

# **TOWN OF BELLEAIR SHORE EVALUATION AND APPRAISAL REPORT**



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The Gail Easley Company  
in conjunction with the  
Pinellas Planning Council**

**Adoption  
July 19, 2006**

**Town of Belleair Shore**

**Comprehensive Plan**  
**Evaluation and Appraisal Report**

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**July, 2006**

## EVALUATION AND APPRAISAL REPORT

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## Section 1: Assessment of Town and Changes since the Plan Adoption

### A. Town Description

#### *Geography*

The Town of Belleair Shore was established as a town in 1955. It consists of approximately one mile of beachfront containing 61 properties between Gulf Boulevard to the east and the Gulf of Mexico to the west. It is bordered on the north and east by the City of Belleair Beach and on the south by the City of Indian Rocks Beach.<sup>1</sup> There has been no change in the town's geographical area since the Comprehensive Plan was adopted in 1989.

#### *Population, Demographic and Economic Conditions*

In 1990, the population of Belleair Shore was recorded by the U.S. Census as 60 persons. The 2000 Census recorded the population at 75 permanent residents, an increase of 25.0 percent from 1990. The Bureau of Economic and Business Research (BEBR) estimates the population of Belleair Shore in 2005 at 72, a decrease of -4.0 percent since 2000.<sup>2</sup> The population projections summarized below indicate that Belleair Shore will have a population of 79 by the year 2015. PPC projects a population of 75 people in 2030 while BEBR projects a total of 83.

<b>TABLE 1</b>			
<b>BELLEAIR SHORE POPULATION</b>			
<b>PPC Permanent Projections</b>		<b>BEBR Medium Projections</b>	
<b>2015</b>	<b>2030</b>	<b>2015</b>	<b>2030</b>
79	75	77	83

As of 2001, the Pinellas County Supervisor of Elections office reported that Belleair Shore had 84 registered voters.<sup>3</sup> The town contains 55 residences, with only two platted lots remaining that could be built-on. The population may vary according to the size of households, or by the number of seasonal residents; nevertheless, the size, population, and configuration of the town are anticipated to remain fairly constant within the planning period.

More specific statistics are not available for Belleair Shore from the U.S. Census Bureau because of the size of the community. An update of the demographics for the plan amendment will be made during the plan amendment process using a ratio based on the most closely related census tract data available for 2000.

<sup>1</sup> Belleair Shore [www.belleairshore.com](http://www.belleairshore.com), History.

<sup>2</sup> PPC Population Estimates and Projections, Page 1.

<sup>3</sup> St. Pete Times, online, April 22, 2001.

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***Present Land Use and Development Characteristics***

The land area of the town is not expected to change. Annexations are not possible because of abutting municipalities on the south, north, and east, and the Gulf of Mexico located to the west. The land use pattern remains the same, with all lots designated or built as either residential single-family, or recreation/open space. In 1989, there were five undeveloped residential lots. In 2006, there are two residential, single-family lots in Belleair Shore that remain vacant and have never been developed. No land use changes have occurred since the plan was originally adopted in March 1989. Table 2 is an update of the existing land use table in the plan’s inventory and analysis section.<sup>4</sup>

<b>Land</b>	<b>1988</b>		<b>2006</b>	
	<b>Acres</b>	<b>Percent</b>	<b>Acres</b>	<b>Percent</b>
Single-Family Residential (1.39 units/acre)	38.15	88.7	40.25	93.6
Beach Access and Open Space	1.35	3.1	1.35	3.1
Vacant	3.50	8.2	1.40	3.3
	43.00	100.0	43.00	100.0

**B. Purpose and Expected Outcome of the EAR**

The Evaluation and Appraisal Report (EAR) is a tool for the periodic evaluation of growth and change in Belleair Shore. The EAR process allows the community to update its Comprehensive Plan to respond to changes that occur over time. Furthermore, in Florida, growth management legislation requires that each jurisdiction prepares an evaluation and appraisal report every seven years.<sup>5</sup> The EAR is the first step in updating Belleair Shore’s plan, and it is intended to accomplish the purposes as outlined below from *A Guide to Preparing an Evaluation and Appraisal Report*.<sup>6</sup>

1. Identify major issues for the community
2. Review past actions of the local government in implementing the plan since the last EAR
3. Assess the degree to which plan objectives have been achieved
4. Assess both successes and shortcomings of the plan
5. Identify ways that the plan should be changed
  - Respond to changing conditions and trends affecting the local community
  - Respond to the need for new data
  - Respond to changes in state requirements regarding growth management and development
  - Respond to changes in regional plans
6. Ensure effective intergovernmental coordination

<sup>4</sup> Belleair Shore Future Land Use and Recreation Element, page 6.

<sup>5</sup> 163.3191(1), F.S.

<sup>6</sup> FDCA, *Guide*, pg. I-1 and 2. July 19, 2006

The evaluation and appraisal process results in a document (the EAR) that outlines recommended amendments to the Comprehensive Plan. The EAR amendments are based on an evaluation of the plan as it relates to the major issues, an evaluation of the successes and shortcomings of each element within the plan, and the changes needed to comply with legislation adopted since the last plan adoption. The recommendations within the EAR will be based on the assessment of these three areas: issues; elements; and, legislative changes.

Belleair Shore is one lot wide, varying in depth from about 230 feet to 260 feet, less than one mile in length, contains a limited number of residential single-family housing, provides no staff, and has limited funds. The town is built on a barrier island with the nearest connection to the mainland being the Belleair Causeway. Due to the town’s circumstances, location, and limited land area, many of the rules and requirements in Chapter 163, Part II, *Florida Statutes* and 9J-5 *F.A.C.* are not applicable (as shown in Appendices A and B). The EAR will primarily focus on intergovernmental coordination for continued services and hurricane evacuation planning.

**C. Public Participation Process**

Members of the Board of Commissioners attended a public workshop held by the Pinellas Planning Council (PPC) on October 18, 2005, designed to provide local governments with general education and assistance in preparing their EARs. The workshop focused on statutory requirements, local government responsibilities, timelines, how to initiate and carry through a process resulting in a final document, and other topics of interest to participants. Commissioners also attended a second workshop on November 2, 2005, that allowed participants to prepare a schedule for their EAR, begin to identify major tasks, and consider the resources needed to complete the EAR process.

Subsequent to these general public workshops, a public workshop was held by the Board of Commissioners to elicit comments from residents regarding major issues pertinent to Belleair Shore. A letter was mailed to each property owner and resident to notify them of the proposed meeting. These issues are presented in Section 2 of this report. The Board of Commissioners also serves as the Local Planning Agency (LPA).

An agency scoping meeting was held on January 11, 2006, to help identify issues, to discuss various agencies’ concerns, and to ascertain the information and resources other agencies could provide to the Town to assist in evaluating and updating its plan. All neighboring local governments and appropriate state and regional agencies were invited to attend the scoping meeting. This scoping meeting was a multi-jurisdictional event coordinated and hosted by the PPC. The following table summarizes the public meeting held concerning the EAR.

<b>TABLE 3 EVALUATION AND APPRAISAL PUBLIC PROCESS</b>			
<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Purpose</b>
Board of Commissioners Public Workshop	Belleair Bluffs City Hall	November 16, 2005	Issue Identification
Scoping Meeting	Indian Shores Town Hall	January 11, 2006	Coordinated Agency Meeting
LPA	Belleair Bluffs City Hall	July 19, 2006	Public Hearing
Board of Commissioners	Belleair Bluffs City Hall	July 19, 2006	EAR Adoption

**Section 2: EAR Issues Matrix**

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (Impacts, Achievements, Changes, and Recommended Actions)
<p><b>Issue #1: Coordination with County Building Department on Compliance with Town Ordinances</b></p>	<p><b>Housing Element (HE) 1.2: Housing Stock</b> To extend the useful life of the existing housing stock over the horizon of the comprehensive plan.</p>	<p>On-going implementation. No changes needed.</p>
	<p><b>Intergovernmental Coordination Element (ICE) 1.2: Effective Plan Implementation</b> The Town Commission shall implement the Comprehensive Plan through effective intergovernmental coordination.</p>	<p>Pinellas County provides building review and inspection services for Belleair Shore as they do for a number of the municipalities within the county. Because of growth pressures and varying codes requirements, the implementation of code requirements unique to Belleair Shore is an on-going issue for the town.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Consider participation with the Barrier Islands Governmental Council (BIG-C) to hire staff that would provide plan review, building inspection, and code enforcement for its member cities.</li> </ul>
<p><b>Issue #2: Development of a Regular Code Enforcement Program</b></p>	<p><b>None</b></p>	<p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Consider a new objective in the Future Land Use Element to implement a regular code enforcement program.</li> </ul>
	<p><b>HE 1.2: Housing Stock</b> To extend the useful life of the existing housing stock over the horizon of the comprehensive plan.</p>	<p>On-going implementation. No changes needed.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (Impacts, Achievements, Changes, and Recommended Actions)
<p><b>Issue #3: Impact of [beach] Renourishment on Properties in Town</b></p>	<p><b>Coastal Management Element (CME) 1.2: Post Disaster Redevelopment Plans</b></p> <p>To restore or enhance the natural resources and habitat value of severely damaged, newly formed or extensively altered coastal areas following disastrous storm events and to reduce exposure of human life and public and private property to natural hazards.</p>	<p>Renourishment activities in communities adjacent to Belleair Shore have deposited excess sand on the beach along its western boundary. There is a need to work with other agencies to remove the additional sand following significant storm events.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Amend the ICE to coordinate removal of localized excess sand as part of Pinellas County’s beach renourishment program.</li> </ul>
<p><b>Issue #4: Developing and Coordinating Evacuation and Disaster Management</b></p>	<p><b>Future Land Use Element (FLUE) 1.3: Coastal Population Densities</b></p> <p>Recognizing that the Town lies totally within the coastal zone, future land uses shall be maintained at existing densities or lower in an effort to effectively implement local and/or regional evacuation plans.</p>	<p><u>Achievements:</u> The adopted residential density is 1.39 dwelling units per acre. Belleair Shore contains two vacant, residential lots.</p> <p><u>Recommended Action:</u> Ongoing implementation. No changes needed.</p>
	<p><b>CME 1.2: Post Disaster Redevelopment</b></p> <p>To restore or enhance the natural resources and habitat value of severely damaged, newly formed or extensively altered coastal areas following disastrous storm events and to reduce exposure of human life and public and private property to natural hazards.</p>	<p><u>Impacts:</u> Renourishment activities in communities adjacent to Belleair Shore have deposited excess sand on the beach along its western boundary. There is a need to work with other agencies to remove the additional sand following significant storm events.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Amend the ICE to coordinate removal of localized excess sand as part of Pinellas County’s beach renourishment program.</li> </ul>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (Impacts, Achievements, Changes, and Recommended Actions)
	<p><b>CME 1.3 : Development in the Coastal High Hazard Area (CHHA)</b></p> <p>Development in the CHHA shall be restricted and public funding for facilities shall be limited to the restoration or enhancement of natural resources.</p>	<p><u>Achievements:</u> Belleair Shore is a 61-lot, residential community. No increases to density or intensity have occurred since plan adoption in 1989.</p> <p><u>Recommended Action:</u> On-going implementation. No changes needed.</p>
	<p><b>CME 1.5: Hurricane Evacuation</b></p> <p>The Town of Belleair Shore shall not permit development that will increase the hurricane evacuation clearance time adopted by Pinellas County and the Tampa Bay RPC Evacuation Study.</p>	<p><u>Achievements:</u> No increases to density or intensity have occurred since the plan was adopted in 1989. The Town coordinates with the Belleair Beach Police Department regarding evacuation issues and implementation is on-going.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Rewrite the objective to provide the correct document reference.</li> <li>▪ Amend the CME to coordinate evacuation plans with other local governments and the Pinellas County Emergency Management Department and to prepare for sheltering and evacuation strategies.</li> </ul>
	<p><b>Traffic Element (TE) 1.4</b></p> <p>The Town shall provide, through cooperation with Pinellas County transportation system which promotes public safety and welfare.</p>	<p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ Rewrite the objective to address contemporary means of evacuation.</li> <li>▪ Amend the plan to provide a Transportation Element.</li> </ul>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (Impacts, Achievements, Changes, and Recommended Actions)
<p><b>Issue #5: Affordable Housing</b></p>	<p><b>HE 1.3: Countywide Housing Programs</b> To coordinate with and support countywide efforts to provide housing opportunities and moderate income households.</p>	<p>Although a coordination mechanism is in place for housing programs, existing objectives do not specifically relate to affordable or workforce housing.</p> <p><u>Recommended Actions:</u></p> <ul style="list-style-type: none"> <li>▪ Amend the ICE to coordinate with Pinellas County and other municipalities within the county to develop a regional approach to affordable and workforce housing strategies.</li> <li>▪ Rewrite HE Objective 1.3 to clarify and expand to include any new housing programs or strategies for affordable and workforce housing developed in coordination with Pinellas County. (This program or strategy would be the same as above objective in ICE.)</li> <li>▪ Revise and update housing data and analysis.</li> </ul>

## Section 3: Plan Element Review

### Future Land Use and Recreation and Open Space Element

#### *Overview*

Belleair Shore lies totally within the Coastal High Hazard Area (CHHA), possesses no infrastructure other than seawalls, and is essentially built-out. The town contains only two residential parcels that remain vacant and never developed. There are no plans to amend the combined Future Land Use and Recreation and Open Space Element (FLU&R/OSE). This element uses its objectives to ensure that the character and physical environment are maintained through establishing land use categories and maintaining existing density. The following are key features of the element:

- Limit the amount of right-of-way necessary for roadway and utilities to the existing 100 feet;
- Development activities shall not measurably degrade the natural resources;
- Future land uses shall be maintained at existing densities or lower;
- Provide consistency with the *Countywide Plan*;
- Prohibit urban sprawl; and
- Establishes land use categories.

#### *Successes and Shortcomings*

Belleair Shore has two future land use categories: Residential Suburban and Recreation/Open Space. No changes in land use have occurred since the plan was adopted in 1989. Other than three lots designated and used by town residents as Recreation/Open Space, Belleair Shore consists entirely of single-family homes. A plan amendment was adopted by ordinance in 1993 to provide land use categories consistent with the *Countywide Plan*, however, neither the uses nor the density were changed.

#### *Recommended Action*

- FLU & R/OSE Policy 1.3.1, regarding coordination of evacuations, was never implemented. Consider rewriting this policy and associate it with an objective relating to hurricane evacuation in the Intergovernmental Coordination Element (ICE). Belleair Shore could have representation at emergency management planning meetings.
- Re-evaluate FLU & R/OSE Objective 1.5 in view of installation of underground utilities. The objective and associated policies should be revised to reflect construction of additional lanes on Gulf Boulevard, underground utilities, beautification, and enhanced pedestrian safety strategies.

### Traffic Circulation Element

#### *Overview*

One major transportation route serves through traffic and provides access for the beach communities both north and south of Belleair Shore. Gulf Boulevard abuts the town in a north/south direction connecting it with the municipal limits of the City of Belleair Beach to the north and Indian Rocks Beach to the south. The western terminus of the Belleair Causeway connects the

island community with Belleair Bluffs to the east on the mainland. There are no local roads within the town limits as all the lots abut Gulf Boulevard. Belleair Shore, therefore, does not have any fiscal responsibility to maintain any road or street within its jurisdiction.

The focus of the Traffic Circulation Element (TCE) is to ensure that coordination with Pinellas County is maintained to provide service on this road. TCE objectives include the following:

- Contain upgrades to Gulf Boulevard within the existing 100 feet of right-of-way;
- Prescribes coordination with the land use categories of the Future Land Use Map, Florida Department of Transportation, and other units of local government;
- Provision for a transportation system which promotes public safety and welfare; and,
- Level-of-service for Gulf Boulevard.

### ***Successes and Shortcomings***

Belleair Shores has no local streets because each lot abuts Gulf Boulevard. All maintenance, repairs, and expansions are provided by Pinellas County. The Pinellas Suncoast Transit Authority provides service along Gulf Blvd., thus providing reasonable access. The Traffic Circulation Element must be replaced with a “Transportation Element” as required; otherwise, the adopted goal, objectives, and policies have provided the appropriate guidance. The Town will coordinate adoption of the appropriate LOS for Gulf Boulevard with Pinellas County.

