

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



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

**Adopted  
June 20, 2006**

**Town of Belleair**

**Comprehensive Plan  
Evaluation and Appraisal Report**

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**June, 2006**

**EVALUATION AND APPRAISAL REPORT**

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## Section 1: Assessment of Town and Changes Since the Last Plan

### A. Town Description

The Town of Belleair was incorporated in 1925 and is home to the historic Belleview Biltmore Resort Hotel. The resort was a playground for the leaders of American industry and society at the turn of the twentieth century. The town has an outstanding waterfront vista, three golf courses, and numerous ornamental greenways and parks. The town is operated as a council-manager form of government, with a five-member commission, one of whom serves as mayor. The town manager is appointed by the commission and oversees the day-to-day administration and service delivery for the town.<sup>1</sup>

Belleair is a low-density, residential community with a land area of approximately 1.5 square miles, or 966 acres. The town is essentially built-out with less than four percent of its land remaining vacant. Future development is expected to occur primarily from new structures built to replace existing structures. The 1990 inventory of existing land use stated that there were 37 acres of vacant land. Today, less than five acres of vacant land remain available for development.<sup>2</sup> This land is on scattered, vacant lots throughout the town, primarily in residential land use. The Town of Belleair owns approximately 209 acres of submerged land along its western edge.

#### *Geography*

Belleair is located in west central Pinellas County atop a bluff overlooking Clearwater Harbor, just south of the City of Clearwater. It is bounded on the south by the City of Belleair Bluffs and on the east by the City of Largo; the intracoastal waterway lies along its western edge and is within sight of the barrier islands to the west. The coastline of Belleair continues to be dominated by residential, sea walled properties that have encroached on the original shoreline, as reported in the 1999 Comprehensive Plan.

The Pinellas Ridge, an eroded terrace of land extending from Seminole to the Countryside area of Clearwater, underlies the Town of Belleair. This terrace ranges in elevation from 30 to 80 feet above sea level. The ridge is a productive source of water because of artesian pressure and a lower potential for salt water intrusion.<sup>3</sup> Because of the presence of this ridge, the Town provides its own water supply, treatment, and distribution.

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

The population of Belleair in 1990 was recorded by the Census as 3,963 persons. The 2000 Census recorded an additional 104 residents for a total population of 4,067, an increase of 2.6 percent from 1990. The 2005 population was estimated to be 4,138 by the Bureau of Business and Economic Research (BEER)<sup>4</sup>. This is an increase of 1.7 percent since 2000. As no new land is being developed and no annexations are occurring, the number of persons per housing unit may be rising.

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<sup>1</sup> Town of Belleair, History, retrieved from [www.belleair.town.fl.us.org](http://www.belleair.town.fl.us.org).

<sup>2</sup> Town of Belleair, EAR committee meeting March 29, 2006.

<sup>3</sup> Comprehensive Plan, FLUE, pg. 1-8.

<sup>4</sup>BEER, 2005.

The number of housing units reported by the Census dropped from 2,286 in 1990 to 2,263 in 2000. The resident population projection prepared by the Pinellas Planning Council (PPC) includes both permanent and seasonal population and is a share of the county’s total projected population for those years. See Appendix E for the complete projection methodology. BEBR “Medium” population projections are 4,405 and 4,756 respectively; by 2030, the PPC projections differ from the BEBR projections by an estimated 50 people, or approximately one percent.

<b>BELLEAIR POPULATION</b>			
<b>PPC Resident Projections</b>		<b>BEBR Medium Projections</b>	
2015	2030	2015	2030
4,628	4,706	4,405	4,756

There are some changes in the residential characteristics between the 1990 and 2000 census. For example, the percentage of children, ages 15 or younger, rose by almost three percent while the average age dropped by five years. However, Belleair residents are still older than the state’s average, have a greater percentage of residents who have attained education at the college level or beyond, and have a higher income per household than the state as a whole. The table below summarizes the demographic and socio-economic status of the town.

<b>DEMOGRAPHIC, ECONOMIC, AND HOUSING CHARACTERISTICS</b>			
Statistics	Town of Belleair		State of Florida
	1990	2000	2000
<b>Population</b>	3,963	4,067	
▪ Male	44.1	45.9%	49.1%
▪ Female	55.9	54.1%	50.9%
<b>Age by Category</b>			
▪ 15 or younger	10.9%	13.8%	19.0%
▪ 65+	37.7%	32.6%	17.6%
▪ Average Age	55.9	50.02	39.5
<b>Education</b>			
▪ Bachelor's degree or higher	38.1	47.7%	22.4%
▪ Number of students enrolled in school		640	3,933,279
Born Out-of-State	82%	68.5%	47.9%
<b>Income</b>			
▪ Median Household Income	\$39,825	\$63,267	\$38,819
▪ Percent of population living below the poverty level	3.1%		
<b>Housing Units<sup>5</sup></b>	2,286	2,263	7,302,947
▪ Single-family units	1,327 (58%)	1,358 (60%)	3,816,527 (52.3%)
▪ Multiple-family units	939 (41%)	905 (40.0%)	2,609,605 (35.7%) <sup>1</sup>
▪ Persons per household	2.03	2.16	2.51

<sup>1</sup>Remainder of units statewide are mobile homes, boats, RV, van, etc.

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

The Town of Belleair was described as a built-out community in the Comprehensive Plan that was adopted in 1999. No land has been annexed since that date to change this situation; in fact, annexation of land is not possible given the town's location adjacent to other municipalities and the Clearwater Harbor. No amendments have been made to the Future Land Use Map (FLUM) since 1999. Total housing units decreased between the 1990 and 2000 census. This may be attributed to the demolition of existing residential structures on two lots that were then replaced with a single, larger unit, resulting in a decrease in total units between 1990 and 2000<sup>6</sup>. The data and analysis for the plan should be updated to include the building permit and demolition activity during non-census years.

The Belleview Biltmore Hotel and Resort, however, may be a target for redevelopment activity. During 2005, developers proposed, and subsequently withdrew, plans to demolish a portion of the hotel and build new condominium units. Many town residents were opposed to any change in this historic property. A study should be prepared to evaluate the permitted land use of historic property under the land development code.

<sup>5</sup> U.S. Census, Table DP-4.

<sup>6</sup> Town of Belleair, EAR Committee, March 29, 2006.

## 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 EAR 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 EAR every seven years<sup>7</sup>. The EAR is the first step in updating Belleair's plan, and it is intended to accomplish the purposes outlined below, taken from *A Guide to Preparing an Evaluation and Appraisal Report*<sup>8</sup>:

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

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

## C. Public Participation Process

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

Subsequent to these general public workshops, a publicly advertised meeting was held by the Town Commission to elicit public comments regarding major issues pertinent to Belleair. The issues presented in Section 2 were primarily generated from this meeting. An EAR Committee was formed to assist with the plan review and update. The committee includes town staff and a representative from each of the town's boards: the Town Commission, the Planning and Zoning

<sup>7</sup> 163.3191(1), F.S.

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

Board, and the Historic Preservation Board. This committee met early in the process to begin the EAR process, to consider issues, and to summarize the plan's successes and shortcomings.

An agency scoping meeting was held on January 11, 2006, to help identify issues, to discuss various agencies' concerns, and to ascertain the information and resources other agencies could provide to the town to assist in evaluating and updating its plan. All neighboring local governments and appropriate state and regional agencies were invited to attend the scoping meeting. The meeting was a multi-jurisdictional event coordinated and hosted by the Pinellas Planning Council.

All meetings of the Citizens EAR Committee and the Town Commission were open to the public and were advertised in advance.

