



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
WEDNESDAY, May 15, 2019
6:30 P.M.**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only** NOTE: A three minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.
- 6. REPORTS**

Public Safety	Vice Mayor Kornijtschuk
Building/Code	Commissioner Will
Public Works/Parks	Commissioner Steiermann
Finance	Commissioner Dorgan
Mayor	
Town Clerk	
Attorney Daigneault	
Boards & Committees	
- 7. CONSENT AGENDA**
 - A. Board Regular Meeting Minutes, May 1, 2019**
 - B. Bill List for Day Ending May 10, 2019**
- 8. OLD BUSINESS**
 - A. Friendship Park Renovations**
- 9. NEW BUSINESS**
 - A. Final Reading: Ordinance 2019-03: An Ordinance of the Town of Redington Beach, Pinellas County, Florida, Amending the Goals, Objectives, and Policies of the Town of Redington Beach Comprehensive Plan by Amending the Future Land Use Element to create a Matrix of Town and Corresponding Countywide Future Land Use Categories and to Establish Balancing Criteria to Use in the Consideration of Future Land Use Map Amendments, Providing for Severability; and Establishing an Effective Date.**



- B. First Reading: Ordinance 2019-05: An Ordinance of the Town of Redington Beach, Pinellas County, Florida, adopting the Annual Amendment to the Schedule of Capital Improvements Element of the Town of Redington Beach Comprehensive Plan, Providing for Severability; and Establishing an Effective Date.**
- C. 311 160th Terrace**

10. OTHER BUSINESS

11. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose 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 based. (F.S 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**



TOWN OF REDINGTON BEACH, FLORIDA
BOARD REGULAR MEETING MINUTES
Wednesday, May 1, 2019
6:30 p.m.

Having been duly advertised as required by law, the **Regular Meeting** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Wednesday, May 1, 2019, 6:45 p.m.**, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach Florida.

Mayor Simons called the **Regular Meeting** to order and led the pledge of allegiance.

Roll Call

	Present	Absent
Commissioner Dorgan	X	
Commissioner Steiermann	X	
Commissioner Will	X	
Vice Mayor Kornijtschuk	X	
Mayor Simons	X	
Town Attorney Daigneault	X	
Town Clerk Clarke	X	

Agenda: A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Will to accept the agenda as presented. Motion passed with all ayes.

Public Forum: None

Public Safety

- Nothing to Report.

Building

- Nothing to Report.

Public Works

- Nothing to Report.

Finance

- Nothing to Report

Mayor

- Nothing to Report.

Town Clerk

- Nothing to Report.

Town Attorney

- Nothing to Report.

Boards and Committees

- Nothing to Report

CONSENT AGENDA

- A. Board Regular Meeting Minutes, April 17, 2019
- B. Bill list ending for Day ending April 26, 2019
- C. Holiday Halfathon December 8, 2019 to December 2023
- D. Older Americans Month

A motion by Commissioner Dorgan and seconded by Commissioner Will to approve the consent agenda as presented. No public comment. Motion passed with all ayes.

OLD BUSINESS

- A. **Friendship Park Renovations:** Commissioner Will noted that a preliminary drawing has been done to move the pergola. The drawings will be presented to the Park Board for their input and once this is done, the town can get bids for the renovations.
- B. **Final Reading: Ordinance 2019-01: An Ordinance of the Town of Redington Beach, Florida, Amending the Town Code of Ordinances by Amending Chapter 6-Building and Building Regulations, Article III. – Building Code, Division 3 – Site Plan, Section 103 – Guidelines, Amending the Criteria for Impervious Surfaces; providing for severability and an effective date.** Attorney Daigneault read the ordinance by title only. A motion by Commissioner Will and seconded by Vice Mayor Kornijtschuk to adopt ordinance 2019-01 on its final reading. Bruce McLaughlin, Town Planner spoke that this is a housekeeping matter to align the ordinance to the town's comprehensive plan. He stated that the Impervious Surface Ratio (ISR) has been at 40% since 1989. The Comprehensive Plan and the town's ordinances can not be in conflict and the reason for the ordinance change. The staff recommends approval for procedural purposes. He noted that a meeting between the Planning Board and the Board of Commissioners along with Lynn Burnett will be held on June 5th to discuss the ISR. Staff reports will be available with recommendations and will be available in advance of the meeting for anyone to review and research prior to the meeting.

Jim Ligon, 15509 Redington Drive, asked for clarification on what is being voted on tonight.

Annette Gelbrich, 510 161st Avenue asked questions on if the storm drains needed to be updated.

Steve Redman, 16496 Redington Drive spoke on the surrounding communities ISR percentages. All the surrounding communities are 60% to 70%. He believes that the 40% is not doable and doesn't want to wait for the engineer's report.

Steve Wotovich, 15500 Gulf Blvd believes the commission needs to be more realistic and need to change the comp plan.

Shawn Moore, 15912 Gulf Blvd, asked when the comp plan was created and asked if it could be changed.

Bruce McLaughlin noted that the Planning Board would need to review the ISR and make recommendations to the commission. The comp plan could be changed after review by the state and this process could take up to four months.

Joyce Drew, 15802 3rd Street noted she has lived here for over 30 years and stated that the needs have changed over the years and the original comp plan may not be practical now.

Nari Persad, 16007 5th Street asked how the engineer was picked and suggested that the town get a second opinion after the report is received from the engineer.

Roll call vote was taken and motion passed with all ayes.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan			X		
Commissioner Steiermann			X		
Commissioner Will	X		X		
Vice Mayor Kornijtschuk		X	X		
Mayor Simons			X		

A five-minute recess was taken.

- C. **Final Reading: Ordinance 2019-02: An Ordinance of the Town of Redington Beach, Florida, Amending Chapter 15 – Planning, Article IV. – Citizen Participation Process, Amending Citizen Participation Requirements and Notice Provisions; Providing for Severability and an Effective Date.** Attorney Daigneault read the ordinance by title only. A motion by Commissioner Will and seconded by Vice Mayor Kornijtschuk to adopt Ordinance 2019-02 on its final reading. Bruce McLaughlin stated that this is to clean up the advertising requirements for public meetings. No discussion amongst commissioners. No public comment. Motion passed with all ayes by roll call vote.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan			X		
Commissioner Steiermann			X		
Commissioner Will	X		X		
Vice Mayor Kornijtschuk		X	X		
Mayor Simons			X		

NEW BUSINESS

- A. **Finance Committee Appointment:** Commissioner Dorgan stated he received an application from James Hinman to be on the finance committee. He was unable to attend tonight as he had prior commitments. A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Steiermann to appoint Mr. Hinman to the finance committee. No public comment. Motion passed with all ayes.
- B. **Park Board Appointment:** Town clerk noted that Park Board member Melody Lee had resigned from the board. Notice was posted and three applications were received from Shawntay Skjoldager, Linda McIlroy, and Jackie Tamburri. A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Steiermann to appoint Shawntay Skjoldager to the Park Board. Motion passed with all ayes.
- C. **Town Hall Column Repair:** Commissioner Will read the quote that was received from Todd Edwards. Commissioner Will made a motion to accept the quote from T. Edwards, not to exceed \$3,450.00, seconded by Commissioner Steiermann. Motion passed with all ayes.

Other Business

With no further business, a motion was made by Vice Mayor Kornijtschuk and seconded by Commissioner Steiermann to adjourn. Regular meeting was adjourned at 7:40 p.m.

Adopted: , 2019

Missy Clarke, CMC, Town Clerk

INVOICE APPROVAL LIST BY FUND REPORT

Date: 05/10/2019

Time: 12:28 pm

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Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 General Fund							
Dept: 511 Legislative							
101-511-511.111	Registration						
	CHASE CARD SERVICES	1240857253697354	CLA Training - DORGAN	0	05/01/2019	05/01/2019	50.00
							50.00
Total Dept. Legislative:							50.00
Dept: 512 Town Clerk							
101-512-512.230	Group Insurance						
	FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	699.89
							699.89
101-512-512.231	Life Insurance						
	FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	9.75
							9.75
101-512-512.232	Dental Insurance						
	FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	61.35
							61.35
101-512-512.409	Con Education/R						
	FLORIDA ASSOC OF CITY CL	2019-0503	Summer Academy NIEVES 2019	0	05/09/2019	05/09/2019	350.00
							350.00
101-512-512.420	Postage						
	PINELLAS COUNTY TAX COL	2019-03-19	2018 Tax Bills - Postage	0	03/19/2019	03/19/2019	79.20
							79.20
101-512-512.440	Utilities- Water/EI						
	DUKE ENERGY	73928-48713	2019-04 April 2019	0	05/02/2019	05/02/2019	315.03
							315.03
101-512-512.473	Newsletter						
	APEX OFFICE PRODUCTS	1902372-0	Copy paper, newsletter paper	0	05/01/2019	05/01/2019	40.00
	KONICA MINOLTA BUSINESS	258459346	4/1/19-4/30/19	0	04/30/2019	04/30/2019	80.65
							120.65
101-512-512.490	Advertising						
	TIMES PUBLISHING COMPAN	775176	2019-05 AD LPA	0	05/03/2019	05/03/2019	108.80
	TIMES PUBLISHING COMPAN	776173	2019-03, 2019-05 ADS	0	05/07/2019	05/07/2019	1,141.00
							1,249.80
101-512-512.510	Office Supplies						
	APEX OFFICE PRODUCTS	1902372-0	Copy paper, newsletter paper	0	05/01/2019	05/01/2019	77.98
							77.98
101-512-512.515	Office Copier/Lea						
	KONICA MINOLTA BUSINESS	258459346	4/1/19-4/30/19	0	04/30/2019	04/30/2019	129.13
							129.13
101-512-512.520	Office Copier/Us						
	KONICA MINOLTA BUSINESS	258459346	4/1/19-4/30/19	0	04/30/2019	04/30/2019	55.57
							55.57
Total Dept. Town Clerk:							3,148.35
Dept: 513 Finance & Admin							
101-513-513.230	Group Insurance						
	FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	695.82
							695.82
101-513-513.231	Life Insurance						
	FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	9.75

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
							9.75
101-513-513.232	Dental Insurance FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	30.61
							30.61
101-513-513.320	Audit Fee CLIFTON LARSON ALLEN LL	2141336	Audit FY 2017-2018	0	05/06/2019	05/06/2019	17,250.00
							17,250.00
Total Dept. Finance & Admin:							17,986.18
Dept: 514 Legal Counsel							
101-514-514.121	Litigation TRASK, DAIGNEAULT, LLP A	1271	Litigation - Chapman	0	05/03/2019	05/03/2019	33.00
	TRASK, DAIGNEAULT, LLP A	1272	Litigation - McKibbon	0	05/03/2019	05/03/2019	825.00
							858.00
101-514-514.124	Town Attorney TRASK, DAIGNEAULT, LLP A	1269	Town Attorney-April 2019	0	05/03/2019	05/03/2019	5,676.00
							5,676.00
101-514-514.310	Legislative Couns TRASK, DAIGNEAULT, LLP A	1270	Code revision - April 2019	0	05/03/2019	05/03/2019	33.00
							33.00
Total Dept. Legal Counsel:							6,567.00
Dept: 524 Protective Services							
101-524-524.310	Code Enforceme PINELLAS COUNTY SHERIFI	712834	Code Enf. April 2019	0	05/02/2019	05/02/2019	2,075.98
							2,075.98
101-524-524.421	Attorney Fees TRASK, DAIGNEAULT, LLP A	1268	Code enf. STOLZ	0	05/03/2019	05/03/2019	119.00
							119.00
101-524-524.510	Code Enforceme MAD BEACH PRINT SHOP	109392	Code enforcement NOV	0	05/06/2019	05/06/2019	241.10
							241.10
Total Dept. Protective Services:							2,436.08
Dept: 539 Department of Public V							
101-539-539.230	Group Insurance FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	1,391.64
							1,391.64
101-539-539.231	Life Insurance - L FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	19.50
							19.50
101-539-539.232	Dental Insurance FLORIDA MUN INSURANCE	2019-06-01	June 2019 Medical,Dental,Life	0	05/09/2019	05/09/2019	130.91
							130.91
al Dept. Department of Public Works:							1,542.05
Dept: 541 Roads & Streets							
101-541-541.467	Maint - Street Lig DUKE ENERGY	73928-48713	2019-04 April 2019	0	05/02/2019	05/02/2019	2,295.96
							2,295.96
Total Dept. Roads & Streets:							2,295.96

Date: 05/10/2019
Time: 12:28 pm
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Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Dept: 572 Parks and Recreation							
101-572-572.341	Storm Debris Col						
	TETRA TECH, INC	51350393	Hurricane Irma Debris Clean up	0	04/29/2019	04/29/2019	1,134.75
	TETRA TECH, INC	51350392	Hurricane Irma Debris Clean up	0	04/29/2019	04/29/2019	3,796.50
							4,931.25
101-572-572.430	Utilities						
	DUKE ENERGY	73928-48713	2019-04 April 2019	0	05/02/2019	05/02/2019	60.02
							60.02
101-572-572.460	Maint - Automotiv						
	CHASE CARD SERVICES	186621	Tires for Ford F-350	0	04/29/2019	04/29/2019	293.28
							293.28
101-572-572.462	Maintenance - Gr						
	APEX OFFICE PRODUCTS	1896170-0	Paper towels, toilet tissue	0	04/17/2019	04/17/2019	71.83
	HOME DEPOT CREDIT SERV	003306/0085128	Cleaner, shop supplies, broom	0	05/03/2019	05/03/2019	113.88
	PINELLAS CENTRAL ACE	4737/1	Throttle trigger	0	05/07/2019	05/07/2019	3.94
							189.65
101-572-572.522	Gasoline & Oil						
	CHASE CARD SERVICES	8402823	Jiffy Lube - Ford F150 oil chg	0	04/29/2019	04/29/2019	79.29
	WEX BANK	308692	Unleaded gasoline	0	04/15/2019	04/15/2019	79.33
	WEX BANK	328930	Unleaded gasoline	0	04/26/2019	04/26/2019	76.28
							234.90
Total Dept. Parks and Recreation:							5,709.10
Total Fund General Fund:							39,734.72
Fund: 300 Capital Accounts							
Dept: 539 Department of Public V							
000-539-539.630	Infrastructure						
	CPWG	19033131	Undergrounding of Utilities	0	04/24/2019	04/24/2019	9,220.00
	CPWG	19043005	Undergrounding of Utilities	0	04/30/2019	04/30/2019	79,257.85
							88,477.85
Total Dept. Department of Public Works:							88,477.85
Total Fund Capital Accounts:							88,477.85
Fund: 400 Storm Water							
Dept: 535 Storm Water							
000-535-535.340	Street Sweeping						
	USA SERVICES	399742	Street Sweeping 2019-04-29	0	04/30/2019	04/30/2019	375.00
							375.00
Total Dept. Storm Water:							375.00
Total Fund Storm Water:							375.00
Grand Total:							128,587.57

5/6/2019

8659 Payroll
8660 Payroll
8661 Payroll
8662 Payroll

1,759.15
1,309.67
1,197.24
1,251.86

5,517.92

MAYOR SIMONS

COMMISSIONER WILL

VICE MAYOR KORNIJTSCHUK

COMMISSIONER DORGAN

ATTEST:

COMMISSIONER STEIERMANN

Regular Meeting of May 15, 2019

Missy Clarke, CMC, Town Clerk



ARCHITECTONICS
architects • planners

160-204 164th Ave
Redington Beach, FL 33704
(978) 277-553-5476
www.architectonics.com

U.S. # A-0-0003342
24000 ON HALL ST. STREET N. Suite 600,
Redington Beach, FL 33704
(978) 277-553-5476

Friendship Park
160-204 164th Ave
Redington Beach, FL 33704

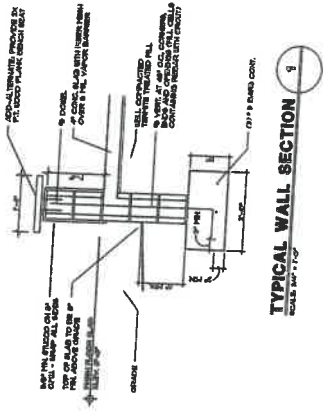
Site Plan

Not For Construction

sp1.1

SHEET INDEX:
sp1.1 Site Plan

SITE PLAN
Scale 1"=40'





FLORIDA MUNICIPAL SERVICES

18001 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

ADVERTISED PUBLIC HEARING

Meeting Date: May 15, 2019

Agenda Item ____

May 7, 2019

MEMORANDUM

TO: Town of Redington Beach Board of Commissioners

FROM: Darin Cushing, CBO, CFM, Building Official
R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Annual Update to the Capital Improvements Element of the Comprehensive Plan

EXECUTIVE SUMMARY

Section 163.3177(3)(b), F.S. requires that the Comprehensive Plan's Capital Improvements Element be amended annually with an updated 5-Year Capital Improvements Schedule. In November, 2018/February, 2019, this was done for the first time since 2008. Further, the Town presently has no CIP although it has funds in reserve for general capital improvements and for road reserves. This Board is charged with adopting Plan Amendments, including to the CIE Schedule. The Town's Finance Committee has endorsed the proposed Schedule and a Planning Board recommendation is pending. **STAFF RECOMMENDS THAT THE BOARD ADOPT THE CIE SCHEDULE ON FIRST READING.**

BACKGROUND

Applicant: Town of Redington Beach

Location: Entire Town

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THE REQUEST

Approval of the annual update to the 5-Year Schedule of Capital Improvements (Capital Improvements Program (CIP)) found in the Capital Improvements Element of the Town of Redington Beach Comprehensive Plan.

