

City of Tarpon Springs, Florida STAFF REPORT

April 9, 2018

TO: BOARD OF COMMISSIONERS

FROM: PLANNING AND ZONING DEPARTMENT

HEARING DATES: MARCH 19, 2018 (PLANNING & ZONING BOARD)
APRIL 17, 2018 (BOARD OF COMMISSIONERS) 1ST READING
TBA (BOARD OF COMMISSIONERS) 2ND READING

SUBJECT: **APP-18-30 COMPREHENSIVE PLAN TEXT
AMENDMENT TO THE FUTURE LAND USE ELEMENT
AND TO THE COASTAL PLANNING AREA AND
CONSERVATION ELEMENT (ORDINANCE NUMBER
2018-07) TO MAINTAIN CONSISTENCY WITH THE
COUNTYWIDE PLAN AND TO PROVIDE CLARITY.**

I. STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2018-07 to amend the Future Land Use Element and the Coastal Planning Area and Conservation Element of the Comprehensive Plan.

II. BACKGROUND

The City is amending the Future Land Use Element and the Coastal Planning Area and Conservation Element of the Comprehensive Plan. The amendments will maintain consistency with revised Countywide Rules of the Pinellas Planning Council adopted on August 7, 2015. Per Special Act (Chapter 2012-245, Laws of Florida), the City has until August 7, 2018 to become consistent with the Countywide Rules by completing the adoption process for the required updates.

In addition, the Future Land Use Element as currently drafted provides for Future Land Use Map category standards in a descriptive format. These should be codified as adopted Goals, Objectives and Policies to avoid potential ambiguity in application of the standards. Also, several references under the current Future Land Use Map section actually belong in the Data and Analysis section of the plan as descriptive text. These two objectives are achieved in the proposed amendments through reformatting and clarification of language.

Finally, the Future Land Use Element is in need of updates with respect to legislative references, proper entity/agency names, formatting, typographical errors, and other items.

The proposed text amendments, provided in the attached proposed Ordinance 2018-07 are intended to fulfill the above objectives, by adding new language to achieve consistency with the Countywide Rules, and by providing for reformatting and clarification of language.

III. PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board reviewed the proposed ordinance on March 19, 2018. Two additional proposed text changes were added to the amendment at that meeting. There was no public opposition or comment on this application. The Board voted unanimously to recommend approval of Ordinance 2018-07. The additional text changes presented at that meeting are included in Exhibit A, attached hereto.

List of Exhibits:

- 1) Ordinance 2018-07 with attached Exhibit A

ORDINANCE 2018-07

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY REVISING SECTION III EXISTING LAND USE DATA REQUIREMENTS ADDING SUBPARAGRAPH 6 RELOCATING SUBPARAGRAPH H FROM SECTION VI; REVISING THE GOALS, OBJECTIVES AND POLICIES; BY CLARIFYING POLICIES 1.1.2 AND 1.1.10; ADDING A NEW GOAL 2 PROVIDING A RATIONALE FOR THE FUTURE LAND USE MAP AND MOVING THE FUTURE LAND USE CATEGORIES FROM SECTION VI TO GOAL 2; REVISING GOAL 3 TO INCORPORATE DENSITY AND INTENSITY STANDARDS IN THE COASTAL HIGH HAZARD AREA TO BE CONSISTENT WITH THE COUNTYWIDE RULES; RENUMBERING ALL SUBSEQUENT GOALS, OBJECTIVES AND POLICIES, STRIKING REDUNDANT SECTIONS, AND RENUMBERING THE SUBSEQUENT SECTIONS; TO REMOVE OR CORRECT OUTDATED REFERENCES; AMENDING THE COASTAL PLANNING AND CONSERVATION ELEMENT BY REVISING POLICY 1.6.6 TO MODIFY THE REFERENCE TO THE FUTURE LAND USE ELEMENT FOR PRESERVATION AND CONSERVATION OF ENVIRONMENTALLY SENSITIVE AREAS AND DELETING POLICY 1.6.7; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 10, 1989 the City adopted Ordinance 89-35 adopting a comprehensive plan; and,

WHEREAS, from time to time, amendments to the Comprehensive Plan become necessary due to changing conditions or to permit greater flexibility in the development of the City; and,

WHEREAS, amendments to the Comprehensive Plan are permitted in accordance with City and State regulations governing such amendments; and,

WHEREAS, these text amendments to the Comprehensive Plan are being proposed to revise the Future Land Use Element and the Coastal Planning and Conservation Element for consistency with the Countywide Rules and for greater clarity; and,

WHEREAS, these proposed amendments are intended to address future land use in those areas of the City in the Coastal High Hazard Area, and, to remove redundancy and add clarity to the Future Land Use Map categories; and,

WHEREAS, notice was advertised as required by City and State regulations regarding text amendments to the Comprehensive Plan; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on this item on March 19, 2018 and,

WHEREAS, the applicable governmental agencies have reviewed this proposed amendment to the Comprehensive Plan and have no objection.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA:

SECTION 1. The Future Land Use Element and the Coastal Planning Area and Conservation Element of the Comprehensive Plan are amended by the revising of the Goals, Objectives and Policies as shown in Exhibit A, attached hereto and made a part of this Ordinance.

SECTION 2. This Ordinance shall become effective upon adoption.

Exhibit A Ordinance Number 2018-07

Text in strikethrough font is removed. Text in underline font is added.

Section III. Existing Land Use Data Requirements, Section B, of the Future Land Use Element, is amended to add relocated Subparagraph H from Section VI. Year 2025 Future Land Use Map, and revise the text as follows:

6. VEGETATIVE COVER, WILDLIFE HABITAT & AND MARINE RESOURCES (~~Figure 19, Coastal & Conservation Element~~)

The purpose for classifying the land in this manner is to identify those areas that may provide critical wildlife habitat. It is the intent to preserve those areas identified as wetlands in their entirety and to conserve critical upland habitat by setting aside a percentage of upland for preservation while allowing full development rights to be transferred to the remaining upland areas. Environmentally sensitive areas include, but are not limited to, floodplains, wetlands, rare vegetative communities and listed species habitat. Figure 19 of the Coastal Planning Area and Conservation Element identifies undeveloped land areas by the Florida Land Use Cover and Classification System (FLUCCS) designation which is used to assist in determining if upland areas should be set aside during the development process.

