

ORDINANCE 15 - ____

AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE TRANSPORTATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO ESTABLISH A MOBILITY MANAGEMENT SYSTEM, TO DELETE TRANSPORTATION CONCURRENCY, TO UPDATE VARIOUS TERMS AND REFERENCES, AND TO REFLECT NEW INFORMATION; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO RECOGNIZE THE COORDINATION REQUIRED TO IMPLEMENT THE COUNTYWIDE COMPONENTS OF A MOBILITY MANAGEMENT SYSTEM; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO SUPPORT ESTABLISHMENT OF A MOBILITY MANAGEMENT SYSTEM AND TO REFLECT IMPLEMENTATION OF A TEN-YEAR CAPITAL IMPROVEMENTS PROGRAM; AMENDING THE CONCURRENCY MANAGEMENT SYSTEM PROVISIONS OF THE COMPREHENSIVE PLAN TO ELIMINATE REFERENCES TO TRANSPORTATION CONCURRENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, the Community Planning Act removed State requirements for transportation concurrency management and level of service standards; and

WHEREAS, Pinellas County participated in the multi-jurisdictional Mobility Plan Task Force, facilitated by the Pinellas County Metropolitan Planning Organization, to develop a framework for a countywide approach to implementation of a mobility management system in place of transportation concurrency; and

WHEREAS, Pinellas County proposes to replace transportation concurrency with a mobility management system approach that is multi-modal, and designed to better support redevelopment and associated transportation and land use goals; and

WHEREAS, implementation of the mobility management system requires coordination with the municipalities, as well as associated amendments to the land development code, replacing the countywide impact fee with a countywide mobility fee and implementing regulations; and

SECTION II: THE GOALS, OBJECTIVES AND POLICIES SECTION OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN IS AMENDED TO READ AS FOLLOWS:

1. GOAL: PROVIDE FOR A SAFE, CONVENIENT, AND ENERGY EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM THAT SERVES TO INCREASE MOBILITY, REDUCE THE INCIDENCE OF SINGLE-OCCUPANT VEHICLES, EFFICIENTLY UTILIZE ~~PROTECT~~—ROADWAY CAPACITY, REDUCE THE CONTRIBUTION TO AIR POLLUTION FROM MOTORIZED VEHICLES AND IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS OF PINELLAS COUNTY.

Traffic Circulation and ~~Level of Service~~ Mobility

1.1 Objective: Develop and maintain a multimodal transportation system that increases mobility for bicyclists, pedestrians and transit users as well as motorists and users of aviation and rail facilities, and that promotes development patterns that reduce vehicle miles traveled and greenhouse gas emissions.

1.1.1 Policy: Pinellas County shall implement a Pinellas County Mobility Management System through the application of Transportation Element policies and site plan and right-of-way utilization review processes. Policies pertaining to the application of the Mobility Management System are listed below.

- a. All development projects generating new trips shall be subject to payment of a multimodal impact fee.
- b. Development projects that generate between 51 and 300 new peak hour trips on deficient roads shall be classified as tier 1 and required to submit a transportation management plan (TMP) designed to address their impacts while increasing mobility and reducing the demand for single occupant vehicle travel.
- c. Development projects that generate more than 300 new peak hour trips on deficient roads shall be classified as tier 2, required to conduct a traffic study, and submit an accompanying report and TMP based on the report findings.
- d. Multimodal impact fee assessments may be applied as credit toward the cost of a TMP.
- e. A traffic study and/or TMP for a development project not impacting a deficient road corridor may be required to address the impact of additional trips generated by the project on the surrounding traffic circulation system.
- f. Deficient roads shall include those operating at peak hour level of service (LOS) E and F and/or volume-to-capacity (v/c) ratio 0.9 or greater without a mitigating improvement scheduled for construction within three years.
- g. Multi-modal impact fee revenue shall be utilized to fund multi-modal improvements to local, county or state facilities that are consistent with the

1.1.64. Policy: ~~Corridor strategy plans developed by the MPO through the participation of FDOT and affected local governments will contain recommendations for the implementation of transportation improvements and management strategies in constrained corridors. On these corridors, Pinellas County shall implement corridor strategy plan recommendations in conjunction with State and local agencies, as approved by the MPO, through the application of the Concurrency Management System and the Capital Improvements Element, as applicable. The CIE shall be amended as necessary to include physical improvements identified in the corridor strategy plans. Pinellas County shall coordinate with the MPO in the development and implementation of corridor plans and strategies intended to address operational and safety issues on the major road network.~~

1.1.7. Policy: ~~US Highway 19, from Klosterman Road to Whitney Road, is part of the Florida Intrastate Highway System and shall be designated in the Comprehensive Plan and the Concurrency Test Statement as a Long Term Concurrency Management Corridor for a 15 year period from 1998 to 2013. The following policies shall be applied to this facility in the interim period:~~

- a. ~~For the purpose of issuing development orders and permits, an interim level of service standard is hereby adopted for the road segments listed below. The interim level of service standard is "maintain" with an allowable increase in traffic volume such that the maximum allowable average annual daily two-way traffic volume does not exceed a ten percent increase over the existing average annual daily two-way traffic volume existing at the time of the adoption of the "maintain" standard. This interim level of service standard results in the maximum allowable average annual daily two-way traffic volumes for the road segments listed in the following table:~~

