <p>Amendment does not eliminate local future land use map categories enumerated in Section 6.5.4.4; and</p> <p>Planning and Urban Design Principles have previously been addressed and filed of record under the Tier II or Tier III process.</p>
Tier II	<p>Amendment proposes one or more of the following:</p> <ul style="list-style-type: none"><li>• Increases the highest allowable density or intensity standard consistent with the locational criteria of the Land Use Strategy Map as specified in Section 2.3.3.15-16; or</li><li>• Alters the boundaries of the AC/MMC category on the Countywide Plan Map; or</li><li>• Eliminates permitted uses enumerated in Section 6.2.4.2; or</li><li>• Eliminates local future land use map categories enumerated in Section 6.5.4.4; or</li><li>• Planning and Urban Design Principles have not previously been addressed and filed of record under the Tier II or Tier III process.</li></ul> <p>and</p> <p>Amendment does not add permitted uses enumerated in Section 6.2.4.1.</p>
Tier III	<p>Amendment increases the highest allowable density or intensity standard exceeding the locational criteria of the Land Use Strategy Map as specified in Section 2.3.3.15-16; or</p> <p>Amendment adds permitted uses enumerated in Section 6.2.4.1.</p>

**6.2.2.2** **Amendment of Existing Planned Redevelopment Districts.** An amendment to the local future land use map or plan/code provisions governing an existing Planned Redevelopment District that results in a change to the permitted uses, density/intensity standards, or category boundaries are subject to the tiered amendment review process set forth in Section 6.1.2, as determined by the eligibility criteria shown in Table 96-3.

**Table 96-3**  
**Amendments to Existing Planned Redevelopment Districts**

<b>Amendment Type</b>	<b>Eligibility Criteria</b>
Tier I	<p>Amendment does not alter the boundaries of the PRD category on the Countywide Plan Map; and</p> <p>Amendment does not add permitted uses enumerated in Section 6.2.4.1 nor eliminate permitted uses enumerated in Section 6.2.4.2; and</p> <p>Amendment does not eliminate local future land use map categories enumerated in Section 6.5.4.4; and</p> <p>Planning and Urban Design Principles have previously been addressed and filed of record under the Tier II or Tier III process.</p>
Tier II	<p>Amendment proposes one or more of the following:</p> <ul style="list-style-type: none"><li>• Alters the boundaries of the PRD category on the Countywide Plan Map; or</li><li>• Adds permitted uses enumerated in Section 6.2.4.1; or</li><li>• Eliminates permitted uses enumerated in Section 6.2.4.2; or</li><li>• Eliminates local future land use map categories enumerated in Section 6.5.4.4; or</li><li>• Planning and Urban Design Principles have not previously been addressed and filed of record under the Tier II or Tier III process.</li></ul>

A local map or plan/code amendment governing an existing Activity Center, Multimodal Corridor or Planned Redevelopment District that does not change the permitted uses, density/intensity standards, or category boundaries on the Countywide Plan Map is classified as Tier I.

**6.2.2.3** **Reclassification of Special Centers and Special Corridors.** An Activity Center or Multimodal Corridor utilizing the Special Center or Special Corridor subcategory prior to October 24, 2019 shall, on October 24, 2019, be reclassified with a subcategory pursuant to Sections 2.3.3.15-16, which shall be depicted on the Land Use Strategy Map. Such subcategory reclassification shall occur in coordination with the local government

with jurisdiction, shall be sufficient to accommodate the locally-adopted maximum density and intensity standards governing the Activity Center or Multimodal Corridor as of October 24, 2019, and shall not result in any nonconforming standard. Subsequent amendments to this subcategory classification shall be subject to the amendment process for existing Activity Centers and Multimodal Corridors outlined in the remainder of this section.

The highest allowable density and/or intensity standard filed of record for each reclassified Activity Center or Multimodal Corridor shall be used in determining the applicable tier for subsequent amendments as set forth in Section 6.2.2.1. If residential, temporary lodging, nonresidential and/or mixed uses are differentiated with separate standards by the implementing plan/code provisions, these standards shall be considered separately.

### **SEC. 6.2.3 SUBMITTAL REQUIREMENTS.**

#### **6.2.3.1 Additional Requirements for Tier I, II, and III Amendments.**

In addition to the general submittal requirements of Section 6.1.3.2, Tier I, II and III amendments to the Activity Center (AC), Multimodal Corridor (MMC), or Planned Redevelopment District (PRD) plan categories must include and address the items set forth below as part of the application, review, and approval process:

- A. **Boundary Map** – A parcel specific map or map series of sufficient detail to delineate the boundaries of the AC, MMC or PRD category. If technically feasible, a GIS shapefile of the boundary shall be provided, otherwise a list parcels to be amended shall be included with the submittal.
- B. **Current Land Use Designations** – A list of local future land use map designations that are currently within the proposed boundaries of the AC, MMC or PRD category, their acreages, and their associated permitted uses and maximum densities/intensities.
- C. **Proposed Land Use Designations** – A list of proposed future land use map designations, character districts, zoning districts or subdistricts within the proposed boundaries of the AC, MMC or PRD category, their acreages, and their associated permitted uses and maximum density/intensity standards.

If density/intensity averaging is being used pursuant to Section 5.2.1.32.4, provide a calculation of the average areawide density/intensity that could potentially be achieved based on the proposed land use designations, and documentation that it is consistent with the proposed subcategory.

- D. **Size (AC Only).** If the acreage of the proposed AC category exceeds the size criteria for the applicable subcategory pursuant to Section 2.3.3.15, demonstrate that the amendment area is organized into one or more subareas meeting the criteria.

- E. **Planning and Urban Design Principles** – For amendments affecting 10 acres or more, provide documentation of how the Planning and Urban Design Principles will be addressed, pursuant to Section 6.2.6 and Countywide Planning Strategies Land Use Goal 16.0, together with the purpose, objectives, and professionally established best practices contained therein.

#### 6.2.3.2

#### Additional Requirements for Tier II and Tier III Amendments.

In addition to the submittal requirements of Section 6.1.3.2 and Section 6.2.3.1, Tier II and Tier III amendments to the Activity Center (AC), Multimodal Corridor (MMC) or Planned Redevelopment District (PRD) plan categories must include and address the items set forth below as part of the application, review, and approval process:

- A. **Pre-Application Meeting** – At least one pre-application coordinating conference with PPC staff will be required. The purpose of this meeting will be to discuss the review and approval process and to review the applicant's proposed implementation plan to ensure that the strategies are met. After the conclusion of the meeting, PPC staff will provide meeting notes documenting topics covered, concerns/issues addressed, and any action steps agreed to with the applicant.
- B. **Transportation Impact Analysis** – Amendments affecting 10 acres or more must meet the requirements of Section 6.2.5.
- C. **Implementation Tools** – For each proposed AC, MMC or PRD designation, the applicant will enumerate any existing and proposed plan/code provisions (e.g., special area plan, current zoning designations, special zoning designations, design overlays, and/or other regulatory tools) that will be used to implement the Planning and Urban Design Principles. In addition, the applicant will be required to submit a proposed adoption schedule for any new policies and/or regulations that will be required for such implementation.
- D. **Subsequent Review of Implementation Tools** – Upon initial adoption of the provisions identified by the implementation tools (described in subsection C above) by the local government, the implementation ordinances will be submitted and reviewed under the provisions of Section 6.2.2, in fulfillment of and for compliance with the Countywide Plan Map amendment to which they correspond. Addition or elimination of permitted uses consistent with the corresponding Countywide Plan Map amendment shall not be considered new changes under the provisions of Section 6.2.2.

#### 6.2.3.3

#### Additional Requirements for Tier III Applications.

In addition to the submittal requirements of Section 6.1.3.2, Section 6.2.3.1, and Section 6.2.3.2, Tier III amendments to the Activity Center or Multimodal Corridor plan

categories must include a Justification Narrative as to why the proposed amendment is consistent with the Countywide Plan.

The narrative must document the changes in conditions or other factors that warrant the proposed amendment, which could potentially include but are not limited to the following:

- A. **Improved transit facilities and service to the proposed Activity Center or Multimodal Corridor** – Improvements may include investment by PSTA in premium services that were not planned for during the most recent amendment of the Land Use Strategy Map, or a commitment by the applicant government to invest in multimodal infrastructure in the near term (5 to 15 years) that will quicken the evolution of the area into one that is transit-ready. These types of improvements will be coordinated closely with PSTA to ensure that they are consistent with the required standards for future premium transit.
- B. **Increases in population and/or employment densities not projected in adopted planning documents (MPO Long Range Transportation Plan, local comprehensive plans, etc.)** – These new increases in population and/or employment would need to be documented in an Economic Development Study that compares the new projections of population and/or employment to the projections contained in the MPO's LRTP and the local comprehensive plans. The economic benefit from the increases in population and of employment would be quantified as well as the ability of the area to attract and absorb the increased population and/or employment over other similar developing areas.
- C. **Local government funding study for public infrastructure within the proposed Activity Center or Multimodal Corridor** – The funding study will include a detailed analysis of multimodal infrastructure needs within the study area, including the improvements identified in A. above and associated funding strategies to develop a financing plan that funds infrastructure projects within specific timeframes. The results of the Economic Development Study from B., if conducted, will be incorporated into the Funding Study.
- D. **Opportunities for increased resiliency** – An analysis showing that the amendment will create increased resiliency to hurricanes, flooding and sea level rise while not placing an undue burden on evacuation routes and shelter capacity. Examples could include building to more stringent wind standards, increasing building elevation, providing an independent source of electricity, funding improvements to make public infrastructure more resilient, and/or shifting density or intensity outside of the Coastal High Hazard Area.

**E. Other unique conditions that would allow for consideration** – As an example, these conditions could include unique agreements or development partnerships that would create a significant opportunity for a more diverse development mix resulting in higher taxable values per acre and a more attractive mixed-use multimodal environment. The emphasis should be on getting both local government and development commitments needed to build unfunded multimodal projects build in the short- to mid-term within the subject area.

#### **SEC. 6.2.4 USE PROVISIONS.**

**6.2.4.1** The purpose of the Activity Center and Multimodal Corridor categories is to create areas of intensive residential density, nonresidential intensity, and mixed uses in conjunction with urban design that allows and encourages multimodal transportation, including pedestrian/bicycle circulation and transit use. Uses that do not support this purpose, as defined in Article 8 of these Countywide Rules, include:

- Storage/Warehouse/Distribution-Light and -Heavy;
- Commercial/Business Service Use; and
- Automobile-Oriented Retail Commercial Use.

An amendment adding one or more of these enumerated uses as a permitted use within an Activity Center or Multimodal Corridor, or within a character district, zoning district or subdistrict thereof, shall be classified as a Tier III amendment.

The enumerated uses may be permitted in the Planned Redevelopment District category in accordance with the Planning and Urban Design Principles. An amendment allowing one or more of these uses as a permitted use within a Planned Redevelopment District, or within a character district, zoning district or subdistrict thereof, shall be classified as a Tier II amendment.

**6.2.4.2** An amendment eliminating any of the following uses as a permitted use from an Activity Center, Multimodal Corridor, or Planned Redevelopment District, or from a character district, zoning district or subdistrict thereof, shall be classified as a Tier II amendment and reviewed against the provisions of Section 6.5.4.4:

- Manufacturing-Light, -Medium or -Heavy;
- Office; or
- Research/Development-Light or -Heavy.

#### **SEC. 6.2.5 TRANSPORTATION IMPACT ANALYSIS FOR THE ACTIVITY CENTER (AC), MULTIMODAL CORRIDOR (MMC), OR PLANNED REDEVELOPMENT DISTRICT (PRD) CATEGORY.**

An amendment adopting or amending the AC, MMC or PRD category and affecting fewer than 10 acres shall be subject to the Multimodal Accessibility Index (MAX Index) provisions of Section 6.5.5. An amendment adopting or amending the AC, MMC or PRD

category and affecting 10 acres or more shall include the following transportation impact analysis:

- A. Calculate the average daily trips for the current land use category(ies) of the proposed AC, MMC or PRD category based on the acreage and traffic generation characteristics for each applicable category described in Section 2.3.3.
- B. Calculate the average daily trips for the proposed AC, MMC or PRD category based on the acreage and traffic generation characteristics for each applicable category described in Section 2.3.3, multiplied by 50%.
- C. If the proposed average daily trips calculated in (B) is smaller than the current average daily trips calculated in (A), then only the requirements of Section 6.2.3 must be met and no additional transportation assessment is required. If the proposed average daily trips is a larger number than the current average daily trips, then an additional transportation assessment will be required. This assessment will include the following steps:
  1. Safety – Documentation of safety issues and concerns within the proposed AC, MMC or PRD category boundary will be required. This documentation will at a minimum include a review and analysis of automobile and bike/pedestrian crashes over the last five years, and a summary of any plans or programs that are being implemented to address safety issues.
  2. Roadway Level of Service – Documentation of existing level of services on roadways within and intersecting with the proposed AC, MMC or PRD category boundary.
  3. Net Trips Impact on Level of Service – Completion of a level of service analysis documenting the projected level of service and potential impacts resulting from the difference in trips between the existing land use category(ies) and the AC, MMC or PRD designation.
  4. Multimodal Facilities and Services – Documentation of existing multimodal facilities and services within and adjacent to the proposed boundary for the AC, MMC or PRD category. This includes sidewalks, crosswalks, trails, bike treatments or facilities, bus stops and associated amenities, bus terminals/transfer centers, and bus route services. Other amenities may include, but are not limited to streetscape, landscaping and buffering improvements. The documentation will also identify any gaps in sidewalk, bike lane, or trail networks and areas where bus stop pads are not connected to sidewalks within the AC, MMC or PRD category.
  5. Planned Improvements – Documentation of planned/programmed multimodal improvements that will serve the purpose of reducing automobile congestion. Documentation shall include estimated reduction in

automobile congestion, as well as the funding source and timing of planned/programmed multimodal improvements.

- D. Local governments are strongly encouraged to coordinate fulfillment of the transportation assessment requirement, if applicable, with the provisions of the Pinellas County Mobility Plan, as implemented by the countywide Multimodal Impact Fee ordinance.

#### **SEC. 6.2.6 PLANNING AND URBAN DESIGN PRINCIPLES.**

For all Tier II and Tier III amendments to the Activity Center (AC), Multimodal Corridor (MMC) or Planned Redevelopment District (PRD) category, the applicant must provide an evaluation of Countywide Planning Strategies Land Use Goal 16.0, Planning and Urban Design Principles, together with the purpose, objectives, and professionally established best practices contained therein.

The local government evaluation shall include: 1) documentation that for each Planning and Urban Design Principle, the local government can satisfy the purpose and objectives utilizing associated and necessary implementation initiatives (i.e., comprehensive plan policies, design guidelines, land development code amendments, etc.); and 2) documentation that each best practice was examined and determined to be applicable or not, and if not, demonstration that the purpose and objectives are being achieved through alternative means. At a minimum, this documentation will include narrative descriptions of how each of the Planning and Urban Design Principles will be addressed. Graphic illustrations of the implementation tools are strongly encouraged.

Documentation that the Planning and Urban Design Principles have been addressed shall be filed of record and used in determining the applicable tier for subsequent amendments to the AC, MMC, or PRD category as set forth in Section 6.2.2.

These review criteria addressing Planning and Urban Design Principles are in addition to and supplement the review criteria in Section 6.5.3, the Relevant Countywide Considerations.

Where a local government has made commitments to complete certain plans, programs, and initiatives to prove adherence to the Planning and Urban Design Principles, the commitments identified by the local government must be undertaken within five years of the approval of the plan amendment application. The local government shall request an extension of time if the commitments will not be implemented within the five year period. Such request for time extension shall be submitted to the PPC board who shall act on the local government request for time extension. A local government that does not meet its commitments for implementation within five years and does not obtain an extension will be found inconsistent with the Countywide Plan pursuant to Article 3 of these Countywide Rules.

## SEC. 6.2.7 THE LAND USE STRATEGY MAP.

### **6.2.7.1**

**Locational Criteria.** The Land Use Strategy Map, located in the Countywide Plan Strategies as Figure 1, is an adopted policy document that provides guidance regarding proposed amendments to the Countywide Plan Map, by identifying those areas in the County most able to accommodate higher densities and intensities in coordination with transit service, other multimodal transportation, and other redevelopment factors, in concert with the MPO Long Range Transportation Plan.

Together with the eligible locations provided in Tables 2-4 and 42-6 of these Countywide Rules, the Land Use Strategy Map designates appropriate locations for Activity Center subcategories (including Urban Centers, Major Centers, Community Centers, and Neighborhood Centers) and Multimodal Corridor subcategories (including Premium Transit Corridors, Primary Corridors, Secondary Corridors, and Supporting Corridors).

