

RESOLUTION NO. 06-23

A RESOLUTION OF THE TOWN COUNCIL OF KENNETH CITY ADOPTING THE EVALUATION AND APPRAISAL REPORT FOR THE KENNETH CITY COMPREHENSIVE PLAN; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, The Town Council has adopted the Kenneth City Comprehensive plan, Ordinance No. 483 on August 11, 1999; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.333191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed the Evaluation and Appraisal Report, held an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the Town Council; and

WHEREAS, the Town Council has reviewed the Evaluation and Appraisal Report, held an advertised public hearing, and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF KENNETH CITY, FLORIDA:

Section 1: The Town Council does hereby adopt the Evaluation and Appraisal Report for the Kenneth City Comprehensive Plan, attach here as Exhibit A.

Section 2. The Town Council does hereby state its intention to amend the Kenneth City Comprehensive Plan Ordinance No.483 in accordance with the recommendations contained in the Evaluation and Appraisal Report.

Section 3. The Town Council does hereby approve transmittal of the Evaluation and Appraisal Report to the Department of Community Affairs for the purpose of a sufficiency review in accordance with Section 163.3191, Florida Statutes.

Section 4. This Resolution shall become effective immediately upon its passage.


Section 5. All Resolutions and parts of Resolutions in conflict herewith are repealed.

PASSED AND ADOPTED THIS 8th DAY OF November, 2006



Muriel H. Whitman, Mayor

ATTEST



Nancy J. Beelman, CMC, Town Clerk

TOWN OF KENNETH CITY EVALUATION AND APPRAISAL REPORT



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

**ADOPTION DRAFT
November 8, 2006**

Town of Kenneth City

Comprehensive Plan Evaluation and Appraisal Report

Town Council

Muriel H. Whitman, Mayor

Albert Carrier, Vice-Mayor

Philip Redisch, Councilmember

Wanda Dudley, Councilmember

Teresa Zemaitis, Councilmember

Nancy J. Beelman, Town Clerk

Planning & Zoning Board

Doug Lewis

Ralph A. Beelman Jr.

Bill DeBusk

Larry Haner

Dennis McDonald

Tim Shoby

November 2006

EVALUATION AND APPRAISAL REPORT

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Section 1: Assessment of Town and Changes Since Plan Adoption

A. Town Description

Geography

Kenneth City is located in south-central Pinellas County, and occupies 363.9 upland acres, excluding rights-of-way. The town lies between the cities of Pinellas Park to the north and St. Petersburg to the south, and unincorporated county land to the east and west. Because of its elevation, Kenneth City is the only municipality in Pinellas County that has no land located within a coastal high hazard area. Since 1989, the Town has annexed nearly 25 acres of predominantly residential uses and right-of-way.

Population, demographic and economic conditions

According to U.S. Census records, the population of Kenneth City decreased by 62 residents between 1990 and 2000, a 1.4 percent change. However, in the years between 2000 and 2005, the Bureau of Economic and Business Research estimates that the town population has increased by 144 people, or 3.3 percent. Table 1-1 below summarizes the census population since 1990 and includes the projections of population through 2030.

U.S. Census		Projections ¹	
1990	2000	2015	2030
4,462	4,400	4,625	4,723

Demographically and economically, Kenneth City has its own unique characteristics. The town residents are slightly older than the county as a whole, but the average age is slightly younger than it was in 1990. The median age in Kenneth City dropped from 47.3 years in 1990 to 45.7 years in 2000 when the county's median age was 43.0 years. Also during the 1990s, the percentage of residents over the age of 65 declined from 32 percent to 28.5 percent while children under the age of 18 increased from 15.9 percent to 18.6 percent. Of 4,400 residents in the 2000 census, 1,835 (41.7 percent) reported commuting to work, while 3,561 (77.5 percent) residents were employed. Local employment other than services and retail is possible because Kenneth City has 3.9 acres of industrial land.

The town averages 2.14 persons per household compared to 2.17 persons per household for the county. The 2000 town median income was approximately \$19,500 while that of Pinellas County was about \$31,500.

¹ Population Projections, Appendix E.

Statistics	Kenneth City		Pinellas County ²
	1990 ³	2000 ⁴	2000
Population	4,462	4,400	921,495
▪ Male	42.0%	44.1 %	47.6%
▪ Female	58.0%	55.9%	52.4%
Age by Category			
▪ Under 18	15.9%	18.6%	16.0%
▪ 65+	32.0%	28.5%	22.6%
▪ Median Age	47.3	45.7	43.0
Education			
▪ Bachelor's degree or higher	13.7%	16.7%	22.0%
▪ Number of students enrolled in school	730	736	190,563
Income			
▪ Per capita income	\$14,093	\$19,498	\$31,321
▪ Median family income	\$31,219	\$42,161	\$46,925
▪ Percent of population living below the poverty level	7.9%	9.4%	10.0%
Housing Units, total	2,298	2,154	492,336
▪ Single-family units	N/A	1,243 (57.1%)	236,657 (48.1%)
▪ Multifamily units, including duplex	N/A	918 (42.2%)	203,463 (41.3%) [#]
▪ Persons per household	2.13	2.14	2.17

[#] = Mobile homes and residential units above office or commercial uses account for the remaining 10.6% of residential units by type within Pinellas County.

N/A = Information not available

Amendments to the Comprehensive Plan

The Town processed amendments to its plan in 1992 in Ordinance 92-1 to make it consistent with the *Countywide Plan for Pinellas County* as part of the countywide consistency program. There were 13 changes to the future land use map to recognize and implement the countywide consistency requirement. Policies were included in the Future Land Use Element (FLUE) and the Intergovernmental Coordination Element (ICE) which supported these changes and ensured that public facilities and services would continue to meet the adopted levels-of-service under the town concurrency management system. An amendment in 1994 contained seven separate amendments to the future land use map. Slightly less than 30 acres changed land use categories with the majority being shifted into the residential low density land use category. Further amendments were adopted in 1999 based on the Evaluation and Appraisal Report. Changes were made to the FLUE to include the most recent hazard mitigation report; to the Housing Element to include community residential homes; and, to the Infrastructure Element to amend the level-of-

² U.S. Census, Tables DP1-DP-4.

³ 1990 U.S. Census, Tables DP-1 – DP-5, H001

⁴ 2000 U.S. Census, Tables DP-1 – DP-4. QT-P1, P-87

service for potable water. A separate EAR-based amendment focused on the ICE addressing updates to the data and analysis.

In 2002, 16 single-family homes and one general commercial parcel were voluntarily annexed into the town, adding approximately 3.3 acres to the total land area. The additional land area is reflected in the updated future land use acreage in Table 1-3, based on the land use categories as shown on the adopted Future Land Use Map (FLUM).

Land Use Type	Acreage	Percent
Single-Family	218.5	60.0
Duplex-Triplex/Multifamily	52.4	14.4
Commercial/Office	45.6	12.5
Industrial	3.9	1.1
Recreation/Open Space	2.6	0.7
Conservation/Preservation	6.0	1.7
Water Features	20.2	5.6
Public/Semi-Public	10.5	2.8
Vacant	4.2	1.2
Total	363.9	100.0

Source: TBRPC, *Kenneth City Comprehensive Plan*, FLUE-Table 1, and Town ordinances numbered 509 through 526.

Present land use and development characteristics

Kenneth City is both landlocked and almost entirely built out. Residential land uses make up the majority of land used in Kenneth City; single-family and multifamily designations account for 74.4 percent of available land.

Kenneth City has 4.2 acres of vacant land available for development compared to 11.7 acres of vacant land documented in the 1999 evaluation and appraisal report. Willow Lakes, an existing multifamily development, added 74 townhouses to the town housing unit total since 1997. This development was built on approximately 7.5 acres at a density of 15 units per acre. The remaining vacant land consists of a vacant commercial lot on 54th Avenue North, and a vacant single-family residential lot. The vacancy rate for residential units declined slightly since 1990, when 223 units, or 10.2 percent, were reported as vacant on a year-round basis.⁵

The median sales price for a single-family home in the Tampa-St. Petersburg-Clearwater metropolitan statistical area (MSA) rose from \$92,800 in April 2000 to \$248,600 in January 2006.⁶ When the census was taken in April 2000, the median value for single-family residences in Kenneth City was reported as \$78,400, \$14,400 less than the median for the MSA.

⁵ 2000 US Census, Table H-5 and 1990 Census, Table H-005.

⁶ Florida Association of Realtors, Media Center.

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 the town. The evaluation and appraisal process allows the community to update the comprehensive plan to respond to the changes that occur over time. Furthermore, in Florida, growth management legislation requires that each jurisdiction prepares an evaluation report every seven years.⁷ The EAR is the first step in updating the Kenneth City plan, and it is intended to accomplish the purposes outlined below, taken from *A Guide to Preparing an Evaluation and Appraisal Report*:⁸

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

C. Public Participation Process

Members of the Town Council and the Planning and Zoning Board attended a public workshop held by the Pinellas Planning Council on October 19, 2005, designed to provide local governments with general education and assistance in preparing their evaluation reports. 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. Council and planning board members also attended a second workshop on November 9, 2005, that allowed participants to prepare a schedule for their evaluation reports, begin to identify major tasks, and consider the resources needed to complete the EAR process.

Preliminary issues for inclusion in the *Evaluation and Appraisal Report* were identified in a public workshop held on January 11, 2006. A publicly advertised meeting was held with the Planning and Zoning Board to obtain public comments regarding major issues pertinent to Kenneth City. The issues presented in Section 2 were confirmed at this meeting.

An agency scoping meeting was held on January 11, 2006, to help identify issues, to discuss various agency 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

⁷ 163.3191(1), F.S.

⁸ FDCA, *A Guide to Preparing an Evaluation and Appraisal Report*, pg. I-1 and 2.

governments and appropriate state and regional agencies were invited to attend the scoping meeting. The meeting was a multijurisdictional event coordinated and hosted by the Pinellas Planning Council at the Indian Shores Town Hall.

All meetings of the Planning and Zoning Board and the Town Council are open to the public and advertised in advance.

TABLE 1-4 EVALUATION AND APPRAISAL PUBLIC PROCESS			
Meeting	Location	Date	Purpose
Scoping Meeting	Indian Shores Town Hall	January 11, 2006	Identification of major issues for EAR.
LPA ⁹ and Town Council Joint Public Meeting	Kenneth City Community Center	January 11, 2006	Discussion of EAR issues and public input regarding EAR issues.
LPA	Kenneth City Community Center	August 28, 2006	Review draft EAR.
LPA	Kenneth City Community Center	October 24, 2006	Public Hearing
Town Council	Kenneth City Community Center	November 8, 2006	Adoption Public Hearing

Source: The Gail Easley Company

⁹ The Planning and Zoning Board (PZB) is the designated LPA.

Section 2: EAR Issues Matrix

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
<p>Issue #1: Improvement of Public Parks</p>	<p>Capital Improvements Element (CIE) Objective 1.1: Schedule of Capital Improvements</p> <p>Capital improvements, contained in the adopted five-year Schedule of Capital Improvements, will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, and will serve to coordinate land use decisions with available or projected fiscal resources in order to maintain adopted levels of service.</p> <p>CIE Objective 1.3: Levels of Service</p> <p>The Town shall utilize its fiscal resources to eliminate any identified existing deficiencies and to provide needed capital improvements for future development and redevelopment, through the site plan approval process, at adopted levels of service as specified in the elements of this comprehensive plan.</p> <p>CIE Objective 1.4: Concurrency Management System</p> <p>The Town of Kenneth City shall provide, or require provision of, needed infrastructure for development and redevelopment concurrently with their impacts</p>	<p><u>Assessment:</u></p> <p>The comprehensive plan states that there are 2.6 acres of passive-recreation open space within town limits, comprising 0.7 percent of existing land use. Community Hall Park provides the majority of user-oriented recreation, offering a community center, a tennis court, a basketball court, four shuffleboard courts, a multi-purpose field, and a playground. The acreage and facilities remain unchanged from the 1999 plan.</p> <p>Three objectives in the Capital Improvements Element provide guidance for scheduling capital improvements and establishing the level-of-service for recreation. Policy 1.4.4 lists the specific level-of-service standards.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Review the existing park acreage and condition of facilities and consider future needs of the community. ▪ Consider amending the Recreation and Open Space and Capital Improvements elements to include any needed capital improvements for parks and recreation.