~~Figure 19 of the Coastal and Conservation Element identifies undeveloped land areas by the Florida Land Use Cover and Classification System (FLUCCS) designation. The purpose for classifying the land in this manner is to identify those areas that may provide critical wildlife habitat. It is the intent to preserve those areas identified as wetlands in their entirety and to conserve critical upland habitat by setting aside a percentage of upland for preservation while allowing full development rights to be transferred to the remaining upland areas. Development shall be located on the least environmentally sensitive areas. Environmentally Sensitive areas include, but are not limited to, floodplains, wetlands, rare vegetative communities and listed species habitat. Property proposed for development which is identified on this map shall also require an endangered and threatened species analysis prior to any development order being issued. Development proposals which may impact wetlands shall be required to adhere to the Goal 1, Objective 1.1, and Policy 1.1.1 of the Coastal and Conservation Element regarding wetland impact and mitigation requirements.~~

~~Density and Intensity Standards for Development of areas identified in Figure 19:~~

- ~~➤ Maximum Impervious Surface: .50~~
- ~~➤ Minimum Open Space .30; Open Space shall be defined as any land or water in its natural condition essentially unimproved and set aside for the use and enjoyment of the owners and occupants of such land or the public if so designated. Open space shall be reserved adjacent to wetlands to the maximum extent practicable.~~
- ~~➤ These standards are in addition to the density and intensity standards of the underlying future land use designation.~~

~~Wetland buffers shall be provided as required in the Land Development Code and as outlined in the Goals, Objectives, and Policies of the Coastal Management and Conservation Element.~~

~~For all non-residential uses a minimum of 50% of the parking stalls provided which exceed the required number of spaces (overflow parking) as outlined in the Land Development Code must be in the form of impervious surface.~~

~~Where existing zoning classifications prohibit a development from complying with the standards above, the Board of Commissioners may waive such zoning criteria during the development review process without the need for a variance.~~

Section V. Future Land Use Goals, Objectives and Policies, of the Future Land Use Element, Policy 1.1.2 and Policy 1.1.10 are amended to clarify the text as follows:

Policy 1.1.2 Protect the use of the City’s natural resources including waterwells and wellhead protection areas, beaches, shores, estuarine systems and wetlands in accordance with the recommendations and policies of this element and of the Coastal Planning Area and ~~Conservation~~ Element.

Policy 1.1.10 ~~Where appropriate, Require~~ development proposals to evaluate and preserve sensitive areas as identified by Figure 19 of the Coastal Planning Area and ~~Conservation Element, where~~ appropriate.

Section V. Future Land Use Goals, Objectives and Policies, of the Future Land Use Element, are amended to add Goal 2, Objective 2.1, and Policies 2.1.1, 2.1.2, and 2.1.3 as follows:

Goal 2. Land use designations are intended to protect community character, discourage urban sprawl, promote economic growth and promote compatibility between uses. The Future Land Use Map shall be the guiding mechanism that directs development through general category locations, descriptions, densities and intensities of future land use.

Objective 2.1

The City of Tarpon Springs Future Land Use Map 2025 (FLUM) included in Appendix A of this Element characterizes the long term end toward which land use patterns in the City are ultimately directed. The FLUM also displays Future Land Use categories for unincorporated areas in order to depict the relationship of the City’s FLUM with other relevant jurisdictional areas.

Policy 2.1.1 The FLUM is the guiding document that shows the general character and locations of future development. The FLUM shall be used and interpreted according to the Goals, Objectives and Policies of this Plan. The categories on the FLUM represent the predominant future character of the area indicated and may not necessarily match the zoning designations or boundaries in existence at the time of Plan adoption. Rather, they indicate the eventual disposition of the land’s character with which future zoning, rezoning, development and redevelopment will generally be consistent.

Policy 2.1.2 Review of rezoning requests shall place great weight on protection of the integrity of the FLUM in terms of potential use or character and in terms of potential densities and intensities. All rezonings shall be consistent with the FLUM. Approval of changes to the FLUM may be accompanied by a requirement to rezone the property in conformance with the new FLUM designation prior to development.

Policy 2.1.3 Future Land Use Map boundary adjustments for jurisdictional wetlands, submerged lands, or other water or drainage features may be made by the Director of Planning and Zoning for the City provided that such map adjustments are consistent with a jurisdictional boundary determination that is deemed consistent with with Florida state rules; or is consistent with an approved site or project plan for a body of water or drainage features; or are consistent with the purpose and characteristics of the particular category being adjusted and are based upon a finding of appropriateness by the Director of Planning and Zoning that such adjustment is de minimis in extent and effect.

Section V. Future Land Use Goals, Objectives and Policies, of the Future Land Use Element, are amended to add relocated Subparagraphs A, B, C, D, E, F, G, and H from from Section VI. Year 2025 Future Land Use Map, into created Objectives 2.2, 2.3, 2.4, 2.5, 2.6, 2.7 and 2.8, and created Policies 2.6.5 and 2.6.6 under the new Goal 2, to revise the text

as follows, and to renumber all other Objectives and Policies in the relocated sections and to amend newly renumbered Policy 2.3.6:

Objective 2.2 ~~A~~

Residential Land Use Categories accommodate residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in the long-range facilities plans of the City.