AUTHORITY

Pursuant to §§ 4 and 5 of the Town Charter, the Town is governed by the Board of Commissioners which may exercise all powers available to a municipality under the Constitution and laws of the State of Florida. Those powers include preparing and adopting (via § 15-56 of the Town Code), a comprehensive plan for the Town and, therefore, amendments to said Plan.

Concomitant with the power to adopt a comprehensive plan comes the authority to otherwise fully comply with Part II, Chapter 163, Florida Statutes, the Community Planning Act.¹

Included in this authority is the authority to amend the Comprehensive Plan in accordance with Florida Law.

HISTORY

In December, 2008, by Ordinance 08-12, the Town adopted the 2008 Evaluation and Appraisal Report (EAR) Amendments to its Comprehensive Plan. Those amendments included a Capital Improvements Element which includes a 5-Year Schedule of Capital Improvements. That Element was amended by Ordinance 2018-11 which is attached as Attachment A.

In 2018, the Town's failure to annually update the Schedule of Capital Improvements was recognized and an update was prepared. That update was adopted by Ordinance 2018-09, adopted on first reading on November 7, 2018 and on second reading on February 20, 2019.

Ordinance 2018-09 was the first effort since 2008 to comply with the statutory mandate for an annual update to the 5-Year CIP. Now before the Planning Board is the proposed annual update beginning with Fiscal Year 2019/2020. This year (and subsequently), the annual update will be adopted **ahead** of the Town's budget process and thus can be considered and included in the Town's budget.

¹ Formerly known as the Local Government Comprehensive Planning and Land Development Regulation Act.

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Further, the Town has recently retained a civil engineer who specializes in stormwater management. Through the services of this engineer, the Town is seeking grants and other funding to begin a pro-active program of improving the Town's stormwater management system.

On April 23, 2019, the Board's Vice Chairman and the Town Planner met with the Town's Finance Committee to review and endorsed the proposed Schedule of Capital Improvements beginning with Fiscal Year 2019/2020, as established in proposed Ordinance 2019-05. The Finance Committee has endorsed the proposed Schedule.

The Planning Board is considering Ordinance 2019-05 at an advertised public hearing on May 14, 2019. Staff will report the outcome of that hearing at this Board's public hearing.

NOTICE

The Clerk's office will provide evidence of the notice given of this advertised public hearing.

ANALYSIS

The purpose of a Capital Improvements Element is to provide, in the Comprehensive Plan, policies which will guide the funding and scheduling of improvements to public facilities leading to the construction of such improvements as established in the other elements of the Comprehensive Plan. The statutory authority for the CIE and its annual update provides:

(3)(a) The comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities and set forth:

1. A component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.
2. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected

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revenue sources to fund the facilities.

3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.
4. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.
5. The schedule must include transportation improvements included in the applicable metropolitan planning organization's transportation improvement program adopted pursuant to s. 339.175(8) to the extent that such improvements are relied upon to ensure concurrency and financial feasibility. The schedule must be coordinated with the applicable metropolitan planning organization's long-range transportation plan adopted pursuant to s. 339.175(7).

(b) The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan

Section 163.3177(3), F.S.

Ordinance 2019-05, the proposed new Schedule of Capital Improvements in the Capital Improvements Element is also attached, (Attachment B).

As the Board is aware, a Capital Improvements Plan or Program (CIP) is a mid-range plan, by statute in Florida covering at least five years, which identifies capital projects to be undertaken

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and equipment purchases to be made within the plan period. The CIP should also schedule and identify options for financing the identified expenditures. In summary, the CIP is the link between the Town's comprehensive plan and the Town's annual budget. Attachment C is a summary of the interaction between a comprehensive plan and a CIP.²

Given the nature and size of the Town, and the threshold in CIE Policy 1.1.1 of \$50,000 for an expenditure to be considered as a capital expenditure, there is a limited number of items that are subject to inclusion in the CIE. However, the State has identified, (Attachment D), a number of tasks to be accomplished in the annual CIE update.³ These tasks include:

- the necessary capital projects must still be listed in the schedule, projected revenue resources identified, and the project listed as “funded” or “unfunded” and assigned with a level of priority for funding. [163.3177(3)(a)4., Florida Statutes].
- Section 163.3164(7), Florida Statutes, “definitions” – establishes the definition of “capital improvement”. Note that the definition states that capital improvements are to be physical assets, excluding items like operation and maintenance services and studies. There is no requirement to include these types of non-physical asset expenditures in the Schedule of Capital Improvements (however, there is no prohibition either);
- Section 163.3177(3)(a), Florida Statutes, explains the purpose and the requirements of the Capital Improvements Element: “to consider the need for and location of public facilities...to encourage the efficient use of such facilities.” These provisions require that the capital improvement projects, which are necessary to ensure that adopted level of service standards for public facilities will be achieved and maintained for the five-year period, will be adopted into the Schedule of Capital Improvements;
- Section 163.3180, Florida Statutes, Concurrency, establishes that sanitary sewer, solid waste, drainage and potable water are the

² Although this is an older document from Wisconsin, the applicable process and relationship remain relevant today.

³ Attachment B reflects the 2011 amendments to Chapter 163, Florida Statutes, which remains the governing law today.

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only public facilities subject to statewide concurrency requirements. Based upon the recent statutory changes, application of concurrency requirements are now optional for parks and recreation, public schools and transportation. ...

Since the Town is served by Pinellas County for water and sewer service and by a private contractor for solid waste disposal, the only mandatory issue to be dealt with in the CIE is drainage. There are no Level of Service (LOS) issues on the Town roads (or on Gulf Boulevard for that matter). However, the Town has drainage issues which should be addressed in the Comprehensive Plan, including in the CIE.

In the last several months, the Town has engaged Lynn Townsend Burnett of LTA Engineering to provide specialized engineering services to the Town with respect to stormwater management issues. Ms. Burnett's mandate also includes procuring grants for the Town for stormwater improvements and Ms. Burnett contributed to the preparation of the attached schedule.

The Town has an enterprise fund for stormwater issues. That fund generates about \$93,000 per year, some of which is presently used for stormwater facility maintenance and the balance is placed in general reserves.

For the 2018/2019 Fiscal Year, at the suggestion of Commissioner Dorgan, the Finance Committee recommended establishing a capital budget for stormwater issues of \$100,000 per year. The Planning Board agreed and the Town Board adopted that figure in the Schedule of Capital Improvements adopted by Ordinance 2018-09. (Attachment A, Ordinance 2018-09.)

In support of the updated Schedule of Capital Improvements (Attachment B, Ordinance 2019-05, Table 1), the Income Fund categories have been updated to include a line for Stormwater Grants. There are several potential grant sources that are available and one specific grant that has already been sought. These are matching types of funding that are reimbursable to the Town upon completion of their programmed Drainage Upgrades. Based on the quarterly cash flow projections in support of the specific grant that has been sought (Tampa Bay Environmental Restoration Fund), it is anticipated that \$134,700 will be spent in FY2019/2020. This expenditure includes permitting, bidding services, construction and construction engineering inspections related to the Environmental Restoration Fund Grant (or equivalent type of project). The reimbursement from the grant would be used to offset those expenses and the remaining monies would be rolled over to the next phase of projects programmed in FY2020/2021.

This schedule will be re-evaluated and updated each year as additional grant funds become available.

May 7, 2019

STAFF RECOMMENDATIONS

Staff recommends that the **TOWN BOARD ADOPT ORDINANCE 2019-05, THE ANNUAL UPDATE TO THE SCHEDULE OF CAPITAL IMPROVEMENTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN, ON FIRST READING, SUBJECT TO COMMENTS THAT MAY BE RECEIVED AT THE PUBLIC HEARING.**

DC/RBMcL/m

C:\MTC\Redington Beach\Town Board\2019-05-15\RB TB 2019-05-15 CIE Sch.wpd

ATTACHMENT A
EXISTING CAPITAL IMPROVEMENTS ELEMENT
(As Adopted by Ordinances 2018-09 and 2018-11)

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Town of Redington Beach

ORDINANCE 2018-11 AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN BY AMENDING THE THRESHOLD AMOUNT PURSUANT TO WHICH A TOWN EXPENDITURE IS CONSIDERED TO BE A CAPITAL EXPENDITURE; BY CORRECTING AND UPDATING REFERENCES TO OTHER AGENCIES AND PLANNING ISSUES; AND MORE NARROWLY TAILORING THE ELEMENT TO THE CURRENT AND ANTICIPATED CONDITIONS IN THE TOWN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, in the preparation of the annual update to the Schedule of Capital Improvements in the Capital Improvements Element, desirable amendments to the Element itself were identified, and

WHEREAS, The Building Official and Town Planner of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amendments to the Capital Improvements Element to be consistent with the balance of the Comprehensive Plan and recommended its approval; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this 20th day of February,

2019, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. The Capital Improvements Element of the Town of Redington Beach Comprehensive Plan, as established by Ordinance 2008-12 is amended to read as follows:

3.9 CAPITAL IMPROVEMENTS ELEMENT

CIE Goal 1: The Town shall undertake fiscal actions necessary to provide and maintain public facilities for all residents, within its jurisdiction, at the adopted levels of service standards.

CIE Objective 1.1

Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the five-year schedule of improvements which are designed to correct existing deficiencies identified in this Element.

CIE Policy 1.1.1

The Town hereby adopts the sum of ~~\$100,000~~ \$50,000 dollars as the threshold cost for capital improvements projects included in the CIE of this comprehensive plan.

CIE Policy 1.1.2

The Town's ad hoc Finance Committee shall ~~establish and maintain~~ serve as a Capital Improvements Advisory Committee whose purpose is to evaluate and rank in order of priority, projects proposed for inclusion in the five-year schedule of improvements.

CIE Policy 1.1.3

Redington Beach shall annually adopt a five-year capital improvement program. The Five-Year Schedule of Improvements from the Capital Improvements Element of the Redington Beach Comprehensive Plan shall be included within the Five-Year Capital Improvements Program. Redington Beach shall continue to adopt a capital budget as part of its annual budget process.

CIE Policy 1.1.4

The schedule of Capital Improvements for Fiscal Years 2018/2019 through 2022/2023, adopted by Ordinance 2018-09, is adopted as the Schedule of Capital Improvements within the Comprehensive Plan.

CIE Policy ~~1.1.4~~ 1.1.5

1 Proposed capital improvement projects shall be evaluated and ranked in order of priority
2 according to the following guidelines:

- 3 1. Project is needed to eliminate a proven or obvious hazard to public health and
4 safety;
- 5 2. Project is needed to fulfill a legal commitment by the Town;
- 6 3. Project is needed to preserve, maintain, refurbish achieve full use of, or replace
7 existing facilities;
- 8 4. Project will bring an existing facility into compliance with an adopted
9 level-of-service standard;
- 10 5. Project will increase efficiency or use of existing facilities, prevents or reduces
11 future improvement cost, or provides service to all residents equitably;
- 12 6. Project is needed to accommodate facility demands resulting from new
13 development or re-development
- 14 7. Project furthers policies adopted in other elements of this plan
- 15 8. Project needed to serve development for which development order issued prior to
16 adoption of this comprehensive plan
- 17 9. Project will increase the economic base or quality of life of the residents;
- 18 10. Budget impact of project, both capital and operating, will be considered and the
19 Town's Planning Board and ad hoc Finance Committee will consider financial
20 feasibility of project; and
- 21 11. Project will be reviewed for consistency with plans of other agencies having
22 responsibility for public facilities within the jurisdiction Town.

23
24 **CIE Policy 1.1.5 1.1.6**

25 The Town shall ensure the availability of public facilities at adopted levels-of-service
26 standards needed to serve developments for which development permits were issued prior
27 to the adoption of this comprehensive plan as amended in 2018 and 2019. Such facilities
28 shall be provided in keeping with guidelines for the evaluation and ranking of capital
29 improvements established in this element.

30
31 **CIE Policy 1.1.6 1.1.7**

32 Efforts shall be made to secure grants or private funds on a continuing basis whenever
33 available to finance the provision of capital improvements.

34
35 **CIE Objective 1.2**

36 The Town shall manage its debt in a manner to that retains the integrity of its fiscal resources.

37
38 **CIE Policy 1.2.1**

39 The Town shall not incur any form of indebtedness in order to provide needed capital
40 improvements at adopted level-of-service standards that would result in a bond rating of
41 the Town's bonds below AAA for insured bond issues.