Additional appropriate locations may be approved through the Countywide Plan Map amendment process, and once approved, shall be depicted on the Land Use Strategy Map. Where a more permissive subcategory is depicted on the Land Use Strategy Map, it shall supersede Tables 2-4 and 42-6.

### **6.2.7.2**

**Amendments to the Land Use Strategy Map.** Countywide Plan Map amendments creating a new Activity Center or Multimodal Corridor, or reclassifying an applicable subcategory, will trigger an amendment to the Land Use Strategy Map pursuant to the requirements of Section 7.89.3. The amendment to the Land Use Strategy Map will be processed concurrently with the Countywide Plan Map amendment.

The Land Use Strategy Map will also be amended as necessary following relevant changes to the long range transportation plan adopted by the Metropolitan Planning Organization, or to Pinellas Suncoast Transit Authority provision of service, as determined appropriate. The PPC Executive Director may initiate an amendment of the Land Use Strategy Map for this purpose pursuant to the provisions of Section 7.89.3.

## SEC. 6.2.8 MULTI-JURISDICTIONAL ACTIVITY CENTERS AND MULTIMODAL CORRIDORS.

### **6.2.8.1**

**Unincorporated Parcels in a Planning Area Boundary.** A municipality that adopts an Activity Center and/or Multimodal Corridor may include unincorporated parcels within its planning area boundary in order to identify and plan for parcels to be annexed in the future, but may not amend the Countywide Plan Map designations of those parcels, since they are not within the municipality's jurisdiction.

### **6.2.8.2**

**Agreements with Pinellas County.** At the option of both parties, a municipality meeting the conditions of Section 6.2.8.1 may enter into an agreement with Pinellas County, in which the County submits a complementary application to amend the Countywide Plan Map designations of the unincorporated parcels within the Activity Center (AC) and/or Multimodal Corridor (MMC) planning area boundary identified by the municipality. The

County may use the same application materials and support documents as the municipal amendment.

The County is not required to amend its local future land use map nor adopt implementing regulations pursuant to Section 6.2.3.2, in which case the amendment to the Countywide Plan Map must be initiated by a County resolution as outlined in Section 6.1.2.2 and shall be classified as a Tier II amendment. The resolution shall serve to memorialize the agreement between the municipality and County.

Pursuant to Section 171.062(2), Florida Statutes, the unincorporated County future land use map designation shall remain in effect until the municipality annexes a parcel and amends its own future land use map. The densities/intensities, permitted uses, and other standards of the new designation will not be applicable to the parcel until the municipality amends its local future land use map with a designation corresponding to the AC or MMC category. Such municipal future land use map amendments shall be processed as Tier I amendments as outlined in Section 6.1.2.1.

This process is intended to facilitate the orderly annexation of unincorporated parcels within an AC and/or MMC by amending their Countywide Plan Map designations as a group in advance of their individual annexation and amendment on the municipality's local future land use map. It does not replace the municipal future land use map amendment process.

The Countywide Plan Map is distinct from the County's future land use map and does not serve as the "county land use plan" referenced in Section 171.062(2), Florida Statutes, nor the "county comprehensive plan" referenced in the interlocal service boundary agreement provisions of Section 171.203, Florida Statutes.

## **DIV. 6.3 COUNTYWIDE PLAN MAP AMENDMENTS / SPECIAL ACTION.**

With respect to any recommendation for an alternative compromise recommendation or request to continue, withdraw, resubmit, or modify an amendment to the Countywide Plan Map which has been submitted for consideration, the provisions as set forth following shall govern.

### **SEC. 6.3.1 ALTERNATIVE COMPROMISE RECOMMENDATION.**

Pursuant to Section 10(3)(b) of Chapter 2012-245, Laws of Florida, as amended, the PPC shall forward recommendations for Countywide Plan Map amendments to the applicant local government when said action by the PPC constitutes denial with an alternative compromise recommendation. The process for referral to and action by the governing body shall be as hereinafter set forth.

- 6.3.1.1** The PPC shall transmit any such denial with an alternative compromise recommendation for amendment to the applicant local government within five days of action by the PPC.

- 6.3.1.2** The applicant governing body shall consider the alternative compromise recommendation of the PPC at an official meeting of the governing body and take formal action to accept or reject the PPC recommendation. The governing body action to accept or reject the PPC recommendation shall be as is determined necessary by the governing body to lawfully accomplish such action, and in the form required by the PPC.
- 6.3.1.3** The governing body action to accept or reject the PPC recommendation shall be transmitted to the PPC within forty-five days of receipt of the PPC recommendation, except as the governing body may require additional time to lawfully accomplish such action and shall request an extension as set forth below within the forty-five days.
- 6.3.1.4** If the governing body accepts the recommendation of the PPC, and transmits said acceptance in the requisite form within the required forty-five days, or as same may be extended, the PPC staff shall advertise and notice the amended application for Countywide Plan Map amendment in accordance with Section 6.1.54.6 for public hearing by the CPA, and forward the compromise amendment to the CPA with the PPC recommendation for approval.
- 6.3.1.5** Upon approval of the alternative compromise amendment by the CPA, the local governing body shall conform the ordinance amending the local government future land use map with the action of the CPA on the alternative compromise amendment to the Countywide Plan Map.
- 6.3.1.6** If the governing body does not accept the recommendation of the PPC as forwarded, or fails to take action in the requisite form or within the required forty-five days, or as same may be extended, the PPC staff shall advertise and notice the original application for Countywide Plan Map amendment in accordance with Section 6.1.54.6 for public hearing by the CPA, and forward the original application to the CPA with the PPC recommendation for denial.

**SEC. 6.3.2 CONTINUATION.**

A request to continue an amendment to the Countywide Plan Map, once formally submitted, shall be in writing by an authorized representative of the local government with jurisdiction. Such request for continuation may be submitted to the PPC at, or prior to, the applicant local government's opening statement to the PPC. The PPC shall review such request for continuation, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation, and if approved, may reschedule the public hearing on the application for amendment to a specified future date. A request for continuation may also be submitted to the CPA subsequent to the PPC action, at or prior to the applicant local government's opening statement to the CPA. The CPA shall review such request for continuation, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation, and if approved, may reschedule the public hearing on the application for amendment to a specified future date. If not

rescheduled to a specified future date, the public hearing must be readvertised pursuant to the requirements of Section 7.89.4.

Nothing herein shall be construed to prohibit the PPC or CPA from continuing a public hearing at any time in the course of the proceeding, consistent with the public purpose and intent of these Countywide Rules and their enabling legislation.

Nothing herein shall prevent the CPA from continuing its hearing and requesting the PPC to rehear, clarify, or explain its initial action.

#### **SEC. 6.3.3 WITHDRAWAL.**

Withdrawal of an application for an amendment to the Countywide Plan Map, once formally submitted, shall be in writing by an authorized representative of the local government with jurisdiction. The withdrawal shall be reported to the PPC at, or prior to, the applicant local government's opening statement to the PPC, and shall be forwarded to the CPA. A withdrawal may also be submitted to the CPA subsequent to PPC action, at or prior to the applicant local government's opening statement to the CPA. Withdrawal of an application for amendment shall remove the application for amendment from further consideration.

#### **SEC. 6.3.4 RESUBMISSION.**

No Countywide Plan Map amendment denied by the CPA shall be resubmitted for consideration by the PPC within six months of the date of denial; except where denial is "without prejudice," which shall allow an application, as previously submitted, to be resubmitted without limitation as to the six month restriction. Any such resubmitted application shall be treated pursuant to, and meet the requirements of, Section 6.1.1.

#### **SEC. 6.3.5 MODIFICATION.**

Any request by a local government to modify an amendment to the Countywide Plan Map shall require the original amendment to be withdrawn as set forth in Section 6.3.3, and the modified amendment to be submitted as for a new amendment, as required in Section 6.1, including action by the applicant governing body as required in Sections 6.1.1, 6.1.2, and 6.1.3 to initiate the modified amendment, and consideration and recommendation by the PPC after public hearing.

### **DIV. 6.4 COUNTYWIDE PLAN MAP AMENDMENTS / ECONOMIC DEVELOPMENT – EXPEDITED REVIEW.**

#### **SEC. 6.4.1 PURPOSE.**

It is the purpose of this expedited review process to recognize and provide for amendments of the Countywide Plan Map that result from economic development

projects that have been certified by the Governor's Office of Tourism, Trade, and Economic Development pursuant to Senate Bill 1154 ([1997](#)).

#### **SEC. 6.4.2 PROCEDURE.**

The procedure for expedited Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 6.1 and the process outlined herein.

- 6.4.2.1** **Notice and Public Hearing.** All expedited amendments shall be advertised, noticed and considered at a public hearing as required under Division 7.8. The advertisement, notice and public hearing will identify amendments to be considered under this expedited process. A single published advertisement and requisite personal notice for all expedited amendment actions shall be provided which shall include notice of both the PPC and CPA public hearings.
- 6.4.2.2** **Submission Requirements.** In addition to the application items in Section 6.1.3.2, all local government submittals of an expedited amendment shall include: 1) copy of the recommendation of the governing body for expedited review; 2) copy of the certificate of eligibility from the Governor's Office of Tourism, Trade and Economic Development; and 3) copy of the finalized 90 day time schedule negotiated between the local government and the state, incorporating all deadlines, including public meetings and notices.
- 6.4.2.3** **Action by PPC and CPA.** The PPC and CPA shall act upon an expedited amendment within the finalized 90 day time schedule established between the local government and the State for the subject property.

### **DIV. 6.5 COUNTYWIDE PLAN MAP AMENDMENTS / CRITERIA AND ADDITIONAL PROCEDURES.**

#### **SEC. 6.5.1 PURPOSE.**

It is the purpose of this amendment review process to recognize and provide for amendments of the Countywide Plan Map that do not otherwise qualify as subthreshold amendments, but that do impact Relevant Countywide Considerations.

#### **SEC. 6.5.2 PROCEDURE.**

The procedure for Countywide Plan Map amendments shall be conducted in accordance with the requirements of Division 6.1.

#### **SEC. 6.5.3 REVIEW CRITERIA.**

- 6.5.3.1** **Relevant Countywide Considerations.** In the consideration of a Countywide Plan Map amendment, it is the objective of these Countywide Rules to evaluate the amendment so as to make a balanced legislative determination based on the following seven

Relevant Countywide Considerations, as they pertain to the overall purpose and integrity of the Countywide Plan.

- 6.5.3.1.1** **Consistency with the Countywide Rules.** The manner in, and extent to, which the amendment is consistent with the Countywide Rules and with the Countywide Plan Strategies as implemented through the Countywide Rules.
- 6.5.3.1.2** **Transportation Impacts.** ~~For amendments not involving the Activity Center (AC), Multimodal Corridor (MMC) and Planned Redevelopment District (PRD) categories, the manner in, and extent to, which the amendment significantly impacts a roadway segment where the existing Level of Service (LOS) is below LOS "D" or where projected traffic resulting from the amendment would cause the existing LOS to fall below LOS "D." An amendment adopting or amending the AC, MMC or PRD category is subject to the requirements of Section 6.2.5. An amendment adopting or amending the Activity Center (AC), Multimodal Corridor (MMC) or Planned Redevelopment District (PRD) category and affecting 10 acres or more is subject to the requirements of Section 6.2.5. All other amendments are subject to the Multimodal Accessibility Index (MAX Index) provisions of Section 6.5.5.~~
- 6.5.3.1.3** **Scenic/Noncommercial Corridors.** If located within a Scenic/Noncommercial Corridor, the manner in, and extent to, which the amendment conforms to the criteria and standards contained in Section 6.5.4.1 of these Countywide Rules.
- 6.5.3.1.4** **Coastal High Hazard Areas (CHHA).** If located within a Coastal High Hazard Area, the manner in, and extent to, which the amendment conforms to the terms set forth in Section 4.2.7.
- 6.5.3.1.5** **Activity Center, Multimodal Corridor, and Planned Redevelopment District Plan Categories.** If the amendment involves the creation, expansion, contraction of, or substantive change to the Activity Center, Multimodal Corridor, or Planned Redevelopment District category, the manner in, and extent to, which the amendment conforms to the purpose and requirements of the applicable category, and addresses the relevant Planning and Urban Design Principles described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies.
- 6.5.3.1.6** **Impact on a Public Educational Facility or an Adjoining Jurisdiction.** The manner in, and extent to, which the amendment significantly impacts a public educational facility or an adjoining jurisdiction.
- 6.5.3.1.7** **Reservation of Industrial Land.** ~~If the amendment involves the conversion of land now designated Target Employment Center, or Employment, Industrial, or Office within a Target Employment Center, to some other Countywide Plan Map category, the extent to which the amendment area can continue to provide for Target Employment opportunities as evaluated and set forth in Section 6.5.4.4. If the amendment involves the conversion from the Employment (E), Industrial (I), or Target Employment Center~~

~~(TEC) category, the extent to which the amendment area can continue to provide for target employment opportunities as evaluated and set forth in Section 6.5.4.5.~~

**SEC. 6.5.4 SPECIAL RULES.**

**6.5.4.1 Scenic/Noncommercial Corridors.**

- 6.5.4.1.1** Designated Scenic/Noncommercial Corridors, as set forth in these Countywide Rules and depicted on the Countywide Plan Map, shall be deemed to have countywide significance and will be recognized as Scenic/Noncommercial Corridors, consistent with the Scenic/Noncommercial Corridor Plan Element of the Countywide Plan.
- 6.5.4.1.2** The intent and purpose of the Scenic/Noncommercial Corridor designation is to guide the preservation and enhancement of scenic qualities, to ensure the integrity of the Countywide Plan Map, and to maintain and enhance the traffic operation of these especially significant roadway corridors in Pinellas County.

The principal objectives of Scenic/Noncommercial Corridor designations are:

- A. To preserve and enhance scenic qualities found along these corridors and to foster community awareness of the scenic nature of these corridors.
- B. To encourage superior community design and enhanced landscape treatment, both outside of and within the public right-of-way.
- C. To encourage land uses along these corridors which contribute to an integrated, well planned and visually pleasing development pattern, while discouraging the proliferation of commercial, office, industrial, or intense residential development beyond areas specifically designated for such uses on the Countywide Plan Map.
- D. To assist in maintaining the traffic operation of roadways within these corridors through land use type and density/intensity controls, and by conformance to access management regulations, by selective transit route location, and by the development of integrated and safe pedestrian and bicycle access systems.
- E. To encourage design standards identified within the Pinellas County Countywide Scenic/Noncommercial Corridor Master Plan, through the adoption of local ordinances and regulations consistent with those standards set forth within the Master Plan.

Amendments to certain Countywide Plan Map categories shall be subject to locational and use limitations as specified in Section 6.5.4.1.4, Table 106-4.

It is the intent of this provision to discourage the proliferation of nonresidential use and to monitor any increase in the density/intensity on a SNCC. Proposed map amendments allowing higher density and/or intensity on a parcel identified as within a Future Transit Corridor on the Land Use Strategy Map, and also within a Scenic/Noncommercial

Corridor as indicated on the Scenic/Noncommercial Corridor Map, will be discouraged unless located within either a mixed-use node or an enhancement connector on the Scenic/Noncommercial Corridor Map.