FROM	TO	LN/ MD	AADT (1998)	PH VOL. (1998)	MAIN T-PH	AADT	PH
Klosterman Rd.	Alderman Rd.	6D	69,163	6,570	7,227	79,020	7,507
Alderman Rd.	Highlands Bd.	6D	102,943	9,780	10,758	81,975	7,788
Highlands Bd.	Nebraska Ave.	6D	102,943	9,780	10,758	81,975	7,788
Nebraska Ave.	Tampa Rd.	6D	102,943	9,780	10,758	81,975	7,788
Tampa Rd.	CR 39	6D	89,233	8,477	9,325	71,492	6,792
CR 39	Curlew Rd.(SR-586)	6D	89,233	8,477	9,325	71,492	6,792
Curlew Rd.(SR-586)	Northside Dr.	6D	89,233	8,477	9,325	73,638	6,696
Northside Dr.	Curlew Ave.	6D	89,233	8,477	9,325	73,638	6,696
Curlew Ave.	Main St. (SR-580)	6D	75,552	7,177	7,895	73,638	6,696
Main St. (SR-580)	Countryside Bd.	6P	75,552	7,177	7,895	75,929	7,213
Countryside Bd.	Enterprise Rd.	6P	75,552	7,177	7,895	75,929	7,213
Enterprise Rd.	Sunset Point Rd.	6D	74,912	7,177	7,828	75,929	7,213

~~Highway 19 have been conducted in 2003 and 2007 to assess the benefit of improvements that have been completed and to monitor the performance of the affected segments. The table under policy 1.1.7(A), contains the traffic count data published in the 2007 MPO Level of Service Report, which was used in the most recent assessment. A final evaluation will be conducted in 2013;~~

~~g. The update of the MPO Long Range Transportation Plan, which occurs every five years and of the MPO Transportation Improvement Program (TIP), which occurs each year, includes an assessment of the cost feasibility of transportation improvements. In the event that an update of the MPO Plan or TIP indicates that a project in Table 16 of the CIE is not cost feasible, Pinellas County shall amend the Plan to identify alternative funding for the project needed to maintain the schedule of improvements. If no alternative funding is available, the Comprehensive Plan shall be amended, as necessary, to comply with the long term concurrency requirements. This shall occur through the annual update and amendment of the CIE; and~~

~~h. Pinellas County shall coordinate the implementation of policy 1.1.7 with the cities having jurisdiction along the corridor, including Largo, Clearwater, Dunedin and Tarpon Springs, as well as FDOT, for consistent application of concurrency management requirements to the fullest extent possible.~~

~~1.1.8. Policy: Improvements necessary to alleviate 2025 level of service deficiencies on backlogged roads identified in the Transportation Element shall be prioritized and scheduled in the CIP, CIE, the FDOT Five Year Work Program and the MPO's Transportation Improvement Program (TIP).~~

1.1.95. Policy: Pinellas County shall coordinate road improvement plans with the needs of local residents in terms of historic and community preservation.

~~1.1.10 Policy: Transportation facilities needed to serve projects adding vehicle trips to a roadway operating below the adopted level of service standard shall be in place or under actual construction within 3 years after a building permit is approved except as otherwise provided in Section 163.3180, F.S.~~

1.1.116. Policy: Pinellas County shall continue to evaluate additional capacity improvement needs on the County's major road network.

~~1.1.12. Policy: Pinellas County shall continue to pursue Federal and State grant funds and Congressional appropriations to secure monies necessary to implement major transportation improvements identified in the Transportation Element and the MPO Long Range Transportation Plan such as US Highway 19 Ulmerton Road and the County Road 296/Roosevelt Connector (SR 686).~~

1.1.12. 1.6.6. Policy: Pinellas County shall include sidewalks alongside roadways scheduled for improvement-resurfacing in its Capital Improvement Program where feasible.

1.1.13. 1.6.8. Policy: The planned Pinellas Trail Loop is critically important in the County's efforts toward allowing bicycling and walking to become a more viable alternative for commuter travel throughout Pinellas County. Therefore, Pinellas County shall prioritize efforts to develop the Pinellas Trail Loop, with east west connecting facilities, as adopted in the MPO Long Range Transportation Plan through the application of the CIP and Concurrent Management System.

1.1.14. 1.6.9. Policy: Pinellas County shall require sidewalk eConstruction of frontage sidewalks shall be required in the all road rights-of-way under the jurisdiction of Pinellas of roadways adjacent to properties proposed for development through the application of the site plan and right-of-way utilization review processes. Through a right-of-way-utilization waiver process, Pinellas County may require the sidewalk to be constructed at alternative off-site locations when the right-of-way conditions preclude the construction of the sidewalk adjacent to the proposed development.

1.1.15. 1.6.11. Policy: Pinellas County, through amendment of its Land Development Code, shall require that new development and redevelopment projects to make adequate provisions for storage/parking areas for bicycles as appropriate.