Objective 2.3 ~~B. Mixed Use Land Use Categories~~

The Mixed Land Use Categories are provided to allow and encourage a range of complimentary uses in close proximity to facilitate shorter vehicle trips and alternative transportation choices such as walking and cycling. All mixed use land categories shall require a mixture of uses distributed as follows within each category: Residential (5 percent to 30 percent), and Non-residential (70 percent to 95 percent). This requirement may be waived for parcels less than one acre.

Objective 2.4.

~~C.~~ Commercial Land Use Categories provide for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. Commercial categories recognize major commercial corridors along portions of U.S. Highway 19 and Alternate Highway 19 along with existing specialized and traditional commercial sections of the City.

Objective 2.5.

~~D.~~ Industrial Land use Categories provide for the concentration of industrial activity at locations with appropriate infrastructure and relatively low impact to surrounding land uses. Industrial categories recognize and preserve existing industrial properties and traditional industrial concentrations within the City, such as the area north of the Anclote River, and seek to maintain the integrity of these areas important to the economic diversity and growth of the City.

Objective 2.6.

~~E.~~ Public/Semi-Public Land Use Categories provide for land areas that serve a public purpose for the citizens at large including preservation of critical natural areas, provision of major public facilities such as parks, utilities, drainage, and provision of public or private institutions such as churches or schools. Public/Semi-Public categories may be located on land under public or private ownership.

Objective 2.7.

~~F.~~ Planned Redevelopment categories provide for coordinated planning of new development and/or redevelopment with proposed multiple uses or types, or that have specialized or unique characteristics that would benefit from a high level of planning control and coordination.

Objective 2.8.

~~H. Environmental protection and urban infill and redevelopment designations~~ land use categories provide for specialized districts of the City that cover a character or functional area warranting special consideration or protection with respect to use or form including, but not limited to, historic and cultural resources; traditional land uses; land configuration or layout patterns of lots, streets, and waterways; operation of or deficiencies in transportation or other major infrastructure; or other considerations. In addition to the Future Land Use designations above that are generally adopted in compliance with the Countywide Plan-Rules of Pinellas County, the following additional requirements/designations are set forth that are unique to the City of Tarpon Springs: —

G. — Special Designations

Policy 2.6.5 Water/Drainage Feature (W/DF)

The Water/Drainage Feature Land Use Category is intended to depict those water and drainage features, now committed or proposed.

- a) Principal Uses - Open and Undeveloped consistent with the water and/or drainage feature(s) which characterize these locations.
- b) Secondary Uses - Use Characteristics provided for in the underlying FLUP Category in the case of the drainage feature overlay; and use characteristics provided for and located in the adjoining FLUP Category which are accessory to or are extensions of the permitted adjoining use in the case of a water feature.
- c) Density/Intensity Standards - shall be as follows:
 - 1. Submerged land- no density/intensity allocated;
 - 2. Drainage overlay - as for the underlying plan category.

Policy 2.6.6. 7- Location and Plan Consistency Criteria For Public Educational Facilities

The location of new public educational facilities, the expansion or significant change of program of an existing site, shall be allowed upon a determination by the Board of Commissioners that the proposed site is consistent with the Tarpon Springs Comprehensive Plan. In addition to general consistency with the Comprehensive Plan, new or expanded public educational facilities shall be reviewed and considered with the following criteria:

- a) The proposed location is compatible with present and projected uses of the adjacent property.
- b) The site is adequate for its intended use based on State Requirements for Educational Facilities and provides sufficient area to accommodate all necessary utilities and support facilities and allow for effective buffering of surrounding land uses. Minimum transportation requirements are as follows:
 - 1. Elementary Schools and Special Educational Facilities - direct access to at least a minor collector road or as otherwise approved after a determination of traffic impacts on adjacent roads of lesser functional classification.
 - 2. Middle Schools - direct access to at least a minor collector road or as otherwise approved after a determination of traffic impacts on adjacent roads of lesser functional classification.
 - 3. High and Vocational-Technical Schools - direct access to at least a major collector road or as otherwise approved after a determination of traffic impacts on adjacent roads of lesser functional classification.
- c) Based on the adopted Five Year Capital Improvement Program of the School Board and/or City, there will be adequate public facilities and services to support the public educational facility.
- d) There will be no adverse impact on archaeological or historic sites listed in the National Register or designated by the City as a locally significant historic, cultural or archaeological resource.
- e) Drainage, soil types and flood hazard zone are suitable for development or are adaptable for development and outdoor educational purposes.
- f) The site can accommodate the required transit needs of the student population and/or provides adequate parking and vehicular stacking areas.

Policy 2.3.6 Resort Facilities High (RFH)

It is the purpose of this category to depict those areas that are now developed or appropriate to be developed in high density residential and resort, tourist facility use; and to recognize such areas as well-suited for the combination of residential and transient accommodation use consistent with their location, surrounding uses, transportation facilities, and natural resource characteristics of such areas. Primary areas for consideration include areas within or in close proximity to the Sponge Docks, Community Redevelopment Area, and the north bank of the Anclote River.

- a) Primary uses: Transient Accommodation
- b) Secondary uses: Residential, Tourist Facilities, Retail Commercial, Commercial/Business Service, Office, Personal Service, Commercial Recreation, Institutional; Transportation Utility; Ancillary Non-Residential; Recreation – Open Space.
- c) This category is generally appropriate to locations where it would identify existing high intensive mixed hotel/motel use and residential use in the tourist areas of the City as well as

locations where unique recreational assets warrant the combination of permanent and temporary accommodations in close proximity to and served by the arterial and major thoroughfare network as well as by mass transit.