<b>EVALUATION AND APPRAISAL PUBLIC PROCESS</b>			
<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Purpose</b>
Planning and Zoning Board Public Meeting	Belleair Town Hall	December 12, 2005	Issue identification
Scoping Meeting	Indian Shores Town Hall	January 11, 2006	Coordinated agency meeting
Town Commission Public Meeting	Town Hall	February 7, 2006	EAR consultant, Gail Easley; explanation of EAR and EAR process
EAR Committee		March 6, 2006	Review of Elements
EAR Committee	Town Hall	March 29, 2006	Review preliminary draft of the EAR
LPA <sup>1</sup>	Town Hall	May 1, 2006	Public Workshop
Town Commission	Town Hall	June 6, 2006	Work session
Town Commission	Town Hall	June 20, 2006	EAR Adoption

<sup>1</sup>The Town Planning and Zoning Board is the designated LPA.

**Section 2: EAR Issues Matrix**

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
<p><b>Issue #1: Preservation of Historic Resources</b> Includes potential redevelopment of the Belleview Biltmore Resort and associated properties; present and future land use issues; and, the goal of preserving the town’s substantive features and character.</p>	<p><b>Coastal Management Element 1-10:</b>  The town shall assist property owners in the identification of, and shall encourage the preservation and protection of, historical and architecturally significant housing.</p>	<p>On-going implementation. No further changes are needed.  <u>Achievements:</u> The Town recently amended its Historic Preservation Ordinance.</p>
	<p><b>Future Land Use Element 1-6: Historic Preservation</b>  Development activities, as defined in the town land development regulations, shall ensure the protection of historic and architecturally significant resources.</p>	<p>Objectives as written address preservation adequately.  <u>Recommended Action:</u> Consider alternative methods that will effectively preserve historic resources and the open space of the Belleview Biltmore Hotel. Such methods may include:</p> <ul style="list-style-type: none"> <li>▪ Conservation easements</li> <li>▪ Transfer of development rights (TDR)</li> <li>▪ Purchase of development rights (PDR)</li> </ul>
	<p><b>Housing Element 1-4: Historic Preservation</b>  The town shall continue to encourage the identification, preservation, and protection of historical and architecturally significant housing.</p>	<p>On-going implementation. No further changes are needed.</p>

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
<p><b>Issue #2: Impacts of Potential Redevelopment</b> Address potential impacts of redevelopment of the Belleview Biltmore Resort and hotel golf course property. Analysis to include impacts of development on transportation systems, open space, water supply, wastewater treatment, drainage, and affordable/ workforce housing needs within the Pinellas County area.</p>	<p><b>Capital Improvements Element 1.5: Concurrency Management System</b></p> <p>The Town of Belleair 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>On-going implementation.</p> <p><u>Recommended Action:</u> Consider whether the level-of-service standards are appropriate and recommend new standards where needed.</p>
	<p><b>Future Land Use Element 1.4: Redevelopment</b></p> <p>The enhancement and protection of the existing town character shall be achieved through redevelopment which ensures an orderly and aesthetic mixture of land uses.</p>	<p>The Belleview Biltmore Resort is a privately owned property within the Town of Belleair. During the past year, a developer proposed major changes to the facility. The proposed changes were opposed by many local residents.</p> <p><u>Recommended Action:</u> Consider transfer of development rights (TDR) or purchase of development rights (PDR) and other strategies to specifically protect the golf course of the Belleview Biltmore Resort and other open space properties.</p>
	<p><b>Future Land Use Element 1.8: Concurrency Management</b></p> <p>All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet the</p>	<p>On-going implementation. No further changes are needed.</p>

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
	level-of-service standards adopted pursuant to this comprehensive plan and the concurrency management system are available concurrent with the impacts of the development.	
<p><b>Issue #3: Water Supply</b> Address water quantity and quality, potential treatment alternatives and options, and alternative supply sources.</p>	<p><b>Intergovernmental Coordination Element 5.2: Groundwater Protection</b></p> <p>Effective measures shall be continued to prevent saltwater intrusion, spray irrigation effluent, and other contaminants from adversely affecting the groundwater supply serving the town.</p>	<p>On-going implementation. No further changes are needed.</p>
	<p><b>Infrastructure Element 2.3: Water Conservation</b></p> <p>The Town, in cooperation with the Southwest Florida Water Management District (SWFWMD) and Tampa Bay Water (TBW), shall continue to implement procedures to reduce potable water demand and wastewater generation rates.</p>	<p>The original requirement for the Water Supply Facility Work Plan (WSFWP) gave Belleair until December 1, 2005, to produce and implement a plan that considered the Regional Water Supply Plan (RWSP) adopted in 2001, prepared by SWFWMD. State legislation subsequently changed the due date to December 1, 2006. This date was changed in the 2005 growth management legislation at which time all jurisdictions were required to prepare and implement water supply facility work plans within 18 months of the update to the RWSP.</p> <p><u>Recommended Action:</u> Amend applicable portions of the Comprehensive Plan Infrastructure Element to include the water supply facility work plan within 18 months of the update to the RWSP.</p>

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
<p><b>Issue #4: Infrastructure Repair and Replacement</b> Includes backlog of deferred street and drainage improvement projects, city-owned small bridges and service delivery concerns related to both recreation and solid waste collection practices and methods. Funding alternatives and alternative service delivery options need to be explored.</p>	<p><b>Coastal Management Element 2.1:</b></p> <p>The town shall limit public expenditures that support development in the Coastal High Hazard Area, except for the repair or replacement of existing or planned infrastructure, and the restoration or enhancement of natural resources.</p>	<p>Public investments in the town’s limited coastal high hazard areas are fairly minimal, including modest investments in water line repair or replacements, and roadway and drainage reconstruction. These investments are based on development existing prior to the initial adoption of the Coastal High Hazard Area (CHHA) in 1993.</p> <ul style="list-style-type: none"> <li>▪ Only one area of the town (Winston Drive) remains in need of such potential improvements within the next five to ten year planning horizon.</li> </ul> <p><u>Recommended Action:</u></p> <ol style="list-style-type: none"> <li>1. Amend the Capital Improvements Element (CIE) to include the appropriate infrastructure improvements along Winston Drive and associated funding source.</li> </ol>
	<p><b>Infrastructure Element 2.2: Facility Repair</b></p> <p>The town shall continue to replace and/or repair defective water and sewer facilities.</p>	<p>On-going implementation. No further changes are needed.</p>
	<p><b>Capital Improvements Element 1.1:</b></p> <p>Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the five-year Schedule of</p>	<p><u>Recommended Action:</u></p> <p>Consider other revenues that may be used to make needed improvements on a timely basis. Brainstorming sessions have produced the following ideas:</p>

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
	Capital Improvements.	<ul style="list-style-type: none"> <li>▪ a semi-private marina</li> <li>▪ bond issues</li> <li>▪ a stormwater utility</li> <li>▪ increase in millage</li> <li>▪ reduce services</li> </ul>
<p><b>Issue #5: Future Use of Submerged Lands</b>                      The town’s western border is the intra-coastal waterway with 209 acres within the municipal limits. A significant portion of this submerged land is privately owned and may be conducive to use for future marinas or related development.</p>	None.	<p><u>Recommended Action:</u>                      Consider guidelines for future use of the submerged land.</p>
<p><b>Issue #6: Affordable Housing</b></p>	<p><b>Housing Element 1.1: Affordable Housing</b></p> <p>The town shall assist the private sector in its endeavors to provide housing that is adequate and affordable for all income levels to meet the needs of the current and projected population and any households with special needs, to the extent possible considering the highly-developed nature of the town.</p>	<p><u>Achievements:</u></p> <p>The Town of Belleair has participated with Pinellas County and the other municipalities within the county in addressing this regional issue. Section 74-82 of the land development regulations (LDR) provides that accessory dwelling units are permissible in the RE (residential estate) zoning district.</p> <p><u>Recommended Action:</u></p> <ul style="list-style-type: none"> <li>▪ The Town will coordinate with Pinellas County to develop a multi-jurisdictional</li> </ul>

Issues	Objectives Pertaining to Issues	Recommendations (Impacts, Achievements, Changes, and Required Actions)
		<p>program to address affordable and workforce housing.</p> <ul style="list-style-type: none"> <li>▪ Consider coordination of any transfer of development rights (TDR) program with the provision of affordable and workforce housing.</li> </ul>

## Section 3: Plan Element Review

### Future Land Use Element

#### *Overview*

The goal of the Future Land Use Element (FLUE) is to secure and maintain the existing character of Belleair. Several specific issues are addressed in order to achieve this goal. Residential and nonresidential developments are to maintain a homogenous low-density character. Any planned unit development is required to adhere to the standards and character of the town. Further, any commercial development or redevelopment must be compatible with the established character of Belleair.

