



LOCAL PLANNING AGENCY (LPA) STAFF REPORT

Case Number: Z/LU-14-09-19

LPA Public Hearing: To Be Determined

Applicant: TTGC, LLC

Representative: Joel R. Tew, Tew & Associates

Subject Property: Approximately 95.96 acres located at 11832 66th Avenue North in unincorporated Seminole.

PARCEL ID(S): 33/30/15/00000/240/0100



REQUEST:

- Future Land Use Map amendment from Recreation/Open Space (R/OS) and Preservation (P) to Residential Low (RL) and Preservation (P);
- Zoning Atlas amendment from R-A, Residential Agriculture to RPD, Residential Planned Development;
- Development Agreement limiting the use of the property to a maximum of 273 single-family detached residential dwelling units and typical residential supporting uses, stormwater retention/detention/treatment, environmental mitigation and/or floodplain compensation areas, and a linear greenway/trail system. All development is restricted to a maximum height of 35 feet and subject to other development requirements as conceptually set forth on the associated Development Master Plan; and
- Establishment of a Development Master Plan

LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

SUMMARY RECOMMENDATION

Staff's recommendation, based upon evidence and findings further outlined in this staff report, is to deny the current application, when viewed in its entirety as a cohesive project that must rely upon the proposed Future Land Use Map change, Zoning Map amendment, Development Master Plan and Development Agreement under consideration. The primary consideration for this recommendation is based upon Comprehensive Plan inconsistencies created by the following:

- The layout of the proposed Development Master Plan substantially encroaches into and is reliant upon development within the 100-year flood plain, VE zones, and all levels of expected storm surge inundation from a CAT 1 through a CAT 5 hurricane. This expressly conflicts with Comprehensive Plan policies restricting development within the Coastal Storm Area and directing population concentrations out of the Coastal Storm Area.
- While the proposed Future Land Use map designation of Residential Low is generally consistent with the surrounding area, the locational characteristics of the category recognize that the more appropriate designation for areas within the 100-year flood plain is Preservation or Recreation/Open Space and that the Residential Low category is only appropriate if Preservation and/or Recreation/Open Space are not feasible, which has not been demonstrated by the applicant.
- The RPD zoning district requires that the district be master planned as a creative, walkable and context-sensitive community that responds to the surrounding land use pattern and preserves unique natural features. Therefore, the Development Master Plan should seek to set aside the more vulnerable areas of the site for preservation/open space uses. The current design does not achieve this, nor does it evaluate and compensate for the impacts of future sea level rise.
- While projected roadway intersection levels of service are satisfactory, the proposed density of the project may alter the roadway classification of 66th Avenue North and creates traffic management conflicts that have not been mitigated by the applicant. The application does not consider unmet area needs of other multimodal improvements in the area (incomplete sidewalk gaps, trail connections) as required by the Transportation Element of the Comprehensive Plan when considering decisions on Future Land Use Map amendments.
- While the overall planned density of 3.1 units per acre for the entire site is consistent with existing surrounding densities, the proposed plan results in internal and external impacts that conflict with the County's Comprehensive Plan policies and established Land Development Regulations.
- When viewed in its totality, the proposed external stormwater treatment (while clearly beneficial to the area) comes at the expense of not setting aside the most vulnerable areas of the property for preservation/open space, and places residential development in these areas instead. On balance, the public benefit does not outweigh the overall impacts of the development and the loss of recreation/open space and preservation uses on the property.

Recommendation:

- **Staff recommends** that the LPA find the proposed amendments to the Pinellas County Future Land Use Map (FLUM) and Zoning Atlas, Development Agreement, and Development Master Plan **inconsistent** with the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **denial** of the proposed FLUM and Zoning Atlas amendments, Development Agreement, and Development Master Plan to the Pinellas County Board of County Commissioners.

FULL REVIEW & FINDINGS

The Development Review Committee (DRC) reviewed this application on March 9, 2020. The DRC Staff summary discussion and analysis follows:

Introduction

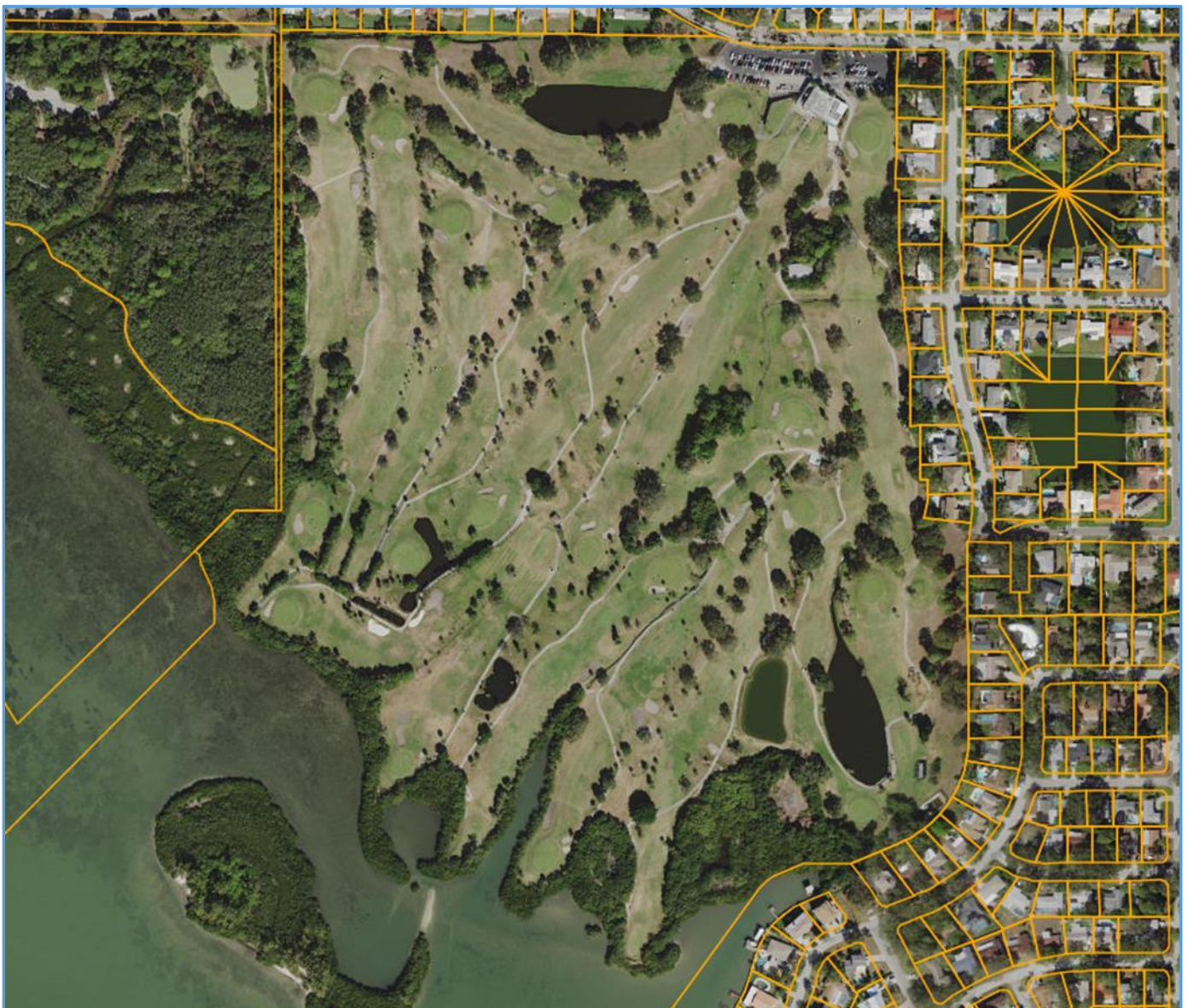
The subject property consists of approximately 95.96 acres located at 11832 66th Avenue North in unincorporated Seminole, which is the location of the former Tides Golf Club. This staff report and recommendation addresses land use and zoning changes requested by the applicant based upon the information submitted to Pinellas County. A Development Agreement and a Development Master Plan are also proposed. To summarize, this case includes the following components:

- A Future Land Use Map (FLUM) amendment from Recreation/Open Space (R/OS) and Preservation to Residential Low (RL) and Preservation;
- A Zoning Atlas amendment from R-A, Residential Agriculture to RPD, Residential Planned Development;
- A Development Agreement that sets the allowable uses on the subject property, including density and intensity, and addresses a number of other development-related requirements;
- The establishment of a Development Master Plan (DMP) as required per the Pinellas County Land Development Code for new RDP zoning districts.

The proposed use is a 273-unit single-family residential detached subdivision. A FLUM amendment is required to facilitate this because the existing R/OS land use category does not permit residential uses, and a zoning change is needed because the existing R-A district has a density of 0.5 units per acre based on a two-acre minimum lot size. The subject property is situated in an environmentally-sensitive coastal waterfront location. Site access is via a two-lane local street (66th Avenue North) that transverses a long-established residential subdivision to reach the nearest arterial roadway (113th Street). Because of these realities, among others, site development is complicated and involves a wide range of issues. The proposed Development Agreement and DMP attempt to address these various complexities and challenges. Importantly, the offshore islands and submerged lands associated with the subject parcel are not included in the request. **Figure 1** depicts an aerial view of the subject property.

The RL land use is proposed for the upland portions of the subject property. It allows up to 5.0 residential units per acre, however the associated Development Agreement limits the number of units to 273, which equates to approximately 3.1 units per acre. The requested RPD zoning district is inherently flexible and has the potential to provide for the possibility of a wide variety of housing types and some complementing non-residential, neighborhood-oriented uses where appropriate. Its flexibility also extends to other development parameters such as lot size and building setbacks. Such enhanced flexibility is why the Land Development Code requires the establishment of a DMP for new RPD districts. The specifics of the DMP and the associated Development Agreement will be discussed later on in this report. The Preservation land use category is proposed for the wetland and tidal marsh portions of the property.

