

ORDINANCE 2021-25

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA AMENDING POLICY 6.1.5 OF THE FUTURE LAND USE ELEMENT AND OBJECTIVE 2.2 OF THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY OF OLDSMAR COMPREHENSIVE PLAN TO ALLOW FOR DENSITY/INTENSITY INCENTIVE WITHIN THE CHHA FOR MIXED USE DEVELOPMENTS WITHIN CERTAIN AREAS OF THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE COMMUNITY REDEVELOPMENT DISTRICT LAND USE CATEGORY LISTED IN ARTICLE VII FUTURE LAND USE MAP TO PROVIDE FOR TRANSIENT ACCOMMODATIONS AND PROVIDE INCENTIVES FOR VERTICALLY INTEGRATED MIXED USE DEVELOPMENTS WITHIN THE AREA SOUTH OF TAMPA ROAD AND NORTH OF STATE STREET; CREATING A PROPERTY RIGHTS ELEMENT AS REQUIRED BY FLORIDA STATUTE 163.3177; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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, the City of Oldsmar adopted its Comprehensive Plan in 1990, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the City Council of the City of Oldsmar has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, the City of Oldsmar wishes to further amend its Comprehensive Plan to encourage mixed-use development within the Community Redevelopment District (CRD) Land Use Category; and

WHEREAS, Florida Statute 163.3177(6)(i)2 requires local governments to adopt and include a property rights element in its Comprehensive Plan; and

WHEREAS, the Planning Board for the City of Oldsmar held a public hearing and duly considered the proposed changes and made its recommendation to City Council; and

WHEREAS, the City Council has received input from the public at two public hearings.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1: That Policy 6.1.5 of the Future Land Use Element of the Comprehensive Plan of the City of Oldsmar is amended to read as follows:

Policy 6.1.5

Prohibit density increases within the Coastal High Hazard Area (CHHA) and Evacuation Level "A" areas in relation to the location of station areas and the creation of the Multimodal Transportation Plan, except as may be permitted for mixed use developments within certain areas of the Community Redevelopment District (CRD) as specified in this Comprehensive Plan and the City Code of Ordinances, and subject to the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes.

Section 2: That Objective 2.2 of the Coastal and Conservation Element of the Comprehensive Plan of the City of Oldsmar is amended to read:

Objective 2.2

As of the effective date of this Comprehensive Plan, the city shall direct population concentrations away from the designated Coastal High Hazard Area, except as may be permitted for mixed use developments within certain areas of the Community Redevelopment District (CRD) as specified in this Comprehensive Plan and the City Code of Ordinances, and subject to the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes.

Section 3: That the Community Redevelopment District as set forth in Section 7 of the Land Use Categories in Article VII titled Future Land Use Map is amended to read as follows:

2. Community Redevelopment District (CRD)

- i) The Community Redevelopment District (CRD) Land Use Category is intended for those uses and developments which comprise the core areas of the downtown business district and urban centers appropriate for redevelopment in accordance with a specific plan.
- ii) The primary uses shall be residential, commercial, office, and public/semi-public as enumerated by the approved redevelopment plan.
- iii) This category is generally appropriate to those areas community areas designed to serve as local retail, financial, governmental, residential, and employment focal points for a community; and to specified target

neighborhoods designed to encourage redevelopment in one or a combination of uses.

- iv) Generally, nonresidential uses shall not exceed a floor area ratio (FAR) 1.0, ~~and~~ residential areas shall not exceed a density of thirty (30) dwelling units per acre, and transient accommodations shall not exceed a density of eighty (80) units per acre, dependent on where within the CRD they are located.

- v) Properties that are zoned Town Center Commercial Residential (TCCR) and located within the area south of Tampa Road and north of State Street East (SR 580)/State Street West, shall additionally allow mixed use development containing a mix of residential and nonresidential land uses within the same multi-story building. As an incentive to encourage transit supportive, vertically integrated mixed-use developments in this area, such developments shall be permitted a maximum density of sixty-five (65) units per acre, transient accommodations density of 150 units per acre, and a FAR of 2.0. Any such developments exceeding the standards of paragraph 2.iv, above, shall meet the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes, and shall require the following:
 - 1.) Transient accommodation uses shall provide a hurricane evacuation and closure plan that complies with all Pinellas County hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III.

 - 2.) Multi-family residential dwelling units shall provide a hurricane evacuation and re-entry plan requiring mandatory evacuation in accordance with emergency management directives. The plan shall include operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power (if available), and transition back to normal operation.

 - 3.) Such requirements shall be incorporated into a Development Agreement approved by the City in accordance with Section 14.7 of the Land Development Code.

- ∨ vi) Certain more specific density and intensity restrictions shall be implemented in accordance with each classification of use and respective location as designated by an approved redevelopment plan, adopted in accordance with the requirements of Chapter 163, Part 111, Community Redevelopment, Florida Statute, and incorporated by reference herein.

Section 4: That a Property Rights Element of the Comprehensive Plan of the City of Oldsmar is hereby created and shall read as follows:

Property Rights Element

Objective 1. Pursuant to Section 163.3177(6)(i)2, Florida Statutes, the City of Oldsmar will ensure that private property rights are considered in its decision making through the following policies:

Policy 1.1 The right of a property owner to physically possess and control his or her interests in the property, including easements, leases or mineral rights.

Policy 1.2 The right of a property owner to use, maintain, develop and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 1.3 The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy 1.4 The right of a property owner to dispose of his or her property through sale or gift.

Section 5: Pursuant to requirements of Section 166.041, Florida Statutes, this Ordinance is to amend the City of Oldsmar Comprehensive Plan located at, and maintained by, the Clerk of the City of Oldsmar.

Section 6: 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 the state land planning agency notifies the local government that the plan amendment package is complete. 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.

PASSED ON FIRST READING:

_____.

PASSED ON SECOND READING AND ADOPTED:

_____.

**Eric Seidel, Mayor
City of Oldsmar**

ATTEST:

**Ann Nixon, City Clerk, MMC
City of Oldsmar**

APPROVED AS TO FORM:

**Thomas J. Trask, B.C.S.
City Attorney, City of Oldsmar**

STAFF REPORT

TO: Alan S. Braithwaite, City Manager

FROM: Luis N. Serna, AICP
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THROUGH: Tatiana Childress, AICP, CFM
Planning & Redevelopment Director

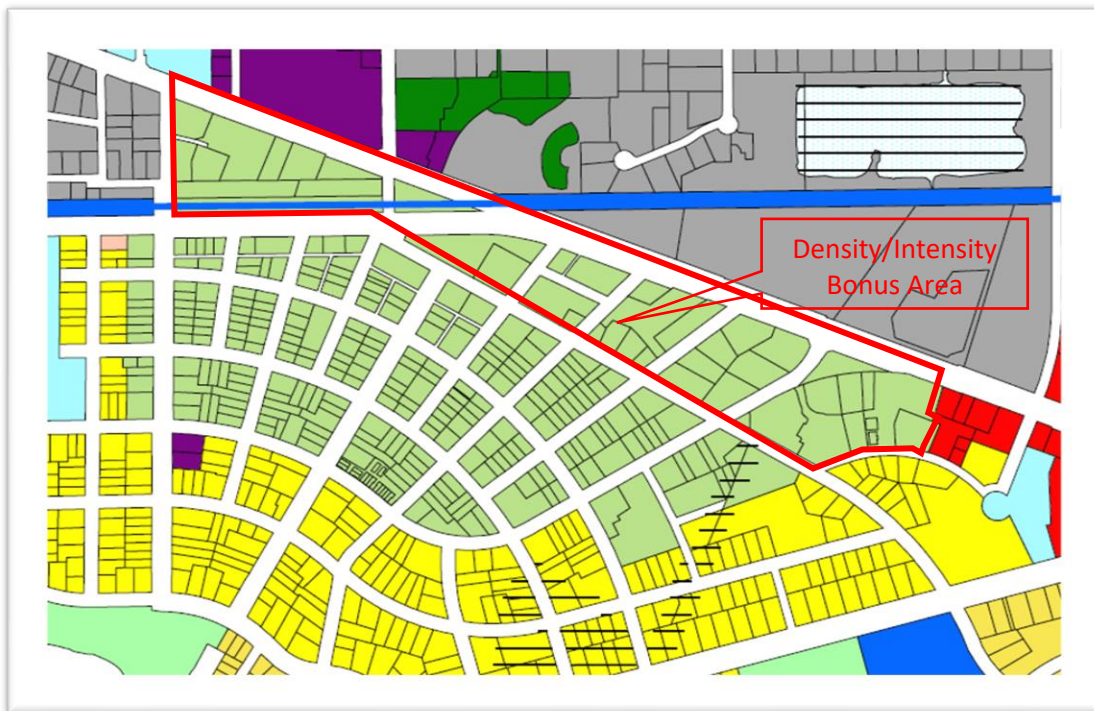
DATE: October 20, 2021

SUBJECT: Comprehensive Plan Amendment for Density/Intensity Standards in the
Community Redevelopment District and Property Rights Element per
Section 163.3177 (6)(i).

CASE: CA21-04

APPLICANT: City of Oldsmar

LOCATION: Community Redevelopment District



 CRD

COMMUNITY REDEVELOPMENT DISTRICT

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REQUEST

This is a request for a text amendment to the Comprehensive Plan of the City of Oldsmar. The amendment is summarized as follows:

- Amends the Community Development District (CRD) Land Use Category to allow a density/intensity incentive for mixed-use development that contains a mix of residential and non-residential uses within the same multi-story building for an area along Tampa Road/SR 580 (See above map).
 - The proposed incentive would allow up to 65 units per acre for residential, 150 units per acre for transient accommodations, and a floor area ratio (FAR) of 2.0.
 - Developments utilizing the incentive exceeding the current maximum density and intensity of the CRD category (30 units per acre and FAR of 1.0) would be required to provide hurricane evacuation, closure, and re-entry plans for their specific development.
 - Permits increases in density in the Coastal High Hazard Area (CHHA) to address the proposed bonus density and intensity within the specified area of the CRD category.
- Amends the Community Development District (CRD) Land Use Category to express a density for transient accommodations uses.
- Include Property Rights Element per Section 163.3177(6)(i), Florida Statutes.