1.1.16. 1.6.12. Policy: Pinellas County shall continue to implement sidewalk construction projects where necessary to close existing gaps along arterial, collector and local roads through the CIP and Concurrent Management Systems site plan and right-of-way utilization review processes.

1.1.17. 1.6.13. Policy: In association with the update to the County's Land Development Code, Pinellas County shall take a complete streets approach towards mobility and incorporate livable community requirements such as separated/buffered walkways (e.g., sidewalks, crosswalks) connecting pedestrian facilities existing within adjacent road rights-of-way to buildings proposed for construction. As an alternative to extending pedestrian facilities through parking areas, the Code shall allow for proposed buildings to be oriented toward pedestrian facilities in adjacent road rights-of-way.

1.1.25. Policy: Pinellas County shall continue to install landscaping along sidewalks using tree canopy, where feasible, to provide shaded areas for pedestrians.

~~1.2. Objective: Pinellas County, in cooperation with Pinellas Suncoast Transit Authority (PSTA), shall strive to provide transit access for all major traffic generators and attractors with headways less than or equal to 30 minute headways in the peak hour and no greater than 60 minutes in the off-peak period.~~

~~1.2.1. 1.1.26. Policy: Pinellas County shall continue to work with PSTA to increase the efficiency of the fixed-route system by encouraging mass transit use through the Site Plan Review Process and the implementation of MPO corridor strategy plans.~~

1.1.27 4.6.7. Policy: Pinellas County shall develop pedestrian ways and bikeways in an around the vicinity of schools where opportunities exist to utilize utility rights-of-way and, drainage easements.

Land Use Coordination and Highway Beautification

~~1.32. Objective: The Transportation Element shall be coordinated with the goals, objectives and policies of the Future Land Use and Quality Communities Element in guiding population distribution, economic growth, and the overall pattern of urban development.~~

~~1.32.1. Policy: Pinellas County shall coordinate decisions on Future Land Use Map (FLUM) amendments with the mobility and safety needs of the principal modes of travel including bicycling, walking, transit and motor vehicles.~~

~~1.3.2. Policy: Pinellas County shall coordinate decisions on Future Land Use Map (FLUM) amendments with the need to protect the traffic carrying capacity of roads forecasted to operate at peak hour level of service E and F in 2025 as identified in the Transportation Element.~~

~~1.3.3. 1.2.2. Policy: Pinellas County shall rely on use the Future Land Use Map as a basis tool for projecting population densities and housing and employment patterns for the process of forecasting traffic demand through the Tampa Bay Regional Transportation Planning Model (TBRPM).~~

~~1.2.43. Policy: In association with the update to the Land Development Code, Pinellas County shall recommend develop parking standards for mixed-use development in coordination with the Pinellas County Metropolitan Planning Organization MPO.~~

Right-of-Way Protection and Planning ~~Functional Classification~~

- 1.45. Objective: Provide for right-of-way and corridor protection for existing and future transportation facilities in accordance with the future right-of-way maps contained in the Transportation Element as Figures 3-1, 3-1a, 3-1b, 3-1c and 3-1d.
- 1.54.1. Policy: Preserve needed right-of-way, as identified in the future right-of-way maps referenced in Objective 1.53, through the site plan and right-of-way utilization review processes.
- 1.54.2. Policy: Pinellas County shall amend the future right-of-way maps, as deemed necessary, in order to reflect changes in right-of-way needs.
- 1.54.3 Policy: Pinellas County shall not vacate public right-of-way ~~unless~~ until it is determined that the right-of-way is not viable for present or future public use, including stormwater treatment facilities, ~~roads~~ transportation facilities and attendant use.
- 1.54.4. Policy: Pinellas County shall coordinate with the municipalities regarding the maintenance responsibilities for County roads within their respective jurisdictions.
- 1.4.5. Policy: Rights-of-way will not be vacated if they provide access to publically accessible waters of the County, as specifically provided for by Chapter 170, the right-of way vacation criteria, of the County Land Development Code.

~~Bicycle and Pedestrian Travel~~

- ~~1.6. Objective: Encourage bicycle use and pedestrian activity throughout Pinellas County for recreational and non-recreational purposes.~~
- ~~1.6.1. Policy: Pinellas County will, when appropriate and feasible, incorporate bicycle friendly design standards into all new and reconstructed collector and arterial roads by providing an area where bicyclists may travel adjacent to the outside vehicle lane. On existing collector and arterial roads, bicycle friendly standards may be implemented at the next resurfacing by adjusting the width of the vehicle lane to a minimum of 11 feet to reserve an area along the outer edge of pavement.~~
- ~~1.6.2. Policy: Where sufficient pavement width exists, Pinellas County will provide a designated bicycle lane with a minimum width of four feet on roads adjacent to curb and gutter and a minimum width of five feet on roads having no curb and gutter. Vehicle lanes shall meet or exceed the minimum width standards.~~

~~through parking areas, the Code shall allow for proposed buildings to be oriented toward pedestrian facilities in adjacent road rights of way.~~