Figure 1: Aerial view of subject property



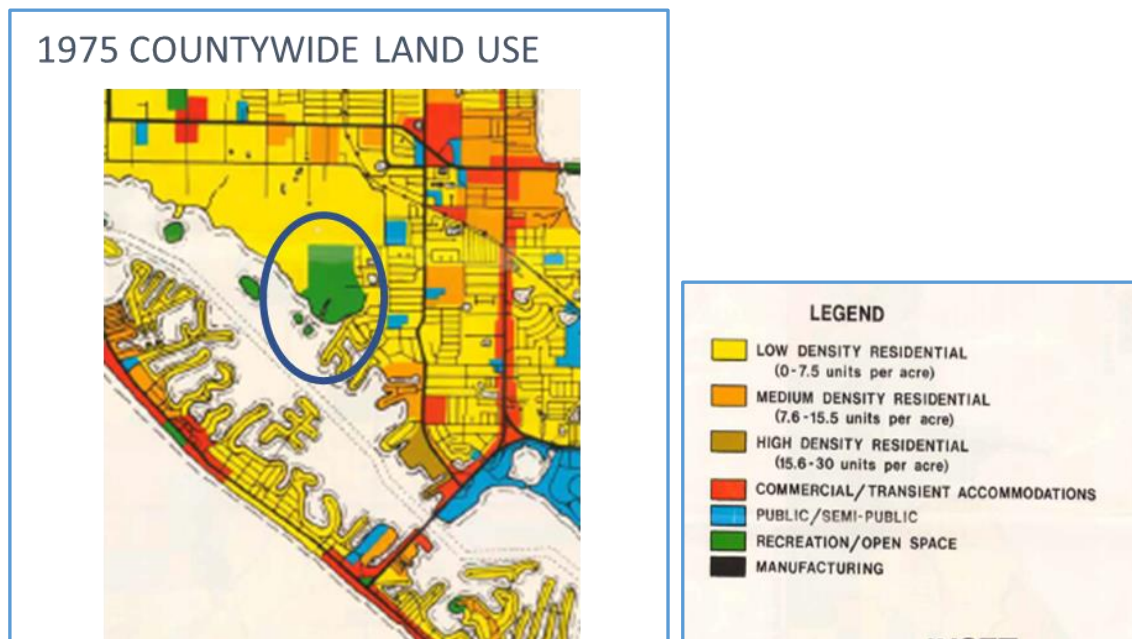
Staff Analysis

This is a highly complex application involving land use, zoning, a development master plan, and a development agreement that includes a number of proposals – including the treatment of stormwater from surrounding external areas and a publicly-accessible perimeter trail – intended to provide community benefit to help offset the loss of open space. That complexity and the subject property's sensitive location have necessitated a broad review of multiple technical and non-technical areas. The non-technical areas include site history, previous and current development rights, location and surroundings (community character). The technical areas include the Development Master Plan, Development Agreement, transportation, stormwater, flood plain/coastal high hazard area/sea level rise, evacuation/shelter impacts, environmental, archeological, and land use. The staff analysis will begin with the non-technical review areas then move on to the technical ones.

Site History

As previously mentioned, the subject property is the location of the former Tides Golf Club, a publicly-accessible 18-hole, par 72 golf course that was in operation from the early 1970s until the summer of 2018. The 1975 Pinellas County Future Land Use Map first portrays the property with the Recreation/Open Space land use category, reflecting its use as a golf course at that time (see **Figure 2**). The prior designation was Low Density Residential. The underlying zoning designations on the property in the 1970s were R-1 and R-2, which were designations typically associated with single-family residential uses. In 1985, a zoning amendment (case # Z-3468) initiated by the County amended the zoning on the upland portion of the golf course property to A-E, Agricultural Estate (since renamed R-A, Residential Agriculture), and to AL, Aquatic Lands on the islands and the submerged portion of the property located in Boca Ciega Bay. The application for that amendment identifies the property as a golf course and states the purpose of the amendment was to make the zoning consistent with the Future Land Use Map. The staff recommendation associated with the 1985 case notes that *'approval of the amendment does not result in a loss of reasonable use of the property, as the golf course operation may be continued'*.

Figure 2: 1975 Countywide Land Use Map



Additionally, the property was subject to a Special Exception granted by the Board of Adjustment in 1969 allowing use of the property as a golf course within the residential zoning designations. With completion of the golf course, the necessary amendments to the Future Land Use Map followed, reflecting the final recreation/open space purpose of the golf course. Notably, the Special Exception allowing the use of the golf course expired following the first 180 days of inactivity after the golf course closed in 2018. The former golf course clubhouse has also been demolished. The subject property was vacant prior to the establishment of the golf course. A 273-unit residential plat (**Figure 3**) was approved in 1926 but the subdivision was never constructed. That plat is part of the basis for the current request and is where the 273 requested units originates. Importantly, the former property owners voluntarily vacated the plat in 1992, so it is no longer in place or material to the subject application. Additionally, the subject property was never part of a master planned community and no density transfers have ever taken place.

Figure 3
1926 PLAT, 273 LOTS



Historically, Pinellas County did not have a zoning district specific to recreational uses, using instead the “overlying” Future Land Use Map designation to control uses on recreational properties, along with a low-density residential zoning district. This is why the A-E zoning district was applied to the property in 1985. This method of applying low density residential zoning districts under the Recreation/Open Space land use designation was not unusual (note that the adjacent Boca Ciega Millennium Park carries the same zoning). In 2009, Pinellas County developed and adopted new zoning districts for specific use on recreation and open space properties, intending to gradually process amendments to County-owned parks and open space as time allowed.

It is important to note that a separate land use and zoning change request to allow for 170 residential units was submitted to the County in 2013. That case was withdrawn before the

scheduled LPA public hearing date, following a staff recommendation of denial. For ease of review, the history of the subject property is summarized below:

- 1926 – platted for 273 lots as part of Seminole Estates
- 1969 – Special Exception granted for a golf course in residential zones (case # BA-10-4-69)
- 1973 – clubhouse built according to Property Appraiser records and the golf course opens
- 1975 – depicted as Recreation/Open Space on the Future Land Use Map
- 1985 – rezoned to A-E (uplands) and AL (submerged land and islands) (case # Z-3468)
- 1992 – underlying residential plat vacated (OR Book 7945 Page 1943)
- 2013 – application submitted to allow a 170-unit residential development – case was withdrawn following a staff recommendation of denial
- 2018 – golf course closed, and the Special Exception subsequently expired

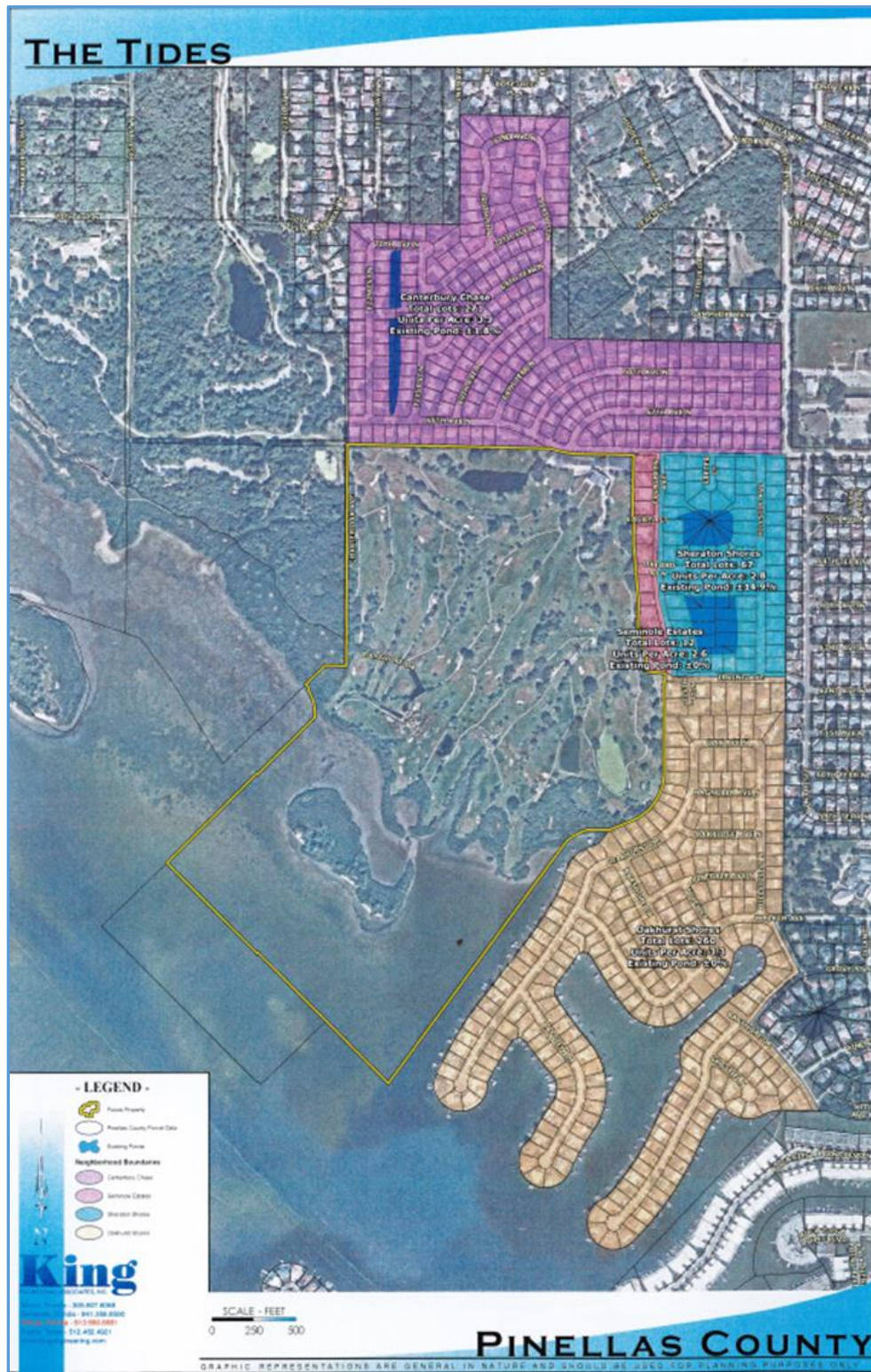
Location and Surroundings/Community Character

The subject property is adjacent to (east of) the County's 187-acre Boca Ciega Millennium Park. This regional park, comprised of pine flatwoods, coastal oak hammock, mangrove swamp, salt marsh, bay head and wetlands, is recognized by the Florida Fish and Wildlife Conservation Commission as a "Great Florida Birding Trail" and also is recognized by the Florida Native Plant Society for its use of all-native landscaping. The Park is also the location of several important archeological deposits.

To the north and east of the subject property are single family residential subdivisions, including several homes that immediately back up to it. Laurel Street, Oxford Street and Irving Avenue dead end on the east side of the subject property and provide some visual access to the former golf course, which served as an open space vista for the neighboring properties. Please see **Figure 4** for a depiction of the existing nearby subdivisions, which have existing built densities ranging from 2.6 to 3.9 units per acre.

The southern edge of the Golf Course is a coastal fringe characterized by mangroves, wetlands and salt marsh leading in to Boca Ciega Bay. Elevations increase significantly from the south to the north and generally to the east, making the northeast corner the highest point on the subject property. The existing residential development north of the subject property overlooks the former golf course below.

Figure 4: Surrounding Area



Development Rights

According to the Pinellas County Comprehensive Plan, the Recreation/Open Space (R/OS) Future Land Use Map (FLUM) category currently in place on the subject property (see **Figure 5**) has allowable primary uses listed as public/private open space, public/private park, public recreation facilities, public beach/water access, and golf course/clubhouse. Importantly, there is no associated residential density. The site's R-A (Residential-Agriculture) zoning allows a theoretical density of 0.5 units per acre based on its two-acre minimum lot size, however there is no underlying land use density available. Also, as mentioned previously, the Special Exception approved in 1969 that allowed the golf course within the residential zoned area has expired and the historical 1926 platted subdivision was vacated in 1992. In short, there are currently no residential development rights on the subject property. The only development rights currently in place are those allowed under the R/OS FLUM category, which has been there for 45 years (see **Figure 2**).