### ***Recommended Action***

- Since the plan’s adoption in 1989, a change to Section 163.3177, F.S. requires that local jurisdictions within urbanized areas adopt a “Transportation Element.” Retitle the element as required.
- Delete reference to PATS in Objective 1.3.

## **Housing Element**

### ***Overview***

Little room exists in Belleair Shore for the addition of new housing as only two lots remain vacant. The Housing Element focuses on coordination with Pinellas County and with the private sector if and when development occurs. The following are the main features of the element:

- Coordination with and support of countywide efforts to provide housing opportunities and moderate income households.
- Assistance to the private sector when and where new development occurs.
- Extend the useful life of the existing housing stock.

### ***Successes and Shortcomings***

Belleair Shore has added new single-family dwelling units to three of five vacant lots since the plan adoption in 1989. The land use continues to be low density residential and recreation and open space access to the beach.

***Recommended Action***

- Revise all goals, objectives and policies that contain references to implementation for past years.

**Infrastructure Element*****Overview***

Belleair Shore relies on Pinellas County for the provision of sanitary sewer, potable water, and stormwater drainage engineering services. All water, sewer, road, and storm drainage systems serving the town are physically located outside of the corporate limits within the neighboring City of Belleair Beach. Coordination with Pinellas County, Belleair Beach, Belleair Bluffs, and the Pinellas Suncoast Fire and Rescue District is essential for the necessary services to the town. The features of the Infrastructure Element include:

- Coordination with Pinellas County to ensure that adequate public facility capacity for essential services is available to meet the demands of future development;
- Coordination with Belleair Beach for law enforcement; Belleair Bluffs for meeting facilities; and, Pinellas Suncoast Fire and Rescue District for fire services;
- Future development shall be consistent with the Future Land Use Element and the adopted levels of service standards;
- Coordination with Pinellas County to reduce all volumes of solid waste requiring disposal; and
- Implementation of water conservation measures.

***Successes and Shortcomings***

Drainage: Pinellas County designed and installed a stormwater drainage system during 1992-94. This installation resolved the public drainage issues affecting the town.

Solid waste: A private company, Waste Services of Florida, collects the solid waste for the residents of Belleair Shore. Each homeowner has the option of participating in their recycling collection as well.

Potable water: The County is completing the installation of a reclaimed water system within Belleair Shore. This will allow homeowners to conserve valuable potable water resources, even though the Town has no local responsibility for potable water supply or distribution facilities.

Both the water supply and distribution systems are provided by Pinellas County. The wholesale water supply is provided to Pinellas County by Tampa Bay Water (TBW), a regional water supply authority, and the Pinellas County Utilities Department owns and maintains the distribution system. Belleair Shore is a retail customer of the Pinellas County Utilities Department and has no responsibility regarding the supply of potable water to its citizens.

The Town, through its association with TBW and Pinellas County, has identified alternative water supply resources such as the salt water desalination plant, brackish ground water desalination, and water conservation and reuse techniques. However, on its own, the town does not have the financial or technical resources or capabilities to design, construct, or implement

such far reaching water supply alternatives. Through the County's membership in the Tampa Bay Regional Water Supply Authority, the Town is part of the partnership agreement with the Southwest Florida Water Management District (SWFWMD). This agreement, "entered into by the District, Tampa Bay Water, and its member governments, provides for the development of a safe, sustainable, cost effective water supply through a cooperative approach."<sup>1</sup>

Because Belleair Shore does not own or operate any portion of the water supply, treatment, or distribution system, and is merely a retail customer of the Pinellas County Utilities Department, the requirement to "evaluate the degree to which the town has implemented the work plan for building public, private, and regional water supply facilities" is not applicable to this municipality. Belleair Shore will continue its cooperative agreement with the Pinellas County Utilities Department and participate in conservation and other potable water initiatives sponsored by that department, TBW, and SWFWMD.

### ***Recommended Action***

- If the town loses its water service as provided through Pinellas County and TBW, the town may consider contracting with a water hauler to provide the necessary water.
- Update Objective 1.2 to include the reclaimed water project and delete the past date.
- Amend Objective 1.4 to eliminate reference to the 1994 reduction of solid waste. The Town should continue to provide for recycling.

## **Coastal Management Element**

### ***Overview***

The purpose of the Coastal Management Element (CME) is to protect the quality of the natural environment, to protect human life, and to limit public expenditures in the Coastal High Hazard Area (CHHA). This element restricts development in coastal areas only allowing for restoration or enhancement of natural resources. It also prohibits any development which would increase hurricane evacuation times. The following are the main features of the element:

- Development in the CHHA shall be restricted and public funding for facilities shall be limited to the restoration or enhancement of natural resources;
- Restore or enhance the natural resources and habitat value of coastal areas following disastrous storm events;
- Prohibit development which would cause an increase in hurricane evacuation clearance time;
- Establish sound coastal management policies; and
- Density limitations in the CHHA.

### ***Successes and Shortcomings***

Development within Belleair Shore is limited to the existing lots, single-family homes, and beach access for town residents. The infrastructure is limited to seawalls along the Gulf of Mexico; 50 percent of the seawalls along private property have been replaced or improved in recent years. All the seawalls abutting public property are new. Therefore, activities and funding have been limited to restoration and enhancement activities.

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<sup>1</sup> RWSP, page 112.  
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The town is situated such that it does not suffer from beach erosion. The opposite situation occurs here, as sand from renourishment activities on other beaches flows onto theirs. The Town would like to obtain permission from the applicable oversight agency or agencies to remove some sand from its beaches.

There have been no reductions in residential density or changes to any land use category since the plan was originally adopted in 1989.

***Recommended Action***

- On-going implementation; no actions are recommended.
- Provide that the definition of the CHHA is amended to be consistent with the definition in Chapter 163, *F.S.* as adopted by the 2006 Legislature.

**Conservation**

***Overview***

The purpose of the Conservation Element is to protect the natural resources of Belleair Shore. The element includes:

- Protection and enhancement of natural resources, including coastal and inland areas; and,
- Maintenance or improvement of ambient air quality.

***Successes and Shortcomings***

No changes have occurred since 1989 to require alteration of this element.

***Recommended Action***

- Ongoing implementation; no changes are recommended.

**Intergovernmental Coordination**

***Overview***

The Intergovernmental Coordination Element (ICE) establishes the coordination necessary for Belleair Shore to ensure effective management and provision of service. The following are the features of the element:

- Coordinate with the Pinellas Planning Council to maintain consistency with the Countywide Comprehensive Plan;
- Coordinate with other units of local government that provide services, including adjacent municipalities, and the County ; and
- Plan implementation through effective intergovernmental coordination.

***Successes and Shortcomings***

Coordination with other local governments and agencies is the primary function of Belleair Shore. The Barrier Islands Governmental Council (BIG-C) is an organization formed to foster communication between and among the municipalities located on the barrier island. This consortium of local governments focuses on problems common to all and provides a united voice in addressing county, state, and regional governments. As an active participant in the BIG-C, Belleair Shore is effectively communicating with the member governments.

***Recommended Action***

- Ongoing implementation; no actions are recommended.

**Capital Improvements*****Overview***

The Capital Improvements Element (CIE) for Belleair Shore is unique in that it states that the Town will not provide public facilities to the residents. The only objective of the CIE is to ensure that land use decisions are coordinated with service providers so that levels-of-service (LOS) standards are maintained. The sole objective states:

- The town shall coordinate land use decisions with the providers of facilities to ensure that adopted LOS standards are maintained.

***Successes and Shortcomings***

The CIE provides the guidance needed by Belleair Shore. Coordination of services is the town's primary function; this function has been fulfilled.

***Recommended Action***

- On-going implementation; no changes are recommended.

***Evaluation of Level of Service Standards***

Belleair Shore is comprised of 58 single family lots and three beach access/open space parcels, comprising a total of 43 acres. All water, sewer, road and storm drainage systems serving the town are physically located outside of the corporate limits within the neighboring City of Belleair Beach. Belleair Shore possesses no infrastructure beyond the water, sewer, electric and telephone lines directly serving the 58 individual residential single family lots and three beach access/open space parcels. The seawalls paralleling each single family residence and the lots serving as beach access and open space are the only infrastructure located within the town. Only those seawalls directly abutting public property (i.e., three beach access sites) are the fiscal responsibility of the Town. All other seawalls are privately owned and maintained.

TABLE 1 LEVEL-OF-SERVICE CONDITIONS		
Services and Facilities	Adopted Levels-of-Service	Existing Levels-of-Service
Roads	<i>Traffic Circulation Element Objective 1.1</i> Cooperate with Pinellas County in the adopted LOS for Gulf Boulevard: Peak hour LOS “D”	A <sup>2</sup>
Sanitary Sewer	<i>Infrastructure Element Policy 1.1.1</i> 104 gallons per day, per capita	No deficiencies identified by Pinellas County <sup>3</sup>
Potable Water	<i>Infrastructure Element Policy 1.1.1</i> 145 gallons per day, per capita	No deficiencies identified by Pinellas County <sup>4</sup>
Solid Waste	<i>Infrastructure Element Policy 1.1.1</i> 7.1 pounds per day, per capita	6.30 lbs per day, per capita <sup>5</sup>
Drainage	<i>Infrastructure Element Policy 1.1.1</i> 100-year, 24-hour storm event	No deficiencies identified
Recreation/ Open Space	<i>FLU &amp; R/OSE Policy 1.5.4</i> Beach Access/Open Space LOS: 1 acre per 100 persons	No deficiencies identified. The Town maintains three parking areas and open space for beach access.

**Roads**

The Metropolitan Planning Organization (MPO) maintains LOS information for road segments within Pinellas County and its municipalities. The Link ID numbers and functional classifications are those listed in the MPO *Level of Service Inventory Report* for 2005.

TABLE 2 2005 EXISTING LOS CONDITIONS					
Link ID #	Street	From	To	Functional Classification	2005 LOS
816	Gulf Blvd.	Belleair Causeway	Clearwater	Arterial Class 2	A
815	Gulf Blvd.	Walsingham Road	Belleair Causeway	Arterial Class 2	A

<sup>2</sup> MPO, LOS Inventory Report.

<sup>3</sup> Pinellas County, *Evaluation and Appraisal Report*, J-60.

<sup>4</sup> Ibid, J-63.

<sup>5</sup> Waste Service, Inc., May 22, 2006. The 2005 BEBR estimate of population was used to derive the pounds per capita per day.  
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***Sanitary Sewer***

The wastewater generated by the single-family residences continues to be collected and treated by Pinellas County wastewater treatment facilities. As stated in the plan, the sanitary sewer LOS will continue to be Pinellas County's adopted LOS of 104 gallons per day per person for the purpose of calculating future demand.

***Potable Water***

The Comprehensive Plan projected a total water demand based on a build-out scenario (a projected maximum of 113 people) for Belleair Shore and a LOS of 145 gallons per day per capita (gpd); the maximum potable water demand is 16,385 gallons per day. Although the years cited in the plan are past, the LOS standard, on a countywide basis, has been reduced to an average of 93 gallons per capita per day, as stated in the Pinellas County EAR<sup>6</sup>. In summary, the demands placed upon the potable water system as a result of continued development in the town are negligible. With only two remaining single-family lots to be developed, a maximum of 16,685 gallons per day will be required at total build-out. Similarly, all water lines serving the town are located outside the corporate limits and are the responsibility of other public entities.

***Solid Waste***

The amount of solid waste currently generated by the 58 residential lots within the town is slightly under the adopted LOS. The tonnage figures provided by Waste Services, Inc. include the amount of waste collected for recycling.

***Drainage***

Belleair Shore owns no stormwater drainage facilities. No change is required to the LOS.

***Parks and Recreation***

There is appropriate and adequate public beach access for Belleair Shore residents. No change is needed to the LOS.

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<sup>6</sup> Pinellas County, EAR, J-64.  
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## **Section 4: Summary of Recommendations**

The anticipated actions or corrective measures discussed in Sections 2 and 3, and Tables 163 and 9J-5 are presented in this section. These recommendations are based on the analysis of new population projections, new revised planning timeframes, and any new and revised goals, objectives, and policies for major issues identified within each element. When the plan is updated, much that is not applicable to Belleair Shore will be eliminated.

<b>SUMMARY OF RECOMMENDED CHANGES</b>		
<b>Element</b>	<b>Recommendation</b>	<b>Citation</b>
Future Land Use and Recreation and Open Space (FLU & R/OSE)	<ol style="list-style-type: none"> <li>1. Consider a new objective in the Future Land Use Element and Recreation/Open Space (FLU &amp; R/OSE) to implement a regular code enforcement program.</li> <li>2. Consider rewriting FLU &amp; R/OSE Policy 1.3.1 and associate it with an objective relating to hurricane evacuation in ICE.</li> <li>3. Re-evaluate FLU &amp; R/OSE Objective 1.5 and revise to reflect plans for underground utilities, beautification, and enhanced pedestrian safety strategies.</li> <li>4. The plan update shall include new planning periods. Recommend that these time frames be 2015 and 2025.</li> <li>5. Consider adding the Gulf of Mexico to the list of recreational facilities.</li> </ol>	<p>Section 2, Issues</p> <p>Section 3, Plan Elements</p> <p>Section 3, Plan Elements</p> <p>F.S. 163.3177(5)(a)</p> <p>F.S. 163.3177(6)(e)</p>
Traffic Circulation (TCE)	<ol style="list-style-type: none"> <li>1. Amend TCE by rewriting Objective 1.4 to address contemporary means of evacuation.</li> <li>2. Amend the TCE to re-title “Transportation Element” as required.</li> <li>3. Delete reference to PATS in Objective 1.3.</li> </ol>	<p>Section 2, Issues</p> <p>F.S. 163.3177(6)(h) and F.A.C. 9J5.019</p> <p>Section 3, Plan Elements</p>
Housing (HE)	<ol style="list-style-type: none"> <li>1. Re-write HE Objective 1.3 to clarify and expand to include new housing programs or initiatives for workforce and affordable housing. This may be achieved through participation with Pinellas County in addressing solutions to affordable and workforce housing..</li> <li>2. Revise and update housing data and analysis.</li> </ol>	<p>Section 2, Issues F.A.C. 9J-5.010(3)</p> <p>Section 2, Issues</p>

<b>SUMMARY OF RECOMMENDED CHANGES</b>		
<b>Element</b>	<b>Recommendation</b>	<b>Citation</b>
Intergovernmental Coordination (ICE)	1. Consider participation with the Barrier Islands Governmental Council to hire staff that would provide plan review, building inspection, and code enforcement for its member cities.	Section 2, Issues
	2. Amend the ICE to coordinate removal of localized excess sand as part of Pinellas County’s beach renourishment program.	Section 2, Issues
	3. Amend the ICE to coordinate with Pinellas County and other municipalities within the County to develop a regional approach to affordable and workforce housing strategies.	Section 2, Issues
	4. Amend ICE to include the findings of the Pinellas County Interlocal Service Delivery report as the findings pertain to Belleair Shore.	163.3177(6)(h)6., 7., & 8.
	5. Include an objective that ensures the adoption of an interlocal agreement concerning public school facilities within one year following the Plan amendment.	9J-5.015(3)(b)5 &6
Infrastructure (IE)	1. Update the IE data and analysis to correctly cite the partnership agreement between the Town, SWFWMD, and TBW.	F.A.C. 9J-5.011(1)(g)
	2. Update Objective 1.2 to include the reclaimed water project and delete the past date.	Section 3, Plan Elements
	3. Amend Objective 1.4 to eliminate reference to the 1994 reduction of solid waste. The Town could continue to provide for recycling.	Section 3, Plan Elements

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
Coastal Management (CME)	<ol style="list-style-type: none"> <li>1. Rewrite Objective 1.5 to provide the correct document reference.</li> <li>2. Amend the CME to coordinate evacuation plans with other local governments and the Pinellas County Emergency Management Department and to prepare for sheltering and evacuation strategies.</li> <li>3. Amend CME to include recommendations from the interagency hazard mitigation report, if applicable.</li> <li>4. Consider strategies to preserve recreational waterfronts.</li> <li>5. Provide that the definition of the CHHA is amended to be consistent with the definition in Chapter 163, <i>F.S.</i> as adopted by the 2006 Legislature.</li> </ol>	<p>Section 2, Issues</p> <p>Section 2, Issues</p> <p>F.A.C. 9J-5.012(3)</p> <p>F.S. 163.3178(2)(g)</p> <p>Section 3, Elements</p>
Capital Improvements (CIE)	<ol style="list-style-type: none"> <li>1. Amend the CIE to include standards for the management of debt or that no debt will be incurred.</li> <li>2. Consider whether the LOS standards are appropriate and recommend new standards where needed.</li> <li>3. Amend CIE ensure an adequate concurrency management system. The system may include appropriate timing standards, such as:                             <ol style="list-style-type: none"> <li>a. The proposed development consists of a single-family house on a lot of record.</li> <li>b. The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted level-of-service standard (LOSS) for the peak hour for the affected roads or road segments.</li> <li>c. The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one percent of the maximum service volume at the adopted LOSS of the road or road segment, if the facility does not meet</li> </ol> </li> </ol>	<p>F.S. 163.3177(3)(a)4.</p> <p>163.3180(9)(d) Section 3, Elements</p> <p>163.3180; F.A.C. 9J-5.0055 and 9J-5.016</p>

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	<p>the minimum LOSS; or</p> <p>d. The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110 percent of the roadway capacity for the adopted LOS.</p> <p>4. Amend Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement.</p> <p>5. Consider a provision to prepare and update a schedule of capital improvements and to allow amendment of the CIE on an annual basis. This could be instituted only if the town should decide to adopt any capital improvements.</p>	<p>F.S. 163.3177</p> <p>163.3180(5)(d) Not applicable</p>
Public School Facilities (New)	Belleair Shore is exempt from the need to prepare a PFSE. See letter of exemption in Appendix G of this report.	163.3177(6)(a); 163.31777; 163.3177(12); 163.3180(13); 9J-5.025; 9J-5.015(3)(c)
All Elements	Review all objectives and policies for past dates and amend as necessary to provide contemporary language and guidance, and correct agency names, citations, and titles.	