- d) Density/Intensity Standards
 1. Residential Use – Shall not exceed 15 units per acre and must be in combination with a transient use (minimum 75% transient). Properties located within the Coastal High Hazard Area shall not exceed 5 units per acre.
 2. Transient Accommodation shall not exceed 60 units per acre unless the alternate temporary lodging facilities densities and intensities standards are elected as outlined in Goal 6 and the subsequent objectives and policies.
 3. Non-Residential Use; Shall not exceed a FAR of .35 and an ISR of .65.
 4. Mixed Use – Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.
- e) Acreage Limitations: The following uses shall not exceed the respective acreage threshold designated for such uses. Any such use, alone or when added to existing contiguous like use(s), which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous like uses:
 1. Ancillary Non-Residential; Transportation Utility use: Shall not exceed a maximum area of three (3) acres.
 2. Institutional Use (except Public Educational Facilities which are not subject to this threshold): Shall not exceed a maximum area of five acres.

Section V. Future Land Use Goals, Objectives and Policies, of the Future Land Use Element, are amended to relocate Subparagraphs N from from Section VI. Year 2025 Future Land Use Map, to create new Policy 3.3.1, to revise the text as follows and to renumber all subsequent Policies under Objective 3.3:

~~N. Coastal High Hazard Area~~

~~Policy 3.3.1 In order to restrict permanent population density increases within the Coastal High Hazard Area (CHHA), as defined in the Coastal Planning and Conservation Element, is shown in Figures 5 and 8 of the Coastal and Conservation Element. Figure 5 is based upon the 2006 SLOSH map. Figure 8 is the Coastal High Hazard Area as demonstrated by Pinellas County. The City shall deny Future Land Use Map amendment proposals which would result in an increase of residential density/intensity and/or non-residential intensity, except that the City may, at their sole discretion, consider approving such amendment based upon a balancing of the following criteria, as are determined to be applicable and significant to the subject amendment:~~

- a) ~~The uses associated with the proposed amendment will have access to adequate emergency shelter space and to evacuation routes that have adequate capacities and evacuation clearance times as specified in the Coastal Planning Area and Conservation Element;~~
- b) ~~The proposed amendment will utilize existing infrastructure without necessitating the expenditure of public funds for the construction or future maintenance of new, unplanned infrastructure subject to potential damage by coastal storms;~~
- c) ~~The proposed amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms or that provide coastal storm floodplain capacity for existing development;~~
- d) ~~The proposed amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, Anclote River, bayous and other significant and identified scenic resources associated with the City's coast and waterways, and their viewsheds;~~
- e) ~~The proposed amendment is for uses which are water dependent;~~
- f) ~~The proposed amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated redevelopment area, and meets the intent of that plan;~~

- g) The proposed amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA, as implemented in concert with the underlying zoning to be made a part of the amendment, as necessary;
- h) The proposed amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.

Nothing in this section should be construed as superseding or otherwise modifying the local plan amendment requirements of Chapter 163.3178, Florida Statutes, as amended.

Section VII. Conservation Goals, Objectives, Policies, of the Coastal Planning Area and Conservation Element, is amended to revise Policy 1.6.6 and to remove Policy 1.6.7 as follows:

Policy 1.6.6 Preserve/conservate those areas identified by Figure 19 in accordance with specific regulations related to wetlands protection, preservation of open space, planned development performance zoning, transfer of density/intensity rights, buffers and setbacks, tree protection, clustering of units within the least environmentally-sensitive areas, and other techniques adopted in the Land Development Code ~~in May, 1990. All lands proposed for development identified by Figure 19 shall be evaluated in accordance with Section VII, Paragraph H (Environmental Protection and Urban Infill Designations).~~

~~Policy 1.6.7 Wetlands identified in Figure 19 that are not designated as “Preservation” or “Recreation Open Space” on the Future Land Use Map shall require a future land use amendment to either of these two designations prior to issuance of any construction permits for adjacent upland development.~~

Section I. Introduction, of the Future Land Use Element, is amended to remove and correct outdated references, as follows:

I. INTRODUCTION

The Future Land Use Element ~~was~~ is mandated by Chapter 163.3177(6)(a), otherwise known as the ~~Local Government Comprehensive Planning and Land Development Regulation~~ Community Planning Act (Required and Optional Elements), and ~~Rule 9J 5.006, Florida Administrative Code.~~ The content of this element was designed to be consistent with the criteria of those regulations, the Tampa Bay Region’s (TBRPC) Comprehensive Regional Policy Plan, and the Countywide Future Land Use Plan and Rules Concerning the Administration of the Countywide Future Land Use Plan as administered by the Pinellas Planning Council (PPC).

This element includes an inventory of existing land use characteristics, and an analysis of future needs based upon projected population, available land, and available infrastructure, supported by a set of goals/objectives/policies and a future land use map. The policies are designed to be specific programs and the objectives are designed to be measurable ~~in accordance with Rule 9J 5, F.A.C.~~ The future land use map describes the appropriate location of future development based upon such factors as timing, cost, compatibility, geographic characteristics, and current development trends. Land development regulations adopted subsequent to the Comprehensive Plan must be consistent with the Future Land Use Element and associated maps.

A. Purpose

The purpose of the Future Land Use Element is to serve as a guide to the future development and redevelopment of the City. Essentially, it is a spatial regulation of residential, commercial, industrial, and agricultural land uses. In addition, each land use category is described in terms of both the types of uses allowable as well as specific standards to govern the density or intensity of use.