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
	through the use of a concurrency management system, implementation monitoring of the comprehensive plan, and enforcement of development regulations.	
<p>Issue #2: Maintenance and upgrading of aging stormwater drainage facilities</p>	<p>Infrastructure Element (IE) 5.1</p> <p>The Town shall continue to implement its master drainage plan, and enforce land development regulations governing stormwater drainage.</p> <p>CIE Objective 1.4: Concurrency Management System</p> <p>The Town of Kenneth City shall provide, or require provision of, needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management system, implementation monitoring of the comprehensive plan, and enforcement of development regulations.</p>	<p><u>Assessment:</u></p> <p>The Town maintains a system of storm sewers, feeder drains, and underground metal pipes leading into a main channel. This system, which is approximately fifty years old, is showing signs of deterioration in the form of rust, cracking, and blockage by debris. The Town adopted a master drainage plan in 1998 that contains an inventory of natural and artificial drainage features, and areas with known drainage problems. Phase I of the plan to replace existing drainage ways is underway.</p> <p>New development or redevelopment must provide for the on-site detention of surface water based on the adopted level-of-service in CIE Objective 1.4, Policy 1.4.4. Furthermore, no development may discharge more stormwater onto the adjacent right-of-way than was discharged from the site in its natural, unimproved state, or cause erosion or flooding of the adjacent properties.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
		<p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Add new projects to the schedule of capital improvements in the CIE, as applicable.
<p>Issue #3: Coordination with Pinellas County government regarding improvement of county roads including enhancement issues (e.g., 46th and 54th Avenues N.)</p>	<p>Transportation Element (TE) 1.5</p> <p>Transportation planning shall be coordinated with the town’s Future Land Use Element, the Florida Department of Transportation Long Range and 5-Year Transportation Plans, the Pinellas County Metropolitan Planning Organization 5-Year Transportation Improvement Program and Long-Range Transportation Plan, and the plans of neighboring jurisdictions.</p>	<p><u>Assessment:</u></p> <p>The town is almost completely developed. The arterial and collector roadway system linking Kenneth City to other parts of the county has been in place for many years and is owned and maintained by Pinellas County. However, as improvements are made to 46th and 54th Avenues, the Town would like more involvement in the programmed improvements and enhancement of the roadways that are within the town limits.</p> <p><u>Recommended Action:</u></p> <p>Consider options that provide better coordination with the county regarding scheduled roadway improvements through Kenneth City.</p>
<p>Issue #4: Improvement of local streets (e.g., maintenance, sidewalks, & lighting)</p>	<p>None.</p>	<p><u>Assessment:</u></p> <ul style="list-style-type: none"> ▪ There are no level-of-service problems associated with this issue. The local streets are narrow and generally serve only those residences

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
		<p>that have direct access, rather than through traffic. There are few sidewalks on these streets.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Consider amending the Transportation Element to include an objective to institute a program for local street improvements. ▪ Consider policies that establish how street conditions will be assessed and how street improvements will be prioritized and scheduled. ▪ Consider whether sidewalks, lighting, and landscaping will be included with local street improvements.
<p>Issue #5: Hardening of town-owned buildings against natural disasters</p>	<p>None.</p>	<p><u>Assessment:</u></p> <p>Kenneth City installed hurricane shutters on all buildings owned by the Town. Hurricane protection on these buildings will enable the town hall to function as a point-of-distribution site. The police chief and mayor are designated as coordinators for emergency events. The installation of the hurricane shutters was completed by the end of July 2006. No further action is required.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
		<p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Hardening of town-owned buildings will be completed prior to the Evaluation and Appraisal Report adoption. No actions are needed.
<p>Issue #6: Preservation of the natural environment, e.g., lakes owned by the Town</p>	<p>Conservation Element (CE) 1.2</p> <p>To maintain surface water quality and reduce flood damage, the Town shall protect the natural functions of floodplains, lakes, and the creek.</p> <p>Future Land Use Element (FLUE) Objective 1.7: Natural Resources</p> <p>All development activities shall be coordinated with topography and soil conditions, and shall ensure the protection of natural resources.</p>	<p><u>Assessment:</u></p> <p>The comprehensive plan summarizes the existing surface water resources and identifies existing conditions. These resources include Joe’s Creek, seven named lakes, and a number of smaller lakes and ponds. Although heavily urbanized, these waterbodies provide passive recreation for residents and limited habitat for wildlife.</p> <p>The town program to improve its existing drainage system is the primary means of improvements to the storm drainage system.</p> <p>Since no significant changes in development have occurred since the EAR-based amendments were prepared and adopted in 1999, CE Objective 1.2 and FLUE Objective 1.7 are still valid and shall be applied to any new development.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
		<p><u>Recommended Actions:</u></p> <ul style="list-style-type: none"> ▪ On-going implementation. No changes needed.
<p>Issue #7: Affordable Housing</p>	<p>Housing Element (HE) 1.1</p> <p>The Town shall encourage the private sector to provide and preserve adequate and affordable housing to meet the needs of the existing and future population.</p>	<p><u>Assessment:</u></p> <p>The Town is implementing this objective to the extent possible.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Amend the Intergovernmental Coordination Element to coordinate with Pinellas County in the development of a multi-jurisdictional program to address affordable and workforce housing.
	<p>Housing Element (HE) 1.2</p> <p>The Town shall encourage the private sector to provide a suitable mixture of affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes.</p>	<p><u>Assessment:</u></p> <p>On-going implementation. No change needed.</p>

ISSUES	OBJECTIVES PERTAINING TO ISSUES	RECOMMENDATIONS (IMPACTS, ACHIEVEMENTS, CHANGES, AND REQUIRED ACTIONS)
<p>Issue #8: Hurricane Evacuation</p>	<p>Future Land Use Element (FLUE) 1.10</p> <p>Land use planning shall be coordinated with hazard mitigation efforts, consistent with recommendations of the Pinellas County Post-Disaster Redevelopment Guide.</p> <p>ICE Objective 1.4</p> <p>Identify and describe joint processes for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and problematic land uses.</p>	<p><u>Assessment:</u></p> <p>While the plan has no objectives specifically dealing with hurricane evacuation, there are policies in the Intergovernmental Coordination Element (ICE) that coordinate the effects of land use planning and transportation issues with other local governments, based on ICE Objective 1.4. These policies provide the coordination necessary for hurricane evacuation.</p> <p>The Conservation Element inventory and analysis contains evacuation and shelter information.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> ▪ Update the Conservation Element to include the most recent hurricane evacuation information.

Section 3: Plan Element Review

Future Land Use Element

Overview

The goal of the Future Land Use Element (FLUE) is to maintain the residential character of Kenneth City. To do this, the element has established several guidelines for growth. Key among these is the requirement of consistency with the Future Land Use Map (FLUM) and the implementation and enforcement of land development regulations. The element also seeks to eliminate inconsistent uses and will only allow development to occur when the necessary public facilities are available. Additional objectives address:

- Annexation;
- School siting;
- Protection of natural resources;
- Recognition of private property rights;
- Regulation of commercial development;
- Encouragement of mixed-use development ;
- Ensure maintenance of quality of life standards;
- Coordination of land use planning with hazard mitigation efforts;
- Availability of suitable land for utility facilities necessary to support proposed development; and
- Identification, preservation, and protection of any structures that may become historically or architecturally significant.

Successes and Shortcomings

There have been few changes to the land area since the EAR-based amendments were made in 1999. In 2002, 16 single-family homes and one general commercial parcel were voluntarily annexed into the town, adding approximately 3.3 acres to the total land area. No land use amendment, however, was filed to add these parcels to the future land use map. The majority of land in Kenneth City is developed for residential uses; 60 percent is used for detached single-family structures and 14.4 percent is used for duplex or other multifamily structures. One parcel has been developed as mixed use, combining both residential and office uses. Approximately four acres of land remain undeveloped.

The FLUE adopted with the EAR-based amendments continues to provide the town with appropriate guidance for future development. It is anticipated that Kenneth City will continue to be primarily residential.

Recommended Action

- Amend the Future Land Use Map to incorporate the parcels annexed into the town in 2002.

Transportation Element***Overview***

The Transportation Element (TE) addresses numerous aspects of mobility in Kenneth City. It establishes the roadway level-of-service and emphasizes safety and aesthetics. The following are the key topics addressed in the objectives:

- Establishment and maintenance of level-of-service standards;
- Coordination with the FLUM;
- Establishment of a transportation system that emphasizes safety and aesthetics;
- Identification of roadway rights-of-way that are to be protected, reserved, or acquired;
- Coordination and cooperation with other units of local government affecting transportation in Kenneth City; and
- Development and utilization of a safe, convenient, and energy efficient multi-modal transportation system.

Successes and Shortcomings

Kenneth City is served by five major rights-of-way:

- 66th Street North, from 42nd Avenue N to 48th Avenue N; 6-lane divided minor arterial;
- 58th Street North, from 40th Avenue N to 60th Avenue N; 2-lane undivided collector;
- 54th Avenue North, from 55th Street N to 63rd Street N; 4-lane divided collector;
- 46th Avenue North, from 55th Street N to 66th Street N; 2-lane undivided collector; and
- 62nd Street North, from 54th Avenue N to Joe's Creek; 2-lane divided collector.

This network has essentially remained unchanged since the original adoption of the comprehensive plan. All of the collectors and arterials are owned and maintained by Pinellas County. Kenneth City is not served by the Pinellas Suncoast Transit Authority, but bus service is available just outside of the town limits along 66th Street North, 58th Avenue North, and 49th Street North.

One of the major issues for the Town is consideration of a program to improve the local street system. This includes repaving of streets, but may also incorporate such improvements as street lights, landscaping, and sidewalks. Additional research will be needed to determine the adequacy of existing rights-of-way, where connection of residential areas to the parks and open space may be possible, and whether lighting might be added to resolve safety concerns.

Recommended Action

- Consider the addition of an objective establishing a program for improving the local street network. This objective could include policies regarding the addition of streetlights, landscaping, and sidewalks.

Housing Element***Overview***

The purpose of the Housing Element (HE) is to provide safe, affordable housing to the residents of Kenneth City and to address the needs of current and future residents. The following are the objectives addressed in the element:

- Eliminating substandard housing;
- Extending the life of existing housing stock;
- Protecting the public against discriminatory housing practices;
- Addressing persons displaced through government programs;
- Allowing community residential homes in residential neighborhoods; and
- Encouraging the private sector to provide affordable housing and a mixture of available units.

Successes and Shortcomings

The housing element continues to provide adequate and appropriate guidance for the provision of decent, safe, and sanitary housing.

An additional 74 units of multifamily construction were added to the development known as Willow Lakes since the existing land use acreage was calculated in 1996. This development covers approximately 7.5 acres, including a small lake in the middle of the development. Staff is aware of only one single-family residential lot that remains undeveloped.

Recommended Action

- Update housing data and analysis to include the 2000 census data as well as housing cost information that may be available from Shimberg Housing Data.

Infrastructure Element***Overview***

The Infrastructure Element (IE) ensures the provision of potable water, wastewater, and solid waste services. It establishes the means for maintaining these services and encourages ways to reduce demand on services. The element also restricts development from occurring when the required public facilities are not in place to serve the development. The following are key objectives of the element:

- Implement a master drainage plan;
- Encourage reduction in potable water demand;
- Encourage the reduction and reuse of wastewater;
- Maintain or reduce per capita generation of non-recyclable solid waste;
- Enforce land development regulations governing stormwater drainage; and
- Issue development permits only when adequate facility capacity is available and does not result in a reduction in the level-of-service standard.

Successes and Shortcomings

Stormwater Drainage

The Town adopted a master drainage plan in 1998. The master plan is a tool to guide the systematic retrofit and improvement of town-owned storm drains. Phase I is currently underway.

Potable Water

Kenneth City does not have any local responsibility for potable water supply or distribution facilities. Both its water supply and distribution system are provided by Pinellas County Utilities Department. Wholesale water supply is provided to Pinellas County by Tampa Bay Water a regional water supply authority. As a retail customer of Pinellas County, Kenneth City has no responsibility regarding the supply of potable water to its citizens.

Through the town association with Tampa Bay Water and Pinellas County, alternative water supply resources have been identified, such as the salt water desalination plant, brackish ground water desalination, and water conservation and reuse techniques. However, on its own, Kenneth City does not have the financial or technical resources or capabilities to design, construct, or implement such far reaching water supply alternatives. Through the Pinellas County membership in the Tampa Bay Regional Water Supply Authority, the partnership agreement with the Southwest Florida Water Management District covers the development of alternative water supplies. The partnership agreement was “entered into by the District, Tampa Bay Water, and its member governments, [and] provides for the development of a safe, sustainable, cost effective water supply through a cooperative approach.”¹

Because Kenneth City 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. The Town will continue to participate in conservation and other potable water initiatives sponsored by Pinellas County, Tampa Bay Water, and Southwest Florida Water Management District.

¹ RWSP, page 112.

Recommended Action

- Update the Infrastructure Element to identify proposed drainage projects in Objective 5.1.
- Amend the Capital Improvements Element, Objective 1.1, to include those projects planned for the next five-year planning timeframe and amend the schedule of capital improvements annually.

Conservation Element***Overview***

The goal of the Conservation Element (CE) is to ensure the highest environmental quality possible. The appropriate management of surface water, groundwater, and habitat areas is stressed in the element. The following objectives are addressed by the element:

- Comply with federal air quality standards;
- Conserve regional groundwater resources;
- Conserve or improve any identified wetlands or wildlife habitat;
- Conserve, appropriately use, and protect trees and native vegetation;
- Protect species with special status from adverse impacts of urban development;
- Monitor the proper handling, treatment, and disposal of hazardous waste within its jurisdiction; and
- Protect the natural functions of floodplains, lakes, and Joe's Creek in order to maintain surface water quality and reduce flood damage.

Successes and Shortcomings

Although the town is almost completely developed, the preservation and conservation of the remaining natural resources is important to the community. The Conservation Element establishes the foundation for appropriate management of air quality, water quality, hazardous waste management, stormwater management, and potable water conservation. The town is located entirely inland and because of its location and land elevation, there is no coastal high hazard area within the town. It is, therefore, not required to prepare a coastal management element; however, hurricane evacuation coordination and planning are included in the element.

Recommended Action

- Continue implementation of the Conservation Element.

Recreation and Open Space Element

Overview

The Recreation and Open Space Element (ROSE) establishes that Kenneth City shall provide and maintain a system of parks, recreation facilities, and open space, meeting the needs of the current and future population. The element establishes the operational level-of-service for recreation facilities and works to coordinate efforts to provide space with other units of local government and private sector agencies. The following are additional objectives addressed in the element:

- Encourage the coordination of public and private recreation resources;
- Provide park and recreation facilities in an economically efficient manner;
- Protect areas designated as recreational lands from incompatible uses; and
- Ensure adequate access to public recreation sites for all residents and seasonal visitors.

Successes and Shortcomings

Kenneth City continues to maintain its recreation open space and facilities. As the town has little developable land remaining, the acquisition of new recreation and open space acreage is not considered likely. However, if major redevelopment occurs or vacant land area is annexed into the town, additional acreage and facilities may be acquired based on the adopted level-of-service standard.

Recommended Action

- Review the existing park acreage and condition of facilities and consider future needs of the community.
- Consider amending the Recreation and Open Space and Capital Improvements elements to include any needed capital improvements for parks and recreation.

