

**LOCAL PLANNING AGENCY (LPA) RECOMMENDATION to the
Board of County Commissioners**



Regarding: A Proposed Ordinance Amending Chapter 134, Article VI (Concurrency System), of the Pinellas County Land Development Code, Repealing Transportation Concurrency in Support of the Newly Proposed Mobility Management System and Establishing the Annual Concurrency Test Statement.

LPA Recommendation: The LPA finds that the proposed Ordinance amending Chapter 134, Article VI (Concurrency System), is 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.)

LPA Report No. LDR 8-2-16

LPA Public Hearing Date: February 11, 2016

PLANNING STAFF RECOMMENDATION:

- Staff recommends that the LPA find the proposed amendments to Chapter 134, Article VI (Concurrency System), of the Pinellas County Land Development Code to be consistent with the Pinellas County Comprehensive Plan.
- Further, staff recommends that the LPA recommend adoption of the proposed amendments to the Pinellas County Board of County Commissioners (BCC).

OVERVIEW:

The proposed Ordinance includes amendments to Chapter 134, Article VI (Concurrency System), of the Pinellas County Land Development Code. The amendments effectively repeal transportation concurrency in support of the proposed Mobility Management System by removing references to transportation concurrency and roadway and mass transit level of service standards. Also included in this Ordinance is the annual Concurrency Test Statement update documenting the level of service conditions for public services and facilities. The results indicate that level of service conditions for public services and facilities are acceptable and there are no existing or projected capacity deficits.

BACKGROUND INFORMATION:

In response to the 2011 Community Planning Act, which removed State-mandated transportation concurrency management requirements, the Pinellas County

Metropolitan Planning Organization (MPO) endorsed the Pinellas County Mobility Management System on September 11, 2013. The Mobility Management System provides a framework for a coordinated multimodal approach to managing traffic impacts of development projects as a replacement for local transportation concurrency systems.

Proposed Amendments to Chapter 134

Transportation Concurrency and the Mobility Management System

The application of transportation concurrency requirements and the assessment of transportation impact fees through the site plan review process have been the primary tools utilized by Pinellas County and other local governments to manage the traffic impacts of development projects. Concurrency requirements are traditionally imposed to ensure that development is not permitted without assurance that the public facilities and services necessary to handle the development impact are available. Under the 2011 Community Planning Act, which amended Chapter 163, Part II, F.S., the requirement to implement transportation concurrency, including adopted level of service standards for transportation facilities, was repealed. The intent of this change was to enable implementation of more livable community and mobility-oriented solutions to managing transportation impacts.

The proposed Mobility Management System is the multimodal, mobility-oriented approach intended to replace transportation concurrency. Chapter 134 of the Pinellas County Land Development Code is the chapter that includes the County's concurrency system. This proposed Ordinance amending Chapter 134 deletes sections that implement transportation concurrency as well as references to roadway and mass transit level of service standards. These standards and requirements are being replaced with the proposed Mobility Management System and associated multimodal impact fee standards and requirements (per a separate proposed Ordinance amending portions of Chapter 150, Impact Fees, of the Pinellas County Land Development Code).

While transportation concurrency is being replaced, the Pinellas County Comprehensive Plan and Chapter 134 of the Land Development Code will continue to require concurrency for potable water, sanitary sewer, recreation and open space, drainage, and solid waste.

Concurrency Test Statement

Other proposed amendments to Chapter 134 per this Ordinance include the annual update to the level of service conditions for public services and facilities (i.e. Concurrency Test Statement). The Concurrency Test Statement represents an annual status report on the ability of Pinellas County's public facilities and services to meet the demands of existing and committed development, while continuing to provide an acceptable level of service. The facilities and services with adopted level of service standards currently include County and State roads, mass transit, potable water, wastewater, solid waste, drainage, and recreation. The respective standards are

adopted in the Pinellas County Comprehensive Plan. (Note, for this annual Concurrency Test Statement, County and State roads and mass transit were not included, as transportation concurrency is repealed as part of this proposed Ordinance.)

Using the level of service information in the Concurrency Test Statement, the concurrency “test” is applied to a development project at the time of site plan review. If the Concurrency Test Statement notes a deficiency in available capacity, then the development project is subject to certain limits or restrictions.