B. Interrelationship of Other Elements

Each element of the Comprehensive Plan is equally important, and all the different parts of the plan must be internally consistent. While the Future Land Use Element is the most recognizable part of a plan, land development proposals must be consistent with the other divergent elements as well. The Future Land Use Element completes the Comprehensive Plan package by tying together aspects of the other elements which follow:

- Historic Resources
- Coastal ~~Management~~ Planning Area and Conservation
- ~~Conservation~~
- Recreation and Open Space
- Intergovernmental Coordination
- Transportation ~~Element~~
- Sanitary Sewer Utilities
- ~~Potable Water~~
- ~~Solid Waste~~
- ~~Drainage and Groundwater Aquifer Recharge~~
- Housing
- Capital Improvements
- Public Schools Facilities

Section III. Existing Land Use Data Requirements, Sections A, B.1., and B.4., of the Future Land Use Element, are amended to remove and correct outdated references, as follows:

III. EXISTING LAND USE DATA REQUIREMENTS

A. Existing Land Use Plan

The Existing Land Use Map is shown in Figure 2. The map is based upon the Pinellas County Geographic Information System, which utilizes the Pinellas County Property Appraiser records to identify use. An explanation of the land use categories utilized is provided by Appendix B. Generally, the following land use categories are shown on the Existing Land Use Map:

1. Single Family
2. Mobile Home
3. Duplex/Triplex
4. Multifamily
5. Commercial
6. Industrial
7. Public/Semi-Public
8. Agricultural
9. Recreation/Open Space
10. Vacant
11. Miscellaneous
12. Conservation/Preservation
13. Marinas

Educational uses, public buildings and grounds, and other public facilities have been combined into the Public/Semi-Public land use category. This category includes such facilities as public and private schools, government owned and operated buildings (e.g., City Hall), hospitals, cemeteries, post offices, day care facilities, and railroad facilities.

The residential use category has been broken down into single family, mobile home, duplex/triplex, and multifamily. The multifamily category includes apartments, condominiums, and residential retirement homes. Other land use categories ~~not specifically required by Rule 9J-5 but~~ identified for the purposes of

this element are Marinas and Miscellaneous. The miscellaneous category includes streets, rivers, lakes, and pipelines.

The historic resource inventory can be found in the Historic Element which is included as a part of this Comprehensive Plan.

B. Natural Resources

1. Waterwells and Well Head Protection Areas

The City of Tarpon Springs currently owns and operates seven (7) municipal wells identified in Figure 3. Wells 1, 2, & 3 have active Consumptive Use Permits that expire in 2015 and produce an average of .73 MGD. Well 5A is permitted for irrigation with a capacity of .012 MGD. Wells 5B and 5D are permitted through SWFWMD in a standby status with an average daily permitted withdrawal of .252 MGD. Well 5C has higher than allowable iron concentrations.

A wellhead protection area is defined by Rule 9J-5 as an area designated by local government to provide land use protection for the groundwater source for a potable water wellfield, including the surface and subsurface area surrounding the wellfield. Differing level of protection may be established within the wellhead protection area commensurate with the capacity of the well and an evaluation of the risk to human health and the environment. Wellhead protection areas shall be delineated using professional accepted methodologies based on the best available data and taking into account any zone of contribution described in existing data.

For the purposes of land use planning a wellhead protection area is the area surrounding a waterwell on which a land use activity has the potential to have a negative impact upon the aquifer. In order to have a negative impact, contaminated water must penetrate the aquifer. The purpose of delineating a wellhead protection area is to protect the water supply from a detrimental land use.

There are generally two (2) types of aquifers; unconfined and confined. Unconfined aquifers have no separation between the surface and the aquifer. Water is either drawn down or percolates into the pumping well from the surface. Confined aquifers are characterized by a separation (i.e. - confining bed) between the surface and the aquifer. Surface water must penetrate this "confining bed" in order to reach the aquifer.

In general, much of Pinellas County is underlain by a thick confining bed. However, the upper Floridian Aquifer in the Tarpon Springs area is generally characterized as unconfined to poorly confined. Discontinuous clay layers exist, but only provide localized confinement. A cross-section of the confining bed for the Southwest Florida Water Management District can be found in Figure 4.

Production of a potable water supply from wells 1, 2, & 3 began around 1955. The first consumptive use permit (C.U.P.) granted to the City by the Southwest Florida Water Management District was issued in 1976 for an annual average of 370,000 gallons per day (GPD).

Wellhead protection areas and significant impacts upon wells are shown in Figure 3. Significant impacts include potentially contaminating land uses, such as industrial, landfills, and non-sewered areas.

Well number 1 is located on Grosse Avenue just north of Lemon Street at the site of the old City Waterworks. This is adjacent to the City's traditional downtown (or Main Street), and the area is heavily urbanized with commercial and residential uses. The area is served by central water and sewer. There are no heavy industrial uses in the vicinity, however, there are scattered industrial uses in the form of workshops and storage yards in the area. These uses should be inventoried as potential small quantity hazardous waste generators. The City's Class III landfill is located approximately 3/5 th's of a mile to the south. Output from Well #1 has been traditionally low. Recent drawdown monitoring indicates drawdown of the surface water aquifer to be 1.5 to 2.5 feet within a 300 foot radius

Well Number 2 is located on Tarpon Avenue just east of Jasmine Avenue. The area south of Keystone Road is characterized by single family homes developed in the range of 5 to 6 units to the acre. This area is

also not connected to central sewer, and although none has been detected, seepage from faulty septic systems could occur. The area north of Keystone Road is characterized by scattered development. As this area develops it should be kept below 6 units to the acre and be required to hook up to central sewer. Recent drawdown monitoring of the surface water aquifer indicates a drawdown of 2.5 to 3.5 feet within a 300 foot radius.

Well number 3 is located on Highland Avenue just north of Wegman Drive. The site is located adjacent to Lake Tarpon, a major source of aquifer recharge for the area. Again, this area is single family residential in nature but lacks centralized sewer. Monitoring of septic seepage should occur. Recent drawdown tests indicate a resultant drawdown of the surficial aquifer of 2 to 2.5 feet within a 300 foot radius.

Well site number 5 is located along Disston Avenue just north of Klosterman Road). This wellfield actually consists of four (4) wells (A, B, C, & D) spaced at 200 foot intervals pumping at the rate of 150 gallons per minute (GPM). The area is primarily urbanized, and characterized by low to moderate density residential development. The City owned landfill is located approximately 1/2 mile to the north

Hydrogeologic monitoring and computer modeling utilizing drawdown techniques to calculate the aquifer properties of transmissivity, storativity, and leakance have been performed. These tests confirmed the unequal characteristics of the confining layer.