**APPENDIX A**

**Changes to Chapter 163, Florida Statutes, 1986-2005**

Changes to Chapter 163, Florida Statutes, 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>1986:</b> [Ch. 86-191, SS.7 - 12, & 18 - 31, <u>Laws of Florida</u> ]					
1	The requirement that plans include <b>soil surveys</b> which indicate the suitability of soils for septic tanks moved from the Capital Improvements Element to the General Sanitary Sewer, Solid Waste, Drainage, Potable Water & Natural Groundwater Aquifer Recharge Element, by striking Subparagraph 163.3177(3)(a)4., & adding the last sentence of Paragraph 163.3177(6)(c).	163.3177(6)(c)	X		
2	A <b>Future Land Use Element</b> must have "goals, policies, & measurable objectives," rather than "measurable goals, objectives, & policies."	163.3177(6)(a)		Future Land Use and Recreation/Open Space Element	
3	<b>Eliminated the 12-month delay</b> for consistency with the comprehensive regional policy plans.	163.3177(9)(c)	X		
4	<p><b>Approved 9J-5, F.A.C.</b></p> <p><b>Defined "consistency," "compatible with," &amp; "furthers."</b></p> <p>Required each local government to <b>review &amp; address all State Comprehensive Plan provisions</b> relevant to that jurisdiction.</p> <p>Support data shall not be subject to the compliance review process, but that <b>goals &amp; policies</b> must be clearly <b>based on appropriate data</b>. The Department of Community Affairs authorized to reject data if not collected in a professionally accepted manner, but forbidden to require a particular professionally accepted methodology. 9J-5 does not require original data collection.</p> <p>Recognized that local governments are charged with setting <b>level-of-service</b> standards.</p> <p><b>Public facilities &amp; services</b> needed to support development shall be available <b>concurrent</b> with the impacts of development.</p> <p><b>Established the "shield" against rule challenges</b> to 9J-5 until July 1, 1987.</p>	163.3177(10)		X	

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
5	Required the comprehensive master plan for each <b>deepwater port</b> to be submitted to the appropriate local government at least 6 months before the due date of the local plan; defined "appropriate local government," & provided for sanctions for deepwater ports which are not part of a local government & which fail to submit their comprehensive master plan.	163.3178(2)(k)	X			
6	Substantially reworded Section 163.3184, " <b>Process for adoption</b> of comprehensive plan or amendment thereto," to basic format in place today.	163.3184		X		
7	Extended <b>development of regional impact exemption</b> from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)		X		
8	Exempted <b>small scale amendments</b> from the twice-a-year limitation.	163.3187(1)(c)		X		
9	Required the local planning agency <b>evaluation &amp; appraisal report</b> to be transmitted to DCA, & required the governing body of the local government to adopt, or adopt with changes, the local planning agency's report within 90 days after receipt. Authorized transmittal of the EAR plan amendments, rather than the entire plan as amended, to DCA.	163.3191(1) & (4) <b>[Note: 163.3191 was amended &amp; reworded in 1998. Check statutes for current wording.]</b>		X		
10	<b>Delayed implementation of concurrency</b> until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)		X		
11	Initial adoption of the <b>Florida Local Government Development Agreement Act</b> .	<b>[Now: 163.3220-.3243]</b>		X		
<b>1987:</b> [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), & Ch. 87-338, <u>Laws of Florida</u> ]						
12	<b>Extended date for DCA to adopt schedule for submittal</b> of local plans from October 1, 1986 to October 1, 1987, & extended the latest date for submission by non-coastal counties from July 1, 1990 to July 1, 1991.	<b>[Now: 163.3167(2)]</b>		X		
<b>1988:</b> None						
<b>1989:</b> None						
<b>1990:</b> None						
<b>1991:</b> [Ch. 91-45, SS. 31 & 32, <u>Laws of Florida</u> ] Nothing substantive.						
<b>1992:</b> [Ch. 92-129, <u>Laws of Florida</u> , & Ch. 92-279, S. 77, <u>Laws of Florida</u> ]						

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
13	Clarified that the <b>procedures for approval</b> of the original plans also applied to <b>plan amendments</b> .	[Now: 163.3189(2)(a)]		X		
14	Provided that the <b>local planning agency</b> should prepare plan amendments.	163.3174 163.3164(13)[Now: (14)] 163.3221(10)[Now: (11)]		X		
15	Added " <b>spoil disposal sites</b> for maintenance dredging located in the intracoastal waterways, except for spoil disposal sites owned or used by ports" to the definition of "public facilities."	163.3164(24)	X			
16	Added requirement that <b>independent special districts</b> submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. [Now: 163.3177(6)(h)3.]		X		
17	Extended " <b>shield</b> " <b>against challenges</b> to the portion of Rule 9J-5 that was adopted before October 1, 1986, from July 1 1987 to April 1, 1993.	163.3177(10)(k)		X		
18	Recognized the need for <b>innovative planning &amp; development strategies</b> to address the anticipated continued urbanization of the coast & other environmentally sensitive areas.	163.3177(11)(a)		X		
	Stated that plans should allow <b>land use efficiencies</b> within existing urban areas, & should also allow for the conversion of rural lands to other uses.	(11)(b)		X		
	Provided that plans & land development regulations (LDRs) should <b>maximize the use of existing facilities &amp; services through redevelopment, urban infill</b> , & other strategies for urban revitalization.	(11)(c)		X		
19	<b>Amended definition of "affected person"</b> to clarify that the affected person's comments, recommendations, or objections have to be submitted to the local government after the transmittal hearing for the plan amendment & before the adoption of the amendment.	163.3184(1)(a)		X		
20	Required the local government to <b>include such materials as DCA specifies by rule</b> with each plan amendment transmittal.	163.3184(3)(b)		X		
21	Gave the local government <b>120 days</b> , rather than 60 days, <b>after receipt of the objections, recommend-dations, &amp;</b>	163.3184(7)(a) [Now: 163.3184(7)(c)1]		X		

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Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<b>comments to adopt or adopt with changes the plan or amendment;</b> & gives the local government 10 days, rather than 5 days, after adoption to transmit the adopted plan or amendment to DCA. Also requires that a copy of the adopted plan or amendment be transmitted to the regional planning council.					
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can <b>issue a notice of intent (NOI)</b> .	163.3184(8)(b)		X		
23	Required that the <b>Division of Administrative Hearings hearing</b> must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)		X		
24	Provided that <b>new issues</b> cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)		X		
25	Added a <b>procedure for compliance agreements.</b>	163.3184(16)		X		
26	Changed the <b>requirements for small scale amendments:</b> <ul style="list-style-type: none"> <li>• Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; &amp; for other land use, an increase form 3 to 10 acres. Also increased the annual total from 30 to 60 acres.</li> <li>• Allowed local governments to use a newspaper ad of less than a quarter page in size.</li> <li>• Authorized DCA to adopt rules establishing an alternative process for public notice for small scale amendments.</li> <li>• Provided that small scale amendments require only an adoption hearing.</li> </ul>	163.3187(1)(c)		X		
27	Provided that a <b>plan amendment required by a compliance agreement</b> may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) <b>[Now: 163.3187(1)(d)]</b>		X		
28	Stated that nothing in the statute prevented a local government from requiring a person requesting an amendment to pay the <b>cost of publication of notice.</b>	163.3187(5)		X		
29	Created <b>an alternative process for amendment</b> of adopted comprehensive plans.	163.3189		X		



Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
36	Amended the <b>intergovernmental coordination element (ICE)</b> by:  Requiring each ICE to include: <ul style="list-style-type: none"> <li>• A process to determine if development proposals will have significant impacts on state or regional facilities.</li> <li>• A process for mitigating extrajurisdictional impacts in the jurisdiction in which they occur.</li> <li>• A dispute resolution process.</li> <li>• A process for modification of DRI development orders without loss of recognized development rights.</li> <li>• Procedures to identify &amp; implement joint planning areas.</li> <li>• Recognition of campus master plans.</li> <li>• Requiring each county, all municipalities within that county, the school board, &amp; other service providers to enter into formal agreements, &amp; include in their plans, joint processes for collaborative planning &amp; decision-making.</li> </ul> Requiring DCA to: <ul style="list-style-type: none"> <li>• Adopt rules to establish minimum criteria for ICE.</li> <li>• Prepare a model ICE.</li> <li>• Establish a schedule for phased completion &amp; transmittal of ICE plan amendments.</li> </ul>	163.3177(6)(h)1. & 2.  [Note: Requirement deleted in 1996]  [Now: 163.3177(9)(h) 163.3177(9)(h) 163.3177(6)(h)5.]			Intergovernmental Coordination Element (ICE) 1.1.2 Regional issues shall be addressed and conflicts with other local governments resolved at, by or through the Tampa Bay Regional Planning Council.  ICE 1.1.4 The Town of Belleair Shore shall continue to utilize interlocal agreements or contracts for services.  ICE 1.3.1 The City shall participate in the Countywide Planning Process.	
37	Providing that <b>amendments to implement the ICE</b> must be adopted no later than December 31, 1997. [Now: 1999]	Now: 163.3177(6)(h)5.	X			
38	Requiring a <b>transportation element</b> for urbanized areas.	163.3177(6)(h) [Now: 163.3177(6)(j)]			The plan has a Traffic Circulation Element (TCE) in place.	Amend the TCE to retitle to Transportation Element as required.
39	Adding an <b>optional hazard mitigation/post disaster redevelopment element</b> for local governments that are not required to have a coastal management element.	163.3177(7)(l)			Belleair Shore has a Coastal Management Element (CME).	
40	Requiring DCA to <b>consider land use compatibility</b> issues in the <b>vicinity of airports</b> .	163.3177(10)(l)		X		
41	<b>Amended the coastal management element</b> by:	163.3178			CME 1.1.5 The Coastal High Hazard Area is defined as the town	The definition of the CHHA was changed in 2006 legislation.

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> <li>Defining "<b>high hazard coastal areas</b>" as category I evacuation zones, &amp; stated that mitigation &amp; redevelopment policies are at the discretion of the local government.</li> <li>Affirming state commitment to deepwater ports, &amp; required the Section 186.509 dispute resolution process to reconcile inconsistencies between port master plans &amp; local comp plans.</li> <li>Encouraging local governments to adopt countywide marina siting plans.</li> <li>Requiring coastal local governments to identify spoil disposal sites in the future land use &amp; port elements.</li> <li>Requiring each county to establish a process for identifying &amp; prioritizing <b>coastal properties for state acquisition</b>.</li> </ul>	(2)(h)  (5)  (6)  (7)  (8)	  X  X  X  X		limits of Belleair Shore.	Amend the CME as necessary to comply with the new definition.
42	<p>Created a <b>new section for concurrency</b> which:</p> <ul style="list-style-type: none"> <li>Provides concurrency on a statewide basis only for roads, sewers, solid waste, drainage, potable water, parks &amp; recreation, &amp; mass transit; a local government can extend concurrency to public schools if it first conducts a study to determine how the requirement would be met.</li> <li>Set timing standards for concurrency of:</li> <li>For sewer, solid waste, drainage &amp; potable water facilities, in place no later than the issuance of the certificate of occupancy.</li> <li>For parks &amp; recreation facilities, no later than 1 year after issuance of certificate of occupancy.</li> <li>For transportation facilities, in place or under actual construction no later than 3 years after issuance of a certificate of occupancy.</li> <li>Allowing exemptions from transportation concurrency for urban infill, urban redevelopment &amp; downtown revitalization.</li> <li>Allowing a de minimus transportation impact of not more than 0.1% of the maximum volume of the</li> </ul>	163.3180	X		<p>CIE 1.1: The town shall coordinate land use decisions with the provider of facilities to ensure that adopted LOS standards are maintained. Policies 1.1.1 through 1.1.5 ensure public facilities consistent with the LOS standards.</p> <p>ICE 1.2.3: Level of service standards shall be coordinated with other state, regional, or local entities having operational and maintenance responsibility for public facilities.</p>	<p>Amend the Capital Improvements Element (CIE) to include an objective for concurrency management and which establishes appropriate timing standards, such as:</p> <p>(1) The proposed development consists of a single-family house on a lot of record.</p> <p>(2) The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted level-of-service standard for</p>

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	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	adopted level of service as an exemption from concurrency. <ul style="list-style-type: none"> <li>• Authorizing the designation of transportation management areas.</li> <li>• Allowing urban redevelopment to create 110% of the actual transportation impact caused by existing development before complying with concurrency.</li> <li>• Authorizing local governments to adopt long-range transportation concurrency management systems with planning periods of up to 10 years where significant backlogs exist.</li> <li>• Requiring local governments to adopt the level-of-service standard established by the Department of Transportation for facilities on the Florida Intrastate Highway System.</li> <li>• Allows development that does not meet concurrency if the local government has failed to implement the Capital Improvements Element, &amp; the developer makes a binding commitment to pay the fair share of the cost of the needed facility.</li> </ul>					the peak hour for the affected roads or road segments. (3) The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one (1) percent of the maximum service volume at the adopted Level of Service standards of the road or road segment, if the facility does not meet the minimum Level of Service standard; or (4) The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110% of the roadway capacity for the adopted LOS.  Amend CIE Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement.
43	Provided a procedure to ensure <b>public participation</b> in the approval of a publicly financed capitol improvement.	163.3181(3)		X		
44	Amended the <b>procedure for the adoption of plans &amp; plan amendments</b> as follows:	163.3184		X		

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> <li>Proposed plans or amendments, &amp; materials, must be <b>transmitted</b> to the regional planning councils, the water management districts, the Department of Environmental Protection, &amp; the Department of Transportation as specified in DCA's rules.</li> <li>DCA reviews amendments only upon the request of the regional planning council, an affected person, or the local government, or those, which it wishes to review.</li> <li>The regional planning council's review of plan amendments is limited to effects on regional facilities or resources identified in the strategic regional policy plan &amp; extra jurisdictional impacts.</li> <li>DCA may not require a local government to <b>duplicate or exceed a permitting program</b> of a state, federal, or regional agency.</li> </ul>					
45	Provided that local governments <b>cannot amend their comp plans after the date established for submittal of the EAR</b> report unless the report has been submitted.	163.3187(5) [Now: 163.3187(6)(a)]		X		
46	Changed the <b>Alternative Process</b> for the amendment of adopted comp plans to the Exclusive Process.	163.3189(1)		X		
47	Provided that <b>plan amendments do not become effective</b> until DCA or the Administration Commission issues a final order determining that the amendment is in compliance.	163.3189(2)(a)		X		
48	Provides that the <b>sanctions</b> assessed by the Administration Commission do not occur unless the local government elects to make the amendment effective despite the determination of noncompliance.	163.3189(2)(b)		X		
49	Authorizing the local government to demand <b>formal or informal mediation</b> , or expeditious resolution of the amendment proceeding.	163.3189(3)(a)		X		
50	Amended the <b>EARs</b> section to require additional statements of: <ul style="list-style-type: none"> <li>The effect of changes to the state comprehensive plan, ch. 163, part II, 9J-5 &amp; the strategic regional policy plan.</li> <li>The identification of any actions that need to be taken</li> </ul>	163.3191 [Note: 163.3191 was amended & reworded in 1998. Check statutes for current wording.]			See the Evaluation and Appraisal Report (EAR).	