1 **CIE Policy 1.2.2**

2 The Town shall confine long-term borrowing to capital improvements too large to be
3 financed from current revenues.
4

5 **CIE Policy 1.2.3**

6 The Town Commission will only approve bond issues structured to be paid back within a
7 period not to exceed the expected useful life of the capital project.
8

9 **CIE Policy 1.2.4**

10 Where possible, special assessment, revenue, or other self-supporting bonds will be used
11 instead of general obligation bonds.
12

13 **CIE Policy 1.2.5**

14 Total debt service for general obligation debt will not exceed 10 percent of net operating
15 revenues.
16

17 **CIE Objective 1.3**

18 The Town shall utilize its fiscal resources to eliminate any identified existing deficiencies in the
19 Town's infrastructure and to ensure the provision of needed capital improvements for future
20 development and redevelopment. This Objective shall be achieved through the site plan approval
21 process, at and shall attain or exceed adopted levels-of-service standards as specified in the
22 Elements of this Comprehensive Plan.
23

24 **CIE Policy 1.3.1**

25 The Town shall work with other governmental jurisdictions to establish a strategy to
26 ensure that the entire cost of providing necessary capital facilities, at adopted
27 levels-of-service standards, for any future development or redevelopment within the
28 jurisdiction shall not be borne by existing residents.
29

30 **CIE Policy 1.3.2**

31 The Town shall coordinate with the County, ~~other~~ state agencies, the Southwest Florida
32 Water Management District, and other municipalities that provide public facilities within
33 the Town's jurisdiction to ensure that projects are funded in a fiscally equitable manner
34 apportioning the costs of growth among those who are responsible for it.
35

36 **CIE Policy 1.3.3**

37 The Town shall, when appropriate, consider the adoption of additional impact fees to
38 enhance the Town's capital facilities in cooperation with other levels of government.
39

40 **CIE Policy 1.3.4**

41 The adopted levels-of-service standards for public facilities within the jurisdiction of the
42 Town of Redington Beach shall be those adopted in the other elements of this Plan.

1 **CIE Objective 1.4**

2 Public expenditures that subsidize development in the Coastal Storm High Hazard Areas shall be
3 limited to those improvements included in the Conservation and Coastal Management Element.
4

5 **CIE Policy 1.4.1**

6 The Town shall expend funds in Coastal Storm High Hazard Areas only for the
7 replacement and renewal of public facilities serving existing development.
8

9 **CIE Objective 1.5**

10 All development orders and permits for future development and redevelopment activities shall be
11 issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to
12 this comprehensive plan are available concurrent with the impacts of the development.
13

14 **CIE Policy 1.5.1**

15 The Town shall assess new development or redevelopment an equitable pro rata share of
16 the costs to provide roadway improvements to serve the development or redevelopment
17 pursuant to the Pinellas County Mobility Plan as set forth in the Transportation Element of
18 this Plan.
19

20 **CIE Policy 1.5.2**

21 Developments or redevelopments shall be considered to have de minimis impact provided
22 they comply with all of the following conditions, which define a “de minimis” impact:
23

- 24 1. Isolated vacant lots in predominantly residential areas, where single-family homes
25 would be suitable, may be developed for single-family residential under the de
26 minimis exemption.
- 27 2. The transportation impact of the development alone does not exceed one percent of
28 the maximum service volume at the adopted level-of-service standard.
- 29 3. No impact will be considered de minimis except as for single-family lots of record
30 as stated above, if the sum of existing roadway volumes and the project volumes
31 from approved projects on a roadway would exceed 110 percent of the maximum
32 service volume of the adopted level-of-service standard.
- 33 4. No impact will be de minimis if it would exceed the adopted level-of-service
34 standard of any affected designated hurricane evacuation route.

35 **CIE Policy 1.5.3**

36 The Town of Redington Beach shall maintain regulations within a monitoring system
37 designed to ensure:

- 38 1. Continued application of level-of-service standards: and
- 39 2. Provision of required public facility capacity.
40

41 **CIE Policy 1.5.4**

42 The monitoring system shall be reviewed on an annual basis to either with the review of the

Capital Improvements Element and shall be updated as needed. Said review shall be undertaken concurrently with the preparation of the annual update to the Schedule of Capital Improvements and shall be implemented as required by law.

CIE Policy 1.5.5

~~The availability of public services and facilities to meet the needs of developments or redevelopments shall be deemed concurrent if the following conditions are met:~~

- ~~1. Potable water, sanitary sewer, solid waste or drainage facilities;
a. shall receive development orders subject to the public facilities being in place at the time of issuance of the certificate of occupancy; or
b. The provision of the facilities is guaranteed in an enforceable development agreement pursuant to Section 163.3220 Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes to be in place at the time of certificate of occupancy issuance.~~
- ~~2. Park and recreation facilities shall be in place or under construction within one year of development order issuance; and, acreage for parks shall be dedicated or acquired prior to issuance of a certificate of occupancy; or
a. Dedications of land and facilities or payment of the developer's fair share shall be committed by the time a notice to commence development is issued; or
b. The development order is issued conditioned on the necessary facilities and services scheduled to be in place or under construction not more than one year after certificate of occupancy issuance provided in the Schedule of Capital Improvements; or
c. The necessary facilities are subject to a binding agreement which requires them to be in place or under construction not more than one year after certificate of occupancy issuance; or
d. When the development order is issued, the facilities and services are guaranteed in an enforceable development agreement stipulating that they will be in place not more than one year after the certificate of occupancy is issued.~~
- ~~3. Road facilities shall be in place or under construction at the time of issuance of the building permit; or
a. The necessary facilities and services shall be in place or under construction not more than three years after the building permit issuance as provided in the Schedule of Capital Improvements; or
b. The necessary facilities are listed in the first three years of the Florida Department of Transportation five-year work program; or
c. The land owner has made a binding commitment to the Town to pay the fair share of the cost of providing transportation facilities necessary to serve the proposed development.~~

- 1 1. The availability of public services and facilities to meet the needs of development
3 or redevelopment shall be deemed concurrent if sanitary sewer, solid waste and
4 drainage facilities are available and adequate no later than the issuance of a
5 certificate of occupancy or its functional equivalent.
6 a. Prior to approval of a building permit or its functional equivalent, the Town
7 shall consult with its sanitary sewer and solid waste collection providers to
8 determine whether adequate sanitary sewer and solid waste disposal
9 capacities will be available to serve the new development no later than the
10 anticipated date of issuance of certificate of occupancy or its functional
11 equivalent.
12 b. Prior to approval of a building permit or its functional equivalent, the Town
13 shall examine that part of the Town's drainage system that will be directly
14 impacted by the new development to determine whether adequate
15 stormwater drainage capacity will be available to serve the new
16 development no later than the anticipated date of issuance of certificate of
17 occupancy or its functional equivalent.
18
19 2. The Town shall ensure that adequate water supplies and potable water facilities
20 shall be in place and available to serve new development no later than the issuance
21 of a certificate of occupancy or its functional equivalent. Prior to approval of a
22 building permit or its functional equivalent, the Town shall consult with its water
23 suppliers to determine whether adequate water supplies will be available to serve
24 the new development no later than the anticipated date of issuance of certificate of
25 occupancy or its functional equivalent.
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29 **CIE Policy 1.5.6**

30 The Town will contact Pinellas County Utilities prior to issuance of a building permit for
31 development of vacant parcels to determine if adequate potable water supplies exist to
32 serve the projected development.
33

34 **CIE Policy ~~1.5.7~~ 1.5.6**

35 The Schedule of Capital Improvements shall contain the estimated commencement and
36 completion dates of road public facility projects
37

38 **Policy 1.5.8**

39 The elimination, deferral, or delay of construction of any road facility or service needed to
40 maintain adopted level-of-service standards and which is listed in the Schedule of Capital
41 Improvements shall require amendment of the comprehensive plan.
42

Section 3. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

Section 4. The effective date of this Ordinance, if the plan amendment adopted hereby is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this 20th day of February, 2019.

ATTEST:


Missy Clarke, CMC Town Clerk


Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Kornijtschuk			X		
Commissioner Dorgan		X	X		
Commissioner Stelermann			X		
Vice Mayor Will	X		X		
Mayor Simons			X		

TOWN OF REDINGTON BEACH
ORDINANCE 2018-09

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING THE ANNUAL AMENDMENT TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, pursuant to § 163.3177(3)(b), Florida Statutes, annual modifications to the Five Year Schedule of Capital Improvements are mandatory, which modifications may be accomplished by Ordinance and are not deemed to be an amendment to the Town's Comprehensive Plan; and

WHEREAS, The Building Official and Town Planner of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amended Capital Improvements Schedule to be consistent with the balance of the Town's Comprehensive Plan and recommended its approval; and

WHEREAS, the Town's Finance Committee has been consulted with respect to this Amendment; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this 20th day of February, 2019, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made

a part hereof.

Section 2. Table 1, Schedule of Capital Improvements, as established by Ordinance 2008-12, adopted on December 16, 2008, is deleted and the following Table 1 substituted therefor:

Project Type & Name	Fiscal Year Costs/ Funding Sources				
	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23
Gulf Blvd. Undergrounding F (1) [1]	1,550,346				
Road Repairs F (2) [1]		229,500	229,500		
Drainage Upgrades U (1), (3) [2]		100,000	100,000	100,000	100,000
Income Fund Summary					
Gulf Blvd. Undergrounding	1,550,346				
General Reserves	225,819	228,077	230,358	232,662	234,988
Road Reserves	1,084,000	863,045	639,880	646,279	652,742
Stormwater Capital Fund	0	100,000	100,000	100,000	100,000

LEGEND

F = Funded

U = Unfunded

(1) = Penny for Pinellas

(2) = Town Reserves

(3) = Town Enterprise Fund

[1] = Priority

Section 4. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

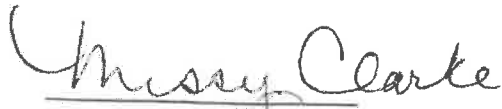
Section 5 This Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this 20 day of February, 2019.

ATTEST:

Town of Redington Beach
2018/2019 CIE Amendment –
Schedule Update: Ordinance 2018-09
As adopted 2/20/19

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Missy Clarke, CMC Town Clerk


Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Kornijtschuk			X		
Commissioner Dorgan	X		X		
Commissioner Steiermann			X		
Vice Mayor Will		X	X		
Mayor Simons			X		

ATTACHMENT B
ORDINANCE 2019-05
PROPOSED CAPITAL IMPROVEMENTS AMENDMENT

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TOWN OF REDINGTON BEACH
ORDINANCE 2019-05

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING THE ANNUAL AMENDMENT TO THE SCHEDULE OF CAPITAL IMPROVEMENTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, pursuant to § 163.3177(3)(b), Florida Statutes, annual modifications to the Five Year Schedule of Capital Improvements are mandatory, which modifications may be accomplished by Ordinance and are not deemed to be an amendment to the Town's Comprehensive Plan; and

WHEREAS, The Building Official and Town Planner of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amended Capital Improvements Schedule to be consistent with the balance of the Town's Comprehensive Plan and recommended its approval; and

WHEREAS, the Town's Finance Committee has been consulted with respect to this Amendment; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this __ day of ____, 2019, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Table 1, Schedule of Capital Improvements, as established by Ordinance 2018-09, adopted on February 20, 2019, is deleted and the following Table 1 substituted therefor:

Project Type & Name	Fiscal Year Costs/ Funding Sources				
	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Road Repairs F (2) [1]	229,500	229,500			
Drainage UpgradesF (1), (3), (4) [1]	134,700	143,300 (+)	100,000 (+)	100,000 (+)	100,000 (+)
Income Fund Summary					
General Reserves	228,077	230,358	232,662	234,988	237,338
Road Reserves	863,045	639,880	646,279	652,742	659,269
Stormwater Capital Fund	100,000	100,000	100,000	100,000	100,000
Stormwater Grants	75,000				

LEGEND

F = Funded

U = Unfunded

(1) = Penny for Pinellas

(2) = Town Reserves

(3) = Town Enterprise Fund

(4) = Grants

(+) = Plus rollover funds from previous year

[] = Priority

Section 4. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

Section 5 This Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this _____ day of _____ 2019.

ATTEST:

Missy Clarke, CMC Town Clerk

Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Vice Mayo Kornijtschuk					
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Mayor Simons					

ATTACHMENT C
RELATIONSHIP BETWEEN CAPITAL IMPROVEMENTS PLAN
AND CAPITAL IMPROVEMENTS ELEMENT



Planning Implementation Tools Capital Improvement Plan



Center for Land Use Education

www.uwsp.edu/cnr/landcenter/

September 2008

TOOL DESCRIPTION

A capital improvement plan (CIP) is a community planning and fiscal management tool used to coordinate the location, timing and financing of capital improvements over a multi-year period — usually 4-6 years. Capital improvements refer to major, non-recurring physical expenditures such as land, buildings, public infrastructure and equipment. The CIP includes a description of proposed capital improvement projects ranked by priority, a year-by-year schedule of expected project funding, and an estimate of project costs and financing sources. The CIP is a working document and should be reviewed and updated annually to reflect changing community needs, priorities and funding opportunities.

COMMON USES

Annual Capital Budgeting

Preparation of the CIP and annual budget are closely linked. The first year of the CIP, known as the capital budget, outlines specific projects and appropriates funding for those projects. It is usually adopted in conjunction with the government's annual operating budget. Projects and financing sources outlined for subsequent years are not authorized until the annual budget for those years is legally adopted. The out years serve as a guide for future planning and are subject to further review and modification.

Plan Implementation

The CIP is a powerful tool for implementing a community's comprehensive plan, strategic plan, and other planning documents. Capital investments such as utility extensions, highway improvements, and the purchase of parkland or environmental corridors can have a substantial impact on patterns of growth and development. By providing funding for strategic investments at a given time and location, the CIP helps ensure that development occurs consistent with a community's plans and vision.

Purposes of Capital Improvement Planning:

- ◆ Ensure the timely repair and replacement of aging infrastructure.
- ◆ Provide a level of certainty for residents, businesses and developers regarding the location and timing of public investments.
- ◆ Identify the most economical means of financing capital improvements.
- ◆ Provide an opportunity for public input in the budget and financing process.
- ◆ Eliminate unanticipated, poorly planned, or unnecessary capital expenditures.
- ◆ Eliminate sharp increases in tax rates, user fees and debt levels to cover unexpected capital improvements.
- ◆ Ensure that patterns of growth and development are consistent with the comprehensive plan.
- ◆ Balance desired public improvements with the community's financial resources.



Figure 1: The capital improvement plan is used to identify, prioritize and assign funding to major capital expenditures such as land, buildings, public infrastructure and equipment.

What is a Capital Improvement?

Most communities define capital improvements as major public expenditures, usually physical in nature.

Local policies may specify the *cost* and *useful life* of qualified projects. For example, a small community may set minimum project costs at \$1,000 or \$2,500, while larger communities set the threshold at \$10,000 or \$25,000. Expenses below this level are considered “operational” and appear in the annual budget. The Government Finance Officers Association recommends a useful service life of at least three to five years.

Common categories of capital expenditures include:

1. Purchase of major equipment (*ex. playground equipment, snow plow, computers*).
2. Acquisition of land for a public purpose (*ex. park, landfill, industrial site*).
3. Construction, expansion or major renovation of a public building or facility (*ex. library, roads, sewage treatment plant, building retrofit for energy efficiency*).
4. Related planning, engineering, design, appraisal or feasibility costs (*ex. LEED certification, architectural fees*).

Note: Some communities specifically exclude vehicles and equipment from the CIP.