**6.5.4.1.3** Delineation of Scenic/Noncommercial Corridors shall be as follows:

- A. Corridors shall be as set forth herein and as depicted on the Countywide Plan Map and Submap No. 1 entitled *Countywide Scenic/Noncommercial Corridor Map*, including:

“Primary” Scenic/Noncommercial Corridors:

- Keystone Road from US 19 to Hillsborough County Line
- Alderman Road from US Alternate 19 to Fish Hatchery Road
- Tampa Road from US Alternate 19 to East Lake Woodlands Parkway
- Curlew Road from US Alternate 19 to McMullen-Booth Road
- CR-1/Keene Road from Alderman Road to East Bay Drive
- Belcher Road from Klosterman Road to 38th Avenue North
- McMullen-Booth Road/East Lake Road from Pasco County Line to SR-60
- 102nd Avenue North/Bryan Dairy Road from Oakhurst Road to Belcher Road
- Pinellas County Bayway from Gulf Boulevard to U.S. 19/I-275
- 113th Street/Ridge Road from West Bay Drive to Madeira Beach Causeway
- Park Street from Park Boulevard to Central Avenue
- Tyrone Boulevard from 113th Street North to Park Street

“Unique” Scenic/Noncommercial Corridors:

- Edgewater Drive from Scotland Street (Dunedin) to Sunset Point Road
- Bayshore Drive from Main Street (Safety Harbor) to SR-60
- Courtney Campbell Parkway (Causeway) from McMullen-Booth Road/Bayside Bridge (49th Street Bridge) to Hillsborough County Line
- Dunedin Causeway from Honeymoon Island Park to east approach
- Memorial Causeway and its approaches
- Bayside Bridge (49th Street Bridge) and its approaches
- Gandy Bridge approach to Hillsborough County Line
- Howard Frankland Bridge (I-275) approach to Hillsborough County Line
- Belleair Causeway and its approaches
- Park Boulevard Bridge and its approaches
- Treasure Island Causeway and its approaches
- Pinellas Bayway (SR-679) from Fort DeSoto Park to Pinellas County Bayway (SR-682)
- Sunshine Skyway Bridge (I-275) approach to Hillsborough County line

- B. All corridors or portions (segments) thereof shall be classified as either Rural/ Open Space, Residential, Mixed Use, Unique/Scenic View, or Enhancement Connector as identified on the Scenic/Noncommercial Corridor Map, as approved and as it may

be subsequently amended. Corridor subclassifications are intended to be consistent with the corresponding approved Countywide Plan Map categories as enumerated in the Scenic/Noncommercial Corridor Plan Element. Upon amendment of the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor, the Corridor Subclassification (and all standards which apply) shall be changed concurrently to be consistent with the amended Countywide Plan Map categories. Specifically, any amendment of the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor will include, as a function of that amendment, any requisite change to the Corridor Subclassification and said change will be reflected on Submap No. 1 concurrent with the effective date of the Countywide Plan Map amendment, except as specifically provided for herein.

The PPC and CPA shall have the authority to grant exceptions to the concurrent change to the Corridor Subclassification, as reflected on Submap No. 1, upon approval of an amendment to the Countywide Plan Map adjacent to a Scenic/Noncommercial Corridor, based upon a finding that:

1. The size and configuration of the amendment is *de minimus* in relationship to its frontage on the affected Scenic/Noncommercial Corridor; or
  2. The size and configuration of the amendment is *de minimus* in relationship to the length of the affected Scenic/Noncommercial Corridor; or
  3. The size and location of the amendment is consistent in relationship to the surrounding existing Countywide Plan Map designations.
- C. Corridor width shall be determined, considering the depth of each land use which abuts or functionally relates to the roadway right-of-way, from a land use, visual or traffic operations standpoint, generally to a depth of 500 feet (measured from the right-of-way that is required to implement the current MPO Long Range Transportation Plan). The 500-foot distance may be expanded or diminished at the discretion of the Pinellas Planning Council and Countywide Planning Authority for the purpose of reviewing amendments to the Countywide Plan Map only where exceptional circumstances warrant, based upon, but not limited to, the following considerations:
1. The distance to and sight-line for a particular scenic view or visual characteristic;
  2. Access from the property in question to the Scenic/Noncommercial Corridor and its relationship thereto; and
  3. The location and degree to which any man-made structure or natural feature interrupts or precludes a view or visual relationship from the roadway.

**6.5.4.1.4** The following criteria shall be considered by the Pinellas Planning Council and Countywide Planning Authority, in concert with other consistency and amendment criteria, in the review of an application by local government for amendment of the Countywide Plan Map on a Scenic/Noncommercial Corridor:

A. Countywide Plan Map Consistency - The extent to which the local government request is consistent with the following Table [106-4](#), *Countywide Plan Map/SNCC Classification Consistency*. Nothing in these consistency guidelines shall preclude a local government from being more restrictive, i.e., to determine that a particular category shall not be considered consistent with a particular corridor subclassification, irrespective of provision for same in Table [106-4](#).

B. Considerations by Countywide Plan Map Category

1. With respect to a Residential Countywide Plan Map category, the extent to which the local government request discourages the intensification of residential use on a Scenic/Noncommercial Corridor. In particular, an amendment to the Countywide Plan Map to increase residential density shall be discouraged, except where such amendment is determined to be consistent with the existing delineation of Countywide Plan Map categories, adjoining existing use, and the purpose and intent of the Scenic/Noncommercial Corridor Plan Element as applied through these Countywide Rules and the otherwise applicable amendment process.

2. With regard to the Office, Resort, Retail & Services, Employment, or Industrial Countywide Plan Map categories:

a. The extent to which the local government request discourages nonresidential uses on a Scenic/Noncommercial Corridor. In particular, amendment to the Countywide Plan Map to allow a new or expanded Office, Resort, Retail & Services, Employment, or Industrial category shall be discouraged, except where such amendment is:

- i. the logical in-fill, extension or terminus of an existing nonresidential category; and
- ii. the logical in-fill, extension or terminus of an adjoining existing nonresidential use; and
- iii. considered in relationship to the existing delineation of surrounding categories on the Countywide Plan Map and Corridor Subclassification(s); and
- iv. consistent with the purpose and intent of the Scenic/Noncommercial Corridor Plan Element, as applied through these Countywide Rules and the otherwise applicable amendment process.

- b. The extent to which the local government request minimizes any increase in density/intensity on a Scenic/Noncommercial Corridor. Specifically, in reviewing any application for nonresidential use on a Scenic/Noncommercial Corridor, the proposed density/intensity of use as measured by dwelling units per acre, floor area ratio and impervious surface ratio, as is applicable, shall be considered with the objective of not exceeding the density/intensity of either the adjoining nonresidential uses or the mid-point of the range for the density/intensity standards of the applicable category, whichever is less.
- c. The adoption of local government land development regulations that implement the use restrictions for specified future land use categories as identified in Section 6.5.4.1.4, Table [106-4](#).

**Table 106-4**  
**Countywide Plan Map/SNCC Classification Consistency<sup>1</sup>**

Countywide Plan Map Designation	Rural/Open Space	Residential	Mixed Use	Unique Scenic View	Enhancement Connector
Residential Rural (RR)	C	C	C		C
Residential Very Low (RVL)	C	C	C		C
Residential Low Medium (RLM)		R <sup>2</sup>	C		C
Residential Medium (RM)		R <sup>2</sup>	C		C
Residential High (RH)			C		C
Office (O)			C		C
Resort (R)			C		C
Retail & Services (R&S)			R <sup>3</sup>		C
Employment (E)			R <sup>3</sup>		C
Industrial (I)					C
Public/Semi-Public (P/SP)		C	C		C
Recreation/Open Space (R/OS)	C	C	C	C	C
Preservation (P)	C	C	C	C	C
Target Employment Center (TEC)			C		C
Activity Center (AC)			C		C
Multimodal Corridor (MMC)			C		C
Planned Redevelopment District (PRD)			C		C

Notes:

<sup>1</sup> A "C" indicates that an amendment to the Countywide Plan Map category is potentially consistent, subject to all other applicable criteria, with the corresponding SNCC Classification. An "R" indicates that the amendment to the Countywide Plan Map category is potentially consistent subject to specified use restrictions. The absence of either a "C" or an "R" indicates that the Countywide Plan Map category is not considered compatible with the SNCC Classification, unless a specific finding to the contrary is made in accordance with Sec. 6.5.4.1.3 B. Category and/or use restrictions apply only to new Countywide Plan Map amendments after August 7, 2015 and are not retroactive.

<sup>2</sup> Office, personal service/office support, and retail commercial uses are restricted to the mixed use and enhancement connector SNCC classifications.

<sup>3</sup> Manufacturing-Medium and Incinerator Facility uses are restricted to the enhancement connector SNCC classification.

3. With respect to the Public/Semi-Public, Recreation/Open Space, and Preservation Countywide Plan Map categories, the extent to which the local government request provides for Public/Semi-Public, Recreation/Open Space, and Preservation categories consistent with the character, intensity, and scale of the uses permitted within these respective categories in relation to the existing delineation of Countywide Plan Map categories, adjoining existing use, the need for and service area of the public/semi-public, recreation/open space, and preservation use, and the purpose and intent of the Scenic/Noncommercial Corridor Plan Element, as applied through these Countywide Rules and the otherwise applicable amendment process.

4. Activity Center and Multimodal Corridor Countywide Plan Map Categories that are required to address the relevant Planning and Urban Design Principles, described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies, shall be evaluated for how the local government request minimizes any increase in density/intensity on a Scenic/ Noncommercial Corridor.
- C. The extent to which the local government request has taken into account the Scenic/Noncommercial Corridor Plan Element, including the goals, objectives, and policies articulated within the Plan Element, as is relevant to the particular amendment under consideration. Consistent with its advisory nature, the Scenic/Noncommercial Corridor Plan Element shall not serve as a basis for denial of an amendment.
- D. The extent to which the local government request has taken into account the current MPO Long Range Transportation Plan, and any enhanced access management standards, as is relevant to the particular roadway under consideration. Particular consideration shall be given to the established policies of the governmental entity having construction and maintenance responsibility over the subject facility.

**6.5.4.2 Public Educational Facility Siting.**

- 6.5.4.2.1** It is the intent and purpose of this section to provide for and encourage compliance with Section 1013.33, Florida Statutes (F.S.), regarding coordination of educational facilities planning with local governing bodies, in a uniform and consistent manner.
- 6.5.4.2.2** These Countywide Rules provide for an exception for Public Educational Facilities to the otherwise applicable acreage threshold limitation for Institutional uses in the Residential Rural, Residential Very Low, Residential Low Medium, Residential Medium, Residential High, and Office categories.
- 6.5.4.2.3** In furtherance of the objectives of Section 1013.33, F.S., a Public Schools Interlocal Agreement has been developed for utilization by the Pinellas County School Board and local governments. This Interlocal Agreement provides for an alternative process as authorized under Section 1013.33, F.S., and locational review criteria that foster a uniform approach to public school siting throughout Pinellas County.

**6.5.4.4 Conversion Criteria for Employment Related Categories and Uses. Amendments to Target Employment Centers**

Having identified the importance of reserving industrial land in Pinellas County, the Pinellas Planning Council (PPC) and the Countywide Planning Authority (CPA) shall utilize the following criteria to evaluate:

- A. A Countywide Plan Map amendment that converts land now designated Target Employment Center, or Office, Employment or Industrial within a Target

- Employment Center, to some other Countywide Plan Map category~~Employment, Industrial, or Target Employment Center to some other Countywide Plan Map category~~; or
- B. For lands designated as Activity Center, Multimodal Corridor, or Planned Redevelopment District within a Target Employment Center on the Countywide Plan Map:
- 1. A local future land use map (FLUM) amendment that converts a category corresponding to Office, Employment, or Industrial~~or Target Employment Center~~, as determined pursuant to Section 4.2.2.1, to some other local FLUM category; or
  - 2. An amendment to the implementing plan/code provisions, adopted pursuant to Section 6.2.3.2, that eliminates Manufacturing, Office, or Research/Development as a permitted use.

In the consideration of such amendments, the PPC and CPA shall make a determination, based upon a balancing of the following criteria, as they pertain to the overall purpose and integrity of the Countywide Plan:

### **Target Employment Opportunities**

The extent to which the uses within the proposed category can potentially provide target employment opportunities, as compared to those that can potentially be available within the current Employment, Industrial, or Target Employment Center~~Subcategory per Section 2.3.3.14, or corresponding FLUM category~~.

Target Employment clusters identified in the 2023 Target Employment and Industrial Lands Study (TEILS) Update pay an average wage that is greater than the median for Pinellas County. Average wage is defined as the total amount of wages, either self-reported, reported to a third-party vendor, or reported to the State of Florida divided by the total number of self-reported full-time employees and full-time equivalent employees by the company.

Any future proposed designation to the site shall remain consistent with the average annual wages for Target Industries as documented by Florida Department of Economic Opportunity Quarterly Census of Employment, and Pinellas County Economic Development. NAICS Codes associated with TEILS identified Target Employment categories can be found in the Countywide Plan Appendix.

### **Amendment Site Characteristics**

Under the current or proposed category, the extent to which the site can continue to support target employment uses due to the site's size, configuration, and physical characteristics, as outlined in Table 2-1 in Section 2.3.3.14. ~~and is~~

~~able to accommodate the provision of site access, loading, and other necessary site improvements.~~

~~The extent to which the proposed site will be, or is now, used for unique and high priority functions, such as water dependent or working waterfront uses.~~

For Office Oriented Target Employment Uses:

• Urban:

Site Characteristics – Dense office space with the potential for a vertical mixed-use character.

Associated Target Employment Clusters – Business Services, Financial Services, Information Technology, and Marketing, Design & Publishing.

• Suburban:

Site Characteristics – Campus style office space with the potential for a horizontal or vertical mixed-use character depending on surrounding area characteristics.

Associated Target Employment Clusters – Business Services, Financial Services, Information Technology and Marketing, Design & Publishing.

For Industrial/Manufacturing Target Employment Uses:

Site Characteristics – Lower density, large building footprints, and suburban character which requires high auto-access.

Associated Target Employment Clusters – Medical Technologies/Life & Marine Sciences, Micro-Electronics Manufacturing, Aviation/Aerospace/Defense.

### **Amendment Area Characteristics**

The extent to which the uses within the current or proposed category relate to surrounding and nearby uses and plan classifications, including their compatibility with such uses and plan classifications relevant to their associated Target Employment Center subcategory as outlined in Table 2-1 in Section 2.3.3.14.

The extent to which industrial uses can benefit from or provide benefit to, adjoining or nearby properties.

The extent to which the proposed site will be used for unique and high-priority functions, including, but not limited to, transit-oriented uses.

For Office Oriented Target Employment Uses:

• Urban:

Area Characteristics – Existing and/or emerging urban areas of the county with the presence of other larger scale target employment, as well as dense residential uses, and commercial uses. These are areas where the highest value Class A Office users seek to be. These locations also have high quality placemaking attributes that enable walk, bike, and transit access with nearby amenities.

Commonly Associated Target Employment Categories – Business Services, Financial Services, Information Technology, and Marketing, Design & Publishing.

• Suburban:

Area Characteristics – Areas where office, retail, commercial and residential already exist together. These are areas with the most potential for infill and redevelopment in more urban patterns with a greater vertical mix of uses overtime. These are areas that with proper placemaking enhancements can improve the sense of place, walkability to other amenities and create new ‘centers’ of mixed-use activity whether horizontal or vertical.

Commonly Associated Target Employment Categories – Business Services, Financial Services, Information Technology and Marketing, Design & Publishing.

For Industrial/Manufacturing Target Employment Uses:

Area Characteristics – Areas surrounded by other large industrial and manufacturing employers with minimal other surrounding uses. These areas have the potential to encourage a mix of industrial and commercial uses, with an emphasis on industrial use preservation for target industries.

Associated Target Employment Categories – Medical Technologies/Life & Marine Sciences, Micro-Electronics Manufacturing, Aviation/Aerospace/Defense.

## Supporting Transportation and Infrastructure Characteristics

The location of the property in relationship to the description of the corresponding Target Employment Center subcategory per Section 2.3.4.14, and the need for the access to the following transportation and infrastructure characteristics:

~~, and the current or proposed uses' need for, access to the arterial and interstate highway network, transit, international airport, and functional rail line, as well as other infrastructure and service facilities, including water, sewer, stormwater, and parking, and their respective capacities.~~

### For Office Oriented Target Employment Uses:

- Urban:

Supporting Transportation and Infrastructure Characteristics– Access to transit and an international airport, as well as other infrastructure and service facilities including pedestrian oriented infrastructure.

Associated Target Employment Categories – Business Services, Financial Services, Information Technology, and Marketing, Design & Publishing.

- Suburban:

Supporting Transportation and Infrastructure Characteristics– Access to the arterial and interstate highway network, transit, international airport, as well as other infrastructure and service facilities, including parking, and pedestrian oriented infrastructure.

Associated Target Employment Categories – Business Services, Financial Services, Information Technology and Marketing, Design & Publishing.

### For Industrial/Manufacturing Target Employment Uses:

Supporting Transportation and Infrastructure Characteristics– Access to the arterial and interstate highway network, transit, international airport, and functional rail line, as well as other infrastructure and service facilities, including water, sewer, stormwater, and parking, and their respective capacities.

Associated Target Employment Categories – Medical Technologies/Life & Marine Sciences, Micro-Electronics Manufacturing, Aviation/Aerospace/Defense.

## **Supporting Redevelopment Plans, Special Area Plans, or Planning and Urban Design Principles Implementation Framework**

The extent to which any amendment is included as part of a community redevelopment plan, special area plan, or Planning and Urban Design Principles implementation framework pursuant to Section 6.2.6 that has evaluated and addressed the potential to support target employment uses in the redevelopment area proposed to be reclassified from Target Employment Center, or Office, Employment or Industrial within a Target Employment Center ~~an Employment, Industrial, Target Employment Center~~, or corresponding FLUM designation.

