

LOCAL PLANNING AGENCY (LPA) STAFF REPORT



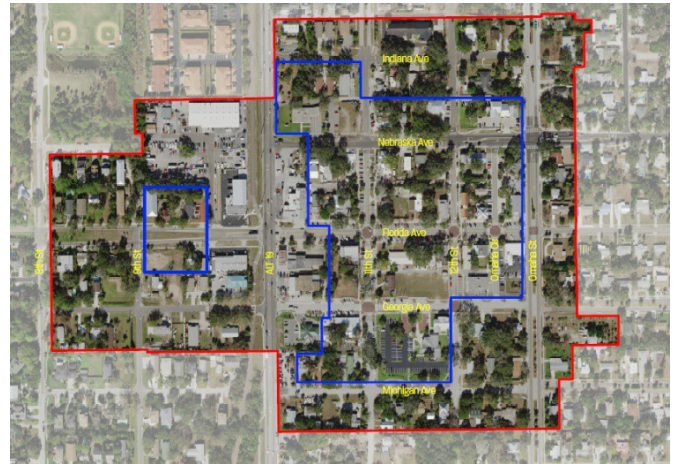
Case Number: LDR-27-11-19

LPA Public Hearing: June 10, 2021

Applicant: Pinellas County Housing and Community Development Department

Representative: Same as above

Subject Property: All property located within the expanded Downtown Palm Harbor Neighborhood Activity Center (approximately 64 acres total)



PARCEL ID(S): See Attached Boundary Description

REQUEST:

Amendments to the Pinellas County Land Development Code Section 138-2153 to adopt the Downtown Palm Harbor Form Based Code and adding Article XII – the Downtown Palm Harbor Form Based Code to Chapter 138 of the Land Development Code and amending related sections of the Land Development Code.

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

The Local Planning Agency finds the proposed amendments to Pinellas County Land Development Code; adding Section 138-2153 to adopt the Downtown Palm Harbor Form Base Code; amending related sections of Chapter 138 and Chapter 146; reserving Article XI and adding Article X11 - the Downtown Palm Harbor Form Based Code to Chapter 138, consistent with the Pinellas County Comprehensive Plan and recommends the amendments be adopted by the Board of County Commissioners. (The vote was 6-0, in favor.)

STAFF RECOMMENDATION:

- **Staff recommends** that the LPA find the proposed amendments to the Land Development Code **CONSISTENT** with the Pinellas County Comprehensive Plan, based on this report.
 - **Staff further recommends** that the LPA recommend **APPROVAL** of the proposed Land Development Code amendments to the Pinellas County Board of County Commissioners.
-

SUMMARY REPORT

The Development Review Committee (DRC) reviewed this application on May 10, 2021. The DRC Staff summary discussion and analysis follows.

In 2001, a Master Plan was adopted for Historic Downtown Palm Harbor. Beginning in late 2016, the Planning Division met with the community to address current needs of the downtown, which resulted in the Downtown Palm Harbor Master Plan Update, adopted in 2020. This update contained a series of recommendations including the need to support additional retail in the downtown; the need to simplify and streamline the development approval process while continuing to address the historic character; and the desire to enhance the pedestrian experience. To address these issues the Master Plan Update recommended the creation of a Form Based Code (FBC).

The FBC is intended to guide the area's (re)development in a way that addresses the Master Plan's recommendations, while still being respectful of the historic character and development pattern within Downtown Palm Harbor. The Downtown Palm Harbor Form-Based Code (DPH-FBC) will apply to all properties located within the expanded Downtown Palm Harbor Neighborhood Activity Center. Upon adoption, the DPH-FBC will be the first area in unincorporated county to utilize this type of zoning tool.

This specific case along with the associated Zoning Atlas amendment for the subject area (Case Number Z/LU-28-11-19) were initially heard and recommended by the LPA for adoption in November 2019. Since then, Planning staff have gone back to area stakeholders and County departments to solicit further input and recommendations for changes and improvements to the Code. While the resulting changes have not specifically impacted proposed residential densities and nonresidential intensities, due to the extent of such changes and the amount of time since the LPA last heard the item, Planning staff are restarting the adoption process for these zoning-related amendments.

