



Pinellas County

Legislation Details (With Text)

File #: 16-391A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/7/2016 **In control:** Board of County Commissioners

On agenda: 3/29/2016 **Final action:** 3/29/2016

Title: Ordinance amending portions of Chapter 134, Article VI (Concurrency System), of the Land Development Code.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Affidavit of Publication for Notice of Public Hearing, 2. Adopted Ordinance 16-20, 3. State-filed Ordinance 16-20, 4. PowerPoint Summary of Proposed Amendments, 5. Ordinance (AATF), 6. 3-29-16 BCC Ad, 7. Staff Report and LPA Recommendation, 8. Ordinance (strikethrough / underline)

Date	Ver.	Action By	Action	Result
3/29/2016	1	Board of County Commissioners	approved	Pass

Subject:

Ordinance amending portions of Chapter 134, Article VI (Concurrency System), of the Land Development Code.

Recommended Action:

Conduct a public hearing and adopt the proposed ordinance amending portions of Chapter 134, Article VI (Concurrency System), of the Land Development Code.

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.3 Catalyze redevelopment through planning and regulatory programs

4.4 Invest in infrastructure to meet current and future needs

4.5 Provide safe and effective transportation systems to support the efficient flow of motorists, commerce, and regional connectivity

Summary:

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

The Local Planning Agency (LPA) reviewed the proposed Ordinance at a public hearing on February 11, 2016 and determined that the proposed amendments are consistent with the Pinellas County Comprehensive Plan and recommended approval of the Ordinance by a vote of 6 to 0.

Proposed Amendments to Chapter 134

Transportation Concurrency and the Mobility Management System

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

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

Concurrency Test Statement

Other proposed amendments to Chapter 134 per this Ordinance include the annual update to the level of service conditions for public services and facilities (i.e. Concurrency Test Statement). The Concurrency Test Statement represents an annual status report on the ability of Pinellas County's public facilities and services to meet the demands of existing and committed development, while continuing to provide an acceptable level of service. The facilities and services with adopted level of service standards currently include County and State roads, mass transit, potable water, wastewater, solid waste, drainage, and recreation. The respective standards are adopted in the Pinellas County Comprehensive Plan. (Note, for this annual Concurrency Test Statement, County and State roads and mass transit were not included, as transportation concurrency is repealed as part of this proposed Ordinance.)

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

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

Background Information:

In response to the 2011 Community Planning Act, which removed State-mandated transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization (MPO) endorsed the Pinellas County Mobility Management System on September 11, 2013. The

Mobility Management System provides a framework for a coordinated multimodal approach to managing traffic impacts of development projects as a replacement for local transportation concurrency systems.

Proposed Amendments to the Pinellas County Comprehensive Plan

A proposed Ordinance including amendments to the Pinellas County Comprehensive Plan providing policy support for repealing transportation concurrency and replacing it with the Mobility Management System was heard at a public hearing held by the Board of County Commissioners (Board) on November 24, 2015 and transmitted to the State Department of Economic Opportunity (DEO) for review. The Planning Department received mostly minor comments from the Florida DEO and the other state and regional review agencies. In response to such comments, a few changes consisting almost entirely of minor grammatical corrections were incorporated into the proposed Ordinance amending the Pinellas County Comprehensive Plan. A second hearing for adoption of the Ordinance is included on the agenda of this regularly scheduled meeting of the Board. The intent is to adopt the Comprehensive Plan amendments along with the supporting Land Development Code amendments to Chapter 134, Article VI (Concurrency System), and Chapter 150, Impact Fees, at this same meeting.

Proposed Amendments to Chapter 150

While the proposed amendments to Chapter 134 per this Ordinance delete sections that implement transportation concurrency, proposed amendments to Chapter 150 (Impact Fees) of the Pinellas County Land Development Code, per a separate but associated Ordinance, establish the Mobility Management System. In addition, the Ordinance removes references to transportation impact fees and replaces them with references to multimodal impact fees and associated impact fee districts.

Scheduled Adoptions:

The adoption hearing for the Ordinance amending the Pinellas County Comprehensive Plan is scheduled to coincide with respective adoption public hearings on the proposed Ordinance amending Chapter 134 (per this staff report) and the proposed Ordinance amending Chapter 150 of the Pinellas County Land Development Code (per a separate agenda item and staff report).

Fiscal Impact:

No additional costs will be incurred by Pinellas County in the implementation of the Mobility Management System.

Staff Member Responsible:

Gordon Beardslee, Director, Planning Department

Partners:

Municipalities
Metropolitan Planning Organization

Attachments:

Ordinance (strike-through / underline)
Ordinance (approved as to form)
Staff Report and LPA Recommendation

Legal Notice
PowerPoint Summary of Proposed Amendments