Intergovernmental Coordination Element

Overview

The Intergovernmental Coordination Element (ICE) establishes the means by which Kenneth City will work with other units of government where issues of service and policy are concerned. Improvement of communication and coordination are stressed in the element. Additionally, the element recognizes the need to address both mutual interests with other entities and potential impacts of development on those entities. Other objectives include:

- Maintaining a process for voluntary dispute resolution;
- Implementing joint processes for collaborative planning issues;
- Coordinating level-of-service standards with neighboring jurisdictions;
- Identifying, implementing, and coordinating joint planning areas for annexation and service provision; and

- Participating in the countywide planning process through representation on the Pinellas Planning Council (PPC).

Successes and Shortcomings

The mechanisms in place provide adequate guidance and direction for intergovernmental coordination. Following these guidelines ensures that the town issues and developmental changes are thoroughly communicated to all other levels of governance.

Kenneth City has been a participant with Pinellas County and the Pinellas County School Board and has supported public school siting pursuant to Section 235.193, *Florida Statutes*, through the passage of Resolution 99-3, dated April 14, 1999. Pinellas County and the School Board have issued a new draft interlocal agreement, dated May 26, 2006, in which Kenneth City is no longer a participant. This change is based on Kenneth City's exemption from preparing a Public School Facilities Element (PSFE), as described in a letter in Appendix G of this report.

Recommended Action

- Consider rewriting Policy 1.3.3 of Intergovernmental Coordination Element, Objective 1.3, regarding the town resolution in support of public school siting.
- Consider amending Future Land Use Element, Objective 1.13, regarding school siting and Policy 1.13.1 to remove reference to the town resolution in support of school siting.
- Intergovernmental Coordination Element, Objective 1.4, identifies the processes for collaborative planning for future developments, including school siting. This objective should continue to be implemented as part of the process for communicating proposed changes in land use to the school board.

Capital Improvements Element

Overview

The Capital Improvements Element (CIE) establishes the fiscal actions necessary to provide, maintain, and expand public services in Kenneth City. Level-of-service standards are used as the measure for the adequacy of services provided. The following are the objectives addressed by the CIE:

- Implement debt management;
- Maintain adopted levels-of-service;
- Correct existing deficiencies;
- Accommodate desired future growth;
- Replace worn out or obsolete facilities;
- Use the site plan approval process as a means to provide needed capital improvements for future development; and
- Provide, or require provision of, needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management system,

implementation monitoring of the comprehensive plan, and enforcement of development regulations.

Successes and Shortcomings

The Capital Improvements Element is an appropriate guide to debt management, maintaining the adopted level-of-service standards, providing for a concurrency management system, and repairing or replacing deficiencies in the existing infrastructure. Kenneth City does need to update the schedule of capital improvements on an annual basis, as provided in Policy 1.1.2.

Recommended Action

- No changes are needed. Continue implementation of this element.
- Update and amend the schedule of capital improvements.

Evaluation of Level-of-Service Standards

A level-of-service for each of Kenneth City's services and facilities was adopted in applicable elements of the comprehensive plan, in addition to the repetition of these standards under Objective 1.4 of the Capital Improvements Element. The adopted levels-of-service are shown in Table 3-1 along with information about the existing levels-of-service.

Sanitary Sewer

Pinellas County provides system-wide sanitary sewer service to Kenneth City. The "adopted LOSS [level-of-service standards] are consistently met and no deficiencies are anticipated," according to the Pinellas County *Evaluation and Appraisal Report*.²

Potable Water

Pinellas County continues to provide potable water supplies to Kenneth City. No deficiencies have been identified.

Solid Waste

Solid waste within Kenneth City is collected by a private company. Curbside recycling is available to town residents. The company reports an average collection of 8.17 tons per day of residential solid waste for the year 2005. Using the 2005 estimated population of 4,544, the current daily per capita rate is 3.6 pounds which is lower than the adopted level-of-service standard.

Drainage

Kenneth City adopted a master drainage plan in 1998. Phase I of the master drainage plan is underway. The master drainage plan addresses solutions needed to relieve existing drainage problems and failing infrastructure. When new development occurs, the adopted level-of-service standard is implemented.

² Ibid, J-60.

Parks and Recreation

The standards shown in Tables 3-1 and 3-2 of Capital Improvements Element Objective 1.4 and Policy 1.4.4 are the adopted parks and recreation facilities level-of-service standards. The town currently meets the adopted level-of-service standard.

Services and Facilities	Adopted Levels-of-Service	Existing Levels-of-Service
Roads	<i>Capital Improvements Element Policy 1.4.4</i> Peak hour level-of-service (LOS) "D" for all arterial and collector roads	There are no identified deficiencies for roadway segments. See Table 3-2 in this section for specific roadway segments.
Sanitary Sewer	<i>Capital Improvements Element Policy 1.4.4</i> 111 gallons per capita per day (gpcd)	No deficiencies identified by Pinellas County. ³
Potable Water	<i>Capital Improvements Element Policy 1.4.4</i> Through 2004: 125 gpcd 2005: 120 gpcpd	No deficiencies identified by Pinellas County. ⁴
Solid Waste	<i>Capital Improvements Element Policy 1.4.4</i> 5.31 pounds per day, per capita	3.6 pounds per day, per capita ⁵
Drainage	<i>Capital Improvements Element Policy 1.4.4</i> 25-year frequency, 24-hour storm event, or highest feasible	On-going implementation.
Recreation/Open Space	<i>Capital Improvements Element Policy 1.4.4</i> Acreage and Facilities (as adopted in Tables 1 & 2)	No deficiencies were reported. On-going implementation.

Source: The Gail Easley Company, June 2006.

Roads

The Metropolitan Planning Organization maintains level-of-service information for road segments within Pinellas County and its municipalities. The identification numbers, functional classifications, and level-of-service conditions are those listed in the *2005 Level of Service Inventory Report*. Some of the roadway segments have changed slightly from those used in the 1996 analysis prepared as supporting data for the 1999 plan amendment. All peak hour conditions meet or exceed the adopted LOS "D."

³ Pinellas County, *Evaluation and Appraisal Report*, J-60.

⁴ Ibid, J-63.

⁵ Waste Management, 6/21/06.

Link and Segment ID #	Street	From	To	Functional Classification	2005 LOS
378/7320	66 th St. N.	54 Av. N.	46 th Av. N.	Arterial Class 2	A
378/7330	66 th St. N.	46 th Av. N.	38 th Av. N.	Arterial Class 2	B
3287390	58 th St. N.	62 nd Av. N.	54 th Av. N.	Arterial Class 2	C
326/7400	58 th St. N.	54 th Av. N.	46 th Av. N.	Arterial Class 2	C
324/7410.1	58 th St. N.	38 th Av. N.	42 nd Av. N.	Arterial Class 2	D
324/7410.2	58 th St. N.	42 nd Av. N.	46 th Av. N.	Arterial Class 2	B
297/7800	54 th Av. N.	49 th St. N.	58 th St. N.	Arterial Class 2	C
297/7810.1	54 th Av. N.	63 rd Way N.	66 th St. N.	Arterial Class 2	C
297/7810.2	54 th Av. N.	62 nd St. N.	63 rd Way N.	Arterial Class 2	D
297/7810.3	54 th Av. N.	58 th St. N.	62 nd St. N.	Arterial Class 2	C
277/7850	46 th Av. N.	49 th St. N.	58 th St. N.	Arterial Class 4	C
276/7860	46 th Av. N.	58 th St. N.	66 th St. N.	Arterial Class 3	D

Source: Metropolitan Planning Organization, Yr 2005 LOS Analysis Report.

The Metropolitan Planning Organization has developed a common methodology for measuring impacts on transportation facilities within Pinellas County and all its municipalities for a coordinated approach in the implementation of concurrency management systems. Amend the plan, as necessary, to recognize this methodology and to provide for its use in applicable situations.

Section 4: Summary of Recommendations

The anticipated actions or corrective measures discussed in Sections 2 and 3, and Appendix A and B related to changes in Chapter 163, F.S. and Rule 9J-5 are presented in this section. These recommendations are based on the analysis of 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.

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
Future Land Use	1. The plan update shall include new planning periods. Recommend that these time frames be 2013 and 2025.	163.3177(5)(a)
	2. Address the latest version of the Pinellas County hazard mitigation strategy.	9J-5.006(2)(g)
	3. Amend the element to encourage elimination or reduction of uses consistent with recommendations of the most recent hazard mitigation report.	9J-5.006(3)(b) 163.31777
	4. Consider amending Future Land Use Element Objective 1.13 regarding school siting and Policy 1.13.1 to remove reference to the resolution in support of school siting.	Section 3, Elements
	5. Amend the Future Land Use Map to incorporate parcels annexed into the town in 2002.	Section 3, Elements
	6. Include an objective that establishes the future land use categories, consistent with the location determinants and standards in the <i>Countywide Rules</i> .	Pinellas Planning Council <i>Countywide Rules</i>
Transportation	1. Consider amending the element to include an objective to institute a program for local street improvements.	Section 2, Issues and Section 3, Elements

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	2. Consider policies that establish how street conditions will be assessed and how street improvements will be prioritized and scheduled. 3. Consider whether sidewalks, lighting, and landscaping will be included with local street improvements. 4. Update the Transportation Element to ensure consistency with Metropolitan Planning Organization plans. 5. Include a process in the concurrency management system (CMS) to allow a development to pay its proportionate fair share of a needed roadway improvement.	Section 2, Issues Section 2, Issues 163.3177(6)(j) 163.3180 9J-5.0055 & .016
Housing	1. Update housing data and analysis to include the 2000 census data as well as housing cost information that may be available from Shimberg Housing Data. 2. Add language to Objective 1.2 and/or associated policies to ensure that concentration of affordable housing shall be avoided. 3. Coordinate with Pine llas County in developing strategies that may address job training, job creation and economic solutions that address affordable housing on a regionwide basis.	Section 3, Elements 163.3177(6)(f)1. 9J-5.010(1) & (2) 9J-5.010(3) 163.31771(1), (2) & (4)

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	4. Revise Housing Objective 1.2 to include extremely low-income persons in the objective	
Infrastructure	<ol style="list-style-type: none"> 1. Update the Infrastructure Element to identify proposed drainage projects in Objective 5.1. 2. Amend the Infrastructure Element to include an appropriate discussion of the future water demands for the Town of Kenneth City. Update the element to include portions of a water supply plan to evaluate the anticipated level of demand for water, to identify water conservation strategies, and to provide for coordination of alternative water supply resources with Tampa Bay Water and the Pinellas County Utilities Department. 	<p>Section 3, Elements</p> <p>163.3167</p>
Conservation	Update the Conservation Element to include the most recent hurricane evacuation information.	Section 2, Issues
Recreation and Open Space	<ol style="list-style-type: none"> 1. Review the existing park acreage and condition of facilities and consider future needs of the community. 2. Consider amending the element to include any needed capital improvements for parks and recreation. 	<p>Section 2, Issues</p> <p>Section 2, Issues</p>
Intergovernmental Coordination	1. Consider options that provide better coordination with Pinellas County regarding scheduled roadway improvements through Kenneth City.	Section 2, Issues

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	<ol style="list-style-type: none"> 2. Amend the element to coordinate with Pinellas County in the development of a multijurisdictional program to address affordable and workforce housing. 3. Consider rewriting Policy 1.3.3 of the Intergovernmental Coordination Element, Objective 1.3, regarding the town resolution in support of public school siting. 4. The Intergovernmental Coordination Element should be updated with the relevant findings of the Pinellas County Interlocal Service Delivery Report. 	<p>Section 2, Issues</p> <p>Section 3, Elements</p> <p>163.3177(6)(h)6., 7., & 8.</p>
Capital Improvements	<ol style="list-style-type: none"> 1. Consider amending the Capital Improvements Element to include any needed capital improvements for parks and recreation. 2. Amend the Capital Improvements Element, Objective 1.1, to include those projects planned for the next five-year planning timeframe and amend the schedule of capital improvements annually, including any new drainage or recreation projects. 3. Amend Capital Improvements Element Policy 1.1.2 to eliminate the past date and provide for an annual update of the schedule of capital improvements. 4. Amend Capital Improvements Element Policy 1.4.9 to require timing of facilities to be in place with the 	<p>Section 2, Issues</p> <p>Section 2, Issues Section 3, Elements</p> <p>163.3177(3)(a)6.b.1</p> <p>163.3180(2)(c)</p>

SUMMARY OF RECOMMENDED CHANGES		
Element	Recommendation	Citation
	<p>issuance of a building permit rather than a certificate of occupancy.</p> <p>5. Amend the Capital Improvements Element to provide guidelines in the concurrency management system for granting concurrency exceptions.</p> <p>6. Amend the plan, as necessary, to recognize the methodology developed by the Metropolitan Planning Organization for measuring traffic impacts and to provide for its use in applicable situations</p>	<p>163.3180(5)(d)</p> <p>Section 3, Plan Element Review 163.3191(2)(p)</p>
Public School Facilities (New)	Kenneth City is exempt from the Public School Facilities Element requirement. See the attached letter in Appendix G from the Pinellas County School Board.	163.3177(6)(a), .31777, .3177(12), & .3180(13) 9J-5.025 & .015(3)(c)
All Elements	Review all objectives and policies for past dates and amend as necessary to provide contemporary language and agency names.	