Two significant land use sites are located within this protection area. One is the City owned landfill which was closed in 1990 and continues to be monitored per FDEP requirements. The second land use is a City owned retention pond adjacent to the wellfield site. Due to its proximity to the wellfield the potential for aquifer penetration from this site is high. Therefore, restricted access to this pond should be considered.

4. Wetlands

Figure 20 of the Coastal Planning Area and Conservation Element provides a wetlands inventory of the study area taken from the U.S. Department of the Interior National Wetlands Survey as provided by SWFWMD GIS. Descriptions of each category can be found within the Coastal Planning Area and Conservation Element.

Wetlands occur in and around Tarpon Springs, but are primarily associated with the major waterbodies; Gulf of Mexico, Anclote River, and Lake Tarpon. Isolated wetlands which were once part of a larger system of interconnected wetlands are also present. Wetlands are a type of ecological community which support a variety of plant and wildlife, and are dependent upon water inundation. This inundation may be permanent, seasonal, or temporary. In addition to serving as a wildlife and plant habitat wetlands serve to retain water, regulate the flow of water, filter nutrients, and protect upland areas from flooding and storm surges. Problems associated with the development of wetlands include flooding, loss of aquifer recharge, loss of habitat, loss of impact absorption during storm surges, the undermining of roads, structures, and public facilities, and malfunctioning septic systems. The development of wetlands is subject to the jurisdiction of the Army Corps of Engineers, the State Department of Environmental ~~Protection Regulation~~, ~~the State Department of Natural Resources (aquatic preserves, submerged land leases)~~, the Water Management Districts, and can be subject to review by local governments and the Regional Planning Councils. The permitting process is known as dredge and fill. A more detailed inventory of wetland species and wildlife habitat can be found in the Coastal Planning Area and Conservation Element of the Comprehensive Plan.

Section IV. Land Use Analysis Requirements, Section I., of the Future Land Use Element, is amended to remove and correct outdated references, as follows:

I. Energy Efficient Land Use Patterns & Reduction of Green House Gas Emissions

The City of Tarpon Springs is committed to the long-term goal of reducing greenhouse gas emissions. The Policy Guide On Planning and Climate Change, published by the American Planning Association April 27, 2008, identifies 18 findings related to Climate Change Policy. These findings serve as the basis for the City's approach to reducing

greenhouse gases through the methods listed below with references to applicable Goals, Objectives and Policies (new and existing) that address each strategy. Where appropriate, these strategies are included in Figure 10 of the Future Land Use Map Series.

1. Reducing Vehicle Miles Traveled

The MMTD serves as the “spine” for the City’s approach to reducing vehicle miles traveled (VMT). It is the goal of the City to promote future residential growth into the City’s MMTD in order to improve upon the jobs to housing ratio (see MMTD Quality of Service Analysis, Appendix B of Transportation Element). The MMTD requires improved cycling, pedestrian and transit levels of services and reduces emphasis on traditional vehicle levels of service. Improvement of the jobs to housing ratio, along with improved alternative transportation modes will reduce overall VMT within the district. The central location of the MMTD allows it to conveniently serve as a major employment and shopping district for the entire City. A key implementation strategy is the completion of a bicycle and pedestrian masterplan which focuses on using these alternative modes to bring residents to the central MMTD. A second strategy to reduce VMT is to allow limited neighborhood commercial nodes at key intersections in predominantly residential districts. This would apply to the western ½ of the City. These uses must be well designed to integrate with the residential character of the area. A third strategy to reduce VMT is to promote Transit Oriented Redevelopment (TORD) at key intersections on U.S. Highway 19 (SIS Facility) which has been identified on the TBARTA (Tampa Bay Area Regional Transit Authority) Master Plan as an Express Bus route. Lastly, it is important to protect the City’s existing and future employment centers so that residents who wish to live and work locally may continue to do so. The industrially designated area on the north side of the Anclote River is a prime area for future employment opportunities and should be protected from conversion to residential uses. The following listing provides references to the Goals, Objectives, and Policies found in the Future Land Use Element and in the Transportation Element of this Plan addressing reduction of VMT.

- ~~FLUE Goal 1, Objective 1.1, Policy 1.1.11~~
- ~~FLUE Goal 2, Objective 2.4, Policy 2.4.2 & 2.4.4~~
- ~~FLUE Goal 4 and Transportation Element (TE) Goal 1 and all associated Objectives and Policies adopting / implementing the Multi-Modal Transportation District~~
- ~~FLUE Goal 5 and all associated Objectives & Policies~~
- ~~TE Goal 2, Objective 2.1, Policy 2.1.5~~
- ~~Recreation Open Space Element (ROE) Goal 1, Objective 1.3, Policies 1.3.5 & 1.3.6~~

2. Protection of existing “carbon sink” areas (lands designated as Preservation, Conservation, and/or Recreation / Open Space

The City has a long history of protecting open space and recreation spaces from conversion to other uses. The City currently has approximately 25% of its land (not including waterways and water bodies) designated as Preservation or Recreation Open Space as provided for in the Future Land Use Element of this Plan. The following Goals, Objectives, and Policies protect these spaces.

- ~~FLUE Goal 2, Objective 2.4, Policy 2.4.8~~

3. Shortening the food supply chain.

The City is currently limited in its ability to grow food locally. However, there are several “roadside” markets that offer alternatives to the traditional grocery store. Many of these sell produce from neighboring counties that remain in agricultural use. Agricultural uses such as hydroponics are proposed for inclusion, on a limited basis, in the City’s under-utilized industrial areas. Community gardens are also proposed for inclusion in all residential districts, after conditional use review. The City, by nature of its location, is a producer of local wild-caught seafood. The City has recently identified that a lack of available properties for commercial seafood processing. This has the unwanted effect of requiring local seafood to be transported out of the area for processing and packaging and back into the City for sale at local retailers. In an effort to shorten supply lines, the city has proposed allowing this use within designated waterfront industrial lands as provided for in the Future Land Use Element of this Plan.