~~1.6.14. Policy: Pinellas County shall utilize livable community strategies and development codes, consistent with the Future Land Use and Quality Communities Element, to encourage bicycling and walking.~~

~~1.6.15. Policy: Pinellas County shall develop a priority list for the installation of bicycle lanes on County roads.~~

~~1.6.16. Policy: Pinellas County shall work with the MPO's Bicycle and Pedestrian Transportation Advisory Committees, FDOT's Community Traffic Safety Team, the MPO's School Transportation Safety Committee, the US Highway 19 Task Force, the Barrier Island Government Council (BIG-C) and other agencies and organizations as appropriate to identify locations where crosswalk improvements are needed to allow bicyclists and pedestrians to safely cross major roads to reach their destinations.~~

~~1.6.17. Policy: Pinellas County shall work with the MPO and other local governments to develop level of service and performance indicators for the County's bicycle and pedestrian transportation network by December 31, 2011.~~

~~Public Transportation and Demand Management~~

~~1.7. Objective: Pinellas County shall increase the efficiency and effectiveness of mass transit service as well as opportunities for multi passenger vehicle travel that accommodates the transportation needs of the service area population and the transportation disadvantaged while reducing single occupant vehicle demand.~~

~~1.7.1 Policy: Pinellas County shall work with the MPO and PSTA to develop plans for premium transit service including BRT and fixed guideway as deemed feasible.~~

~~1.7.2. Policy: Pinellas County may review transportation recommendations regarding implementation of mass transit initiatives for amendments to the Transportation Element as necessary.~~

~~1.7.3. Policy: Pinellas County shall participate in MPO sponsored corridor strategy plans, compiling and analyzing information on existing land uses, future land use plans, existing traffic patterns and bus stop and sidewalk locations to determine where opportunities exist to implement strategies to encourage mass transit ridership as well as other alternative modes of travel.~~

~~1.7.4. Policy: Pinellas County shall facilitate the provision of bus stop improvements and pullout bays along major roadways through the application of the Concurrency Management System.~~

1.8.5. Objective: Pinellas County's transportation system should provide for safety and efficiency in the movement of people and goods.

1.85.1. Policy: Pinellas County shall continue to implement access management standards as identified in the Access Management Section of the Land Development Code, through the application of the Pinellas County Site Plan and Right-of-Way Utilization Review Process ~~and Concurrency Management System~~ for development projects adjacent to County roads.

1.85.2. Policy: Pinellas County shall continue monitoring signalized intersections to coordinate signal timing along major County and State facilities.

1.85.3. Policy: Pinellas County shall continue to implement an ongoing roadway maintenance program to provide for safe operating conditions for multimodal travel and to preserve roadway capacity.

1.85.4. Policy: Pinellas County shall work with the MPO to promote bicycle and pedestrian safety education programs and the enforcement of rules and regulations, in cooperation with the MPO Bicycle Pedestrian Advisory Committee, pertaining to ~~bicycle~~ bicycling, walking and motor vehicle use.

1.85.5. Policy: Pinellas County shall continue to work with the MPO's advisory committees and local law enforcement officials to monitor high accident-frequency locations on State and County roadways to identify any design or operational improvements that may alleviate hazardous conditions and shall assign a priority implementation of accident reduction improvements through the CIP and TIP development processes.

1.85.6. Policy: Pinellas County, through its land development regulations, shall require that all new development and redevelopment make adequate provisions for safe and efficient on-site traffic flow and provide adequate parking facilities.

1.85.7. Policy: Pinellas County shall cooperate with local law enforcement agencies, educational facilities, emergency service providers and transportation provider agencies for a multi-disciplinary approach to traffic safety.

1.85.8. Policy: Pinellas County shall expand the use of intelligent transportation systems (ITS) for transportation information gathering and incident management functions.

1.85.9. Policy: Pinellas County shall work with the MPO and all the cities of Pinellas County to ~~establish~~ continue developing and maintaining a comprehensive traffic management system through the deployment of ITS.

~~1.9.5. Policy: Pinellas County shall coordinate the implementation of long term concurrency management with FDOT, the MPO and affected local governments.~~

1.96.6-5. Policy: Pinellas County shall coordinate efforts with FDOT to incorporate bicycle and pedestrian-friendly provisions in the design and construction of expansion and re-surfacing projects on State roads, where feasible.

1.96.76. Policy: Pinellas County shall review local government comprehensive plans and plan amendments and coordinate with the respective municipalities to the extent necessary to maintain consistency between the Transportation Element and local plans.

1.96.8-7. Policy: Pinellas County shall address air quality issues in transportation planning, including through the MPO's Technical Coordinating Committee and ensure that the Transportation Element and related land development codes ~~related land development codes~~ ~~Concurrency Management System~~ support the Florida State Implementation Plan (SIP), which sets forth actions necessary to maintain National Ambient Air Quality standards.

1.96.98. Policy: Pinellas County shall coordinate with local governments, transit providers and MPOs in the region as well as ~~the Tampa Bay Area Regional Transportation Authority (TBARTA)~~ on the development and operation of multimodal transportation systems and a regional multimodal transportation master plan.