### **6.5.4.4.1 Target Employment Center – Local Subcategory Special Area Plan Guidelines**

This subcategory is designed to allow greater flexibility within TECs that have warehouse and industrial footprints, but often do not fit within many of the traditional “Target Industry” categories. Allowable uses, density and intensity standards, and other relevant land use regulations and development requirements will be developed by the local government in accordance with the following special area plan (SAP) guidelines. The goal of this process is to enable projects that are consistent with the goals, objectives, and vision of the TEC – Local SAP.

For those areas with an adopted TEC – Local category and no corresponding local SAP, the TEC – Local will provide a 100% intensity bonus for Manufacturing, Office, and Research/Development uses only, and will be subject to the conversion criteria standards for the Industrial/Manufacturing Target Employment Uses outlined in Section 6.5.4.4.

Special Area Plan Requirements for the TEC - Local subcategory are as follows:

- =
  - A. Existing Conditions – Assessment of the existing conditions that impact the area's redevelopment vision (i.e., area history, urban form, public realm, existing land uses and open space, zoning, area mobility networks, demographic profile, housing and jobs profile, opportunities, constraints and focus areas, equity assessment, infrastructure assessment, etc.).
  - B. District/Area Framework – Development of district/area goals and master plan framework centered around the area's vision (recommend the development of a subset of themes or guiding principles).
  - C. Framework Analysis – Should include:
    - Urban Form (building character, development types)
    - Public Realm (pedestrian experience, street typology, watershed analysis)
    - Diversity & Equity (demographic context, land uses)
    - Employment Capacity and Economic Development (land uses, zoning, current & ongoing development)

- Connectivity (parking, safety, multimodal connectivity)
- D. **Vision Map** – A clearly defined vision map and area boundary with applicable GIS data of the area boundary.
- E. **District Master Plan** – Strategies, interventions, and recommendations organized into the layers of the framework and collectively represent the actions necessary to achieve district/area goals.
- F. **Action Plan** – High-level road map for implementing the District Master Plan Framework centered around the vision (subset of themes or guiding principles), infrastructure analysis, buildup analysis/projections, and categorized by an estimated time horizon.
- G. **Other Supportive Documentation** – May include, but is not limited to:
  - **Community Involvement** - Clear documentation of charrettes or community open houses that allow for public engagement and participation of impacted communities to help guide the plan development.
  - **Resiliency** - Coastal High Hazard Area (CHHA) population projections and evacuation route capacity.
  - **Utility Constraints** – Clear documentation of utility constraints within the SAP boundary and how the local government plans to address those so that the SAP vision and framework can be achieved.
  - **Local Implementing Regulations** – An update to land development code and zoning requirements in conjunction with SAP development to ensure the vision and framework is implementable upon adoption.
  - **Transportation Analysis** – A transportation analysis is strongly encouraged to better understand existing traffic patterns and constraints, as well as where improvements can be made to better coincide with the SAP vision and framework.

**6.5.4.4.2 Tiered Amendment Process for Target Employment Centers.** A local future land use map or special area plan amendment that does not change the boundaries of an existing Target Employment Center (TEC), and is consistent with the standards of the subcategory depicted on Submap No. 2, the *Target Employment Centers Map*, is classified as a Tier I amendment.

A local future land use map or special area plan amendment that adopts a new TEC, changes the boundaries of an existing TEC, or results in an amendment of the subcategory depicted on Submap No. 2, the *Target Employment Centers Map*, is

classified as a Tier II amendment. An approved change to the subcategory will be reflected on Submap No. 2 concurrent with the effective date of the Countywide Plan Map amendment.

## **SEC. 6.5.5 MULTIMODAL ACCESSIBILITY OF COUNTYWIDE PLAN MAP AMENDMENTS**

- 6.5.5.1** The Multimodal Accessibility Index, or MAX Index, is a GIS based tool that scores an area based on the presence of a variety of multimodal factors (see Table 6-5). MAX scores are assigned to individual grid cells that are a quarter mile in size, given the walkability of a quarter mile travel shed. Grid cells with greater multimodal features in turn generate a greater MAX score. For more details on the MAX Index and how it was developed, see the Countywide Plan Appendix.
- 6.5.5.2** A quarter-mile grid cell identified in the MAX Index that does not maintain a score that meets or exceeds the MAX Index Countywide Average is classified as underperforming. An amendment to the Countywide Plan Map that results in an increase of density or intensity within an underperforming grid cell must be evaluated by the applicable criteria set forth in (A)-(E) below. The Pinellas Planning Council and the Countywide Planning Authority may, at their sole and absolute discretion, approve the subject amendment if the MAX Index Countywide Average is not met based upon a balancing of the following criteria, as are determined to be applicable to the subject amendment:
- A. Located Within a Community Redevelopment Area (CRA)** – The proposed amendment area is located within an identified CRA, as outlined by the local Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment area and contributes to the economic growth and redevelopment of the CRA as demonstrated by local comprehensive planning efforts.
  - B. Identification of Planned Infrastructure** – The requested amendment will result in the development of multimodal infrastructure relevant to the MAX Index scoring criteria that can be identified in the form of a local government action that obtains a commitment from the applicant, such as a development agreement, or other binding action by the local government, and will increase the MAX Index score of the proposed amendment area. See Table 6-5 for reference.
  - C. Amending an AC, MMC, or PRD Category** – An amendment to the AC, MMC, or PRD category affecting 10 or more acres is subject to Section 6.2.5 of the Countywide Rules.
  - D. Proposed Area Includes Parcel(s) that Intersect Multiple Max Index Grid Cells** – The proposed amendment area includes parcel(s) that intersect multiple MAX Index Grid Cells that fall below the MAX Index Countywide Average, however, the average score of all intersected MAX Index Grid Cells is greater than or equal to the Max Index Countywide Average. The average score shall not be rounded.

E. Consistency with Multimodal Plans – The requested amendment contributes to the multimodal advancement of the proposed amendment area and surrounding areas, as outlined by the locally adopted Multimodal Plan, or Land Development Regulations.

**Table 6.5**  
**MAX Index Scoring Criteria**

<u>Criteria</u>	<u>Points</u>
<u>Walkability Score at the Countywide Average or Better</u>	<u>2</u>
<u>Separated Bike Lane</u>	<u>3</u>
<u>Sharrows</u>	<u>1</u>
<u>Micromobility Access (Bike Share, Scooters, Etc.)</u>	<u>1</u>
<u>Trail Access</u>	<u>3</u>
<u>TIP Funded Improvement (Roads, Trails, Sidewalks, Pedestrian Overpass)</u>	<u>1</u>
<u>Bus Rapid Transit</u>	<u>3</u>
<u>Bus Headways of 30 Minutes or Less</u>	<u>3</u>
<u>Transit Access (Bus Stop)</u>	<u>1</u>
<u>Level of Service (LOS) D or Better</u>	<u>1.5</u>
<u>Volume/Capacity (V/C) Ratio at the Countywide Average or Better</u>	<u>1.5</u>

For Tier II and III amendments, an evaluation of these criteria must be included with a Countywide Plan Map submittal pursuant to Section 6.1.3.2. For Tier I amendments, if a local government has not adopted and utilized the balancing criteria in its review process, any such amendments will be found inconsistent with the Countywide Plan pursuant to the provisions of Article 3 of the Countywide Rules.

**6.5.5.3** Nothing in these Countywide Rules shall be construed or applied to preclude a local government with jurisdiction from having transportation requirements that are more restrictive than set forth herein.



## **ARTICLE 7**

### **COUNTYWIDE PLAN MAP AND** **COUNTYWIDE RULES ADMINISTRATION**

**DIV. 7.1      GENERAL PROVISIONS.**

**SEC. 7.1.1    COMPLIANCE.**

- 7.1.1.1**    All local government future land use plans and land development regulations shall be consistent with the Countywide Plan, inclusive of the Countywide Rules. Subsequent to any amendment to the Countywide Rules, all local governments shall have one (1) year to amend their future land use plan and/or land development regulations as may be necessary to become consistent with the amended Countywide Rules. Such local government plan and/or regulation amendments shall be processed according to the terms contained in Article 3 herein.
- 7.1.1.2**    Any local future land use plan and land development regulations determined to be inconsistent with the Countywide Plan, inclusive of the Countywide Rules, is subject to enforcement pursuant to Division 7.7.

**SEC. 7.1.2    MORE RESTRICTIVE LOCAL PLANS/REGULATIONS.**

Local governments may enact and enforce more detailed and more restrictive comprehensive plans and land development regulations than the Countywide Plan, inclusive of the Countywide Rules.

**SEC. 7.1.3    TRAFFIC GENERATION CHARACTERISTICS.**

- 7.1.3.1**    **Utilization of Traffic Generation Characteristics.** The traffic generation characteristics contained in each category will be utilized to review Countywide Plan Map amendments for that category. Nothing herein shall preclude an applicant local government from submitting additional traffic generation data based on local government concurrency management standards or site specific conditions as part of an application for Countywide Plan Map amendment.

- 7.1.3.2**    **Traffic Studies.** A third party traffic impact study may be completed by the local government requesting the amendment, or by a qualified professional engineer or planner selected by the applicant.

The third party responsible for completing the study shall attend a methodology meeting with the MPO and PPC staffs to discuss the reason for the study, study submittal requirements, and to obtain closure on all issues pertaining to the study. The responsible third party shall submit a methodology letter to the MPO and PPC staffs documenting the items discussed and agreements reached at the meeting, and prepare the study according to such discussion and agreements.

The submittal requirements for the study are as follows:

1.    Table of Contents, including reference to all sections, tables, figures, and appendices, as appropriate;

2. Summary of relevant findings and recommendations;
3. The main report narrative, including, as appropriate, tables and figures, and a summary of all field data; and
4. Report appendices, as appropriate, including detailed information concerning field data.

The process for MPO and PPC review of third party traffic impact studies, including dispute resolution, shall be according to the steps set forth in the current Metropolitan Planning Organization *Traffic Impact Study Methodology*.

## **DIV. 7.2 PLANNERS ADVISORY COMMITTEE.**

Directors of individual local government land use and planning departments, or their designees, shall be members of the Planners Advisory Committee (PAC). The PAC may also include a representative from the planning departments maintained by the Pinellas County School Board, the Pinellas Suncoast Transit Authority, the Florida Department of Transportation, and other agencies as the council may determine appropriate. The PAC may, at the direction of the PPC, perform a professional planning review of such PPC staff recommendations as are to be acted on by the PPC and such other duties assigned to it by the PPC, consistent with the provisions of Section 7(2), Chapter 2012-245, Laws of Florida, as amended.

## **DIV. 7.3 INTERPRETATIONS.**

### **SEC. 7.3.1 AUTHORITY.**

The Executive Director shall have the authority to make all interpretations of the text of the Countywide Plan, including the Countywide Plan Strategies, the Countywide Plan Map, these Countywide Rules, and the boundaries of land use categories on the Countywide Plan Map.

### **SEC. 7.3.2 INITIATION.**

An interpretation may be requested from the Executive Director by any local government, the PPC, or the CPA.

### **SEC. 7.3.3 PROCEDURES.**

#### **7.3.3.1 Submission of Request for Interpretation.** Requests for interpretation shall be submitted in writing to the Executive Director.

- 7.3.3.2** **Determination of Completeness.** Within five (5) days after a Request for Interpretation has been received, the Executive Director shall determine whether the request is complete. If the Executive Director determines that the request is not complete, written notice shall be provided to the applicant specifying the deficiencies. The Executive Director shall take no further action on the Request for Interpretation until the deficiencies are remedied.
- 7.3.3.3** **Rendering of Interpretation.** Within thirty (30) days after the Request for Interpretation has been determined complete, the Executive Director shall review and evaluate the request in light of the Countywide Plan, including the Countywide Plan Strategies, the Countywide Plan Map, and these Countywide Rules, and render an interpretation. The Executive Director may consult with Legal Counsel for the PPC.

**SEC. 7.3.4 FORM.**

The interpretation shall be in writing and shall be sent to the applicant.

**SEC. 7.3.5 OFFICIAL RECORD.**

The Executive Director shall maintain an official record of all interpretations in the PPC Offices. The official record shall be available for public inspection during normal business hours. A copy of any official interpretation shall be transmitted to each local government for their information and records.

**SEC. 7.3.6 APPEAL OF INTERPRETATION.**

- 7.3.6.1** **Appeal to PPC.** Within thirty (30) days after issuance of a written interpretation by the Executive Director, the applicant may appeal the interpretation to the PPC. The PPC shall hold a public meeting on the appeal and shall consider the interpretation of the Executive Director and public testimony in light of the Countywide Plan Strategies, these Countywide Rules, and pertinent laws, whichever is applicable. The PPC may adopt the Executive Director's interpretation, with or without modifications or conditions, or reject the interpretation. Any such interpretation by the PPC must be supported by substantial competent evidence, and be consistent with the Countywide Plan Strategies, these Countywide Rules, or pertinent laws, whichever is applicable.
- 7.3.6.2** **Appeal to CPA.** Within thirty (30) days after the decision of the PPC, the applicant may appeal the interpretation to the CPA. The CPA shall hold a public hearing on the appeal and shall consider the interpretation of the Executive Director, the PPC, and public testimony in light of the Countywide Plan Strategies, these Countywide Rules, and pertinent laws, whichever is applicable. The CPA may adopt the PPC's interpretation, with or without modifications or conditions, or reject its interpretation. Any interpretation by the CPA must be supported by substantial competent evidence and be consistent with the Countywide Plan Strategies, these Countywide Rules, or pertinent laws, whichever is applicable.

## **SEC. 7.3.7 RULES OF INTERPRETATION.**

### **7.3.7.1**

**Generally.** In construction and interpretation of the language of the Countywide Plan, including the Countywide Plan Strategies, the Countywide Plan Map, and these Countywide Rules, the rules established in this division shall be observed unless such construction would be inconsistent with Chapter 2012-245, Laws of Florida, as amended, as expressed in said statute, any ordinances or resolutions adopted thereunder, the Countywide Plan, or an element or portion thereof, or Chapters 163, Part II, and 186, Florida Statutes, as applicable. The rules of interpretation and definitions established herein shall not be applied to any express provisions excluding such interpretation or construction, or where the subject matter or context of such section is repugnant thereto.

All provisions, terms, phrases and expressions contained in these rules shall be liberally construed in order that the true intent and meaning of the PPC and CPA may be fully carried out. Terms used in these Countywide Rules, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of this State for the same terms.

In the interpretation and application of any provision of these Countywide Rules, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of these Countywide Rules, the Countywide Plan Strategies, or any other law or regulation in effect in incorporated or unincorporated Pinellas County, Florida, imposes greater restrictions upon the subject matter than any other provision of these Countywide Rules, the Countywide Plan Strategies, or any other law or regulation in effect in the incorporated or unincorporated Pinellas County, Florida, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

In all circumstances, the provisions of these Countywide Rules shall be interpreted and construed to be consistent with the Countywide Plan and Chapter 2012-245, Laws of Florida, as amended. These Countywide Rules are not required to comply with Chapter 163, Part II, F.S., but shall not conflict therewith. Where any provision(s) of these Countywide Rules are determined to be in conflict with Chapter 2012-245, Laws of Florida, as amended, or Chapter 163, Part II, F.S., the applicable provisions of these respective laws shall control.

### **7.3.7.2**

**Text.** In case of any difference of meaning or implication between the text of the Countywide Plan Strategies, or these Countywide Rules, and any figure, the text shall control.

### **7.3.7.3**

**Computation of Time.** The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

### **7.3.7.4**

**Day.** The word "day" shall mean a calendar day.

- 7.3.7.5** **Delegation of Authority.** Whenever a provision appears which requires or designates the Executive Director or some other PPC officer or employee to do some act or perform some duty, it shall be construed to authorize the Executive Director or other officer or employee to designate, delegate and authorize professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.
- 7.3.7.6** **Gender.** Words importing the masculine gender shall be construed to include the feminine and neuter.
- 7.3.7.7** **Month.** The word “month” shall mean 30 calendar days, unless a calendar month is indicated.
- 7.3.7.8** **Nontechnical and Technical Words.** Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- 7.3.7.9** **Number.** A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing.
- 7.3.7.10** **Shall, May.** The word “shall” is mandatory; “may” is permissive.
- 7.3.7.11** **Tense.** Words used in the past or present tense include the future as well as the past or present.
- 7.3.7.12** **Week.** The word “week” shall be construed to mean seven (7) calendar days.
- 7.3.7.13** **Written or In Writing.** The term “written” or “in writing” shall be construed to include any representation of words, letters or figures whether by printing or other form or method of writing.
- 7.3.7.14** **Year.** The word “year” shall mean 365 calendar days, unless a fiscal year is indicated, or unless a calendar year is indicated.