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	to address the planning issues identified in the report. <ul style="list-style-type: none"> <li>Proposed or anticipated amendments.</li> <li>A description of the public participation process.</li> <li>Encourage local governments to use the EAR to develop a local vision.</li> <li>Allows DCA to grant a 6 month extension for the adoption of plan amendments required by the EAR.</li> <li>Requires plan amendments to be consistent with the report.</li> <li>Allows municipalities of less than 2,500 to submit the EAR no later than 12 years after initial plan, &amp; every 10 years thereafter.</li> <li>Authorized DCA to review EAR for sufficiency, but not for compliance. DCA authorized to delegate review to the regional planning council .</li> <li>Administration Commission is authorized to impose sanctions for failure to timely implement the EAR.</li> <li>DCA authorized to enter into agreement with municipalities of less than 5,000 &amp; counties of less than 50,000 to focus planning efforts on selected issues when updating the plans.</li> </ul>			X X X X X X		
<b>1994</b> [Ch. 94-273, S. 4, <u>Laws of Florida</u> ]						
51	A plan amendment for the location of a <b>state correctional facility</b> can be made at any time, & does not count toward the <b>twice-a-year limitation</b> .	163.3187(1)(f) <b>[Now: 163.3187(1)(e)]</b>		X		
<b>1995</b> [Ch. 95-181, ss. 4-5; Ch. 95-257, ss. 2-3; Ch. 95-310, ss. 7-12; Ch. 95-322, ss. 1-7; Ch. 95-341, ss. 9, 10, & 12, <u>Laws of Florida</u> ]						
52	Required opportunities for <b>mediation or alternative dispute resolution</b> where a property owner's request for a comprehensive plan amendment is denied by a local government [Subsection 163.3181(4)] & prior to a hearing where a plan or plan amendment was determined by the DCA to be not in compliance.	163.3184(10)(c)			ICE 1.1.2 Regional issues shall be addressed and conflicts with other local governments resolved at, by or through the Tampa Bay Regional Planning Council.	
53	<b>Added a definition</b> for " <b>transportation corridor management</b> " [Subsection 163.3164(30)] & allowed the designation of transportation corridors in the required traffic	163.3177(6)(j)9.	X			

N/A = Not Applicable  
July 19, 2006

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/ A*	Process	Addressed (where/how)	Amendment Needed By Element
	circulation & transportation elements & the adoption of transportation corridor management ordinances.					
54	<b>Amended the definition of "public notice"</b> & certain <b>public notice &amp; public hearing</b> requirements to conform to the public notice & hearing requirements for counties & municipalities in Sections 125.66 & 166.041, respectively.	163.3164(18), 163.3171(3), 163.3174(1) & (4), & 163.3181(3)(a), 163.3184(15)(a)-(c), 163.3187(1)(c)		X		
55	Prohibited any <b>initiative or referendum process</b> in regard to any development order or comprehensive plan or map amendment that affects five or fewer parcels of land.	163.3167(12)		X		
56	Reduced to 30 <b>[Note: changed to 20]</b> days the time for DCA to <b>review comp plan amendments</b> resulting from a <b>compliance agreement</b> .	163.3184(8)(a)		X		
57	Amended the requirements for the <b>advertisement of DCA notice of intent</b> .	163.3184(8)(b)		X		
58	Required the administrative law judge to <b>realign the parties</b> in a Division of Administrative Hearings (DOAH) proceeding where a local government adopts a plan amendment pursuant to a compliance agreement.	163.3184(16)(f)		X		
59	Added clarifying language relative to those <b>small scale plan amendments</b> that are exempt from the <b>twice-per-year limitation &amp; prohibited DCA review</b> of those small scale amendments that meet the statutory criteria in Paragraph 163.3187(1)(c).	163.3187(1)(c) & (3)(a)-(c)		X		
60	Required DCA to consider an increase in the annual total acreage threshold for <b>small scale amendments</b> . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)		X		
61	Required local planning agencies to provide opportunities for <b>involvement by district school boards &amp; community college boards</b> .	163.3174(1)		X		
62	Required that the future land use element clearly identify those <b>land use categories</b> where <b>public schools</b> are allowed.	163.3177(6)(a)			There are no public schools in Belleair Shore; there is no suitable land area available; and Belleair Shore is located on a barrier island which should preclude	

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/ A*	Process	Addressed (where/how)	Amendment Needed By Element
					building any public schools.	
63	Established certain criteria for local governments wanting to extend <b>concurrency to public schools</b> . (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) <b>[Now: 163.3180(13)]</b>		X		
<b>1996:</b> [Ch. 96-205, s. 1; Ch. 96-320, ss. 10-11; 96-416, ss. 1-6, 15, <u>Laws of Florida</u> ]						
64	Substantially amended the criteria for <b>small scale amendments</b> that are exempt from the <b>twice-per-year limitation</b> .	163.3187(1)(c)		X		
65	Revised the objectives in the coastal management element to include the <b>maintenance of ports</b> .	163.3177(6)(g)9.	X			
66	Provide that certain <b>port related expansion projects</b> are not DRIs under certain conditions.	163.3178(2), (3), & (5)	X			
67	Allowed a county to designate areas on the future land use plan for possible <b>future municipal incorporation</b> .	163.3177(6)(a)	X			
68	Required the <b>ICE</b> to include consideration of the plans of <b>school boards</b> & other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)			ICE 1.3.1 Belleair Shore will participate in the countywide planning process.	
69	Revised the <b>processes &amp; procedures</b> to be included in the ICE.	163.3177(6)(h)		X		
70	Required that within 1 year after adopting their <b>ICE</b> each county & all municipalities & school boards therein establish by interlocal agreement the <b>joint processes</b> consistent with their ICE.	163.3177(6)(h)2.		X		
71	Required local governments who utilize <b>school concurrency</b> to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. <b>[Now: 163.3180(13)(g)]</b>	X			
72	Permitted a county to adopt a <b>municipal overlay</b> amendment to address future possible municipal incorporation of a specific geographic area.	163.3217	X			
73	Authorized DCA to conduct a <b>sustainable communities demonstration project</b> .	163.3244 <b>[Now: Repealed.]</b>	X			
<b>1997:</b> [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u> ]						
74	Amended the definition of <b>de minimis impact</b> as it pertains to concurrency requirements.	163.3180(6)		X		

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
75	Established that no plan or plan amendment in an <b>area of critical state concern</b> is effective until found in compliance by a final order.	163.3184(14)	X			
76	Amended the criteria for the annual effect of <b>Duval County small scale amendments</b> to a maximum of 120 acres.	163.3187(1)(c)1.a.III	X			
77	Prohibited amendments in <b>areas of critical state concern</b> from becoming effective if not in compliance.	163.3189(2)(b)	X			
<b>1998:</b> [Ch. 98-75, s. 14; Ch. 146, ss. 2-5; Ch. 98-176, ss. 2-6 & 12-15; Ch. 98-258, ss. 4-5, <u>Laws of Florida</u> ]						
78	<b>Exempted brownfield area</b> amendments from the <b>twice-a-year limitation</b> .	163.3187(1)(g)	X			
79	Required that the <b>capital improvements element</b> set forth standards for <b>the management of debt</b> .	163.3177(3)(a)4.				Amend the CIE to include standards for the management of debt or that no debt will be incurred.
80	Required inclusion of at least <b>two planning periods</b> – at least 5 years & at least 10 years.	163.3177(5)(a)				The FLU & R/OSE update shall include new planning periods. Recommend that these time frames be 2015 and 2025.
81	Allowed <b>multiple individual plan amendments</b> to be considered together as one amendment cycle.	163.3184(3)(d)		X		
82	<b>Defined "optional sector plan"</b> & created Section 163.3245 allowing local governments to address DRI issues within certain identified geographic areas.	163.3164(31) & 163.3245		X		
83	Established the requirements for a <b>public school facilities element</b> .	163.3177(12)		X		
84	Established the minimum requirements for imposing <b>school concurrency</b> .	163.3180(12) [Now: Section (13)]		X		
85	Required DCA adopt <b>minimum criteria</b> for the compliance determination of a <b>public school facilities element</b> imposing school concurrency.	163.3180(13) [Now: Section 14]		X		
86	Required that <b>evaluation &amp; appraisal reports</b> address coordination of the comp plan with existing public schools & the school district's 5-year work program.	163.3191(2)(i) [Now: 163.3191(2)(k)]			See EAR	

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/ A*	Process	Addressed (where/how)	Amendment Needed By Element
87	Amended the definition of "in compliance" to include consistency with Sections 163.3180 & 163.3245.	163.3184(1)(b)		X		
88	Required DCA to <b>maintain a file with all documents received or generated</b> by DCA relating to plan amendments & identify; limited DCA review of proposed plan amendments to written comments, & required DCA to identify & list all written communications received within 30 days after transmittal of a proposed plan amendment.	163.3184(2), (4), & (6)	X			
89	Allowed a <b>local government to amend its plan</b> for a period of up to one year after the initial determination of sufficiency of an adopted EAR even if the EAR is insufficient.	163.3187(6)(b)		X		
90	Substantially reworded Section 163.3191, F.S., related to <b>evaluation &amp; appraisal reports</b> .	163.3191			The EAR addresses current requirements.	
91	Changed the <b>population requirements</b> for municipalities & counties which are required to submit otherwise optional elements.	163.3177(6)(i)		X		
<b>1999:</b> [Ch. 99-251, ss. 65-6, & 90; Ch. 99-378, ss. 1, 3-5, & 8-9, <u>Laws of Florida</u> ]						
92	Required that <b>ports</b> & local governments in the coastal area, which has <b>spoil disposal responsibilities</b> , identify dredge disposal sites in the comp plan.	163.3178(7)	X			
93	Exempted from the <b>twice-per-year limitation</b> certain port related amendments for <b>port transportation facilities</b> & projects eligible for funding by the Florida Seaport Transportation & Economic Development Council.	163.3187(1)(h)	X			
94	Required <b>rural counties</b> to base their future land use plans & the amount of land designated <b>industrial</b> on data regarding the need for job creation, capital investment, & economic development & the need to strengthen & diversify local economies.	163.3177(6)(a)	X			
95	<b>Added the Growth Policy Act to Ch. 163, Part II</b> to promote <b>urban infill &amp; redevelopment</b> .	163.2511, .2514, .2517, .2520, .2523, & .2526		X		
96	Required that all comp plans comply with the <b>school siting requirements</b> by October 1, 1999.	163.3177(6)(a)	X			
97	Made <b>transportation facilities</b> subject to concurrency.	163.3180(1)(a)	X			

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/ A*	Process	Addressed (where/how)	Amendment Needed By Element
98	Required use of <b>professionally accepted techniques</b> for measuring level of service for cars, trucks, transit, bikes & pedestrians.	163.3180(1)(b)		X		
99	Excludes <b>public transit facilities</b> from <b>concurrency</b> requirements.	163.3180(4)(b)	X			
100	Allowed <b>multiuse DRIs</b> to satisfy the <b>transportation concurrency</b> requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)	X			
101	Allowed <b>multimodal transportation districts</b> in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X			
102	Exempted amendments for <b>urban infill &amp; redevelopment areas, public school concurrency</b> from the <b>twice-per-year limitation</b> .	163.31879(1)(h) & (i) [Now: (i) & (j)]		X		
103	<b>Defined brownfield designation</b> & added the assurance that a developer may proceed with development upon receipt of a brownfield designation. [Also see Section 163.3221(1) for "brownfield" definition.]	163.3220(2)		X		
<b>2000:</b> [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <u>Laws of Florida</u> ]						
104	<b>Repealed Section 163.3184(11)(c), F.S.</b> , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) [Now: Repealed]	X			
105	<b>Repealed Section 163.3187(7), F.S.</b> that required consideration of an increase in the annual total acreage threshold for small scale plan amendments & a report by DCA.	163.3187(7) [Now: Repealed]	X			
106	<b>Repealed Sections 163.3191(13) &amp; (15), F.S.</b>	163.3191(13) & (15) [Now: Repealed]	X			
107	Allowed <b>small scale amendments</b> in <b>areas of critical state concern</b> to be exempt from the twice-per-year limitation only if they are for affordable housing.	163.3187(1)(c)1.e		X		
108	Added exemption of sales from local option surtax imposed under Section 212.054, F.S., as examples of <b>incentives</b> for new development within <b>urban infill &amp; redevelopment areas</b> .	163.2517(3)(j)2.	X			

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/ A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>2001:</b> [Ch. 2001-279, s. 64, Laws of Florida]						
109	Created the <b>rural land stewardship area</b> program.	163.3177(11)(d)	X			
<b>2002:</b> [Ch. 2002-296, ss. 1 - 11, Laws of Florida]						
110	Required that all agencies that review comprehensive plan amendments & rezoning include a <b>nonvoting representative of the district school board</b> .	163.3174		X		
111	Required <b>coordination of local comprehensive plan</b> with the regional water supply plan.	163.3177(4)(a)				This provision was amended by the 2005 legislation. See #145.
112	<b>Plan amendments for school-siting</b> maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		X		
113	Required that by <b>adoption of the EAR</b> , the sanitary sewer, solid waste, drainage, potable water & natural groundwater aquifer recharge element consider the regional water supply plan & <b>include a 10-year work plan</b> to build the identified water supply facilities.	163.3177(6)(c)				See #145
114	Required <b>consideration of the regional water supply plan</b> in the preparation of the conservation element.	163.3177(6)(d)				See #145
115	Required that the <b>intergovernmental coordination element (ICE)</b> include relationships, principles & guidelines to be used in coordinating comp plan with regional water supply plans.	163.3177(6)(h)				See #145
116	Required the local governments adopting a public educational facilities element execute an <b>interlocal agreement</b> with the district school board, the county, & non-exempting municipalities.	163.3177(6)(h)4.				Belleair Shore is exempt from the new PSFE requirement. See Appendix G.
117	Required that counties larger than 100,000 population & their municipalities submit a <b>interlocal service delivery agreement</b> (existing & proposed, deficits or duplication in the provisions of service) report to DCA by January 1, 2004. Each local government is required to update its ICE based on the findings of the report. DCA will meet with affected parties to discuss & identify strategies to remedy any deficiencies or duplications.	163.3177(6)(h)6., 7., & 8.				Amend the ICE to include relevant findings from the interlocal service delivery agreement.
118	Required local governments & special districts to provide <b>recommendations for statutory changes for annexation</b> to the Legislature by February 1, 2003.	163.3177(6)(h)9.		X		

	Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
119	Added a <b>new Section 163.31776</b> that allows a county, to adopt an optional public educational facilities element in cooperation with the applicable school board.	163.31776	X			
120	Added a <b>new Section 163.31777</b> that requires local governments & school boards to enter into an interlocal agreement that addresses school siting, enrollment forecasting, school capacity, infrastructure & safety needs of schools, schools as emergency shelters, & sharing of facilities.	163.31777				See PSFE letter of exemption in Appendix G.
121	<b>Added a provision</b> that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill & redevelopment areas.	163.3180(4)(c)		X		
122	<b>Expanded the definition of "affected persons"</b> to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		X		
123	<b>Expanded the definition of "in compliance"</b> to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		X		
124	<b>Streamlined the timing</b> of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), & (8)		X		
125	Required that local governments provide a <b>sign-in form</b> at the transmittal hearing & at the adoption hearing for persons to provide their names & addresses.	163.3184(15)(c)		X		
126	<b>Exempted amendments</b> related to providing transportation improvements to enhance life safety on "controlled access major arterial highways" from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)(k)		X		
127	<b>Required EARs to include</b> (1) consideration of the appropriate regional water supply plan, & (2) an evaluation of whether past reductions in land use densities in coastal high hazard areas have impaired property rights of current residents where redevelopment occurs.	163-3191(2)(1)			See the EAR.	
128	Allowed local governments to <b>establish a special master process</b> to assist the local governments with challenges to local development orders for consistency with the comprehensive plan.	163.3215		X		
129	Created the <b>Local Government Comprehensive Planning Certification Program</b> to allow less state &	163.3246		X		

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	regional oversight of comprehensive plan process if the local government meets certain criteria.				
130	Added a provision to <b>Section 380.06(24), Statutory Exemptions</b> , that exempts from the requirements for developments of regional impact, any water port or marina development if the relevant local government has adopted a "boating facility siting plan or policy" (which includes certain specified criteria) as part of the coastal management element or future land use element of its comprehensive plan. The adoption of the boating facility siting plan or policy is exempt from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)	X		
131	Prohibited a local government, under certain conditions, from denying an <b>application for development approval</b> for a requested land use for certain proposed solid waste management facilities.	163.3194(6)	X		
<b>2003:</b> [Ch. 03-1, ss. 14-15; ch. 03-162, s. 1; ch. 03-261, s. 158; ch. 03-286, s. 61, <u>Laws of Florida.</u> ]					
132	Creates the <b>Agricultural Lands &amp; Practices Act</b> .  (2): Provides <b>legislative findings &amp; purpose</b> with respect to agricultural activities & duplicative regulation.  (3): <b>Defines the terms "farm," "farm operation," &amp; "farm product"</b> for purposes of the act.  (4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a <b>bona fide farm operation</b> on land that is classified as agricultural land.  (4)(a): Provides that the act does <b>not limit the powers of a county</b> under certain circumstances.  (4)(b): Clarifies that a <b>farm operation</b> may not expand its operations under certain circumstances.  (4)(c): Provides that the act does not limit the <b>powers of certain counties</b> .	163.3162	X		

**Changes to Chapter 163, Florida Statutes, 1986-2005**

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	(4)(d): Provides that certain county ordinances are not deemed to be a <b>duplication of regulation</b> .				
133	Changes "State Comptroller" <b>references</b> to "Chief Financial Officer."	163.3167(6)		X	
134	Provides for certain <b>airports</b> to abandon DRI orders.	163.3177(6)(k)	X		
135	Amended to <b>conform to the repeal</b> of s. 235.185 & the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2)-(3)		X	
136	Amended to <b>conform to the repeal</b> of ch. 235 & the enactment of similar material in ch. 1013.	163.37111(1)(c), (2)(e)-(f), (3)(c), (4), (6)(b)		X	
<b>2004:</b> [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, <u>Laws of Florida.</u> ]					
137	(10): Amended to <b>conform to the repeal</b> of the Florida <b>High-Speed Rail</b> Transportation Act, & the creation of the Florida High-Speed Rail Authority Act.  (13): Created to require local governments to identify adequate <b>water supply sources</b> to meet future demand.  (14): Created to limit the effect of <b>judicial determinations</b> issued subsequent to certain development orders pursuant to adopted land development regulations.	163.3167	X		Amended requirement in 2005 legislation. See #145.
				X	
138	(1): Provides <b>legislative findings</b> on the compatibility of development with <b>military installations</b> .  (2): Provides for the <b>exchange of information</b> relating to <b>proposed land use decisions</b> between counties & local governments & military installations.  (3): Provides for <b>responsive comments</b> by the commanding officer or his/her designee.  (4): Provides for the county or affected local government to <b>take such comments into consideration</b> .  (5): Requires the representative of the military installation to be an <b>ex-officio, nonvoting member</b> of the county's or local government's land planning or zoning board.	Creates 163.3175.	X		







Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>(6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the <b>alternative water supply projects</b> selected by the local government to meet its water supply needs.</p> <p>(6)(e): Required recreation and open space elements to include <b>waterways</b> in the comprehensive system of public and private sites for recreation.</p> <p>(11)(d)4.c.: Required <b>rural land stewardship areas</b> to address <b>affordable housing</b>.</p> <p>(11)(d)5.: Required a <b>listed species survey</b> be performed on <b>rural land stewardship receiving area</b>. If any listed species present, must ensure adequate provisions to protect them.</p> <p>(11)(d)6.: Must enact an ordinance establishing a <b>methodology</b> for creation, conveyance, &amp; use of <b>stewardship credits</b> within a <b>rural land stewardship area</b>.</p> <p>(11)(d)6.j.: Revised to allow <b>open space &amp; agricultural land</b> to be just as important as environmentally sensitive land when assigning stewardship credits.</p> <p>(12): Must adopt <b>public school facilities element</b>.</p> <p>(12)(a) &amp; (b): A <b>waiver</b> from providing this element will be allowed under certain circumstances.</p> <p>(12)(g): Expanded list of items to include <b>colocation, location of schools proximate to residential areas, &amp; use of schools as emergency shelters</b>.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>X</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Belleair Shore is exempt from preparing a PSFE. The Town meets the criteria established in F.S. 163.3177(12)(a) &amp; (b).</p>	<p>(6)(e) Amend the R/OS to include the Gulf of Mexico as part of the comprehensive system of public and private recreational sites.</p> <p>(12) See Appendix G, PSFE letter of exemption.</p>

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(12)(h): Required local governments to provide maps depicting the general <b>location</b> of new schools &amp; school improvements within future conditions maps.</p> <p>(12)(i): Required DCA to establish a <b>schedule for adoption</b> of the public school facilities element.</p> <p>(12)(j): Established <b>penalty</b> for failure to adopt a public school facility element.</p> <p>(13): (<b>New section</b>) Encourages local governments to develop a "<b>community vision</b>," which provides for sustainable growth, recognizes its fiscal constraints, &amp; protects its natural resources.</p> <p>(14): (<b>New section</b>) Encourages local governments to develop a "<b>urban service boundary</b>," which ensures the area is served (or will be served) with adequate public facilities &amp; services over the next 10 years. See s. 163.3184(17).</p>			X   X   X		
146	163.31776 is <b>repealed</b>	163.31776 [Now: Repealed]		X		
147	<p>(2): Required the <b>public schools interlocal agreement</b> (if applicable) to address requirements for <b>school concurrency</b>. The <b>opt-out provision</b> at the end of Subsection (2) is deleted.</p> <p>(5): Required <b>Palm Beach County</b> to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.</p> <p>(7): Provided that counties exempted from <b>public school facilities element</b> shall undergo <b>re-evaluation</b> as part of its <b>EAR</b> to determine if they continue to meet exemption criteria.</p>	163.31777	X   X			
1471	Based on Chapter <b>2005-157</b> , Laws of Florida (2)(g), the <b>shoreline use component</b> shall address	163.3178			Belleair Shore has no commercial working	Amend CME, if necessary, to address

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	strategies to preserve recreational and commercial working waterfronts as defined in s. 342.07				waterfronts.	strategies to preserve recreational and waterfronts.
148	<p>(1)(a): Added <b>“schools”</b> as a required concurrency item.</p> <p>(2)(a): Required consultation with water supplier prior to issuing building permit to ensure <b>“adequate water supplies”</b> to serve new development is available by the date of issuance of a certificate of occupancy.</p> <p>(2)(c): Required <b>all transportation facilities</b> to be in place or under construction within <b>3 years</b> (rather than 5 years) after approval of building permit.</p> <p>(4)(c): Allowed concurrency requirement for public schools to be waived within urban infill &amp; redevelopment areas (163.2517).</p> <p>(5)(d): Required <b>guidelines for granting concurrency exceptions</b> to be included in the comprehensive plan.</p> <p>(5)(e) – (g): If local government has established <b>transportation exceptions</b>, the guidelines for implementing the exceptions must be <b>“consistent with &amp; support a comprehensive strategy, &amp; promote the purpose of the exceptions.”</b> Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data &amp; analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when EAR update.</p> <p>(6): Required local government to <b>maintain records</b> to determine whether 110% <b>de minimis transportation impact</b> threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves</p>	163.3180	X			Belleair Shore is exempt from the PSFE. See Appendix G.
			X			
				X		
			X			
				X		

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>the de minimis exceptions.</p> <p>(7): Required consultation with the Department of Transportation prior to designating a <b>transportation concurrency management area</b> (to promote infill development) to ensure adequate level-of-service standards are in place. The local government &amp; the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p> <p>(9)(a): Allowed adoption of a <b>long-term concurrency management system for schools</b>.</p> <p>(9)(c): <b>(New section)</b> Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a <b>long-term concurrency management system</b>.</p> <p>(9)(d): <b>(New section)</b> Required evaluation in EAR of progress in improving levels of service.</p> <p>(10): Added requirement that level of service standard for roadway facilities on <b>the Strategic Intermodal System</b> must be consistent with FDOT standards. Standards must consider <b>compatibility with adjacent jurisdictions</b>.</p> <p>(13): Required <b>school concurrency</b> (not optional).</p> <p>(13)(c)1.: Requires school concurrency after five years to be applied on a <b>“less than districtwide basis”</b> (e.g., by using school attendance zones, etc).</p> <p>(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.</p> <p>(13)(c)3.: No application for development approval may be denied if a <b>less-than-districtwide measurement of school concurrency</b> is used; however the development</p>		<p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p>	<p>See EAR.</p> <p>No SIS roadway within the city.</p>	<p>(13) Belleair Shore is exempt from the PSFE. See Appendix G.</p>

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>impacts must to shifted to contiguous service areas with school capacity.</p> <p>(13)(e): Allowed school concurrency to be satisfied if a developer executes a <b>legally binding commitment</b> to provide mitigation proportionate to the demand.</p> <p>(13)(e)1.: Enumerated mitigation options for achieving <b>proportionate-share mitigation</b>.</p> <p>(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must <b>credit</b> this amount toward any <b>impact fee or exaction</b> imposed on the community:</p> <ul style="list-style-type: none"> <li>• contribution of land</li> <li>• construction, expansion, or payment for land acquisition</li> </ul> <p>(13)(g)2.: <b>(Section deleted)</b> – It is no longer required that a local government &amp; school board base their plans on consistent population projection &amp; share information regarding planned public school facilities, development &amp; redevelopment &amp; infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.</p> <p>(13)(g)6.a.: <b>[Formerly (13)(g)7.a.]</b> Local governments must establish a <b>uniform procedure for determining if development applications are in compliance with school concurrency</b>.</p> <p>(13)(g)7. <b>[Formerly (13)(g)8.] Deleted</b> language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p> <p>(13)(h): <b>(New 2005 provision)</b> The fact that <b>school concurrency</b> has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p>			X		

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(15): Prior to adopting <b>Multimodal Transportation Districts</b>, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government &amp; the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p> <p>(16): <b>(New 2005 section)</b> Required local governments to adopt by <b>December 1, 2006</b> a method for assessing <b>proportionate fair-share mitigation options</b>. FDOT will develop a model ordinance by December 1, 2005.</p>		X			
149	<p>(17): <b>(New 2005 section)</b> If local government has adopted a <b>community vision &amp; urban service boundary</b>, state &amp; regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>(18): <b>(New 2005 section)</b> If a municipality has adopted an urban infill &amp; redevelopment area, state &amp; regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	163.3184	X			
150	<p>(1)(c)1.f.: Allowed approval of residential land use as a <b>small-scale development amendment</b> when the proposed density is equal to or less than the existing future land use category. Under certain circumstances <b>affordable housing units</b> are exempt from this limitation.</p> <p>(1)(c)4.: <b>(New 2005 provision)</b> If the small-scale development amendment involves a <b>rural area of critical economic concern</b>, a 20-acre limit applies.</p> <p>(1)(o): <b>(New 2005 provision)</b> An amendment to a <b>rural area of critical economic concern</b> may be approved</p>	163.3187	X	X		



**APPENDIX B**

**Changes to Rule 9J-5, F.A.C., 1989-2001**

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>November 22, 1989</b>						
1	<b>Defined</b> availability or available, concurrency, concurrency management system, currently available revenue sources, & public facilities & services. <i>Note: the definition of availability or available was repealed March 23, 1994 &amp; the that for public facilities &amp; services was repealed Feb. 25, 2001.</i>	9J-5.003		X		
2	Required comp plan amendments applicable to the <b>Wekiva River Protection Area</b> to meet requirements of section 369.301, F.S., in addition to meeting compliance requirements of section 163.3184, F.S.	9J-5.005(8)	X			
3	Required local governments to adopt a <b>concurrency management system</b> in their comprehensive plans & established requirements for such systems.	9J-5.0055			ICE 1.2.3 Level of service standards shall be coordinated with other state, regional, or local entities having operational and maintenance responsibility for public facilities.  ICE 1.3 The Town of Belleair Shore shall coordinate with the Pinellas Planning Council so as to maintain consistency with the Countywide Comprehensive Plan.	
4	Required the capital improvement element (CIE) to include requirements to ensure an adequate <b>concurrency management system</b> is implemented.	9J-5.016				Amend CIE to ensure an adequate Concurrency Management System is implemented.
5	Clarified requirements relating to <b>projected revenue sources</b> that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.		X		
<b>April 2, 1992</b>						
6	<b>Defined</b> transportation concurrency management area, transportation demand management, transportation system management, & transportation mobility element. <i>Note: definitions of TCMA &amp; TME were repealed March 23, 1994.</i>	9J-5.003		X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
7	Authorized local governments to establish optional <b>transportation concurrency management areas</b> & provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>	9J-5.0057	X			
8	Required <b>transportation concurrency management areas</b> to be shown on the future land use map.	9J-5.006(4)(a)		X		
9	Required CIE to ensure <b>concurrency management areas</b> are implemented, if designated.	9J-5.016		X		
<b>March 23, 1994</b>						
10	<b>Defined</b> central business district, coastal area, evaluation & appraisal report, partial evaluation & appraisal report, proposed evaluation & appraisal report, sufficiency review, & very low income family. <i>Note: definition of VLI family repealed March 21, 1999.</i>	9J-5.003		X		
11	<b>Revised definition</b> of coastal high hazard areas & modified definition of coastal area & included the term coastal planning area. <i>Note: the definition of coastal planning area was revised March 21, 1999.</i>	9J-5.003		X	CME 1.1.5 The Coastal High Hazard Area is defined as the town limits of Belleair Shore.	The CME will be amended to be consistent with the CHHA definition as amended by the 2006 Legislature.
12	<b>Repealed definitions</b> of availability or available, transportation concurrency management area, & transportation mobility element.	9J-5.003		X		
13	Required local comprehensive plans to include a countywide <b>marina siting plan</b> for participating local governments in the coastal area & <b>intergovernmental coordination</b> processes.	9J-5.005(1)(c)	X			
14	Revised <b>monitoring &amp; evaluation</b> requirements to include a description of the public participation process & components of the evaluation & appraisal process. <i>Note: Revised Feb. 25, 2001.</i>	9J-5.005(7)		X		
15	Added procedures for transmittal & review of <b>evaluation &amp; appraisal reports &amp; evaluation &amp; appraisal amendments</b> . <i>Note: Repealed March 21, 1999 &amp; February 25, 2001.</i>	9J-5.0053	X			
16	Revised requirements for the concurrency management system to include provisions regarding <b>level of service standards, &amp; minimum requirements for concurrency</b> , & authorized local governments to incorporate within their concurrency management system optional long term	9J-5.0055			ICE 1.2.3 Level of service standards shall be coordinated with other state, regional, or local entities having operational and	