- ~~Goal 5, Objective 5.3, Policies 5.3.1, 5.3.2 & 5.3.3~~

4. Renewable Energy Resources

The only local, viable option to traditional electric power generation, supplied by Progress Energy, is that of solar power. For a wider discussion of promoting solar power, see the Housing Element and the Coastal Planning Area and Conservation Element.

Section V. Future Land Use Goals, Objectives and Policies, of the Future Land Use Element, is amended to remove and correct outdated references, from Policies 2.7.1, 2.7.2, 2.8.1, 7.1.2, as follows:

Policy 2.7.1 Mixed Use (MU)

The Purpose of this category is to depict those areas that are developed with a collection of residential, office, commercial and tourism uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complimentary. This category should facilitate infill and redevelopment of these areas to create a desirable mix of non-residential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area's character, uses, and transportation facilities.

- a) Use Characteristics- Uses allowed in this category must be set forth in the required special area plan (Paragraph I of this Section) and shall be selected from the and limited to the uses found within the Mixed Use Classification of Section 2.3.3.4 of the Countywide Plan Rules of Pinellas County.
- b) Density/Intensity/Distribution of Uses Standards: Shall be designated within the Special Area Plan but at a minimum shall meet the percentage distribution of uses required as set forth in ~~Table 1 under Policy 4.2.10~~ of this Element. Maximum residential density shall not exceed 40 units per acre. The maximum F.A.R shall not exceed 2.0.
- c) Other Standards:
 1. Area Requirements: This plan category shall be a minimum of 10 acres in size, must include residential, office, and/or commercial/tourism uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complimentary.
 2. Acreage Limitations: Ancillary Non-Residential and Transportation Utility uses shall not exceed a maximum of three acres. Institutional uses (except Public Education facilities) shall not exceed a maximum of five acres. Any such use, along or when added to existing contiguous like uses, which exceeds the designated threshold shall require a plan map amendment that shall include such use and all contiguous uses. These uses shall be compatible with and limit the negative impacts on surrounding mixed use areas. Development standards for such uses shall be identified and referenced in the special area plan.
- d) A Special Area Plan is required (~~see paragraph H~~)

Policy 2.7.2 Industrial (IND)

~~Purpose~~—It is the purpose of this category to depict those areas of the County that are developed with intensive businesses generating extensive employment activity. These areas consist of a collection of manufacturing, office, institutional (i.e. higher educational or training facilities), and high-tech light industrial uses in areas that are interrelated and complimentary. This category should help to create a desirable employment district by promoting aesthetically pleasing, safe environments, interrelated uses, and buildings that are compatible with the stated character for the area.

- a) Use Characteristics – Those uses allowed in this category must be set forth in the required special area plan and shall be selected from and limited to the uses found in the Industrial Classification in the Countywide Plan Rules; Public Educational Facilities; Private Schools; Colleges; and Public Service Agencies that offer training and education for targeted industries.
- b) Density/Intensity Standards – Shall be specified in the special area plan (see paragraph H). Maximum F.A.R shall not exceed 1.0.
- c) A Special Area Plan is required (~~see paragraph H~~)

Policy 2.8.1 ~~CRD~~, Community Redevelopment District (CRD)

The City of Tarpon Springs Community Redevelopment Area (CRA), established by Resolution 2001-22 of the City of Tarpon Springs, Florida and amended by Resolution 2003-21 is identified in Figure 7. The City of Tarpon Springs Downtown Redevelopment Plan for the CRA was adopted by Ordinance 2001-23 and amended by Ordinance 2006-08. The CRA provided the primary impetus for, and is included within, the FLUM Category of Community Redevelopment District (CRD).

Within the Community Redevelopment Area there are two development options identified within the adopted Downtown Redevelopment Plan:

- a) Utilize the existing designated future land use and zoning with the following allowable increases in F.A.R.
 1. Parcels designated as CG on the Future Land Use map may increase the allowable F.A.R. from .40 to .55.
 2. Parcels designated as CL on the Future Land Use map may increase the allowable F.A.R. from .3 to .45.
- b) Adoption of the CRD Future Land Use Designation pursuant to the following criteria: Purpose – It is the purpose of this category to depict those areas of the county that are now designated, or appropriate to be designated, as community centers and neighborhoods for redevelopment in accord with a special area plan.
- c) CRD Use Characteristics
Those uses appropriate to and consistent with this category include:
 1. Primary Uses - Residential; Office; Commercial; Industrial; Institutional; and Transportation/Utility uses as enumerated in the approved special area plan for an area so designated.
 2. Locational Characteristics – This category is generally appropriate to those community areas designed to serve as local retail, financial, governmental, residential, and employment focal points for a community; and to specified target neighborhoods designed to encourage redevelopment in one or a combination of uses as identified above and set forth in the special area plan thereof.
 3. Density/Intensity/Distribution of Use Standards – Shall be as set forth for each classification of use and location in the approved special area plan. Densities/intensities shall be consistent with the redevelopment strategy for this category and shall generally parallel the medium to high density/intensity standards of the conventional categories for the respective types of use characteristics provided for thereunder. Minimum mix of uses shall be provided as per ~~Table 1 of Policy 4.2.10 of~~ this Element. The maximum residential density shall not exceed 40 units per acre. The maximum F.A.R. shall not exceed 2.0.
 4. Special Area Plan Required – The utilization of this category shall require a special area plan as set forth ~~paragraph H of~~ in this element.