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APPENDICES

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
1986: [Ch. 86-191, SS.7 - 12, & 18 - 31, <u>Laws of Florida</u>]					
1 The requirement that plans include soil surveys 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)			Statutory requirements from 1986 to 1989 should already be in local comp plans. Examine plans to confirm this.	
2 A Future Land Use Element must have "goals, policies, & measurable objectives," rather than "measurable goals, objectives, & policies."	163.3177(6)(a)			Future Land Use Element	
3 Eliminated the 12-month delay for consistency with the comprehensive regional policy plans.	163.3177(9)(c)	X			
4 Approved 9J-5, F.A.C. Defined "consistency," "compatible with," & "furthers." Required each local government to review & address all State Comprehensive Plan provisions relevant to that jurisdiction. Support data shall not be subject to the compliance review process, but that goals & policies must be clearly based on appropriate data . 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. Recognized that local governments are charged with setting level-of-service standards. Public facilities & services needed to support development shall be available concurrent with the impacts of development.	163.3177(10)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	Established the "shield" against rule challenges to 9J-5 until July 1, 1987.					
5	Required the comprehensive master plan for each deepwater port 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, " Process for adoption of comprehensive plan or amendment thereto," to basic format in place today.	163.3184		X		
7	Extended development of regional impact exemption from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)		X		
8	Exempted small scale amendments from the twice-a-year limitation.	163.3187(1)(c)		X		
9	Required the local planning agency evaluation & appraisal report 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) [Note: 163.3191 was amended & reworded in 1998. Check statutes for current wording.]		X		
10	Delayed implementation of concurrency until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)		X		
11	Initial adoption of the Florida Local Government Development Agreement Act .	[Now: 163.3220-.3243]		X		
1987: [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), & Ch. 87-338, <u>Laws of Florida</u>]						
12	Extended date for DCA to adopt schedule for submittal 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.	[Now: 163.3167(2)]		X		
1988: None						
1989: None						

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element	
<p>1990: None 1991: [Ch. 91-45, SS. 31 & 32, <u>Laws of Florida</u>] Nothing substantive. 1992: [Ch. 92-129, <u>Laws of Florida</u>, & Ch. 92-279, S. 77, <u>Laws of Florida</u>]</p>						
13	Clarified that the procedures for approval of the original plans also applied to plan amendments .	[Now: 163.3189(2)(a)]		X		
14	Provided that the local planning agency should prepare plan amendments.	163.3174; 163.3164(13) [Now: (14)] 163.3221(10) [Now: (11)]		X		
15	Added " spoil disposal sites 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 independent special districts submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. [Now: 163.3177(6)(h)3.]		X		
17	Extended " shield " against challenges 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	<p>Recognized the need for innovative planning & development strategies to address the anticipated continued urbanization of the coast & other environmentally sensitive areas.</p> <p>Stated that plans should allow land use efficiencies within existing urban areas, & should also allow for the conversion of rural lands to other uses.</p> <p>Provided that plans & land development regulations (LDRs) should maximize the use of existing facilities & services through redevelopment, urban infill, & other strategies for urban revitalization.</p>	163.3177(11)(a) (11)(b) (11)(c)		X X X		
19	Amended definition of "affected person" to clarify that the affected person's comments, recommendations, or	163.3184(1)(a)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	objections have to be submitted to the local government after the transmittal hearing for the plan amendment & before the adoption of the amendment.					
20	Required the local government to include such materials as DCA specifies by rule with each plan amendment transmittal.	163.3184(3)(b)		X		
21	Gave the local government 120 days , rather than 60 days, after receipt of the objections, recommend-dations, & comments to adopt or adopt with changes the plan or amendment ; & 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.	163.3184(7)(a) [Now: 163.3184(7)(c)1]		X		
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can issue a notice of intent (NOI) .	163.3184(8)(b)		X		
23	Required that the Division of Administrative Hearings hearing must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)		X		
24	Provided that new issues cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)		X		
25	Added a procedure for compliance agreements .	163.3184(16)		X		
26	Changed the requirements for small scale amendments : <ul style="list-style-type: none"> • Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; & for other land use, an increase form 3 to 10 acres. Also increased the annual total from 30 to 60 acres. • Allowed local governments to use a newspaper ad of less than a quarter page in size. • Authorized DCA to adopt rules establishing an alternative process for public notice for small scale 	163.3187(1)(c)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	amendments. • Provided that small scale amendments require only an adoption hearing.					
27	Provided that a plan amendment required by a compliance agreement may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) [Now: 163.3187(1)(d)]		X		
28	Stated that nothing in the statute prevented a local government from requiring a person requesting an amendment to pay the cost of publication of notice .	163.3187(5)		X		
29	Created an alternative process for amendment of adopted comprehensive plans	163.3189		X		
30	Provided that the first EAR report is due 6 years after the adoption of the comp plan, & subsequent EAR reports are due every 5 years thereafter.	163.3191(5) [Now: 163.3191(13)]		X		
31	Amended the Development Agreement Act by providing: <ul style="list-style-type: none"> • Development agreements are not effective unless the comp plan or plan amendments related to the agreement are found in compliance. • Development agreements are not effective until properly recorded & until 30 days after received by DCA. 	163.3235 163.3239		X		
1993: [Ch. 93-206, <u>Laws of Florida</u> (aka the ELMS bill) & Ch. 93-285, S. 12, <u>Laws of Florida</u>]						
32	Amended the intent section to include that constitutionally protected property rights must be respected.	163.3161(9)		X		
33	Added definitions for "coastal area", "downtown revitalization", "Urban redevelopment", "urban infill", "projects that promote public transportation", & "existing urban service area."	163.3164			Definitions of the FAC are adopted unless otherwise stated in the comprehensive plan.	
34	Amended the scope of the act to provide for the articulation of state, regional, & local visions of the future physical appearance & qualities of a community.	163.3167(11)		X		
35	Amended the requirements for the housing element by: <ul style="list-style-type: none"> • Having the element apply to the jurisdiction, rather than the area. 	163.3177(6)(f)1.			HE 1.2: The Town shall encourage the private sector to provide a suitable mixture of	Add language to Objective 1.2 or associated policies to ensure that

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Including very-low income housing in the types of housing to be considered. Provided guidance that the creation or preservation of affordable housing should minimize the need for additional local services & avoid the concentration of affordable housing units only in specific areas. Required DCA to prepare an affordable housing needs assessment for all local jurisdictions, which will be used by each local government in preparing the EAR report & amendments, unless DCA allows the local government to prepare its own needs assessment. 	(f)2.			affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes.	concentration of affordable housing shall be avoided.
36	<p>Amended the intergovernmental coordination element (ICE) by:</p> <p>Requiring each ICE to include:</p> <ul style="list-style-type: none"> A process to determine if development proposals will have significant impacts on state or regional facilities. A process for mitigating extrajurisdictional impacts in the jurisdiction in which they occur. A dispute resolution process. A process for modification of DRI development orders without loss of recognized development rights. Procedures to identify & implement joint planning areas. Recognition of campus master plans. Requiring each county, all municipalities within that county, the school board, & other service providers to enter into formal agreements, & include in their plans, joint processes for collaborative planning & decision-making. <p>Requiring DCA to:</p> <ul style="list-style-type: none"> Adopt rules to establish minimum criteria for ICE. Prepare a model ICE. Establish a schedule for phased completion & transmittal of ICE plan amendments. 	<p>163.3177(6)(h)1. & 2.</p> <p>[Note: Requirement deleted in 1996]</p> <p>[Now: 163.3177(9)(h) 163.3177(6)(h)5.]</p>		X	<p>ICE 1.3.1: The Town of Kenneth City will, through site plan review, strive to ensure that development and/or redevelopment in the town will not negatively impact the cities of St. Petersburg and Pinellas Park or unincorporated Pinellas County.</p> <p>ICE 1.5: Bring intergovernmental disputes to closure in a timely manner through the use of voluntary dispute resolution processes.</p> <p>Joint planning areas are identified in the Data and Analysis.</p>	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
37	Providing that amendments to implement the ICE must be adopted no later than December 31, 1997. [Now: 1999]	Now: 163.3177(6)(h)5.	X			
38	Requiring a transportation element for urbanized areas.	163.3177(6)(h) [Now: 163.3177(6)(j)]			Transportation Element	Update the Transportation Element to ensure consistency with MPO plans.
39	Adding an optional hazard mitigation/post disaster redevelopment element for local governments that are not required to have a coastal management element.	163.3177(7)(l)	X			
40	Requiring DCA to consider land use compatibility issues in the vicinity of airports .	163.3177(10)(l)		X		
41	Amended the coastal management element by: <ul style="list-style-type: none"> • Defining "high hazard coastal areas" as category I evacuation zones, & stated that mitigation & redevelopment policies are at the discretion of the local government. • Affirming state commitment to deepwater ports, & required the Section 186.509 dispute resolution process to reconcile inconsistencies between port master plans & local comp plans. • Encouraging local governments to adopt countywide marina siting plans. • Requiring coastal local governments to identify spoil disposal sites in the future land use & port elements. • Requiring each county to establish a process for identifying & prioritizing coastal properties for state acquisition. 	163.3178 (2)(h) (5) (6) (7) (8)	X X X X X		There are no coastal high hazard areas in Kenneth City.	
42	Created a new section for concurrency which: <ul style="list-style-type: none"> • Provides concurrency on a statewide basis only for roads, sewers, solid waste, drainage, potable water, parks & recreation, & mass transit; a local government can extend concurrency to public schools if it first conducts a study to determine how the requirement 	163.3180		X	<u>Objective 1:</u> Concurrency Management System The Town of Kenneth City shall provide, or require provision of	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
43	Provided a procedure to ensure public participation in the approval of a publicly financed capitol improvement.	163.3181(3)		X		
44	Amended the procedure for the adoption of plans & plan amendments as follows: <ul style="list-style-type: none"> Proposed plans or amendments, & materials, must be transmitted to the regional planning councils, the water management districts, the Department of Environmental Protection, & the Department of Transportation as specified in DCA's rules. 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. 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 & extra jurisdictional impacts. DCA may not require a local government to duplicate or exceed a permitting program of a state, federal, or regional agency. 	163.3184		X		
45	Provided that local governments cannot amend their comp plans after the date established for submittal of the EAR report unless the report has been submitted.	163.3187(5) [Now: 163.3187(6)(a)]		X		
46	Changed the Alternative Process for the amendment of adopted comp plans to the Exclusive Process.	163.3189(1)		X		
47	Provided that plan amendments do not become effective 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 sanctions 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 formal or informal mediation , or expeditious resolution of the amendment proceeding.	163.3189(3)(a)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
50	Amended the EARs section to require additional statements of: <ul style="list-style-type: none"> The effect of changes to the state comprehensive plan, ch. 163, part II, 9J-5 & the strategic regional policy plan. The identification of any actions that need to be taken to address the planning issues identified in the report. Proposed or anticipated amendments. A description of the public participation process. Encourage local governments to use the EAR to develop a local vision. Allows DCA to grant a 6 month extension for the adoption of plan amendments required by the EAR. Requires plan amendments to be consistent with the report. Allows municipalities of less than 2,500 to submit the EAR no later than 12 years after initial plan, & every 10 years thereafter. Authorized DCA to review EAR for sufficiency, but not for compliance. DCA authorized to delegate review to the regional planning council . Administration Commission is authorized to impose sanctions for failure to timely implement the EAR. DCA authorized to enter into agreement with municipalities of less than 5,000 & counties of less than 50,000 to focus planning efforts on selected issues when updating the plans. 	163.3191 [Note: 163.3191 was amended & reworded in 1998. Check statutes for current wording.]		X X X X X	These items are addressed in the Evaluation and Appraisal Report.	
1994 [Ch. 94-273, S. 4, <u>Laws of Florida</u>]						
51	A plan amendment for the location of a state correctional facility can be made at any time, & does not count toward the twice-a-year limitation .	163.3187(1)(f) [Now: 163.3187(1)(e)]		X		
1995 [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 mediation or alternative dispute resolution where a property owner's request for a	163.3184(10)(c)			ICE 1.5: Bring intergovernmental	

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>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.</p>				<p>disputes to closure in a timely manner through the use of voluntary dispute resolution processes.</p> <p>ICE 1.5.1: The Town will pursue the resolution of conflicts that may arise from local comprehensive plan goals, objectives, and policies using the appropriate voluntary dispute resolution process identified in this ICE or other suitable process.</p> <p>ICE 1.5.2 The Town will utilize the existing countywide planning process, as appropriate, to resolve local government future land use plan disputes, as well as other planning related intergovernmental disputes.</p> <p>ICE 1.5.3: The Town will utilize the Tampa Bay Regional Planning Council in its role as a mediator and conciliator as outlined in Chapter</p>	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					<p>29H-13, Florida Administrative Code, to reconcile differences on planning and growth management issues.</p> <p>ICE 1.5.4: In instances where the resolution of issues requiring intergovernmental concurrence has not been achieved, the Town may initiate informal mediation by filing with the Tampa Bay Regional Planning Council a written request for mediation assistance, pursuant to Chapter 29H-13, Florida Administrative Code, and Chapter 186, Florida Statutes.</p>	
53	Added a definition for "transportation corridor management" [Subsection 163.3164(30)] & allowed the designation of transportation corridors in the required traffic circulation & transportation elements & the adoption of transportation corridor management ordinances.	163.3177(6)(j)9.			Definitions of the FAC are adopted unless otherwise stated in the plan.	
54	Amended the definition of "public notice" & certain public notice & public hearing requirements to conform to the public notice & hearing requirements for counties & municipalities in Sections 125.66 & 166.041, respectively.	163.3164(18), .3171(3), .3174(1) & (4), .3181(3)(a), .3184(15)(a)-(c), .3187(1)(c)		X		
55	Prohibited any initiative or referendum process in regard to any development order or comprehensive plan or map	163.3167(12)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	amendment that affects five or fewer parcels of land.					
56	Reduced to 30 [Note: changed to 20] days the time for DCA to review comp plan amendments resulting from a compliance agreement .	163.3184(8)(a)		X		
57	Amended the requirements for the advertisement of DCA notice of intent .	163.3184(8)(b)		X		
58	Required the administrative law judge to realign the parties 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 small scale plan amendments that are exempt from the twice-per-year limitation & prohibited DCA review 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 small scale amendments . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)		X		
61	Required local planning agencies to provide opportunities for involvement by district school boards & community college boards .	163.3174(1)		X		
62	Required that the future land use element clearly identify those land use categories where public schools are allowed.	163.3177(6)(a)			FLUE 1.13.2: Public educational facilities of the School Board are an allowable use within the following future land use categories: <ul style="list-style-type: none"> •Residential Low •Residential Medium •Commercial General •Institutional 	
63	Established certain criteria for local governments wanting to extend concurrency to public schools (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) [Now: 163.3180(13)]		X		