To assess annual conditions, existing and projected population data is applied to flow or acreage data for potable water, wastewater, solid waste and recreation, along with per capita estimates of demand, to calculate existing and future impacts on services and facilities. At this time, level of service conditions for these facilities/services remain acceptable, meaning there is adequate capacity to meet existing and projected needs.

Land Development Code Chapter 150, Impact Fees, Amendments

While the proposed amendments to Chapter 134, Article VI (Concurrency System) repeal transportation concurrency in the unincorporated areas in support of the proposed Mobility Management System, a separate proposed Ordinance amending Chapter 150 establishes the Mobility Management System and multimodal impact fees and associated impact fee districts. (Both Ordinances are being proposed concurrently and, if adopted, would take effect at the same time.)

Pinellas County Comprehensive Plan Amendments

An Ordinance including proposed amendments to the Pinellas County Comprehensive Plan providing policy support for replacing transportation concurrency with the Mobility Management System was heard at a public hearing and recommended for adoption by the LPA on September 10, 2015. The BCC held a subsequent public hearing and transmitted the proposed Plan amendments to the State Department of Economic Opportunity (DEO) for review on November 24, 2015. Following receipt of DEO comments, a second hearing for adoption of the Ordinance amending the Comprehensive Plan is anticipated to go before the Board in March 2016. (The public hearings held by the Board to consider the proposed amendments to Chapters 134 and 150 of the Pinellas County Land Development Code would be scheduled to coincide with the public hearing on the proposed amendments to the Comprehensive Plan.)

SUMMARY:

A public hearing by the BCC to adopt this Ordinance amending Chapter 134, Article VI (Concurrency System), is anticipated in March 2016. In addition, public hearings to adopt related Ordinances amending Land Development Code Chapter 150, Impact Fees, and various Elements of the Pinellas County Comprehensive Plan, both in support of the new Mobility Management System, will be conducted at a regularly scheduled meeting of the BCC in March 2016.

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

Staff finds that the proposed amendments to the Land Development Code, at a minimum, are consistent with the following principles, goal, objectives and policies of the Comprehensive Plan:

PLANNING TO STAY ELEMENT – Governing Principles to Guide Decisions on Buildout

Sustain a Quality Urban Community and Promote Strong Neighborhoods and Diverse housing Opportunities.

Principle 14: The transportation system must fit into and support the overall goals of the community, whether they are historic and/or community preservation, the revitalization of downtown, providing a safe, pedestrian-friendly neighborhood, or preserving the natural environments. The movement of people and goods as quickly and efficiently as possible will not be the sole criterion for planning and designing transportation projects.

Provide Realistic Mobility and Transportation Choices

Principle 1: Viable transportation alternatives will reduce dependence upon the automobile for moving people about the County and region. These transportation alternatives include transit, pedestrian, and bicycle systems and will be effectively integrated into the overall transportation network to maximize access and use by residents and visitors for all types of trips.

Principle 4: Transportation improvements will support pedestrian enhancements and alternative modes of travel such as bicycle use. Streets should be safe, comfortable, and interesting to the pedestrian and bicyclist.

TRANSPORTATION ELEMENT:

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

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

1.6. Objective: Encourage bicycle use and pedestrian activity throughout Pinellas County for recreational and non-recreational purposes.

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

1.9. Objective: Pinellas County shall coordinate its transportation planning with transportation planning at the local regional and state level.

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT:

GOAL 1: 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.

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

INTERGOVERNMENTAL COORDINATION ELEMENT:

GOAL 1: PINELLAS COUNTY MAINTAINS AN INNOVATIVE AND PROACTIVE PROGRAM OF INTERGOVERNMENTAL AND INTERAGENCY COORDINATION, COOPERATION AND PARTNERSHIP IN ORDER TO PROVIDE THE MOST EFFICIENT AND EFFECTIVE OPERATIONS AND SERVICES, TO IDENTIFY AND RESOLVE MUTUAL ISSUES AND CONCERNS, TO PROTECT, PRESERVE, AND ENHANCE SIGNIFICANT NATURAL RESOURCES, AND TO PROTECT AND IMPROVE THE QUALITY OF LIFE FOR EXISTING AND FUTURE PINELLAS COUNTY RESIDENTS AND VISITORS.

ATTACHMENT A

Proposed Ordinance