IMPLEMENTATION

CREATION

The following general steps are involved in preparing a capital improvement plan:

1. *Project Submission* – Local agencies and departments are asked to submit a list of capital improvement projects in order of priority. Project request forms may prompt the applicant to provide a project description and justification, an estimate of initial project costs, ongoing operating and maintenance costs, and recommended funding sources.
2. *Evaluation and Selection* – The CIP team reviews, prioritizes and selects projects based on specific criteria, such as:
 - desired service level standard
 - project demand, as determined by an inventory of existing land, equipment and facility conditions
 - number of residents or geographic area served
 - return on investment, cost savings or revenue generation
 - sustainability or energy efficiency improvements
 - economic, environmental, aesthetic or social impacts
 - public health, safety or other legal concerns
 - consistency with community plans and policies
 - public or political support
3. *Financial Analysis* – Financial data, including historic and projected local government revenues, expenditures and debt service are used to assess the community’s ability to pay for proposed projects and to select appropriate financing tools.
4. *Plan Preparation* – The draft CIP includes a list of recommended projects by funding year, project and scheduling details, and financing sources. Detailed maps, photos, graphs, timelines and other illustrations may accompany the plan.
5. *Review and Adoption* – Following public review and revisions, the governing body adopts the CIP and capital budget.

ADMINISTRATION

A single official is usually responsible for coordinating preparation of the CIP. This task may be assigned to the chief executive or administrative officer (mayor, president, manager, administrator), a budget officer, or a member of the planning, finance or public works departments. The CIP coordinator often works with an advisory committee which may consist of local officials, citizens, or key departmental staff. It is also a good idea to refer the CIP to the plan commission for review and approval. In most communities, the CIP is prepared in the months preceding adoption of the annual government budget. To provide sufficient time for project solicitation, financial analysis and community input, preparation of the CIP may take on a year-round function in some communities. The CIP should be reviewed and updated annually.

Report Card: Capital Improvement Plan

Cost	Money or staff resources required to implement tool.
B	Once approved, projects recommended in the CIP are funded through the annual capital budget. A variety of funding mechanisms may be used to fund individual projects such as property taxes, user fees, impact fees, special assessments, grants or bonds. The presence of a CIP can help a community to achieve other financial goals such as securing a good credit rating (thus lowering borrowing rates), promoting economic development, avoiding unexpected expenditures, and competing more successfully for state or federal funds. The team assembled to prepare the CIP must be skilled in financial management (i.e. budgeting, cost estimation and forecasting), project management, and public participation.
Public Acceptance	The public's positive or negative perception of the tool.
B	The CIP helps to keep the public informed about future public improvements, thus providing a level of certainty to residents, developers and business owners regarding community vitality, tax burdens, and service costs.
Political Acceptance	Politician's willingness to implement tool.
B	The CIP provides a rational, defensible and analytical approach for scheduling public improvements, thus reducing pressure on politicians to implement projects that are not highly ranked. Politicians that are uncomfortable sharing control with the public or other levels of government may shy away from this tool.
Equity	Fairness to stakeholders regarding who incurs costs and consequences.
A	Ranking projects based on pre-determined, measurable criteria such as number of residents served, geographic area served, or socioeconomic needs can help ensure that public improvements are strategically located where public needs and priorities are greatest.
Administration	Level of complexity to manage, maintain, enforce, and monitor the tool.
B	Developing and implementing a CIP takes a considerable amount of work from local officials, administrative staff and departmental staff, particularly upfront. After the first year, the work becomes more familiar and less demanding. An annual review process and project request forms can make the process run more smoothly.
Scale	The geographic scale at which tool is best implemented.
City, Village, Town, County	Use of the CIP is most common among cities and villages, and growing among counties. Town use is limited but also appropriate.

GRADING EXPLANATION

A - Excellent
B - Above Average

C - Average
D - Below Average

F - Failing

Grades are subjective ratings and should be considered in light of local circumstances.

Figure 2: This excerpt from the Marshfield CIP shows common CIP features such as a project description and justification statement; expected capital, operating and other impacts; detailed funding sources by year; project rank; and graphic details.

WISCONSIN EXAMPLES

Marshfield, WI - Since the 1990s, the City of Marshfield has prepared an annual five-year capital improvement plan with the stated purpose of providing for the timely renewal and extension of the city's physical plant, controlling the city's long-term debt, and coordinating capital development. The CIP serves as a link between the city's comprehensive plan and annual budget process.

Capital Improvement Program
City of Marshfield, Wisconsin

2008 thru 2012

Contact: Ed Englehart
Department: Parks & Recreation
Category: L - Parks
Useful Life: Unassigned
Priority: Level 1

Project Name: Wildwood Station-McMillan Marsh Trail
Project #: PR-L-1647

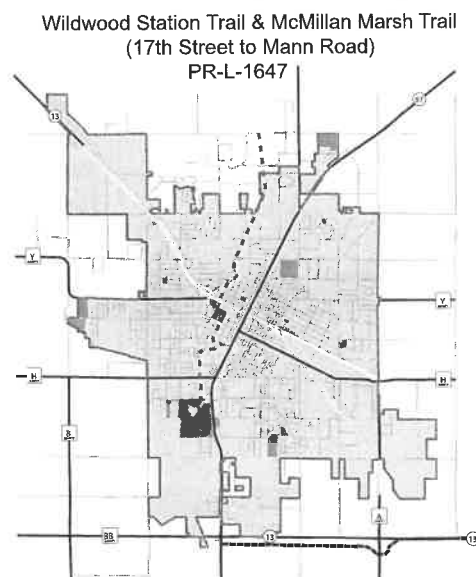
Description: The project would complete a pedestrian/bicycle trail from Wildwood Park on the south to McMillan Avenue near Fig Avenue on the north. This project narrowly missed 80/20 funding by the State of Wisconsin in 2006 and will be resubmitted in the next round of state trail funding allocations in 2008. The project will require acquisition of the former Texas Spur rail corridor from 7th Street south to Wildwood Park and cooperation from the School District of Marshfield for the trail segment on the west boundary of Grant School. A segment of the trail from Depot Street to Cleveland Street will consist of a combination of on road bike lanes and sidewalks. The remainder of the trail is proposed to be 10' asphalt surface.

Justification: This would provide a key connector segment to other existing trails through the center of the trail system plan, including the Veteran's Parkway pedestrian overpass, and would create a connection to the medical complex area, Security Health, and Grant School. This project was suggested by the Friends of the Trails and is supported by staff. Design and R.O.W. acquisition will occur in 2010 and construction in 2011. It will be important to continue to include St. Joseph's Hospital, the Marshfield Clinic and the School District of Marshfield in the planning of the project.

Operational Impact/Other: Increased maintenance cost for mowing, snow removal, and other trail and grounds maintenance.

Expenditures	2008	2009	2010	2011	2012	Total
Design			100,000			100,000
Right of Way			157,000			157,000
Construction				725,000		725,000
Total			257,000	725,000		982,000

Funding Sources	2008	2009	2010	2011	2012	Total
Non-Local Revenue			207,000	580,000		787,000
Operating Funds				25,000		25,000
Room Tax			50,000	120,000		170,000
Total			257,000	725,000		982,000



FOR MORE INFORMATION

- Bowyer, Robert A. (1993). Capital Improvement Programs: Linking Budgeting and Planning. American Planning Association, Planning Advisory Service Report 442.
- Chandler, Michael. (1996-97). Capital Improvement Programs – Parts I, II and III. Planning Commissioners Journal, Numbers 25, 26 and 27.
- Tigue, Patricia. (1996). Capital Improvement Programming: A Guide for Smaller Governments. Government Finance Officers Association.
- Vogt, A. John. (2004). Capital Budgeting and Finance: A Guide for Local Governments. International City/County Management Association.

ACKNOWLEDGEMENTS

Document prepared by Rebecca Roberts, 2008. Design and layout by Robert Newby. We gratefully acknowledge the contributions of Anna Haines and Linda Stoll, Center for Land Use Education; Bonnie Curtiss and Keith Strey, City of Marshfield; Alan Probst, Local Government Center; and Rob Burke, UW-Extension, Door County. Figure 1 photos from Bonestroo.com. Figure 2 excerpted from the City of Marshfield Capital Improvement Program, 2008-2011.

ATTACHMENT D
DEPARTMENT OF ECONOMIC OPPORTUNITY
CAPITAL IMPROVEMENTS ELEMENT GUIDANCE



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Capital Improvements Element

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Community Planning

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With the 2011 legislative changes, Florida's local governments are no longer required to submit the annual update of the Five-Year Capital Improvements Schedule to the Department for review. However, the Capital Improvements Element remains a required critical component of the local government's comprehensive plan. The schedule must be reviewed annually by the local government to reflect the timing, location and funding of capital projects to achieve and maintain adopted level of service standards for public facilities that are necessary to implement the comprehensive plan. The update to the schedule may be accomplished by ordinance and will not be considered an amendment to the comprehensive plan. The following provides guidance for local governments as they review and update the Capital Improvements Element.

Summary of 2011 Legislative Changes

The 2011 legislative session adopted several major revisions to Chapter 163, Florida Statutes, regarding the Capital Improvements Element:

- ▶ The revisions to Chapter 163, Florida Statutes, removed the requirement that the annual update to the Five-Year Schedule of Capital Improvements (schedule) be adopted and transmitted as a comprehensive plan amendment to the state land planning agency (now the Department of Economic Opportunity) for review by December 1 of every year;
- ▶ The requirement for the adoption of the Capital Improvements Element as one component of the local comprehensive plan remains unchanged [163.3177(3)(a), Florida Statutes]. Pursuant to Section 163.3177(3)(b), Florida Statutes, local governments are still required to undertake an annual review of the Capital Improvements Element to update the Five-Year Capital Improvement Schedule;
- ▶ The annual update to the schedule may now be accomplished by ordinance and not as an amendment to the comprehensive plan. [163.3177(3)(b), Florida Statutes]. The update to the Capital Improvements Element policy referencing the facility work plan adopted by the local school board may also be adopted by reference and is not subject to state review. However, note that other amendments to the Capital Improvements Element outside of the 5-year schedule (such as policy changes, level of service standard changes, etc.) are still subject to the regular expedited amendment review processes;
- ▶ The requirement that the schedule demonstrate financial feasibility has been removed. However, the necessary capital projects must still be listed in the schedule, projected revenue resources identified, and the project listed as "funded" or "unfunded" and assigned with a level of priority for funding. [163.3177(3)(a)4., Florida Statutes].
- ▶ Section 163.3164(7), Florida Statutes, "definitions" – establishes the definition of "capital improvement". Note that the definition states that capital improvements are to be physical assets, excluding items like operation and maintenance services and studies. There is no requirement to include these types of non-physical asset expenditures in the Schedule of Capital Improvements (however, there is no prohibition either);
- ▶ Section 163.3177(3)(a), Florida Statutes, explains the purpose and the requirements of the Capital Improvements Element: "to consider the need for and location of public facilities...to encourage the efficient use of such facilities." These provisions require that the capital improvement projects, which are necessary to ensure that adopted level of service standards for public facilities will be achieved and maintained for the five-year period, will be adopted into the Schedule of Capital Improvements;
- ▶ Section 163.3180, Florida Statutes, Concurrence, establishes that sanitary sewer, solid waste, drainage and potable water are the only public facilities subject to statewide concurrence requirements. Based upon the recent statutory changes, application of concurrence requirements are now optional for parks and recreation, public schools and transportation. For more information, see Transportation Planning.

Preparation of the Five-Year Capital Improvements Schedule

While the purpose of the Capital Improvements Element is to consider the need for and the location and the efficient use of public facilities, the Capital Improvements Schedule functions as the vehicle for the element's achievement. The Capital Improvements Schedule identifies the local government's capital projects necessary for implementation of the comprehensive plan and to ensure that the adopted level of service standards for public facilities are achieved and maintained for the five-year planning period. The following guidance is intended to help the reader understand the general steps for preparation of the Capital Improvements Schedule:

1. **Level of Service Analysis:** To determine the availability of public facilities, prepare an analysis for each facility to establish the current capacity for that facility. Based upon the adopted level of service standards, determine how much of that capacity is now in use and how much excess capacity remains or how deficient the facility is;
2. **Project the Demand:** Based upon the local government's population projection and the adopted Level of Service standards, estimate the demand for each facility for each year for the next five-year planning period;

9/20/2018

Military Community
Programs

Florida Capital Improvements Element - FloridaJobs.org

3. **Determine Deficiencies:** Based upon demand projections, determine deficient or surplus capacity for each public facility for the five-year planning period;
4. **Identify Needed Capital Improvements:** Identify the capital improvements needed by year to correct projected deficiencies. Ideally, these improvements were anticipated and included in the long term list of capital improvements. Those projects should be moved from the long term list to the 5-year schedule when the analysis demonstrates they are needed. Also, it is important to identify needed capital improvement projects for the replacement of obsolete or antiquated facilities and the timing for the required improvements;
5. **Estimate Cost of Improvement Projects:** Identify the cost of each of the needed five-year capital improvement projects;
6. **Identify Funding Source:** Based upon projected revenue sources, determine the appropriate funding source(s) for each project that will be needed. Funding should be identified as public (federal, state and local funding) or private. Private projects may include those projects for which the local government has no fiscal responsibility. The remaining requirement will be for each project to be identified as "funded" or "unfunded" and assigned a level of priority for funding. To assist with the prioritization of funding, a local government may want to adopt criteria by which prioritization should be considered. Emphasis could be put on public safety, job creation, assistance with redevelopment or on the availability of matching contributions to maximize the investment;
7. **Capital Improvements Adoption:** Upon completion of the above six steps, the local government should finalize the updates to the schedule and initiate the procedures for its adoption.

Long Term Capital Improvements

In addition to the requirement for short term planning for infrastructure, local governments should also plan for their major long term needs. The local government should review its population projections for the long term planning horizon and assess the projected need for major additional infrastructure improvements, such as water and wastewater treatment plants, new well fields, new roads, additional lanes, etc. Also, any major components of the infrastructure that will become obsolete during the long term planning period should also be identified. The identified infrastructure improvements should be listed separately in the Capital Improvements Element as long term projects or included in the relevant plan element. There is no need to identify the specific year in which the improvement is needed. That requirement is only for the five year schedule discussed above. The long term schedule should consider the 10-year water supply plan as well as the plans of the metropolitan planning organization, transportation authority, Florida Transportation Plan, and Department of Transportation's adopted work program. The Transportation improvements should be reflected on the Future Transportation Map. It would assist local governments in budgeting for the longer term improvements if the magnitude of the cost of the improvement was also identified. As local governments are updating their five year capital improvement schedule, they may then refer back to this long term list, determine how far off any improvements will be needed outside of the five year schedule, and begin planning / budgeting for those improvements.

Addition Information

For further information and additional assistance concerning a particular local government, contact the planner in the Bureau of Community Planning assigned for that area. See Community Planning Review Team Assignments.