The element states that historic and architecturally significant resources are to be maintained and that land uses which do not conform to the element are to be declared non-conforming. The primary components of the FLUE are:

- Preservation and maintenance of town character;
- Preservation of historically significant resources;
- Coordination of planning between the town and the school board for school facilities;
- Prohibition on development that would reduce levels-of-service;
- Recognition of private property rights;
- Consistency with county plan; and
- Availability of land for utilities.

#### *Successes and Shortcomings*

The existing character of Belleair has, for the most part, been secured and maintained with respect to both residential and non-residential development. In addition, a variety of infrastructure improvements have been undertaken to better assure that the levels of service necessary to sustain Belleair have been implemented. These include new wells to deliver adequate sources of drinking water; the sale of the town's wastewater system to Pinellas County, which has the resources and treatment capacity necessary to assure continued and reliable wastewater treatment to residential and commercial establishments well into the future; and continued street and drainage improvements. Parks are maintained, private golf courses have been completely renovated, and their adjacent streetscapes enhanced.

#### *Recommended Action*

- The restrictions and land development conditions established within the Future Land Use Element have been adhered to, but could possibly be improved upon and strengthened to better protect the town's historic resources and its open spaces.
- The Town should consider a redefinition of historic structures to include those between 50 and 75 years of age, rather than only those that are more than 100 years old.

- The future preservation of open space and park land may also depend on strengthening provisions for set asides for such purposes relative to any large-scale, land development applications and proposals.
- Transfer of development rights or purchase of development rights (and concomitant revised density allocations within existing open space areas) may be a future tool for consideration.
- The Town should consider adding a maximum density within the General Commercial land use category. This would include considering adding residential uses within this land use category.
- The Town may need to reconsider its policy regarding short-term rentals and transient housing with regards to allowing or restricting this type of use in specific land use categories.
- During the plan amendment process, update data and analysis with building permit and demolition data for non-census years.

## **Transportation Element**

### *Overview*

The Transportation Element establishes a level-of-service standard for arterial and collector roadways. Emphasis is placed on ensuring that transportation issues are clearly coordinated with the Future Land Use Map (FLUM) and neighboring local governments. Special emphasis is placed on ensuring the safety and aesthetics of transportation in Belleair. The primary components of the Transportation Element are:

- Level-of-service standards for arterial and collector roadways;
- Encourage the development and utilization of a multi-modal transportation system;
- Coordination of transportation planning with the FLUM and with the transportation plans of the Metropolitan Planning Organization (MPO) and neighboring jurisdictions;
- Identify, protect, reserve, or acquire rights-of-way;
- Emphasize safety and aesthetics pertaining to transportation; and
- Provide appropriate regulation for parking vehicles and bicycles.

### *Successes and Shortcomings*

Due to the lack of any significant new development in town, transportation service levels are being affected by development and growth in neighboring jurisdictions. The Pinellas Trail, which runs along the eastern boundary of Belleair, is the predominant, multi-modal transportation opportunity for town residents. In addition, the town is served by the Pinellas Suncoast Transit Authority's bus services. The town coordinates with neighboring jurisdictions with respect to roadway construction and improvement projects. The town has adequate street rights-of-way, and attempts to maintain its transportation infrastructure with the resources obtained from property taxes and regionally-shared sales tax revenues and gas taxes. Parking for vehicles and bicycles appear to be properly regulated.

### ***Recommended Action***

- The re-routing of cut-through traffic along the major corridor (Indian Rocks Road) may be a new objective or goal worthy of consideration. Review the recommendations, including a roundabout on Indian Rocks Road and Ponce de Leon, that were made in the “Traffic Calming Plan for Town of Belleair,” prepared by Hall Planning and Engineering, Inc. and Dr. Reid Ewing, March 1997.
- Additional sidewalks on collector roads and bicycle lanes, where practicable, may also be a worthwhile goal to include in the Transportation Element.
- Indian Rocks Road may need some traffic calming measures to reduce the cut-through traffic. Consider the inclusion of sidewalks along major roads, as well as including sidewalk requirements for new development.

## **Housing Element**

### ***Overview***

The Housing Element addresses a variety of necessary requirements. It provides for the conservation and extension of the life of housing stock as well as the maintenance and improvement of neighborhood quality. The element goes into specific detail concerning private sector participation in providing housing and in the preservation of historically significant housing. The primary components of the Housing Element are:

- Assist the private sector in the provision of housing;
- Enforce federal fair housing requirements;
- Permit group homes in areas of residential character;
- Identify, preserve, and protect historical and architecturally significant housing;
- Conserve and extend the useful life of the existing housing stock;
- Maintain or improve neighborhood quality;
- Equitable treatment for persons and businesses displaced by state and local government programs;
- Eliminate substandard housing; and
- Permit manufactured housing in all residential districts.

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

The people who own and purchase property in Belleair as a rule take pride in their homes and property, improve upon it, and adhere to the town’s stringent codes and restrictions. However, there is a scarcity of affordable housing. The Town has recently enhanced its Historic Preservation Ordinance to better protect and preserve the housing stock that is deemed to be of an historic character. There is presently almost no housing that would be classified as substandard. Private homeowners, for the most part, take steps to conserve and extend the useful life of the existing housing stock. The housing quality has improved or has been well maintained since the last comprehensive plan review.

Manufactured housing does not exist within any of the town’s residential districts.

### ***Recommended Action***

- Belleair lacks affordable housing stock. No clear remedy exists; however, the town should consider additional means to coordinate with other local governments in regional solutions that address the need for affordable and workforce housing.

## **Infrastructure Element**

### ***Overview***

The Infrastructure Element is focused on establishing and enforcing the Concurrency Management System. It places restrictions on development and only allows for the issuance of permits when adequate facility capacity is available based on level-of-service (LOS) standards. The element adopts standards for potable water, sanitary sewer, storm water, and solid waste. It also requires that existing facilities must be maximized in order to maintain adopted LOS. When facilities are in need of repair or replacement to ensure that LOS is maintained, the element states that necessary action will be taken. The primary components of the Infrastructure Element are:

- Concurrency management system;
- Implement the Pinellas County Master Drainage Plan recommendations;
- Water conservation and reduction of potable water demand;
- Replace or repair defective water and sewer facilities;
- Maintain adopted level-of-service standards;
- Reduce per capita solid waste;
- Storm water management planning;
- Protect prime recharge areas;
- Management of hazardous waste;
- Water quality and groundwater protection; and
- Flood control.

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

There has been no particular concern for the facilities and services subject to concurrency management, as there has been no stress on the existing service capacity due to new or planned development. The Town reported that all adopted LOS are being maintained; water quality and groundwater protection standards are being maintained. A variety of infrastructure improvements have been undertaken to better assure that the LOS necessary to sustain Belleair have been implemented. These include new wells to deliver adequate sources of drinking water; the sale of the town's wastewater system to Pinellas County that has the resources and treatment capacity necessary to assure continued, reliable wastewater treatment to residential and commercial establishments; and, continued street and drainage improvements.