BACKGROUND

To support the Council priority of downtown redevelopment, City staff is proposing a Comprehensive Plan Amendment to encourage mixed-use development and express a density for transient accommodations within the Community Redevelopment District (CRD) Land Use Category. The Countywide Plan Map identifies the subject property as an Activity Center (AC), and this amendment includes revisions that provide consistent language of the City's Comprehensive Plan, and the Countywide Rules amended through August 17, 2020.

This amendment also includes the addition of the State mandated Property Rights Element per Section 163.3177(6)(i), Florida Statutes, which became effective July 1, 2021.

DISCUSSION

The proposed amendment is consistent with the standards of approval outlined in Section 3.14.4 of the City of Oldsmar's Land Development Code. This amendment is also subject to and consistent with the requirements of Sections 4.2.3.6 and 4.2.7.1 of the Countywide Rules, and Section 163.3178(8)(a), Florida Statutes.

The following sections will demonstrate consistency with the above regulations.

I. Standards of Evaluation: Section 3.14.4 of the Land Development Code

The following standards have served as the basis for evaluation of the requested amendment to the land use plan and are consistent with Section 3.14.4 of the City of Oldsmar Land Development Code.

- 1. The amendment will further implementation of the comprehensive plan consistent with the goals, objectives and policies contained therein.*

The proposed text change amends Policy 6.1.5 of the Future Land Use Element and Objective 2.2 of the Coastal Management and Conservation Element to permit density/intensity intensive in the CRD, located within the CHHA, subject to Section 163.3178(8)(a), Florida Statutes, and the requirements of Section 4.2.7.1 of the Countywide Rules. Vertically integrated mixed used developments qualifying for a density/intensity incentive, as presented in the proposed amendment, shall provide for hurricane shelter mitigation. Such mitigation for the impacts attributable to the development shall include one or a combination of the following: payments of a hurricane mitigation shelter fee, contribution of land, or construction of hurricane shelters and transportation facilities. Such mitigation requirements shall be incorporated into a Development Agreement approved by the City in accordance with Section 14.7 of the Land Development Code. In addition, transient accommodation uses shall provide a hurricane evacuation and closure plan that complies with all Pinellas County hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III. The multi-family residential dwelling units shall provide a hurricane evacuation and re-entry plan requiring mandatory evacuation in accordance with emergency management directives. The plan shall include operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power (if available), and transition back to normal operation.

The amendment will further implementation of the comprehensive plan consistent with its goals, objectives and policies. The amendment specifically supports Objective 1.4 and Policy 1.4.2. of the Future Land Use Element.

Objective 1.4

The city shall support the redevelopment/revitalization of the city's Community Redevelopment District (CRD) through upholding the Community Redevelopment Plan and shall also support the redevelopment/revitalization of any other area requiring redevelopment in the city.

Policy 1.4.2

As an initial step in the redevelopment/revitalization of the CRD, the city shall develop incentives, to be contained in the LDC, which encourage redevelopment and/or revitalization through the use of the Community Redevelopment District Land Use Category.

This amendment also supports objectives and policies of the City of Oldsmar Comprehensive Plan, Housing Element.

Objective 1.1

The city shall assist the private sector in providing a suitable mixture and number of housing types to meet the city's housing needs.

Policy 2.2.5

Density bonuses shall be considered for residential and mixed-use developments proximate to an existing or planned transit stop or station or a major employment center in accordance with locally adopted development criteria.

In addition to furthering the City’s Comprehensive Plan, the proposed amendment is also consistent with the Countywide Rules, amended through August 17, 2020, which identifies the Town Center Area as an Activity Center.

According to Section 2.3.3.15 of the Countywide Rules, the purpose of the Activity Center (AC) 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 (¼ to ½ mile) of a central point or hub served by transit.

This amendment is within the density and intensity maximums permitted by the Countywide Rules. A comparison of the Countywide Rules and the City Comprehensive Plan density and intensity for this district is provided in the **Table 1** below.

Table 1. Density/Intensity Comparative Table

	Activity Center Countywide Rules	Existing CRD City Comp. Plan	Proposed CRD City Comp. Plan	Proposed CRD Density/ Intensity Incentive
Residential Density (Units per Acre)	90 UPA	30 UPA	30 UPA	65 UPA
Transient Density (Units per Acre)	150 UPA	Not Expressed	80 UPA	150 UPA
Density / Intensity (Floor Area Ratio)	3.0 FAR	1.0 FAR	1.0 FAR	2.0 FAR

2. The available uses to which the property may be put are appropriate to the property in question and compatible with the existing and planned uses in the area.

The available uses are appropriate and compatible with existing and planned uses in the area. Adding an incentive for vertically integrated, transit supported mixed use development and expressing hotel accommodations density is compatible with and supports the uses articulated in the Future Land Use Element and the Countywide Rules. This proposed text amendment is not introducing or modifying any of the established uses in the district. Both mixed-use development and transient accommodations are already permitted and encouraged in this area, depending on the applicable zoning districts.

In addition, the current and proposed City and County land use designations will remain unchanged. Currently, the City's Future Land Use designation is a Community Redevelopment District (CRD), which is an equivalent of the County Activity Center Land Use designation. The proposed text amendment will encourage increased density and intensity of mixed-use developments within certain areas of the City's CRD land use category for the purpose of facilitating the City's redevelopment efforts in its Town Center, and express density for transient accommodations. The current City of Oldsmar Comprehensive Plan CRD Land Use category is described below:

Community Redevelopment District (CRD)

i) The Community Redevelopment District (CRD) Land Use Category is intended for those uses and developments which comprise the core areas of the downtown business district and urban centers appropriate for redevelopment in accordance with a specific plan.

ii) The primary uses shall be residential, commercial, office, and public/semi-public as enumerated by the approved redevelopment plan.

iii) This category is generally appropriate to those areas community areas designed to serve as local retail, financial, governmental, residential, and employment focal points for a community; and to specified target neighborhoods designed to encourage redevelopment in one or a combination of uses.

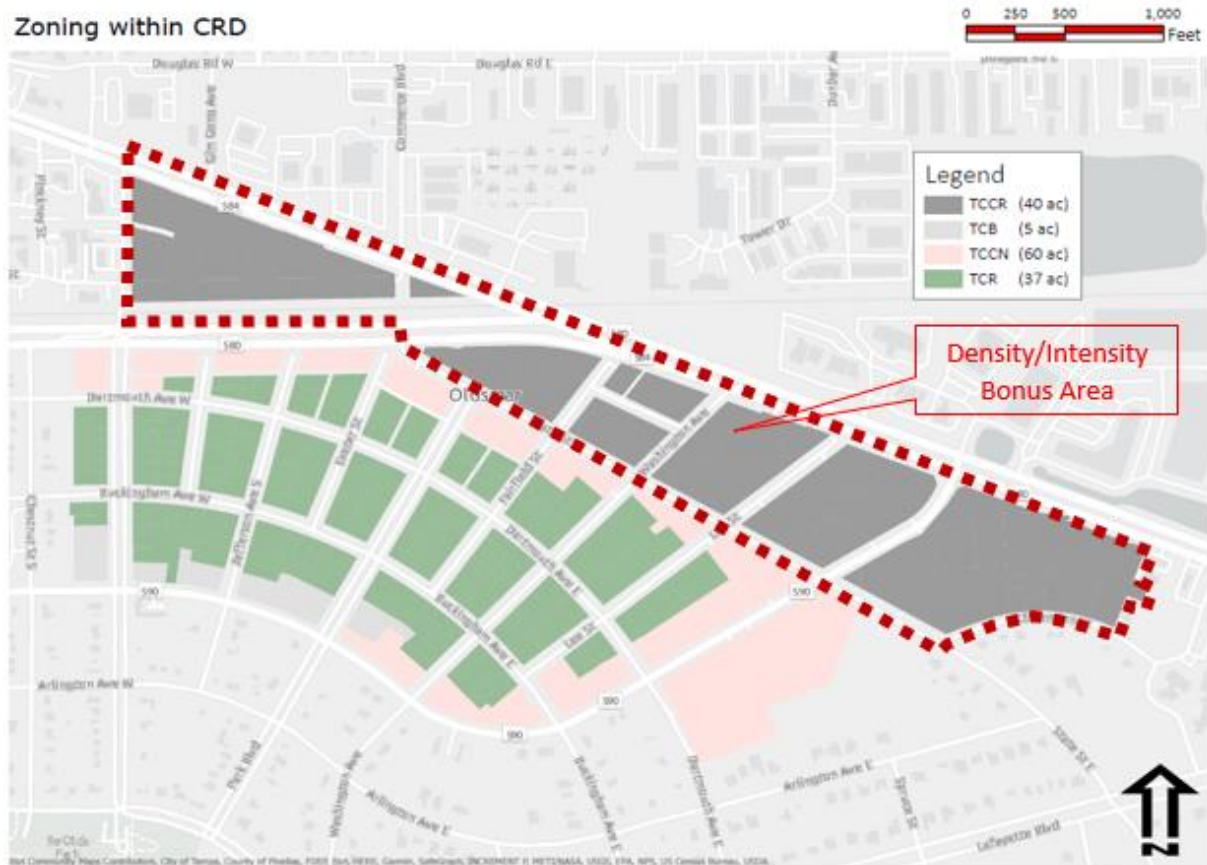
iv) Generally, nonresidential uses shall not exceed a floor area ratio (FAR) 1.0, and residential areas shall not exceed a density of thirty (30) dwelling units per acre, dependent on where within the CRD they are located.

v) Certain more specific density and intensity restrictions shall be implemented in accordance with each classification of use and respective location as designated by an approved redevelopment plan, adopted in accordance with the requirements of Chapter 163, Part 111, Community Redevelopment, Florida Statute, and incorporated by reference herein.