1.96.940. Policy: Pinellas County shall continue cooperative efforts between State and local transportation operating agencies for a unified approach to traffic management.

1.96.4410. Policy: Pinellas County shall ~~work~~ coordinate with the MPO to implement the Transportation Disadvantaged Service Plan ~~Coordinated Human Services Transportation Plan~~, which is intended to apply federal ~~Jobs Access Reverse Commute and New Freedom funds~~ to address the mobility needs of the transportation disadvantaged community in Pinellas County ~~the Tampa Bay region~~.

1.96.4211. Policy: Pinellas County staff shall continue to work with PSTA in support of their planning activities and members of the Board of County Commissioners shall continue to participate in PSTA policy decisions as members of their policy board.

~~1.9.13. Policy: Pinellas County shall continue to cooperate with Hillsborough County in efforts to improve and maintain the Friendship Trail Bridge.~~

- 2.2.1. Policy: Pinellas County shall implement taxiway and runway improvements identified in the Airport Master Plan and Airport Layout Plan in accordance with the CIP schedule as federal, state and local funds become available in order to meet the forecasted demand for airfield capacity.
 - 2.2.2. Policy: Pinellas County shall expand access and terminal roads, automobile parking lots, aircraft parking capacity and air cargo facilities, office and warehouse and/or light industrial space based on the CIP and projected growth.
 - 2.2.3. Policy: Pinellas County shall rezone existing land for additional aviation development based on recommendations contained in the Airport Master Plan and FAA-approved Airport Layout Plan in order to meet demand.
 - 2.2.4. Policy: Pinellas County shall expand, rehabilitate and enhance the terminal and associated landside areas to accommodate existing and future passenger capacity.
 - 2.2.5. Policy: Pinellas County shall coordinate with FDOT in obtaining the necessary funding for construction of access road improvements.
 - 2.2.6. Policy: Pinellas County shall construct improvements that are specified and prioritized in the Airport Master Plan and Airport Layout Plan, and Joint Airport Capital Improvement Program.
 - 2.2.7. Policy: Seek diversification and expansion of revenue sources through the utilization of land within and adjacent to the Airport in a manner that is consistent with the Comprehensive Plan, Pinellas County Land Development Code and Airport Master Plan and Airport Layout Plan.
- 2.3. Objective: Ensure Airport operations are consistent with and protected by the Pinellas County Land Development Code and Future Land Use and Quality Communities Element regarding surrounding land uses and the environment.
- 2.3.1. Policy: New or expanded Airport facilities shall be directed away from environmentally-sensitive areas and consistent with the Natural, Historical and Cultural Resources Element and the Surface Water Management Element and FAA regulations.
 - 2.3.2. Policy: Pinellas County shall enforce the overlay zoning regulations in its Land Development Code that restrict heights of structures and objects of natural growth around the Airport.
 - 2.3.3. Policy: The Future Land Use and Quality Communities Element shall restrict the land uses in the Airport overlay zoning area to industrial, aviation, preservation, public/semi-public and commercial uses as recommended in the Airport Master Plan and Airport Layout Plan.

SECTION V: POLICY 1.3.1 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED TO READ AS FOLLOWS:

1.3.1. Policy: Pinellas County shall implement its ~~transportation~~multimodal impact fee ordinance to finance transportation ~~improvements~~management strategies necessitated by new development.

SECTION VI: POLICY 1.4.2 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED TO READ AS FOLLOWS:

1.4.2. Policy: Pinellas County shall annually adopt a ~~six~~ ten year capital improvement program. The ~~Six-Ten~~ Year Schedule of Improvements from the Capital Improvements element of the Pinellas County Comprehensive Plan shall be included within the ~~Six—Ten~~ Year Capital Improvements Program. Pinellas County shall continue to adopt a capital budget as part of its annual budget process.

SECTION VII: POLICIES 1.4.7 AND 1.4.8 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN ARE AMENDED TO READ AS FOLLOWS:

1.4.7 Policy: Pinellas County shall continue to ~~utilize~~collect infrastructure sales tax revenue, through the year 2020, along with the stormwater assessment fee, as its ~~principal~~afunding source to help pay for stormwater management capital projects.

1.4.8. Policy: Revenue available to Pinellas County from the one-cent infrastructure sales tax, pursuant to Chapter 12.055(2), Florida Statutes, shall continue to be ~~used~~collected as a funding source, through the year 2020, for needed capital improvements identified in the Pinellas County Comprehensive Plan.

SECTION VIII: POLICIES 1.4.12 AND 1.4.13 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN ARE AMENDED TO READ AS FOLLOWS:

1.4.12. Policy: Pinellas County shall include capital improvement projects for the renewal and replacement of public facilities to maintain adopted level of service standards in the ~~Six—Ten~~ Year Schedule of Improvements.