Figure 5: Future Land Use & Zoning



Development Master Plan

Due to the inherent flexibility of the requested RPD zoning district, a Development Master Plan (DMP) is required to set use types, building heights, lot sizes, setbacks, and various other development parameters. A DMP for a project this size is required to have a number of integrated framework plans regarding land use, transportation, open space, utilities and stormwater. The proposed DMP is shown in **Figure 6**. The DMP confirms the proposed 273 residential units and places them along an internal private loop road. The lot layout depiction (see **Figure 7**) sets a minimum lot size of 4,400 square feet (40 feet wide x 110 feet deep). This is smaller than single family lots in neighboring subdivisions, which are typically 70 to 80 feet wide and over 6,000 square feet in size. The maximum height of 35 feet and the proposed setbacks are similar to that found in traditional residential zoning districts. There is also a central amenity area proposed for the benefit of onsite residents.

The transportation framework shows the internal private loop road with primary site access utilizing the historic entrance to the golf course off 66th Avenue North. A secondary access point, which is required by the land development code for a project of this size, is proposed to connect to Irving Avenue on the east side of the subject property.

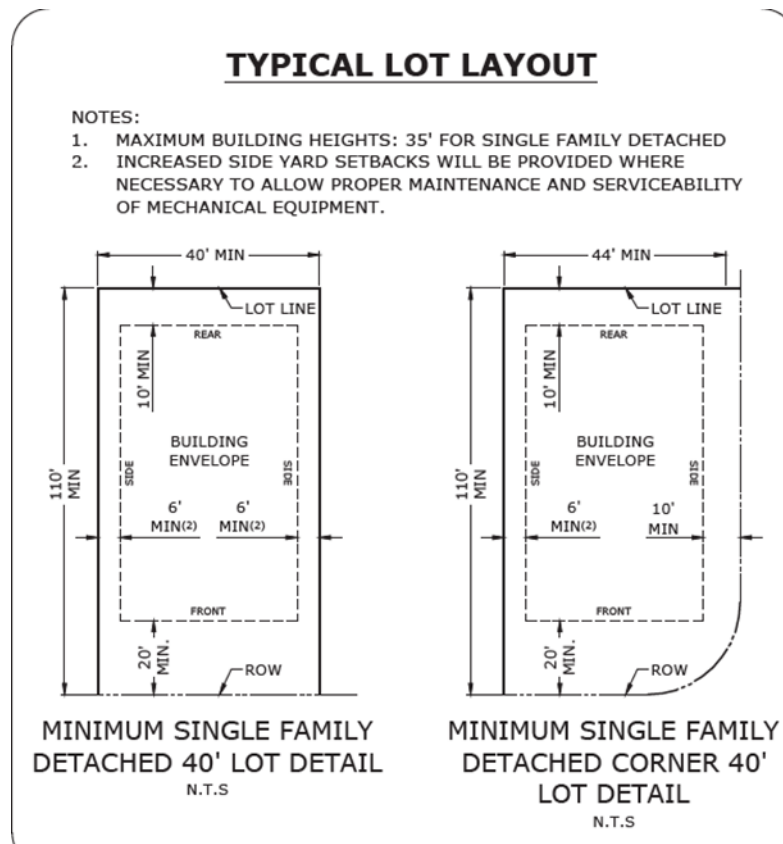
The open space framework shows buffer areas along the perimeter of the development where it abuts existing single-family homes on its north and east sides. These buffers appear to range between 128 and 319 feet wide. Within the buffer area is a publicly-accessible trail that connects to Boca Ciega Millennium Park, Boca Ciega Bay and to the surrounding neighborhoods at various points. There are buffers shown on the west side of the project adjacent to Boca Ciega Millennium Park and on the south side fronting Boca Ciega Bay.

The stormwater framework shows two large stormwater ponds near the center of the subject property in the proposed residential development area. These ponds will serve to treat stormwater that is internal to the development itself. There are also a number of ponds proposed within the buffer areas along the perimeter of the project. These are envisioned to treat stormwater that is external to the development in an effort to provide a community benefit to offset the loss of open space caused by the development project. Regarding utilities, the project would connect to existing utility facilities and lines in the area.

Figure 6: Development Master Plan



Figure 7: Lot Layout



Development Agreement

Development agreements are often utilized to set specific parameters on a development project in order to offset certain concerns that arise. Examples include limiting the types of uses allowed, setting maximum building height and intensity, requiring enhanced buffering, and so on. In this case, all of these are addressed in the DMP. The proposed Development Agreement serves to reiterate and complement the DMP regarding these issues. It also makes commitments intended to provide certain public benefit enhancements in an effort to offset the loss of open space caused by the development. Those commitments include:

- Treatment of off-site stormwater, on-site habitat enhancement, publicly-accessible recreational elements (primarily the linear park and trail located within the buffer areas along the perimeter of the project)
- Additional Phase II archeological testing
- A donation of \$250 per home as hurricane shelter mitigation
- Disclosure to all home buyers of applicable flood zones, flood elevations, and hurricane evacuation requirements.

Notably, most development agreements have an expiration timeframe of five years. In this case, the applicants are seeking a 15-year agreement, however they are willing to stipulate that they will meet all current code requirements.

Transportation

Figure 8 depicts the area's roadway configuration. The applicants provided a transportation analysis as part of the submittal package. Based on that analysis, it is estimated that the proposed 273-unit subdivision would generate approximately 2,619 daily trips (staff's internal traffic analysis shows similar numbers), with 199 at AM peak hour and 266 at PM peak hour. About 40 percent of trips are projected to be from the north via 113th and 116th Streets and 60 percent to the south via 113th Street. The Primary access point into the project would be off 66th Avenue North utilizing the historic entrance to the golf course. Because the project would generate more than 555 daily trips, the land development code requires a second vehicular access point to a nearby paved roadway. The DMP identifies that access point at Irving Avenue. As a point of reiteration, projects that generate fewer than 555 daily trips do not require a second access location. This requirement is based solely on the project scale proposed by the applicants.

Importantly, the overall impacts to areawide roadway level of service standards are satisfactory, however there are potential issues. The 66th Avenue North and 113th Street intersection is signalized. The increase in daily trips could double the delay time at that intersection during AM peak hour and will cause a longer vehicle stack line on eastbound 66th Avenue North that will block driveways. In addition, the traffic analysis indicates the need to double the northbound left turn lane stacking length on 113th Street, which will create a potential conflict with drivers exiting 65th Avenue North onto 113th Street. These issues are depicted on **Figure 9**. Also, the increased trip generation may trigger a roadway classification change to 66th Avenue North, from a local road to a collector which may also change required design parameters of the road where there is limited right-of-way available. Unmet bike and pedestrian needs in the area include sidewalk gaps and a multiuse trail connection from 66th Avenue North to 116th Street (Pinellas Trail connection).