What is a form-based code?

A form-based code primarily focuses on the relationship between buildings, sidewalks, and streets, while also promoting walkability and a dynamic pedestrian experience. A form-based code puts less emphasis on the land use inside of a building and more on building form and placement, the location of parking, and the overall relationship between private and public spaces (streets and sidewalks), resulting in a more predictable built environment.

The Downtown Palm Harbor FBC establishes four (4) Districts that each have their own intent and set of regulatory standards. The standards were based on existing zoning allowances from the Land Development Code and adjusted to address the need to support additional growth while enhancing the existing character of the area. This type of code more clearly states where a building is placed on a property and how it relates to the street and public spaces, ultimately promoting walkability and a dynamic pedestrian experience.

The Downtown Palm Harbor FBC results in a more predictable built future that is both respectful of the established neighborhoods and responsive to the redevelopment needs and challenges

of the area, through built-in flexibility, clear regulatory provisions, and a streamlined and simplified regulatory code.

FBC Components

The Downtown Palm Harbor FBC is divided into the following eight (8) divisions:

1. **General Provisions**

The 'General Provisions' division describes the structure of the FBC, its relationship to the Pinellas County Land Development Code, and other general clarifications regarding the application of the FBC.

2. **Administration**

The 'Administration' division describes the review processes for development approval for all properties located within the Downtown Palm Harbor Form-Based District.

3. **District Map**

The 'District Map' serves as the principal tool for implementing the Downtown Palm Harbor FBC. The District Map designates a specific District to every property located within the Downtown Palm Harbor Form-Based District. The map establishes four (4) Districts.

4. **District Standards**

The 'District Standards' division establishes the standards for the redevelopment of properties within Downtown Palm Harbor, with a focus on building placement, height, and functional elements. The applicable standards for a site are determined by the District in which the site is located, as designated on the District Map.

5. **Development Design Standards**

The 'Development Design Standards' division establishes site, building type, landscaping, and signage standards for properties within the Downtown Palm Harbor Form-Based District. These standards are intended to provide a safe, functional, and attractive built environment that is appropriately scaled to surrounding neighborhoods, while also enhancing circulation patterns for all users and transportation modes.

6. **Use Standards**

The 'Use Standards' division describes provisions for specific land uses and designates allowable uses within each District. The Use Standards are intended to be simplistic, while still acknowledging the relationship between neighboring land uses.

7. **Parking Standards**

The 'Parking Standards' division establishes the amount, type, and design elements for vehicle and bicycle parking. These standards are intended to encourage compact development patterns, accommodate redevelopment, and recognize alternative methods of parking and modes of transportation that in turn can reduce the abundance of vehicular parking.

8. **Definitions**

The FBC includes its own set of definitions used throughout the code. These terms are integral to the implementation and intent of the FBC. Certain terms are used in very specific ways, often excluding some of the meanings of common usage.

FBC Document Usability & Structure

Form-based codes are typically more user-friendly compared to conventional zoning codes due to the use of graphics, illustrations, and tables that show the intent of a standard, as opposed to lengthy paragraphs of text describing the standard. The Downtown Palm Harbor FBC was

formatted in this way for the purpose of providing a more simplified and understandable regulatory code. For example, each District has a two-page spread that includes the District's intent statement, building placement, height, and form standards, as well as, a list of general land use allowances. These pages utilize a series of graphics and tables to portray this information and are color coded to the District Map. This allows any user, ranging from a developer to the citizen, to look at two simple pages and for the most part understand what is and is not allowed or expected within a specific area.

The Downtown Palm Harbor FBC is proposed to be added as Article XII of Chapter 138 of the Land Development Code (LDC), therefore the FBC has been structured to integrate into the LDC. Further, the FBC utilizes similar nomenclature as the LDC, specifically in reference to the various development review types (i.e. Type 1A, Type 1B, Type 2 Review).