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	concurrency management systems, transportation concurrency management areas, transportation concurrency exception areas; concurrency exceptions for projects that promote public transportation, & provisions for private contributions to local government capital improvement planning.				<p>maintenance responsibility for public facilities.</p> <p>ICE 1.3 The Town of Belleair Shore shall coordinate with the Pinellas Planning Council so as to maintain consistency with the Countywide Comprehensive Plan.</p>	
17	Repealed provisions authorizing establishment of optional <b>transportation concurrency management areas</b> & providing requirements for such areas.	9J-5.0057		X		
18	Required the future land use element for coastal counties & municipalities that have dredge spoil disposal responsibilities to identify any existing <b>dredge spoil disposal sites</b> & include an analysis of the need for additional dredge spoil disposal sites.	9J-5.006(1)(f)3 & 9J-5.006(2)(f)		X		
19	Required the future land use element to include an analysis of <b>proposed development &amp; redevelopment</b> based upon hazard mitigation reports.	9J-5.006(2)(g)			Not applicable	
20	Required the future land use element to include objectives encouraging elimination or reduction of uses that are inconsistent with an <b>interagency hazard mitigation report</b> & ensure the availability of <b>dredge spoil disposal sites</b> for coastal counties & cities.	9J-5.006(3)(b)			CME 1.2.2 Post disaster redevelopment and land use shall be appropriate for the respective hazard zone and shall be limited to single family residential and beach access.	
21	Required policies of the future land use element to designate <b>dredge spoil disposal sites</b> for affected coastal counties & municipalities & establish <b>site selection criteria</b> for future dredge spoil disposal sites.	9J-5.006(3)(c)			CE 1.2.3 Prohibition on dredging.	
22	Required local governments to adopt the <b>level of service standards</b> established by the Department of Transportation for facilities on the Florida Intrastate Highway System & adopt adequate level of service standards for all other transportation facilities. <i>Note: 9J-5.007 repealed Feb. 20, 1996, &amp; replaced by 9J-5.019.</i>	9J-5.007(3)(c)	X			

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
23	Required the ports, aviation & related facilities element to include an analysis of the need for additional <b>dredge spoil disposal sites</b> for existing & proposed ports. <i>Note: 9J-5.009 repealed Feb. 20, 1996, &amp; replaced by 9J-5.019, F.A.C.</i>	9J-5.009(2)(c)	X			
24	Required the housing element inventory & analysis to: <ul style="list-style-type: none"> <li>• Use data from the affordable housing needs assessment;</li> <li>• Address <b>housing needs</b> of existing &amp; future residents;</li> <li>• Avoid the concentration of affordable housing; &amp;</li> <li>• Address the needs of very-low income families as well as low &amp; moderate income families.</li> </ul>	9J-5.010(1) & (2)	X			
25	Required <b>housing element objectives</b> to address: <ul style="list-style-type: none"> <li>• Housing <b>needs</b> of current &amp; future residents;</li> <li>• <b>Sites &amp; distribution</b> of housing for very-low income &amp; low-income families; &amp;</li> <li>• Use of job training, job creation &amp; economic <b>solutions</b> to address affordable housing concerns.</li> </ul>	9J-5.010(3)				Amend HE to participate with Pinellas County in addressing solutions to affordable and workforce housing.
26	Required coastal management element inventories & analyses to be coordinated with the countywide <b>marina siting plan</b> .	9J-5.012(2)	X			
27	<b>Required</b> coastal management element policies to: <ul style="list-style-type: none"> <li>• Incorporate recommendations from <b>interagency hazard mitigation reports</b>;</li> <li>• Address the relocation, mitigation or replacement of <b>infrastructure</b> within the coastal high-hazard area;</li> <li>• Include criteria consistent with the countywide <b>marina siting plan</b>; &amp;</li> <li>• Include a procedure to resolve inconsistencies between the local comprehensive plan &amp; the <b>deepwater port master plan</b>.</li> </ul>	9J-5.012(3)	X  X		CME 1.1.5 The Coastal High Hazard Area is defined as the Town limits of Belleair Shore.  CME 1.2.2 Post disaster redevelopment and land use shall be appropriate for the respective hazard zone and shall be limited to single family residential and beach access.	Amend CME to include recommendations from the interagency hazard mitigation report

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					CME 1.3.2 The Town shall not expend public monies for facility development in the CHHA unless the facility provides resource restoration.  CME 1.5.1 The Town of Belleair Shore shall cooperate with appropriate emergency management officials in the event of a natural disaster.	
28	Required affected local governments to incorporate the <b>marina siting plan</b> in the coastal management element.	9J-5.012(4)	X			
29	Required objectives of the intergovernmental coordination element to: <ul style="list-style-type: none"> <li>• Ensure coordination in the designation of new <b>dredge spoil disposal sites</b>;</li> <li>• Involve the navigation &amp; inlet districts, state &amp; federal agencies &amp; the public in <b>identifying dredge spoil disposal sites</b>; &amp;</li> <li>• <b>Resolve conflicts between a coastal local government &amp; a public agency</b> seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process.</li> </ul>	9J-5.015(3)	X  X  X			
30	Required & established criteria for local governments having all or part of their jurisdiction within the urbanized area of a MPO to <b>prepare &amp; adopt a transportation element</b> which replaces the traffic circulation element, the mass transit element, & the ports, aviation & related facilities element.	9J-5.019			Belleair Shore has a Traffic Circulation Element.	Amend the Plan to retitle as a Transportation Element.
<b>May 18, 1994</b>						
31	Added provisions for settlement of conflicts through <b>compliance agreements</b> .			X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
32	<b>Defined</b> adjusted for family size, adjusted gross income, affordable housing, agency, amendment, clustering, compatibility, composition, density, development, development controls, distribution, environmentally sensitive lands, extent, facility availability, floodprone areas, functional relationship, high recharge area, hurricane vulnerability zone, intensity, manufactured home, moderate income household, natural drainage flow, natural groundwater aquifer recharge areas or natural groundwater recharge areas, new town, pattern, potable water wellfield, purchase of development rights, rural areas, rural village or rural activity center, stormwater basin, stormwater facilities, stormwater management system, suitability, transfer of development rights, urban area, urban sprawl, very low income household, wellhead protection area, & wetlands. <i>Note: the definitions of adjusted for family size, adjusted gross income, development, &amp; high recharge area were repealed &amp; the definitions of affordable housing &amp; wetlands were revised March 21, 1999.</i>	9J-5.003		X		
33	<b>Revised definitions</b> of areas subject to coastal flooding, conservation uses, deepwater ports, estuary, low income household, mobile home, natural reservations, & oceanic waters.	9J-5.003		X		
34	<b>Revised comprehensive plan content</b> requirements to clarify that the future land use map or map series must be included in the adopted comprehensive plan.	9J-5.005(1)		X		
35	Required all goals, objectives, policies, standards, findings & conclusions of the comp plan & plan amendments to be based upon <b>analysis</b> as well as data, explained the meaning of being <b>based upon data</b> , referenced the DCA's guide to <b>data sources</b> & National Wetland Inventory Maps, & authorized local governments to submit textual portions of their plan or amendment on <b>electronic processing storage media</b> .	9J-5.005(2)		X		
36	Required <b>goals, objectives &amp; policies</b> to establish standards for the use of land & guidelines for land development regulations.	9J-5.005(6)		X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
37	Required plan amendments exempt from the twice-a-year restriction under the development of regional impact provision to be transmitted as required by law & revised <b>adoption by reference</b> requirements. <i>Note: adoption by reference requirements were further revised March 21, 1999.</i>	9J-5.005(8)		X		
38	Authorized local governments to recognize in their comprehensive plans, statutory & common law <b>vested rights</b> .	9J-5.005(8)	X			
39	Required public <b>potable water wells &amp; wellhead protection areas</b> to be shown on existing land use map or map series & provided that <b>educational uses, public buildings &amp; grounds &amp; other public facilities</b> may be shown as one land use category.	9J-5.006(1)	X			
40	Required policies of the future land use element to address protection of potable water wellfields by designating appropriate activities & land uses within <b>wellhead protection areas</b> .	9J-5.006(3)	X			
41	Required public <b>potable waterwells, wellhead protection areas, &amp; coastal high hazard areas</b> to be shown on the future land use map & provided that <b>educational uses, public buildings &amp; grounds &amp; other public facilities</b> may be shown as one land use category. Provided that if <b>mixed-use categories</b> are used, policies must specify types of land uses allowed, the percentage distribution among the mix of uses or other objective measurement, & the density & intensity of each use.	9J-5.006(4)			CME 1.1.5 The Coastal High Hazard Area is defined as the Town limits of Belleair Shore. The coastal high hazard area is shown on the FLUM I.  Items pertaining to wells and well-fields are not applicable.  Items pertaining to Mixed-Use designations are not applicable.	The CME will be amended to be consistent with the CHHA definition as amended by the 2006 Legislature.
42	Provided criteria for reviewing local comprehensive plans & plan amendments for adequacy in discouraging the proliferation of <b>urban sprawl</b> , including indicators of sprawl & measures for evaluating land uses, local conditions, & development controls.	9J-5.006(5)		X		
43	Required the housing element to address housing for <b>moderate income, low income, &amp; very low income</b> households, group homes, foster care facilities, &	9J-5.010			HE 1.3 To coordinate with and support countywide efforts to provide housing	

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	households with special housing needs, including rural & farmworker housing.				opportunities and moderate income households.  HE 1.3.1 The Town shall participate in the coordinated countywide effort to increase the number of units available to low and moderate income households.	
44	Required the housing element <b>analysis</b> to address the existing housing delivery system.	9J-5.010(2)(e)			Housing Element Analysis	
45	Required objectives of the housing element to address adequate sites for <b>mobile &amp; manufactured homes</b> .	9J-5.010(3)(b)3.	X			
46	<b>Required policies</b> of the housing element to: <ul style="list-style-type: none"> <li>• Include specific programs &amp; actions to streamline the <b>permitting process</b> &amp; minimize costs &amp; delays for housing;</li> <li>• Establish principles &amp; criteria guiding the location of <b>manufactured homes</b>;</li> <li>• Identify interlocal agreements with nearby local governments to provide <b>affordable housing</b>; &amp;</li> <li>• Designate sufficient sites at sufficient densities to accommodate <b>affordable housing</b>.</li> </ul>	9J-5.010(3)(c)  2.  5.  10.  11.	X			
47	Required the data & analysis of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to identify major <b>natural drainage features &amp; natural groundwater aquifer recharge areas</b> , including areas identified by the water management district as <b>prime or high groundwater recharge areas</b> .	9J-5.011(1)(g)	X		Data and Analysis states that Belleair Shore is under the WCRWSA which provides service to the town.  Recharge areas are not applicable to the town.	Update the IF data and analysis to correctly cite the partnership agreement between the Town, SWFWMD, and TBW.
48	Required the policies of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to establish <b>water quality standards for stormwater recharge</b> .	9J-5.011(2)(c)			CIE 1.1.5 LOS standards for stormwater.	
49	Required conservation element to identify & analyze <b>groundwater</b> & important <b>fish or shellfish areas</b> .	9J-5.013(1)			CE 1.1.2 Sea Turtle Protection	

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					CE 1.1.3 Protection of endangered or threatened species.  CE 1.2 Protects and enhances the quality of water resources in coastal and inland areas.	
50	Required policies of the conservation element to address land uses known to affect adversely the quality & quantity of <b>water sources</b> , including natural groundwater recharge areas, wellhead protection areas & surface waters used as a source of public water supply, & the protection & conservation of <b>wetlands</b> .	9J-5.013(2) & (3)			CE 1.2 Protects and enhances the quality of water resources in coastal and inland areas.	
<b>February 20, 1996</b>						
51	<b>Repealed rule requirements</b> for the traffic circulation; mass transit; ports, aviation & related facilities elements. <i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., &amp; 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, & 9J-5.009		X		
52	<b>Repealed rule requirements</b> for the recreation & open space element. <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014		X		
53	<b>Repealed rule requirements</b> for consistency of local government comp plans with Comprehensive Regional Policy Plans & with the State Comprehensive Plan. <i>Note: Local government comp plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan &amp; the State Comprehensive Plan.</i>	9J-5.021		X		
<b>October 20, 1998</b>						
54	Established requirements for the <b>public school facilities element</b> for public school concurrency for local governments that adopt school concurrency.	9J-5.025	X			
<b>March 21, 1999</b>						
55	<b>Defined</b> public transit & stormwater management facilities.	9J-5.003		X		

	Changes to Rule 9J-5, F.A.C., 1989-2001	9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
56	<b>Revised the definitions</b> of affordable housing, coastal planning area, port facility, & wetlands.	9J-5.003		X		
57	<b>Repealed the definitions</b> of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit, paratransit, public facilities, & very low-income family.	9J-5.003		X		
58	<b>Revised provisions</b> relating to <b>adoption by reference</b> into the local comprehensive plan.	9J-5.005(2)(g) & (8)(j)		X		
59	<b>Repealed transmittal requirements</b> for proposed evaluation & appraisal reports, submittal requirements for adopted EARs, criteria for determining the sufficiency of adopted EARs, procedures for adoption of EARs. <i>Note: transmittal requirements for proposed EARs &amp; submittal requirements for adopted EARs were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)		X		
60	Repealed conditions for <b>deminimis impact</b> & referenced conditions in subsection 163.3180(6), F.S.	9J-5.0055(3)(c)6.		X		
61	Required the future land use map to show the <b>transportation concurrency exception area</b> boundaries if designated & it may show areas for possible future municipal incorporation.	9J-5.006(4)(a) & (4)(f)	X			
62	Required objectives of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to address protection of <b>high recharge &amp; prime recharge</b> areas.	9J-5.011(2)(b)5.	X			
63	<b>Repealed the intergovernmental coordination element process</b> to determine if development proposals would have significant impacts on other local governments or state or regional resources or facilities, & provisions relating to resolution of disputes, modification of development orders, & the rendering of development orders to the DCA	9J-5.015(4)		X		
64	Clarified that local governments not located within the urban area of a MPO are required to adopt a <b>traffic circulation element</b> & that local governments with a population of 50,000 or less are not required to prepare <b>mass transit &amp; ports, aviation &amp; related facilities elements</b> .	9J-5.019(1)		X		