It is important to note the density/intensity incentive is only proposed in a portion of the CRD, along the developed Tampa Road corridor. The CRD Land Use category is subdivided into more defined zoning districts, including Town Center Commercial Residential (TCCR), Town Center Commercial Neighborhood (TCCN), Town Center Boulevard (TCB), and Town Center

Residential (TCR) districts. The proposed density/intensity incentive will only permit increased density and intensity of mixed-use developments only within the TCCR zoning district of the City’s CRD land use category, as demonstrated in the City of Oldsmar Town Center zoning map in *Figure 1*.

Figure 1. City of Oldsmar Town Center Zoning Map.



The City of Oldsmar Town Center Commercial Residential District (TCCR) is established to provide suitable areas for retailing and service facilities, residential development at densities of up to 30 UPA, maximum impervious surface ratio (ISR) of 0.90, maximum floor area ratio (FAR) of 2.0*, maximum height of 75 feet (up to 6 floors). A complete list of permitted uses in the TCCR is found within Part IV, Article III, Sec. 3.7 of the Town Center Development Code. The proposed amendment is also located within the designated Activity Center under the Countywide Rules of Pinellas County, allowing the residential densities of up to 90 UPAs, FAR of 3.0 and temporary lodging density of up to 150 UPAs, as demonstrated in *Table 2* below. The City of Oldsmar Activity Center / Community Redevelopment District is approximately 137 acres, and the proposed amendment area of the Town Center Commercial Residential zoning district is 41 acres. The proposed amendment is consistent with the Community Center size criteria defined in the Countywide Plan.

*The proposed text amendment includes a reduction in the maximum FAR of the TCCR district to 1.0 for consistency with the Comprehensive Plan.

Table 2. Standards Applicable to Activity Center Subcategory

Activity Center Subcategory	Acreage Range	Maximum Density/Intensity Standard ¹			Traffic Generation Rate (Average Daily Trips Per Acre)
		Residential Density (Units Per Acre) ³	Temporary Lodging Density (Units Per Acre) ²	Nonresidential or Mixed-Use Intensity (Floor Area Ratio) ³	
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

Density Bonus Under Section 4.2.3.6 of the Countywide Rules

To encourage vertically integrated, transit supportive mixed-use development, Section 4.2.3.6 of the Countywide Rules allows communities to establish density bonuses to permit the full allocation of residential density and nonresidential intensity subject to applicable land development regulations that include, at a minimum, the following:

- A. *Definitions of what qualifies as vertically integrated, transit supportive mixed-use development, and other terms used within the regulations;*
- B. *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;*
- C. *Form-based or other land development regulations governing the size, scale, and mix of uses; and*
- D. *Design features that encourage walking, biking and transit use,*

The proposed amendment satisfies the requirements of Section 4.2.3.6 by limiting application of the bonus provisions to “mixed use development containing a mix of residential and nonresidential land uses within the same multi-story building,” and further restricting its application to a specific geographic area within the CRD category which has been identified by the City as a mixed-use urban center with existing transit and bicycle/pedestrian facilities. Additionally, the City already has established for this area an Architectural and Design Pattern book that contains form-based standards governing the size, scale, and mix of uses.

3. *Sufficient potable water supply and facilities will be continuously available to serve the property.*

There is sufficient potable water supply and facilities to continuously serve any approved developments utilizing the proposed incentive. Any use of the proposed incentive will require a recorded Development Agreement in accordance Article XIV of the City of Oldsmar Land Development Code, which includes the demonstration of LDC 14.7.3.10 “All existing and proposed utilities and the manner in which existing utilities will be extended to the site and/or

expanded for the use of the development, including water, sewer, gas, electricity, CATV, sanitary effluent reuse/disposal and other utilities”. Development review also includes the demonstration of concurrency as defined in Article XI of the Land Development Code, which ensures that “public facilities and services needed to support development are available concurrent with the impacts of development”.

While the specific impact will be evaluated during the Development Agreement process, the Oldsmar average daily water demand in 2020 was 1.3 million gallons per day (MGD). As the Oldsmar water supply infrastructure and Reverse Osmosis Water Treatment Plant (ROWTP) has a daily production capacity of 2.0 MGD, the plant is only at 65% of its present capacity. Water systems, including the City’s, are designed with additional capacity for future development and needs. With the plans to develop a vital downtown, the proposed FY22 budget includes Water Supply Plan update to ensure the City’s water supply stays concurrent with demand into the foreseeable future. It is important to note that at any time the water demand is 75% of the capacity, the Florida Department of Environmental Protection (FDEP) mandates that the City perform annual capacity analysis reports and begin planning for future supply expansion to meet the projected needs. In addition, each potential development requires to pay impact fees to reserve capacity and is required to extend or increase the existing infrastructure to the new development.

4. Adequate sanitary sewer facilities, including treatment capabilities, will be continuously available to serve the property.

There are adequate sanitary sewer facilities, including treatment capabilities, to continuously serve any approved developments utilizing the proposed incentive. Any use of the proposed incentive will require a recorded Development Agreement in accordance Article XIV of the City of Oldsmar Land Development Code, which includes the demonstration of LDC 14.7.3.10 “All existing and proposed utilities and the manner in which existing utilities will be extended to the site and/or expanded for the use of the development, including water, sewer, gas, electricity, CATV, sanitary effluent reuse/disposal and other utilities.” Development review also includes the demonstration of concurrency as defined in Article XI of the Land Development Code, which ensures that “public facilities and services needed to support development are available concurrent with the impacts of development”.

The average daily flow (ADF) at the Oldsmar Water Reclamation Facility (WRF) in 2020 was 1.5 MGD. The permitted ADF at the WRF is 2.25 MGD. Therefore, the WRF is operating at 67% capacity currently. If and when the ADF is 75% of capacity, the City is mandated by FDEP to begin preparing annual capacity analysis reports and begin planning for future supply expansion to meet the projected needs. If a new development, anywhere in the sewer service area requires an extension or expansion of the wastewater collection system, the addition of this capacity will be the responsibility of the developer to ensure it is in place prior to the city issuing a certificate of occupancy for the development.

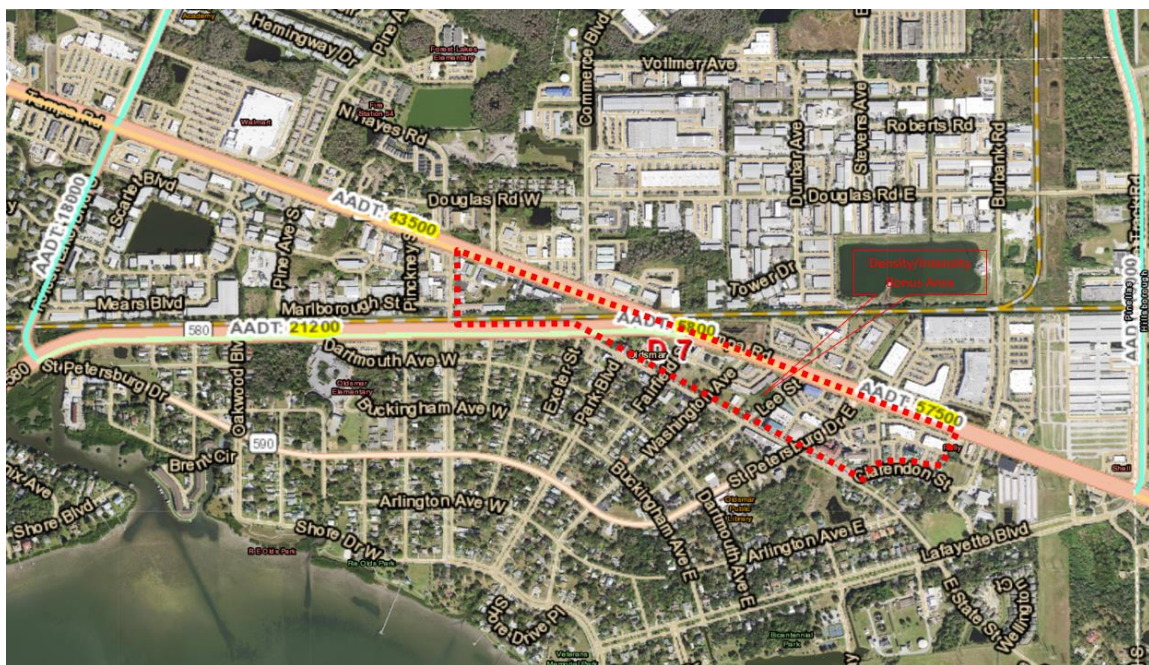
5. Sufficient traffic-carrying capacity will be continuously available to serve the property.

One of the qualifying criteria for the proposed density/intensity incentives is a recorded Development Agreement, as established in Article XIV of the City of Oldsmar Land Development Code. Each Development Agreement must include a Master Development Plan per Section 5.9.1.4.3(g), which requires a transportation impact analysis. Therefore, a detailed transportation impact analysis will be required at the time of a Development Agreement for each project qualifying for the density/intensity bonus. At the time of a proposed development, the applicant will be also required to meet with the Florida Department of Transportation (FDOT) for a pre-application meeting to address future access along Tampa Road/SR 580. Development review also includes the demonstration of concurrency as defined in Article XI of the Land Development Code, which ensures that "public facilities and services needed to support development are available concurrent with the impacts of development".

While specific impact will be evaluated at the time when the incentive is utilized, it is important to note that the area of incentive availability is located on Tampa Road and SR580. Both corridors are currently at an acceptable Level of Service (LOS), are designated a Regional Multimodal Corridors and supported by transit activity.