Figure 8: Area Roadway Configuration

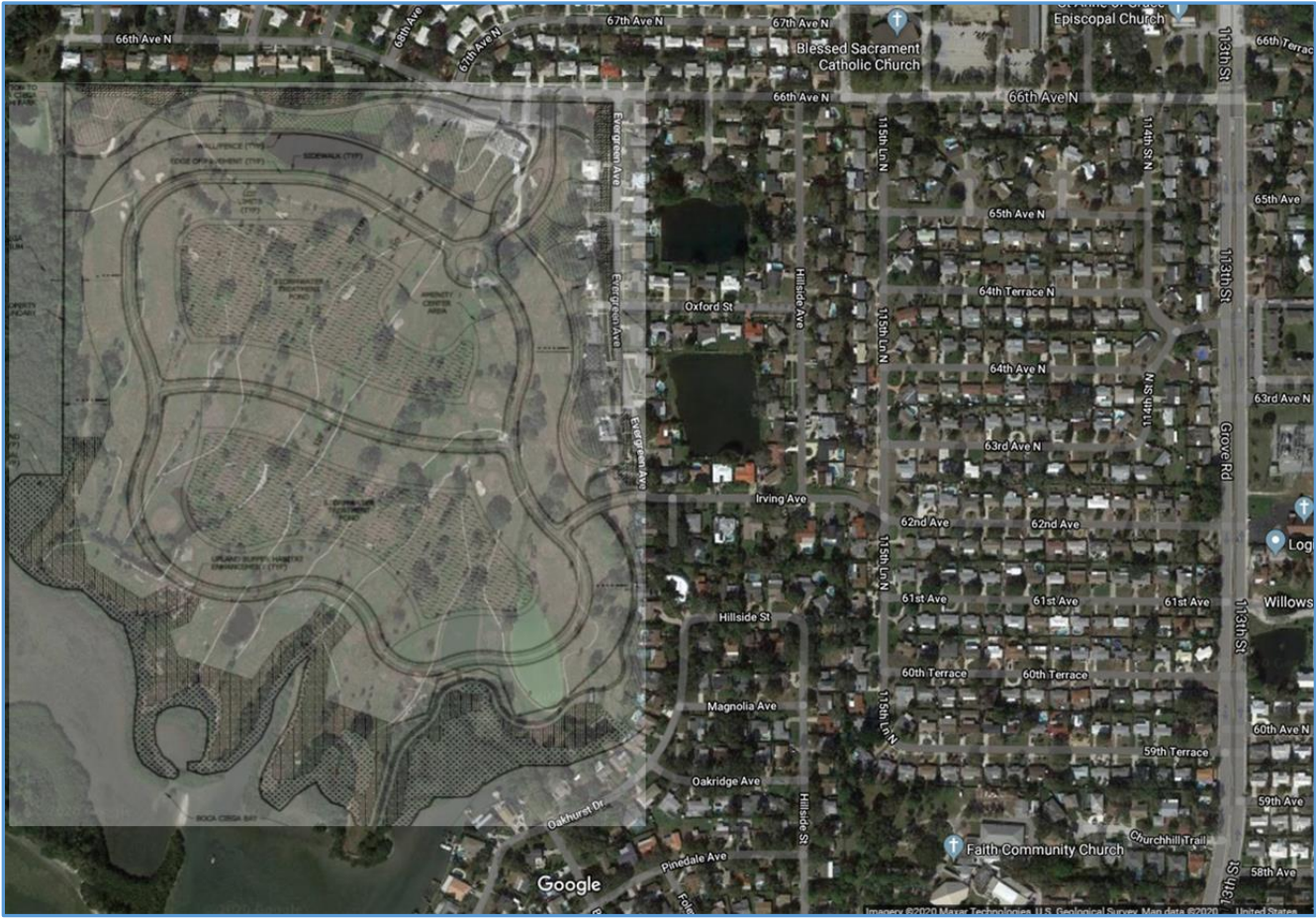
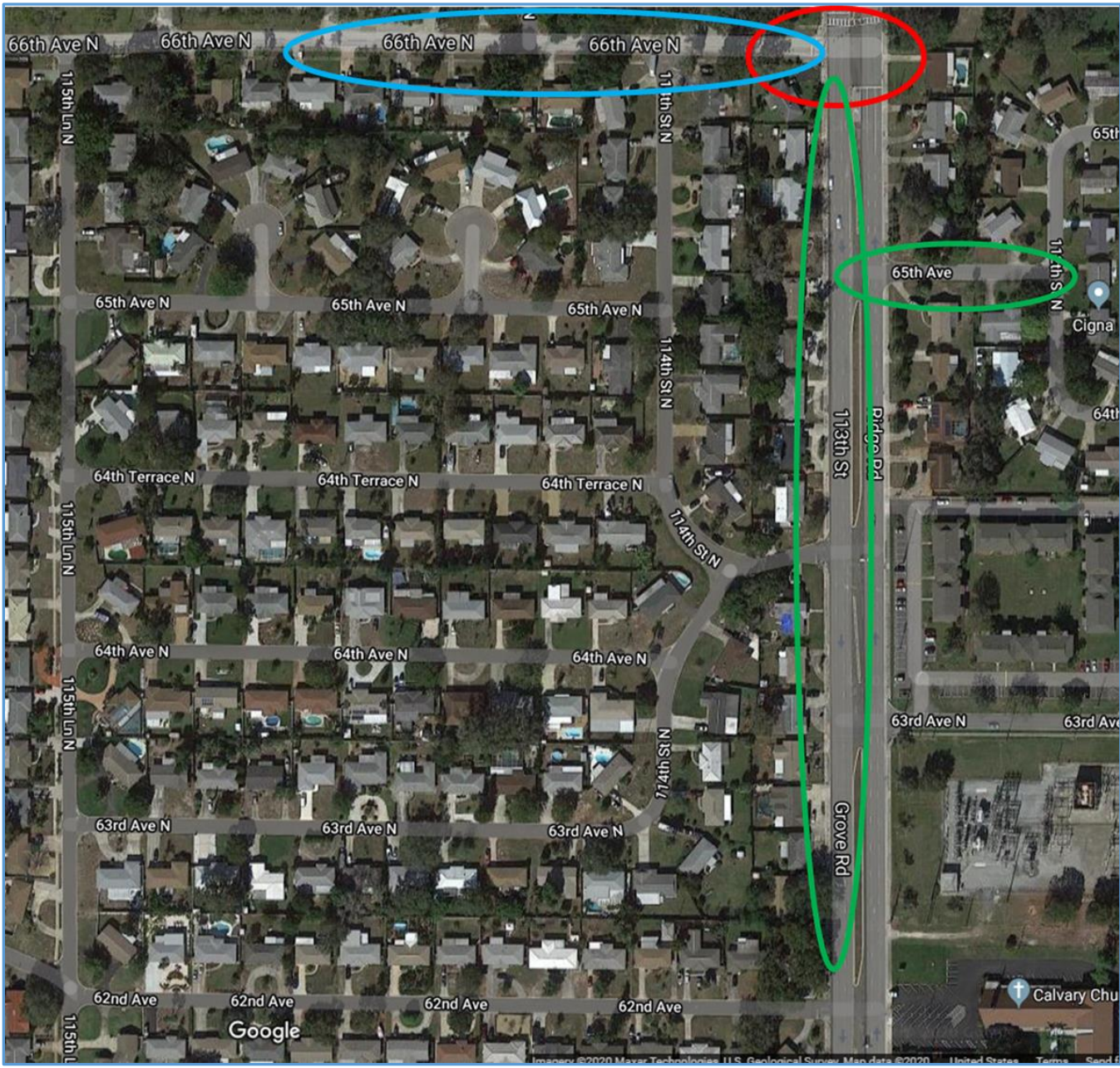


Figure 9: Roadway Functionality Concerns



Potable Water/Wastewater/Solid Waste

The subject area is located within Pinellas County’s Potable Water and Sewer Demand Service Area. Amending the subject area from Recreation/Open Space to Residential Low to allow 273 single-family detached residences as proposed could increase potable water and wastewater demand by approximately 70,618 and 49,188 gallons per day, respectively when compared to the vacant land in place today. This increase is not expected to significantly impact level of

service conditions. With respect to solid waste disposal, approval of the amendment could increase the amount of solid waste generated by approximately 360.62 tons per year.

Stormwater

Per the Land Development Code, development projects are required to treat onsite stormwater runoff. As part of the public benefit enhancements mentioned in the Development Agreement, the applicants are proposing to go beyond just what is required and is offering to treat stormwater from offsite sources as well. This involves approximately 180 acres of surrounding residential areas. The offsite stormwater would be treated in the retention ponds located within the buffer areas on the perimeter of the development. The proposal indicates that the full requirements of the stormwater manual regulations could be met for these offsite sources, however it did not include actual numbers or an analysis.

Flood Plain, Coastal Storm Area, Sea Level Rise

The subject property's sensitive coastal location means that the flood plain, coastal storm area and sea level rise are important factors regarding its future development in general and this current application in particular. Approximately 67 percent of the project is located in the 100-year flood plain and 27 percent is located in the velocity zone (see **Figure 10**). This creates conflicts with the Pinellas County Comprehensive Plan, the Countywide Plan Rules and Florida Statutes, most notably:

- Future Land Use Element Policy 4.3.1: In order to limit the exposure of residents and property to coastal hazards and not increase existing and planned demands on hurricane evacuation corridors and public shelters, the population density and development intensity within the coastal planning area shall be consistent with Objective 1.3 of the Coastal Management Element and the supporting policies
- Coastal Management Element Objective 1.3: Pinellas County shall restrict development within the Coastal Storm Area and shall direct population concentrations out of the Coastal Storm Area.
- Natural Resource Conservation & Management Element GOAL 6: Pinellas County will preserve, protect, restore and manage the natural resources of its floodplains to maintain or enhance water quality, plant and animal diversity, and aquatic productivity, to protect the flood storage value and purpose, and to protect the public and minimize property damage.
- Natural Resource Conservation & Management Element Objective 6.1: Pinellas County shall continue to protect floodplains, flood ways, and all other natural areas having functional hydrological characteristics in order to minimize adverse impacts on the natural system, public safety and investment, and floodplain function and purpose.

The entire subject property is located within the Coastal Storm Area (CSA) (see **Figure 11**). It meets the criteria of being within the CSA because over 20 percent of the parcel is within the Coastal High Hazard Area. Per Policy 1.6.1. of the Future Land Use Element of the Pinellas County Comprehensive Plan, *'Development or redevelopment in storm impact areas shall be restricted based upon the Natural Disaster Planning objectives and policies in the Coastal Management Element. The policies associated with those objectives shall be consistent with the criteria in the National Flood Insurance Program, and the County's Flood Damage Prevention and Flood Plain Management provisions of the Land Development Code'*. Sea level rise is also a concern. Projections show much of the southern portion of the subject property being affected in the coming decades (see **Figure 12**). An objective of the Comprehensive Plan is to ensure

the long-term viability and sustainability of its coastal resources and land uses through planning for sea level rise.

As noted above, approximately 67% of the property is located within the 100-year flood plain and the proposed plan relies substantially on locating residential units within these areas. The locational characteristics of the proposed Residential Low Future Land Use Category cites that low density residential is appropriate in areas within the 100 year-flood plain *where preservation, open space/restricted, or recreation/open spaces are not feasible (italics added)*. The land is currently designated as Recreation/Open Space and nothing has been submitted to demonstrate that retaining that designation on those areas within the 100-year flood plain is not feasible.