	Changes to Rule 9J-5, F.A.C., 1989-2001	9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
65	<p><b>Required objectives</b> of the transportation element to:</p> <ul style="list-style-type: none"> <li>• Coordination the siting of new, or expansion of existing <b>ports, airports, or related facilities</b> with the future land use, coastal management, &amp; conservation elements;</li> <li>• Coordination surface transportation access to ports, airports, &amp; related facilities with the traffic circulation system;</li> <li>• Coordination ports, airports, &amp; related facilities plans with plans of other transportation providers;</li> <li>• Ensure that access routes to ports, airports &amp; related facilities are properly integrated with other modes of transportation.</li> </ul>	9J-5.019(4)(b)	X    X			
66	<p><b>Required policies</b> of the transportation element to:</p> <ul style="list-style-type: none"> <li>• Provide for safe &amp; convenient <b>on-site traffic flow</b>;</li> <li>• Establish measures for the acquisition &amp; preservation of public <b>transit</b> rights-of-way &amp; corridors;</li> <li>• Promote ports, airports &amp; related facilities <b>development &amp; expansion</b>;</li> <li>• Mitigate adverse <b>structural &amp; non-structural impacts</b> from ports, airports &amp; related facilities;</li> <li>• Protect &amp; conserve <b>natural resources</b> within ports, airports &amp; related facilities;</li> <li>• Coordinate intermodal <b>management of surface &amp; water transportation</b> within ports, airports &amp; related facilities; &amp;</li> <li>• <b>Protect</b> ports, airports &amp; related facilities from encroachment of incompatible land uses.</li> </ul>	9J-5.019(4)(c)15.	X  X  X  x  X  X  X			
67	Added standards for the review of <b>land development regulations</b> by the DCA.	9J-5.022		X		
68	Added criteria for determining consistency of <b>land development regulations</b> with the comp plan.	9J-5.023		X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>February 25, 2001</b>						
69	<b>Defined</b> "general lanes."	9J-5.003		X		
70	<b>Revised the definition</b> of "marine wetlands."	9J-5.003		X		
71	<b>Repeal the definition</b> of "public facilities & services."	9J-5.003		X		
72	<b>Revised procedures</b> for monitoring, evaluating & appraising implementation of local comp plans.	9J-5.005(7)		X		
73	<b>Repealed requirements</b> for evaluation & appraisal reports & evaluation & appraisal amendments.	9J-5.0053		X		
74	Revised concurrency management system requirements to include provisions for establishment of <b>public school concurrency</b> .	9J-5.005(1) & (2)	X			
75	Authorized local governments to establish multimodal transportation <b>level of service standards</b> & established requirements for <b>multimodal transportation districts</b> .	9J-5.0055(2)(b) & (3)(c)		X		
76	Authorized local governments to establish <b>level of service standards</b> for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Dept. of Transportation.	9J-5.0055(2)(c)		X		
77	Provide that <b>public transit</b> facilities are not subject to concurrency requirements.	9J-5.0055(8)		X		
78	Authorized local comprehensive plans to permit multi-use developments of regional impact to satisfy the transportation concurrency requirements by payment of a <b>proportionate share contribution</b> .	9J-5.0055(9)		X		
79	Required the future land use map to show <b>multimodal transportation district</b> boundaries, if established.	9J-5.006(4)(a)		X		
80	Authorized local governments to establish <b>multimodal transportation districts</b> &, if established, required local governments to establish design standards for such districts.	9J-5.006(6)		X		
81	Required data for the housing element include a description of <b>substandard dwelling units</b> & repealed the requirement that the housing inventory include a locally determined definition of standard & substandard housing conditions.	9J-5.010(1)(c)	X			
82	Authorized local governments to supplement the <b>affordable housing needs assessment</b> with locally generated data & repealed the authorization for local governments to conduct	9J-5.10(2)(b)				

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	their own assessment.					
83	Required the intergovernmental coordination element to include objectives that ensure adoption of <b>interlocal agreements</b> within one year of adoption of the amended ICE & ensure intergovernmental coordination between all affected local governments & the school board for the purpose of establishing requirements for <b>public school concurrency</b> .	9J-5.015(3)(b)5. & 6.	X			See Appendix G, for exemption from PSFE.
84	Required the intergovernmental coordination element to include: <ul style="list-style-type: none"> <li>• Policies that provide procedures to identify &amp; implement <b>joint planning areas</b> for purposes of annexation, municipal incorporation &amp; joint infrastructure service areas;</li> <li>• Recognize <b>campus master plan</b> &amp; provide procedures for coordination of the campus master development agreement;</li> <li>• Establish joint processes for <b>collaborative planning &amp; decision-making</b> with other units of local government;</li> <li>• Establish joint processes for collaborative planning &amp; decision making with the school board on <b>population projections &amp; siting of public school facilities</b>;</li> <li>• Establish joint processes for the siting of facilities with <b>countywide significance</b>; &amp;</li> <li>• Adoption of an interlocal agreement for <b>school concurrency</b>.</li> </ul>	9J-5.015(3)(c)	X  X  X X		ICE 1.1 Coordination with other units of local government.  ICE 1.3 The Town of Belleair Shore shall coordinate with the PPC so as to maintain consistency with the Countywide Comprehensive Plan.  See Appendix G of the EAR for letter of exemption from PSFE.	
85	Required the capital improvements element to include implementation measures that provide a five-year financially feasible <b>public school facilities</b> program that demonstrates the adopted level of service standards will be achieved & maintained & a schedule of capital improvements for <b>multimodal transportation districts</b> , if locally established.	9J-5.016(4)(a)	X			

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
86	Required the transportation element analysis for <b>multimodal transportation districts</b> to demonstrate that community design elements will reduce vehicle miles of travel & support an integrated, multi-modal transportation system.	9J-5.019(3)	X			
87	Required transportation element objectives for <b>multimodal transportation districts</b> to address provision of a safe, comfortable & attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)	X			
88	Authorized local governments to establish <b>level of service standards</b> for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.019(4)(c)	X			

## APPENDIX C

### Relevant Changes to the Tampa Bay Regional Planning Council: Strategic Regional Policy Plan

#### Goal Areas

Changes to the *Strategic Regional Policy Plan* Goals, Objectives, and Policies since Belleair Shore's Comprehensive Plan was adopted in 1989 have been reviewed. The major goal areas of the *SRPP* include:

1. Affordable Housing
2. Economic Development
3. Emergency Preparedness
4. Natural Resources
5. Regional Transportation

Belleair Shore's Comprehensive Plan has objectives relating to emergency preparedness, natural resources, and regional transportation goal areas. Belleair Shore has not changed in any way that alters the applicability of the goal areas on the objectives of Belleair Shore. In order to participate with Pinellas County in the regional issue concerning affordable and workforce housing, this item has been identified as Issue #5 for the town.

#### Regionally Significant Resources and Facilities

The *SRPP* identified the following regionally significant resources and facilities within or adjacent to Belleair Shore:

1. The Gulf of Mexico
2. Coastal barrier island, beaches & dunes
3. Gulf Boulevard, as both a regional hurricane route and a regional roadway

#### Recommendations

- The Town may consider the amending the plan to include the waterway as a recreational facility, in addition to existing access points.

## APPENDIX D

### Public Participation Documentation

1. Minutes and letter of notification, Board of Commissioners Meeting, November 16, 2005
2. Letter of Agreement from DCA
3. Town Issues
4. Minutes from LPA Public Hearing
5. Minutes from Adoption Public Hearing

**Town of Belleair Shore**

**Mayor**

John A. Robertson

**Commissioners**

John E. Hayes, Jr.  
Carl W. Hilton  
Raymond Pisdtelli  
Robert E. Schmidt, Jr.

November 8, 2005

Dear Belleair Shore Property Owners & Residents:

Enclosed are the draft minutes of the October 19 meeting and the Agenda for November 16, 2005 Regular Meeting. Town Meetings are held at the Belleair Bluffs City Hall, 2724 Sunset Blvd., Belleair Bluffs.

After the Regular Meeting on November 16, we will hold a Public Workshop to solicit public comment on preliminary "major issues" that have been identified for the Evaluation and Appraisal report (EAR) of the Town's comprehensive plan. This is a state mandated report that each local government prepares and proposes changes it may need to make. The public workshop will request public input to identify other "major issues" to be included in the EAR. Some issues being considered:

- A. coordination with County Building Department on compliance with Town ordinances,
- B. Development of a regular Code Enforcement Program
- C. Impact of renourishment on properties in town
- D. Developing and coordinating evacuation and disaster management

Sincerely yours,



John A. Robertson

---

1200 Gulf Boulevard, Belleair Shore, Florida 33786-3351  
727-593-9296 Voice/Fax  
<<http://www.belleairshore.com>>





STATE OF FLORIDA

# DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
Governor

THADDEUS U. COHEN, AIA  
Secretary

March 1, 2006

The Honorable John A. Robertson  
Town of Belleair Shore  
1200 Gulf Boulevard  
Belleair Shore, Florida 33786-3351

Dear Mayor Robertson:

The Department of Community Affairs has reviewed your letter of February 13, 2006 which outlines the scope of work for the preparation of the Town's Evaluation and Appraisal Report (EAR). The Department agrees with the summary of the issues as set forth in the attached document. The Town should also consider Hurricane Evacuation and Affordable Housing in its list of issues.

In addition to these major issues, the EAR should address the evaluation requirements of sections 163.3191 (2)(a)-(p), Florida Statutes, as applicable. The Town should be aware of newly enacted legislation (Florida Senate Bill 360, now codified as Chapter 2005-290, Laws of Florida) amending Chapter 163, Part II, Florida Statutes, including the EAR requirements. As of July 1, 2005, all evaluation and appraisal reports must address, as applicable, two new evaluation topics: section 163.3191(2)(o), F.S., relating to concurrency exception areas, concurrency management areas, and multimodal transportation districts; and section 163.3191(2)(p), F.S. relating to the implementation of the local government's concurrency management system. The new legislation also revised the EAR requirements of section 163.3191(2)(k), F.S. relating to coordination of the comprehensive plan with existing public schools, and section 163.3191(2)(1), F.S. requiring an evaluation of the success of the local government in identifying and implementing alternative and traditional water supply projects necessary to meet the local government's water supply needs.

In addition, Florida House Bill 955, now codified as Chapter 2005-157, Laws of Florida, revised the requirements of Sections 163.3177 and 163.3178 to require comprehensive plans to include waterways in the comprehensive system of public and private sites for recreation and to include in the Coastal Management Element shoreline component management strategies that

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CRITICAL STATE CONCERN FIELD OFFICE  
o..i. «-in

COMMUNITY PLANNING  
7555 Shumard Oak Boulevard

EMERGENCY MANAGEMENT  
2555 Shumard Oak Boulevard

HOUSING & COMMUNITY DEVELOPMENT  
2555 Shumard Oak Boulevard

will be used to preserve recreational and commercial working waterfronts defined in Section 3421.07, F.S. In addition, the Future Land Use Element must include regulatory incentives and criteria that encourage the preservation of recreational working waterfronts. The EAR should include an evaluation of the City's Plan in relation to these issues and include recommendation for updating the Plan in the EAR-based amendments to address the new requirements.

Two areas requiring attention by the Town in the evaluation process are population projections and assessment of the comprehensive plan. The update for population projections should include the 5 and 10 year planning timeframes. The Town should use these population projections to forecast the community infrastructure needs for the 5 and 10 year planning timeframes. The EAR should assess the extent to which the Town's plan objectives, as related to the major issues, have been achieved. If insufficient progress was made, the EAR should discuss why and either propose actions by the Town which should be taken to better achieve to objectives or propose appropriate revisions to the objectives to facilitate their accomplishment, as the case may be. In addition to the evaluation requirements mentioned above, the Town should also include a summary of the public participation program and activities undertaken in preparing the EAR (section 163.3191(20), F.S.).

The EAR process is an essential component of comprehensive planning for local governments in Florida. The Department wishes to encourage your efforts in carrying out this important evaluation and review process. If you or your staff have any questions or need additional assistance, please contact Erin L. Dorn, Senior Planner, at (850)922-1798.

Sincerely,

Brenda Winningham  
Regional Planning Administrator

BW/ed

Enclosure

Manny Pumariaga, Executive Director, Tampa Bay Regional Planning Council  
Brian Smith, AICP, Director, Pinellas County Planning Department  
Larry Pflueger, Pinellas Planning Council  
Gail Easley, The Gail Easley Company

1200 Gulf Boulevard, Belleair Shore, Florida 33786-3351  
727-593-9296 Voice/Fax

## Town of Belleair Shore

### Mayor

John A. Robertson

### Commissioners

John E. Hayes, Jr.  
Carl W. Hilton  
Raymond Piscitelli  
Robert E. Schmidt, Jr.

February 13, 2006

K. Marlene Conaway, Chief of Comprehensive Planning  
Florida Department of Community Affairs Division of  
Community Planning 2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

RE: Letter of Understanding - Town of Belleair Shore Evaluation & Appraisal Report

Dear Ms. Conaway:

On January 11, 2006, the Town participated in a joint scoping meeting with the Pinellas Planning Council, Town representatives and members of State and regional agencies. Major issues for inclusion in the Evaluation and Appraisal Report (EAR) were identified in a public workshop held on November 16, 2005, with the Board of Commissioners and interested citizens. Those issues were discussed at the scoping meeting and are presented as follows:

1. Coordination with County Building Department on compliance with Town Ordinances
2. Development of a regular Code Enforcement Program
3. Impact of (beach) renourishment on properties in town
4. Developing and coordinating evacuation and disaster management

The Town of Belleair Shore proposes that the issues stated above be accepted as the issues around which the Town's Comprehensive Plan will be evaluated. Once accepted, the evaluation will focus primarily on these areas of concern. Other recommendations will be provided within the EAR regarding changes needed to meet State laws, address shortcomings of the plan elements, and otherwise update the plan.

Belleair Shore Letter of Understanding 1200 Gulf  
Boulevard, Belleair Shore, Florida 33786-3351 727-  
593-9296 Voice/Fax

Please contact Ms. Gail Easley, FAICP, with the Gail Easley Company if you have any questions or require additional information. Ms. Easley has been retained by the Pinellas Planning Council to provide planning services to Belleair Shore and other cities for preparation of the EAR. Her telephone number is 352-795-4920 or she can be reached by email at [easleyg@aol.com](mailto:easleyg@aol.com).

I look forward to receiving your letter of agreement regarding these issues and to coordinate with the Department as we prepare the EAR and update our comprehensive plan.

Sincerely,

A handwritten signature in black ink, appearing to read "John Robertson", followed by a vertical line.