**SEC. 7.3.8 RULES FOR INTERPRETATION OF THE COUNTYWIDE PLAN MAP AND COUNTYWIDE PLAN MAP BOUNDARIES.**

Interpretations regarding the Countywide Plan Map or the boundaries of categories on the Countywide Plan Map shall be made by the Executive Director based on the official Countywide Plan Map and in accordance with the provisions of this section. The official record shall govern in the event of any discrepancy between the official action taken by the PPC and CPA and the printed Countywide Plan Map.

- 7.3.8.1** **Category Rules Extend to all Portions of Category Surrounded by Boundaries.** Except as otherwise specifically provided, a category symbol, color or name shown within category boundaries on the Countywide Plan Map indicates that category regulations pertaining to the category extend throughout the whole area surrounded by the boundary line. The official Countywide Plan Map shall be the final determinant of Countywide Plan Map category boundaries.
- 7.3.8.2** **Interpretation.** Where uncertainty exists as to the boundaries of land use categories as shown on the Countywide Plan Map, the following rules shall apply:
- 7.3.8.2.1** Boundaries indicated as approximately following dedicated streets, highways, alleys, or rights-of-way shall be construed as following the lot or parcel lines of the property adjacent to such right-of-way. In case of a street vacation, the boundary shall be construed as moving with the ownership.
- 7.3.8.2.2** Boundaries indicated as approximately following lot lines, public property lines, and the like shall be construed as following such lines. In the event of street vacation, interpretation shall be as provided in Sec. 7.3.8.2.1.
- 7.3.8.2.3** Boundaries indicated as approximately following city or county limits shall be construed as following such city or county limits.
- 7.3.8.2.4** Boundaries indicated as following physical features other than those listed above shall be construed as following such physical features, except as such may be more specifically determined by survey.
- 7.3.8.2.5** Distances not specifically indicated on the Countywide Plan Map shall be determined by the scale of the map on the page of the map showing the property in question.
- 7.3.8.3** **Transportation Facilities.** All existing highways and nonvehicular rights-of-way and easements shall be as depicted on the Countywide Plan Map. All proposed highways and nonvehicular rights-of-way and easements depicted on the Countywide Plan Map may be generalized and the current Metropolitan Planning Organization Long Range Transportation Plan shall be determinative of all proposed highway facility locations, classifications, and rights-of-way.
- 7.3.8.4** **Map Adjustment Consistent with Boundary Interpretation.** The Preservation and Recreation/Open Space categories depicted on the Countywide Plan Map, as well as submerged lands and drainage detention areas which may have no Countywide Plan Map designation, are intended to delineate natural characteristics that may change over time, or may be altered consistent with the rules of the state agency with jurisdiction. These changes may be reflected through the boundary adjustment process subject to the provisions of subsections 7.3.8.4.1 and 7.3.8.4.2 below. Map adjustments consistent with this section shall not be subject to the Countywide Plan Map amendment process governed by Article 6, but shall be reported to the PPC ~~and CPA at their next scheduled respective meetings, at its next scheduled meeting, and be included in the annual map update to the CPA pursuant to Section 2.2.2.~~

- 7.4.2.1** Requests for map adjustments must include:
- A survey or site plan of the adjustment area, as applicable pursuant to subsections 7.4.2.2 and 7.4.2.3 below;
  - If not clearly shown on the survey or site plan, a map or map series sufficient to depict the current and proposed Countywide Plan Map categories of the adjustment area; and
  - A shapefile of the adjustment area, or a legal description of sufficient detail to allow the boundary to be mapped.
- 7.3.8.4.2** Boundary adjustments for the Preservation and Recreation/Open Space categories, including the creation of new Preservation areas, may be adjusted if one or both of the following criteria are met:
- The boundary adjustment is consistent with a jurisdictional boundary survey depicting existing conditions on the site, under all applicable state agency rules. A site plan or mitigation plan depicting future conditions shall not qualify as a jurisdictional boundary survey, even if approved by the state agency with jurisdiction. Or,
  - The area to be adjusted is less than one acre, and the local government with jurisdiction demonstrates that it has been devoid of any environmental features or ecological functions for at least 10 years.
- For adjustments that include submerged lands in addition to the Preservation or Recreation/Open Space category, all adjustments on the site shall be required to meet the requirements of this subsection.
- 7.3.8.4.3** Except as provided in subsection 7.3.8.4.2, submerged lands as defined within these Countywide Rules, as well as drainage detention areas created as a function of development that are not considered submerged lands pursuant to subsection 4.2.3.11, may be added, deleted or modified through the map adjustment process for the purpose of stormwater management, at the request of the local government with jurisdiction and based on an approved site plan for such project. Nothing in these Countywide Rules shall require a local government with jurisdiction to seek or obtain a Countywide Plan Map amendment or adjustment in advance of a project to create, expand, reconfigure, or otherwise establish a body of water and/or drainage detention area consistent with this subsection.
- 7.3.8.4.3** Determinations by the Executive Director under subsection 7.3.8.4 are interpretations governed by Division 7.3. Any map boundary adjustment determined under the applicable provisions of these Countywide Rules for interpretation to be of such significance as to require plan map amendment, shall comply with the otherwise applicable provisions of these Countywide Rules for map amendment.
- 7.3.8.5** **Cases Not Covered by 7.3.8.1 through 7.3.8.4.** In cases not covered by Sec. 7.3.8.1 through 7.3.8.4, or where the property or street layout existing on the ground is at

variance with that shown on the Countywide Plan Map, the interpretation of the Countywide Plan Map shall be in accordance with the purpose and intent of the Countywide Plan Map, these Countywide Rules, and Chapter 2012-245, Laws of Florida, as amended.

## **DIV. 7.5      ADJUSTMENT OF INTENSITY STANDARDS.**

### **SEC. 7.5.1      APPLICABILITY.**

In specific cases, an adjustment from the terms of the floor area ratio (FAR) standards and the impervious surface ratio (ISR) standards of these Countywide Rules as will not be contrary to the public interest may be granted by the appropriate local government governing body, or their designee, authorized to hear and determine such adjustments, where, owing to special conditions peculiar to the property, a literal enforcement of such FAR and ISR standards would result in unnecessary and undue hardship. No adjustment from the terms of these Countywide Rules or the Countywide Plan Map shall be granted or otherwise allowed for uses, densities, or any other matter except for FAR standards and ISR standards as set forth in these Countywide Rules. An adjustment from the FAR standards and ISR standards of these Countywide Rules may be granted by the appropriate local government governing body, or their designee, based on the requirements of this division.

### **SEC. 7.5.2      LOCAL GOVERNMENT REQUIRED PROCEDURES.**

- 7.5.2.1      Initiation.** An adjustment may be requested from any local government governing body or their designee by any affected person, resident, developer, landowner, or any person having a contractual interest in land within the jurisdiction of such local government as provided for by the local government.
- 7.5.2.2      Submission of Application.** Before an application for adjustment shall be heard by the appropriate local government governing body or their designee, a written application for adjustment shall be submitted to such local government in a form established by the local government.
- 7.5.2.3      Notice of Public Hearing.** After the application for adjustment has been determined complete, the local government shall provide notice of such public hearing as may be required before the local government governing body, or their designee, in accordance with the notice requirements for similar types of adjustments in that local government jurisdiction.
- 7.5.2.4      Determination by Local Government.** After any required notice, the adjustment shall be considered by the local government governing body or their designee and shall be granted, granted with conditions, or denied. An adjustment under this division shall only be granted by the local government governing body, or its designee, when substantial

competent evidence in the official record of the hearing supports findings consistent with the criteria in Section 7.5.3.1.

**SEC. 7.5.3 LOCAL GOVERNMENT REQUIRED FINDINGS.**

**7.5.3.1** In order to grant an adjustment under this division, the local government governing body, or its designee, shall consider the following criteria:

1. A literal interpretation of the provisions of the FAR and ISR standards as governed by these Countywide Rules would result in an undue hardship due to the unique nature of the project and the applicant's property;
2. The alleged hardship is not self-imposed by the applicant and does not result from an illegal act or the actions of the applicant;
3. The adjustment, if allowed, will be the minimum adjustment that will make possible the reasonable use of the land, building or structure;
4. The granting of the adjustment will be in harmony with the Countywide Plan Map and these Countywide Rules, the local government's Comprehensive Plan, and the local government's land development regulations, and will not be otherwise detrimental to the public interest or welfare;
5. The adjustment, if allowed, shall not constitute an amendment to the local government's comprehensive plan, land development regulations, or to the Countywide Plan Map, or Countywide Rules.

**7.5.3.2** The local government land development regulations shall set forth these required findings, or contain an appropriate reference thereto, and require compliance therewith for any adjustment of the intensity standards of the Countywide Plan Map and these Countywide Rules.

**SEC. 7.5.4 CONDITIONS AND SAFEGUARDS.**

In granting any adjustment under this division, the local government governing body or their designee may prescribe appropriate conditions and safeguards in conformity with the Countywide Plan Map, the local government future land use plan and land development regulations, including, but not limited to, reasonable time limits within which action for which the adjustment is required shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the adjustment is granted, shall be deemed a violation of the Countywide Plan Map and these Countywide Rules.

## **SEC. 7.5.5 REPORTING REQUIREMENT.**

- 7.5.5.1** **Submission.** Each local government shall submit to the Executive Director copies of all adjustments to intensity standards granted by the local government which exceed the Countywide standards within thirty (30) days of approval.
- 7.5.5.2** **Review by Executive Director.** All adjustments to intensity standards submitted by each local government which exceeded the Countywide Rules standards shall be reviewed by the Executive Director for compliance or noncompliance with this division and for consistency with the Countywide Plan Map and these Countywide Rules, and this information made available to the PPC and CPA. In the event the Executive Director finds an adjustment to be noncompliant, a recommendation for appropriate action shall be furnished by the Executive Director to the PPC and the PPC shall in turn make an advisory recommendation to the CPA.

## **SEC. 7.5.6 OFFICIAL RECORD.**

Upon receipt of a copy of an intensity standards adjustment that exceeded the Countywide standards, all such adjustments shall be maintained in an official record in the PPC offices.

## **DIV. 7.6 NONCONFORMITIES TO THE COUNTYWIDE PLAN MAP AND COUNTYWIDE RULES.**

### **SEC. 7.6.1 APPLICABILITY.**

- 7.6.1.1** It is the intent of these Countywide Rules that existing land use, lots, and structures nonconforming as to the Countywide Plan Map and these Countywide Rules be administered by the respective local government with jurisdiction. It is the further intent of these Countywide Rules that such local government administration provide for the means by which to regulate the expansion, alteration, replacement, or discontinuance of such nonconformities in a manner that shall encourage consistency with the Countywide Plan Map and these Countywide Rules.
- 7.6.1.2** Nonconformities to the Countywide Plan Map and Countywide Rules shall be prohibited except as indicated in this division.

### **SEC. 7.6.2 NONCONFORMING USES, STRUCTURES, AND LOTS.**

- 7.6.2.1** All existing uses, structures and lots that are nonconforming to the Countywide Plan Map or these Countywide Rules shall be prohibited, except to the extent permitted to be continued, replaced, expanded or altered, and according to the limitations thereof, as provided for in the applicable local government future land use plan and land development regulations.

## **DIV. 7.7 MONITORING AND REVIEW PROVISIONS.**

### **SEC. 7.7.1 REVIEW OF THE COUNTYWIDE PLAN MAP AND COUNTYWIDE RULES.**

The Executive Director of the PPC shall review and prepare a report for the PPC on the Countywide Plan Map and these Countywide Rules no less than once every five years.

The Executive Director shall review and prepare a report to the PPC on an annual basis concerning official interpretations rendered under these Countywide Rules, such report to include any recommended amendment of the Countywide Rules.

### **SEC. 7.7.2 REVIEW OF LOCAL PLANS AND REGULATIONS.**

The Executive Director of the PPC shall, in conjunction with each local government, review the consistency of the local future land use plan and land development regulations on an as-needed basis, as determined by the Council, to assure compliance with the Countywide Plan Map and these Countywide Rules.

### **SEC. 7.7.3 COORDINATION WITH OTHER AGENCIES.**

The PPC shall coordinate all revisions to these Countywide Rules which deal with the Regional Policy Plan or the State Comprehensive Plan with the Tampa Bay Regional Planning Council (TBRPC) and the Department of Economic Opportunity (DEO) as is applicable.

## **DIV. 7.8 ENFORCEMENT.**

### **SEC. 7.8.1 AUTHORITY.**

Pursuant to Section 10(1)(e) of Chapter 2012-245, as amended, and County Ordinance No. 15-30, the Board of County Commissioners, acting as the Countywide Planning Authority, has the authority and responsibility to enforce the Countywide Plan, including the Countywide Plan Map and these Countywide Rules, through the appropriate civil action in the court or tribunal of appropriate jurisdiction. The enforcement action of the CPA shall be governed by Chapter 164, Florida Statutes, titled Governmental Disputes, when applicable.

### **SEC. 7.8.2 PROCEDURE.**

The procedure for an enforcement action of the CPA may be initiated as follows:

1. The PPC may recommend to the CPA to take enforcement action; or
2. The CPA may take enforcement action notwithstanding number 1 above.

- 7.8.2.1** **Initiation.** The procedure for an enforcement action of the CPA may be initiated as follows:
1. The PPC may recommend to the CPA to take enforcement action; or
  2. The CPA may take enforcement action notwithstanding number 1 above.
- 7.8.2.2** **Administrative Hearing.** Determination by the CPA to consider enforcement action against an alleged violation may provide that the matter first be considered pursuant to an administrative hearing process.
- The administrative hearing process, if employed, will be convened under and conducted pursuant to an agreement between the PPC and the State Department of Administrative Hearings (DOAH), by an administrative law judge.
- 7.8.2.3** **CPA Action.** In the event of an administrative hearing, the administrative law judge shall make findings of fact and issue a recommended order that shall be considered by the CPA in determining any appropriate enforcement action, as provided for above.

<b>DIV. 7.9</b>	<b>AMENDMENTS TO THE COUNTYWIDE PLAN STRATEGIES, COUNTYWIDE PLAN MAP, AND COUNTYWIDE RULES.</b>
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**SEC. 7.9.1** **AMENDMENTS TO THE COUNTYWIDE PLAN MAP FOR LESS THAN FIVE PERCENT OF THE AREA OF THE COUNTY.**

- 7.9.1.1** For Countywide Plan Map amendments where such property is less than five percent of the area of the county, the Planning Council shall hold one advertised public hearing and the Countywide Planning Authority shall hold one advertised public hearing.
- 7.9.1.2** ~~One advertisement shall be published at least fourteen days prior to the Planning Council public hearing. Such advertisement shall include the date and time of the Countywide Planning Authority public hearing. The Planning Council and Countywide Planning Authority public hearings may be advertised together or separately. If advertised together, the advertisement shall be published at least fourteen days prior to the Planning Council public hearing, and shall include the date and time of both hearings. If published separately, one advertisement shall be published at least fourteen days prior to the Planning Council public hearing, and one advertisement shall be published at least ten days in advance of the Countywide Planning Authority public hearing.~~
- 7.9.1.3** For an alternative compromise recommendation pursuant to Section 6.3.1, an advertisement shall be published at least ~~seven-ten~~ days prior to the second Countywide Planning Authority public hearing, if applicable. Such advertisement shall include the date and time of the Countywide Planning Authority public hearing.

**7.9.1.4** One mailed notice containing the essential parts of the published advertisement shall be provided to ~~property owners affected by this map amendment~~owners of the property being amended, and to the local government with jurisdiction over such amendment area at least thirty days prior to the Countywide Planning Authority public hearing. Ownership information shall be provided by the applicant local government.

**SEC. 7.9.2 AMENDMENTS TO THE COUNTYWIDE PLAN MAP FOR FIVE PERCENT OR MORE OF THE AREA OF THE COUNTY.**

**7.9.2.1** For Countywide Plan Map amendments where such property is five percent or more of the area of the county, the Planning Council shall hold one advertised public hearing and the Countywide Planning Authority shall hold two advertised public hearings. At least one of the Countywide Planning Authority hearings shall be held after 5 p.m. on a weekday. The second hearing shall be held at least 10 days after the first hearing.