Belleair is fully involved with the Pinellas County Master Drainage Plan and NPDES permit requirements. It continues to maintain and preserve its potable water supply through enforcement of once per week irrigation requirements. The three private golf courses in Belleair utilize the town's treated effluent (reclaimed wastewater) to provide the majority of their irrigation water. Once Pinellas County connects the town to its regional treatment facility, the golf courses may be able to acquire additional reclaimed water for their needs. In addition, Pinellas County has taken over complete responsibility for the repair, replacement and improvement of the

wastewater collection infrastructure. The town's low lying residential areas will always be somewhat vulnerable to storm-related flooding; however, many of the homes in the high hazard areas have been demolished and reconstructed according to FEMA construction standards. There is no source of hazardous waste within the town, other than the chlorine at the water treatment plant, gasoline for the town's fleet, and power generation equipment. These are being maintained and protected according to FDEP standards. Lastly, the town continues, as resources permit, to improve and repair its storm water infrastructure and flood control systems.

***Recommended Action***

- Solid waste collection methods are being reviewed in an effort to become more cost effective and efficient. The present curbside recycling program is being re-evaluated as well.

**Coastal Management and Conservation Element**

***Overview***

The Coastal Management and Conservation Element seeks to protect the natural quality and quantity of surface and groundwater as well as related wetlands and associated native flora and fauna. Key to the element is the management of the Coastal High Hazard Area (CHHA), which includes restriction of development and density and the reduction of hurricane evacuation times. The Coastal Management section also provides for the implementation of a disaster preparedness plan, a task force for post-disaster recovery, and for reconstruction permitting procedures in order to promote mitigation of future hazards. The primary components of the element are:

- Compliance with all relevant state and federal guidelines for conservation of water, air quality, plant and animal life, and coastal conservation measures;
- Preservation and protection of historical and architecturally significant housing;
- Maintain the Clearwater Harbor Outstanding Florida Waters designation;
- Restrict development and reduce densities in the CHHA;
- Implementation of a disaster preparedness plan;
- Maintain or reduce hurricane evacuation times;
- Enforcement of coastal construction standards;
- Reconstruction permitting procedures;
- Task force for post-disaster recovery; and
- Proper waste disposal.

***Successes and Shortcomings***

The Town complies with state and federal guidelines for water conservation, air quality, coastal conservation, and other related environmental regulations.

The Town continues to protect and improve upon its ordinances intended to preserve both architecturally significant and historic structures. With the transfer of the town's wastewater system to Pinellas County since the last plan update, a point source for the occasional reclaimed water discharge to Clearwater Harbor will be eliminated. Reconstruction permitting and coastal construction standards are being strictly enforced. All other waste disposal is being properly managed. Hurricane evacuations are also managed in an acceptable and safe fashion.

Within Belleair, the recreation center currently under construction will be used as a hurricane shelter, when complete<sup>1</sup>. Other hurricane evacuation shelters are available within Pinellas County. Information about these shelters and other hurricane preparedness information is available through the Pinellas County Emergency Management Department and on-line at [www.pinellascounty.org/emergency](http://www.pinellascounty.org/emergency).

There have been no reductions in land use densities within the CHHA since the last update of the plan in 1999. Therefore, there are no redevelopment issues or concerns with how redevelopment of areas within the CHHA will occur.

### ***Recommended Action***

- The Town should further review land uses in the CHHA and consider use and density limitations within the CHHA for evacuation purposes.
- The Town should consider existing shelter space, its adequacy for residents, and coordination with other local governments concerning shelter spaces.

## **Recreation and Open Space Element**

### ***Overview***

The Recreation and Open Space Element establishes the standards by which Belleair will provide and maintain its recreational facilities. The element requires these facilities to be provided in an economically-efficient manner and takes into consideration that the community is almost built-out when determining where to place recreational facilities. The primary components of the Recreation and Open Space Element are:

- Provide and maintain a system of recreational facilities;
- Coordinate public and private recreation resources;
- Regulations to protect Recreation/Open Space land from incompatible uses;
- Provide park and recreation facilities in an economically-efficient manner; and
- Provide recreation/open space as available considering the nearly built-out state of the community.

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

For its size, Belleair offers recreational services that are second to none. It maintains 17 passive parks in addition to tennis courts and two regionally- utilized soccer fields. A new 14,000 square foot community center and shelter is under construction that will further enhance the array of recreational services available to both residents and non-residents. Both public and private funds have been used to pay for this new facility. As a consequence, the town's recreational resources benefit a much larger population base than just Belleair's residents. The Town has long-standing agreements with area soccer clubs that currently allow participation in such programs to many non-Belleair residents.

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<sup>1</sup> Minutes of the Planning and Zoning Board, May 1, 2006.  
May 15, 2006

***Recommended Action***

- The construction of the new community center is a great asset to the town and surrounding areas. Given that this new facility more than doubles current capacity, the town has the opportunity to revise its LOSS for the recreation element.
- The town also needs to coordinate LOS with Pinellas County subsequent to the \$100,000 grant that has been approved.

**Intergovernmental Coordination Element*****Overview***

The Intergovernmental Coordination Element establishes the process by which Belleair will coordinate its planning efforts with other units of local government. The ICE establishes the Pinellas Planning Council (PPC) as the main entity by which coordination efforts will be established. It also requires the coordination of LOS with neighboring jurisdictions as well as the improvement of communications where coordination is concerned. Components included in the Intergovernmental Coordination Element are:

- Coordinate with local government entities through the PPC;
- Coordinate LOS with neighboring jurisdictions; and
- Improve communications and coordination with area local governments.

***Successes and Shortcomings***

The Town coordinates and cooperates with neighboring jurisdictions in several different service delivery areas. For a complete list of the Interlocal Agreements, see the Pinellas County website at [www.pinellascounty.org/Plan](http://www.pinellascounty.org/Plan); the agreements are listed in the ICE.

Wastewater services are provided by Pinellas County as a result of a facility ownership transfer that occurred in 2003. Belleair also has an interlocal agreement with Pinellas County that provides a connection to the town for additional potable water supply on an emergency basis. Stormwater management is coordinated through a planning and permitting agreement between the Town, Pinellas County, and regional environmental regulatory agencies.

Fire services are presently provided by Belleair Bluffs, the neighboring city on Belleair's southern border. Police services are coordinated with all neighboring city police departments as well as the Pinellas County Sheriff's Department. Mass transit services are provided by the PSTA. Emergency management and ambulance services are provided via agreements with Pinellas County and the City of Largo.

***Recommended Action***

- In the future, the Town of Belleair and surrounding communities have the opportunity to further strengthen their partnerships. Roadway and infrastructure improvements can and should be coordinated with the communities in which the flow of traffic may change as a result of an improvement project.

- Partnerships with the communities surrounding Belleair to provide services that are affected by economies of scale such as solid waste collection, recycling, police and fire, may be more efficiently provided if the communities pooled their resources.

## **Capital Improvements Element**

### ***Overview***

The Capital Improvements Element (CIE) seeks to responsibly allocate the financial resources of Belleair in order to accommodate future growth and to maintain existing resources. A system for concurrency management is established alongside requirements for monitoring the Comprehensive Plan and enforcement of development regulations. Special attention is paid to the management of debt as well as the mitigation of financial liability in development occurring in the Coastal High Hazard Area. The primary components of the CIE are:

- Debt management;
- Correct existing deficiencies;
- Concurrency Management System;
- Accommodate desired future growth;
- Replace worn out or obsolete facilities; and
- Limit public expenditure in the CHHA except where there is an overriding public benefit.