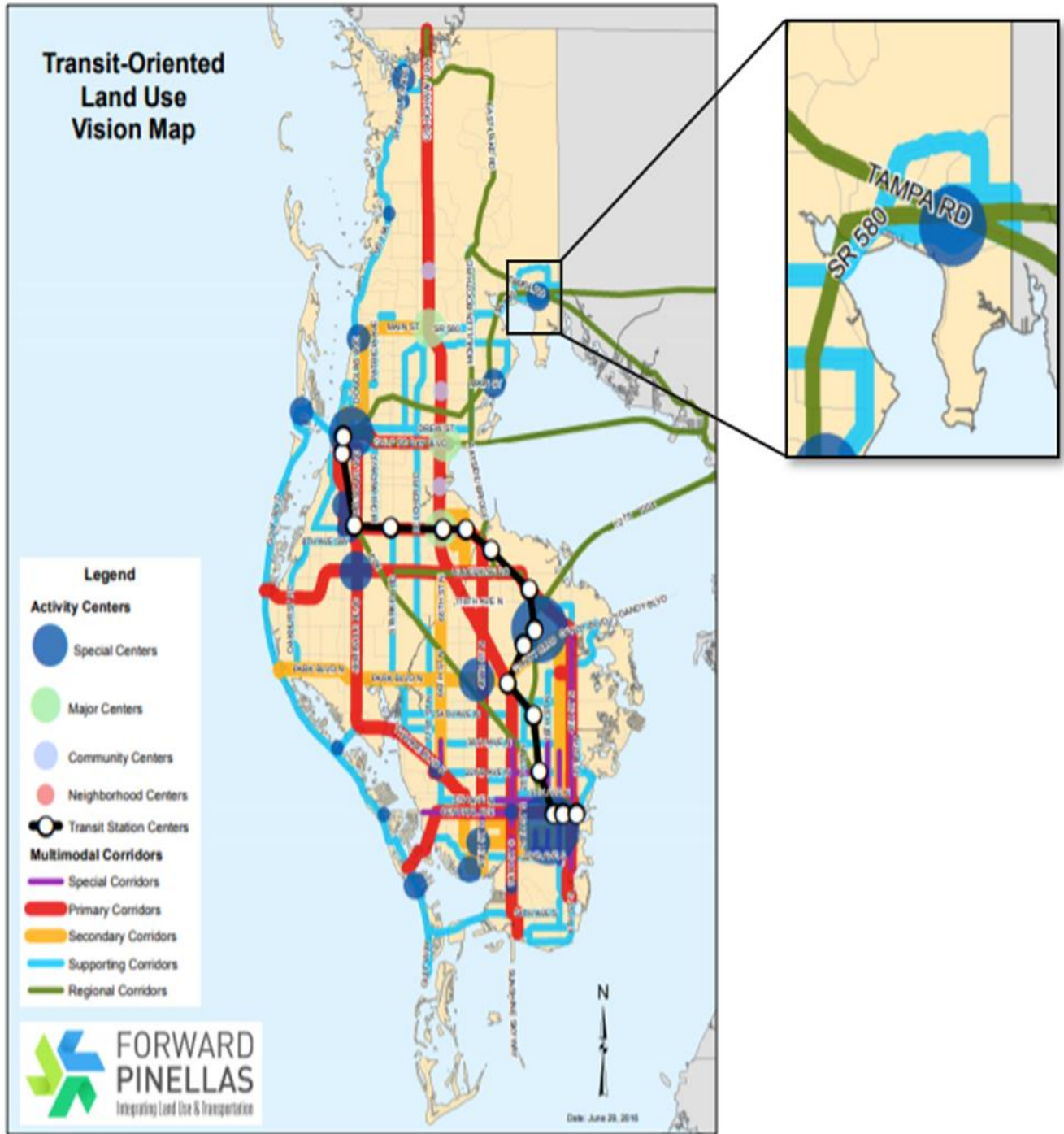
Figure 2 provides Annual Average Daily Traffic Data (AADT) in the area. The entire segment of SR 580 adjacent to the site operates at LOS of C. The entire segment of Tampa Road from Hillsborough County Line to SR 580 operates at LOS of C. Only a small segment of Tampa Rd SR 580 to Bayview Blvd adjacent to the site operates at LOS of F.

Figure 2. Annual Average Daily Traffic Data (AADT). Source: Florida Traffic Online - <https://tdaappsprod.dot.state.fl.us/fto/>



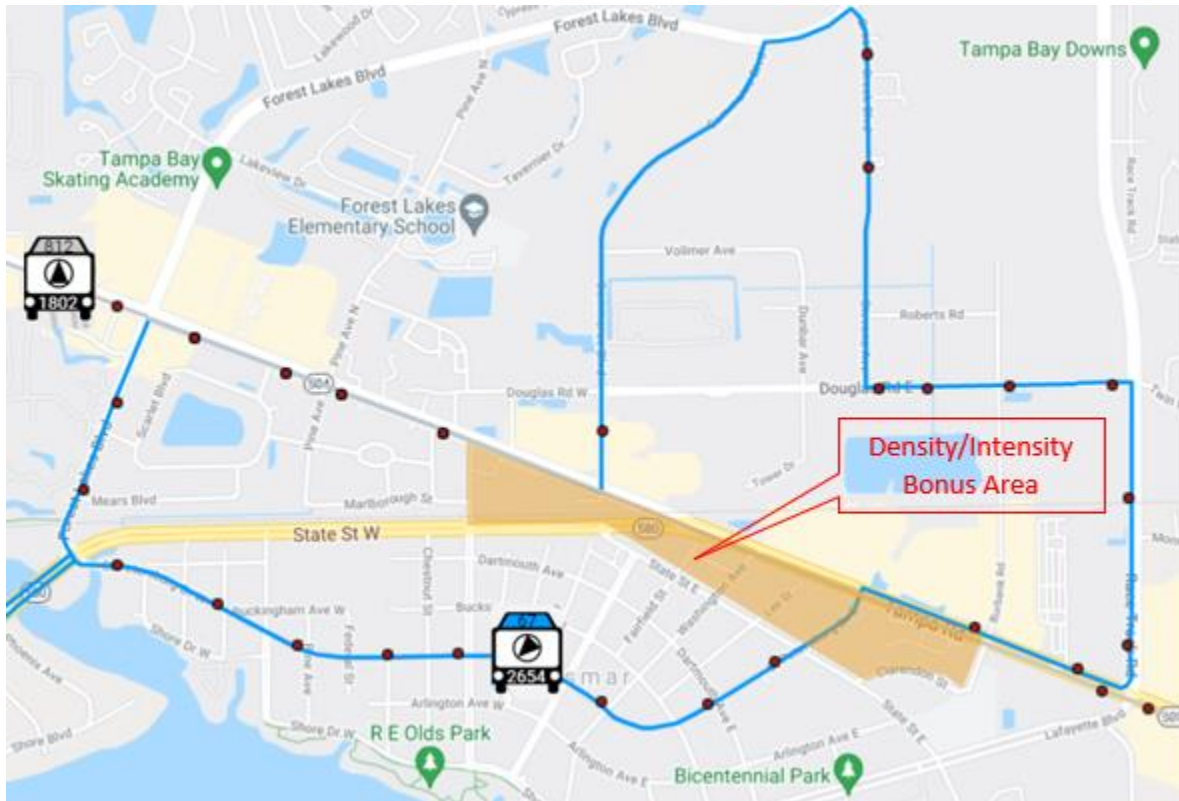
The area affected by the proposed amendment is located on the designated Regional Multimodal Corridors, as demonstrated in **Figure 3**, and therefore, is supportive of Transit Oriented Development (TOD) with higher residential densities.

Figure 3. Pinellas County Transit-Oriented Land Use Vision Map.



The subject area has access to public transit and is served by two major transit routes, as demonstrated in **Figure 4**, which shows PSTA Oldsmar /Tampa Connector route (812) and Clearwater/Downtown Oldsmar route (67) with multiple bus stops in the area. Currently, both routes operate with headways of 60 minutes.

Figure 4. Existing PSTA Transit Routes 812 and 67 and their designated bus stops.



In addition, the City’s downtown area was platted in the 1920s and consists of a well-preserved grid pattern, providing for a connected street network in the area. Continuous effort is being done to implement Complete Streets projects in the area, specifically for major urban collector roads, including St. Petersburg Drive and State Street, to accommodate multiple modes of transportation and on-street parking options.

6. The amendment will not adversely affect the natural environment.

This proposed amendment will not adversely affect the natural environment. Again, one of the qualifying criteria for the proposed density/intensity incentive bonus is a recorded Development Agreement, as established in Article XIV of the City of Oldsmar Land Development Code. Each Development Agreement must include a Master Development Plan per Section 5.9.1.4.3, which requires an assessment of natural impact including LDC 5.9.1.4.3.(d) watercourses, lakes, wooded areas, or other significant natural physical features, LDC 5.9.1.4.3 (k).soil conservation, LDC 5.9.1.4.3 (l), floodplain and LDC 5.9.1.4.3 (m) wetland areas. Therefore, detailed impacts to the natural environment will be required at the time of a Development Agreement for each project qualifying for the density/intensity incentive.

In addition, a Southwest Water Management Water District (SWFWMD) Environmental Resource Permit (ERP) is required for all commercial site development in excess of one acre. A condition of an ERP is that post development runoff from a site must be equal to or less than predevelopment runoff from the site.

It is important to note that the proposed amendment will only affect the area that is classified as infill development and is consistent with the sustainable development of the vertically integrated mixed-use concept or Transit Oriented Development (TOD) of smart growth and new urbanism principles. As such, there is no impact to environmentally sensitive areas, as shown on the current aerial map in *Figure 5*. The proposed amendment is also consistent with the transect model of gradual increases of densities, allowing to preserve the natural environment and open space near the coastal area and gradually increase the densities along the multimodal corridors, as demonstrated in the transect model in *Figure 6*.