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TOWN OF REDINGTON BEACH
PROPOSED ORDINANCE 2019-03
COMPREHENSIVE PLAN AMENDMENTS
TO ACHIEVE STATUTORILY MANDATED CONSISTENCY WITH THE
FORWARD PINELLAS COUNTYWIDE COMPREHENSIVE PLAN

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT TO CREATE A MATRIX OF TOWN AND CORRESPONDING COUNTYWIDE FUTURE LAND USE CATEGORIES AND TO ESTABLISH BALANCING CRITERIA TO USE IN THE CONSIDERATION OF FUTURE LAND USE MAP AMENDMENTS, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Section *: The Future Land Use Element of the Town of Redington Beach Comprehensive Plan, as adopted by Ordinance 2008-12 on December 16, 2008, and as subsequently lawfully amended, is further amended by insertion in proper numerical order of Future Land Use Policy 1.8.5 to read as follows:

FLU Policy 1.8.5

The land use categories enumerated in Policy 1.8.1 shall be consistent with the following corresponding categories of the Forward Pinellas Countywide Plan Map:

<u>Future Land Use Map Category</u>	<u>Countywide Plan Map Category</u>
<u>Residential Urban (RU)</u>	<u>Residential Low Medium</u>
<u>Residential Medium (RM)</u>	<u>Residential Medium</u>
<u>Residential/Office/Retail (R/O/R)</u>	<u>Retail & Services</u>
<u>Recreation/Open Space (R/OS)</u>	<u>Recreation/Open Space</u>
<u>Preservation (P)</u>	<u>Preservation</u>
<u>Institutional (I)</u>	<u>Public/Semi-Public</u>

Section *: The Future Land Use Element of the Town of Redington Beach Comprehensive Plan, as adopted by Ordinance 2008-12 on December 16, 2008, and as

subsequently lawfully amended, is further amended by insertion in proper numerical order of Future Land Use Objective 2.4 and its implementing policies to read as follows:

FLU Objective 2.4

The Town shall evaluate increases in intensity in the Coastal High Hazard Area above those delineated by Map 1: Future Land Use and Transportation Map, according to a set of criteria that balances the risks and benefits of such development.

FLU Policy 2.4.1

The Town shall deny an amendment to its Future Land Use and Transportation Map within the Coastal High Hazard Area which results in an increase of intensity unless it meets the requirements of Section 163.3178(8)(a)3, Florida Statutes, and upon a balancing of the following criteria, as applicable, consistent with Section 4.2.7 of the Countywide Rules:

- a. Access to Emergency Shelter Space and Evacuation Routes. The uses associated with the requested amendment will have access to adequate emergency shelter space as well as evacuation routes with adequate capacities and evacuation clearance times.
- b. Utilization of Existing and Planned Infrastructure. The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.
- c. Utilization of Existing Disturbed Areas. The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms.
- d. Maintenance of Scenic Qualities and Improvement of Public Access to Water. The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Stevenson Creek), and Tampa Bay.
- e. Water Dependent Use. The requested amendment is for uses which are water dependent.
- f. Part of Community Redevelopment Plan. The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated development area.
- g. Overall Reduction of Density or Intensity. The requested 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 coastal storm area.
- h. Clustering of Uses. The requested amendment within the coastal storm area provides for the clustering of uses on a portion of the site outside the coastal storm area.

- i. Integral Part of Comprehensive Planning Process. The requested amendment has been initiated as an integral part of its comprehensive planning process, consistent with this comprehensive plan.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County Florida on this 15th Day of May, 2019.

ATTEST:

Missy Clarke, CMC Town Clerk

Nick Simons, Mayor

	Motion	Seconded	Aye	Nay	Absent
Commissioner Kornijtschuk					
Commissioner Dorgan					
Commissioner Steiermann					
Vice Mayor Will					
Mayor Simons					



FLORIDA MUNICIPAL SERVICES

18001 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

ADVERTISED PUBLIC HEARING

Meeting Date: May 15, 2019

Agenda Item ____

May 9, 2019

MEMORANDUM

TO: Honorable Mayor and Members of the Town Board of Commissioners
Town of Redington Beach

FROM: Darin Cushing, CBO, CFM, Building Official
R. Bruce McLaughlin, AICP, MCIP, Town Planner

SUBJECT: Comprehensive Plan Amendment: Ordinances 2019-03, EAR-Based
Amendment 2 – Forward Pinellas Consistency Amendment

EXECUTIVE SUMMARY

Pursuant to State law, Ordinance 2019-03, EAR-based Comprehensive Plan Amendment 2, was submitted to the State and to other affected agencies for review leading to no “Objections, Recommendations and Comments,” (ORCs). **IN THE ABSENCE OF ORCs, ORDINANCE 2019-03 SHOULD BE ADOPTED ON SECOND READING UNAMENDED FROM FIRST READING. STAFF RECOMMENDS ADOPTING ORDINANCE 2019-03 ON SECOND AND FINAL READING.**

BACKGROUND

Applicant	Town of Redington Beach
Affected Area	Entire Town

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THE REQUEST

Forward Pinellas (FP) has requested the Town amend the Future Land Use Element of the Town's Comprehensive Plan to achieve compliance with the Countywide Plan Rules to:

- 1) Include a matrix of future land use categories from the Town's Comprehensive Plan and the corresponding future land use categories from the Countywide Comprehensive Plan; and
- 2) Adopt "balancing criteria" governing local future land use map amendments in the Coastal High Hazard Area that are consistent with the balancing criteria found in the Countywide Rules.

These amendments are required by Rules 4.2.2.1 and 4.2.7.1 A-H of the Countywide Rules.¹ Although a rewrite of the entire Comprehensive Plan, (except for the Capital Improvements Element which has already been completed), is underway, these two amendments requested by FP should proceed immediately so that the Town is in compliance with the Countywide Planning Rules.

HISTORY

For general background on Forward Pinellas and its role in governing planning and zoning in the Town of Redington Beach see the Staff Report to the Town's Planning Board on item 6 from the Planning Board's January 23, 2019 meeting. The history of the present request is as follows.

Apparently some time in mid- to late- 2017, the Town requested FP to update the Town's Comprehensive Plan. Forward Pinellas provided the Town with a proposed rewrite of the Plan in the winter of 2018. At no time was this rewrite presented as anything more than a periodic reevaluation of the Plan. In particular, Staff were not advised that some components of the FP rewrite were mandatory to bring the Town's Comprehensive Plan into compliance with the Countywide Rules.

¹ Countywide Planning documents can be found at: <http://forwardpinellas.org/document-portal/>. The specifically applicable rules are quoted below.

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Subsequently, the Comprehensive Plan Amendments adopted by Ordinances 2018- 08 and 2018-11 were circulated to FP as required by State law. FP did not object to the previously pending Comprehensive Plan Amendments but did note the need for the amendments now pending before this Board in Ordinance 2019-03. (See Attachment A.) Ordinance 2019-03 is proposed in response to the FP requirement that the two items addressed by Ordinance 2019-03 be adopted to bring the Town's Comprehensive Plan into full compliance with the Countywide Comprehensive Plan Rules.

On February 13, 2019, the Planning Board made a finding that Ordinance 2019-02 was internally consistent with the Town's Comprehensive Plan and recommended that the Ordinance be adopted by this Board. Since Ordinance 2019-03 is proposed to be adopted by this Board without changes from First Reading, it was not re-reviewed by the Planning Board.

The State offered no Objections, Recommendations or Comments with respect to Ordinance 2019-03, (See Attachment B), which established a matrix of Town Comprehensive Plan Future Land Use Designations and corresponding Countywide Future Land Use Designations and which established balancing criteria for amendments to the Future Land Use Map.

NOTICE

The Clerk's office will advise as to the notice given of this public hearing.

AUTHORITY

Pursuant to §§ 4 and 5 of the Town Charter, the Town is governed by the Board of Commissioners which may exercise all powers available to a municipality under the Constitution and laws of the State of Florida. Those powers include preparing and adopting (via § 15-56 of the Town Code), a comprehensive plan for the Town and, therefore, amendments to said Plan.

INTERNAL COMPREHENSIVE PLAN CONSISTENCY

The primary element of a comprehensive plan is the Future Land Use Element (FLUE). In the Town of Redington Beach, the key Goal of the FLUE, and thus of the Plan, is:

- Goal 1:** Ensure that the residential and family character of the Town of Redington Beach is maintained and protected while maximizing

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the potential for economic benefit resulting from enhanced property values, seasonal visitors, and the tourist trade and the enjoyment of natural and man-made resources by citizens and visitors alike, and minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

The first amendment contemplated in Ordinance 2019-03 is essentially a “housekeeping” amendment to bring the Town’s Comprehensive Plan into compliance with the Countywide Comprehensive Plan and its Rules. Such compliance will assist in preserving the Town’s character as required by FLUE Goal 1.

The second amendment contemplated in Ordinance 2019-03, to the extent that it might become applicable to the Town of Redington Beach as discussed below, will serve and protect the Town’s character, and will minimize threats to the Town’s fabric.

Each amendment is internally consistent with the balance of the Town’s Comprehensive Plan.

COUNTYWIDE COMPREHENSIVE PLANNING

Based on the fact that there are 25 local governments interspersed within Pinellas County, Countywide Planning was created by Chapter 73-594, Laws of Florida, subsequently amended by Chapters 74-584, 74-586, and 76-473. Pursuant to this legislation, the Countywide Comprehensive Plan governed when in conflict with a local government comprehensive plan and amendments to a future land use map had to be accompanied by an amendment to the Countywide Future Land Use Map. The final determination of the content of the Countywide Comprehensive Plan and Future Land Use Map rested with the appointed Pinellas County Planning Council (PPC).

In 1987, a landowner in the City of Safety Harbor and the City sued the PPC alleging that the fact that the ultimate decision rested with appointed rather than elected officials made the Countywide planning process unconstitutional. The Circuit Court agreed and an appeal of that decision was dismissed: *Pinellas County Planning Council v. City of Safety Harbor and Wilbur Brantly*, 528 So.2d 1194 (Table), (Fla. 2d DCA 1988).

In response to the Circuit Court decision, the legislature adopted Chapter 88-464, Laws of Florida and subsequently amended the legislation in Chapter 90-396, Laws of Florida. The

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1988/1990 legislation established the basic framework that applies today in Chapter 2012-245, Laws of Florida, (Attachment C).

The Current Framework

The County Charter

In addition to the legislation discussed below, the Countywide Planning framework is established in the Pinellas County Charter.

Sec. 2.04. - Special powers of the county.

The county shall have all special and necessary power to furnish within the various municipalities the services and regulatory authority listed below. When directly concerned with the furnishing of the services and regulatory authority described in this section, county ordinances shall prevail over municipal ordinances, when in conflict. Governmental powers not listed or described in this Charter or granted to the county by general statute or special act shall remain with the municipalities.

...

- (s) Countywide planning authority as provided by special law. In the event of a conflict between a county ordinance adopted pursuant to the county's countywide planning authority as provided by special law and a municipal ordinance, **the county ordinance shall prevail over the municipal ordinance; however, a municipal ordinance shall prevail over a county ordinance in the event a municipal ordinance provides for a less intense land use or a lesser density land use** within the corporate boundaries of the municipality than that provided by county ordinance. ² [Emphasis Added]

² Municipal Code Corporation, *Pinellas County Code*, Author, Tallahassee, Florida, accessed January 17, 2019: https://library.municode.com/fl/pinellas_county/codes/code_of_ordinances?nodeId=PTICH_ARTIIPODUCO_S2.04SPP
OCO

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The Special Act of Local Application

After close to four decades of legislating based on the original law creating the PPC, C. 73-594, Laws of Florida, the County and the legislature agreed to a major rewrite of the enabling legislation, now found in Chapter 2012-245, Laws of Florida (Attachment C). Chapter 2012-245 merged the PPC with the County's Metropolitan Planning Organization created pursuant to § 339.175, Florida Statutes, and the newly merged group, in the Spring of 2016, named itself "Forward Pinellas."

The Forward Pinellas Board comprises 13 elected officials representing either specific jurisdictions or specific geographic areas of the County. However, the final decision-making authority is vested with the Board of County Commissioners, (BCC), sitting as the Countywide Planning Authority..

Pursuant to Ch. 2012-245, Forward Pinellas, subject to final approval by the Board of County Commissioners, sitting as the Countywide Planning Authority, is:

(7) To develop for countywide planning authority approval a countywide plan that shall be broadly defined, policy-based, and focused on countywide issues and that shall include:

(a) The countywide plan map.

(b) The countywide rules, which shall establish parameters that will be used to determine whether local governments' future land use plans and land development regulations are consistent with the countywide plan map and rules. Each land use category shall, at a minimum, be defined in terms of the types of uses included and specific standards for the density or intensity of use.

(c) The countywide plan strategies, which shall provide policy guidance for the countywide plan map and rules and which shall include:

1. A countywide future land use component that supports a countywide managed growth perspective.

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2. A countywide transportation component that supports mass transit and other transportation facilities and that recognizes the responsibilities of the MPO as defined by law and joint agreement.

...

Under Ch. 2012-245, the Countywide Comprehensive Plan governs all planning activities in the County. Under Chapter 163, Florida Statutes, the Community Planning Act, all land development regulations must be consistent with the controlling comprehensive plan: therefore, the Countywide Comprehensive Plan essentially governs all land development activity in the Town.

The Implementing County Ordinance

Chapter 2012-245 is implemented by Article II of Chapter 134 of the County Code. The operative provisions of this Article are:

(2) Upon adoption by the board of county commissioners, the countywide future land use plan and the elements enumerated in subsection (8) of section 134-51 of this article will have the full force and effect of law countywide. All local governments' comprehensive plans and land development regulations shall be consistent with the countywide comprehensive plan. The board of county commissioners shall have the authority to enforce the countywide comprehensive plan.

(3) Local governments' future land use plans shall be considered to be consistent with the countywide future land use plan if the local governments' land use designations are less intense or at a lower density. If a local government's future land use plan provides for a less intense land use or a lesser density, the local plan shall regulate development for the subject property as to the less intense or lower density use of the property. However, a local future land use plan or subject property is not exempt from such

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other standards, rules, or procedures of the countywide comprehensive plan as are applicable.³

In summary, the Countywide Comprehensive Plan governs all planning, and therefore all land development regulations, in the Town if it permits less dense or less intense land use than the Town controls. However, if the Town's controls limit intensity or density more than the Countywide Comprehensive Plan, then the Town controls apply.

For example, the Town Board recently (re-)established the permitted impervious surface ratio in the Town's residential areas at 0.40. The Countywide Comprehensive Plan permits an ISR of 0.75. Because the Town permits only a lower intensity of impervious surface, the Town's limits control.

Interaction with the Countywide Planning Process

The Town's Comprehensive Plan should be considered to be generally consistent with the Countywide Comprehensive Plan. As the Town's Plan is reevaluated and amendments are proposed, particularly as the FP draft rewrite is considered, there may be other interactions with the Goals, Objectives and Policies of the Countywide Comprehensive Plan but such interactions are not anticipated with the possible exceptions of bringing the Town's Residential-Office-Retail Future Land Use Designation more into line with the Countywide Retail and Services Designation, and possibly redesignated the existing multi-family developments on the north side of 164th Avenue from Residential-Office-Retail to the appropriate residential designation. The other possible exception would be if the Town were to acquire some recreation/open space land in the south part of the Town.

Thus there is the possibility, albeit still small, of interaction with the Countywide Comprehensive Plan in the unlikely event of an amendment to the Town's Future Land Use Map.

The Town's land use pattern is well set and highly unlikely to change. Otherwise, amendments to the Town's Future Land Use Map, and thus to the Countywide Comprehensive Plan's Future Land Use Map, are unlikely to occur except possibly for one of the reasons discussed above.

³ Municipal Code Corporation, *op.cit.*,
https://library.municode.com/fl/pinellas_county/codes/code_of_ordinances?nodeId=PTIILADECO_CH134GEADPR_ARTIIPLCO

May 9, 2019

The Rules at Issue

As noted above, this Comprehensive Plan Amendment is required by Rules 4.2.2.1 and 4.2.7.1 of the Countywide Rules. Rule 4.2.2.1 lists the Future Land Use categories employed in the Countywide Comprehensive Plan and then provides:

Each jurisdiction within Pinellas County must include a table or matrix in the future land use element of its comprehensive plan that shows each local future land use category corresponding to one of these Countywide Plan Map categories.