Figure 10: Flood Plain

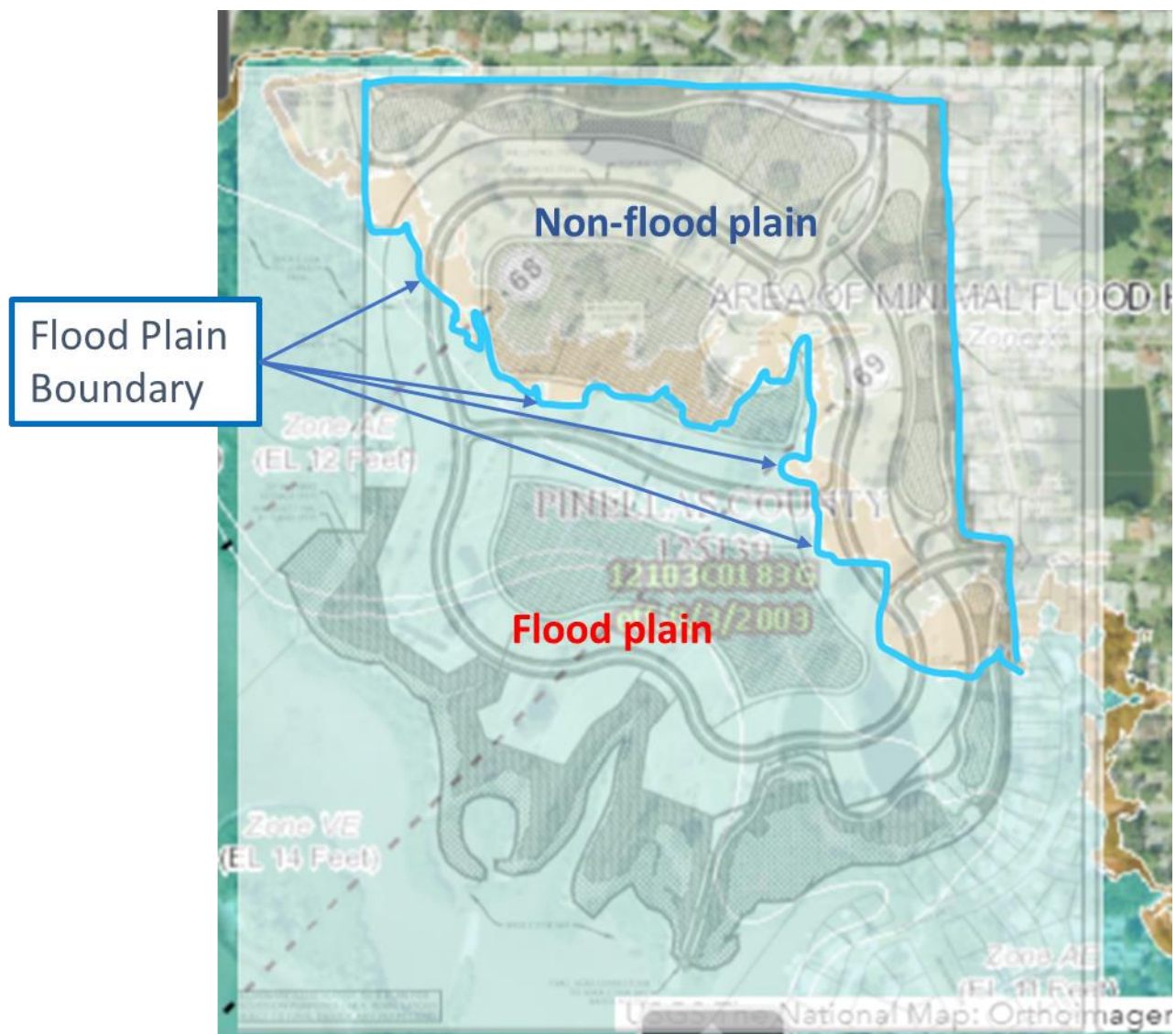


Figure 11: Coastal Storm Area

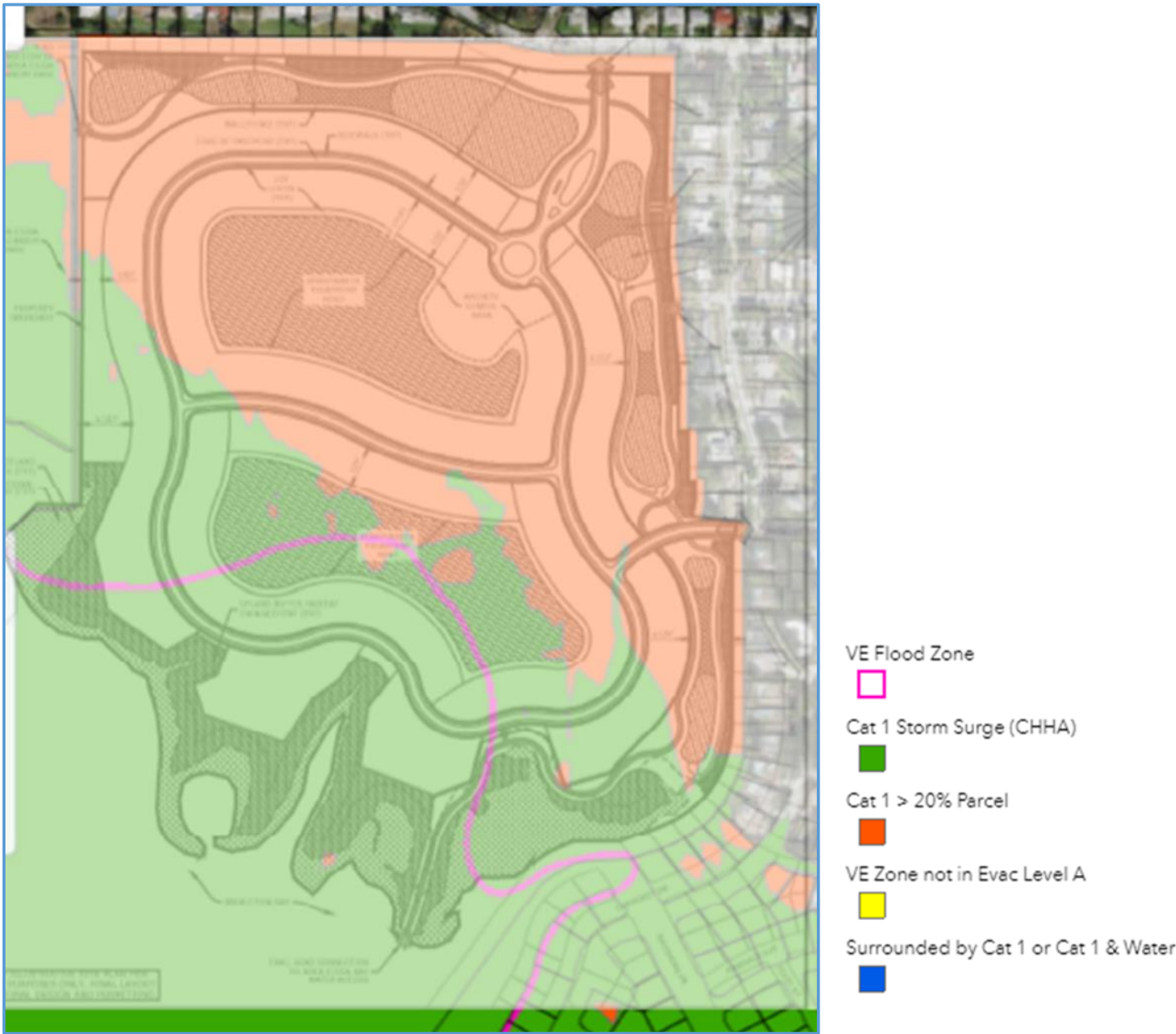
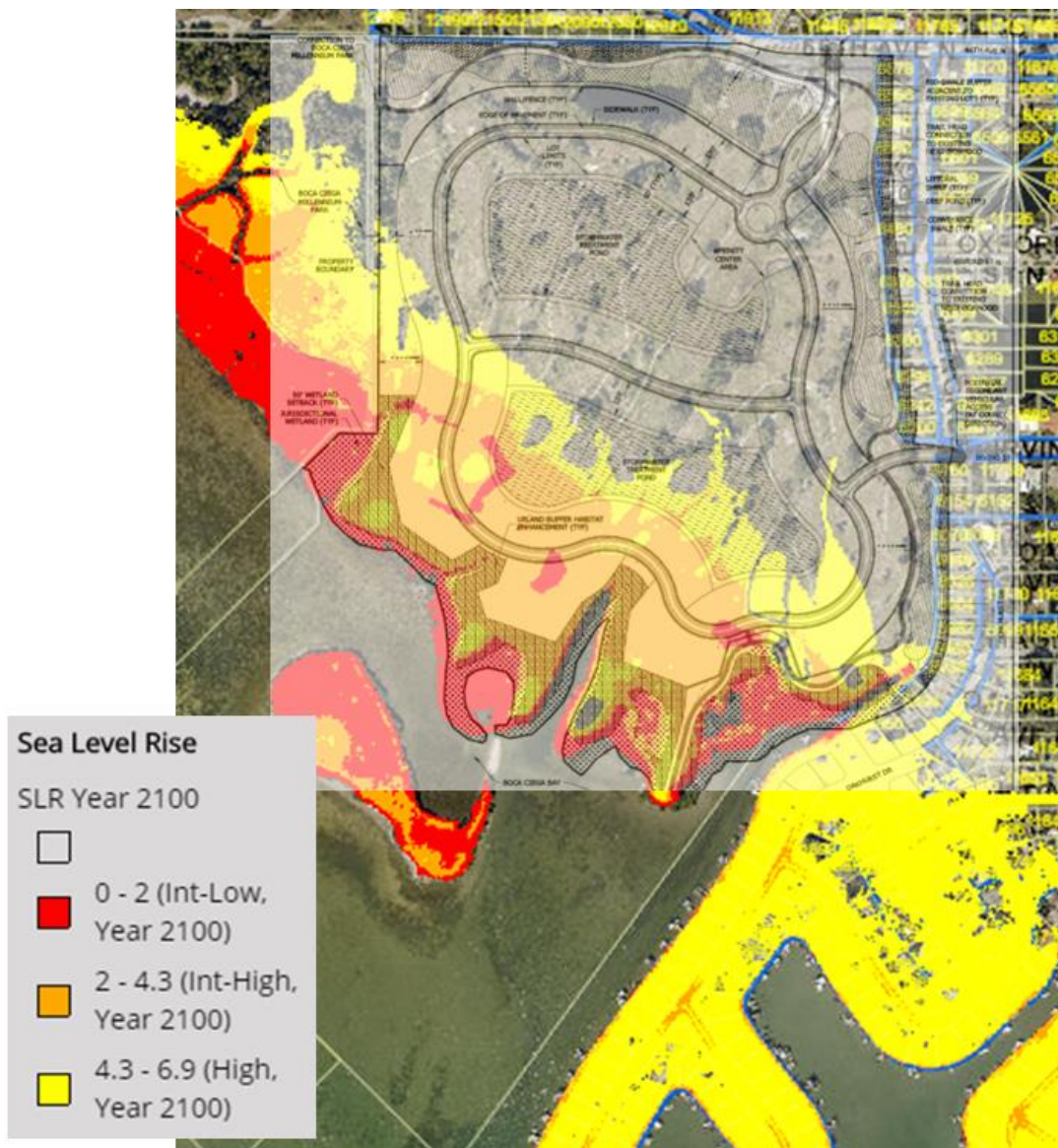


Figure 12: Sea Level Rise



Hurricane Evacuation and Shelter Impacts

Similar to the previous section, the subject property's coastal location means that hurricane evacuation and shelter impact considerations are very important. The parcel elevation ranges from 4 feet to 27 feet per the Digital Elevation Model, rising from south to north with the highest elevation on the northeast corner. The Sea, Lake and Overland Surges from Hurricanes (SLOSH) model indicates that the parcel is impacted by storm surge in all categories of storm (see **Figures 13, 14 & 15**). Development on the property would increase storm shelter demand, especially for Category 3 through 5 storms on the Saffir-Simpson scale. A Category 3 storm would impact over two-thirds of the property. Florida Statutes require mitigation for shelter and evacuation impacts. Importantly, the current SLOSH model does not factor in sea level rise, so any future storm impacts will likely be exacerbated.

In terms of hurricane evacuation, the subject property spans multiple evacuation zones, from Non-Evacuation in the northeast to Level A evacuation in the south. Approximately 20 acres of the parcel are within either Non-Evacuation, Level E and Level D evacuation zones (see **Figure 16**). That area grows to approximately 40 acres when including the area covered by evacuation Level C (see **Figure 17**).

After the March 9, 2020 Development Review Committee meeting, the applicant/developer made additional commitments via the Development Agreement including a donation of \$250 per home as hurricane shelter mitigation and disclosure to all home buyers of applicable flood zones, flood elevations, and hurricane evacuation requirements. Initial evaluation by the Emergency Management Department indicate that this amount is insufficient to offset impacts to area shelters.