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

Although Belleair does not have any outstanding debt obligations, there is a backlog of street and drainage improvement projects for the local residential streets. Recent estimates of the costs of such future projects (in 2006 dollars) approach or exceed 20 million dollars. The project backlog is due to the lack of sufficient revenue sources to address these projects on a more aggressive pay-as-you go basis rather than waiting for town growth. The principal, and almost exclusive, source of general fund monies for infrastructure repairs and replacements is the “Penny for Pinellas” local option sales tax allocation. This amounts to approximately \$375,000 annually. The Penny for Pinellas funds may only be used for capital projects.

### ***Recommended Action***

- Belleair should consider other revenue sources that may be used to make needed improvements on a timely basis. Brainstorming sessions with Town officials have produced the following approaches for addressing the needed financial resources:
  1. Develop a semi-private marina;
  2. Consider issuing bonds;
  3. Establish a stormwater utility;
  4. Increase the ad valorem millage; or
  5. Reduce services.

Public investments in the town’s limited coastal high hazard areas are fairly minimal, including modest investments in water line repair or replacements, and roadway and drainage reconstruction. These investments are based on development existing prior to the initial adoption of the CHHA in 1993.

**Recommended Action**

- Only one area of Belleair (Winston Drive) remains in need of such potential improvements within the next five to ten year planning horizon.

**Evaluation of LOS Standards**

A LOS for each of Belleair’s services and facilities was adopted in Policy 1.5.4 of the CIE. These LOS standards are also located within the specific comprehensive plan element to which they refer. The evaluation of the progress toward improving each LOS is confined to the analysis in the CIE. The adopted LOS are shown in the table below along with information concerning the existing LOS.

Services and Facilities	Adopted Levels-of-Service	Existing levels-of-service
Roads	Peak hour LOS “D” for all arterial and collector roads	No deficiencies identified
Sanitary Sewer	131 gallons per capita per day (gcd)	No deficiencies identified by Pinellas County <sup>2</sup>
Potable Water	145 gallons per capita per day (gcd) (2005) 140 gallons per capita per day (gcd) (2010)	83 gcd reclaimed water <sup>3</sup>
Solid Waste	5.31 pounds per capita per day	No LOS deficiency <sup>4</sup>
Drainage	10-year frequency, 60-minute storm event	No deficiencies identified
Parks and Recreation	Acreage and Facilities (as adopted in Tables 1 & 2)	No deficiencies identified

**Roads**

The Metropolitan Planning Organization (MPO) maintains level-of-service information for road segments within Pinellas County and its municipalities. The Link ID numbers and functional classifications are those listed in the 1999 data and analysis prepared for the Belleair EAR-based amendments. Some of the roadway segments have been divided, as in link ID #2670; others are no longer available. With the exception of one segment (2670.2), all the roadways are functioning at or within the adopted LOS.

2005 Existing LOS Conditions					
Link ID #	Street	From	To	Functional Classification	2005 LOS
2670	Alt 19/Ft. Harrison	Druid Rd.	Lakeview Rd.	PA	C E D
2670.1					
2670.2					
2670.3					
2680	Alt 19/Ft. Harrison	Lakeview Rd.	Belleview Blvd.	PA	C
4750	Belleview Blvd.	Indian Rocks Rd.	Clearwater-Largo Rd.	C	B
4970	Indian Rocks Rd.	Belleview Blvd.	Ponce de Leon Blvd.	C	A
4980	Indian Rocks Rd.	Ponce de Leon Blvd.	Poinsettia Rd.	C	A
4990	Indian Rocks Rd.	Poinsettia Rd.	Mehlenbacher Rd.	C	B

<sup>2</sup> Pinellas County, *Evaluation and Appraisal Report*, J-60.

<sup>3</sup> City of Belleair, Water Department, April 10, 2006. The per capita water use is 83 gpd when adjusted by the use of reclaimed water.

<sup>4</sup> Pinellas County, *Evaluation and Appraisal Report*, J-68.

2005 Existing LOS Conditions					
Link ID #	Street	From	To	Functional Classification	2005 LOS
5130	Mehlenbacher/8 <sup>th</sup> Ave.	Clearwater-Largo Rd.	Indian Rocks Rd.	C	D
5240	Ponce de Leon Blvd.	Clearwater-Largo Rd.	Indian Rocks Rd.	C	D
40000	Belleview Blvd. (8)	Druid Rd.	Indian Rocks Rd.	C	NA
40010	Druid Rd. (8)	Belleview Blvd.	Town limits	C	NA

PA = Principal Arterial C = Collector NA = Not available in 2005 data

### ***Sanitary Sewer***

Since the last plan update in 1999, Belleair no longer operates its own wastewater system. It was sold to Pinellas County in order to provide and maintain more effective service at a better economy of scale. Because of the transfer in ownership that took place in 2003, Belleair's sanitary sewer sub-element should be revised to include data for the gallons of wastewater per capita and the appropriate LOS based on the county's wastewater treatment system.

### ***Potable Water***

Belleair operates and maintains its own potable water wells and delivery system. The most recent available data indicates that the LOS for potable water is 83 gallons per capita per day, when adjusted for the use of reclaimed water<sup>5</sup>. The 1999 Comprehensive Plan data and analysis established that the Belleview Biltmore Hotel and Resort is a "significant" user, and its water consumption causes the per capita LOS calculation to appear higher than the adopted LOS.

### ***Solid Waste***

The Town of Belleair continues to rely on Pinellas County for disposal of solid waste based on an interlocal agreement. All refuse collected within Belleair is sent to the Pinellas County Refuse-to-Energy Plant, the Bridgeway Acres Sanitary Landfill, or is recycled. According to the Pinellas County *Evaluation and Appraisal Report*,

Pinellas County Utilities has adequate disposal capacity to meet the need of existing and planned customers countywide. For example, Pinellas County, as a whole, currently recycles over 100,000 tons of yard waste each year, with approximately 20,000 tons of yard waste recycled at the Bridgeway Acres facility. With aggressive recycling programs such as these, artificial reef operations, and a state-of-the-art waste-to-energy facility, LOSS remain met and no LOS deficiencies have been experienced, or are anticipated at any time in the future.<sup>6</sup>

Because no proportional capacity agreement exists between Belleair and Pinellas County, the amount of solid waste generated by Belleair is not separated from the countywide population. Although no LOS deficiencies have been identified, the method of solid waste collection is under review in an effort to become more cost effective and efficient. The present curbside recycling program is being re-evaluated for the same reason.

<sup>5</sup> City of Belleair, April 10, 2006.

<sup>6</sup> Ibid, page J-68.

***Drainage***

The town relies heavily on new development and redevelopment to improve existing drainage problems. Belleair continues to implement the LOS requirement for all new development during the site plan review process.

***Parks and Recreation***

The Town has maintained and enhanced its recreation and parks during the last planning period. A new 14,000 square foot community center and hurricane evacuation shelter is under construction. Belleair provides recreational opportunities on a regionwide basis with two soccer fields. No deficiency in the adopted LOS has been identified.

