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**ORDINANCE NO. 16-\_\_\_**

**AN ORDINANCE OF THE COUNTY OF PINELLAS, AMENDING THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO ADOPT THE CRYSTAL BEACH COMMUNITY OVERLAY; ~~PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES;~~ PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Act; and

**WHEREAS**, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and significantly amended the Plan on March 18, 2008, based on the adopted Evaluation and Appraisal Report and following review by the State Department of Community Affairs; and

**WHEREAS**, in 2008 the Comprehensive Plan was also amended to provide for the development and application of Community Overlays as a means of recognizing distinct communities in Pinellas County; and

**WHEREAS**, the Board of County Commissioners determined that Community Overlays allow citizens to better participate in planning for their future, as well as enabling the Board of County Commissioners to understand and better plan for a community by recognizing and understanding its existing and desired characteristics and features; and

**WHEREAS**, the Alderman Rural Residential, Tierra Verde, Ozona and East Lake Tarpon Communities each requested, and were recognized with, a Community Overlay by the Board of County Commissioners; and

**WHEREAS**, a group of Crystal Beach residents, following a collaborative community process that included meetings and various other outreach initiatives, have requested the Crystal Beach Community be recognized in the Pinellas County Comprehensive Plan by adoption of a Community Overlay; and

**WHEREAS**, the recommendations from the Pinellas County Local Planning Agency have been received and considered.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS of Pinellas County Florida that:**

**SECTION 1. Purpose and Intent.** The purpose of this amendment is to add the Crystal Beach Community Vision, Objective 1.24 and associated Policies 1.24.1, 1.24.2, 1.24.3, 1.24.4, 1.24.5, 1.24.6 and 1.24.7 to the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan by adopting a Community Overlay for the Crystal Beach Community that defines the boundary of and recognizes the distinctive character of this local community. Renumbering is provided for as needed.

**SECTION 2. THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN IS AMENDED BY ADDING THE CRYSTAL BEACH COMMUNITY VISION, OBJECTIVE 1.24 AND ASSOCIATED POLICIES 1.24.1, 1.24.2, 1.24.3, 1.24.4, 1.24.5, 1.24.6 and 1.24.7.**

### **Crystal Beach Community Overlay**

VISION: Crystal Beach is a distinct Pinellas County Community. The following characteristics help define its history, character and natural environment, demonstrating that the Community is unique and worthy of special recognition and consideration by the Board of County Commissioners:

- Crystal Beach is a small, largely residential, unincorporated area in northern Pinellas County. The Crystal Beach Community Overlay Boundary is generally bordered to the west by St. Joseph's Sound, to the east by U.S. Alternate 19 North, the Pinellas Trail, Avery Bayou and Sutherland Bayou, to the north by Oceanview Avenue and to the south by Sutherland Bayou and St. Joseph's Sound. (For a map depicting the Crystal Beach Community Overlay Boundary, refer to Exhibit A of Ordinance No. 16-\_\_\_\_.)
- Crystal Beach is one of the original communities in Pinellas County with homesteading beginning in the 1850's. In 1912, A.D. Powers and J.D. Hanby platted a traditional grid street layout, which included a main boulevard and alleyways that promote connectivity, along with abundant natural features such as Live Oak Park and a public waterfront path along St. Joseph's Sound. This original layout contributes to Crystal Beach being a pedestrian, bicycle and golf cart-friendly Community with an "Old Florida" feel that lives on to this day.
- Foundational to the character of Crystal Beach is the long-established, paved and shell pathway and public area along St. Joseph's Sound, bordered by mangroves. This path (referred to as Gulf Shore Park by Powers and Hanby) allows the public - both residents of and visitors to Crystal Beach—to enjoy peaceful walks along the water.
- The area's many environmental features include coastal waters, indigenous marine life, Chautaugua Lake fed by natural springs, and a largely unsullied natural shoreline along St. Joseph's Sound and into Sutherland and Avery Bayou. It contains wetlands and uplands and

their associated vegetation and wildlife, as well as a large population of native birds and waterfowl. Mangroves border the unpaved portion of the public path that runs along the Sound.