**7.9.2.2** Three advertisements shall be published as follows:

1. The first advertisement shall be published at least fourteen days prior to the Planning Council public hearing. Such advertisement shall note that the date and time of the two Countywide Planning Authority public hearings will be determined at a later date.
2. The second advertisement shall be published at least seven days prior to the first Countywide Planning Authority public hearing. Such advertisement shall note the date and time of the two Countywide Planning Authority public hearings.
3. The third advertisement shall be published at least five days prior to the second Countywide Planning Authority public hearing. Such advertisement shall note the date and time of the second Countywide Planning Authority public hearing.

**SEC. 7.9.3 AMENDMENTS TO THE COUNTYWIDE PLAN STRATEGIES AND THE COUNTYWIDE RULES.**

**7.9.3.1** For amendments to the Countywide Plan Strategies and the Countywide Rules, the Planning Council shall hold one advertised public hearing and the Countywide Planning Authority shall hold two advertised public hearings. At least one of the Countywide Planning Authority hearings shall be held after 5 p.m. on a weekday. The second hearing shall be held at least 14 days after the first hearing.

**7.9.3.2** Three advertisements shall be published as follows:

1. The first advertisement shall be published at least fourteen days prior to the Planning Council public hearing. Such advertisement shall note that the date and time of the two Countywide Planning Authority public hearings will be determined at a later date.

2. The second advertisement shall be published at least seven days prior to the first Countywide Planning Authority public hearing. Such advertisement shall note the date and time of the two Countywide Planning Authority public hearings.
  3. The third advertisement shall be published at least five days prior to the second Countywide Planning Authority public hearing. Such advertisement shall note the date and time of the second Countywide Planning Authority public hearing.
- 7.9.3.3** Mailed notice containing the essential parts of the published advertisement shall be provided to all local governments at least thirty days prior to the first Countywide Planning Authority public hearing.

**SEC. 7.9.4 REQUIRED PUBLIC ADVERTISEMENT AND MAILED NOTICE FORM.**

- 7.9.4.1** The ~~form requirement~~ of notice for public hearings conducted under this section shall be in accordance with [Section 50.011, Florida Statutes](#)~~, applicable Florida law and as more particularly set forth below:~~
1. ~~The required published advertisement(s) shall be placed in a newspaper of general paid circulation in the county pursuant to Chapter 50, Florida Statutes, and be made available on the Planning Council website.~~
  2. ~~The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear.~~
  3. ~~The advertisement shall include a map identifying the general location of the proposed action, including major street names as a means of locating the subject property.~~
  4. ~~The advertisement will clearly identify the type of action being considered, a summary of the significant features of the change, and the time, date and place of the hearing(s) to be held.~~

- 7.9.4.2** A mailed notice of the Planning Council and Countywide Planning Authority public hearings shall contain the essential parts of the published advertisement and a copy of the notice will be available for public inspection during the regular business hours of the Planning Council and Countywide Planning Authority.

The notice shall be mailed to each property owner based on the most recent published ad valorem tax records of the County.

## **SEC. 7.9.5 INITIATION OF RULE AMENDMENTS.**

An amendment to the Countywide Rules may be initiated by a local government pursuant to a formal resolution adopted by its governing body requesting and setting forth the specifics of such amendment, or by the Planning Council or Countywide Planning Authority.

## **SEC. 7.9.6 NOTIFICATION TO LOCAL JURISDICTIONS.**

The Planning Council staff shall, within ~~fifteen~~ten business days of the receipt of a recorded ordinance from the Department of State, provide the local governments with a copy of the amendment and suggested modifications to the local plan and regulations that may be appropriate, if any, to be performed within one year, to maintain consistency with the Countywide Rules.

## **DIV. 7.10 VESTED RIGHTS.**

### **SEC. 7.10.1 PURPOSE AND INTENT.**

- 7.10.1.1** **General.** It is the purpose and intent of this division to provide a procedure for the determination of vested rights under and pursuant to the Countywide Plan, inclusive of these Countywide Rules.
- 7.10.1.2** **Coordination with Local Procedures.** This vested rights procedure is intended to coordinate any vested rights determination that may be made pursuant to an established procedure by a local government and to assure that such determination is made consistent with the Countywide Plan Map and Countywide Rules. It is further the intent of this division to avoid duplication of procedures to which a vested rights applicant may be subject, and to that end, provide a mechanism for intervention by the PPC in any initial vested rights action involving an administrative hearing by an independent third party at the local level or consideration by a court of competent jurisdiction.

### **SEC. 7.10.2 PROCEDURE FOR VESTED RIGHTS DETERMINATION.**

- 7.10.2.1** **Notice.** Notice and determination of any implication of the Countywide Plan, inclusive of these Countywide Rules shall be as follows:
1. Any local government that receives a timely application or notice of a claim for a vested rights determination as to its local comprehensive plan or land development regulations, shall forward notice and a summary description of such application or claim to the PPC within ten (10) days of receipt.
  2. The PPC staff shall determine whether the application or claim is timely filed under the Countywide Rules, and whether the application or claim implicates the

Countywide Plan, inclusive of these Countywide Rules, based on the consistency criteria set forth in Article 4 of the Countywide Rules, and so notify the local government within ~~fifteen (15)~~ [ten business](#) days of receipt of notice from the local government.

3. In the event the PPC staff determines the Countywide Plan, inclusive of the Countywide Rules, is implicated, a complete copy of the application or claim for vested rights shall be forwarded to the Council upon request.
4. If the local government does not agree with the PPC staff determination that the Countywide Plan, inclusive of these Countywide Rules, is implicated, they may request a review and determination by the PPC, such determination to be made within sixty (60) days, but not less than ten (10) days, after the request by the local government for review and determination. Should the local government not agree with the PPC determination, the local government may, within thirty (30) days, appeal the PPC determination to the CPA. The determination of the CPA as to whether or not the vested rights application or claim implicates the Countywide Plan, inclusive of these Countywide Rules, shall be final.
5. Upon determination that the Countywide Plan, inclusive of these Countywide Rules, is implicated, the local government shall notify the applicant that any determination by the local government is also subject to a vested rights determination by the CPA as to, and pursuant to, the Countywide Plan, inclusive of these Countywide Rules.

#### **7.10.2.2**

**Types of Local Action.** The vested rights determination process utilized by local government shall determine the procedure for review under the Countywide Plan, inclusive of these Countywide Rules, as follows:

1. If a vested rights determination is rendered by local government staff and/or the elected body without an administrative hearing by an independent third party, and such determination concludes that the applicant does have vested rights under the local government plan or regulations, said determination shall be forwarded to the PPC within ten (10) days of the determination by local government.
2. If a vested rights determination by the local government involves an administrative hearing by an independent third party, the local government shall notify the PPC immediately upon the scheduling of such hearing; and where it has been determined that the Countywide Plan, inclusive of these Countywide Rules are implicated, the Council shall have the right to intervene in any such hearing and have evidence and testimony presented to the finder of fact as to vested rights under the Countywide Plan, inclusive of these Countywide Rules.
3. If a vested rights claim is initiated in a court of competent jurisdiction, the affected local government shall notify the PPC immediately upon the filing of such action; and where it has been determined that the Countywide Plan, inclusive of these

Countywide Rules are implicated, the Council shall determine, under these Countywide Rules, whether to intervene in any such action and have evidence and testimony presented to the court as to vested rights under the Countywide Plan, inclusive of these Countywide Rules.

#### **7.10.2.3**

**Action Based on Local Government Determination.** In the event of an affirmative vested rights determination made by the local government staff or elected body, the local government action shall be transmitted to the PPC within ten (10) days.

1. PPC Action - the PPC staff shall review the local government action and prepare findings and a recommendation for consideration by the Council within sixty (60) days of the date of transmittal. Upon receipt of the staff findings and recommendation, the PPC shall hold a public hearing and make a recommendation to the CPA as to whether or not the applicant has met the burden of proof and has satisfied the standards and criteria for vested rights determinations as set forth in Section 7.10.4 below.
2. CPA Action – the Council's recommendation shall be transmitted to the CPA for consideration at public hearing and final action within sixty (60) days of the date of transmittal. The CPA action shall be based on the Council's recommendation and the standards and criteria for vested rights determination as set forth in Section 7.10.4 below. Any deviation from the Council's recommendation shall be by a majority vote, plus one, of the entire CPA, based on findings that support such decision.

#### **7.10.2.4**

**Action Based on Administrative Hearing.** In the event of an administrative hearing by an independent third party, the findings of fact and conclusions of law shall be transmitted to the CPA within ten (10) days of their issuance.

1. CPA Action - Upon receipt of the findings and conclusions rendered after an administrative hearing by an independent third party, the CPA shall hold a public hearing within sixty (60) days and consider said findings and conclusions relative to the standards and criteria set forth herein, as to vested rights under the Countywide Plan, inclusive of these Countywide Rules. Said consideration shall be based solely upon the findings of fact and conclusions of law made as a function of the administrative hearing and, to that end, only exceptions to the findings and conclusions by a party of interest may be entertained by the CPA.

#### **7.10.2.5**

**Action Based on Court Determination.** In the event of an initial court action on a vested rights claim at the local government level in which action the Countywide Plan, inclusive of these Countywide Rules have been considered pursuant to this vested rights process, the action of the court shall be final unless appealed pursuant to applicable law. If a court order addresses vested rights as to the local government plan or regulations, but does not address vested rights as to the Countywide Plan, inclusive of these Countywide Rules, the PPC and CPA shall consider the court order pursuant to Section 7.10.2.3.

### **SEC. 7.10.3 APPEALS.**

- 7.10.3.1** **Action Final Subject to Appeal.** The action of the CPA shall be final with respect to vested rights under the Countywide Plan, inclusive of these Countywide Rules, subject only to review by a court of competent jurisdiction.
- 7.10.3.2** **Appeal Provisions.** After a final decision has been rendered by the CPA, a party of interest may file an appeal with a court of competent jurisdiction within thirty (30) days.

### **SEC. 7.10.4 STANDARDS AND CRITERIA FOR VESTED RIGHTS.**

- 7.10.4.1** **Burden of Proof.** The applicant in any action under this vested rights process shall have the burden of proof to demonstrate all of the following:
1. There is a valid, unexpired “development permit” authorized by the local government approving the proposed development, which authorization occurred prior to the effective date of the Countywide Plan, inclusive of these Countywide Rules in effect at the time of the filing of the vested rights application.  
“Development permit” shall mean and include any building permit, final site plan approval, final subdivision plat approval, special exception, conditional use, or variance approval, or any other official action of the local government having the effect of permitting the development of land in the manner and timeframe specified;
  2. The applicant relied in good faith upon the issuance of the development permit by the local government, said reliance was reasonable, and development under the authorized development permit was initiated and proceeded in a timely manner and in good faith;
  3. The applicant incurred such substantial obligations and expenditures that it would be highly inequitable or unjust to require that the development conform with the Countywide Plan, inclusive of these Countywide Rules in effect at the time of the filing of the vested rights application: and
  4. The application must be filed within two (2) years after the adoption of the Countywide Plan or Rule provision against which vesting is sought, subject to Section 7.10.4.3.
- 7.10.4.2** **Applicable Case Law.** The treatment of similar cases by Florida courts shall be relevant to the determination of the existence and extent of vested rights that may have been established, if any.
- 7.10.4.3** **Presumption of Validity.** A presumption of validity shall apply to vested rights determinations that have been made pursuant to an established local government process or by a court of competent jurisdiction prior to the effective date of this provision (Ordinance No. 03-23, April 24, 2003).



## **ARTICLE 8**

### **TERMS AND DEFINITIONS**

## **DIV. 8.1 CONSTRUCTION.**

The construction and interpretation of all words, terms and provisions contained in these Countywide Rules shall be as set forth under Section 7.3.7 Rules of Interpretation, and as defined hereunder.

## **DIV. 8.2 DEFINITIONS**

**Accessory Dwelling Unit** – An ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit. Accessory dwelling units are not counted against the otherwise applicable maximum dwelling units per acre density standard.

**Activity Center** – A contiguous area designated with the Activity Center category on the Countywide Plan Map, which is governed by locally-adopted plan or code provisions that identify the area as a unified location, and which serves as an important, identifiable center of business, public, and residential activity that is the focal point of a community, designed to accommodate multiple modes of transportation including enhanced transit.

**Adjustment** – A departure from the literal requirements of the floor area ratio and impervious surface ratio standards as described in these Countywide Rules and made a part of the local land development regulations.

**Agricultural Processing Use** – The processing, preparation, packaging and distribution of agricultural commodities such as livestock or crop products.

**Agricultural Use** – Crop production, including plant nurseries; raising livestock, including horse stables, dog kennels and animal boarding; veterinary clinics; and associated uses as permitted by local plans and regulations.

**Agricultural - Light** – A public or private property devoted to the growing of produce and/or horticultural plants, small-animal husbandry, aquaculture, beekeeping, or related uses, where noise, odor, runoff, insects, pests, and other impacts are contained on-site and do not negatively affect adjacent land uses, consistent with such standards as may be prescribed by the local government with jurisdiction. This use may allow for some exterior storage of equipment or materials; the incidental processing, preparation, packaging and distribution of non-livestock agricultural products; and horse stables, dog kennels, animal boarding and veterinary clinics. On-site sales of agricultural products produced on-site are allowed at the discretion of the local government. See also: Community Garden Use.

**Airport, Seaport, Marina Use** – A public or quasi-public facility for air or marine transport respectively, including such terminal, docking, hangar, storage, parking, transient accommodation, office, retail commercial, and eating/drinking facilities as may be directly related or accessory thereto.

**Ancillary Nonresidential Use** – Off-street parking and trash receptacle areas for adjacent, contiguous, nonresidential uses.

**Aquifer Recharge Area** – An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into the underground aquifer.

**Automobile-Oriented Retail Commercial Use** – A Retail Commercial Use that services motor vehicles as a primary use, or is designed to provide for the sale of consumer goods, products, merchandise or services to patrons in motor vehicles, examples of which include gas stations, car washes, and businesses with drive-throughs. See also: Retail Commercial Use.

**Arterial Road** – A roadway providing automobile or multimodal transportation which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. Arterial roadways interconnect principal traffic generating activity centers within an urban area with the freeway system.

**Average Wage** – The total amount of wages either self-reported, reported to a third-party vendor, or reported to the State of Florida divided by the total number of self-reported full-time employees and full-time equivalent employees by the company.

**Brewpub** – A restaurant or bar where alcoholic beverages are produced on the premises primarily for on-site consumption, but which may provide for a percentage of the product to be sold and distributed off-site. Brewpubs are considered to be a subset of Retail Commercial Use, as specifically defined within these Countywide Rules. See also: Microbrewery/winery/distillery.

**Buffer Area** – A natural or landscaped area or strip of land, with or without such physical separation devices as a fence or wall, established to separate and insulate one type of land use from another land use; or to shield or block noise, lights or other nuisances; or to separate development and a natural feature so as to reduce the incompatibility between uses or features and protect the integrity of each.

**Class A Office Space** – Class A Office properties are characterized as having the highest quality standards, amenities, and fixtures. Common features include top-tier HVAC and lighting systems, the latest telecommunications infrastructure, and often have unique design or architectural traits. Because of their high standards, Class A offices are typically (but not always) in new or trophy buildings with high-quality road and mass transit connections. Location also plays a role in Class A offices, as they are often located in sought-after areas such as downtown areas. Determination of whether a property meets the criteria of a Class A Office shall be made by the local government with jurisdiction.

**Coastal Construction Control Line** – The most recently adopted line established by the Florida Department of Environmental Protection, pursuant to Section 161.053, Florida Statutes, for Pinellas County.

**Coastal High Hazard Areas** – The area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

**Collector Road** – A roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads serve internal traffic movements within an urban area, collecting and distributing traffic between the arterial and local road system.

**Commercial/Business Service Use** – An occupation or service involving the sale, storage, repair, service or rental of motor vehicles, water craft, residential machinery or equipment, examples of which include automobile, boat, and household or yard equipment sales, service or repair, and like uses; the production, assembly or dismantling of which shall be clearly secondary and incidental to the primary use characteristics of the Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Commercial Recreation Use** – A private or quasi-public recreation facility designed for participant or spectator activities for a charge, including but not limited to marina, miniature golf, dog race track, horse race track, jai-alai fronton, stock car race track, sports stadium, performance venues, and indoor recreation/entertainment uses such as billiard halls, bowling alleys, movie theatres, and video game arcades.

**Community Garden Use** – A public or private open space use devoted to the growing of produce and/or horticultural plants for off-site sale, personal consumption, enjoyment and/or donation by a group of individuals or a non-profit organization. Occasional on-site sales of produce and horticultural products produced on-site are allowed at the discretion of the local government.