## **Section 4: Summary of Recommendations**

The anticipated actions or corrective measures discussed in Sections 2 and 3, and Tables 163 and 9J-5 are presented in this section. These recommendations are based on the analysis of new population projections, new revised planning timeframes, 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 (FLUE)	1. The plan update shall include new planning periods. Recommend that these time frames be 2015 and 2025.	163.3177(5)(a)
	2. Amend FLUE if necessary to provide for accessory dwelling units. (Accessory dwelling units are provided for in the Land Development Regulations, Section 74-82).	163.31771
	3. Address the latest version of the Pinellas County hazard mitigation strategy.	9J-5.006(2)(g)
	4. 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)
	5. Include a policy on wellhead protection.	9J-5-006(3)
	6. Consider guidelines for future use of submerged land.	Section 2, Issues
	7. Consider improving and strengthening measures that better protect the town's historic resources and open spaces.	Section 3, Elements
	8. Consider a redefinition of historic structures, to include those between 50 and 75 years of age, rather than only those that are more than 100 years old.	Section 3, Elements
	9. Strengthen provisions for reservation of open space relative to any large-scale land development applications and proposals.	Section 3, Elements
	10. Evaluate the permitted land use of historic property under the land development code.	Section 1, Present Land Use

Summary of Recommended Changes		
Element	Recommendation	Citation
	<p>11. Consider alternative methods that will effectively preserve historic resources and the open space of the Belleview Biltmore Hotel. Such methods may include:</p> <ul style="list-style-type: none"> <li>▪ Conservation easements</li> <li>▪ Transfer of development rights (TDR)</li> <li>▪ Purchase of development rights (PDR)</li> </ul> <p>12. Consider adding residential uses with a maximum density within the General Commercial land use category.</p> <p>13. Reconsider town policy regarding short-term rentals, and transient housing with regard to allowing or restricting this type of use in specific land use categories.</p> <p>14. Update data and analysis with building permit and demolition data for non-census years during the plan amendment process.</p>	<p>Section 2, Issues</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p>
Transportation (TE)	<p>1. Consider a new objective or policy concerning the re-routing of cut-through traffic along Indian Rocks Road. See the “Traffic Calming Plan” for specific recommendations.</p> <p>2. Consider the addition of sidewalks on collector roads and bicycle lanes, where practicable, for inclusion in the plan.</p> <p>3. Consider traffic calming measures on Indian Rocks Road to reduce cut-through traffic.</p> <p>4. Consider including a policy requiring sidewalk installation for new development.</p>	<p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p> <p>Section 3, Elements</p>

Summary of Recommended Changes		
Element	Recommendation	Citation
Housing (HE)	<ol style="list-style-type: none"> <li>1. Amend the Housing Element to avoid concentrations of low income and affordable housing.</li> <li>2. Participate with Pinellas County in addressing economic solutions to affordable housing concerns.</li> <li>3. Coordinate with Pinellas County to develop a multi-jurisdictional program to address affordable and workforce housing</li> <li>4. Consider coordination of any TDR program with the provision of affordable and workforce housing.</li> </ol>	<p>163.3177(6)(f)1; 9J-5.010(1) &amp; (2)</p> <p>9J-5.010(3)</p> <p>Sections 2, Issues, and 3, Elements</p> <p>Section 2, Issues</p>
Infrastructure (IE)	<ol style="list-style-type: none"> <li>1. Amend Potable Water Sub-element to incorporate the alternative water supply projects selected by the town within 18 months following the update to the Regional Water Supply Plan (RWSP). The projects will meet the projected water demands of Belleair and identify:                             <ul style="list-style-type: none"> <li>▪ alternative water supply projects</li> <li>▪ traditional water supply projects</li> <li>▪ conservation and reuse</li> </ul> </li> <li>2. Include a work plan for building “public, private, and regional water supply facilities” within 18 months following the update to the RWSP.</li> <li>3. Evaluate solid waste collection methods to analyze areas to provide more cost effective and efficient service. Include the present curbside recycling program.</li> </ol>	<p>163.3177(6)(c);</p> <p>163.3177(6)(c) and Section 2, Issues</p> <p>Section 3, Elements</p>

Summary of Recommended Changes		
Element	Recommendation	Citation
Coastal Management and Conservation (CMCE)	1. Further review land uses in the CHHA for any redevelopment concerns.	Section 3, Elements
	2. Consider land uses and density limitations within the CHHA for evacuation purposes.	Section 3, Elements
	3. Consider existing shelter space, its adequacy for needs of the town, and coordination with other local governments concerning shelter spaces.	Section 3, Elements
	4. Amend CMCE to address commercial working waterfronts and strategies to preserve recreational waterfronts.	163.3178(2)(g)
Recreation and Open Space (ROSE)	1. Consider adding the Clearwater Harbor to the list of recreational facilities.	Section 163.3177(6)(e)
Intergovernmental Coordination (ICE)	1. Amend ICE to include the findings of the Pinellas County Interlocal Service Delivery report as the findings pertain to Belleair.	163.3177(6)(h)6., 7., & 8.
	2. Include an objective that ensures the adoption of an interlocal agreement concerning public school facilities within one year following the plan amendment.	9J-5.015(3)(b)5 & 6
	3. Coordinate roadway and infrastructure improvements with the adjacent communities concerning traffic flow changes that may result from an improvement project.	Section 3, Elements
	4. Consider partnerships with surrounding communities to provide services such as solid waste collection, recycling, police and fire. Such services may be more economically provided to several than based on one individual community.	Section 3, Elements

Summary of Recommended Changes		
Element	Recommendation	Citation
Capital Improvements (CIE)	<ol style="list-style-type: none"> <li>1. Consider whether the LOS standards are appropriate and recommend new standards where needed.</li> <li>2. Amend CIE, Objective 1.5 and Policy 1.5.13 with the following language:                             <ol style="list-style-type: none"> <li>a. The proposed development consists of a single-family house on a lot of record.</li> <li>b. The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted LOS standard for the peak hour for the affected roads or road segments.</li> <li>c. The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one percent of the maximum service volume at the adopted LOS standards of the road or road segment, if the facility does not meet the minimum LOS standard; or</li> <li>d. The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110 percent of the roadway capacity for the adopted LOS.</li> </ol> </li> <li>3. Amend the Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement</li> <li>4. Update the schedule of capital improvements; the amendment shall provide that the CIE will be updated on an annual basis to maintain a financially feasible schedule of capital improvements.</li> <li>5. Amend CIE policies to change from “certificate of occupancy” to the standard: “after approval of building permit.”</li> </ol>	<p>163.3180(9)(d), Section 2, Issues, and Section 3, Elements</p> <p>163.3180; 9J-5.0055</p> <p>163.3180</p> <p>163.3177(3)(a)6(b)1</p> <p>163.3180(2)(c)</p>

Summary of Recommended Changes		
Element	Recommendation	Citation
	<p>6. Amend the CIE to include the appropriate infrastructure improvements along Winston Drive and associated funding source or sources.</p> <p>7. Consider using other revenues sources for needed improvements to a back-log of infrastructure needs. Other revenue sources to consider could include:</p> <ul style="list-style-type: none"> <li>▪ a semi-private marina</li> <li>▪ bond issues</li> <li>▪ a stormwater utility</li> <li>▪ increase in millage</li> <li>▪ reduce services</li> </ul> <p>10. School Concurrency shall be addressed in the Concurrency Management System consistent with the LOS as adopted in the Pinellas County PSFE.</p>	<p>Section 2, Issues</p> <p>Sections 2, Issues, and 3, Elements</p> <p>163.31777(2); 163.3180(1)(a); 163.3180(13)(g)</p>
Public School Facilities (New)	Belleair is exempt from the PSFE requirement. See the attached letter in Appendix G from the Pinellas County School Board.	163.3177(6)(a); 163.31777; 3177(12); 163.3180(13); 9J-5.025; 9J-5.015(3)(c)
All Elements	Review all objectives and policies for past dates and amend as necessary to provide contemporary language and guidance.	