John Robertson, Mayor

CC: The Gail Easley  
Company PO Box 1436  
Crystal River, FL 34423

Belleair Shore Letter of Understanding

July 19, 2006

D-6

## APPENDIX E

### Population Table and Methodology

	Census 1990	Census 2000	Census Change 1990-2000	Census % Change 1990-2000	BEBR 2005 Estimate	BEBR Change 2000-05	BEBR % Change 2000-05	Population Change 1990-2005	% Pop. Change	1990 Census Population	2000 Census Population	2005 BEBR Est % of Pin Co Pop	Pin. Co. 2015 Permanent Pop Projection	Pin. Co. 2030 Permanent Pop Projection	Pin. Co. 2015 Resident Pop Projection	Pin. Co. 2030 Resident Pop Projection	BEBR Medium 2015 Perm Pop Projection	BEBR Medium 2030 Perm Pop Projection	
<b>Local Government</b>																			
Belleair	3,963	4,067	104	2.6%	4,138	71	1.7%	175	4.4%	0.5%	0.4%	0.4%	4,275	4,348	4,628	4,706	4,405	4,756	
Belleair Beach	2,070	1,632	-438	-21.2%	1,619	-13	-0.8%	-451	-21.8%	0.2%	0.2%	0.2%	1,716	1,683	1,857	1,889	1,723	1,861	
Belleair Bluffs	2,234	2,243	9	0.4%	2,257	14	0.6%	23	1.0%	0.3%	0.2%	0.2%	2,358	2,346	2,553	2,596	2,403	2,594	
Belleair Shore	60	75	15	25.0%	72	-3	-4.0%	12	20.0%	0.01%	0.01%	0.01%	79	75	85	87	77	83	
Clearwater	98,784	108,789	10,005	10.1%	110,831	2,042	1.9%	12,047	12.2%	11.6%	11.8%	11.7%	114,360	115,198	123,803	125,891	117,983	127,385	
Dunedin	34,427	35,691	1,264	3.7%	37,426	1,735	4.9%	2,999	8.7%	4.0%	3.9%	3.9%	37,519	38,901	40,617	41,302	39,841	43,016	
Gulfport	11,709	12,527	818	7.0%	12,899	372	3.0%	1,190	10.2%	1.4%	1.4%	1.4%	13,169	13,407	14,256	14,496	13,731	14,826	
Indian Rocks Beach	3,963	5,127	1,164	29.4%	5,311	184	3.6%	1,348	34.0%	0.5%	0.6%	0.6%	5,390	5,520	5,835	5,933	5,654	6,104	
Indian Shores	1,405	1,705	300	21.4%	1,799	94	5.5%	394	28.0%	0.2%	0.2%	0.2%	1,792	1,870	1,940	1,973	1,915	2,068	
Kenneth City	4,345	4,400	55	1.3%	4,544	144	3.3%	199	4.6%	0.5%	0.5%	0.5%	4,625	4,723	5,007	5,092	4,837	5,223	
Largo	65,910	69,371	3,461	5.3%	74,859	5,488	7.9%	8,949	13.6%	7.7%	7.5%	7.9%	72,924	77,809	78,945	80,276	79,689	86,040	
Madeira Beach	4,225	4,511	286	6.8%	4,510	-1	0.0%	285	6.7%	0.5%	0.5%	0.5%	4,610	4,688	5,134	5,220	4,801	5,184	
North Redington Beach	1,135	1,474	339	29.9%	1,487	13	0.9%	352	31.0%	0.1%	0.2%	0.2%	1,549	1,546	1,677	1,706	1,583	1,709	
Oldsmar	8,361	11,910	3,549	42.4%	13,848	1,938	16.3%	5,487	65.6%	1.0%	1.3%	1.5%	12,520	14,394	13,554	13,782	14,742	15,916	
Pinellas Park	43,571	45,658	2,087	4.8%	48,403	2,745	6.0%	4,832	11.1%	5.1%	5.0%	5.1%	47,996	50,310	51,959	52,836	51,526	55,633	
Redington Beach	1,626	1,539	-87	-5.4%	1,545	6	0.4%	-81	-5.0%	0.2%	0.2%	0.2%	1,618	1,606	1,751	1,781	1,645	1,776	
Redington Shores	2,366	2,338	-28	-1.2%	2,357	19	0.8%	-9	-0.4%	0.3%	0.3%	0.2%	2,458	2,450	2,661	2,706	2,509	2,709	
Safety Harbor	15,120	17,203	2,083	13.8%	17,892	689	4.0%	2,772	18.3%	1.8%	1.9%	1.9%	18,084	18,597	19,577	19,907	19,047	20,564	
St. Petersburg	240,318	248,232	7,914	3.3%	253,902	5,670	2.3%	13,584	5.7%	28.2%	26.9%	26.8%	260,945	263,907	282,491	287,255	270,286	291,825	
St. Pete Beach	9,200	9,929	729	7.9%	10,032	103	1.0%	832	9.0%	1.1%	1.1%	1.1%	10,437	10,427	11,299	11,490	10,679	11,530	
Seminole	9,251	10,890	1,639	17.7%	17,944	7,054	64.8%	8,693	94.0%	1.1%	1.2%	1.9%	11,448	18,651	12,393	12,602	19,102	20,624	
South Pasadena	5,644	5,778	134	2.4%	5,836	58	1.0%	192	3.4%	0.7%	0.6%	0.6%	6,074	6,066	6,575	6,686	6,213	6,708	
Tarpon Springs	17,874	21,003	3,129	17.5%	23,660	2,657	12.7%	5,786	32.4%	2.1%	2.3%	2.5%	22,079	24,592	23,902	24,305	25,187	27,194	
Treasure Island	7,266	7,450	184	2.5%	7,514	64	0.9%	248	3.4%	0.9%	0.8%	0.8%	7,832	7,810	8,478	8,621	7,999	8,636	
Unincorporated Pin. Co.	256,832	287,953	31,121	12.1%	283,059	-4,894	-1.7%	26,227	10.2%	30.2%	31.2%	29.9%	302,700	294,213	327,694	333,220	301,324	325,337	
<b>Totals</b>	<b>851,659</b>	<b>921,495</b>	<b>69,836</b>	<b>8.2%</b>	<b>947,744</b>	<b>26,249</b>	<b>2.8%</b>	<b>96,085</b>	<b>11.3%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>968,688</b>	<b>985,091</b>	<b>1,048,672</b>	<b>1,066,358</b>	<b>1,008,900</b>	<b>1,089,300</b>	
<b>Population Projections:</b>													<b>Differences Between Pinellas County &amp; BEBR</b>						
2015 Pinellas Co. Permanent Population Projection =													968,688						
2030 Pinellas Co. Permanent Population Projection =													985,091						
2015 Pin. Co. Resident Population (Perm. + Seasonal) =													1,048,672						
2030 Pin. Co. Resident Population (Perm. + Seasonal) =													1,066,358						
2015 BEBR Low Projection* =													890,000						
2015 BEBR Medium Projection* =													1,008,900						
2015 BEBR High Projection* =													1,132,700						
2030 BEBR Low Projection* =													835,700						
2030 BEBR Medium Projection* =													1,089,300						
2030 BEBR High Projection* =													1,363,600						
* = Florida Statistical Abstract 2005													2030 BEBR Medium = 1,089,300						
													2030 PC Permanent = 985,091						
													104,209						

## Population Projection Methodology

Florida Statutes requires counties and municipalities to periodically prepare an evaluation of their comprehensive plans, and the evaluation and appraisal report (EAR) legislation contains certain population-related requirements. Sections 163.3191(2), (2)(a), and (2)(i), F.S., require:

(2) The report shall present an evaluation and assessment of the comprehensive plan and shall contain appropriate statements to update the comprehensive plan, including, but not limited to words, maps, illustrations, or other media related to:

(2)(a) Population growth and changes in land area, including annexation, since the adoption of the original plan or the most recent update amendments.

(2)(i) The identification of any actions or corrective measures...shall include, as appropriate, new population projections....

The discussion below provides options for Pinellas County municipalities to use in order to comply with statutory population assessment requirements.

### Data Sources

Four data sources have been employed to develop the methodology: 1. the United States Census from 1990 and 2000; 2. the University of Florida's Bureau of Economic and Business Research (BEBR) 2005 population estimates and BEBR *Florida Statistical Abstract 2005*, and 3. Pinellas County Planning Department "permanent" and "resident" population projections.

### Facts and Assumptions

While the Census and BEBR produce county estimates and projections, neither entity produces them for municipalities. And, while Pinellas County produces estimates by census tracts and traffic analysis zones (TAZs), none are currently produced for county municipalities. Thus, because municipal projections are currently lacking, certain facts were determined and assumptions made in order to calculate them.

#### *Facts*

First, many of the 24 municipalities in the county are landlocked and it is common for jurisdictions to have contiguous borders. As a result, only about half of the municipalities have the ability to annex unincorporated county land that would result in significant population increases.

Second, the county and municipalities have adopted state-mandated land use plans and those plans give a specific designation to each parcel in the county. Pinellas County is approaching buildout and it has virtually no large-scale "holding zones," e.g., large tracts of agricultural land. Thus, there are few parcels that could accommodate future development of such a scale that it would produce significant population increases.

Third, mainland municipal population increases will occur largely through redevelopment/infill and the annexation of unincorporated land. The annexations will increase municipal populations, but will not affect countywide population. Many mainland communities have planning areas outlined in Ordinance No. 00-63. As a result, they have the potential to annex areas outside their current boundaries and thereby, increase their populations. The extent of population increases resulting from such annexations can and should be calculated by those communities in order to estimate future municipal populations as accurately as possible.

Fourth, countywide population may increase through large-scale incorporated and unincorporated mainland rezonings that would materially alter the planned-for populations in local comprehensive plans.

It should be noted that the annexations or rezonings that *substantially* increase municipal populations are potential actions that need not play a role in developing the EAR, but should be addressed when preparing EAR-based amendments. The methodology presented here, however, does not take into account any such annexations or large-scale rezonings because their timing and extent are unknown to PPC staff.

*Assumptions*

In light of the above facts, the following are assumed:

1. Many mainland communities have the opportunity to annex unincorporated land and thus, increase their population over time.
2. The barrier island communities will experience negligible, if any, permanent population increases out to the year 2030.
3. Because of buildout and a totally planned-for county, large population increases over and above those already planned for will be limited if they occur at all.
4. A calculation methodology using the percentage of the total county population residing in each municipality can serve as a starting point for EAR and EAR-based amendment preparation purposes. The calculations can be used as presented or modified as determined appropriate to reflect changes brought about by annexations, rezonings, or redevelopment/infill.

Steps Used in Calculating the Projections

The accompanying spreadsheet contains all relevant data used to calculate the projections including Census, BEBR, and Pinellas County data. [Column G, Rows 32 to 41]

1. The 1990 [Column B] and 2000 [Column C] Census numbers for county municipalities were entered and changes between the two Census numbers [Column D] and the percentage change [Column E] were calculated.
2. The BEBR 2005 [Column F to H] estimates, differences, and percentage of change were calculated.
3. Population change was calculated from 1990 and 2005 [Column I, calculated by adding Columns D and G] and the percentage of change [Column J, calculated by dividing Column I by Column B].
4. The percent of countywide population for each municipality was calculated [Column K] using 1990 Census figures with Belleair Shore having the lowest percentage and St. Petersburg the highest. In addition to 1990, the percentage of county population for each municipality was calculated for 2000 and 2005, [Columns L, Census numbers & M, BEBR numbers] however, only the 2000 percentage [Column L, 2000 Census] was employed to produce the municipal permanent and resident 2015 and 2030 projections. [Note: If different planning periods are employed locally, please contact the PPC for additional data.]
5. BEBR produces only permanent population county projections, but Pinellas County produces both permanent and seasonal projections with the combination of the two called the “resident” population. Depending on local preferences, either Pinellas County permanent [Columns N and O] or resident [permanent plus seasonal] [Columns P and Q] projection numbers can be used. If BEBR medium projection numbers [Columns R and S] are preferred, they can be employed for the EAR and EAR-based amendments.

Recommendation

Pinellas County used their “permanent” population figures for the county EAR that was found sufficient by the Department of Community Affairs. It is the PPC recommendation that it would be appropriate for municipalities to follow the county lead and use those numbers [Columns N and O in the spreadsheet] for local population projections absent a definitive reason for doing otherwise.

## APPENDIX F

### INDEX TO F.S. 163.3191 REQUIREMENTS

**163.3191 Evaluation and appraisal of comprehensive plan.--**

*(2) The report shall present an evaluation and assessment of the comprehensive plan and shall contain appropriate statements to update the comprehensive plan, including, but not limited to, words, maps, illustrations, or other media, related to:*

<b>SUMMARY TABLE</b>	
<b>Chapter 163.3191(2) Requirements</b>	<b>Location in EAR</b>
(a) Population growth and changes in land area, including annexation, since the adoption of the original plan or the most recent update amendments.	Section 1: Assessment
(b) The extent of vacant and developable land.	Section 1: Assessment ; and Section 3: Plan Element Review, FLUR/OSE
(c) The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.	Section 3: Plan Element Review, Infrastructure Element
(d) The location of existing development in relation to the location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth.	Section 1: Assessment ; and Section 3: Plan Element Review, FLUE
(e) An identification of the major issues for the jurisdiction and, where pertinent, the potential social, economic, and environmental impacts.	Section 2: Issues
(f) Relevant changes to the state comprehensive plan, the requirements of this part, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan since the adoption of the original plan or the most recent evaluation and appraisal report update amendments.	Section 4: Summary of Recommendations Appendix, Table 163 Changes; Table 9J-5; and SRPP
(g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved. The report shall include, as appropriate, an identification as to whether unforeseen or	Section 2: Issues

<b>SUMMARY TABLE</b>	
<b>Chapter 163.3191(2) Requirements</b>	<b>Location in EAR</b>
unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element and the social, economic, and environmental impacts of the issue.	
(h) A brief assessment of successes and shortcomings related to each element of the plan.	Section 3: Plan Element Review
(i) The identification of any actions or corrective measures, including whether plan amendments are anticipated to address the major issues identified and analyzed in the report. Such identification shall include, as appropriate, new population projections, new revised planning timeframes, a revised future conditions map or map series, an updated capital improvements element, and any new and revised goals, objectives, and policies for major issues identified within each element. This paragraph shall not require the submittal of the plan amendments with the evaluation and appraisal report.	Section 4: Summary of Recommendations
(j) A summary of the public participation program and activities undertaken by the local government in preparing the report.	Section 1: Assessment
k) The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s. 1013.35. The assessment shall address, where relevant,	
<ul style="list-style-type: none"> <li>▪ The success or failure of the coordination of the future land use map and associated planned residential development with public schools and their capacities, as well as the joint decision-making processes engaged in by the local government and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities.</li> </ul>	Not applicable. There are no schools sited within the Town of Belleair Shore.

<b>SUMMARY TABLE</b>	
<b>Chapter 163.3191(2) Requirements</b>	<b>Location in EAR</b>
<ul style="list-style-type: none"> <li>▪ For those counties or municipalities that do not have a public schools interlocal agreement or public school facilities element, the assessment shall determine whether the local government continues to meet the criteria of s. 163.3177(12).</li> </ul>	Belleair Shore is exempt from the PSFE. See Appendix G: PSFE Letter of Exemption
<ul style="list-style-type: none"> <li>▪ If the county or municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments pursuant to the requirements of the public school facilities element, and enter into the existing interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777 in order to fully participate in the school concurrency system.</li> </ul>	Appendix G: PSFE Letter of Exemption
(l) The extent to which the local government has been successful in identifying	
<ul style="list-style-type: none"> <li>▪ alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s. 373.0361(2)(a) within the local government's jurisdiction.</li> </ul>	Not applicable. See an explanation in Section 3, Plan Element Review.
<ul style="list-style-type: none"> <li>▪ The report must evaluate the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in the element as necessary to serve existing and new development.</li> </ul>	Section 3, Plan Element Review
(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area,	
<ul style="list-style-type: none"> <li>▪ an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations.</li> </ul>	Section 3: Plan Element Review

<b>SUMMARY TABLE</b>	
<b>Chapter 163.3191(2) Requirements</b>	<b>Location in EAR</b>
<ul style="list-style-type: none"> <li>▪ The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment.</li> </ul>	Section 3: Plan Element Review
(n) An assessment of whether the criteria adopted pursuant to s. 163.3177(6)(a) were successful in achieving compatibility with military installations.	Not applicable
(o) The extent to which a concurrency exception area designated pursuant to s. 163.3180(5), a concurrency management area designated pursuant to s. 163.3180(7), or a multimodal transportation district designated pursuant to s. 163.3180(15) has achieved the purpose for which it was created and otherwise complies with the provisions of s. 163.3180.	Not applicable
(p) An assessment of the extent to which changes are needed to develop a common methodology for measuring impacts on transportation facilities for the purpose of implementing its concurrency management system in coordination with the municipalities and counties, as appropriate pursuant to s. 163.3180(10).	Not applicable
Section 163.3180 (9)(d): <b>(New section)</b> Required evaluation in EAR of progress in improving levels of service.	Section 3: Plan Element Review, CIE

**APPENDIX G**  
**PSFE Letter of Exemption**

Received

MAY 26 2006

Pinellas Planning Council



PINELLAS COUNTY  
SCHOOLS

WALTER POWNALL  
SERVICE CENTER

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Gordon Beardslee  
General Planning Administrator  
Pinellas County Planning Department  
6000 Cleveland Street, Suite 750  
Clearwater, FL 33755

School Board of  
Pinellas County,  
Florida

Dear Mr. Beardslee:

Chairperson  
Carol J Cook

This will confirm that School District staff has reviewed the methodology and information. used to determine exemption status for the Pinellas County jurisdictions listed below, and that the School District concurs that these jurisdictions are exempt from the need for a public school facilities' element.

Vice Chairperson  
Mary L. Tyus  
Brown

Nancy N. Bosrock  
Janet R. Clark  
Jane Gallucci  
Linda S.  
Lerner  
Mary L  
Russell

Jurisdictional Exemptions

- Belleair
- Belleair Beach
- Belleair Bluffs
- Belleair Shores
- Kenneth City
- Indian Rocks Beach
- Indian Shores
- South Pasadena
- North Redington Beach
- Redington Beach
- Redington Shores
- Treasure Island

Superintendent  
Dr. Clayton M.  
Wilcox

As discussed, we are in the process of confirming eligibility for Kenneth City and Redington Shores due to their residential annexations and subsequent development orders. In addition we are in the process of confirming enrollment numbers for South Pasadena's eligibility.

Feel free to contact me if you need any additional information.

Sincerely,

Stephen Fairchild  
Real Property/Facilities Specialist

- Cc: Frank Frail, Educational Specifications Specialist  
 Jim Miller, Director, Real Property  
 Jim Robinson, School Board Attorney  
 Tony Dzielski, Director, Transportation  
 Marshall Touchton, Demographic Specialist  
 Jim Underhill, Planning Specialist  
 Jim Madden, Director, Unitary Status

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