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element	
1996: [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 small scale amendments that are exempt from the twice-per-year limitation .	163.3187(1)(c)		X		
65	Revised the objectives in the coastal management element to include the maintenance of ports .	163.3177(6)(g)9.	X			
66	Provide that certain port related expansion projects 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 future municipal incorporation .	163.3177(6)(a)	X			
68	Required the ICE to include consideration of the plans of school boards & other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)			ICE 1.4: Identify and describe joint processes for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and problematic land uses. ICE 1.6.3: Recognizing the impacts of development extend beyond the limits of the community, the Town shall, through site plan review and permitting, ensure that development orders or permits are consistent with the objectives of the Southwest Florida Water Management District, the Tampa Bay	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					Regional Planning Council, state, or federal agencies.	
69	Revised the processes & procedures to be included in the ICE.	163.3177(6)(h)		X		
70	Required that within 1 year after adopting their ICE each county & all municipalities & school boards therein establish by interlocal agreement the joint processes consistent with their ICE.	163.3177(6)(h)2.		X		
71	Required local governments who utilize school concurrency to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. [Now: 163.3180(13)(g)]	X		Kenneth City may be exempt from the PSFE.	
72	Permitted a county to adopt a municipal overlay amendment to address future possible municipal incorporation of a specific geographic area.	163.3217	X			
73	Authorized DCA to conduct a sustainable communities demonstration project .	163.3244 [Now: Repealed.]	X			
1997: [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u>]						
74	Amended the definition of de minimis impact as it pertains to concurrency requirements.	163.3180(6)		X	CI 1.4.13: Developments or redevelopments shall be considered to have <i>de minimis</i> impact provided they comply with all of the following conditions:	
75	Established that no plan or plan amendment in an area of critical state concern is effective until found in compliance by a final order.	163.3184(14)	X			
76	Amended the criteria for the annual effect of Duval County small scale amendments to a maximum of 120 acres.	163.3187(1)(c)1.a.I II	X			
77	Prohibited amendments in areas of critical state concern from becoming effective if not in compliance.	163.3189(2)(b)	X			

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
1998: [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	Exempted brownfield area amendments from the twice-a-year limitation .	163.3187(1)(g)	X		
79	Required that the capital improvements element set forth standards for the management of debt .	163.3177(3)(a)4.		<p>CI 1.2: The Town shall manage its debt in a manner to retain the integrity of its fiscal resources.</p> <p>CI 1.2.1: The Town shall confine long-term borrowing to capital improvements too large to be financed from current revenues.</p> <p>CI 1.2.2: The Town Council will only approve bond issues structured to be paid back within a period not to exceed the expected useful life of the capital project.</p> <p>CI 1.2.3: Where possible, special assessment, revenue, or other self-supporting bonds will be used instead of general obligation bonds.</p> <p>CI 1.2.4: Efforts shall be made to secure grants</p>	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					or private funds whenever available to finance the provision of capital improvements as determined by the Town Council.	
80	Required inclusion of at least two planning periods – at least 5 years & at least 10 years.	163.3177(5)(a)				The plan update must address new planning periods. Recommend 2013 and 2030.
81	Allowed multiple individual plan amendments to be considered together as one amendment cycle.	163.3184(3)(d)		X		
82	Defined “optional sector plan” & 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 public school facilities element .	163.3177(12)		X		
84	Established the minimum requirements for imposing school concurrency .	163.3180(12) [Now: Section (13)]		X		
85	Required DCA adopt minimum criteria for the compliance determination of a public school facilities element imposing school concurrency.	163.3180(13) [Now: Section14]		X		
86	Required that evaluation & appraisal reports 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)]				These requirements have been revised by the 2005 Legislature.
87	Amended the definition of “in compliance” to includes consistency with Sections 163.3180 & 163.3245.	163.3184(1)(b)		X		
88	Required DCA to maintain a file with all documents received or generated 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			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
89	Allowed a local government to amend its plan 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 evaluation & appraisal reports .	163.3191			See the EAR.	
91	Changed the population requirements for municipalities & counties which are required to submit otherwise optional elements.	163.3177(6)(i)		X		
1999: [Ch. 99-251, ss. 65-6, & 90; Ch. 99-378, ss. 1, 3-5, & 8-9, <u>Laws of Florida</u>]						
92	Required that ports & local governments in the coastal area, which has spoil disposal responsibilities , identify dredge disposal sites in the comp plan.	163.3178(7)	X			
93	Exempted from the twice-per-year limitation certain port related amendments for port transportation facilities & projects eligible for funding by the Florida Seaport Transportation & Economic Development Council.	163.3187(1)(h)	X			
94	Required rural counties to base their future land use plans & the amount of land designated industrial on data regarding the need for job creation, capital investment, & economic development & the need to strengthen & diversity local economies.	163.3177(6)(a)	X			
95	Added the Growth Policy Act to Ch. 163 , Part II to promote urban infill & redevelopment .	163.2511, .2514, .2517, .2520, .2523, & .2526		X		
96	Required that all comp plans comply with the school siting requirements by October 1, 1999.	163.3177(6)(a)			FLUE 1.13: The Town of Kenneth City shall support efforts that facilitate coordination of planning between the Town and the Pinellas County School Board for the location and development of public educational facilities.	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					<p>FLUE 1.13.1: The Town of Kenneth City supports public school siting pursuant to Section 235.193, Florida Statutes, through the passage of Resolution 99-3, dated April 14, 1999.</p> <p>FLUE 1.13.2: Public educational facilities of the School Board are an allowable use within the following future land use categories:</p> <ul style="list-style-type: none"> •Residential Low •Residential Medium •Commercial General •Institutional 	
97	Made transportation facilities subject to concurrency.	163.3180(1)(a)				
98	Required use of professionally accepted techniques for measuring level of service for cars, trucks, transit, bikes & pedestrians.	163.3180(1)(b)		X		
99	Excludes public transit facilities from concurrency requirements.	163.3180(4)(b)	X			
100	Allowed multiuse DRIs to satisfy the transportation concurrency requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)	X			
101	Allowed multimodal transportation districts in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X			
102	Exempted amendments for urban infill & redevelopment areas, public school concurrency from the twice-per-year limitation .	163.31879(1)(h) & (i) [Now: (i) & (j)]		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
103	Defined brownfield designation & 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		
2000: [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <u>Laws of Florida</u>]						
104	Repealed Section 163.3184(11)(c), F.S. , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) [Now: Repealed]	X			
105	Repealed Section 163.3187(7), F.S. 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	Repealed Sections 163.3191(13) & (15), F.S.	163.3191(13) & (15) [Now: Repealed]	X			
107	Allowed small scale amendments in areas of critical state concern 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 incentives for new development within urban infill & redevelopment areas .	163.2517(3)(j)2.	X			
2001: [Ch. 2001-279, s. 64, <u>Laws of Florida</u>]						
109	Created the rural land stewardship area program.	163.3177(11)(d)	X			
2002: [Ch. 2002-296, ss. 1 - 11, <u>Laws of Florida</u>]						
110	Required that all agencies that review comprehensive plan amendments & rezoning include a nonvoting representative of the district school board .	163.3174		X		
111	Required coordination of local comprehensive plan with the regional water supply plan.	163.3177(4)(a)			ICE 1.1.4: The Town of Kenneth City shall continue to communicate with the Pinellas County Planning Council, Pinellas County	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					School Board, Pinellas County, Tampa Bay Regional Planning Council, Tampa Bay Water, Southwest Florida Water Management District, and other state and federal agencies on projects that fall within their jurisdictions or are multi-jurisdictional in nature, and with public utilities that provide essential services to the town.	
112	Plan amendments for school-siting maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		X		
113	Required that by adoption of the EAR, the sanitary sewer, solid waste, drainage, potable water & natural groundwater aquifer recharge element consider the regional water supply plan & include a 10-year work plan to build the identified water supply facilities.	163.3177(6)(c)	X			
114	Required consideration of the regional water supply plan in the preparation of the conservation element.	163.3177(6)(d)				See #145.
115	Required that the intergovernmental coordination element (ICE) 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 interlocal agreement with the district school board, the county, & non-exempting municipalities.	163.3177(6)(h)4.	X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
117	Required that counties larger than 100,000 population & their municipalities submit a interlocal service delivery agreement (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.				ICE should be updated with the relevant findings of the Pinellas County Interlocal service delivery report.
118	Required local governments & special districts to provide recommendations for statutory changes for annexation to the Legislature by February 1, 2003.	163.3177(6)(h)9.		X		
119	Added a new Section 163.31776 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 new Section 163.31777 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			ICE Policy 1.3.3: The Town of Kenneth City shall support, through resolution, public school siting pursuant to Section 235.193, Florida Statutes. FLUE Policy 1.13.1: The Town of Kenneth City supports public school siting pursuant to Section 235.193, Florida Statutes, through the passage of Res. 99-3, dated April 14, 1999.	
121	Added a provision that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill & redevelopment areas.	163.3180(4)(c)		X		
122	Expanded the definition of "affected persons" to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
123	Expanded the definition of "in compliance" to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		X		
124	Streamlined the timing of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), & (8)		X		
125	Required that local governments provide a sign-in form at the transmittal hearing & at the adoption hearing for persons to provide their names & addresses.	163.3184(15)(c)		X		
126	Exempted amendments 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	Required EARs to include (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)			EAR	
128	Allowed local governments to establish a special master process to assist the local governments with challenges to local development orders for consistency with the comprehensive plan.	163.3215		X		
129	Created the Local Government Comprehensive Planning Certification Program to allow less state & regional oversight of comprehensive plan process if the local government meets certain criteria.	163.3246		X		
130	Added a provision to Section 380.06(24), Statutory Exemptions , 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			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
131	Prohibited a local government, under certain conditions, from denying an application for development approval for a requested land use for certain proposed solid waste management facilities.	163.3194(6)	X			
2003: [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 Agricultural Lands & Practices Act . (2): Provides legislative findings & purpose with respect to agricultural activities & duplicative regulation. (3): Defines the terms "farm," "farm operation," & "farm product" for purposes of the act. (4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a bona fide farm operation on land that is classified as agricultural land. (4)(a): Provides that the act does not limit the powers of a county under certain circumstances. (4)(b): Clarifies that a farm operation may not expand its operations under certain circumstances. (4)(c): Provides that the act does not limit the powers of certain counties . (4)(d): Provides that certain county ordinances are not deemed to be a duplication of regulation .	163.3162	X			
133	Changes "State Comptroller" references to "Chief Financial Officer."	163.3167(6)		X		
134	Provides for certain airports to abandon DRI orders.	163.3177(6)(k)	X			
135	Amended to conform to the repeal of s. 235.185 & the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2) & (3)		X		

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
136	Amended to conform to the repeal of ch. 235 & the enactment of similar material in ch. 1013.	163.37111(1)(c), (2)(e)-(f), (3)(c), (4), (6)(b)		X		
2004: [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 conform to the repeal of the Florida High-Speed Rail Transportation Act, & the creation of the Florida High-Speed Rail Authority Act. (13): Created to require local governments to identify adequate water supply sources to meet future demand. (14): Created to limit the effect of judicial determinations issued subsequent to certain development orders pursuant to adopted land development regulations.	163.3167	X			(13) See #145
138	(1): Provides legislative findings on the compatibility of development with military installations . (2): Provides for the exchange of information relating to proposed land use decisions between counties & local governments & military installations. (3): Provides for responsive comments by the commanding officer or his/her designee. (4): Provides for the county or affected local government to take such comments into consideration . (5): Requires the representative of the military installation to be an ex-officio, nonvoting member of the county's or local government's land planning or zoning board. (6): Encourages the commanding officer to provide information on community planning assistance grants .	Creates 163.3175.	X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	proximity to military installations do not count toward the limitation on frequency of amending comprehensive plans. (1)(n): Created to provide that amendments to establish or implement a rural land stewardship area do not count toward the limitation on frequency of amending comprehensive plans.		X			
143	Created to provide that evaluation & appraisal reports evaluate whether criteria in the land use element were successful in achieving land use compatibility with military installations .	163.3191(2)(n)	X			
2005 [Ch. 2005-290 & Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u>]						
144	Added the definition of " financial feasibility ."	Creates s. 163.3164(32)		X		
145	(2): Required comprehensive plans to be " financially " rather than "economically" feasible . (3)(a)5.: Required the comprehensive plan to include a 5-year schedule of capital improvements . Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be guaranteed in the form of a development agreement or interlocal agreement . (3)(a)6.b.1.: Required plan amendment for the annual update of the schedule of capital improvements. Deleted provision allowing updates & change in the date of construction to be accomplished by ordinance. (3)(a)6.c.: Added oversight & penalty provision for failure to adhere to this section's capital improvements requirements. (3)(a)6.d.: Required a long-term capital improvement schedule if the local government has adopted a long-term	163.3177		X	(2): CIE 1.1.6: Existing and anticipated capacity deficiencies identified in other elements of this plan shall be corrected according to the financially feasible Schedule of Capital Improvements adopted through this Capital Improvements Element policy. (3)(a)5: CIE 1.1.2: By the end of FY 2000, the Town shall develop, and thereafter update annually, a multi-year Capital Improvement Program (CIP), the first year of which shall be	Amend CIE Policy 1.1.2 to eliminate the past date and provide for an annual update of the schedule of capital improvements.