1.4.13. Policy: In the event that a referendum and/or required action of the Board of County Commissioners is not approved and, as a result, funding for capital improvement projects identified within the Capital Improvements Element is not available, Pinellas County shall utilize one or more of the following actions and alternatives:

1. Increase the amount of ad valorem tax revenue to be used for capital improvements financing;

Except as otherwise provided in the Master Water Supply Contract and in the associated Interlocal Agreement, all potable water required by Pinellas County Utilities to service its customers shall be supplied by Tampa Bay Water. In the event that Tampa Bay Water determines that the regional system has experienced a “shortfall” or “production failure” as defined in the Interlocal Agreement, Pinellas County shall respond with one or more of the following actions and alternatives.

1. Institute additional water conservation measures;
2. Halt or otherwise restrict the issuance of development orders and permits;
3. Develop new sources of potable water within the parameters of the Interlocal Agreement;
4. Purchase potable water from suppliers other than Tampa Bay Water;
5. Cooperate with Tampa Bay Water, the Southwest Florida Water Management District, and the affected local governments to develop a regional response to the situation; and
6. Use actions and alternatives not identified within this policy.

Pinellas County shall use the following Level of Service Standard when preparing its annual 5-year and 20-year potable water demand projections for the Pinellas County Water Demand Planning Area, which are required by the Master Water Supply contract to enable Tampa Bay Water to formulate its capital improvement program:

Pinellas County Water Demand Planning Area (gpcpd)*

Year	1990	1994	1995	1997	2000	2005	2010	2015	2020	2025
gpcpd	150	145	135	125	125	120	120	120	115	115

To determine whether adequate capacity is available for a development or redevelopment project in the unincorporated County that is served by a municipal potable water system, Pinellas County will utilize the level of service standards adopted by the municipal service provider.

Sanitary Sewer

Pinellas County Utilities (PCU) shall provide the levels of service necessary for proper wastewater treatment, reuse and disposal in order to ensure the protection of its citizens and the environment and to provide adequate wastewater treatment capacity for all current and projected wastewater facility demands of Pinellas County Utility customers.

Wastewater flows associated with existing and permitted development cannot exceed the wastewater treatment plant's permitted design capacity.

2. Aggravate any existing condition of public facility deficiencies, as described in the Surface Water Management, Potable Water and Sanitary Sewer, Recreation, Open Space, and Culture, Solid Waste and Resource Recovery, and Transportation Elements.
3. Generate public facility demands that may exceed capacity increases planned in the ~~Six-Ten~~-Year Schedule of Improvements.
4. Conform to land uses as shown on the Future Land Use Map of the Future Land Use and Quality Communities Element.
5. Accommodate public demands based upon adopted level of service standards and attempts to meet specified measurable objectives when public facilities are provided by developers.
6. Demonstrate financial feasibility, subject to this Element, when public facilities will be provided, in part or whole, by Pinellas County.
7. Affect on state agencies and the Southwest Florida Water Management District's facility plans.

1.5.4. Policy: Pinellas County shall ensure that public facilities and services for which a level of service standard has been adopted and that are needed to support development will be available concurrent with the impacts of development. This policy shall be implemented through use of the Concurrency Management System adopted as part of the Pinellas County Comprehensive Plan.

SECTION XI: POLICY 1.4.1 OF THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED TO READ AS FOLLOWS:

1.4.1. Policy: As provided for within the Transportation Element, Pinellas County shall coordinate the ~~implementation of long term concurrency management, the US Highway 19 Corridor Action Plan, and any other concurrency management strategies having multi-jurisdictional impacts with the Florida Department of Transportation (FDOT), Metropolitan Planning Organization (MPO), Pinellas Suncoast Transit Authority (PTSA), Pinellas Planning Council (PPC) and affected local governments to implement the County-wide Mobility Management System and MPO corridor plans.~~

SECTION XII: POLICY 1.4.3 OF THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED TO READ AS FOLLOWS:

1.4.3. Policy: Pinellas County shall continue to coordinate with the MPO, Pinellas Suncoast Transit Authority (PSTA), FDOT and local governments in monitoring the performance of the transportation and mobility system.~~their fixed route system and the extent to which it meets the adopted level of service~~

DC. Concurrency Test Statement

A public facility and service status report contained in Section 134 of the Pinellas County Land Development Code, annually approved and adopted by ordinance, which, at a minimum, establishes for ~~each public facility~~ies and ~~services~~, the following:

1. The existing and committed development in each service area;
2. The existing levels of service for ~~each public facility and service~~utilities, recreation and open space, and drainage;
3. ~~Concurrency management corridor designations for roads~~;
4. ~~Provisions and measures that shall apply within concurrency management corridors to prevent unacceptable degradation of levels of service for any corridor~~;
35. Updates of ~~items 1-4, the~~ above items, based upon the most recently adopted ~~six-year~~ schedule of capital improvements from the Capital Improvements Element; and
46. The methods used in determining the nature of projected development impacts on public facilities and services for which a level of service standard has been adopted.