Figure 13: Category 1 Storm Surge

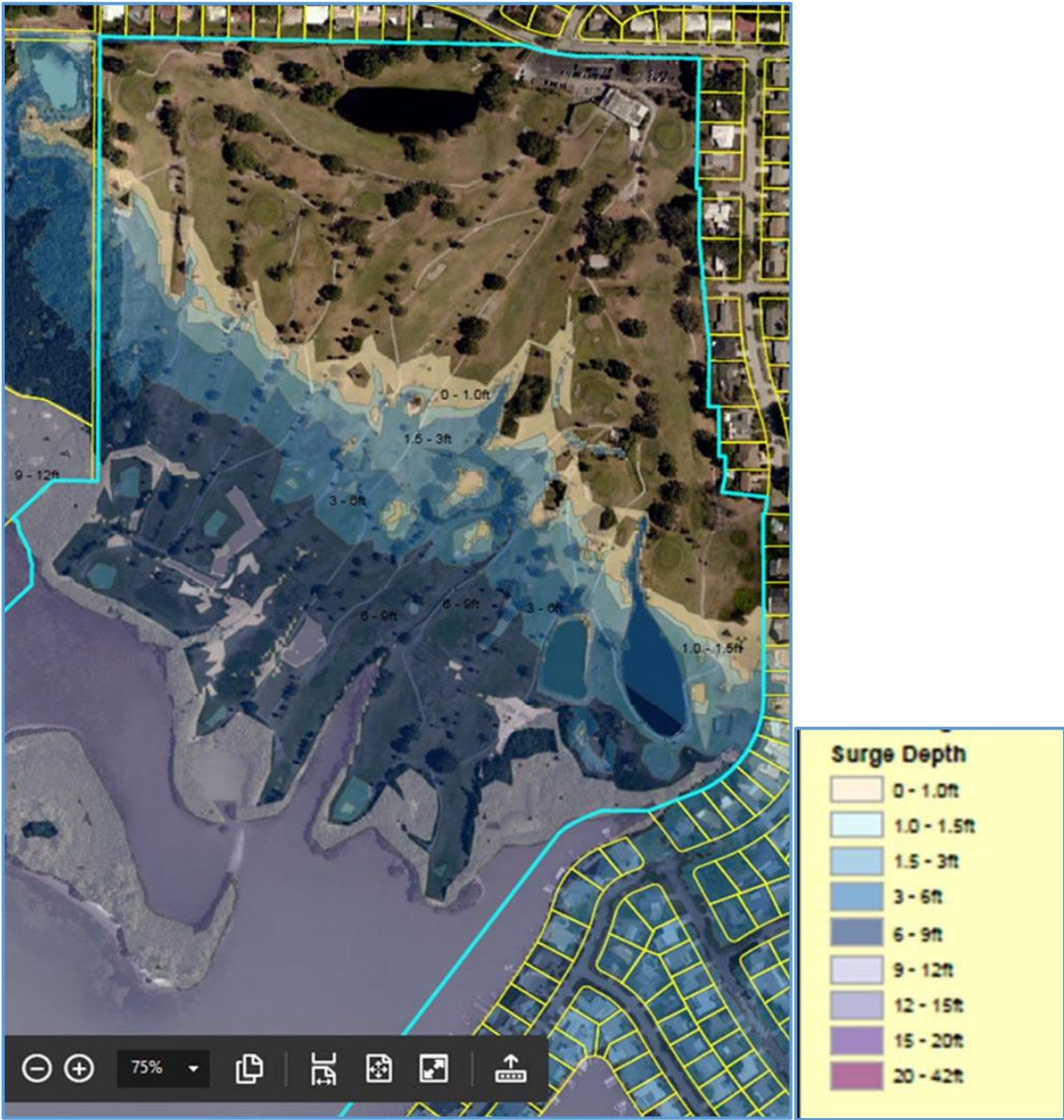


Figure 15: Category 5 Storm Surge

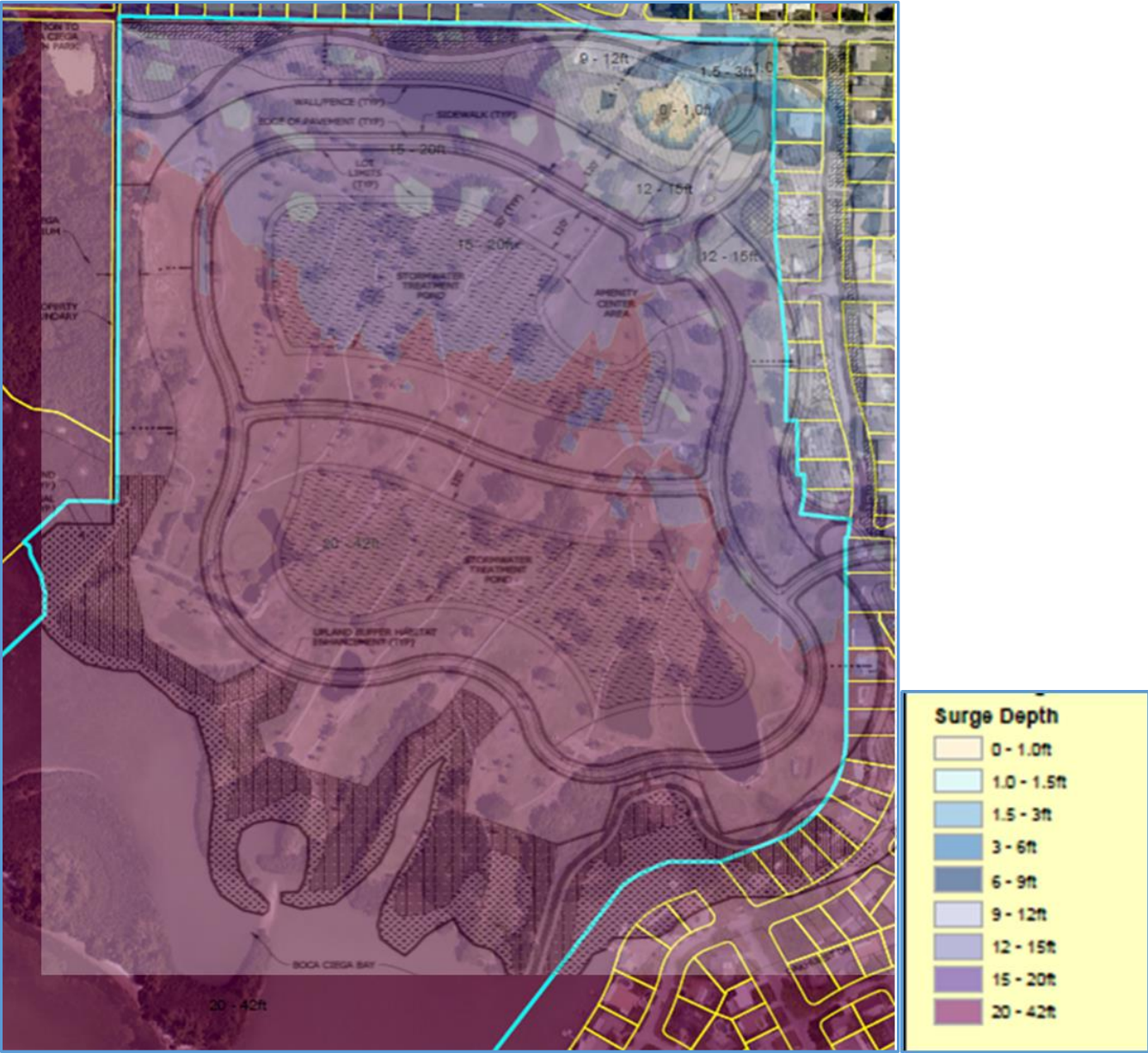


Figure 16: Non-Evacuation, Level E and Level D Evacuation Zones

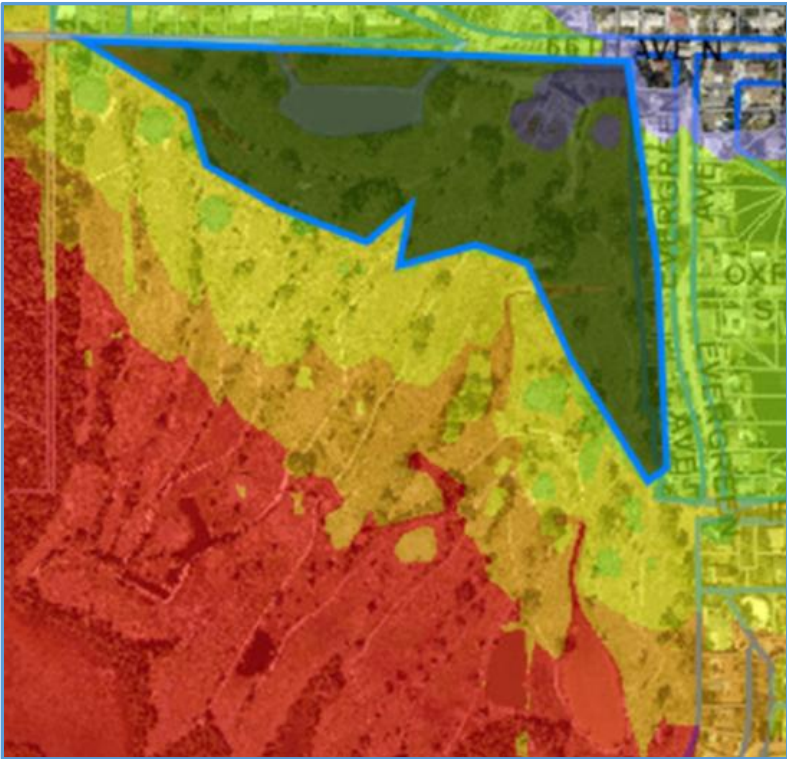
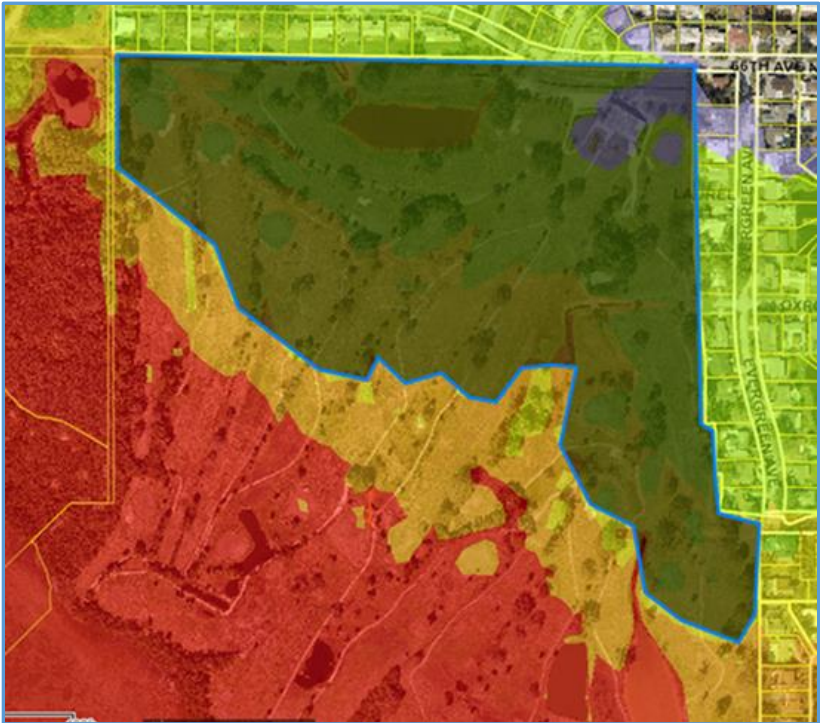


Figure 17: Non-Evacuation, Level E, Level D, & Level C Evacuation Zones



Environmental

The applicants have included what they term 'natural resource elements' into their public benefits enhancement package that is part of the Development Agreement. These include on-site habitat enhancement, exotic/nuisance vegetation removal, mangrove and tidal habitat enhancement, upland buffer adjacent to wetlands, landscaping, buffer from Boca Ciega Millennium Park, and anticipated wildlife utilization. It should be noted that many of these are land development code requirements and must be done as part of site development regardless of their inclusion into the Development Agreement. Staff has some concerns and suggestions regarding some of these environmental-related aspects:

- The west 50-foot landscape buffer should include a 25-foot enhanced wetland buffer. The remaining 25 feet can accommodate things like a trail, trees, berms, etc.
- The kayak launch areas are questionable as there is no apparent parking available.
- Access to the water should include an elevated walkway to provide protection to pedestrians and allow for the natural regrowth of low-lying areas.
- Consideration is needed for 'migration' areas as sea levels continue to rise.