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>concurrency management system.</p> <p>(6)(a): Deleted date (October 1, 1999) by which school sitting requirements must be adopted.</p> <p>(6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the alternative water supply projects selected by the local government to meet its water supply needs.</p> <p>(11)(d)4.c.: Required rural land stewardship areas to address affordable housing.</p> <p>(11)(d)5.: Required a listed species survey be performed on rural land stewardship receiving area. If any listed species present, must ensure adequate provisions to protect them.</p> <p>(11)(d)6.: Must enact an ordinance establishing a methodology for creation, conveyance, & use of stewardship credits within a rural land stewardship area.</p> <p>(11)(d)6.j.: Revised to allow open space & agricultural land to be just as important as environmentally sensitive land when assigning stewardship credits.</p> <p>(12): Must adopt public school facilities element.</p> <p>(12)(a) & (b): A waiver from providing this element will be allowed under certain circumstances.</p> <p>(12)(g): Expanded list of items to include colocation, location of schools proximate to residential areas, & use of schools as emergency shelters.</p>		<p></p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p></p>	<p></p> <p>X</p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>X</p>	<p>the Capital Budget.</p> <p></p> <p></p> <p></p> <p></p> <p>(12) See Appendix G</p> <p></p>	

Changes to Chapter 163, F.S. 1986-2006		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 location of new schools & school improvements within future conditions maps.</p> <p>(12)(i): Required DCA to establish a schedule for adoption of the public school facilities element.</p> <p>(12)(j): Established penalty for failure to adopt a public school facility element.</p> <p>(13): (New section) Encourages local governments to develop a “community vision,” which provides for sustainable growth, recognizes its fiscal constraints, & protects its natural resources.</p> <p>(14): (New section) Encourages local governments to develop a “urban service boundary,” which ensures the area is served (or will be served) with adequate public facilities & services over the next 10 years. See s. 163.3184(17).</p>		X	X X X X		
146	163.31776 is repealed	163.31776 [Now: Repealed]		X		
147	<p>(2): Required the public schools interlocal agreement (if applicable) to address requirements for school concurrency. The opt-out provision at the end of Subsection (2) is deleted.</p> <p>(5): Required Palm Beach County 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 public school facilities element shall undergo re-evaluation as part of its EAR to determine if they continue to meet exemption criteria.</p>	163.31777	X X X		See Appendix G. Kenneth City is exempt from the PSFE.	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
148	(2)(g): Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.	163.3178	X			
149	<p>(1)(a): Added "schools" as a required concurrency item.</p> <p>(2)(a): Required consultation with water supplier prior to issuing building permit to ensure "adequate water supplies" to serve new development is available by the date of issuance of a certificate of occupancy.</p> <p>(2)(c): Required all transportation facilities to be in place or under construction within 3 years (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 & redevelopment areas (163.2517).</p> <p>(5)(d): Required guidelines for granting concurrency exceptions to be included in the comprehensive plan.</p> <p>(5)(e) – (g): If local government has established transportation exceptions, the guidelines for implementing the exceptions must be "consistent with & support a comprehensive strategy, & promote the purpose of the exceptions." Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data & 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 maintain records to determine whether 110% de minimis transportation</p>	163.3180	X	<p>X</p> <p>X</p> <p>X</p>	<p>(1)(a): Kenneth City is exempt from the PSFE. See Appendix G.</p> <p>(2)(c): CIE 1.4.9: Developments or redevelopments requiring the use of roads and related facilities shall receive development orders subject to:</p> <p>The public facilities being in place or under construction at the time of issuance of the certificate of occupancy; or the development order is issued subject to the necessary facilities and services being in place or under construction not more than three years after certificate of occupancy issuance, as provided in the Schedule of Capital Improvements.</p>	<p>(2)(c): Amend CIE Policy 1.4.9 to require timing of facilities to be in place with the issuance of a building permit rather than a certificate of occupancy.</p> <p>(5)(d): Amend the CIE to provide guidelines in the CMS for granting concurrency exceptions.</p>

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>impact threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.</p> <p>(7): Required consultation with the Department of Transportation prior to designating a transportation concurrency management area (to promote infill development) to ensure adequate level-of-service standards are in place. The local government & the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p> <p>(9)(a): Allowed adoption of a long-term concurrency management system for schools</p> <p>(9)(c): (New section) Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a long-term concurrency management system.</p> <p>(9)(d): (New section) 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 the Strategic Intermodal System must be consistent with FDOT standards. Standards must consider compatibility with adjacent jurisdictions.</p> <p>(13): Required school concurrency (not optional).</p> <p>(13)(c)1.: Requires school concurrency after five years to be applied on a "less than districtwide basis" (e.g., by using school attendance zones, etc).</p>			<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>CIE 1.4.10: The Schedule of Capital Improvements may include projects listed in the first three years of the Florida Department of Transportation five-year work program.</p> <p>(9)(d) See EAR.</p> <p>There are no SIS facilities in Kenneth City.</p>	

Changes to Chapter 163, F.S. 1986-2006	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.			X		
(13)(c)3.: No application for development approval may be denied if a less-than-districtwide measurement of school concurrency is used; however the development impacts must to shifted to contiguous service areas with school capacity.			X		
(13)(e): Allowed school concurrency to be satisfied if a developer executes a legally binding commitment to provide mitigation proportionate to the demand.			X		
(13)(e)1.: Enumerated mitigation options for achieving proportionate-share mitigation .					
(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must credit this amount toward any impact fee or exaction imposed on the community: <ul style="list-style-type: none"> • contribution of land • construction, expansion, or payment for land acquisition 			X		
(13)(g)2.: (Section deleted) – It is no longer required that a local government & school board base their plans on consistent population projection & share information regarding planned public school facilities, development & redevelopment & infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.		X			
(13)(g)6.a.: [Formerly (13)(g)7.a.] Local governments must establish a uniform procedure for determining if development applications are in compliance with school concurrency .		X			
(13)(g)7. [Formerly (13)(g)8.] Deleted language that allowed local government to terminate or suspend an		X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>interlocal agreement with the school board.</p> <p>(13)(h): (New 2005 provision) The fact that school concurrency 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> <p>(15): Prior to adopting Multimodal Transportation Districts, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government & 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): (New 2005 section) Required local governments to adopt by December 1, 2006 a method for assessing proportionate fair-share mitigation options. FDOT will develop a model ordinance by December 1, 2005.</p>		X			
150	<p>(17): (New 2005 section) If local government has adopted a community vision & urban service boundary, state & 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): (New 2005 section) If a municipality has adopted an urban infill & redevelopment area, state & 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	
151	(1)(c)1.f.: Allowed approval of residential land use as a small-scale development amendment when the proposed density is equal to or less than the existing future	163.3187			X	

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>land use category. Under certain circumstances affordable housing units are exempt from this limitation.</p> <p>(1)(c)4.: (New 2005 provision) If the small-scale development amendment involves a rural area of critical economic concern, a 20-acre limit applies.</p> <p>(1)(o): (New 2005 provision) An amendment to a rural area of critical economic concern may be approved without regard to the statutory limit on comprehensive plan amendments.</p>		X			
152	<p>(2)(k): Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the EAR whether the local government continues to meet the exemption criteria in s.163.3177(12).</p> <p>(2)(l): The EAR must determine whether the local government has met its various water supply requirements, including development of alternative water supply projects.</p> <p>(2)(o): (New 2005 provision) The EAR must evaluate whether its Multimodal Transportation District has achieved the purpose for which it was created.</p> <p>(2)(p): (New 2005 provision) The EAR must assess methodology for impacts on transportation facilities.</p> <p>(10): The EAR-based amendment must be adopted within a single amendment cycle. Failure to adopt within this cycle results in penalties. Once updated, the comprehensive plan must be submitted to the DCA.</p>	163.3191		X	<p>See the EAR.</p> <p>See the EAR.</p> <p>See the EAR.</p>	
153	(10) New section designating Freeport as a certified community .	163.3246	X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	(11) New section exempting proposed DRIs within Freeport from review under s.380.06, F.S., unless review is requested by the local government.		X			
2006 [Ch. 2006-68, Ch. 2006-69, Ch. 2006-220, Ch. 2006-252, Ch. 2006-255, Ch. 2006-268, <u>Laws of Florida</u>]						
154	Establishes plan amendment procedures for agricultural enclaves as defined in s.163.3164(33), F.S. Ch. 2006-255, LOF.	163.3162(5)	X		No such enclaves.	
155	Defines agricultural enclave . Ch. 2006-255, LOF.	163.3164(33)	X			
156	Adds new paragraph encouraging local governments with a coastal management element to adopt recreational surface water use policies; such adoption amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions. Ch. 2006-220, LOF.	163.3177(6)(g)2.	X		No coastal area.	
157	Allows the effect of a proposed receiving area to be considered when projecting the 25-year or greater population with a rural land stewardship area . Ch. 2006-220, LOF.	163.3177(11)(d)6.	X		No rural stewardship areas.	
158	Recognizes "extremely-low-income persons" as another income groups whose housing needs might be addressed by accessory dwelling units and defines such persons consistent with s.420.0004(8), F.S. Ch. 2006-69, LOF.	163.31771(1), (2) and (4)				Include "extremely-low-income" in amendment to Housing Element.
159	Assigns to the Division of Emergency Management the responsibility of ensuring the preparation of updated regional hurricane evacuation plans . Ch. 2006-68, LOF.	163.3178(2)(d)	X			
160	Changes the definition of the Coastal High Hazard Area (CHHA) to be the area below the elevation of the category 1 storm surge line as established by the SLOSH model. Ch. 2006-68, LOF.	163.3178(2)(h)	X		No coastal high hazard areas within Kenneth City.	
161	Adds a new section allowing a local government to comply with the requirement that its comprehensive plan direct population concentrations away from the CHHA and maintains or reduces hurricane evacuation times by maintaining an adopted LOS Standard for out-of-county hurricane evacuation for a category 5 storm, by maintaining a 12-hour hurricane evacuation time or by providing	163.3178(9)(a)	X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	mitigation that satisfies these two requirements. Ch. 2006-68, LOF.					
162	Adds a new section establishing a level of service for out-of-county hurricane evacuation of no greater than 16 hours for a category 5 storm for any local government that wishes to follow the process in s.163.3178(9)(a) but has not established such a level of service by July 1, 2008. Ch. 2006-68, LOF.	163.3178(9)(b)		X		
163	Requires local governments to amend their Future Land Use Map and coastal management element to include the new definition of the CHHA , and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.	163.3178(2)(c)	X			
164	Allows the sanitary sewer concurrency requirement to be met by onsite sewage treatment and disposal systems approved by the Department of Health. Ch. 2006-252, LOF.	163.3180(2)(a)	X		Central sewer is required.	
165	Changes s.380.0651(3)(i) to s.380.0651(3)(h) as the citation for the standards a multiuse DRI must meet or exceed. Ch. 2006-220, LOF.	163.3180(12)(a)		X		
166	Deletes use of extended use agreement as part of the definition of small scale amendment. Ch. 2006-69, LOF.	163.3187(1)(c)1.f.		X		
167	Creates a new section related to electric distribution substations ; establishes criteria addressing land use compatibility of substations; requires local governments to permit substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268, LOF.	163.3208				Amend the Future Land Use Element, future land use categories to include criteria for electric distribution substations consistent with Sec. 163.3208, F.S.
168	Creates a new section preventing a local government from requiring a permit or other approval for vegetation maintenance and tree pruning or trimming within an	163.3209	X			

Changes to Chapter 163, F.S. 1986-2006		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	established electric transmission and distribution line right-of-way . Ch. 2006-268, LOF.					
169	Community Workforce Housing Innovation Pilot Program ; created by Ch. 2006-69, LOF, section 27. Establishes a special, expedited adoption process for any plan amendment that implements a pilot program project; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.			X	Affordable housing is handled through multi-jurisdictional programs.	
170	Affordable housing land donation density incentive bonus ; created by Ch. 2006-69, LOF, section 28. Allows a density bonus for land donated to a local government to provide affordable housing; requires adoption of a plan amendment for any such land; such amendment may be adopted as a small-scale amendment; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.					Consider whether to adopt the bonus provisions.

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
November 22, 1989						
1	Defined 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 & that for public facilities & services was repealed Feb. 25, 2001.</i>	9J-5.003	X			
2	Required comp plan amendments applicable to the Wekiva River Protection Area 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 concurrency management system in their comprehensive plans & established requirements for such systems.	9J-5.0055			ICE Policy 2.1.8: The Town will coordinate its levels of service, concurrency management methodologies, and land development regulations with the Florida Department of Transportation and Pinellas County to encourage compatibility with level of service and access management standards for county- and state-maintained roadways. CIE Objective 1.4: Concurrency Management System; The Town of Kenneth City shall provide, or require provision of needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management	

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
					system, implementation monitoring of the comprehensive plan, and enforcement of development regulations.	
4	Required the capital improvement element (CIE) to include requirements to ensure an adequate concurrency management system is implemented.	9J-5.016			CIE Objective 1.4: Concurrency Management System; The Town of Kenneth City shall provide, or require provision of needed infrastructure for development and redevelopment concurrently with their impacts through the use of a concurrency management system, implementation monitoring of the comprehensive plan, and enforcement of development regulations.	
5	Clarified requirements relating to projected revenue sources that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.		X		
April 2, 1992						
6	Defined transportation concurrency management area, transportation demand management, transportation system management, & transportation mobility element. <i>Note: definitions of TCMA & TME were repealed March 23, 1994.</i>	9J-5.003	X			
7	Authorized local governments to establish optional transportation concurrency management areas & provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>	9J-5.0057	X			
8	Required transportation concurrency management areas to be shown on the future land use map.	9J-5.006(4)(a)	X			

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
9	Required CIE to ensure concurrency management areas are implemented, if designated.	9J-5.016	X			
March 23, 1994						
10	Defined 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	Revised definition 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			
12	Repealed definitions of availability or available, transportation concurrency management area, & transportation mobility element.	9J-5.003		X		
13	Required local comprehensive plans to include a countywide marina siting plan for participating local governments in the coastal area & intergovernmental coordination processes.	9J-5.005(1)(c)	X			
14	Revised monitoring & evaluation 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 evaluation & appraisal reports & evaluation & appraisal amendments . <i>Note: Repealed March 21, 1999 & February 25, 2001.</i>	9J-5.0053	X			
16	Revised requirements for the concurrency management system to include provisions regarding level of service standards, & minimum requirements for concurrency , & authorized local governments to incorporate within their concurrency management system optional long term concurrency management systems, transportation concurrency management areas, transportation concurrency exception areas; concurrency	9J-5.0055			ICE Objective 1.4: Concurrency Management System ICE Policy 1.4.4: Level of Service Standards	