Figure 5. Aerial map



Figure 6. Transect Model



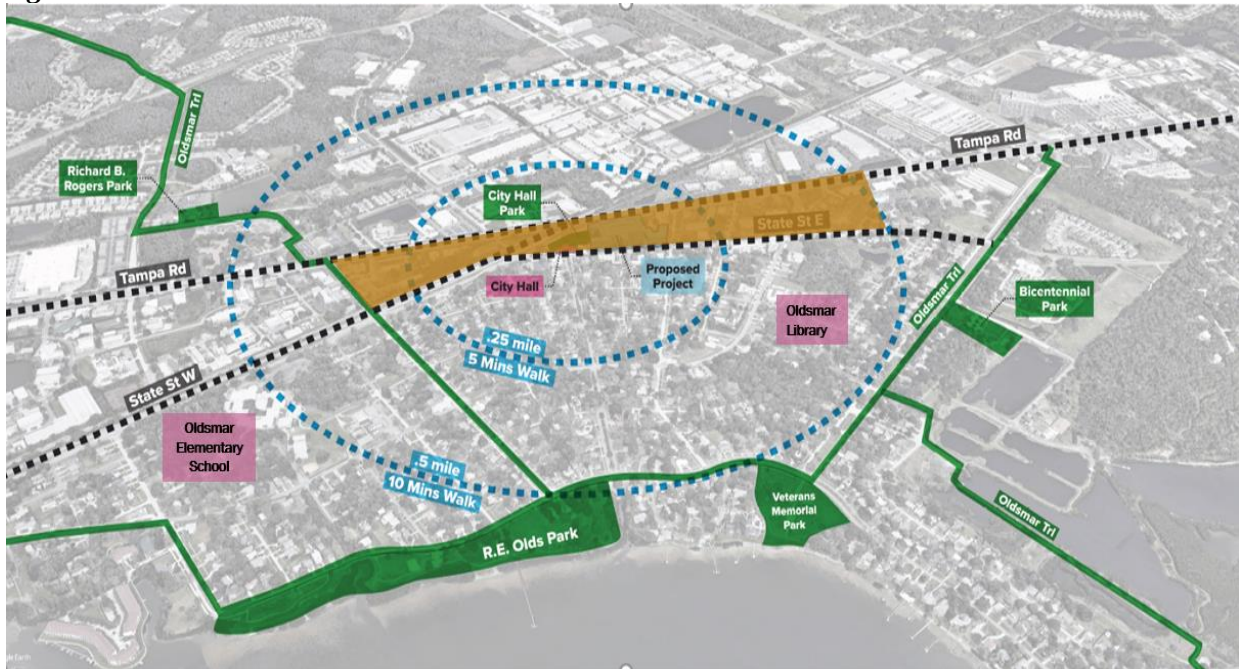
7. Adequate public facilities such as schools, parks, and libraries will be continuously available to serve the property.

Adequate public facilities such as schools, parks, and libraries will be continuously available to serve the property. Prior to development plan approval, the City evaluates to ensure that public facilities and services needed to support development are available concurrent with the impacts of development in accordance to LDC Article XI. This includes schools, parks and recreation facilities.

While this will be evaluated at the time of the Development Agreement, it is important to note that according to the Pinellas County Schools, the County’s school-age population is decreasing due to housing affordability. There are two Elementary Schools located within the City of Oldsmar limits, including Forest Lakes Elementary and Oldsmar Elementary. These schools have a combined capacity of approximately 1400 seats, based on the total number of classrooms and allowable teacher-to-pupil ratio. The combined total enrollment last fall was 974 K-5 Students. Both schools also have Pre-Kindergarten students, approximately 50 seats at each site. Based on this preliminary data from the County, it appears there is unused capacity at both schools at the present time.

Multiple parks and trails are located within the vicinity of the proposed amendment. In addition, recently constructed Oldsmar Public Library is located in the Town Center district, as shown in **Figure 7.**

Figure 7. Public Facilities.



8. *The amendment will not constitute a grant of special privilege to an individual owner.*

This amendment will not constitute a grant of special privilege to an individual owner. This amendment would provide an incentive to any property owner who meets the criteria for a vertically integrated mixed-use development located within the TCCR district.

9. *The amendment will not conflict with the needs of the neighborhood or the city.*

This amendment will not conflict with the needs of the neighborhood or the city. Offering a density/intensity increase along the Tampa Road corridor in this location will facilitate activity along State Street in downtown providing an incentive to construct needed residential units on a second floor or higher, thereby reducing residential flooding/storm risk, while increasing the inventory of residential housing.

Downtown

The City of Oldsmar has been trying to redevelop and revitalize its downtown area and recreate a main street along State Street for decades. The density/intensity incentive may facilitate this process, by spurring the development along Tampa Road and SR 580, inspiring both residential and commercial activity along State Street.

Potential Storm Risk

Any projects that would be constructed utilizing the density/intensity increase encourages commercial activity on the ground floor, and residential on upper floors. This is an important method of development as it places higher risk residential units above any potential storm surge.

Increase Residential Housing

As identified in the Housing Element of the City's Comprehensive Plan (cited above), it's essential to provide a greater inventory and types of residential housing alternatives.

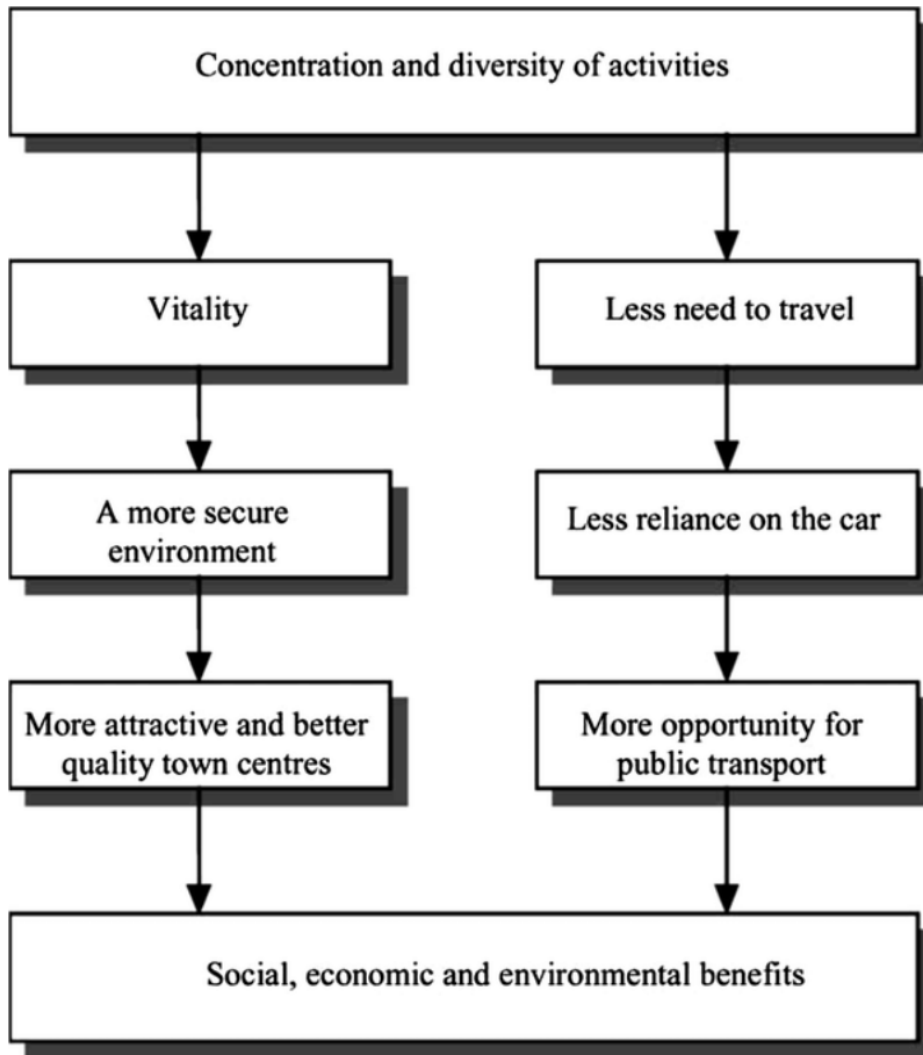
Needs of the Neighborhood

Instead of increasing the density/intensity outright as allowed in the Countywide Rules, the City selected to propose an incentive that requires a recorded Development Agreement. This will require compliance to the procedures in Article XI and Article XIV that will evaluate and mitigate each specific impact to the neighborhood at the time of the Development Agreement.

10. The amendment will not adversely or unreasonably affect the use of other property in the area.

The proposed amendment will not adversely or unreasonable affect the use of other property in the area. There are multiple potential benefits from higher density mixed-use development to the surrounding businesses and property owners. According to Coupland, higher density mixed-use developments include an array of benefits summarized in ***Figure 9***.

Figure 9. Benefits of Mixed-Use Development (Coupland, 1997).



11. The amendment will not deter the improvement or development of other property in the area.

This proposed amendment offers an incentive to encourage, and will not deter, the improvement and development to other property in the area. Any use of the incentive will require a recorded Development Agreement compliant with the procedures set forth in Article XI and Article XIV of the City's Land Development Code. Any proposed development must be consistent with the existing and planned uses in the area, and also consistent with the Countywide Rules of Pinellas County. The proposed density/intensity text amendment would only be applicable for a small area within the Town Center located along Tampa Road and SR 580.

II. Development within the Coastal High Hazard Area (CHHA)

According to Section 163.3178 Florida Statutes, the Coastal High Hazard Area (CHHA) is the area below the elevation of the Category 1 storm surge line as established by the sea, lake and overland surges from hurricanes (SLOSH) computerized storm surge model. The SLOSH model is developed by the National Weather Service (NWS) to estimate storm surge heights resulting from historical, hypothetical, or predicted hurricanes by taking into account the atmospheric pressure, size, forward speed, and track data (NOAA, 2021). A new version of the SLOSH took effect on August 4, 2021. Because the Coastal High Hazard Area (CHHA) is determined by the SLOSH model, the CHHA for the City of Oldsmar has been updated as well, as demonstrated in Figure 10.

Figure 10. City of Oldsmar updated CHHA map.



The area depicted in light blue represents updated CHHA area. Development within the CHHA areas shall be consistent with the goals, objectives and policies of the Comprehensive Plan. The proposed amendment is in compliance with both the Countywide Rules and the Florida Statutes.