E. Congestion Containment Corridor

~~Excluding the Florida Intrastate Highway System (FIHS), these include backlogged roads that operate with deficient levels of service where improvements may be planned or scheduled, beyond the next three years, to alleviate the substandard LOS conditions.~~

F. Constrained Corridor

~~County roads that are operating with deficient level of service conditions and that are constrained from adding additional capacity as necessary to alleviate the deficient operating conditions. A roadway may be physically constrained or policy constrained. Physical barriers occur when intensive land use development is immediately adjacent to highways making roadway expansion cost prohibitive, or when a facility has reached the maximum through lane standards. Policy barriers are based on concerns about the impacts of roadway expansion on the environment, neighborhoods and/or local communities.~~

G. Corridor

~~The area within one half (1/2) mile of the road centerline and within a one half (1/2) mile are radius beyond the terminus of the road segment centerline, and includes properties that are subject to at least one of the following conditions:~~

1. ~~*Sole Direct Access.* A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility.~~
2. ~~*Direct Access.* A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one half (1/2) mile of the road facility.~~

1. ~~Level of Service A: Free flow traffic with individual users virtually unaffected by the presence of others in the traffic stream.~~
2. ~~Level of Service B: Stable traffic flow with a high degree of freedom to select speed and operating conditions but with some influence from other users.~~
3. ~~Level of Service C: Restricted flow which remains stable but with significant interactions with others in the traffic stream. The general level of comfort and convenience declines noticeably at this level.~~
4. ~~Level of Service D: High density flow in which speed and freedom to maneuver are severely restricted and comfort and convenience have declined even though flow remains stable.~~
5. ~~Level of Service E: Unstable flow at or near capacity levels with poor levels of comfort and convenience.~~
6. ~~Level of Service F: Forced traffic flow in which the amount of traffic approaching a point exceeds the amount that can be served with queues forming. LOS F is characterized by stop and go waves, poor travel times, low comfort and convenience and increased accident exposure.~~
7. ~~Maintain: As defined in the Florida Department of Transportation 1995 Level of Service Manual, Maintain means continuing operating conditions at a level such that significant degradation does not occur. For roadways in urbanized areas, for roadways parallel to exclusive transit facilities or for intrastate roadways in transportation concurrency management areas, a significant degradation means 1) an average annual daily traffic increase in two way traffic volume of 10 percent or 2) a reduction in operating speed for the peak direction in the 100th highest hour of 10 percent.~~

~~N. Long Term Concurrency Management Corridor~~

~~A roadway designated for application of long term concurrency management provisions, in accordance with Rule 9J-5.0055(4), which are designed to correct existing level of service deficiencies over a planning period of up to 15 years through the establishment of priorities, implementation of a long term schedule of capital improvements and through commitment of local resources, such as earmarked impact fee revenues, intended to reduce backlogged conditions.~~

~~O.I. Lots of Record~~

~~Either a lot or contiguous lots which exist under single ownership at time of adoption of this Comprehensive Plan and which are part of a subdivision, the plat of which has been recorded in the office of the Clerk of the Circuit Court of Pinellas County; or any parcel of land not part of a subdivision that has been officially recorded by deed in the office of the Clerk, provided such platted lot or parcel was of a size which met the minimum lot area requirement for the zoning district in which the lot or parcel was located at the time of recording, or provided that the deed for the lot or parcel was recorded prior to the effective date of zoning in the area where the lot is located. Notwithstanding the above, all lots of record shall also be consistent with any substandard lot provision contained in land development regulations developed pursuant to Section 163.3202, F.S.~~

availability of public facilities and services for which a level of service standard has been adopted and that are necessary to serve new development, consistent with the provisions of Chapter 163, Part II, F.S., and Rule 9J-5, F.A.C.

A. Procedures

1. Application for Development - The concurrency management system is accessed by the property owner, or his/her representative, when an application for development containing the required documentation for the given development order or permit is submitted to the County. A Pinellas County representative shall then ascertain the completeness of the documentation, in a timely manner, to ensure that the required information is sufficient to accept the application for development for review.
2. When the application for a development order or permit has been accepted, it shall be processed and reviewed in accordance with adopted procedures. These procedures shall include a review of the application for development for ~~roadways, potable water, sanitary sewer, solid waste, drainage, and recreation and mass transit,~~ as they may apply.
3. After an application for development is accepted, it will be compared to the most recently adopted Concurrency Test Statement. Pinellas County shall compare the application for development to the ~~seven (7) public facilities and services on the current Concurrency Test Statement,~~ as they may apply to the location described on the application for development.

~~4. If the application for development is found to be located within a concurrency management corridor, then a Certificate of Concurrency or its functional equivalent shall indicate whether the proposal is acceptable or acceptable with conditions. In those instances where conditions are required, the specific conditions will be identified during site plan review. The conditions that may be applied include one or a combination of transportation management plan strategies commensurate with the impacts of the development.~~

~~45. If the application for development is found by the latest Concurrency Test Statement to fall within an area with a deficient level of service for a facility or service for which a level of service standard has been adopted, other than roads, then a Certificate of Concurrency Review Determination shall indicate, or its functional equivalent, shall state that development shall either not be authorized or be authorized with conditions to be identified in the Concurrency Test Statement.~~

B. ~~Certificate of Concurrency Review Determination - Continued Validity~~

1. ~~The Certificate of Concurrency Review Determination, or its functional equivalent, shall indicate the date of issuance and will be valid for purposes of the issuance of development orders or permits for twelve months from date of issuance.~~

concurrency (or its functional equivalent), under the Concurrency Test Statement as it existed prior to amendment, except where a divestiture of such rights is clearly established by the Board of County Commissioners to be essential to the health, safety or welfare of the general public.