CODE OUTREACH, INPUT, AND DIAGNOSTICS

The Planning Division set up two-week exhibit open house for the public to learn more about the proposed FBC. The Planning Division staffed the exhibit on different days at different times to be able to answer questions in person. A draft of the FBC was also available for review and comment online.

Throughout the outreach and input phase, the community was generally optimistic and interested in the FBC and how it would affect their individual properties. It was important for the Planning Division to take their input, while also educating the public on what a form-based code is, why it was being developed, and the potential benefits of this type of zoning tool.

Once the Downtown Palm Harbor FBC was drafted, the Planning Division worked with a consultant to interview members of the development community, and review and perform diagnostics of the Code. The consultants were asked to conduct beta testing of the code on each District in the Code. The beta testing was intended to take real property and apply the code to a potential development to see what worked and didn't work, flush out any potential code conflicts or issues, and to ensure the proposed standards ultimately achieved the vision for each District.

A revised version of the Code was again provided for the public to review and a final open house event was held. Again, there was general positive response for the Code.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments support the following adopted goals, objectives, and policies of the Pinellas County Comprehensive Plan:

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

GOAL ONE: The pattern of land use in Pinellas County shall provide a variety of urban environments to meet the needs of a diverse population and the local economy, conserve and limit demands on natural and economic resources to ensure sustainable built and natural environments, be in the overall public interest, and effectively serve the community and environmental needs of the population.

Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.

Policy 1.2.4 Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.

Objective 1.3 Pinellas County, through its comprehensive planning program and land development regulations, shall support efforts to create, recreate, and maintain areas of mixed-use development at appropriate locations to achieve the following objectives:

- Provide vibrant and safe walkable areas;
- Concentrate growth in relatively discrete areas that are compatible with the community character, local traditions, and historic heritage;
- Place housing in proximity to employment opportunities, services and amenities;
- Establish urban areas that support transportation choices other than privately-owned vehicles and are more efficiently served by transit;
- Establish quality-designed urban environments that create vibrant, livable places;
- Provide locations that create a range of housing opportunities and choices, including the provision of affordable housing;
- Provide urban areas that incorporate well-designed public spaces;
- Provide neighborhoods with mixed-use development that fits with the context and character or proximate residential neighborhoods;
- Provide adequate buffering and a transition gradient between non-residential and/or higher density residential development and proximate residential neighborhoods and/or less intensive nonresidential development;
- Encourage development that is compatible with the natural environment and the overall vision of the community;
- Transition to a pattern of various types of land use that is more efficient in the use of energy and reduces the emission of greenhouse gases.

Policy 1.3.3 Pinellas County shall establish the Activity Center and Mixed Use Corridor Future Land Use Map categories to recognize those areas of the County that are appropriate locations for mixed use development that serve as community focal points of commerce, employment, and housing.

Policy 1.3.7 Mixed-use development shall enhance, and not compromise, the integrity and viability of existing and planned residential neighborhoods.

Policy 1.3.8 Mixed-use development shall create a strong sense of community identity through consideration of such mechanisms as optional and/or required urban design and architectural design criteria, recognizing historic setback patterns and lot sizes, the creation of places that are oriented to the pedestrian and alternative modes of travel such as bicycle use, providing greenspace and landscaping in public spaces, and other appropriate mechanisms that may be specific to a particular location.

Objective 1.13 Pinellas County shall promote the location of community or neighborhood commercial development within centers in order to achieve optimal land use relationships, avoid commercial intrusion and impacts into established neighborhoods, achieve compatibility with traffic movement objectives, minimize air pollution, and serve the immediate retail shopping needs of limited or defined geographic areas.

Object 1.14 Pinellas County will encourage a land use pattern that provides opportunities for employment in proximity to housing and that more effectively balances the number of jobs with the number of housing units within different areas of the County.