Policy ~~7~~6.1.2: A Development Agreement proposing to utilize the higher densities and intensities identified in Table 12 and authorized by this Section shall address, at a minimum, the following:

- a) The ability of the local government, or the applicable service provider, to meet the concurrency management standards for sanitary sewer, solid waste, drainage, and potable water, as required pursuant to Section 163.3180, F.S., and the applicable local government or service provider plan and regulations.
- b) Provision for all temporary lodging uses to comply with all county and local hurricane evacuation plans and procedures to ensure orderly evacuation of guests and visitors pursuant to the Pinellas County Code, Chapter 34, Article III. In particular, all temporary lodging uses which are located in Hurricane Evacuation Level A, as identified by the Pinellas County Comprehensive Emergency Management Plan, shall prepare a legally enforceable mandatory evacuation/closure covenant, stating that the temporary lodging use will be closed as soon as practicable after a hurricane watch is posted for Pinellas County by the National Hurricane

Center. Further, a plan implementing the closure and evacuation procedures shall be prepared and submitted to the county or municipal emergency management coordinator, whichever is applicable, within 90 days of the issuance of a certificate of occupancy. This plan will be updated and sent for review when there is a change of ownership or substantive change to the plan or as required by the county or municipal emergency management coordinator, whichever is applicable.

- c) Design considerations ~~in Policy 6.1.4~~, the mobility management provisions ~~in Policy 6.1.5~~ and the restrictions on temporary lodging use, all as provided for in this Element in Policy 6.1.6.

Section VI. Year 2025 Future Land Use Map, of the Future Land Use Element, is amended to remove the following redundant sections:

~~VII. YEAR 2025 FUTURE LAND USE MAP~~

~~The Year 2025 Future Land Use Map is identified in Figure 9 of Appendix A~~

~~2. Urban Infill and Redevelopment Area~~

~~———— The Urban Infill and Redevelopment Area of the City of Tarpon Springs is identified in Figure 20
———— of this element.~~

~~J. Historic Land Uses~~

~~1. The Historic District is shown in Figure 7. Additional information regarding the Historic District, including the Florida Master Site File, can be found in the Historic Resources Element.~~

~~K. Waterwells and Wellhead Protection Areas~~

- ~~1. Wells and wellhead protection areas are shown in Figure 3.~~
- ~~2. Land uses within the wellhead protection shall be consistent with the policies and recommendations of this element.~~

~~L. Beaches, Shores, Estuarine Systems, Floodplains, and Wetlands~~

- ~~1. Beaches, shores, estuarine systems and wetlands are designated by Figure 19 of the Coastal Management/Conservation Element.~~
- ~~2. Floodplains (Special Flood Hazard Areas) are designated by Figure 22 of the Coastal Management/Conservation Element of this Comprehensive Plan.~~

~~M. Minerals and Soils~~

- ~~1. There are no commercially valuable minerals.~~
- ~~2. Soils are identified in Figure 5.~~

Tampa Bay Times
Published Daily

STATE OF FLORIDA } ss
COUNTY OF Pinellas County

Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: Ordinance 2018-07 was published in Tampa Bay Times: 3/2/18. in said newspaper in the issues of CLW North Pinellas

Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Virginia M Marshall

Signature of Affiant

Sworn to and subscribed before me this 03/02/2018.

Johnnie Murry

Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



**NOTICE OF PROPOSED
AMENDMENT TO
THE COMPREHENSIVE PLAN OF
THE CITY OF TARPON SPRINGS**

The City of Tarpon Springs, Florida, proposes to adopt the following Ordinance:

ORDINANCE 2018-07

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY REVISING SECTION III EXISTING LAND USE DATA REQUIREMENTS ADDING SUBPARAGRAPH 6 RELOCATING SUBPARAGRAPH H FROM SECTION VI; REVISING THE GOALS, OBJECTIVES AND POLICIES; BY CLARIFYING POLICIES 1.1.2 AND 1.1.10; ADDING A NEW GOAL 2 PROVIDING A RATIONALE FOR THE FUTURE LAND USE MAP AND MOVING THE FUTURE LAND USE CATEGORIES FROM SECTION VI TO GOAL 2; REVISING GOAL 3 TO INCORPORATE DENSITY AND INTENSITY STANDARDS IN THE COASTAL HIGH HAZARD AREA TO BE CONSISTENT WITH THE COUNTYWIDE RULES; RENUMBERING ALL SUBSEQUENT GOALS, OBJECTIVES AND POLICIES, STRIKING REDUNDANT SECTIONS, AND RENUMBERING THE SUBSEQUENT SECTIONS; TO REMOVE OR CORRECT OUTDATED REFERENCES; AMENDING THE COASTAL PLANNING AND CONSERVATION ELEMENT BY REVISING POLICY 1.6.6 TO MODIFY THE REFERENCE TO THE FUTURE LAND USE ELEMENT FOR PRESERVATION AND CONSERVATION OF ENVIRONMENTALLY SENSITIVE AREAS AND DELETING POLICY 1.6.7; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearings on the proposed ordinance will be held before the Planning and Zoning Board and the Board of Commissioners on the following dates:

- Monday, March 19, 2018 @ 7:00 PM
- Tuesday, April 17, 2018 @ 6:30 PM (1st Reading)

THE PLANNING AND ZONING BOARD PUBLIC HEARING AND THE BOARD OF COMMISSIONERS PUBLIC HEARING WILL BE HELD IN THE CITY HALL AUDITORIUM, 324 EAST PINE STREET, TARPON SPRINGS, FLORIDA.

Said hearings may be continued from time to time pending Adjournment. All interested parties are invited to attend these meetings to express your views or to present facts in the case.

If a person decides to appeal any decision made by the Board of Commissioners with respect to any matter considered at these meetings or hearings, he will need a record of the proceedings, and that, for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Written comments may be addressed to the Planning & Zoning Dept., PO Box 5004, Tarpon Springs, Florida 34688. Written comments will become a part of the record. Materials related to this ordinance may be inspected at the City Clerk's Office or the Planning & Zoning Division during City Hall business hours. Any person with a disability requiring reasonable accommodation in order to participate in these meetings should call (727) 942-5611 or FAX a written request to (727) 943-4651.

PLEASE REFERENCE APPLICATION #18-30