Florida Statutes Section 163.3178 (8) (A) states that:

Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

Therefore, vertically integrated mixed used developments qualifying for a density/intensity increase incentive, as presented in the proposed amendment, shall comply with Florida Statutes Section 163.3178 (8) (a), and provide for hurricane shelter mitigation. Such mitigation for the impacts attributable to the development shall include one or a combination of the following:

payments of a hurricane mitigation shelter fee, contribution of land, or construction of hurricane shelters and transportation facilities.

Such mitigation requirements shall be incorporated into a Development Agreement approved by the City in accordance with Section 14.7 of the Land Development Code.

CHHA Balancing Criteria Under Section 4.2.7.1 of the Countywide Rules

In order to protect life and property from potential impacts from hurricanes, Section 4.2.7.1 of the Countywide Rules addresses criteria to be considered for proposed amendments that would result in increases in density or intensity within the Coastal High Hazard Area. The following are the applicable criteria of this section and our findings for each:

E. 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.

The proposed amendment would only affect an area of the City that is located along the Tampa/SR 580 corridor which is a designated hurricane evacuation route. As proposed, the amendment additionally requires that developments in this area that propose increases in density and intensity above the current standards shall require hurricane evacuation, closure, and re-entry plans.

In addition, per Florida Statutes Section 163.3178 (8) (a), hurricane shelter mitigation measures will be required at the time of the Development Agreement. Such mitigation measures may include the following: payments of a hurricane mitigation shelter fee, contribution of land, or construction of hurricane shelters and transportation facilities.

F. 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.

The area eligible for the proposed density and intensity bonus is in an area of existing public infrastructure to support mixed-use, urban development.

In addition, each potential development requires to pay impact fees to reserve capacity and is required to extend or increase the existing infrastructure to the new development. If a new development, anywhere in the sewer service area requires an extension or expansion of the wastewater collection system, the addition of this capacity will be the responsibility of the developer to ensure is in place prior to the city issuing a certificate of occupancy for the development.

- G. 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.***

The area eligible for the proposed density and intensity bonus has been developed with public roads and infrastructure. This area is also classified as “infill development”. No natural areas will be disturbed.

- H. 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.***

Not applicable. No natural areas will be disturbed. The infill area is located along the busy regional multimodal corridor and does not extend into the City of Oldsmar coastal area.

- I. 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.***

Not applicable. The infill area is located along the busy regional multimodal corridor and does not extend into the City of Oldsmar coastal area.

- J. 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.***

The proposed amendment would only allow application of the density bonus to a relatively small portion of the CRD land use category. The remainder of the CDR currently allows a density and intensity that are below the maximums permitted in the Activity Center category of the Countywide Rules.

- K. Clustering of Uses – The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.***

Not applicable.

- L. 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.***

The area in which the density bonus is proposed by this amendment has been identified in the City's Comprehensive Plan as an area in which redevelopment in the Town Center is encouraged. This amendment would facilitate such redevelopment.

Exceeding Requirements

While the amendment meets the Florida Statutes and the criteria established by the Countywide Rules, it also provides and enhances coastal mitigation efforts by requiring the following as part of the Development Agreement:

1. Transient accommodation uses shall provide a hurricane evacuation and closure plan that complies with all Pinellas County hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III.
2. Multi-family residential dwelling units shall provide a hurricane evacuation and re-entry plan requiring mandatory evacuation in accordance with emergency management directives. The plan shall include operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power (if available), and transition back to normal operation.

PROPERTY RIGHTS ELEMENT

Statutory requirements related to Comprehensive Plan in Chapter 163, Florida Statutes, were amended based on most recent legislative session. House Bill 59 adds Section 163.3177 (6) (i), requiring each local government to adopt a Property Rights Element into their Comprehensive Plan, to ensure that private property rights are considered in local land use decision-making.

House Bill 59 was signed by Governor DeSantis on June 29, 2021 and became effective July 1, 2021. The new Property Rights Element must be adopted by local municipalities by the earlier of the date of its adoption of its next proposed Comprehensive Plan amendment, or the date of the next scheduled evaluation and appraisal of the Comprehensive Plan pursuant to Section 163.3191, Florida Statutes.

A copy of the proposed Property Rights Element is attached to this report.

RECOMMENDATION

Based upon the above discussion and review against the standards outlined in Section 3.14.4 of the Land Development Code, Section 4.2.7.1 of the Countywide Rules, and Section 163.3178(8)(a), Florida Statutes, staff recommends **approval** of the Comprehensive Plan amendment as presented.

Attachment: Proposed Comprehensive Plan Amendment, including new Property Rights Element

**City of Oldsmar
Comprehensive Plan Amendment
October 20, 2021**

Future Land Use Element

Policy 6.1.5

Prohibit density increases within the Coastal High Hazard Area (CHHA) and Evacuation Level "A" areas in relation to the location of station areas and the creation of the Multimodal Transportation Plan, except as may be permitted for mixed use developments within certain areas of the Community Redevelopment District (CRD) as specified in this Comprehensive Plan and the City Code of Ordinances, and subject to the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes.

Coastal Management and Conservation Element

Objective 2.2

As of the effective date of this Comprehensive Plan, the city shall direct population concentrations away from the designated Coastal High Hazard Area, except as may be permitted for mixed use developments within certain areas of the Community Redevelopment District (CRD) as specified in this Comprehensive Plan and the City Code of Ordinances, and subject to the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes.

VII. FUTURE LAND USE MAP

B. Land Use Categories

7. Special Designation Classification;

1. Water/Drainage Feature (W/DF)

The Water/Drainage Feature is intended to designate water and drainage uses or areas. Water bodies include ocean, estuary, lake, pond, stream and drainage detention areas. Drainage features recognize existing natural and man-made drainageways and water bodies, and proposed drainageways and water bodies that are part of watershed and master drainage plans, or that are part of an approved development order.

This category is designed to reflect water bodies and drainage features as defined herein and located on the Countywide Plan Map, as same may be revised from time to time through the map amendment or map adjustment process, and subject to their actual location on the ground.

- i) The primary uses shall be open and undeveloped areas consistent with the water and/or drainage features which characterize these locations.
- ii) Certain density and intensity restrictions shall be implemented in accordance with the underlying Plan category.
- iii) At a minimum, water bodies of three (3) or more acres will be designated on the Future Land Use Map as Water/Drainage with the appropriate symbol. Adjustments may be made to reflect the actual location of water/drainage features without the necessity of an amendment to the city Future Land Use Map.

2. Community Redevelopment District (CRD)

- i) The Community Redevelopment District (CRD) Land Use Category is intended for those uses and developments which comprise the core areas of the downtown business district and urban centers appropriate for redevelopment in accordance with a specific plan.
- ii) The primary uses shall be residential, commercial, office, and public/semi-public as enumerated by the approved redevelopment plan.
- iii) This category is generally appropriate to those areas community areas designed to serve as local retail, financial, governmental, residential, and employment focal points for a community; and to specified target neighborhoods designed to encourage redevelopment in one or a combination of uses.
- iv) Generally, nonresidential uses shall not exceed a floor area ratio (FAR) 1.0, ~~and~~ residential areas shall not exceed a density of thirty (30) dwelling units per acre, and transient accommodations shall not exceed a density of eighty (80) units per acre, dependent on where within the CRD they are located.
- v) Properties that are zoned Town Center Commercial Residential (TCCR) and located within the area south of Tampa Road and north of State Street East (SR 580)/State Street West, shall additionally allow mixed use development containing a mix of residential and nonresidential land uses within the same multi-story building. As an incentive to encourage transit supportive, vertically integrated mixed-use developments in this area, such developments shall be permitted a maximum density of sixty-five (65) units per acre, transient accommodations density of 150 units per acre, and a FAR of 2.0. Any such developments exceeding the standards of paragraph 2.iv, above, shall meet the requirements of Section 4.2.7.1 of the Countywide Rules and Section 163.3178(8)(a), Florida Statutes, and shall require the following:
 - 1.) Transient accommodation uses shall provide a hurricane evacuation and closure plan that complies with all Pinellas County hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III.
 - 2.) Multi-family residential dwelling units shall provide a hurricane evacuation and re-entry plan requiring mandatory evacuation in accordance with emergency management directives. The plan shall include operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power (if available), and transition back to normal operation.
 - 3.) Such requirements shall be incorporated into a Development Agreement approved by the City in accordance with Section 14.7 of the Land Development Code.
- ✧ vi) Certain more specific density and intensity restrictions shall be implemented in accordance with each classification of use and respective location as designated by an approved redevelopment plan, adopted in accordance with the requirements of Chapter 163, Part 111, Community Redevelopment, Florida Statute, and incorporated by reference herein.

PROPERTY RIGHTS ELEMENT

GOAL 1.

IN ACCORDANCE WITH FLORIDA STATUTES 163.3177 (i), 163.3161 (10), AND 187.101 (3), CITY OF OLDSMAR WILL RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

Objective 1.1

City of Oldsmar will ensure that private property rights are considered in local decision-making through provision of the following policies.

Policy 1.1.1

City of Oldsmar will consider in its decision-making the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy 1.1.2

City of Oldsmar will consider in its decision-making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 1.1.3

City of Oldsmar will consider in its decision-making the right of a property owner to exclude others from the property to protect the owner's possessions and property.