Countywide Rule 4.2.2.1.

Ordinance 2019-03 complies with this mandate by including in the Town's Future Land Use Element the required matrix of Town and Countywide Future Land Use Categories.

Rule 4.2.7.1 of the Countywide Rules prohibits amendments to the Countywide Comprehensive Plan that do not meet the "balancing criteria" proposed by Forward Pinellas and extends this policy to the 25 local government comprehensive plans. Ordinance 2019-03 is taken completely from the Forward Pinellas rewrite of the Town's Comprehensive Plan, and adopts, essentially verbatim, Countywide Rule 4.2.7.

ANALYSIS

As noted above, the first part of this Amendment is essentially a "housekeeping" effort to ensure that the Town's Comprehensive Plan is consistent with the Countywide Comprehensive Plan. Further, the matrix will assist developers, other governmental entities, and staff in ensuring that development or planning efforts are consistent with the Town's Comprehensive Plan, and, as required by law, with the Countywide Comprehensive Plan.

As to the balancing criteria, as noted in the Staff Report for Planning Board Agenda Item 6 from January 23, 2019, it is unlikely that the Town will want to amend its Future Land Use Map. Accordingly, the "balancing criteria" are likely to be inapplicable to the Town. Further, if a FLUM Amendment were proposed, it would likely be a "down planning," either reducing the permitted intensity of the multi-family projects in the northeast quadrant of 164th and Gulf or designating new park land in the south part of Town. Accordingly, while it is necessary to

Memo: Town of Redington Beach
Board of Commissioners:
Forward Pinellas FLUE Amendment
Second Reading
Page 10 of 10

May 9, 2019

include the “balancing criteria” in the Plan to come into compliance with the Countywide Rules, those criteria are unlikely to be applied in the Town.

RECOMMENDATION

THAT THE TOWN BOARD ADOPT ORDINANCE 2019-03 ON SECOND AND FINAL READING WITHOUT AMENDMENTS AND SUBMIT THE ORDINANCE TO THE STATE FOR A FINAL DETERMINATION OF COMPLIANCE WITH STATE LAW.

DC/RBMcL/m
C:\MTC\Redington Beach\Town Board\2019-05-15\RB TB 2019-05-15 FP ORC Report.wpd

**TOWN OF REDINGTON BEACH
ORDINANCE 2019-03**

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT TO CREATE A MATRIX OF TOWN AND CORRESPONDING COUNTYWIDE FUTURE LAND USE CATEGORIES AND TO ESTABLISH BALANCING CRITERIA TO USE IN THE CONSIDERATION OF FUTURE LAND USE MAP AMENDMENTS, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, the Community Planning Act requires the Town's Comprehensive Plan to be consistent with the Countywide Comprehensive Plan; and

WHEREAS, the Planning Board of the Town of Redington Beach has recommended changes to the Town's Comprehensive Plan to maintain consistency with the Countywide Plan; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendation of the Planning Board and maintain consistency with the Countywide Plan.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this ____ day of _____, 2019 that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Pursuant to the Town Charter, the Board of Commissioners has the authority to amend the Code of Ordinances, including the Ordinance adopting the

Comprehensive Plan.

Section 3. The Future Land Use Element of the Town of Redington Beach's Comprehensive Plan, as adopted by Ordinance 2008-12 on December 16, 2008, and as subsequently lawfully amended, is further amended by insertion in proper numerical order of Future Land Use Policy 1.8.5 to read as follows:

FLU Policy 1.8.5

The land use categories enumerated in Policy 1.8.1 shall be consistent with the following corresponding categories of the Forward Pinellas Countywide Plan Map:

<u>Future Land Use Map Category</u>	<u>Countywide Plan Map Category</u>
<u>Residential Urban (RU)</u>	<u>Residential Low Medium</u>
<u>Residential Medium (RM)</u>	<u>Residential Medium</u>
<u>Residential/Office/Retail (R/O/R)</u>	<u>Retail & Services</u>
<u>Recreation/Open Space (R/OS)</u>	<u>Recreation/Open Space</u>
<u>Preservation (P)</u>	<u>Preservation</u>
<u>Institutional (I)</u>	<u>Public/Semi-Public</u>

Section 4. The Future Land Use Element of the Town of Redington Beach Comprehensive Plan, as adopted by Ordinance 2008-12 on December 16, 2008, and as subsequently lawfully amended, is further amended by insertion in proper numerical order of Future Land Use Objective 2.4 and its implementing policies to read as follows:

FLU Objective 2.4

The Town shall evaluate increases in intensity in the Coastal High Hazard Area above those delineated by Map 5: Future Land Use Year 2000, according to a set of criteria that balances the risks and benefits of such development.

FLU Policy 2.4.1

The Town shall deny an amendment to its Future Land Use and Transportation Map within the Coastal High Hazard Area which results in an increase of intensity unless it meets the requirements of Section 163.3178(8)(a)3, Florida Statutes, and upon a balancing of the following criteria, as applicable, consistent with Section 4.2.7 of the Countywide Rules:

- a. Access to Emergency Shelter Space and Evacuation Routes. The uses associated with the requested amendment will have access to adequate emergency shelter space

- as well as evacuation routes with adequate capacities and evacuation clearance times.
- b. Utilization of Existing and Planned Infrastructure. The requested amendment will result in the utilization of existing infrastructure, as opposed to requiring the expenditure of public funds for the construction of new, unplanned infrastructure with the potential to be damaged by coastal storms.
- c. Utilization of Existing Disturbed Areas. The requested amendment will result in the utilization of existing disturbed areas as opposed to natural areas that buffer existing development from coastal storms.
- d. Maintenance of Scenic Qualities and Improvement of Public Access to Water. The requested amendment will result in the maintenance of scenic qualities, and the improvement of public access, to the Gulf of Mexico, inland waterways (such as Stevenson Creek), and Tampa Bay.
- e. Water Dependent Use. The requested amendment is for uses which are water dependent.
- f. Part of Community Redevelopment Plan. The requested amendment is included in a Community Redevelopment Plan, as defined by Florida Statutes for a downtown or other designated development area.
- g. Overall Reduction of Density or Intensity. The requested 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 coastal storm area.
- h. Clustering of Uses. The requested amendment within the coastal storm area provides for the clustering of uses on a portion of the site outside the coastal storm area.
- I. Integral Part of Comprehensive Planning Process. The requested amendment has been initiated as an integral part of its comprehensive planning process, consistent with this comprehensive plan.

Section 5. That the portions of the Town's Comprehensive Plan lawfully adopted and not expressly altered by this Ordinance remain in full force and effect.

Section 6. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 7. The effective date of this Ordinance, if the plan amendment adopted hereby is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the

1 state land planning agency issues a notice of intent determining that this amendment is not in
2 compliance, this amendment shall become effective on the date the state land planning agency or
3 the Administration Commission enters a final order determining this adopted amendment to be in
4 compliance. No development orders, development permits, or development dependent on this
5 amendment may be issued or commence before it has become effective.
6

7 **PASSED AND ADOPTED** by the Board of Commissioners of the Town of Redington Beach,
8 Pinellas County, Florida, on this _____ Day of _____ 2019.
9

10 **ATTEST:**
11

12
13 **Missy Clarke, CMC Town Clerk**

Nick Simons, Mayor

14

	Motion	Seconded	Aye	Nay	Absent
15 Commissioner					
16 Kornijtschuk					
17 Commissioner Dorgan					
18 Commissioner Steiermann					
19 Vice Mayor Will					
20 Mayor Simons					

21
22
23

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

April 22, 2018

The Honorable James Simons
Mayor, Town of Redington Beach
Town Hall, 105 164th Avenue
Redington Beach, Florida 33708

Dear Mayor Simons:

The Department of Economic Opportunity ("Department") has completed its review of the proposed comprehensive plan amendment for the Town of Redington Beach (Amendment No. 19-01ER), which was received and determined complete on March 18, 2019. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. The Department does not identify any objections or comments to the proposed amendment and this letter serves as the Objections, Recommendations and Comments Report. Review comments received by the Department from the appropriate reviewing agencies, if any, are enclosed.

The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department's attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

If you have any questions related to this review, please contact Valerie James, Planning Analyst, by telephone at (850) 717-8493 or by email at valerie.james@deo.myflorida.com.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/vj

Enclosure: Procedures for Adoption
Agency Comments

cc: R. Bruce McLaughlin, AICP, MCIP, Town Planner, Town of Redington Beach
Sean T. Sullivan, Executive Director, Tampa Bay Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, **in color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From: Plan Review
To: Eubanks, Ray; DCPexternalagencycomments
Cc: Plan Review
Subject: Redington Beach 19-1ER Proposed
Date: Friday, April 12, 2019 3:31:41 PM
Attachments: image002.png

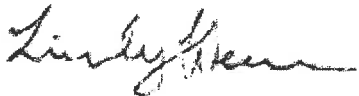
To: Ray Eubanks, DEO Plan Review Administrator

Re: Redington Beach 19-1ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.





An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad St., Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

Bartow Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office
7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Jeffrey M. Adams
Chair, Pinellas

Ed Armstrong
Vice Chair, Pinellas

Bryan K. Beswick
Secretary, DeSoto, Hardee,
Highlands

Michelle Williamson
Treasurer, Hillsborough

H. Paul Senft, Jr.
Former Chair, Polk

Randall S. Maggard
Former Chair, Pasco

John Henslick
Manatee

James G. Murphy
Polk

Kelly S. Rice
Citrus, Lake, Levy, Sumter

Joel Schleicher
Charlotte, Sarasota

Rebecca Smith
Hillsborough, Pinellas

Mark Taylor
Hernando, Marion

Scott Wiggins
Hillsborough

Brian J. Armstrong, P.G.
Executive Director

April 9, 2019

Mr. Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399

Subject: **Redington Beach 19-1ER**

Dear Mr. Eubanks:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment which includes EAR-based text amendments identified by the Town as Ordinance 2019-03. We offer the following technical assistance comment for consideration.

Regional Water Supply

1. The Town acknowledges that its 10-Year Water Supply Facilities Work Plan update required by Section 163.3177(6)(c)3, F.S., is overdue and states that it is being deferred to an overall rewrite of the Town's comprehensive plan which is now in progress. District staff is available to provide technical assistance in this effort.

Floodplain and Floodprone Areas

2. No comments.

Wetlands and Other Surface Waters

3. No comments.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 796-7211, extension 4790, or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG

cc: R. Bruce McLaughlin, Town of Redington Beach

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT SUMMARY LOG - MARCH 2019

(2/28/19 - 3/27/19)

TBR PC #	DATE RECD	JURISDICTION	PROPOSED	ADOPTED	DEO #	LOCAL GOV'T REFERENCE #	TBRPC COMMENTS		TECH. ASSISTANCE COMMENTS		AMENDMENT DESCRIPTION
							Yes	No	Yes	No	
20	3/05	Tampa	✓		Tampa 19-02ESR	TA/CPA 18-16	✓		✓		City proposes to modify the FLUM* to redesignate 15.77± acres of Regional MU*-100, Urban MU*-60 and R/OS* to P/SP*. The parcel is located along the northern side of W. Kennedy Blvd., west of the Central Business District and the Hillsborough River. While the maximum Residential development potential and/or the non-Residential F.A.R. has not been identified in association with the newly-proposed P/SP* use, the designation would additionally allow for "government-owned facilities (i.e. water treatment facilities), churches, hospitals, schools, clubs, recreational, utility or transportation facilities."
21	3/05	Tampa	✓		Tampa 19-02ESR	TA/CPA 18-18	✓		✓		City proposes to process a text amendment under the FLUE* to provide greater guidance on when fill activities are appropriate for the purpose of development. The revisions are: "limiting Future Land Use designations on surface waters to the Environmentally Sensitive Area (ESA) Land Use Category, unless meeting certain requirements; prohibiting fill of surface waters, unless meeting certain requirements; adding definitions for 'Incidental Fill, Man-made Water Bodies and Surface Waters'; and modifying the definition of Overriding Public Interest."
22	3/13	Redington Beach	✓		Redington Beach 19-01ER	ORD. 2019-03	✓		✓		For consistency with Forward Pinellas' Countywide Planning Rules, the Town of Redington Beach proposes to amend the FLUE* "to create a Matrix of Town and corresponding Countywide Future Land Use categories and to establish balancing criteria to use in the consideration of FLUM* Amendments."

TBR- PC #	DATE REC'D	JURISDICTION	PROPOSED	ADOPTED	DEO #	LOCAL GOV'T REFERENCE #	TBRPC COMMENTS		TECH. ASSISTANCE COMMENTS		AMENDMENT DESCRIPTION
							Yes	No	Yes	No	
23	3/15	Zephyrhills	✓		Zephyrhills 19-01ESR	ORD. 1378-19	✓		✓		The City proposes to modify the CLE* & TE* to reflect changes to: transportation projects (i.e. Simons Rd. & paving/resurfacing); sidewalks & Trails projects (Hercules Park and signify prior completion of Krusen Field Bating Cages, Krusen Field Goal Posts and shower replacement @ Zephyr Park Water Park); Water Division projects (8" Water Main on Otis Allen: Forbes to 23 rd St, Sunburst Water System and new property acquisition for Water Dept.); Wastewater Division projects (12" Reclaimed Water Main - 12 th Street & C.R. 54); and development of a new Fire Station (#3).
24	3/25	Palmetto	✓		Palmetto 19-01ESR	ORD. 2018-33	✓		✓		The City proposes to modify the FLUM* to reclassify the Heavy Industrial (IH) land use designation as Heavy Commercial Industrial (HCOMIND). The redesignation of land uses applies to a 18.12+ acre parcel located at the northwest corner of U.S. 301/ 24 th Ave. E., and is referred to as "Harliee Packing." No impacts will occur regarding demand for sanitary sewer, solid waste, potable water/water supply, traffic, schools and/or recreation.
25	3/26	Pasco	✓		# N/A	Pasco CPA119(09)	✓		✓		County proposes to modify the FLUM* to redesignate 72.6+ acres of R/O/R* to PD*. The parcel is located on the southwest corner of the Sunlake Blvd./S.R. 54 intersection. The proposal is referred to as "Project Canopy." The CPA* also includes a text amendment to allow potential development of Office, Medical Office, Commercial/Retail, Light Industrial, Hotel, Distribution Center, Research, Corporate Park and "Target Industries" within the formerly rescinded Long Lake Ranch DRI. Any of these alternative uses would be authorized through conversion of other approved use(s) in accordance with the established Land Use Equivalency Matrix.



