



Pinellas County

Legislation Details (With Text)

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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 the Transportation, Capital Improvements and Intergovernmental Coordination Elements, and the Concurrency Management Section of the Comprehensive Plan.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Affidavit of Publication for Notice of Public Hearing, 2. Adopted Ordinance 16-19, 3. State-filed Ordinance 16-19, 4. State and Regional Agency Review Comments, 5. PowerPoint Summary of Proposed Amendments, 6. Ordinance (AATF), 7. Ordinance (strikethrough / underline), 8. 3-29-16 BCC Ad, 9. Staff Report and LPA Recommendation

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

Subject:

Ordinance amending the Transportation, Capital Improvements and Intergovernmental Coordination Elements, and the Concurrency Management Section of the Comprehensive Plan.

Recommended Action:

Conduct a public hearing and adopt the proposed ordinance amending the Transportation, Capital Improvements and Intergovernmental Coordination Elements, and the Concurrency Management Section of the Comprehensive Plan.

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:

This is the second of two public hearings by the Board on these proposed amendments to the Pinellas County Comprehensive Plan. The first hearing was held on November 24, 2015. The primary purpose of this Ordinance amending the Comprehensive Plan is to eliminate transportation concurrency and associated level of service standards, and set up the policy framework necessary to implement a more flexible mobility management system and mobility fee in its place. This requires amending the Transportation, Capital Improvements and Intergovernmental Coordination Elements of the Comprehensive Plan as well as the Concurrency Management section of the Plan.

The application of transportation concurrency requirements and the assessment of transportation impact fees through the site plan review process are 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 manage transportation impacts.

With establishment of the 2011 Community Planning Act, the Metropolitan Planning Organization (MPO) subsequently facilitated coordination among the County's local governments to develop a consistent countywide transportation mobility management approach, and multimodal impact fee, as a replacement to transportation concurrency and traditional transportation impact fees. The MPO endorsed the Pinellas County mobility management system on September 11, 2013.

If these proposed mobility management-related amendments are approved, development projects would be required to pay an impact fee commensurate with the number of new trips they generate on the transportation system. The proposed policy changes also include a tiered review of development projects adding more than 50 new trips during the peak hour on deficient roads. For a development project on a deficient road, its multimodal impact fee may be applied as credit toward the cost of the transportation management strategies that are required to address that project's impacts on the surrounding transportation system. These strategies could include, for example, trail, sidewalk, bus stop and intersection improvements or trip reduction programs such as vanpooling or telecommuting.

In addition to the mobility management-related amendments as described above, there are also several minor clean-up/corrections proposed. Those revisions include the following:

In the Transportation Element, minor changes recognize current site plan and right-of-way utilization review procedures and practices related to transportation, update the truck route planning policy and correctly recognize the change in the name of the St. Pete-Clearwater International Airport.

Additionally, policy language has been added to recognize the purpose and efficiencies of a Complete Streets approach to transportation planning, which incorporates design and infrastructure to encourage diverse modes of transportation, including bicycle, pedestrian, vehicular, and public transit.

In the Capital Improvements Element, references to a Six-Year Schedule of Improvements have been revised to reflect that the County currently maintains a Ten-Year Capital Improvements Schedule.

In the Intergovernmental Coordination Element, minor changes have been made to reflect the coordination of local governments and partner agencies required to implement the Pinellas County Mobility Management System, MPO corridor plans, and transportation system monitoring.

Finally, the Concurrency Management Section is being revised to eliminate transportation concurrency management and to reflect the current concurrency review process for other facilities and services.

In order to implement the mobility-related policy changes, related amendments are also required to Chapters 134 and 150 of the Pinellas County Land Development Code, which currently implement the County's concurrency management system and countywide impact fee, respectively. The amendments to these chapters of the Land Development Code were originally heard by the Local Planning Agency (LPA) and the Board in late 2014. They are included as public hearing items 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 at this meeting.

Background Information:

This amendment package was originally heard by the LPA and the Board in late 2014; however, it became evident after the amendments were transmitted for review to the State Department of Economic Opportunity (DEO), that not all of the municipalities were quite ready to take action on their corresponding amendment packages. This was important as the mobility fee, similar to the existing countywide impact fee, is a countywide fee and approach, requiring countywide agreement on both the policy and regulatory approach. Consequently, adoption of the County's original amendment package was postponed until each of the municipalities was ready to adopt their related amendment packages. At this time, with the municipalities now on a similar timeline, the County is ready to proceed with its amendment package.

Since reinitiating this amendment package, the LPA reviewed the proposed Ordinance at a public hearing on September 10, 2015 and determined that the proposed amendments are consistent with the Pinellas County Comprehensive Plan and recommended approval of the Ordinance by a vote of 5 to 0.

Subsequent to the LPA public hearing, the Board conducted a public hearing on the proposed Ordinance on November 24, 2015, at which time the Board authorized transmittal of the proposed amendments to the Florida DEO and other state and regional agencies for review and comment. The comments from the review agencies are attached, and in response to these comments a few minor changes have been incorporated into the proposed Ordinance. These changes are noted with yellow highlighted text in the attached strike-through and underlined version of the proposed Ordinance. They consist almost entirely of minor grammatical corrections. The only substantive change made was to Policy 1.1.20 of the Transportation Element (Ordinance page 10 of 39) and included language promoting ride sharing opportunities for other Pinellas County employers (in addition to Pinellas County employees) through continued coordination with the Tampa Bay Area Regional Transportation Authority (TBARTA).

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

Partners:

Municipalities
Metropolitan Planning Organization

Attachments:

Proposed Ordinance (strike-through/underline format)
Proposed Ordinance (approved as to form)
Staff Report and LPA Recommendation
State and Regional Agency Review Comments

Legal Notice
PowerPoint Summary of Proposed Amendments