IV. LEVEL OF SERVICE STANDARDS

- A. For the purpose of issuance of development orders and permits, Pinellas County shall adopt level of service standards for public facilities and services within Pinellas County for which Pinellas County has authority to issue development orders and permits. For the purposes of concurrency, public facilities and services include the following for which level of service standards shall be adopted: 1) roads, 2) sanitary sewer, 3) solid waste, 4) drainage, 5) potable water, and 6) recreation, and 7) mass transit. If Pinellas County desires to make other public facilities and services subject to the concurrency management system, level of service standards of such additional facilities and services must be adopted in the comprehensive plan.
- B. The Capital Improvements Element shall set forth a financial feasibility plan which demonstrates that Pinellas County can achieve and maintain the adopted level of service standards.
- ~~C. The level of service standard on County and State Roads, excluding congestion containment, constrained, and long term concurrency management facilities, is LOS C average daily/D peak hour and a v/c ratio of less than 0.9. This LOS standard is established through the Transportation Element of the Comprehensive Plan.~~
- ~~D. The level of service standard for congestion containment, and constrained corridors is LOS F. The intent of establishing this level of service standard is to allow development to occur with restrictions imposed by the Concurrency Management System. Through the application of the Concurrency Management System in combination with transportation facility improvements implemented through the CIE, the County strives to improve the level of service on these facilities to the fullest extent possible. The level of service standard established for the portion of US Highway 19 designated as a long term concurrency corridor is described in Section V.D.~~
- ~~E. For Mass Transit, Pinellas County, in cooperation with PSTA, shall ensure transit access to all major traffic generators and attractors with at least a 30 minute headway in the peak hour and no greater than a 60 minute headway in the off peak hour. (Major generators and attractors are defined as businesses with 500 or more employees, colleges/universities or regional shopping centers).~~

construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

e)5.-At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

~~C. For roads and mass transit where Pinellas County has committed to provide the necessary public facilities and services in accordance with its Capital Improvement Program and the Capital Improvements Element, Pinellas County shall satisfy the concurrency requirement by complying with the standards in V. A. and B. of this section and by assuring that the following provisions are met:~~

- ~~1. The Capital Improvements Element and Capital Improvement Program which, in addition to meeting all of the other statutory and rule requirements, must be financially feasible.~~
- ~~2. The Capital Improvements Element and Capital Improvement Program shall include both necessary facilities to maintain the adopted level of service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate that portion of existing deficiencies which are a priority to be eliminated during the six year period under Pinellas County's plan schedule of capital improvements pursuant to V. A. 1 of this section.~~
- ~~3. The Capital Improvements Element and Capital Improvement Program provide a realistic, financially feasible funding system based on currently available revenue sources which is adequate to fund the public facilities required to serve the development authorized by development orders and permits and which public facilities are included in the six year schedule of capital improvements.~~
- ~~4. The Capital Improvements Element shall include the estimated date of commencement of actual construction and the estimated date of project completion.~~
- ~~5. Actual construction of transportation facilities scheduled in the Capital Improvements Element and Capital Improvement Program that are needed to serve new development projects adding vehicle trips to a roadway operating below the adopted level of service standard must be in place or under actual construction within three years after a building permit is approved except as otherwise provided in Section 163.3180, F.S.~~
- ~~6. An amendment to the Capital Improvements Element shall be required to eliminate, defer or delay construction of any facility or service which is needed to maintain the~~

~~developers as transportation management plan strategies through the Concurrency Management System and by Pinellas County through the allocation of impact fee revenue.~~

- ~~5. The implementation of long term concurrency management on the portion of US Highway 19 from Klosterman Road to Whitney Road, shall be monitored to evaluate the effectiveness of the implemented improvements and strategies toward improving level of service conditions. Evaluations of long term concurrency management on US Highway 19 shall be conducted as needed with the resultant findings being incorporated in an amendment to the Comprehensive Plan. At a minimum, the evaluations shall be conducted in 2003, 2008 and 2013, with the results being analyzed and addressed as recommended actions, as applicable, in subsequent Evaluation and Appraisal Reports of the Comprehensive Plan.~~

SECTION XIV: SEVERABILITY

If any section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION XV: LOCATION OF RECORDS

Pursuant to requirements of Section 125.68, Florida Statutes, this Ordinance to amend the Pinellas County Comprehensive Plan is incorporated into the Transportation, Intergovernmental Coordination and Capital Improvements Elements and the Concurrency Management System of the Pinellas County Comprehensive Plan, located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION XVI: FILING OF ORDINANCE: ESTABLISHING AN EFFECTIVE DATE

Pursuant to Section 163.3184(3), Florida Statutes, if not timely challenged, an amendment adopted under the expedited provisions of this section shall not become effective until 31 days after adoption. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.

APPROVED AS TO FORM:

(Attorney)