AG/R	Agricultural/Rural		
ARE	Area Redevelopment Element		
ALF	Assisted Living Facility		
CBD	Central Business District		
CE	Conservation Element		
CG	Commercial General		
CHHA	Coastal High Hazard Area		
CIE	Capital Improvements Element		
CME	Coastal Management Element		
COM	Commercial		
CON	Conservation		
CPA	Comprehensive Plan Amendment		
CPAL	Comp. Plan Amendment/Large Scale		
DE	Drainage Element		
EAR	Evaluation & Appraisal Report		
EC	Employment Center		
EDE	Economic Development Element		
FLUE	Future Land Use Element		
FLUM	Future Land Use Map		
GOPS	Goals, Objectives & Policies		
HE	Housing Element		
I	Industrial		
I-L	Industrial/Light		
ICE	Intergovernmental Coord. Element		
IE	Infrastructure Element		
LCE	Livable Communities Element		
LDC	Land Development Code		
LI	Light Industrial		
MU	Mixed Use		
NOI	Notice of Intent		
ORD.	Ordinance		
P/SP	Public/Semi-Public		
PD	Planned Development		
PFE	Public Facilities Element		
PSE	Public School Element		
R/O	Residential/Office		
R/OS	Recreation/Open Space		
R/O/R	Retail/Office/Residential		
RES	Residential		
RH	Residential High		
RL	Residential Low		
RIM	Residential Medium		
RU	Residential Urban		
TE	Transportation Element		



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 N. McKinley Drive
Tampa, Florida 33612

KEVIN J. THIBAUT PE
SECRETARY

March 20, 2019

Mr. Bruce McLaughlin, AICP
Town Planner
Town of Redington Beach
18001 Gulf Boulevard
Redington Shores, FL 33708

Re: Town of Redington Beach Comprehensive Plan Amendment 19-01ER

Dear Mr. McLaughlin:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed proposed amendment 19-01ER.

Background: State Road 699 (Gulf Boulevard) extends through the barrier island Town of Redington Beach located between North Redington Beach and Madeira Beach. The Town (205 acres in size) is predominately residential, followed by preservation and recreation/open spaces uses. A significant increase in development and population is not anticipated. The 2010 population was 1,590 (Bureau of Economic and Business Research). SR 699 (Gulf Boulevard) runs through the Town.

Proposal: The City is amended the Future Land Use Element (FLUE), to increase the Impervious Surface Ratio (ISR) in residential areas, amended the Transportation Element to replace concurrency to establish a mobility management system in accordance with the Countywide Comprehensive Plan and amended the Housing Element to provide for Emergency housing for post-disaster emergency housing. The amendments will maintain consistency with revised Countywide Rules of the Pinellas Planning Council adopted on August 7, 2015.

Comments: Between the first hearing and the second adopted hearing the ORC Report identified four comments to address Sea Level Rise; Water Supply and Facility Concurrency and Coordination; Water Supply Update; and New Long-Term Planning. These comments are offered as assistance and would not form the basis for a compliance determination. According to Town planning staff, they are aware they are not in compliance with the Countywide Planning Rules and have determined that the amendment as currently written should proceed now. They deferred the comments provided from the ORC Report as well as other issues to an overall rewrite of the Town's

Mr. Bruce McLaughlin, AICP
March 20, 2019
Page 2

Comprehensive Plan that is in process and shall be addressed in their next Comprehensive Plan Amendment.

As proposed, FDOT determined adopted amendment 19-01ER as currently written has no impact on important state transportation resources or facilities within its jurisdiction.

Thank you for the opportunity to review this amendment. Please ensure that we receive a copy of the adopted version. Should you have any questions please do not hesitate to contact me at 813-975-6429 or at Daniel.santos@dot.state.fl.us.

Sincerely,



Daniel C. Santos, AICP
Transportation Planning Supervisor

cc: Ray Eubanks, Plan Processing Administrator, DEO
Waddah Farah, PDA Administrator, FDOT District 7
Lindsey Mineer, LGCP Coordinator, FDOT District 7

CHAPTER 2012-245

Committee Substitute for House Bill No. 869

An act relating to the Pinellas Planning Council, Pinellas County; codifying, amending, reenacting, and repealing special acts relating to the district; reorganizing the council; setting forth the purpose of the council; providing legislative intent that the countywide plan be broadly defined and policy-based; providing that the primary focus of the council will be land use and transportation planning; providing definitions; providing that the membership of the council shall be the same as that of the Pinellas County Metropolitan Planning Organization; providing for the election of officers, meetings of the council, requirements of a quorum, and member expenses; providing for the powers and duties of the council, including revising the required components of the countywide plan, consistent with the stated legislative intent; providing for countywide staff and committees; providing for a budget and annual independent audit; recognizing the countywide planning authority of the Pinellas County Board of County Commissioners as provided by the Pinellas County Charter; providing for the repeal of the existing countywide plan, adoption of a new countywide plan, future amendment of the plan, and standards and procedures for such actions; providing a timetable for consistency review after adoption of a new countywide plan; providing for public hearing and notice requirements; requiring the authority to adopt specific notice standards in the countywide rules; providing for compliance with part II of chapter 163, Florida Statutes; repealing chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida; providing an effective date.

WHEREAS, Pinellas County is approaching a built-out condition, and planned redevelopment of the built environment is critical to maintaining and improving the countywide economy and quality of life, and

WHEREAS, given the land constraints within the county, it is recognized that countywide traffic issues cannot be solved by road building alone but must be addressed through a multimodal transportation system, and

WHEREAS, with the Legislature's creation of the Tampa Bay Area Regional Transportation Authority ("TBARTA") in 2007, the provision of enhanced public transit within the county has become a high transportation planning priority, and

WHEREAS, land use patterns are a critical factor in determining whether multimodal transportation, particularly transit, is functional and effective, and

WHEREAS, transportation and land use planning do not exist independently but have a relationship in which each influences the other, and

WHEREAS, both the Updated Countywide Plan for Pinellas County and Pinellas by Design: An Economic Development and Redevelopment Plan for

the Pinellas Community contain planning strategies that call for increased coordination of the land use and transportation planning activities of the Pinellas Planning Council ("PPC") and the Metropolitan Planning Organization ("MPO"), and

WHEREAS, a Joint Land Use and Transportation Committee ("committee"), consisting of three representatives from the PPC, three representatives from the Board of County Commissioners (BCC), and three representatives from the MPO, was convened in April 2010 to study the potential of integrating transportation and future land use planning at the countywide level, and

WHEREAS, the committee has recommended that the MPO and PPC functions be more closely aligned on transportation and land use issues to create a more streamlined and integrated process, which should identify and eliminate any redundancies, disconnects, or inefficiencies in the current system, and

WHEREAS, the committee recommended that this integrated process include a new Countywide Future Land Use Plan, which establishes a broad, forward-looking land use planning framework, incorporates and guides multimodal transportation planning, and allows sufficient flexibility to accommodate the redevelopment needs of local communities, and

WHEREAS, the committee determined that the most effective way to accomplish these goals would be to unify the membership of the boards of the MPO and the PPC into a single board that would be empowered to carry out the functions of both the MPO and the PPC, and

WHEREAS, it is the recommendation of the committee that the new unified board should continue to consist of elected officials and ensure adequate representation for all local governments within Pinellas County, recognizing that the Pinellas Suncoast Transportation Authority ("PSTA") will also have a seat on the new board, and

WHEREAS, it was the consensus of the committee that the new unified board be supported by an independent executive director who serves in that capacity exclusively, with staff chosen by that independent director, but with priority given to current employees of the PPC and MPO, and

WHEREAS, the establishment of the new unified board will require reapportionment of the MPO membership, which must be done in conformance with section 339.175, Florida Statutes, and

WHEREAS, the establishment of the new unified board will require an amendment to and reenactment of the PPC's charter, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) The reenactment of existing law in this act shall not be construed as a grant of additional authority to or supersede the authority of any entity pursuant to law. Exceptions to law contained in any special act that are reenacted pursuant to this act shall continue to apply.

(2) The reenactment of existing law in this act shall not be construed to modify, amend, or alter any covenants, contracts, or other obligations of the district with respect to bonded indebtedness. Nothing pertaining to the reenactment of existing law in this act shall be construed to affect the ability of the district to levy and collect taxes, assessments, fees, or charges for the purpose of redeeming or servicing bonded indebtedness of the district.

Section 2. Chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida, are amended, codified, reenacted, and repealed as provided in this act.

Section 3. The charter for the Pinellas Planning Council, Pinellas County, a dependent special district, is re-created and reenacted to read:

Section 1. County planning council created.—There is created a county-wide planning and coordinating council to be known as the “Pinellas Planning Council,” hereinafter referred to as the “council.” The council shall have common membership and function as a single, unified board with the Pinellas County Metropolitan Planning Organization (“MPO”).

Section 2. Purpose of council; legislative intent.—

(1) The Legislature recognizes the social and economic interdependence of the people residing within Pinellas County and the common interest they share in its future development. The Legislature recognizes the value of considering land use and transportation planning issues concurrently and of coordinating and implementing land use and transportation planning functions in an integrated manner. The Legislature also recognizes that individual plans and decisions heretofore made by local governments within the county have affected the welfare of the entire county as well as neighboring jurisdictions, and, therefore, the Legislature intends that the purpose of this act is to provide for:

(a) The formulation and execution by the council of the strategies necessary for the orderly growth, development, and environmental protection of Pinellas County as a whole, with the focus on those issues deemed to have an impact countywide.

(b) The coordination by the council of planning and development in Pinellas County with regional planning objectives in the Tampa Bay area as developed by such entities as the MPO, the Tampa Bay Regional Planning Council, the Tampa Bay Area Regional Transportation Authority (“TBARTA”), the Pinellas Suncoast Transit Authority (“PSTA”), the Department of Transportation (“DOT”), and the Department of Economic Opportunity (“DEO”).

(2) The Legislature further recognizes that the future of Pinellas County, its permanent residents, and the millions of tourists who annually visit the county is dependent upon the way the natural resources of land, air, and water are protected and impacted by the built environment and through the use and reuse of land to accommodate the urban development and redevelopment pattern, the transportation system that serves it, and other development activities that are guided by the countywide planning function.

(3) The Legislature intends for the development of a broadly defined, policy-based countywide plan that will focus on countywide issues related to future land use, transportation, and intergovernmental coordination.

(4) The Legislature further intends that this act provide for the coordination by the council of the transportation planning functions undertaken by the MPO with the council's land use planning functions, as expressed in this act, in a manner that more fully integrates these two functions in a complementary manner, as well as a means for the integration of the membership of the boards of the council and MPO, such that a single, unified board shall perform the functions of both the council and the MPO.

Section 3. Definitions.—As used in this act, the term:

(1) "Countywide plan" means materials in such descriptive form, written or graphic, as may be appropriate to the prescription of strategies for the orderly and balanced future development of Pinellas County. The countywide plan is comprised of the countywide plan strategies, the countywide plan map, and the countywide rules in section 6(7).

(2) "Countywide plan map" means the future land use map that designates general categories of land use by type and location to guide the future development pattern and use of land throughout the county.

(3) "Countywide plan strategies" means an overarching set of policies that identify and set forth a plan of action to address those components set forth in section 6(7) and that are collectively used to administer and guide interpretation of the countywide plan map and countywide rules.

(4) "Countywide planning authority" means the board of county commissioners, acting in its capacity as the countywide planning authority, through the exercise of its power under section 2.04(s) of the Pinellas County Charter.

(5) "Countywide rules" and the "rules" mean those rules, standards, and procedures that will implement the countywide plan as provided in section 6(7).

(6) "Existing countywide plan" means that countywide plan, inclusive of the countywide plan strategies, countywide plan map, and countywide rules as adopted by Pinellas County Ordinance 89-4, as amended.

(7) “Land development regulation” means an ordinance enacted by a local government for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, or building construction regulation or any other regulation controlling the development of land.

(8) “Local government” means Pinellas County or any municipality within the county.

Section 4. Membership of council.—The council shall be composed of the voting membership of the Pinellas County Metropolitan Planning Organization. The terms of office and appointments to fill vacancies shall be consistent with Florida law governing the MPO.

Section 5. Officers; meetings; records; quorum; expenses.—

(1) The council shall elect one of its members as chairperson, one of its members as vice chairperson, one of its members as treasurer, and one of its members as secretary, each of whom shall serve for the year or until a successor is elected. No person elected chairperson shall serve more than 2 consecutive years in that capacity. Election of officers shall be conducted in concert with the MPO, as provided by Florida law governing the MPO.

(2) The council may meet at least once each month, at such place and at such other times in special session as the council, by a majority vote, shall determine, and at any other time at the call of the chairperson. The council shall adopt, by an affirmative vote of a majority of the voting members of the council, operating procedures for the transaction of business and keep a record of its transactions, resolutions, findings, determinations, recommendations, and orders, which record shall be a public record. Subsequent amendment of the operating procedures shall be by an affirmative vote of a majority of the members present and constituting a quorum.

(3) At all meetings of the council, a quorum shall consist of a simple majority of the full voting membership. No official business of the council may be transacted unless a quorum is present. No vacancy in the council shall impair the right of a quorum of the council to exercise all the rights and perform all the duties of the council. Except as otherwise provided in this act, all actions of the council shall be by a majority vote of those members present.

(4) Members of the council shall be entitled to receive from the council their traveling and other necessary expenses incurred in connection with the business of the council, as provided by law, but they shall draw no salaries or other compensation.

Section 6. Powers and duties.—In the performance of its duties and in the execution of its functions under this act, the council has and shall exercise the following powers and duties:

(1) To maintain a permanent office at the place or places within Pinellas County as it may designate. Additional suboffices may be maintained at such place or places within Pinellas County as it may designate.

(2) To employ and to compensate such personnel, consultants, and technical and professional assistance as it may deem necessary.

(3) To make and enter into contracts and agreements.

(4) To hold public hearings and sponsor public forums.

(5) To sue and to be sued in its own name.

(6) To contract with, accept and expend funds and grants from, and accept and use services from:

(a) The Federal Government or any agency thereof.

(b) The state government or any agency thereof.

(c) The county government or any agency thereof, including the district school board.

(d) The several municipalities in Pinellas County or any agencies thereof.

(e) The Tampa Bay Regional Planning Council and other governmental agencies.

(f) Civic groups and nonprofit agencies.

(7) To develop for countywide planning authority approval a countywide plan that shall be broadly defined, policy-based, and focused on countywide issues and that shall include:

(a) The countywide plan map.

(b) The countywide rules, which shall establish parameters that will be used to determine whether local governments' future land use plans and land development regulations are consistent with the countywide plan map and rules. Each land use category shall, at a minimum, be defined in terms of the types of uses included and specific standards for the density or intensity of use.

(c) The countywide plan strategies, which shall provide policy guidance for the countywide plan map and rules and which shall include:

1. A countywide future land use component that supports a countywide managed growth perspective.

2. A countywide transportation component that supports mass transit and other transportation facilities and that recognizes the responsibilities of the MPO as defined by law and joint agreement.

3. A countywide intergovernmental coordination component that supports enhanced integration of local government land use and transportation planning.

4. Any other component determined by the council and the countywide planning authority to be necessary to establish effective countywide planning in furtherance of the intent of this act.

(8) To coordinate countywide growth management issues and procedures consistent with this act.

(9) To review the countywide plan with the local governments in order to ensure coordination with local goals and policies, identify specific countywide growth management problem areas, and work collaboratively with local governments towards solutions to those identified problems.

(10) When processing amendments to the countywide plan map, to consider the countywide plan strategies and the countywide rules.

(11) To conduct a strategic planning session with the countywide planning authority on an annual basis or at such other intervals as the council and countywide planning authority shall agree upon.

Section 7. Countywide staff and committees.—

(1) Pursuant to section 6(2), the council shall appoint an independent executive director, who shall serve at the pleasure of the council. The employment qualifications and standards for the position of executive director shall be established by the council. The executive director may employ such other staff as may be needed and shall have the sole authority to manage the activities of the staff. Nothing in this act shall prevent the executive director and the staff from being classified or exempt employees of the Pinellas County Unified Personnel System.