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
	exceptions for projects that promote public transportation, & provisions for private contributions to local government capital improvement planning.					
17	Repealed provisions authorizing establishment of optional transportation concurrency management areas & 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 dredge spoil disposal sites & 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 proposed development & redevelopment based upon hazard mitigation reports.	9J-5.006(2)(g)			FLUE Objective 1.10: Land use planning shall be coordinated with hazard mitigation efforts, consistent with recommendations of the Pinellas County Post-Disaster Redevelopment Guide.	
20	Required the future land use element to include objectives encouraging elimination or reduction of uses that are inconsistent with an interagency hazard mitigation report & ensure the availability of dredge spoil disposal sites for coastal counties & cities.	9J-5.006(3)(b)			FLUE Objective 1.10: Land use planning shall be coordinated with hazard mitigation efforts, consistent with recommendations of the Pinellas County Post-Disaster Redevelopment Guide. FLUE Policy 1.10.2: Appropriate recommendations of interagency hazard mitigation reports, such as the Pinellas County Unified Local Mitigation Strategy, shall be	

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
					incorporated into this comprehensive plan.	
21	Required policies of the future land use element to designate dredge spoil disposal sites for affected coastal counties & municipalities & establish site selection criteria for future dredge spoil disposal sites.	9J-5.006(3)(c)	X			
22	Required local governments to adopt the level of service standards 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, & replaced by 9J-5.019.</i>	9J-5.007(3)(c)			ICE Policy 2.1.8: The Town will coordinate its levels of service, concurrency management methodologies, and land development regulations with the Florida Department of Transportation and Pinellas County to encourage compatibility with level of service and access management standards for county- and state-maintained roadways. CIE Policy 1.4.4: The operational level of service (LOS) "D" peak hour shall be the standard for all arterial and collector roads within the town.	
23	Required the ports, aviation & related facilities element to include an analysis of the need for additional dredge spoil disposal sites for existing & proposed ports. <i>Note: 9J-5.009 repealed Feb. 20, 1996, & 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">• Use data from the affordable housing needs assessment;	9J-5.010(1) & (2)			HE Objective 1.1: The Town shall encourage the private sector to provide and preserve adequate and affordable housing to meet	The HE should be amended to avoid the concentration of affordable housing.

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
<ul style="list-style-type: none"> • Address housing needs of existing & future residents; • Avoid the concentration of affordable housing; & • Address the needs of very-low income families as well as low & moderate income families. 				<p>the needs of the existing and future population.</p> <p>HE Objective 1.5: The Town shall continue to uphold the cooperation agreement with Pinellas County for the administration of the Community Development Block Grant program, and shall consider the use of other appropriate federal, state, and local subsidy programs to create affordable housing.</p> <p>HE Objective 1.2: The Town shall encourage the private sector to provide a suitable mixture of affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes.</p> <p>HE Policy 1.2.1: The Town shall permit a variety of residential densities and housing types, to allow the private sector to meet the housing needs of very-low, low, and moderate-income households.</p>	

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
25	Required housing element objectives to address: <ul style="list-style-type: none"> • Housing needs of current & future residents; • Sites & distribution of housing for very-low income & low-income families; & • Use of job training, job creation & economic solutions to address affordable housing concerns. 	9J-5.010(3)			HE 1.1: The Town shall encourage the private sector to provide and preserve adequate and affordable housing to meet the needs of the existing and future population. HE 1.2: The Town shall encourage the private sector to provide a suitable mixture of affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes.	Coordinate with Pinellas County in developing strategies that may address job training, job creation & economic solutions that address affordable housing on a region-wide basis.
26	Required coastal management element inventories & analyses to be coordinated with the countywide marina siting plan .	9J-5.012(2)	X			
27	Required coastal management element policies to: <ul style="list-style-type: none"> • Incorporate recommendations from interagency hazard mitigation reports; • Address the relocation, mitigation or replacement of infrastructure within the coastal high-hazard area; • Include criteria consistent with the countywide marina siting plan; & • Include a procedure to resolve inconsistencies between the local comprehensive plan & the deepwater port master plan. 	9J-5.012(3)	X X X			
28	Required affected local governments to incorporate the marina siting plan 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"> • Ensure coordination in the designation of new dredge spoil disposal sites 	9J-5.015(3)	X		Kenneth City has no dredge disposal sites.	

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
	<ul style="list-style-type: none"> • Involve the navigation & inlet districts, state & federal agencies & the public in identifying dredge spoil disposal sites & • Resolve conflicts between a coastal local government & a public agency seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process. 		X			
30	Required & established criteria for local governments having all or part of their jurisdiction within the urbanized area of a MPO to prepare & adopt a transportation element which replaces the traffic circulation element, the mass transit element, & the ports, aviation & related facilities element.	9J-5.019			<i>The Kenneth City Comprehensive Plan</i> has a Transportation Element.	
May 18, 1994						
31	Added provisions for settlement of conflicts through compliance agreements .			X		
32	Defined 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</i>	9J-5.003		X		

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
	<i>income, development, & high recharge area were repealed & the definitions of affordable housing & wetlands were revised March 21, 1999.</i>					
33	Revised definitions 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	Revised comprehensive plan content requirements to clarify that the future land use map or map series must be included in the adopted comprehensive plan.	9J-5.005(1)			FLUE	
35	Required all goals, objectives, policies, standards, findings & conclusions of the comp plan & plan amendments to be based upon analysis as well as data, explained the meaning of being based upon data , referenced the DCA's guide to data sources & National Wetland Inventory Maps, & authorized local governments to submit textual portions of their plan or amendment on electronic processing storage media .	9J-5.005(2)		X		
36	Required goals, objectives & policies to establish standards for the use of land & guidelines for land development regulations.	9J-5.005(6)			<p>FLUE Objective 1.1: The Town shall ensure that redevelopment and new development occur in planned areas at the appropriate densities and intensities as indicated on, and consistent with, <i>Map LU-4: Future Land Use</i> and this comprehensive plan.</p> <p>The policies associated with Objective 1.1 establish the land use categories, densities and intensities. Furthermore, Objective 1.2 through 1.6 address various</p>	

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
					aspects of residential, commercial, and mixed use development, non-conforming uses and the impacts of development on natural resources.	
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 adoption by reference 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 vested rights .	9J-5.005(8)		X		
39	Required public potable water wells & wellhead protection areas to be shown on existing land use map or map series & provided that educational uses, public buildings & grounds & other public facilities may be shown as one land use category.	9J-5.006(1)			Kenneth City has no potable water wells (See the Future Land Use data and analysis). Other facilities are provided within the FLUM designations, although there are no public schools located within Kenneth City at this time.	
40	Required policies of the future land use element to address protection of potable water wellfields by designating appropriate activities & land uses within wellhead protection areas .	9J-5.006(3)			There are no potable water wells in Kenneth City. Furthermore, Kenneth City has been identified as having poor recharge potential and high salt contents in their shallow wells. Well water is not considered potable and is used only for irrigation.	

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
41	Required public potable waterwells, wellhead protection areas, & coastal high hazard areas to be shown on the future land use map & provided that educational uses, public buildings & grounds & other public facilities may be shown as one land use category. Provided that if mixed-use categories 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)			See the FLUM and FLUE Objective 1.2 for land use categories. Schools are provided as follows: FLUE Policy 1.13.2: Public educational facilities of the School Board are an allowable use within the following future land use categories: <ul style="list-style-type: none"> · Residential Low · Residential Medium · Commercial General · Institutional 	
42	Provided criteria for reviewing local comprehensive plans & plan amendments for adequacy in discouraging the proliferation of urban sprawl , 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 moderate income, low income, & very low income households, group homes, foster care facilities, & households with special housing needs, including rural & farmworker housing.	9J-5.010			HE Objective 1.2: The Town shall encourage the private sector to provide a suitable mixture of affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes. HE Policy 1.2.1: The Town shall permit a variety of residential densities and housing types, to allow the private sector to meet the housing needs of very-low, low, and moderate-income households.	

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
					HE Policy 1.2.2: Manufactured home placement shall be in keeping with provisions contained in the land development regulations.	
44	Required the housing element analysis to address the existing housing delivery system.	9J-5.010(2)(e)			The private sector housing delivery system is analyzed beginning on page 22 of the Housing Element data and analysis.	
45	Required objectives of the housing element to address adequate sites for mobile & manufactured homes .	9J-5.010(3)(b)3.			HE Objective 1.2: The Town shall encourage the private sector to provide a suitable mixture of affordable housing units, including very-low, low, and moderate-income housing, and manufactured homes.	
46	<p>Required policies of the housing element to:</p> <ul style="list-style-type: none"> • Include specific programs & actions to streamline the permitting process & minimize costs & delays for housing; • Establish principles & criteria guiding the location of manufactured homes; • Identify interlocal agreements with nearby local governments to provide affordable housing; & • Designate sufficient sites at sufficient densities to accommodate affordable housing. 	9J-5.010(3)(c)			<p>HE 1.1.2: The Town shall review and update ordinances, codes, regulations, and the permitting process as needed to streamline the private sector's ability to meet housing needs.</p> <p>HE 1.2.2: Manufactured home placement shall be in keeping with provisions contained in the land development regulations.</p>	

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
					HE 1.1.5: The Town shall continue to uphold the cooperation agreement with Pinellas County for the administration of the Community Development Block Grant program, and shall consider the use of other appropriate federal, state, and local subsidy programs to create affordable housing.	
47	Required the data & analysis of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to identify major natural drainage features & natural groundwater aquifer recharge areas , including areas identified by the water management district as prime or high groundwater recharge areas .	9J-5.011(1)(g)			The FLUE establishes that Kenneth City has been identified as having poor recharge potential and high salt contents in their shallow wells. In addition, the stormwater sub-element of the Infrastructure Element address natural drainage features.	
48	Required the policies of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to establish water quality standards for stormwater recharge .	9J-5.011(2)(c)			IE 5.1: The Town shall continue to implement its master drainage plan, and enforce land development regulations governing stormwater drainage. IE 5.1.1: The drainage level-of-service standard shall be the design requirements of the 25-year frequency, 24-hour storm event or the highest feasible design requirements.	

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
					<p>IE 5.1.4: Land development regulations governing stormwater drainage shall, at a minimum, establish:</p> <p style="padding-left: 40px;">Limitations on the percentage of non residential lots that may be covered by impervious surface;</p> <p style="padding-left: 40px;">Use of erosion and runoff control devices during construction;</p> <p style="padding-left: 40px;">Use of front, rear, and side yard swales in new development;</p> <p style="padding-left: 40px;">Strict regulation of development within the 100-year floodplain, so that natural flood storage is maintained;</p> <p style="padding-left: 40px;">Limitation of development along Joe's Creek to low density residential, with adequate setbacks to maintain any existing areas of natural habitat; and</p> <p style="padding-left: 40px;">Requirements that post development runoff rates, volume, and pollutant loads do not exceed predevelopment conditions.</p>	
49	Required conservation element to identify & analyze groundwater & important fish or shellfish areas .	9J-5.013(1)			CE 1.1: The Town shall continue to participate in the conservation of regional groundwater resources.	

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
					CE 1.1.3: The Town shall protect the water storage and water quality enhancement functions of floodplain areas through enforcement of land development regulations, and the application of land and water management practices which provide for compatible uses.	
50	Required policies of the conservation element to address land uses known to affect adversely the quality & quantity of water sources including natural groundwater recharge areas, wellhead protection areas & surface waters used as a source of public water supply, & the protection & conservation of wetlands .	9J-5.013(2) & (3)			<p>Kenneth City has been identified as having poor recharge potential and high salt contents in their shallow wells. Well water is not considered potable and is used only for irrigation.</p> <p>CE 1.1.3: The Town shall protect the water storage and water quality enhancement functions of floodplain areas through enforcement of land development regulations, and the application of land and water management practices which provide for compatible uses.</p> <p>CE 1.2: To maintain surface water quality and reduce flood damage, the Town shall protect the natural functions of floodplains, lakes, and the creek.</p>	

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
February 20, 1996						
51	Repealed rule requirements 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., & 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, & 9J-5.009	X			
52	Repealed rule requirements 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	Repealed rule requirements 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 & the State Comprehensive Plan.</i>	9J-5.021		X		
October 20, 1998						
54	Established requirements for the public school facilities element for public school concurrency for local governments that adopt school concurrency.	9J-5.025	X			
March 21, 1999						
55	Defined public transit & stormwater management facilities.	9J-5.003		X		
56	Revised the definitions of affordable housing, coastal planning area, port facility, & wetlands.	9J-5.003		X		
57	Repealed the definitions 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	Revised provisions relating to adoption by reference into the local comprehensive plan.	9J-5.005(2)(g) & (8)(j)		X		
59	Repealed transmittal requirements for proposed evaluation & appraisal reports, submittal requirements for adopted EARs, criteria for determining the sufficiency	9J-5.0053(2) through (5)		X		

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
	of adopted EARs, procedures for adoption of EARs. <i>Note: transmittal requirements for proposed EARs & submittal requirements for adopted EARs were incorporated Rule Chapter 9J-11, F.A.C.</i>					
60	Repealed conditions for de minimis impact & 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 transportation concurrency exception area 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 high recharge & prime recharge areas.	9J-5.011(2)(b)5.	X		Kenneth City has been identified as having poor recharge potential.	
63	Repealed the intergovernmental coordination element process 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 traffic circulation element & that local governments with a population of 50,000 or less are not required to prepare mass transit & ports, aviation & related facilities elements .	9J-5.019(1)		X		