- There is a strong sense of community in Crystal Beach. Powers and Hanby's original vision of a quiet place where people could relax, fish, walk, and "enjoy life and talk to neighbors" is a reality today.

1.24 Objective: The Board of County Commissioners will utilize a Community Overlay to define and recognize Crystal Beach as a cohesive community and as a means to identify and support the local vision, community character and natural environment.

1.24.1 Policy: Land use, zoning, and conditional use decisions that affect properties located within the Crystal Beach Community Overlay should be compatible with the Community's primarily low density residential development pattern.

1.24.2 Policy: Pinellas County will consider the historical and functional integrity of the Revised Plat of Crystal Beach (which resulted in largely low-density residential development in a traditional grid pattern layout with a main boulevard and alleyways that promote connectivity) when making land use, zoning, conditional use and site plan decisions for properties located within the boundaries of the Revised Plat of Crystal Beach. The boundaries of the Revised Plat of Crystal Beach are defined as Georgia Avenue to the south, Alternate U.S. Highway 19 to the east, lots on the north side of Avery and Ohio Avenues to the north, and Gulf Drive to the west. (The Revised Plat of Crystal Beach shall be considered a subset of the Crystal Beach Community Overlay, and Policy 1.24.2 shall only be applicable to properties located within the boundary of the Revised Plat of Crystal Beach as described herein. The Crystal Beach Community Overlay Boundary as described in the Vision and as depicted in Exhibit A of Ordinance No. 16-\_\_\_ is applicable to Policies 1.24.1, 1.24.3, 1.24.4, 1.24.5, 1.24.6 and 1.24.7.)

1.24.3 Policy: Decisions by Pinellas County and other agencies that affect the use and development of land located within the Crystal Beach Community Overlay will place a priority on the protection of the recreational spaces and assets, natural and historic resources, and the natural environment, including mangrove and other estuary habitats and the dependent species associated with them.

1.24.4 Policy: A coastal shoreline path, comprised of the paved and unpaved public right-of-way along St. Joseph’s Sound from Ohio Avenue to Georgia Avenue, has existed as a public amenity since Crystal Beach was originally platted and represents an integral and defining public feature of the Community, providing public access to the scenic waterfront. County staff will work with the County’s Historic Preservation Board and the Crystal Beach Community and the owners of the private property along the coastal shoreline path to explore preservation of the path as a landmark site as allowed under the County’s historic preservation ordinance in recognition of its significance to the Community and the County. It is not the intent of this policy to impact private property rights.

1.24.5 Policy: Live Oak Park, as depicted on Exhibit A of Ordinance 16-\_\_\_, was set aside in the early 1960s to serve as an important gathering place for the Community and will be protected for its historic, environmental and community value. Pinellas County and other agencies will consider these factors when making any decisions affecting Live Oak Park.

1.24.6 Policy: The County is supportive of the Community’s desire to preserve its coastal character through the use of native landscaping and will partner with the Community where practical and feasible on identifying ideas and locations for beautification of public right-of-way, particularly along Crystal Beach Avenue.

1.24.7 Policy: Commercial land uses within Crystal Beach along Alternate U.S. Highway 19 are appropriate and compatible with the residential areas of Crystal Beach. Commercial businesses along this state highway are an asset to Crystal Beach residents, and it is the intent to retain this pattern of residential and commercial development in the Community.

**SECTION 3. OBJECTIVE 1.24 AND POLICIES 1.24.1 AND 1.24.2 OF THE FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN ARE RE-NUMBERED TO READ AS FOLLOWS:**

~~1.24~~ 1.25 Objective: Pinellas County shall continue to pursue an overall beautification program for landscaping the County’s roadway corridors and shall provide funds for implementing this program.

~~1.24.1~~ 1.25.1. Policy: Pinellas County shall continue implementation of a landscaping program for the public rights-of-way along the arterial and collector roadways of the County. This program shall use native and drought-tolerant trees and plants where feasible.

~~1.24.2~~ 1.25. 2. Policy: Pinellas County's overall beautification program shall further other applicable objectives and policies of the Comprehensive Plan as they relate to such goals as water conservation and the use of native and drought-tolerant vegetation.

SECTION 4. 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 5. 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 Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan, located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION 6. 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.