(2) Directors of individual local government land use and planning departments, or their designees, are the members of the planners advisory committee. The planners advisory committee may, at the direction of the council, perform a professional planning review of the council staff recommendations that are to be acted upon by the council. The planners advisory committee may also include a representative from the planning departments maintained by the Pinellas County School Board, the PSTA, the DOT, and other agencies as the council may determine appropriate. In addition to the planners advisory committee, the council may appoint such other committees as it deems necessary, which may be comprised of either elected or nonelected officials. The committees provided for in this section may perform such other duties as assigned by the council but may not be involved in the administration or executive functions of the council.

(3) The staff, as recognized in this act, shall prepare all plans or other documents that the council may direct under this act and shall assist any committee and the executive director in day-to-day activities. The staff shall be governed by such operating procedures as may be set forth by the council.

Section 8. Budget, fiscal year, appropriations, contributions; annual audits and reports.—

(1) The executive director of the council shall annually prepare the budget of the council. The budget shall be kept within the limit of funds annually available to the council, and each item in the budget shall be fully explained. The council shall approve and adopt the annual millage rate and budget, and all deliberations on the millage rate and budget by the council shall be done at meetings open to the public. The fiscal year of the council shall be the same as the fiscal year of the Board of County Commissioners of Pinellas County. Notwithstanding the above, the Board of County Commissioners of Pinellas County shall have the right to review the millage rate and budget, raising or reducing either as it deems necessary. In its review of the millage rate and budget, the board of county commissioners shall ensure that the council is funded, at a minimum, at a level that supports the council's powers and duties set forth in section 6.

(2) The Tax Collector of Pinellas County shall remit directly to the council, from the total taxes collected from the millage certified by the Board of County Commissioners of Pinellas County for county purposes, an amount equal to the annual budget but not to exceed one-sixth of a mill on each dollar of the assessed valuation of taxable property made annually by the Property Appraiser of Pinellas County. The funds collected pursuant to this subsection shall only be expended for council purposes.

(3) The council shall cause an annual independent audit to be performed, to be paid for by the council. The council shall also prepare an annual report on its activities as a whole.

Section 9. Countywide planning authority of the board of county commissioners.—The Board of County Commissioners of Pinellas County is vested with countywide planning authority by section 2.04(s) of the Pinellas County Charter. Such authority is limited to the authority provided for in the county charter and as provided in this act.

Section 10. Countywide plan repeal, readoption, and amendment.—

(1) COUNTYWIDE PLAN AND RULES.—

(a) The existing countywide plan is to be repealed and replaced by the adoption of a new, broadly defined, and policy-based countywide plan that conforms to the intent of this act. It is specifically intended that a new countywide plan provide for fewer land use categories than the existing countywide plan. The new countywide plan shall be prepared in collaboration with the member local governments pursuant to a process and timetable established by the council and countywide planning authority. Council staff shall use best efforts to develop a new countywide plan as expeditiously as possible. Before the adoption of a new countywide plan, the existing countywide plan shall remain in full force and effect.

(b) An amendment to the countywide plan map may be initiated by the council only in order to implement the new countywide plan that conforms to the intent of this act. Pursuant to this one-time grant of authority which is

intended to repeal and replace the existing countywide plan map, the council may initiate an amendment to the countywide plan map to place any new plan map categories designated under a new countywide plan on particular parcels of property, as applicable. Such amendment to the countywide plan map initiated by the council shall be sent to the local government with jurisdiction over the subject parcel for comment and review a minimum of 60 days before council action. The manner in which comment, review, and adoption by the local government, if applicable, shall take place shall be set forth in the countywide rules.

(c) The recommendation to repeal and replace the existing countywide plan shall be by an affirmative vote of a majority of the voting members of the council. Any recommendation to subsequently amend the countywide plan shall be by an affirmative vote of a majority of the voting members present and constituting a quorum.

(d) The countywide planning authority action to repeal and replace the existing countywide plan as recommended by the council shall be by a majority vote of the entire countywide planning authority. A majority vote of the members present and constituting a quorum of the countywide planning authority is required to make any subsequent amendment to the countywide plan as recommended for adoption by the council.

(e) Upon adoption by the countywide planning authority, the countywide plan shall have the full force and effect of law countywide. All local governments' future land use plans and land development regulations shall be consistent with the countywide plan map and rules. The countywide planning authority shall have the authority to enforce the countywide plan map and rules.

(2) CONSISTENCY REVIEW.—

(a) As of the effective date of this act, it is acknowledged that the council has recently reviewed each local government's future land use plan and land development regulations for consistency with the existing countywide plan map and rules and has determined each such future land use plan and land development regulation to be consistent with the existing countywide plan map and rules or has outlined the actions necessary to establish such consistency. After a new countywide plan map and rules that conform to the intent of this act are adopted, it is specifically intended that the local governments' individual plans be made consistent with the new countywide plan map and rules, if necessary, either:

1. Simultaneously with the next scheduled amendment, after January 1, 2016, of the local future land use plan and land development regulations pursuant to the evaluation and appraisal review, as required for local plans under part II of chapter 163, Florida Statutes; or

2. Within 3 years after the adoption of the revised countywide plan map and rules.

(b) Local governments' land use categories and corresponding regulations shall be considered to be consistent with the countywide plan map and rules if the local governments' land use categories provide for:

1. Maximum densities and intensities that are equal to or less than the maximum densities and intensities provided by the corresponding countywide plan map categories as set forth in the rules.

2. Some or all of the same permitted uses as enumerated in the corresponding countywide plan map categories.

3. Such other standards, rules, or procedures contained in the countywide rules as are applicable.

(c) If a local government's future land use plan and land development regulations have been determined to be consistent with the countywide plan map and rules, the local future land use plan and land development regulations shall regulate development for the subject property.

(d) It is the intent of this act that land uses, lots, and structures existing on the effective date of this act that may be rendered nonconforming by the adoption of a new countywide plan shall be permitted to continue until such nonconformities are removed or ceased. Such nonconformities shall be administered by the local government with jurisdiction.

(3) COUNTYWIDE PLAN MAP AMENDMENTS.—

(a) Amendments to the adopted countywide plan map relating to a land use designation for a particular parcel of property may be initiated by the local government that has jurisdiction over the subject property. Amendments to any standard, policy, or objective of the countywide plan strategies or the rules may be initiated by the council or any local government.

(b) The council shall have 60 days after the day an application is filed with the council to act on that amendment and forward the recommendation to the countywide planning authority. Action by the council may include recommendation for approval, denial, continuation, or an alternative compromise amendment, any of which shall constitute action by the council within the stipulated 60-day period. Provision for the council to make a recommendation for an alternative compromise amendment shall be as approved and set forth in the rules.

(c) All amendments shall be transmitted to the countywide planning authority with a recommendation by the council. A vote of a majority plus one of the entire countywide planning authority is required to take any action on the proposed amendment that is contrary to the council's recommendation. A recommendation shall be received by the countywide planning authority before it takes action on an amendment.

(d) After action by the countywide planning authority, any substantially affected person, the council, or the local government that initiated the plan

amendment may seek a hearing pursuant to chapter 120, Florida Statutes. Any substantially affected person may participate in the hearing. At the conclusion of the hearing, the hearing officer's recommended order shall be forwarded to and considered by the countywide planning authority in a final hearing. The basis for the countywide planning authority's final decision approving or denying the proposed amendment is limited to the findings of fact of the hearing officer. This paragraph shall only apply to amendments to the countywide plan map.

(e) The council may contract with the Division of Administrative Hearings to provide the hearing officers required by this act. The council shall be responsible for compensating the division for costs incurred by the division in the hearing process. Except as provided in paragraph (d), the council and the countywide planning authority are not subject to chapter 120, Florida Statutes.

(f) An administrative hearing under paragraph (d) is limited to a review of the facts pertaining to the subject property, the countywide plan map, and the rules applicable thereto. An administrative hearing is not the appropriate forum for a constitutional challenge.

(g) Decisions by the countywide planning authority, acting in its capacity under this act, are legislative in nature. Decisions made by the countywide planning authority may be challenged in a court of competent jurisdiction.

Section 11. Public hearing and notice requirements.—

(1) PUBLIC HEARING BEFORE THE COUNCIL.—The council shall hold at least one public hearing to consider recommending the adoption of or an amendment to the countywide plan. More than one public hearing may be held at the discretion of the council. The location of public hearings shall be determined by the council.

(2) PUBLIC HEARING BEFORE THE COUNTYWIDE PLANNING AUTHORITY.—An ordinance adopted by the countywide planning authority that adopts or amends the provisions of the countywide plan shall be enacted or amended pursuant to the following procedure:

(a) For an amendment to the adopted countywide plan map relating to property involving less than 5 percent of the area of the county, the countywide planning authority shall hold a public hearing on the proposed ordinance.

(b) For an adoption of or amendment to the countywide plan strategies or the countywide rules, for an amendment to the adopted countywide plan map relating to the change in a land use designation for property involving 5 percent or more of the area of the county, or for an adoption of the countywide plan map initiated by the council pursuant to section 10(1)(b), the countywide planning authority shall hold two advertised public hearings on the proposed ordinance. At least one of the hearings shall be held after 5 p.m. on a

weekday, and the second hearing shall be held at least 2 weeks after the first hearing.

(3) FORM OF NOTICE.—Notice shall be provided for in accordance with applicable Florida law and as provided for in the rules.

Section 12. Severability.—It is declared to be the intent of the Legislature that if any section, subsection, sentence, clause, or provision of this act is held invalid by any court of competent jurisdiction, the remainder of the act shall not be affected.

Section 13. Part II of chapter 163, Florida Statutes.—Nothing in this act shall be construed to allow the county or any municipality in the county to adopt a local government comprehensive plan required by part II of chapter 163, Florida Statutes, or any amendment to such plan, that does not comply with part II of chapter 163, Florida Statutes, or any applicable rule or regulation adopted by the Department of Economic Opportunity to implement part II of chapter 163, Florida Statutes. In addition, nothing in this act shall be construed to allow any development order, as defined in section 163.3164, Florida Statutes, to be issued by the county or any municipality in the county that is not consistent with the plans adopted pursuant to part II of chapter 163, Florida Statutes, and any applicable rule or regulation adopted by the Department of Economic Opportunity to implement part II of chapter 163, Florida Statutes.

Section 4. Chapters 73-594, 74-584, 74-586, 76-473, 88-464, and 90-396, Laws of Florida, are repealed.

Section 5. This act shall take effect upon becoming a law or upon the final approval of the Pinellas County Metropolitan Planning Organization's reapportionment plan increasing its membership from 11 to 13 members ("the MPO reapportionment plan"), whichever occurs later. The terms of the existing members of the Pinellas Planning Council shall continue until the MPO reapportionment plan becomes effective and the new members are appointed to the council.

Approved by the Governor April 27, 2012.

Filed in Office Secretary of State April 27, 2012.

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TOWN OF REDINGTON BEACH
ORDINANCE 2019-05

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING THE ANNUAL AMENDMENT TO THE SCHEDULE OF CAPITAL IMPROVEMENTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF REDINGTON BEACH COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the requirements of the Community Planning Act and governs local government comprehensive planning and land development regulation; and

WHEREAS, The Town of Redington Beach adopted its Comprehensive Plan in October, 1989, and has periodically revised and amended the Plan in order to ensure it remains current and responds to current needs and opportunities; and

WHEREAS, pursuant to § 163.3177(3)(b), Florida Statutes, annual modifications to the Five Year Schedule of Capital Improvements are mandatory, which modifications may be accomplished by Ordinance and are not deemed to be an amendment to the Town's Comprehensive Plan; and

WHEREAS, The Building Official and Town Planner of the Town of Redington Beach recommended that the Comprehensive Plan be amended as set out herein; and

WHEREAS, The Planning Board of the Town of Redington Beach, sitting as the Local Planning Agency, found the amended Capital Improvements Schedule to be consistent with the balance of the Town's Comprehensive Plan and recommended its approval; and

WHEREAS, the Town's Finance Committee has been consulted with respect to this Amendment; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to implement the recommendations of the Planning Board;

NOW THEREFORE BE IT ORDAINED, by the Commissioners of the Town of Redington Beach, Florida, in its regular meeting duly assembled on this 15th day of May, 2019, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

Section 2. Table 1, Schedule of Capital Improvements, as established by Ordinance 2018-09, adopted on February 20, 2019, is deleted and the following Table 1 substituted therefor:

<u>Project Type & Name</u>	<u>Fiscal Year Costs/ Funding Sources</u>				
	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Road Repairs F (2) [1]	229,500	229,500			
Drainage Upgrades F (1), (3), (4) [1]	134,700	140,300 (+)	100,000 (+)	100,000 (+)	100,000 (+)
Income Fund Summary					
General Reserves	228,077	230,358	232,662	234,988	237,338
Road Reserves	863,045	639,880	646,279	652,742	659,269
Stormwater Capital Fund	100,000	100,000	100,000	100,000	100,000
Stormwater Grant	75,000				

LEGEND

F = Funded

U = Unfunded

(1) = Penny for Pinellas

(2) = Town Reserves

(3) = Town Enterprise Fund

(+) = Plus rollover funds from previous year

[] = Priority

Section 4. Any portion of this Ordinance deemed unconstitutional or otherwise invalid at law is severable from the remainder thereof.

Section 5 This Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Town of Redington Beach, Pinellas County, Florida, on this 15th day of May, 2019.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Kornijtschuk					
Mayor Simons					

Town of Redington Beach
2019-2020 CIE Amendment –
Schedule Update: Ordinance 2018-xx
Draft 1, 4/18/19, DC/RBMcL/m



THOMAS J. TRASK, B.C.S.*
JAY DAIGNEAULT
RANDY MORA
ERICA F. AUGELLO
DAVID E. PLATTE
PATRICK E. PEREZ
ROBERT M. ESCHENFELDER, B.C.S.*

** Board Certified by the Florida Bar in
City, County and Local Government Law*

MEMORANDUM

DATE: May 3, 2019

TO: Members of the Board of Commissioners
of the Town of Redington Beach

FROM: Thomas J. Trask, Asst. Town Attorney *[Signature]*

THROUGH: Jay Daigneault, Town Attorney *[Signature]*

RE: Code Enforcement Case Up for Foreclosure

The purpose of this memo is to request authorization from the Board of Commissioners to file foreclosure proceedings in connection with the following Code Enforcement case:

Case No.: **CE 2018.01**
Owner: Richard Stolz
Property Address: 311 160th Terrace
Date Lien Recorded: 1-9-19
Nature of Violations: Grass over 12" tall; Pool maintenance
Outstanding Fine: \$17,400.00 as of April 18, 2019
Homestead Status: Non-Homestead
*****Fines continue to accrue at the rate of \$100 per day until the property is brought into compliance and an Order of Compliance is issued.***

The subject property was issued a Notice of Violation on September 26, 2017 and remains non-compliant. A demand letter was sent to the owner by regular and certified mail on April 18, 2019 to both the property address and the owner's mailing address (in California) according the Pinellas County Property Appraiser's (PCPAO) website. It appears that both copies of the demand letter to the PCPAO mailing address were received by Mr. Stolz but we have received no response.

I would respectfully request that the Board of Commissioners authorize me to foreclose on the above-listed lien at your next regular meeting. If you have any questions, please do not hesitate to call me.

Respectfully submitted.

TJT/kt

cc: Melissa "Missy" Clarke, Town Clerk
Adriana Nieves, Deputy Town Clerk