GOAL TWO: Improve the quality of life in Pinellas County by creating diverse and well-designed walkable destinations that provide choices in housing, services, workplaces, and travel modes.

Objective 2.1 Create livable streets that are designed and oriented towards a multimodal transportation system.

Policy 2.1.1 Where appropriate, the County Land Development Code will promote development and redevelopment in commercial and employment corridors, and/or in mixed-use development as determined by Policies 1.3.1 and 1.3.2 of this Element that includes the following pedestrian-friendly design features:

- a. Continuous sidewalks with a minimum width of 5 feet, buffered from traffic by on-street parking and/or landscaping, and that include pedestrian amenities such as benches, trash receptacles, bus shelters, and lighting.
- b. Minimal front setbacks, building heights within a comparable range, and street trees to provide a sense of vertical enclosure on streets. Building heights should occur within a comparable range of surrounding structures.
- c. Buildings should be served by primary walkways that directly link the building's main entryway to the street and parking lot. These primary walkways should be visually distinct from parking lot and driveway surfaces and may include textured or colored materials.
- d. Permanent structures such as utility poles and traffic control poles within the sidewalk that restrict pedestrian movement should be discouraged.
- e. Provide direct routes between destinations, especially between adjacent parcels, to create walking and bicycling connections between neighborhoods and centers as described in the FLUM Category Descriptions and Rules of this element. Potential conflicts between pedestrians and motor vehicles should be minimized.
- f. Clear passage zones equal to the required minimum sidewalk width in areas with movable obstructions, such as outdoor seating. Benches should be placed on a separate pad behind the back of sidewalk or between the sidewalk and the street to avoid clear passage zone obstruction.
- g. Drive-through windows along building facades facing the public right-of-way should be discouraged.
- h. Access across property lines that allow vehicular and pedestrian movement between properties without returning to the street.
- i. Build-to lines are used as an alternative to setbacks in order to form a continuous street edge and provide a sense of enclosure.
- j. Parking located to the side or rear of the structure.
- k. Land development regulations that ensure signage requirements do not create visual clutter.

Objective 2.3 The County Land Development Code will encourage design of parking lots and driveways to support pedestrian safety, connections and comfort by reducing the number of curb cuts and providing interconnectivity between and through sites.

Policy 2.3.7 Mid-block and rear alleys should be utilized where feasible for access to parking, utilities, service and unloading areas in order to minimize the number of required curb cuts along primary access routes.

Objective 2.4 The County Land Development Code will promote high quality design standards that support a community's image and contribute to its identity and unique sense of place.

Policy 2.4.7 Promote housing diversity and avoid creation of homogeneous developments and promote the inclusion of a variety of housing types in all residential communities through local land development regulations.

HOUSING ELEMENT

Objective 1.1 Support the provision of dwelling units in a variety of types, locations and costs so that housing supply matches the projected housing need in Pinellas County while encouraging development that is consistent with the Future Land Use and Quality Communities Element.

Policy 1.1.2 Support a land use pattern and land use decisions that provide for housing opportunities at varying densities and at appropriate locations consistent with the Future Land Use and Quality Communities Element.

ECONOMIC DEVELOPMENT ELEMENT

Policy 1.2.5 Pinellas County will identify and consider adopting development standards that facilitation rehabilitation and adaptive reuse of existing structures as potential alternatives to replacement or new development.

Policy 1.6.1 Pinellas County will research potential changes to land development regulations in an effort to enhance design flexibility in a way that promotes the local economy and targeted industries in particular.

Policy 1.6.4 Redevelopment and urban infill projects should be compatible with established neighborhoods and community character.

PROPOSED BCC HEARING DATE: July 13, 2021

CORRESPONDENCE RECEIVED TO DATE: NA

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING: (Type in correspondence)

ATTACHMENTS: Chapter 138, Article XII: Downtown Palm Harbor Form-Based Code (DPH-FBC); Strikethrough/ Underline amendments to Chapters 138 and 146; Boundary Description