Archeological

There is a strong potential for the existence of archeological deposits on the subject property. Local archeologists have observed significant deposits in eroding areas around the southeast area of the property. More recent Master Site File data was not considered or included as part of the submission by Archeological Consultants, Inc. A 2017 visit by a professional archeologist found fossilized bone fragments similar to those found during extensive excavations of nearby Boca Ciega Millennium park. There is the possibility that intact paleontological deposits associated with Paleoindian (earliest humans in Florida) artifacts may be on the property. Additional testing is warranted prior to the initiation of any ground disturbing activities. The Applicant has acknowledged that additional testing is required prior to any ground disturbing activities and will commit to this in the Development Agreement. Via the Development Agreement the applicant has agreed to Phase II and III archeological testing as necessary.

Land Use

The Pinellas County Comprehensive Plan clearly encourages the retention of non-dedicated (privately-owned) recreation/open space land. Objective 1.5 of the Recreation, Open Space & Culture (ROSC) Element states '*In recognition of the limited amount of available open space remaining within the County, Pinellas County shall prohibit the conversion of dedicated recreation/open space land uses, and encourage the retention of non-dedicated recreation/open space land uses*'. The loss of open space is the impetus behind the public benefits enhancements package that the applicants have included in the Development Agreement. There should be a comparable level of public benefit derived from the project to offset the loss of open space. The Comprehensive Plan is also protective of scenic vistas. Objective 1.4 of the ROSC Element states that '*Pinellas County will protect its open spaces and scenic vistas for their contributions to quality of life*' and Policy 1.4.3. says that '*Pinellas County will encourage and incentive the retention and reestablishment of open vistas, where appropriate, with particular emphasis on coastal areas and lands surrounding parks and environmental lands*'. It is important to note that as a privately-owned recreation/open space property, the subject property is not a part of the County's recreational level of service calculation. However, it does not diminish the importance the property serves as open space.

The Comprehensive Plan describes locational characteristics that are appropriate for each of the future land use categories. The locational characteristics of the proposed Residential Low (RL) category indicate that it is appropriate for areas within the 100-year flood plain '*where preservation, open space/restricted, or recreation/open space are not feasible*'. As stated earlier in this report, a large portion of the subject property is within the 100-year floodplain, and it has a 45-year history of being utilized for recreation/open space purposes.

As with all proposed land use amendments, the Countywide Plan Rules governing land use must also be considered. The following Rules will be considered by the Pinellas Planning Council, and must be also be addressed by County Staff:

- LU 8.1 The scale of proposed land development should be compatible with the capacity of existing or planned transportation facilities and infrastructure.
- LU 8.3 Where possible, land development should highlight and maximize scenic amenities and provide for public access
- LU 8.4 Land use planning should emphasize the preservation of important natural resources, such as wetlands and beaches.
- LU 8.5 Land development should be appropriately limited or regulated in coastal high hazard areas and floodplains.
- LU 8.7 Land use planning should weigh heavily the established character of predominantly developed areas when changes of use or intensity of development are contemplated.
- LU 12.1 In recognition of the limited amount of available open space remaining within the County, strongly discourage the conversion of Recreation/Open Space and Preservation land to other designations.
- LU 12.4 Discourage the conversion of golf courses to other land uses without addressing how the loss of open space and recreational opportunities for the community will be mitigated.

SURROUNDING ZONING AND LAND USE FACTS:

	Land Use Category	Zoning District	Existing Use
Subject Property:	Recreation/Open Space Preservation	R-A	Closed golf course
Adjacent Properties:			
North	Residential Low	R-3	Single-family Residential
East	Residential Low	R-2	Single-family Residential
South	Water	AL	Boca Ciega Bay
West	Recreation/Open Space Preservation	R-A & AL	County Park

IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

The relevant adopted goals, objectives and policies of the Pinellas County Comprehensive Plan are included below.

The proposal is felt to be **inconsistent** with the following:

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

GOAL 1: The pattern of land use in Pinellas County shall provide a variety of urban environments to meet the needs of a diverse population and the local economy, conserve and limit demands on natural and economic resources to ensure sustainable built and natural environments, be in the overall public interest, and effectively serve the community and environmental needs of the population.

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

Policy 1.2.3: Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.

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

Policy 1.6.1: Development or redevelopment in storm impact areas shall be restricted based upon the Natural Disaster Planning objectives and policies listed in the Coastal Management Element. The policies associated with those objectives shall be consistent with the criteria in the National Flood Insurance Program, and the County's Flood Damage Prevention and Flood Plain Management provisions of the Land Development Code.

Policy 1.17.2: Consistent with the purpose and intent of the Comprehensive Plan and Section 134-82 of the Land Development Code, Pinellas County shall make decisions, both unincorporated and countywide, that do not detract from the established community identity and social support structure but, instead, serve to preserve and enhance that identity and structure.

GOAL 3: Pinellas County's Plan shall promote a balanced relationship between the natural environment and development.

Objective 3.1: The Pinellas County Land Development Code shall be applied in a manner that ensures compatibility between the Future Land Use Map, existing environmental conditions and constraints, as well as environmental management goals.

Objective 3.2: Pinellas County shall continue its proactive program for managing the impacts of development upon the County's natural resources (including wetlands, uplands, and the marine environment), and shall continue to ensure that these resources are successfully integrated into the urban environment such that the overall function and viability of these areas is maintained, or where practical, enhanced or restored.

Policy 4.3.1: In order to limit the exposure of residents and property to coastal hazards and not increase existing and planned demands on hurricane evacuation corridors and public shelters, the population density and development intensity within the coastal planning area shall be consistent with Objective 1.3 of the Coastal Management Element and the supporting policies.

NATURAL RESOURCE CONSERVATION AND MANAGEMENT ELEMENT

GOAL 2: Pinellas County will conserve, protect, restore and appropriately manage its natural systems and living resources to ensure the highest environmental quality possible.

Objective 2.1: Pinellas County shall continue to implement management programs for the conservation of natural ecosystems and species of conservation concern (inclusive of native vegetative communities, terrestrial, marine, estuarine and aquatic ecosystems, and native wildlife species).

Policy 2.1.2: Pinellas County shall continue to enforce existing ordinances that protect and conserve native ecosystems and wildlife habitat, including habitat for species of conservation concern, from destruction by development activities.

Policy 2.1.3: Pinellas County shall continue to require that the type, intensity and location of development be correlated inversely with important ecosystems and native wildlife species existing on each site.

Policy 3.1.2: Pinellas County will consider the impact of land use and zoning decisions, and site plan decisions, on environmental lands and resource-based parks, so that decisions do not inadvertently conflict with approved management plans or best management practices.

GOAL 6: Pinellas County will preserve, protect, restore and manage the natural resources of its floodplains to maintain or enhance water quality, plant and animal diversity, and aquatic productivity, to protect the flood storage value and purpose, and to protect the public and minimize property damage.

Objective 6.1: Pinellas County shall continue to protect floodplains, flood ways, and all other natural areas having functional hydrological characteristics in order to minimize adverse impacts on the natural system, public safety and investment, and floodplain function and purpose.

Policy 6.1.11: A reduction in floodplain storage as a result of development or redevelopment activity will require comparable compensation.

Policy 6.1.12: As a part of the site plan review, for any project located within the floodplain, the development applicant will be required to provide adequate information to the County that demonstrates that floodplain functions will not be adversely impacted by the development, that adjacent properties will not be adversely affected, that the project is not inconsistent with an approved watershed plan, and that the offsite stormwater conveyance system will be able to accommodate flows from the project site.

Objective 6.2: Pinellas County shall continue to maintain, and enhance where possible, the current balance of living resources in the floodplains of the County.

Policy 6.2.1: The County shall continue to prohibit dredging and filling or other development activities having significant long-term impacts on the ecological or hydrological function of the floodplains, except in cases clearly in the public interest.

Policy 6.2.6: Wetlands and floodplains shall continue to be preserved through such means as a Preservation designation on the Future Land Use Map, and shall be protected as flood storage and conveyance systems, as well as wildlife and vegetative habitat.

Policy 7.2.7: Redevelopment activities within the unincorporated County will contribute to the overall environmental improvement of the local and regional watershed.

COASTAL MANAGEMENT ELEMENT

Objective 1.2: Pinellas County shall cooperate with state and regional agencies, and with other local governments to maintain or reduce hurricane clearance times as a component of the evacuation times for Pinellas County.

Objective 1.3: Pinellas County shall restrict development within the coastal storm area, and shall direct population concentrations out of the coastal storm area.

GOAL 4: Land use designations and decisions in the coastal planning area shall be consistent with the Future Land Use and Quality Communities Element of this Comprehensive Plan and compatible with protection of the County's natural and historic resources, reflecting the need for long-term sustainability, continued economic vitality and consideration of the vulnerability of the County's coastal location.

Objective 4.1: The County shall give priority to water-dependent and water-related land uses in the coastal planning area, in a manner consistent with its goals of long-term sustainability, continued economic vitality, the preservation of recreational and commercial working waterfronts, and the protection of coastal and marine habitats and species.

RECREATION, OPEN SPACE AND CULTURE ELEMENT

Objective 1.4: Pinellas County will protect its open spaces and scenic vistas for their contributions to quality of life.

Policy 1.4.1: Pinellas County shall continue to pursue incentives, enforce existing ordinances, and consider new regulations that require the provision of open space areas and retention of open vistas, where appropriate.

Policy 1.4.3: Pinellas County will encourage and incentivize the retention and re-establishment of open vistas, where appropriate, with particular emphasis on coastal areas and lands surrounding parks and environmental lands.

Objective 1.5: In recognition of the limited amount of available open space remaining within the County, Pinellas County shall prohibit the conversion of dedicated recreation/open space land uses, and encourage the retention of non-dedicated recreation/open space land uses.

Policy 5.3.9: Pinellas County shall recognize historic and archaeological resources that could potentially be affected by land use and zoning changes.

GOAL 6: To practice and promote a sustainability ethic, ensuring that ecological limits and environmental impacts are considered in all decisions and designed affecting cultural, recreation and open space planning, and that all decisions and projects contribute incrementally to achieving and sustaining social equity, economic prosperity and a quality community for current and future residents.