Policy 1.1.4

City of Oldsmar will consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

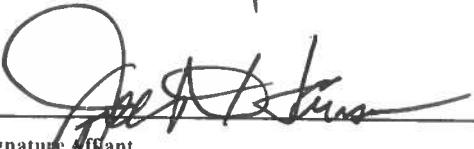
Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas, Hillsborough, Pasco,
Hernando Citrus

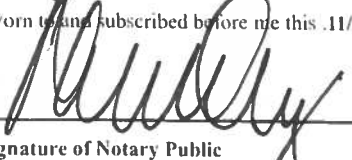
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Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter **RE: ORD. 2021-25/26** was published in **Tampa Bay Times: 11/14/21** in said newspaper in the issues of **Tampa Bay Times\Local B\Full Run**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



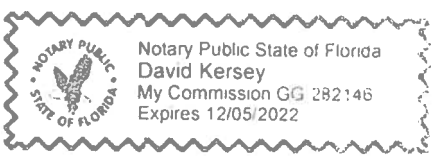
Signature of Affiant

Sworn to and subscribed before me this 11/14/2021



Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



LEGAL NOTICE


PUBLIC HEARING NOTICES
CITY OF OLDSMAR, FLORIDA
COMPREHENSIVE PLAN AND TOWN CENTER DEVELOPMENT CODE AMENDMENTS

Notices are hereby given that the **Oldsmar City Council** will hold a meeting on **Tuesday, December 7, 2021** at 7:00 p.m. at Council Chamber, 101 State Street West, Oldsmar, or as soon thereafter as the proposed ordinances can be heard. Following the Public Hearings the City Council will consider the first readings of the following ordinances, described below by title only. The ordinances can be read in their entirety in the Office of the City Clerk, 100 State Street West, Oldsmar, FL.

ORDINANCE 2021-25

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA AMENDING POLICY 6.1.5 OF THE FUTURE LAND USE ELEMENT AND OBJECTIVE 2.2 OF THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY OF OLDSMAR COMPREHENSIVE PLAN TO ALLOW FOR DENSITY/INTENSITY INCENTIVE WITHIN THE CHHA FOR MIXED USE DEVELOPMENTS WITHIN CERTAIN AREAS OF THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE COMMUNITY REDEVELOPMENT DISTRICT LAND USE CATEGORY LISTED IN ARTICLE VII FUTURE LAND USE MAP TO PROVIDE FOR TRANSIENT ACCOMMODATIONS AND PROVIDE INCENTIVES FOR VERTICALLY INTEGRATED MIXED USE DEVELOPMENTS WITHIN THE AREA SOUTH OF TAMPA ROAD AND NORTH OF STATE STREET; CREATING A PROPERTY RIGHTS ELEMENT AS REQUIRED BY FLORIDA STATUTE 163.3177; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

ORDINANCE 2021-26

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA AMENDING THE TOWN CENTER DEVELOPMENT CODE; AMENDING SECTION 2.1 TO ADD DEFINITIONS FOR DENSITY/INTENSITY AVERAGING AND VERTICALLY INTEGRATED MIXED USE DEVELOPMENT; AMENDING SECTION 3.7.1 PROVIDING THAT MIXED USE DENSITIES MAY BE PERMITTED UP TO 65 UNITS PER ACRE SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5; AMENDING SECTION 3.7.2 TO PROVIDE THAT TRANSIENT ACCOMMODATIONS MAY BE PERMITTED UP TO 150 UNITS PER ACRE SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5; AMENDING SECTION 3.7.5 TO REVISE THE MAXIMUM FLOOR AREA RATIO AND TO ALLOW FOR MIXED USE DEVELOPMENTS AS WELL AS DENSITY/INTENSITY AVERAGING AND PROVIDING FOR MIXED USE BONUS AREA; AMENDING APPENDIX A - ARCHITECTURAL AND DESIGN PATTERN BOOK TO PROVIDE THAT DENSITY AND INTENSITY BONUSES ARE AVAILABLE FOR VERTICALLY INTEGRATED MIXED USE DEVELOPMENTS SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5 OF THE TOWN CENTER DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ann Nixon, MMC, City Clerk
City of Oldsmar, Florida

Interested parties may appear at the Council Meeting and be heard with respect to the proposed ordinances. The proposed ordinances and background materials are available at the City Clerk's Office, City Hall, 100 State Street, Oldsmar, Florida 34677, Monday through Friday, 8:30 AM to 5:00 PM. Interested parties may appear to be heard or file written notice of approval or objection with the Planning and Redevelopment Office at the address listed above prior to the meeting. If a person decides to appeal any decision made by the Board, Agency or City Council with respect to any matter discussed at such meeting or hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made. Verbatim transcripts are not furnished by the City. Arrangements should be made in advance should a verbatim transcript be required (i.e., Court reporter). Any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk's Office with your request. Telephone (813) 749-1115, Fax (813) 854-3121 or Operator Assistance (800) 955-8770.

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas, Hillsborough, Pasco, } ss
Hernando Citrus

Before the undersigned authority personally appeared Jessica Attard who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: Notice of Meeting 10/27/21 was published in Tampa Bay Times: 10/17/21 in said newspaper in the issues of Tampa Bay Times\Local B\Full Run

Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jessica Attard

Signature Affiant

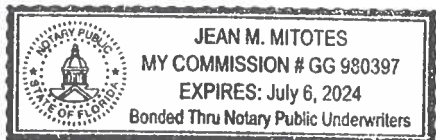
Sworn to and subscribed before me this .10/17/2021

Jean M. Mitotes

Signature of Notary Public

Personally known _____ X _____ or produced identification

Type of identification produced _____



PLANNING BOARD AGENDA AND PUBLIC HEARINGS SPECIAL MEETING

Oldsmar Council Chamber
101 State Street West
Oldsmar, Florida

Date: Wednesday, October 27, 2021 Time: 6:30 p.m.

Notice is hereby given that the Oldsmar Planning Board will hold a Special Meeting and Public Hearings for the following purpose(s):

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE TO THE FLAG
SWEARING IN PROCESS

CITIZENS OPEN FORUM: *Each speaker will be recognized once and will be limited to a five (5) minute presentation on any subject not on the agenda.*

1. Approval of Minutes dated August 11, 2021

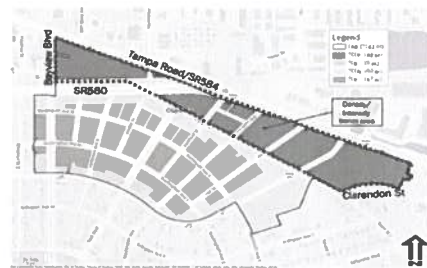
PUBLIC HEARINGS: *Each speaker will be recognized once and will be limited to a five (5) minute presentation on each agenda item. Written comments can be submitted by emailing anixon@myoldsmar.com before 5:00 p.m. the day of the meeting.*

2. CA21-03 Text Amendment to Section 3.7 – Town Center Commercial Residential District (TCCR) and Public Hearing

Applicant: City of Oldsmar, 100 State Street West, Oldsmar, FL 34677
Property Location: Town Center Commercial Residential Zoning District
Requested Action: Approve text amendment request to the Town Center Development Code and Architectural and Design Pattern Book to permit a density/intensity incentive within the TCCR district for vertically integrated, transit supportive mixed-use development and to clarify language regarding density/intensity and floor-area ratio within the district. The amendment proposes a density/intensity bonus of up to 65 units per acre (UPA) for residential uses, up to 2.0 floor area ratio (FAR) for nonresidential uses, and a maximum of 150 UPA for transient accommodations as an incentive within the TCCR district only.

3. CA21-04 Text Amendment to City of Oldsmar Comprehensive Plan and Public Hearing

Applicant: City of Oldsmar, 100 State Street West, Oldsmar, FL 34677
Property Location: Community Redevelopment District
Requested Action: Approve text amendment request to the Comprehensive Plan to permit a density/intensity incentive for vertically integrated mixed-use development for properties that are zoned Town Center Commercial Residential (TCCR) and located within the area south of Tampa Road and north of State Street East (SR 580)/State Street West, as designated on the attached map; to clarify language regarding density/intensity and floor-area ratio within the CRD district, to clarify transient accommodations density with the CRD, to introduce balancing criteria requirements for mixed-use development qualifying for density/intensity incentive within the Coastal High Hazard Area, and to incorporate a new Property Rights Element into the Comprehensive Plan, as required by Section 163.3177 (6)(f), Section 163.3161 (10), and 187.101 (3), Florida Statutes.



4. ADJOURNMENT

The Public is invited.
Ann Nixon, MMC, City Clerk
City of Oldsmar, Florida

Copies of the request together with background materials, Staff comments and applicable City Codes and Land Development Regulations, if any, are on display at the City Clerk's Office, City Hall, 100 State Street, Oldsmar, Florida, Monday through Friday, 8:30AM to 5:00PM. If a person decides to appeal any decision made by the Board, Agency, or Council with respect to any matter discussed at such meeting or hearing, he will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Florida Statute 286.0105. Verbatim transcripts are not provided by the City. Arrangements should be made with an outside agency, i.e. court reporter, in advance to obtain a verbatim transcript. Any person with a disability requiring reasonable accommodation to participate in this meeting should contact the City Clerk's office with your request; telephone 813-749-1115, FAX 813-854-3121, or operator assistance 800-955-8770.

LEGAL NOTICE

**TOWN OF KENNETH CITY, FLORIDA
NOTICE OF MARCH 15, 2022 MUNICIPAL
GENERAL ELECTION AND CANDIDATE
QUALIFYING PERIOD**

Notice is hereby given that, in accordance with the provisions of the State of Florida, Election Code, the Town of Kenneth City will hold a Municipal General Election on Tuesday March 15, 2022, for the purpose of electing, at large, qualified candidates to fill the vacancies of two Councilmembers Seats each for two-year terms. Candidates shall be a resident of Town of Kenneth City for at least two (2) years prior to the qualifying date.

The Qualifying Period begins at 8:00 a.m. on Thursday December 16, 2021 and ends at noon on Thursday December 23, 2021. Please contact the Office of the Town Clerk for further qualifying information at 727-498-8948.

**CIUDAD DE KENNETH CITY, FLORIDA
AVISO MUNICIPAL 15 DE MARZO DE 2022
ELECCIÓN GENERAL Y PERIODO DE
CALIFICACIÓN DE CANDIDATOS**

Por la presente se notifica que, de acuerdo con las disposiciones del Código de Elecciones del Estado de Florida, la Ciudad de Kenneth City celebrará una Elección General Municipal el martes 15 de marzo de 2022, con el propósito de elegir, en general, candidatos calificados para llenar las vacantes de dos puestos de concejal cada uno por períodos de dos años. Los candidatos deberán ser residentes de la ciudad de Kenneth City durante al menos dos (2) años antes de la fecha de calificación.