**Cone of Influence (Zone of Influence)** – An area around one or more major waterwells, designed to protect groundwater resources, the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on groundwater travel or drawdown depth.

**Contiguous** – Parcels are considered contiguous if For the purpose of determining applicability of acreage thresholds within a given Countywide Plan Map category, “contiguous” means parcels touching along a boundary or directly across roadway with a local or collector functional classification or other right of way from each other. For the purpose of calculating density averaging, “contiguous” means parcels they are touching along a boundary or directly across any roadway or other right-of-way from each other.

**Continuing Care Retirement Communities** – A residential or residential-like accommodation which provides long-term care options for older individuals who wish to stay in the same accommodation through different phases of the aging process.

**County** – Pinellas County, Florida.

**Countywide Plan** – Materials in such descriptive form, written or graphic, as may be appropriate to the prescription of strategies for the orderly and balanced future development of Pinellas County, pursuant to Chapter 2012-245, Laws of Florida, as amended. The Countywide Plan is comprised of the Countywide Plan Strategies, the Countywide Plan Map, and the Countywide Rules.

**Countywide Plan Map** – The future land use map that designates general categories of land use, including transit-supportive and multimodal-supportive categories, by type and location to guide the future development pattern and use of land throughout the county, as adopted by the Pinellas Planning Council and Countywide Planning Authority pursuant to Chapter 2012-245, Laws of Florida, as amended. The Countywide Plan Map may consist of a single map or map series as approved by the PPC and CPA and filed with the Clerk of the Board of County Commissioners.

**Countywide Plan Map Category** – The name and symbol by which the distinct areas of the Countywide Plan Map are enumerated and administered. Each category is defined in terms of purpose, use, locational characteristics, specific standards for density/intensity of use, and other standards appropriate to each category.

**Countywide Plan Strategies** – An overarching set of policies that identify and set forth a plan of action to address those components set forth in Chapter 2012-245, Laws of Florida, as amended, which are collectively used to administer and guide interpretation of the Countywide Plan Map and Countywide Rules.

**Countywide Planning Authority (CPA)** – The Board of County Commissioners of Pinellas County, acting in its capacity as the Countywide Planning Authority, through the exercise of its power under section 2.04(s) of the Pinellas County Charter and pursuant to Chapter 2012-245, Laws of Florida, as amended.

**Countywide Rules** – Those rules, standards, and procedures that will implement the Countywide Plan, as adopted by the Pinellas Planning Council and Countywide Planning Authority pursuant to Chapter 2012-245, Laws of Florida, as amended.

**Density** – The measure of permitted residential development expressed as a maximum number of dwelling units per net acre of land area.

**Density/Intensity Averaging** – The aggregation of the otherwise permitted density and/or intensity of a parcel or parcels of land in a non-uniform or consolidated manner on a portion of such contiguous parcel(s) in accordance with Sec. 5.2.1.2 of these Rules as may be authorized by the local government with jurisdiction and otherwise consistent with these Countywide Rules.

**DEO** – The Florida Department of Economic Opportunity.

**Development Rights** – A property owner's entitlement to develop land in accordance with the local jurisdiction's comprehensive plan and land development regulations which have been deemed to be consistent with these Countywide Rules.

**Drainage Detention Areas** – Ponds, basins or other land forms and associated water areas designed for the storage and/or treatment of stormwater runoff.

**Dune** – A mound or ridge of loose sediments, such as sand, deposited and moved around by wind action, as well as by artificial means. Dune systems are usually held in place by vegetation particularly suited to dune system habitat. Dunes are landward of the shoreline and serve as a transition area between the beach and coastal land.

**Dwelling Unit** – One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This term shall include any type of use authorized to be treated as a dwelling unit by Chapter 419, Florida Statutes, governing Community Residential Homes.

**Estuary** – A semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. Estuaries include bays, embayments, lagoons, sounds and tidal streams.

**Executive Director** – A staff member appointed by Forward Pinellas, with sole authority to manage the activities of the agency and its staff pursuant to Section 7(1) of Chapter 2012-245, Laws of Florida. The Executive Director may designate a staff member to carry out his/her responsibilities as identified in these Countywide Rules.

**Facility-Based Recreation** – Recreational activities that typically require a built facility to accommodate them for recreational sporting events such as a playfield, paved court, horse stable, or swimming pool. Uses may include but are not limited to softball, baseball, football, tennis, basketball, soccer, playgrounds, fitness trails, and swimming pools. These activities are not natural resource dependent.

**Fixed-Guideway Transit** – A transit mode that uses rails or exclusive or controlled rights-of-way. Examples include light rail, monorail, or bus service operating in a bus-only right-of-way.

**Floodplain, 25-Year** – Areas inundated during a 25-year storm/flood event.

**Family** – One or more individuals occupying a dwelling unit and living as a single household unit.

**Floor Area, Gross** – The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, parking garages, or loading space for motor vehicles.

**Floor Area Ratio (FAR)** – A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the net land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the net land area.

**Forward Pinellas** – Agency serving as the Pinellas Planning Council and Pinellas County Metropolitan Planning Organization. See also: Pinellas Planning Council.

**Freeways** – Are devoted entirely to traffic movement with little or no land service function. These facilities have at least some degree of access control, are primarily multi-lane divided roads, with few intersections at grade. These facilities serve large volumes of high-speed traffic with extensive trip length and interconnect with the arterial road system.

**Freshwater Marsh** – A wetland having more than 25 percent vegetative cover by terrestrial herbs but 40 percent or less cover by woody plants, occasionally or regularly flooded by freshwater (e.g., sawgrass).

**Freshwater Swamp** – A wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

**Governing Body** – The Board of County Commissioners of Pinellas County or the commission or council of an incorporated municipality within Pinellas County.

**Groundwater Resource Area** – Those areas of the County that support municipal/public water wells that supply potable water.

**Household** – A family living together in a single dwelling unit, with common access to and use of all living and eating areas.

**Hurricane Evacuation Zone** – Areas delineated by vulnerability to possible storm surge damage. Factors such as land elevation, predicted storm location, direction of storm tract, distance from large bodies of water, and physical features are used in vulnerability determination. The hurricane vulnerability zone includes areas requiring evacuation as follows:

- Zone A: First to evacuate (4-5 ft. storm surge)
- Zone B: Next to evacuate (6-8 ft. storm surge)
- Zone C: Next to evacuate (9-12 ft. storm surge)
- Zone D: Next to evacuate (13-18 ft. storm surge)
- Zone E: Next to evacuate (18+ ft. storm surge)

**Impervious Surface** – A surface that has been compacted or covered with a layer of material so that it is highly resistant or prevents infiltration by stormwater. It includes roofed areas and surfaces such as compacted sand, limerock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, and other similar surfaces.

**Impervious Surface Ratio (ISR)** – A measure of the intensity of hard surfaced development on a site. An impervious surface ratio is the relationship between the total impervious surface area on a site and the net land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the net land area.

**Incinerator Facility** – A place licensed pursuant to state law, where cremation of human or animal remains occurs.

**Institutional Uses** – Those facilities and services of a public, private, or quasi-public nature, including educational, medical, governmental, civic, and religious uses, such as schools, hospitals, courthouses, community centers, and churches.

**Intensity** – The measure of permitted development expressed as a maximum Impervious Surface Ratio and/or Floor Area Ratio per acre of net land area.

**Lacustrine River and Stream** – Pertaining to a lake, river, or stream system.

**Land Use** – The development that has occurred on the land, the development that is proposed on the land, or the use that is permitted or permissible on the land, under an adopted comprehensive plan or element or portion thereof, land development regulations, a land development code, or these Countywide Rules as the context may indicate.

**Like Uses** – Uses that are similar, found in the same Countywide Plan Map category, and which, when contiguous and resulting in an aggregation greater than the applicable acreage thresholds, are required to be designated with a more appropriate plan category. For example, commercial retail uses, such as a convenience store and a restaurant, shall be considered like uses. Commercial office uses, such as a law office and an accounting office, shall be considered like uses. Institutional uses, such as a fire station and a library, shall be considered like uses.

**Local Comprehensive Plan** – A plan prepared by each of the local governments in Pinellas County that meets the requirements of Sections 163.3177 and 163.3171, Florida Statutes, and Chapter 2012-245, Laws of Florida, as amended.

**Local Future Land Use Plan** – The future land use element and future land use plan map for each of the local governments in Pinellas County.

**Local Government** – Pinellas County or any of the twenty-four incorporated municipalities in Pinellas County.

**Local Land Development Regulations** – Land development regulations enacted by each local government, by ordinance, for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or any other regulations controlling the development of land.

**Local Planning Agency** – The agency designated by each local government to prepare that local government's comprehensive plan as required by Chapter 163 Part II, Florida Statutes.

**Local Street** – A minor roadway designed to provide access to adjacent land. Local streets carry a small percentage of the total vehicle mileage traveled, but make up a large percentage of the total street mileage and serve to interconnect individual properties with the collector road system.

**Major Transportation Facilities** – One or more arterial roadways or highways identified by the roadway classification system of the Metropolitan Planning Organization; and/or transit with headways (i.e., service frequency) of no less than 30 minutes.

**Manufacturing - Light** – A use engaged in the manufacture of products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products, occurring entirely within enclosed buildings. This use shall not include or allow for any exterior storage or processing of equipment or materials of any kind. Noise, odor, smoke, heat, glare, vibration, hazardous chemicals, and other impacts must be entirely contained within enclosed buildings, consistent with such standards as may be prescribed by the local government with jurisdiction.

**Manufacturing - Medium** – A use engaged in the manufacture of products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products. This use may include or allow for exterior storage of equipment or materials, provided that impacts are contained on-site and do not negatively affect adjacent land uses, consistent with such standards as may be prescribed by the local government with jurisdiction.

**Manufacturing - Heavy** – A use engaged in the manufacture of products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products, with potential to produce noise, odor, smoke, heat, glare, vibration, hazardous chemicals, and other impacts that may affect adjacent land uses. Such use may include the exterior storage and processing of materials and equipment to the extent and in such manner as is permitted by the local government with jurisdiction.

**Microbrewery/Winery/Distillery** – A small-scale, licensed establishment that produces alcoholic beverages primarily for off-site sale and distribution, but which may provide for a percentage of the product to be sold and consumed on-site in a taproom or tasting room.

Microbrewery/Winery/Distillery uses are permitted in Countywide Plan Map categories that permit Manufacturing - Light, and in the Activity Center and Multimodal Corridor categories as permitted by the local government with jurisdiction. See also: Brewpub.

**Missing Middle Housing** – Housing that encompasses a range of smaller, multi-unit or clustered housing types (such as shotgun, skinny, duplex, triplex, fourplex, courtyard apartment, bungalow court, townhouse, multiplex, and live/work units), which are compatible in scale and design with single-family homes, and are designed to encourage walking, biking, and transit use.

**Mixed Use** – A combination of uses on a single property.

**Multimodal Corridor** – A contiguous, linear area designated with the Multimodal Corridor category on the Countywide Plan Map, which is governed by locally-adopted plan or code provisions that identify the area as a unified corridor, serves as a corridor of critical importance to the movement of people and goods throughout the county, and is characterized by mixed-use development, supported by and designed to facilitate transit.

**Multimodal Transportation** – A combination of automobile, pedestrian, bicycle, and/or transit travel modes sharing a transportation facility or system. When used alone as an adjective, “multimodal” indicates the presence of characteristics supportive of such transportation (e.g., multimodal infrastructure).

**Municipality** – An incorporated city or town in Pinellas County.

**Net Land Area** – Net land area for the purpose of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public road right-of-way existing at the time of the most recent future land use map amendment.

**Nonconforming Lot, Use, or Structure** – A lot, use, or structure which was previously legal and at inception conformed to the then-applicable regulations, that subsequently fails to conform to the requirements of the Countywide Plan Map and these Countywide Rules, as either may be amended from time to time.

**Nonresidential Use** – Those uses as provided for under the respective categories, other than residential or residential equivalent use.

**Nontidal Wetlands** – Wetlands that occur further inland, beyond tidal influence. Included, are freshwater marshes and ponds, shrub swamps, bottomland hardwood forests, wooded swamps, and bogs, as well as inland saline and alkaline marshes and ponds.

**Off-Premise Sign** – Any sign identifying or advertising a product, business, person, activity, condition, or service not located or available on the same lot where the sign is installed and maintained.

**Off-Street Parking** – A parking area improved for licensed motor vehicles, temporarily stored in connection with a use requiring same.

**Office Use** – An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include medical, legal, real estate, design, and financial services, and like uses. No “Office Use” shall include any Personal Service/Office Support Use, Retail Commercial Use, or Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Personal Service/Office Support Use** – An occupation or service attending primarily to one's personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, dry cleaning/laundry service (collection and distribution only), and like personal service uses; animal grooming; and office equipment or supplies, and like office support uses. Any assembly, sale of merchandise or conveyance of a product in support of a personal service or office support use shall be clearly secondary and incidental to the primary use characteristics of the Personal Service/Office Support Use. No “Personal Service/Office Support Use” shall include any Retail Commercial Use or Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Pinellas County Home Rule Charter** – The Pinellas County Home Rule Charter as it applies to the authority for countywide planning is found in Section 2.04(s) of the Pinellas County Home Rule Charter, Chapter 80-590, Laws of Florida, as amended, which established the legislative authority for the creation, by special law, of a countywide planning authority.

**Pinellas Planning Council (PPC)** – The Pinellas Planning Council is comprised of thirteen (13) elected officials representing their respective governing bodies in Pinellas County. As described in Chapter 2012-245, Laws of Florida, as amended, the membership of the Pinellas Planning Council shall be composed of the voting membership of the Pinellas County Metropolitan Planning Organization (MPO). The terms of office and appointments to fill vacancies shall be consistent with Florida law governing the MPO. See also: Forward Pinellas.

**Planned Redevelopment District** – A contiguous area designated with the Planned Redevelopment District category on the Countywide Plan Map, which is governed by locally-adopted plan or code provisions that identify the area as a unified location, and which provides for a mix of uses, densities/intensities, and urban design that promote walking, biking and transit use.

**Planners Advisory Committee (PAC)** – The Planners Advisory Committee is comprised of the directors of individual local government land use and planning departments, or their designees. The PAC may also include a representative from the planning departments maintained by the Pinellas County School Board, the Pinellas Suncoast Transit Authority, the Florida Department of Transportation, and other agencies as the council may determine appropriate. The PAC, at the direction of the Pinellas Planning Council, performs a professional planning review of the PPC staff recommendations of plans that are to be acted upon by the PPC. The PAC may perform other such duties assigned to it by the PPC, but may not be involved in the administrative or executive functions of the PPC.

**Premium Transit Corridor** – A corridor providing transit service with more frequent service, fewer stops, longer hours of service, and/or greater amenities than the majority of local bus service, and which may or may not include fixed-guideway transit. Premium Transit Corridor locations shall be identified by formal action of the Metropolitan Planning Organization in coordination with the Pinellas Suncoast Transit Authority, and depicted on the Land Use Strategy Map.

**Preservation Uses** – Uses primarily providing passive open space, providing for the conservation and management of natural features, providing for watershed management and designed to recognize and protect open and undeveloped areas, providing habitat for endangered or threatened species, and generally recognizing environmentally significant areas.

**Primary Industry** – A business that imports more than half of its revenue from outside of Pinellas County. May also be referred to as contributory, basic, or traded-sector industries.

**Public Educational Facility** – Elementary schools, special education facilities, alternative education facilities, middle schools, high schools, and area vocational-technical schools of the Pinellas County School District.

**Public Recreation Facility** – A publicly owned or leased recreation site or component thereof, used by the public for active or passive recreational pursuits such as a trail, marina, ball court, athletic field or swimming pool. This term includes both Facility-Based Recreation and Resource-Based Recreation, which terms may be distinguished between as to the use characteristics permitted within a given plan category.

**Quasi-Public Uses** – A noncommercial use, such as a private school or religious institution, which is open to and/or serves an identified membership, group of people (as opposed to the public), and/or partisan cause.

**Recreation/Open Space Uses** – Uses providing recreation facilities, sporting facilities, and open space, such as a park, public recreation facility, public beach/water access, and public or private golf course/clubhouse.

**Recreational Vehicle Park** – A lot or parcel of land upon which spaces are occupied or intended for occupancy on a temporary basis by recreational vehicles designed for travel, recreation, and vacation uses.

**Religious Institution Use** – A site, premise, or location that is used principally, primarily, or exclusively for the purposes of religious exercise as protected by the First Amendment to the U.S. Constitution.