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
65	<p>Required objectives of the transportation element to:</p> <ul style="list-style-type: none"> • Coordination the siting of new, or expansion of existing ports, airports, or related facilities with the future land use, coastal management, & conservation elements; • Coordination surface transportation access to ports, airports, & related facilities with the traffic circulation system; • Coordination ports, airports, & related facilities plans with plans of other transportation providers; • Ensure that access routes to ports, airports & related facilities are properly integrated with other modes of transportation. 	9J-5.019(4)(b)	X		There are no port, airport, or freight rail line facilities within the town.	
66	<p>Required policies of the transportation element to:</p> <ul style="list-style-type: none"> • Provide for safe & convenient on-site traffic flow; • Establish measures for the acquisition & preservation of public transit rights-of-way & corridors; • Promote ports, airports & related facilities development & expansion; • Mitigate adverse structural & non-structural impacts from ports, airports & related facilities; 	9J-5.019(4)(c)15.	X		TE 1.3.4: The Town shall ensure the provision of crosswalks and sidewalks on roadways with high pedestrian usage in their jurisdiction, to the extent possible given right-of-way limitations.	
	<ul style="list-style-type: none"> • Protect & conserve natural resources within ports, airports & related facilities; • Coordinate intermodal management of surface & water transportation within ports, airports & related facilities; & • Protect ports, airports & related facilities from encroachment of incompatible land uses. 		X		There are no public transit corridors in the city.	
			X			
67	Added standards for the review of land development regulations by the DCA.	9J-5.022		X		

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
68	Added criteria for determining consistency of land development regulations with the comp plan.	9J-5.023		X		
February 25, 2001						
69	Defined "general lanes."	9J-5.003		X		
70	Revised the definition of "marine wetlands."	9J-5.003		X		
71	Repeal the definition of "public facilities & services."	9J-5.003		X		
72	Revised procedures for monitoring, evaluating & appraising implementation of local comp plans.	9J-5.005(7)		X		
73	Repealed requirements for evaluation & appraisal reports & evaluation & appraisal amendments.	9J-5.0053		X		
74	Revised concurrency management system requirements to include provisions for establishment of public school concurrency .	9J-5.005(1) & (2)	X			
75	Authorized local governments to establish multimodal transportation level of service standards & established requirements for multimodal transportation districts .	9J-5.0055(2)(b) & (3)(c)	X		Multi-modal transportation districts are not established.	
76	Authorized local governments to establish level of service standards 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)			TE 1.1: The operational level-of-service (LOS) "D" peak-hour shall be the standard for all arterial and collector roads within the town.	
77	Provide that public transit 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 proportionate share contribution .	9J-5.0055(9)	X			
79	Required the future land use map to show multimodal transportation district boundaries, if established.	9J-5.006(4)(a)	X			
80	Authorized local governments to establish multimodal transportation districts &, if established, required local governments to establish design standards for such districts.	9J-5.006(6)	X		Multi-modal transportation districts are not established.	

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
81	Required data for the housing element include a description of substandard dwelling units & repealed the requirement that the housing inventory include a locally determined definition of standard & substandard housing conditions.	9J-5.010(1)(c)			Housing analysis states that there are no substandard dwelling units.	
82	Authorized local governments to supplement the affordable housing needs assessment with locally generated data & repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)			Shimburg Housing Data is used in the Housing Analysis.	
83	Required the intergovernmental coordination element to include objectives that ensure adoption of interlocal agreements 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 public school concurrency .	9J-5.015(3)(b)5. & 6.			Objective 1.13: School Siting - The Town of Kenneth City shall support efforts that facilitate coordination of planning between the Town and the Pinellas County School Board for the location and development of public educational facilities.	

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
84	<p>Required the intergovernmental coordination element to include:</p> <ul style="list-style-type: none"> • Policies that provide procedures to identify & implement joint planning areas for purposes of annexation, municipal incorporation & joint infrastructure service areas; • Recognize campus master plan & provide procedures for coordination of the campus master development agreement; • Establish joint processes for collaborative planning & decision-making with other units of local government; • Establish joint processes for collaborative planning & decision making with the school board on population projections & siting of public school facilities; • Establish joint processes for the siting of facilities with countywide significance; & • Adoption of an interlocal agreement for school concurrency. 	9J-5.015(3)(c)	X		<p>ICE 1.4: Identify and describe joint processes for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, and problematic land uses.</p> <p>ICE 1.6: Identify, implement, and coordinate joint planning areas for annexation and service provision.</p> <p>FLUE 1.13.1: The Town of Kenneth City supports public school siting pursuant to Section 235.193, Florida Statutes, through the passage of Resolution 99-3, dated April 14, 1999.</p>	
85	<p>Required the capital improvements element to include implementation measures that provide a five-year financially feasible public school facilities program that demonstrates the adopted level of service standards will be achieved & maintained & a schedule of capital improvements for multimodal transportation districts, if locally established.</p>	9J-5.016(4)(a)	X			
86	<p>Required the transportation element analysis for multimodal transportation districts to demonstrate that community design elements will reduce vehicle miles of travel & support an integrated, multi-modal transportation system.</p>	9J-5.019(3)			Analysis is provided in the Transportation Element.	

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
87	Required transportation element objectives for multimodal transportation districts to address provision of a safe, comfortable & attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)			TE 1.3: The Town shall encourage the development and utilization of a safe, convenient, and energy efficient multi-modal transportation system, supporting motorized and non-motorized transportation, and meeting the special needs of the transportation disadvantaged. Objective 1.4: Physical Design - The town transportation system shall emphasize safety and aesthetics.	
88	Authorized local governments to establish level of service standards 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)			TE 1.1: The operational level-of-service (LOS) "D" peak-hour shall be the standard for all arterial and collector roads within the town. CIE 1.4.4: The operational level of service (LOS) "D" peak hour shall be the standard for all arterial and collector roads within the town.	

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 the *Kenneth City 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

Kenneth City has objectives in the plan relating to affordable housing, emergency preparedness, natural resources, and transportation goal areas. There is one facility identified in the *SRPP* within Kenneth City. The only facility that functions in a regional manner is the Joe's Creek drainage facility, which is identified as a managed resource. In order to participate with Pinellas County in the regional issue concerning affordable and workforce housing, this item is addressed as Issue #7 in Section 2, EAR Issues Matrix.

Regionally Significant Resources and Facilities

There is one regionally significant resource and facility identified within Kenneth City by the *SRPP*. It is Joe's Creek Management Area, identified as one of Pinellas County's managed areas and shown on Map #10, Natural Resources, in the *Regionally Significant Resources and Facilities*. Joe's Creek one of the natural resources designated in the Conservation Element of the town's comprehensive plan for protection.

Recommendations

Continue coordination and implementation of the plan.

APPENDIX D

Public Participation Documentation

1. Letter of Agreement from DCA
2. Kenneth City Issues
3. Minutes from Planning and Zoning Board Workshop, January 11, 2006
4. (Minutes from other meetings as they occur)



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

JEBBUSH
Governor

THADDEUS L. COHEN, AIA
Secretary

March 1, 2006

The Honorable William B. Smith
Town of Kenneth City 6000 - 54th
Avenue North Kenneth City,
Florida 33709

Dear Mayor Smith:

The Department of Community Affairs has reviewed your letter of January 30, 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.

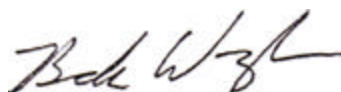
Two areas requiring attention by the Town in the evaluation process are population projections and assessment of the comprehensive plan. The update for population projections should include the 5 and 10 year planning timeframes. The Town should use these population projections to forecast the community 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

Honorable William B. Smith
Page 2 of 2 March 1, 2006

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(2)(j), 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

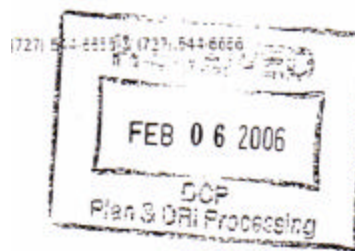
BW/ed

Enclosure

cc: Manny Pumariega, 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

January 30, 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 - Kenneth City Evaluation & Appraisal

Report Dear Ms. Conaway:

On January 11, 2006, the Town of Kenneth City participated in a joint scoping meeting with the Pinellas Planning Council, City 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 January 11, 2006, with the Planning and Zoning Board, Town Council, and interested citizens. The following issues were discussed at the workshop and are presented as follows:


1. Upgrading of town parks
2. Maintenance and upgrading of aging stormwater drainage facilities
3. Coordination with Pinellas County government regarding improvement of county roads (e.g., 46th and 54th Avenues N.), including enhancement issues
4. Improvement of local streets (e.g., maintenance, sidewalks, lighting)
5. Hardening of town-owned buildings against natural disasters
6. Preservation of the natural environment (lakes owned by the Town)

Kenneth City 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.

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 Kenneth City and other cities for preparation of the EAR. Her telephone number is 352-795-4920 or she can be reached by email at easlev.q@aoi.com.

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

Sincerely,


William B. Smith, Mayor
Town of Kenneth City

CC: Gail Easley

PUBLIC WORKSHOP
EVALUATION AND APPRAISAL REPORT
JANUARY 11, 2006
8:40 P.M.

CALL TO ORDER:

The meeting was called to order by Chairman Doug Lewis

ROLL CALL:

Planning & Zoning Board Members
Mayor and Councilmembers

WELCOME:

Chairman Doug Lewis welcomed everyone to the meeting. He gave a brief explanation of the purpose of the meeting.

Chairman Lewis introduced Linda Fisher from the Pinellas Planning Council and Nancy Smith from the Gail Easley Company.

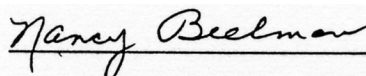
Members of the Council, Planning & Zoning Board members and residents of Kenneth City participated in the discussion of major issues in the Town. The following issues were discussed:

1. Upgrading two town parks
2. Storm water drainage facilities
3. Coordinate with County regarding improvement of 46th Ave. No. and 54th Ave. No.
4. Streets - maintenance, sidewalks, lighting
5. Hardening of town-owned buildings against natural disasters.
6. Preservation of the natural environment - town owned lakes.

Chairman Lewis thanked everyone for attending and the input they gave.

Councilmember Redisch made a motion to adjourn, Councilmember Zemaitis seconded.

The meeting adjourned at 9:15 P.M. Respectfully submitted,



NANCY BEELMAN, CMC Town Clerk

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 1990-2005	1990 Census % of Pin Co Population	2000 Census % of Pin Co. 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	
Local Government																			
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	1,889	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	
Totals	851,659	921,495	69,836	8.2%	947,744	26,249	2.8%	96,085	11.3%	100.0%	100.0%	100.0%	968,688	985,091	1,048,672	1,066,358	1,008,900	1,089,300	
Population Projections:													Differences Between Pinellas County & BEBR						
2015 Pinellas Co. Permanent Population Projection =					968,688			2015 BEBR Medium =					1,008,900						
2030 Pinellas Co. Permanent Population Projection =					985,091			2015 PC Permanent =					968,688						
2015 Pin. Co. Resident Population (Perm. + Seasonal) =					1,048,672			2030 BEBR Medium =					1,089,300						
2030 Pin. Co. Resident Population (Perm. + Seasonal) =					1,066,358			2030 PC Permanent =					985,091						
2015 BEBR Low Projection* =					890,000			* = Florida Statistical Abstract 2005					2030 BEBR Medium =		1,089,300				
2015 BEBR Medium Projection* =					1,008,900								2030 PC Permanent =		985,091				
2015 BEBR High Projection* =					1,132,700										104,209				
2030 BEBR Low Projection* =					835,700														
2030 BEBR Medium Projection* =					1,089,300														
2030 BEBR High Projection* =					1,363,600														

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 (BEER) 2005 population estimates and BEER *Florida Statistical Abstract 2005*, and 3. Pinellas County Planning Department "permanent" and "resident" population projections.

Facts and Assumptions

While the Census and BEER 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 EVALUATION

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:

SUMMARY TABLE	
Chapter 163.3191(2) Requirement	Location in EAR
(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
(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 & Capital Improvements Elements
(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
(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 A, Table 163; Appendix B, Table 9J-5; & Appendix C, 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 unanticipated changes in circumstances have resulted in problems or opportunities with	Section 2: Issues

SUMMARY TABLE	
Chapter 163.3191(2) Requirement	Location in EAR
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"> ▪ 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. 	Not applicable. There are no schools in Kenneth City.

SUMMARY TABLE	
Chapter 163.3191(2) Requirement	Location in EAR
<ul style="list-style-type: none"> ▪ 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). 	Appendix G: Exemption from Public School Facilities Element.
<ul style="list-style-type: none"> ▪ 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. 	Appendix G: Exemption from Public School Facilities Element.
(l) The extent to which the local government has been successful in identifying	
<ul style="list-style-type: none"> ▪ 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. 	Not applicable. See Section 3, Plan Element Review, Infrastructure Element.
<ul style="list-style-type: none"> ▪ 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. 	Not applicable. See Section 3, Plan Element Review, Infrastructure Element.
(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area,	
<ul style="list-style-type: none"> ▪ 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 	Not applicable. Kenneth City has no land within the coastal high hazard area.

SUMMARY TABLE	
Chapter 163.3191(2) Requirement	Location in EAR
balanced with public safety considerations.	
<ul style="list-style-type: none"> ▪ 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. 	Not applicable.
(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).	Section 3: Plan Element Review, Level-of-Service Evaluation
Section 163.3180 (9)(d): (New section) Required evaluation in EAR of progress in improving levels of service.	Section 3: Plan Element Review, Level-of-Service Evaluation

APPENDIX G

**Public School Facilities Element
Letter of Exemption**



PINELLAS COUNTY
SCHOOLS

Received

MAY 26 2006

Pinellas Planning
Council

WALTER
POWNALL
SERVICE CENTER

11111 S. Belcher Road
Largo, Florida 33773
(727)541-3526

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

Dear Mr. Beardslee:

School Board of
Pinellas
County, Florida

Chairperson
Carol J Cook

Vice Chairperson
Mary L. Tyus
Brown

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

Superintendent
Dr. Clayton M.
Wilcox

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.

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

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

Sf06/ExemptionLetter

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_____. "Table DP-2. Profile of Selected Social Characteristics: 2000."

_____. "Table DP-3. Profile of Selected Economic Characteristics: 2000."

_____. "Table DP-4. Profile of Selected Housing Characteristics: 2000."

U.S. Census Bureau. 1990, Tables DP-1 – DP-5, H001.

November 8, 2006