El período de calificación comienza a las 8:00 a.m. del jueves 16 de diciembre de 2021 y finaliza al mediodía del jueves 23 de diciembre de 2021. Comuníquese con la Oficina del Secretario Municipal para obtener más información de calificación, 727-498-8948.

11/14/21, 11/24/21 0000194450-01

LEGAL NOTICE

**NOTICE OF PUBLIC HEARING
FOR THE CONSIDERATION
OF THE PETITION AND
ORDINANCE TO ESTABLISH
THE BOUNDARIES OF THE
ABBOTT SQUARE COMMUNITY
DEVELOPMENT DISTRICT
PURSUANT TO CHAPTER 190,
FLORIDA STATUTES**



In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the City Council of the City of Zephyrhills beginning at 6:00 p.m., Monday, December 13, 2021, at City Hall, Council Chambers, 5335 Eighth Street, Zephyrhills, Florida 33542, to consider a petition and the adoption of an ordinance to establish the boundaries of the Abbott Square Community Development District.

The boundaries of the land to be serviced by the Abbott Square Community Development District are outlined on the map depicted above. The petitioner has proposed to establish the boundaries of the Abbott Square Community Development District to plan, finance, acquire, construct, operate, and maintain all infrastructure and community facilities which may be authorized by such districts under Florida law, including, but not limited to, water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, parks and recreational facilities, security facilities, and certain other projects when expressly approved or required by a local government and any other facilities in accordance with Section 190.012(1), Florida Statutes.

Information concerning this matter will be on file and available for examination by appointment only in the office of the City Clerk of the City of Zephyrhills, City Hall, 5335 Eighth Street, Zephyrhills, Florida 33542, or anytime on our website: www.ci.zephyrhills.fl.us. To make an appointment or for further information, you may call (813) 780-0000. All interested parties may participate in the public hearing and be heard. To learn how to participate in this hearing virtually, please visit <https://www.ci.zephyrhills.fl.us/129/Agendas-Minutes>.

Any person desiring to appeal any decision made by the City Council of the City of Zephyrhills with respect to any matter considered at any hearing will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based. For meetings, persons may obtain a verbatim record of the proceeding by contacting the City Clerk's Office, 5335 Eighth Street, Zephyrhills, Florida 33542; or at (813) 780-0000.

For questions or inquiries about this meeting, members of the public can reach out to the City's Customer Service Center (813) 780-0000 or visit www.ci.zephyrhills.fl.us. To view the City Council of the City of Zephyrhills Agenda, please visit <https://www.ci.zephyrhills.fl.us/129/Agendas-Minutes>.

If you are a person with a disability that requires reasonable accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk at (813) 780-0000 at least 48 hours prior to the public hearing.

CITY COUNCIL OF THE CITY OF ZEPHYRHILLS

11/14, 11/21, 11/28, 12/5/2021 0000193864-01

LEGAL NOTICE

**PUBLIC HEARING
NOTICES
CITY OF OLDSMAR,
FLORIDA
COMPREHENSIVE PLAN
AND TOWN CENTER
DEVELOPMENT CODE
AMENDMENTS**

Notices are hereby given that the Oldsmar City Council will hold a meeting on **Tuesday, December 7, 2021 at 7:00 p.m.** at Council Chamber, **101 State Street West**, Oldsmar, or as soon thereafter as the proposed ordinances can be heard. Following the Public Hearings the City Council will consider the first readings of the following ordinances, described below by title only. The ordinances can be read in their entirety in the Office of the City Clerk, 100 State Street West, Oldsmar, FL.

ORDINANCE 2021-25

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA AMENDING POLICY 6.1.5 OF THE FUTURE LAND USE ELEMENT AND OBJECTIVE 2.2 OF THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY OF OLDSMAR COMPREHENSIVE PLAN TO ALLOW FOR DENSITY/INTENSITY INCENTIVE WITHIN THE CHHA FOR MIXED USE DEVELOPMENTS WITHIN CERTAIN AREAS OF THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE COMMUNITY REDEVELOPMENT DISTRICT LAND USE CATEGORY LISTED IN ARTICLE VII FUTURE LAND USE MAP TO PROVIDE FOR TRANSIENT ACCOMMODATIONS AND PROVIDE INCENTIVES FOR VERTICALLY INTEGRATED MIXED USE DEVELOPMENTS WITHIN THE AREA SOUTH OF TAMPA ROAD AND NORTH OF STATE STREET; CREATING A PROPERTY RIGHTS ELEMENT AS REQUIRED BY FLORIDA STATUTE 163.3177; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

ORDINANCE 2021-26

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA AMENDING THE TOWN CENTER DEVELOPMENT CODE; AMENDING SECTION 2.1 TO ADD DEFINITIONS FOR DENSITY/INTENSITY AVERAGING AND VERTICALLY INTEGRATED MIXED USE DEVELOPMENT; AMENDING SECTION 3.7.1 PROVIDING THAT MIXED USE DENSITIES MAY BE PERMITTED UP TO 65 UNITS PER ACRE SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5; AMENDING SECTION 3.7.2 TO PROVIDE THAT TRANSIENT ACCOMMODATIONS MAY BE PERMITTED UP TO 150 UNITS PER ACRE SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5; AMENDING SECTION 3.7.5 TO REVISE THE MAXIMUM FLOOR AREA RATIO AND TO ALLOW FOR MIXED USE DEVELOPMENTS AS WELL AS DENSITY/INTENSITY AVERAGING AND PROVIDING FOR MIXED USE BONUS AREA; AMENDING APPENDIX A - ARCHITECTURAL AND DESIGN PATTERN BOOK TO PROVIDE THAT DENSITY AND INTENSITY BONUSES ARE AVAILABLE FOR VERTICALLY INTEGRATED MIXED USE DEVELOPMENTS SUBJECT TO THE MIXED USE BONUS AREA STANDARDS OF SECTION 3.7.5 OF THE TOWN CENTER DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Ann Nixon, MMC, City Clerk
City of Oldsmar, Florida

Interested parties may appear at the Council Meeting and be heard with respect to the proposed ordinances. The proposed ordinances and background materials are available at the City Clerk's Office, City Hall, 100 State Street, Oldsmar, Florida 34677, Monday through Friday, 8:30 AM to 5:00 PM. Interested parties may appear to be heard or file written notice of approval or objection with the Planning and Redevelopment Office at the address listed above prior to the meeting. If a person decides to appeal any decision made by the Board, Agency or City Council with respect to any matter discussed at such meeting or hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made. Verbatim transcripts are not furnished by the City. Arrangements should be made in advance should a verbatim transcript be required (i.e., Court reporter). Any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk's Office with your request; Telephone (813) 749-1115, Fax (813) 854-3121 or Operator Assistance (800) 955-8770.

11/14/21 0000194654-01

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MEXICO continued from 25A

and at a given moment, when it can't do anything else or when one side appears to be winning, it will act," Vergara said. "But that is not the rule of law."

That was a reference to the army's only real action in recent months: In September, after a Jalisco cartel offensive against the nearby town of Tepalcatepec left five local vigilantes decapitated, the army sent in helicopters, reportedly armed with revolving-barrel machine guns that can fire thousands of rounds per minute, to push Jalisco back.

Since then, the army has taken up positions around Tepalcatepec, but has done the same thing as on the road to Aguillilla: nothing.

"Why doesn't the army advance? Why don't they send in the helicopters again?" said a farmer in the hamlet of Taixtan, near Tepalcatepec, as he motioned down a dirt road in the direction of sorghum fields he cannot reach to harvest because Jalisco cartel gunmen posted on a nearby hill can hit the fields with their .50 caliber sniper rifles. "Since they (soldiers) came, they haven't fired a shot," said the farmer, whose "self-defense" squad regularly exchanges fire with Jalisco.

Most of the farmers in Tepalcatepec feel they have been left alone to fight off an invasion.

Locals rely not on soldiers but on their own WWI-style trench warfare, combined with 21st century technology like exploding drones.

On a hilltop near Tepalcatepec, the vigilantes have built a bunker of concrete, steel beams and brick, topped with more concrete to protect against drones. They approach the bunker, known as "Achicumbo," via meter-deep trenches to avoid sniper fire.

One farmer there showed shrapnel from a drone still lodged in the bumper of his truck; the devices cause terror, largely because they are

unexpected and feel indiscriminate. Throughout the region, drone impacts launched by both sides can be seen in the metal roofs opened like tin cans by the force of explosions. Each side has found "droneros" to operate the devices.

Nobody asks too much about where the Tepalcatepec vigilantes got their bulletproof cars and AR-15 rifles. There are rumors that the Sinaloa cartel has sent help, as part of that cartel's nationwide war with arch-rival Jalisco. The only evidence is one "dronero" from Sinaloa state.

Pedro, who runs his family's ranch in the nearby hamlet of Plaza Vieja, gazed over the rich valley where his family has raised cattle and crops since his grandfather's time and vowed "I'm not going to leave."

"My umbilical cord is buried here," he said, choking back tears. "We are not invading anyone else's land. We are just defending what is ours, what our grandfathers built."

One elderly woman said she was forced to leave her house and farm in a nearby hamlet in mid-September after Jalisco cartel gunmen showed up and told them they had two days to get out.

"Everything here belongs to el Señor Mencho," the gunmen told her and her husband, whom they abducted and later released. "I walked along, crying and driving my cows in front of me," she said.

Jalisco's takeover of Aguillilla has at least brought a modicum of peace; small gasoline shipments can make it through, and fuel is sold from plastic jugs on the streets. The town's only gas station remains closed.

The man who oversees the blockade of the army barracks in Aguillilla more or less reflects the Jalisco cartel's view on the conflict.

"Look, there is a conflict between two cartels here," said the man, who identified himself only as José Francisco. "The army should do its jobs, and fight both cartels, if it needs to. But it shouldn't take the side of one of them."

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