**Research/Development - Light** – A use engaged in the research, testing, and development of goods, materials, or products, occurring entirely within enclosed buildings. Manufacturing uses conducted on the premises shall be limited to those needed for experimental or testing purposes. This use shall not include or allow for any exterior storage or processing of equipment or materials of any kind, and shall be consistent with such standards as may be prescribed by the local government with jurisdiction.

**Research/Development - Heavy** – A use engaged in the research, testing, and development of goods, materials, or products. Manufacturing uses conducted on the premises shall be limited to those needed for experimental or testing purposes. Such use may include the exterior storage and processing of materials and equipment to the extent and in such manner as is permitted by the local government with jurisdiction.

**Residential Equivalent Use** – A residential-like accommodation other than a dwelling unit, including bed and breakfast, group home, congregate care, nursing home and comparable assisted living facilities. No such use shall be required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by Chapter 419, Florida Statutes, Community Residential Homes, which is entitled to be treated as a dwelling unit.

**Residential Use** – A dwelling unit including, single-family, multifamily, and mobile home dwelling unit. This use shall include any type of use authorized by Chapter 419, Florida Statutes, Community Residential Homes, which is entitled to be treated as a residential dwelling unit.

**Resource-Based Recreation** – Recreational activities that typically are dependent on natural resources and a natural outdoor environment. These activities have little, if any, adverse impact on a site and are compatible with natural and/or cultural resource protection. Depending on the site, uses may include picnicking, low-impact camping, educational nature studies, wildlife viewing, horseback riding on trails, fishing, hiking, saltwater beach activities, or freshwater swimming.

**Retail Commercial Use** – An occupation or service providing primarily for the sale of consumer goods, products, merchandise or services from within an enclosed building; examples of which include grocery, pharmacy, apparel, jewelry, electronics, sporting goods, specialty shops, building supplies, convenience goods, restaurant, indoor recreation/entertainment uses (such as billiard halls, bowling alleys, movie theaters, and video game parlors) and like uses. Any exterior storage or facilities in connection with such use shall be clearly secondary and incidental to the primary use characteristics of the Retail Commercial Use. No “Retail Commercial Use” shall include any Commercial/Business Service Use, as specifically defined within these Countywide Rules.

**Saltwater Marsh** – A wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).

**Saltwater Swamp** – A wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).

**Self Storage** – An enclosed, indoor facility containing individual compartmentalized storage units for the inside storage of customers’ goods or wares. Self Storage uses are considered to be a subset of Storage/Warehouse/Distribution - Light, as defined within these Countywide Rules. May also be referred to as Mini Storage or Mini Warehouse Storage.

**Senior Housing** – A residential or residential-like accommodation suitable for the needs of an aging population, such as a group home, congregate care facility, nursing home, assisted living facility, or Continuing Care Retirement Community.

**Solid Waste/Refuse Disposal Use** – A facility approved for the collection, separation, storage and disposal of waste materials including garbage, trash, building materials and/or yard waste. Such use shall comprise an approved land fill, compost or incineration facility in accord with the otherwise required provisions of law.

**Special Act** – Chapter 2012-245, Laws of Florida, as amended. The Special Act establishes the Pinellas Planning Council and the authority for the Countywide Planning Authority and provides the legal requirements for countywide planning and coordination in Pinellas County.

**Special Area Plan** – A plan ~~adopted by a local government under the provisions of Section 4.2.7.6 of the Rules Concerning the Administration of the Countywide Future Land Use Plan, as amended through July 21, 2014, which that~~ establishes ~~and governs~~ the density, intensity, use, and other standards for a defined area within the local government's jurisdiction. A special area plan may be an adopted regulatory document that governs these standards, or a guiding plan that is implemented through adopted comprehensive plan and/or land development code provisions.

**Storage/Warehouse/Distribution - Light** – A use devoted primarily to the storage or distribution of goods, materials or equipment. Such use shall be located within an enclosed building, and any exterior storage or distribution area shall be incidental to and not exceed twenty (20) percent of the area of the building to which it is accessory.

**Storage/Warehouse/Distribution - Heavy** – A use devoted primarily to the storage or distribution of goods, materials or equipment. Such use may include exterior storage and distribution to the extent and in such manner as is permitted by the local government with jurisdiction.

**Submerged Land** – The area situated below the mean high water line or the ordinary high water line of a standing body of water, including ocean, estuary, lake, pond, river, stream, or existing natural and man-made drainage detention areas. For the purpose of this definition, submerged lands created as a function of development that are recorded on an approved final site plan or other authorized development order action of the local government with jurisdiction, and wetlands landward of the mean and/or ordinary high water line, shall not be considered submerged land pursuant to subsection 4.2.3.911.

**TBRPC** – The Tampa Bay Regional Planning Council.

**Target Employment** – ~~High wage, primary employment, including but not limited to, the fields of aviation/aerospace, financial services, high tech industries, information technology, marine science, medical technology, microelectronics, modeling/simulation, optics/photonics, research/development, and wireless technology.~~ Target Employment is defined as employment by a business that imports more than half of its revenue from outside of Pinellas County, with an average wage that is greater than the median for Pinellas County as determined by the Florida Department of Economic Opportunity's Quarterly Census of Employment, and Pinellas County Economic Development. See also: Target Industry, Average Wage and Primary Industry.

**Target Industry** - Those industries that provide Target Employment opportunities and are consistent with the Business Services, Financial Services, Information Technology, Microelectronics, Medical Technologies/Life & Marine Sciences, Aviation/Aerospace/Defense, and Marketing, Design & Publishing Target Employment Clusters as identified in the 2023 Target Employment and Industrial Lands Study (TEILS) Update. Individual NAICS codes associated with these target industry clusters can be found in the Countywide Plan Appendix. See also: Target Employment and Primary Industry.

**Temporary Lodging Unit** – An individual room, rooms or suite within a temporary lodging use designed to be occupied as a single unit for temporary occupancy. May also be referred to as Transient Accommodation Unit.

**Temporary Lodging Use** – A facility containing one or more temporary lodging units, the occupancy of which occurs, or is offered or advertised as being available, for a term of less than one (1) month, more than three (3) times in any consecutive twelve (12) month period. In determining whether a property is used as a temporary lodging use, such determination shall be made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration. May also be referred to as Transient Accommodation Use.

**Tidal Wetlands** – Areas that are comprised of coastal marshes, mudflats and mangrove swamps that are subject to periodic flooding by ocean-driven tides.

**Traffic Generation Characteristics** – The measure of traffic impact expressed as a countywide standard in terms of primary network vehicle trips per day per acre, attributable to each land use category, as determined specifically for the Countywide Plan.

**Transfer of Development Rights** – The conveyance of development rights by deed, easement, or other legal instrument from a parcel or parcels of land to another parcel or parcels, or within the same parcel, where such conveyance is from one Countywide Plan Map category to a similar, but separately located, or a different, Countywide Plan Map category, other than as is permitted by Sec. 5.2.1.1 of these Rules, and as may be authorized by the local government with jurisdiction, and otherwise consistent with these Countywide Rules.

**Transfer/Recycling Use** – A use designed to accommodate the temporary location, sorting and transfer of solid waste. Such use shall be limited as to the type of waste, the time within which it must be transferred from the site and limitations on exterior location by the local government with jurisdiction.

**Transit** – Passenger services provided by public, private or nonprofit entities including the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus.

**Transit Corridor** – A linear area which is served by transit, generally extending a quarter-mile in either direction from the centerline of a transit route, which is outside of a designated transit station area, and where higher densities/intensities and urban design support transit usage and other modes of travel in addition to the private automobile.

**Transit-oriented Use** – A use that benefits from proximity to transit in a built environment characterized by compact, mixed-use, pedestrian-friendly, and higher density/intensity development. This may include target employment uses.

**Transit Route** – A specified path taken by a transit vehicle, along which passengers are picked up or discharged.

**Transit Station** – A transit stop serving several transit routes, located on or off-street, that facilitates the boarding, alighting and transferring of passengers between transit routes. These may be stand-alone facilities or a simply a series of passenger shelters connected by a pedestrian way, and providing an array of passenger amenities. Such facilities may also provide an opportunity for commuter parking and intermodal transfers, in addition to travel ways and storage areas for transit vehicles.

**Transit Station Area** – An area generally encompassing a half-mile radius from the center of a transit station, which serves as a mixed-use activity center, where higher densities/intensities and urban design support transit usage and other modes of travel in addition to the private automobile.

**Transportation/Utility Uses** – Uses including transportation facilities and utilities infrastructure, such as an airport, seaport, marina, electric power generation plant, electric power substation, and telephone switching station.

**Undeveloped Barrier Island** – A land form facing the waters of the Gulf of Mexico and surrounded by water, consisting mainly of quartz sands, limestone, rock, coral and other material, including spoil disposal islands, which features lie above the line of mean high water and which has not been developed.

**Unified Development** – A development that is planned and approved as a contiguous, interrelated project, as determined by the local government with jurisdiction. A unified development may contain multiple land uses, land use designations, and/or parcel owners within the development area, and development approvals may be phased over time.

**Vacation Rental Use** – A residential dwelling unit used as a temporary lodging use, as defined by Section 509.242(1)(c), Florida Statutes, subject to regulation by the local government with jurisdiction.

**Vertically Integrated Mixed-Use Development** – A single building which accommodates multiple land uses, with more active uses (e.g., retail commercial) established at ground level and less active uses (e.g., residential, office) on higher floors.

**Vehicular Salvage Use** – A use that provides for the location, storage, dismantling, repair, or salvage of abandoned, derelict or junk vehicles or vehicle parts.

**Water-Dependent Use** – A use that requires a location adjacent to a water body because of the intrinsic nature of its operations, such as seaports, marinas, and marine-related facilities.

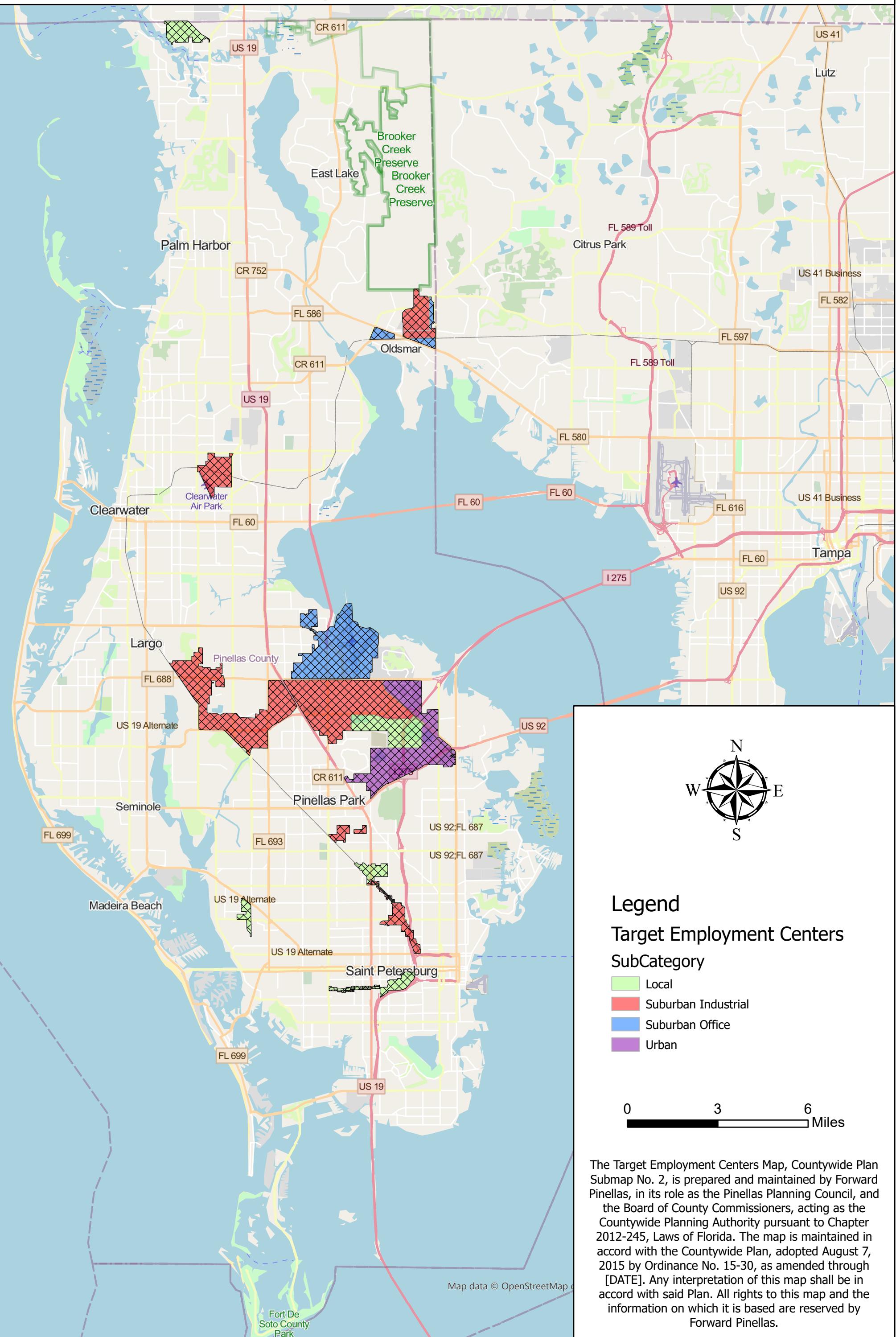
**Water Supply Infrastructure and Support Facilities** – Above or below ground structures, including wells, pipes, pumps, buildings, facilities, fixtures, machinery, reservoirs, and appurtenant facilities and structures, required for the provision of high quality potable water.

**Wetlands** – Those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**Working Waterfront** – Property that provides access for water-dependent commercial activities, or provides public access to the water. Working waterfronts require direct access to or a location on, over, or adjacent to a body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to a body of water or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over water.

# Target Employment Centers Map

## Countywide Plan Submap No. 2



STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on August 15, 2023 relative to:

ORDINANCE NO. 23-14

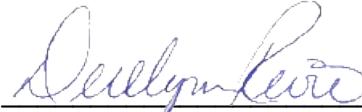
AN ORDINANCE AMENDING PINELLAS COUNTY ORDINANCE NO. 15-30, AS AMENDED, TO UPDATE THE COUNTYWIDE PLAN FOR PINELLAS COUNTY; MODIFYING STANDARDS OF THE COUNTYWIDE RULES ADDRESSING CONVERSION OF INDUSTRIAL AND EMPLOYMENT LAND, INCREASES OF DENSITY OR INTENSITY IN THE COASTAL HIGH HAZARD AREA, DENSITY/INTENSITY BONUSES, TRANSFERS OF DENSITY/INTENSITY, TRANSPORTATION IMPACTS OF PROPOSED AMENDMENTS, PROCEDURES FOR MULTI-JURISDICTIONAL AMENDMENTS, TIMEFRAMES AND REPORTING PROCEDURES FOR CERTAIN LAND USE SUBMITTALS, PUBLIC NOTICE REQUIREMENTS FOR COUNTYWIDE PLAN MAP AMENDMENTS, AND DEFINITIONS; CREATING COUNTYWIDE PLAN MAP SUBMAP NO. 2; UPDATING SECTION NUMBERS, REFERENCES AND TERMINOLOGY FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this August 21, 2023.



By:

KEN BURKE  
Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

  
\_\_\_\_\_  
Derelynn Revie, Deputy Clerk

## Eres, Christian

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**From:** Eres, Christian  
**Sent:** Monday, August 21, 2023 9:31 AM  
**To:** County Ordinances  
**Cc:** Revie, Derelynn; Young, Bernie C; DiNapoli, Franchesca  
**Subject:** PIN20230821\_Ordinance2023\_23-14  
**Attachments:** PIN20230821\_Ordinance2023\_23-14.pdf

Sender Full Name:	Ken Burke, Clerk of the Circuit Court and Comptroller <b>Derelynn Revie</b> , Deputy Clerk, Board Records Department
Sender Phone number:	(727) 464-3458
County Name:	<b>Pinellas</b>
Ordinance Number:	<b>PIN20230821_Ordinance2023_23-14</b>

Thank you,  
Christian Eres  
Senior Records Specialist  
Board Records Department  
Office of Ken Burke, Clerk of the Circuit Court and Comptroller  
Pinellas County, Florida  
315 Court Street, 5<sup>th</sup> Floor, Clearwater, FL 33756  
Office (727)464-3464 | Fax (727)464-4716  
[ceres@mypinellasclerk.gov](mailto:ceres@mypinellasclerk.gov) | [www.mypinellasclerk.gov](http://www.mypinellasclerk.gov)  
Tell us how we're doing by filling out a [comment card](#)!

~Serving You~



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