TRANSPORTATION ELEMENT

Policy 1.2.1: Pinellas County shall coordinate decisions on Future Land Use Map (FLUM) amendments with the mobility and safety needs of the principal modes of travel including bicycling, walking, transit and motor vehicles.

The proposal is felt to be **consistent** with the following:

FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT

Policy 3.1.2: Designated preservation areas shall be retained as undeveloped land suitable for passive recreation, conservation, or aesthetic uses to provide opportunities to appreciate the natural environment.

Policy 3.2.5: Shorelines shall be protected by preservation land use designations, aquatic preserves, development setbacks, public acquisition, or other measures as deemed necessary.

SURFACE WATER MANAGEMENT ELEMENT

Policy 1.1.1: The implementation of projects to correct existing stormwater deficiencies shall be given primary importance.

Objective 1.3: Where feasible, the Board of County Commissioners shall continue to pursue a system of regional surface water management which is both economically and environmentally sound.

Policy 1.6.12: In association with the update to the Land Development Code, Pinellas County will develop incentives and requirements for the utilization of Low Impact Development (LID) and other sustainable site development practices, for new development and redevelopment, with emphasis on watersheds that have been designated impaired through the Total Maximum Daily Load (TMDL) Program.

COUNTY DEVELOPMENT REGULATIONS

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

PROPOSED BCC HEARING DATE: TBD

CORRESPONDENCE RECEIVED TO DATE: (Type in correspondence)

PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING: (Meeting has not yet occurred)

ATTACHMENTS: Maps, Impact Assessments

Impact Assessment and Background Data for Staff Report
Amendment to the Pinellas County Future Land Use Map

Z/LU-14-09-19

Site Location: 11832 66th Avenue North

Street Address: 11832 66th Avenue North

Parcel Number: 33-30-15-00000-240-0100

Prepared by: MDS

Date: 04/16/2020

Proposed Amendment From:

Future Land Use Designation(s): R/OS & P acres: 86.82 & 9.14

Zoning Designation(s): R-A acres: 95.96

Proposed Amendment To:

Future Land Use Designation(s): RL & P acres: 88.88 & 7.08

Zoning Designation(s): RPD acres: 95.96

Development Agreement? No Yes New Amended

Affordable Housing Density Bonus? No Yes How many units:

INFRASTRUCTURE IMPACTS
SOLID WASTE IMPACT ASSESSMENT

LAND USE DESIGNATIONS	SOLID WASTE Total Tons/Year *
EXISTING	
Recreation/Open Space	(15,688 x 11.8)/2,000 (Clubhouse factor) = 92.56 tons/year
PROPOSED	
Residential Low (Development Agreement)	273 units x 1.66 (Residential Factor) = 453.18 tons/year
NET DIFFERENCE	+360.62 tons/year

* (Non Residential) Gross Floor Area x Solid Waste Disposal Rate / 2,000 lbs = Total Tons per Year

* (Residential) Units x Annual Per Capita Rate = Total Tons per Year

Note: Based upon Solid Waste Disposal Rate determined by DUS Consultants for the Solid Waste Authority of Palm Beach County.

POTABLE WATER AND SANITARY SEWER IMPACT ASSESSMENT

LAND USE DESIGNATIONS	POTABLE WATER GPD *	WASTEWATER GPD*
EXISTING		
Recreation/Open Space	Note: Water usage amounts were obtained from Pinellas County's Utility Billing Department Total Existing Potable Water Impact: 2,000 GPD	Note: Water usage amounts were obtained from Pinellas County's Utility Billing Department Total Existing Potable Water Impact: 2,000 GPD
PROPOSED		
Residential Low (Development Agreement)	273 units x 266 (Single-Family Home rate) = 72,618 GPD	273 units x 187.5 (Single-Family Home rate) = 51,188 GPD
NET DIFFERENCE	+70,618 GPD	+49,188 GPD

* (Non Residential) Gross Floor Area x Consumption Rate = GPD

* (Residential) Number of Units x Consumption Rate = GPD

NOTE: GPD = Gallons per Day

TRANSPORTATION AND ROADWAY IMPACTS

	YES or NO	COMMENTS
Is the proposed amendment located within one half mile of a deficient facility (i.e., a road operating at peak hour level of service E or F, and/or a volume-to-capacity (v/c) ratio of 0.9 or higher with no mitigating improvements scheduled within three years)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the amendment located along a Scenic/noncommercial corridor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

ENVIRONMENTAL AND SITE CONDITIONS

	YES or NO	COMMENTS
Identify any onsite soils. Are any classified as “very limited” or “subject to subsidence?”	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The site contains Matlacha, St. Augustine, Immokalee, Myakka, Kesson, and Urban Land soils. Matlacha soils are classified as not limited. St. Augustine soils are classified as somewhat limited and Urban Land is not rated. Kesson, Myakka and Immokalee soils are subject to subsidence.
Are there any threatened, endangered or listed habitats or species onsite (including species of special concern)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The applicant’s report mentions the following: Raccoon, Grey Squirrel, Muscovy Duck, Great Blue Heron, Great Egret, Wood Stork, Common Crow, Mockingbird, Black-headed Gull, Florida Duck, Tricolored Heron, Crested Cormorant, Blue Jay, Boat-tailed Grackle, Mourning Dove, White Ibis, Little Blue Heron, Florida Cooter, Softshell Turtle, Red-eared Slider, Green Sailfin Molly and Mosquitofish.
Identify onsite vegetation; does the site contain any significant native vegetative communities (e.g., sandhill).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The applicant’s report mentions the following: Native tree species that occur onsite include live oak, slash pine, longleaf pine, cabbage palm, sweet gum, mangrove and southern magnolia. Several non-native exotic tree species also occur onsite, including Brazilian Pepper, Carrotwood, Bottlebrush and Australian Pine, among others.
Is the site located within the wellhead protection zone and/or aquifer recharge area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Identify the watershed in which the site is located.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The site is in Coastal Zone 5 watershed basin.
Is the site located within the 25 year floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the site located within the 100 year floodplain?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The majority of site is located within the 100-year floodplain

Does the site contain, or is it adjacent to any wetlands, rivers, creeks, lakes, marshes, Tampa Bay or the Gulf of Mexico, etc.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The site is adjacent to Boca Ciega Bay.
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*The standard categories of soil classifications (i.e., severe, very severe etc.) have been replaced by Building Site Development Limitations (i.e., somewhat limited, very limited etc.)

PUBLIC SAFETY

	YES or NO	COMMENTS
Is the site located with the coastal storm area?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is the site located within a hurricane evacuation zone. If so, identify the zone.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The site is located within the hurricane evacuation zone A.
Identify the Fire District serving the proposed development.		The subject site is located within the Seminole Fire District.

COMMUNITY IMPACTS

	YES or NO	COMMENTS
Will approval of this amendment affect the provision of affordable housing; if so, explain the positive/negative impacts.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Has the applicant sought/been issued an affordable housing finding by Community Development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will the approval of the amendment result in the displacement of mobile home residents?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will the approval of the amendment result in the elimination of a water-dependent land use such as a marina or boat ramp? If so, identify how many ramps/lanes or slips will be eliminated.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Would the amendment affect beach/waterfront accessibility?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The current situation provides unobstructed scenic visual access for a considerable distance, primarily to those who live adjacent to the golf course. There are visual access points to the golf course at the street ends for those not living adjacent to the golf course.
Is the amendment located within a County redevelopment/revitalization area; if so, is the amendment consistent with the community revitalization plan, vision, etc.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Would the amendment have a significant impact on an adjacent local government?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the amendment located within a designated brownfield area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will the proposed amendment affect public school facilities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The proposed residential use could increase the number of students in the Pinellas County School system.

Has the property been the subject of a previous amendment proposal within the last 12 months?

Yes No

Is the property within 200 feet of a property under same owner that has been amended within the past 12 months?

Yes No

ATTACH THE FOLLOWING:

- ___ Location Map
- ___ Future Land Use Map with zoning designations
- ___ Aerial

PINELLAS COUNTY PLANNING DEPARTMENT							
TRAFFIC ANALYSIS FOR A PROPOSED LAND USE CHANGE							
LU#: Z/LU-14-09-19				Jurisdiction: Pinellas County			
Revised:		Received: 4/16/2020		Signoff: MDS			
SITE DATA							
Parcel Size:		95.96					
Proposed for Amendment: 95.96 (RL 88.88 acres proposed)							
Current Land Use Designation:		Recreation/Open Space					
Potential Use	acre(s)	FAR	Units	sf/1,000	x(tgr)	cap.	Proj. trips
(1) Golf Course	86.82		18 Holes	N/A	40	1.00	720
Total							720
Proposed Land Use Designation:		*Residential Low w/Development Agreement					
Potential Use	acre(s)	UPA	Units		x(tgr)	cap.	Proj. trips
(1) Single-Family	88.88	5.00	273*		9.60	1.00	2,621
Total							2,621
Potential Decrease in Daily Trips:		1,901					
ROADWAY IMPACT DATA - Trip Distribution							
Road(s)		% Distribution		Traffic Vol. (AADT)			
		2019	2040	2019		2040	
(1) 113th St (Duhme Rd)		1,901	1,901	existing	16,564	19,613	
Welch Cswy to Park Blvd		100.00	100.00	proposed	18,465	21,514	
Road(s)		LOS	V/CR	extg.	w/ chg.	extg.	w/ chg.
(1) 113th St (Duhme Rd)		C	0.266		C	C	B
Welch Cswy to Park Blvd							
Road(s)		Extg	Planned	Const.	Future		
		Ln Cfg	Improv.	Year	Ln Cfg		
(1) 113th St (Duhme R)	Welch Cswy to Park Blvd	6D	No		6D		
ABBREVIATIONS/NOTES							
AADT = Average Annual Daily Trips				Ln. = Lanes			
AC = Acres				LOS = Level of Service			
CAP = Capture Rate (i.e., % new trips)				LTCM = Long Term Concurrency Management Corridor			
CCC = Congestion Containment Corridor				MPO = Metropolitan Planning Organization			
CFG = Configuration				N/A = Not applicable			
CON = Constrained County Corridor				PC = Partially controlled access			
Const. = Construction				PH = Peak Hour			
D/U = Divided/undivided				SF = Square Feet			
E = Enhanced				TGR = Trip Generation Rate			
FAR = Floor Area Ratio				UPA = Units Per Acre			
FDOT = Florida Department of Transportation				UTS = Units (dwelling)			
DEF= Deficient Road				V/CR = Volume-to-Capacity Ratio			
MMS = Mobility Management System				MIS= Mitigating Improvement Scheduled			
2040 traffic volumes from MPO, adjusted FDOT Regional Transportation Analysis model output							
Average daily level of service based on LOS Volume Tables from MPO 2019 LOS Manual							