



Pinellas County

Staff Report

File #: 15-1067, Version: 1

Subject:

Authority to advertise a public hearing to be held on March 29, 2016, regarding a proposed ordinance amending portions of Chapter 134, Article VI (Concurrency System), of the Pinellas County Land Development Code.

Recommended Action:

Authorize the advertisement of a public hearing, tentatively scheduled for March 29th, for a proposed ordinance amending portions of the Concurrency System article of the Pinellas County 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.

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implement transportation concurrency, including adopted level of service standards for transportation facilities, was repealed.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. Following receipt of DEO comments, a second hearing for adoption of the Ordinance amending the Comprehensive Plan is anticipated to go before the Board in March 2016.

In order to implement the proposed changes to the Comprehensive Plan, amendments are being proposed to Chapter 134, Article VI (Concurrency System), and Chapter 150, Impact Fees, of the Pinellas County Land Development Code.

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 March 2016 adoption hearing for the Ordinance amending the Pinellas County Comprehensive Plan is being scheduled to coincide with respective 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 (strikethrough / underline)

Ordinance (clean copy)