**Evaluation and Appraisal Report**

**APPENDICES**

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>1986:</b> [Ch. 86-191, SS. 7 - 12, & 18 - 31, <u>Laws of Florida</u> ]						
1	The requirement that plans include <b>soil surveys</b> which indicate the suitability of soils for septic tanks moved from the Capital Improvements Element to the General Sanitary Sewer, Solid Waste, Drainage, Potable Water & Natural Groundwater Aquifer Recharge Element, by striking Subparagraph 163.3177(3)(a)4., & adding the last sentence of Paragraph 163.3177(6)(c).	163.3177(6)(c)			Future Land Use Element, Data and Analysis	
2	A <b>Future Land Use Element</b> must have "goals, policies, & measurable objectives," rather than "measurable goals, objectives, & policies."	163.3177(6)(a)			Future Land Use Element	
3	<b>Eliminated the 12-month delay</b> for consistency with the comprehensive regional policy plans.	163.3177(9)(c)	X			
4	<b>Approved 9J-5, F.A.C.</b>  <b>Defined "consistency," "compatible with," &amp; "furthers."</b>  Required each local government to <b>review &amp; address all State Comprehensive Plan provisions</b> relevant to that jurisdiction.  Support data shall not be subject to the compliance review process, but that <b>goals &amp; policies</b> must be clearly <b>based on appropriate data</b> . The Department of Community Affairs authorized to reject data if not collected in a professionally accepted manner, but forbidden to require a particular professionally accepted methodology. 9J-5 does not require original data collection.  Recognized that local governments are charged with setting <b>level-of-service</b> standards.  <b>Public facilities &amp; services</b> needed to support development shall be available <b>concurrent</b> with the impacts of development.  <b>Established the "shield" against rule challenges</b> to 9J-5 until July 1, 1987.	163.3177(10)		X		
5	Required the comprehensive master plan for each <b>deepwater port</b> to be submitted to the appropriate local government at least 6 months before the due date of the local plan; defined "appropriate local government," & provided for sanctions for deepwater ports which are not part of a local government & which fail to submit their comprehensive master plan.	163.3178(2)(k)	X			
6	Substantially reworded Section 163.3184, " <b>Process for adoption</b> of comprehensive plan or amendment thereto," to basic format in place today.	163.3184		X		
7	Extended <b>development of regional impact exemption</b> from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)		X		
8	Exempted <b>small scale amendments</b> from the twice-a-year limitation.	163.3187(1)(c)		X		

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

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
9	Required the local planning agency <b>evaluation &amp; appraisal report</b> to be transmitted to DCA, & required the governing body of the local government to adopt, or adopt with changes, the local planning agency's report within 90 days after receipt. Authorized transmittal of the EAR plan amendments, rather than the entire plan as amended, to DCA.	163.3191(1) & (4) <b>[Note: 163.3191 was amended &amp; reworded in 1998. Check statutes for current wording.]</b>		X		
10	<b>Delayed implementation of concurrency</b> until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)		X		
11	Initial adoption of the <b>Florida Local Government Development Agreement Act</b> .	<b>[Now: 163.3220-.3243]</b>		X		
<b>1987:</b> [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), & Ch. 87-338, <u>Laws of Florida</u> ]						
12	<b>Extended date for DCA to adopt schedule for submittal</b> of local plans from October 1, 1986 to October 1, 1987, & extended the latest date for submission by non-coastal counties from July 1, 1990 to July 1, 1991.	<b>[Now: 163.3167(2)]</b>		X		
<b>1988:</b> None						
<b>1989:</b> None						
<b>1990:</b> None						
<b>1991:</b> [Ch. 91-45, SS. 31 & 32, <u>Laws of Florida</u> ] Nothing substantive.						
<b>1992:</b> [Ch. 92-129, <u>Laws of Florida</u> , & Ch. 92-279, S. 77, <u>Laws of Florida</u> ]						
13	Clarified that the <b>procedures for approval</b> of the original plans also applied to <b>plan amendments</b> .	<b>[Now: 163.3189(2)(a)]</b>		X		
14	Provided that the <b>local planning agency</b> should prepare plan amendments.	163.3174 163.3164(13) <b>[Now: (14)]</b> 163.3221(10) <b>[Now: (11)]</b>		X		
15	Added " <b>spoil disposal sites</b> for maintenance dredging located in the intracoastal waterways, except for spoil disposal sites owned or used by ports" to the definition of "public facilities."	163.3164(24)	X			
16	Added requirement that <b>independent special districts</b> submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. <b>[Now: 163.3177(6)(h)3.]</b>		X		
17	Extended " <b>shield</b> " <b>against challenges</b> to the portion of Rule 9J-5 that was adopted before October 1, 1986, from July 1 1987 to April 1, 1993.	163.3177(10)(k)		X		
18	Recognized the need for <b>innovative planning &amp; development strategies</b> to address the anticipated continued urbanization of the coast & other environmentally sensitive areas.	163.3177(11)(a)		X		
	Stated that plans should allow <b>land use efficiencies</b> within existing urban areas, & should also allow for the conversion of rural lands to other uses.	(11)(b)		X		
	Provided that plans & land development regulations (LDRs) should <b>maximize the use of existing facilities &amp; services through</b>	(11)(c)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	redevelopment, urban infill, & other strategies for urban revitalization.					
19	Amended definition of "affected person" to clarify that the affected person's comments, recommendations, or objections have to be submitted to the local government after the transmittal hearing for the plan amendment & before the adoption of the amendment.	163.3184(1)(a)		X		
20	Required the local government to <b>include such materials as DCA specifies by rule</b> with each plan amendment transmittal.	163.3184(3)(b)		X		
21	Gave the local government <b>120 days</b> , rather than 60 days, <b>after</b> receipt of the <b>objections, recommend-ations, &amp; comments to adopt or adopt with changes the plan or amendment</b> ; & gives the local government 10 days, rather than 5 days, after adoption to transmit the adopted plan or amendment to DCA. Also requires that a copy of the adopted plan or amendment be transmitted to the regional planning council.	163.3184(7)(a) <b>[Now: 163.3184(7)(c)1]</b>		X		
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can <b>issue a notice of intent (NOI)</b> .	163.3184(8)(b)		X		
23	Required that the <b>Division of Administrative Hearings hearing</b> must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)		X		
24	Provided that <b>new issues</b> cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)		X		
25	Added a <b>procedure for compliance agreements</b> .	163.3184(16)		X		
26	Changed the <b>requirements for small scale amendments</b> : <ul style="list-style-type: none"> <li>• Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; &amp; for other land use, an increase form 3 to 10 acres. Also increased the annual total from 30 to 60 acres.</li> <li>• Allowed local governments to use a newspaper ad of less than a quarter page in size.</li> <li>• Authorized DCA to adopt rules establishing an alternative process for public notice for small scale amendments.</li> <li>• Provided that small scale amendments require only an adoption hearing.</li> </ul>	163.3187(1)(c)		X		
27	Provided that a <b>plan amendment required by a compliance agreement</b> may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) <b>[Now: 163.3187(1)(d)]</b>		X		
28	Stated that nothing in the statute prevented a local gov ernment from requiring a person requesting an amendment to pay the <b>cost of publication of notice</b> .	163.3187(5)		X		
29	Created an <b>alternative process for amendment</b> of adopted comprehensive plans	163.3189		X		
30	Provided that the <b>first EAR report</b> is due 6 years after the adoption of the comp plan, & subsequent EAR reports are due every 5 years thereafter.	163.3191(5) <b>[Now: 163.3191(13)]</b>		X		



Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	Requiring DCA to: <ul style="list-style-type: none"> <li>• Adopt rules to establish minimum criteria for ICE.</li> <li>• Prepare a model ICE.</li> <li>• Establish a schedule for phased completion &amp; transmittal of ICE plan amendments.</li> </ul>	<b>[Now: 163.3177(9)(h) 163.3177(9)(h) 163.3177(6)(h)5.]</b>		X	disputes.  ICE 1.1.4 In instances where the resolution of issues requiring intergovernmental concurrence has not been achieved, the Town of Belleair shall initiate informal mediation by filing with the Tampa Bay Regional Planning Council a written request for mediation assistance, pursuant to Chapter 29H-11, Laws of Florida, and Chapter 186, Florida Statutes.  ICE 1.3 The town shall continue to improve communication, cooperation, and coordination with area local governments, agencies, and districts.  ICE 1.3.3: Recognizing the impacts of development extend beyond the limits of the community, the town shall, through site plan review process, ensure that development orders or permits are consistent with the objectives of the Southwest Florida Water Management District, and county, state, and federal agencies.	
37	Providing that <b>amendments to implement the ICE</b> must be adopted no later than December 31, 1997. <b>[Now: 1999]</b>	<b>Now: 163.3177(6)(h)5.</b>	X			
38	Requiring a <b>transportation element</b> for urbanized areas.	163.3177(6)(h) <b>[Now: 163.3177(6)(j)]</b>			Transportation Element was included in the 1999 EAR based amendments	
39	Adding <b>an optional hazard mitigation/post disaster redevelopment element</b> for local governments that are not required to have a coastal management element.	163.3177(7)(l)	X			
40	Requiring DCA to <b>consider land use compatibility</b> issues in the <b>vicinity of airports</b> .	163.3177(10)(l)		X		
41	<b>Amended the coastal management element</b> by: <ul style="list-style-type: none"> <li>• Defining "<b>high hazard coastal areas</b>" as category I evacuation zones, &amp; stated that mitigation &amp; redevelopment policies are at the discretion of the local government.</li> <li>• Affirming state commitment to <b>deepwater ports</b>, &amp; required the Section 186.509 dispute resolution process to reconcile inconsistencies between port master plans &amp; local comp plans.</li> <li>• Encouraging local governments to adopt countywide <b>marina</b></li> </ul>	163.3178  (2)(h)  (5)  (6)	X  X			

N/A = Not Applicable  
May 15, 2006

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p><b>siting plans .</b></p> <ul style="list-style-type: none"> <li>Requiring coastal local governments to identify <b>spoil disposal sites</b> in the future land use &amp; port elements.</li> <li>Requiring each county to establish a process for identifying &amp; prioritizing <b>coastal properties for state acquisition.</b></li> </ul>	(7)  (8)	X  X			
42	<p>Created a <b>new section for concurrency</b> which:</p> <ul style="list-style-type: none"> <li>Provides <b>concurrency on a statewide basis</b> only for roads, sewers, solid waste, drainage, potable water, parks &amp; recreation, &amp; mass transit; a local government can extend concurrency to public schools if it first conducts a study to determine how the requirement would be met.</li> <li>Set <b>timing standards for concurrency</b> of:                             <ul style="list-style-type: none"> <li>For sewer, solid waste, drainage &amp; potable water facilities, in place no later than the issuance of the certificate of occupancy.</li> <li>For parks &amp; recreation facilities, no later than 1 year after issuance of certificate of occupancy.</li> <li>For transportation facilities, in place or under actual construction no later than 3 years after issuance of a certificate of occupancy.</li> </ul> </li> <li>Allowing <b>exemptions from transportation concurrency</b> for urban infill, urban redevelopment &amp; downtown revitalization.</li> <li>Allowing a <b>de minimis transportation impact</b> of not more than 0.1% of the maximum volume of the adopted level of service as an exemption from concurrency.</li> <li>Authorizing the designation of <b>transportation management areas.</b></li> <li>Allowing <b>urban redevelopment</b> to create 110% of the <b>actual transportation impact</b> caused by existing development before complying with concurrency.</li> <li>Authorizing local governments to adopt <b>long-range transportation concurrency management systems</b> with planning periods of up to 10 years where significant backlogs exist.</li> <li>Requiring local governments to adopt the <b>level-of-service</b> standard established by the Department of Transportation for facilities on the <b>Florida Intrastate Highway System .</b></li> <li>Allows <b>development that does not meet concurrency</b> if the local government has failed to implement the Capital Improvements Element, &amp; the developer makes a binding commitment to pay the fair share of the cost of the needed facility.</li> </ul>	163.3180		X	<p>CI 1.5 The Town of Belleair 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>CI 1.5.13 Developments or redevelopments shall be considered to have de minimis impact provided they comply with all of the following conditions:</p> <p>FLUE 1.8 All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet the level-of-service standards adopted pursuant to this comprehensive plan and the concurrency management system are available concurrent with the impacts of the development.</p> <p>TE 1.1.1 The operational level of service (LOS) "D" peak hour shall be the standard for all arterial and collector roads within the town.</p>	<p>Consider amending CIE, LOS for Recreation and Open Space.</p> <p>Amend CIE, 1.5.13</p> <p>(1) The proposed development consists of a single-family house on a lot of record.</p> <p>(2) The transportation impact of the proposed development does not exceed 0.1 percent of the maximum service volume at the adopted Level of Service standard for the peak hour for the affected roads or road segments.</p> <p>(3) The cumulative transportation impact from <i>de minimis</i> exemptions does not exceed one (1) percent of the maximum service volume at the adopted Level of Service standards of the road or road segment, if the facility does not meet the minimum Level of Service standard; or</p> <p>(4) The cumulative transportation impact from <i>de minimis</i> developments has not exceeded 110% of the roadway capacity for the adopted LOS.</p> <p>Amend CIE Concurrency Management System to allow a development to pay its proportionate fair share of a needed roadway improvement</p>
43	<p>Provided a procedure to ensure <b>public participation</b> in the approval of a publicly financed capitol improvement.</p>	163.3181(3)		X		
44	<p>Amended the <b>procedure for the adoption of plans &amp; plan amendments</b> as follows:</p>	163.3184		X		



Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> <li>DCA authorized to enter into agreement with municipalities of less than 5,000 &amp; counties of less than 50,000 to focus planning efforts on selected issues when updating the plans.</li> </ul>			X  X		
<b>1994</b> [Ch. 94-273, S. 4, <u>Laws of Florida</u> ]						
51	A plan amendment for the location of a <b>state correctional facility</b> can be made at any time, & does not count toward the <b>twice -a-year limitation</b> .	163.3187(1)(f) <b>[Now: 163.3187(1)(e)]</b>		X		
<b>1995</b> [Ch. 95-181, ss. 4-5; Ch. 95-257, ss. 2-3; Ch. 95-310, ss. 7-12; Ch. 95-322, ss. 1-7; Ch. 95-341, ss. 9, 10, & 12, <u>Laws of Florida</u> ]						
52	Required opportunities for <b>mediation or alternative dispute resolution</b> where a property owner's request for a comprehensive plan amendment is denied by a local government [Subsection 163.3181(4)] & prior to a hearing where a plan or plan amendment was determined by the DCA to be not in compliance.	163.3184(10)(c)			<p>ICE 1.1.3 The PPC shall be the forum to discuss annexation plans; address consistency of land uses; provision of services and information; and the process established by the PPC for conflict resolution will be utilized to resolve disputes.</p> <p>ICE 1.1.4 In instances where the resolution of issues requiring intergovernmental concurrence has not been achieved, the Town of Belleair shall initiate informal mediation by filing with the Tampa Bay Regional Planning Council a written request for mediation assistance, pursuant to Chapter 29H-11, Laws of Florida, and Chapter 186, Florida Statutes.</p>	
53	<b>Added a definition</b> for " <b>transportation corridor management</b> " [Subsection 163.3164(30)] & allowed the designation of transportation corridors in the required traffic circulation & transportation elements & the adoption of transportation corridor management ordinances.	163.3177(6)(j)9.			All definitions as provided by State law are the used unless otherwise stated in the Plan.	
54	<b>Amended the definition of "public notice"</b> & certain <b>public notice &amp; public hearing</b> requirements to conform to the public notice & hearing requirements for counties & municipalities in Sections 125.66 & 166.041, respectively.	163.3164(18), 163.3171(3), 163.3174(1) & (4), & 163.3181(3)(a), 163.3184(15)(a)-(c), 163.3187(1)(c)		X		
55	Prohibited any <b>initiative or referendum process</b> in regard to any development order or comprehensive plan or map amendment that affects five or fewer parcels of land.	163.3167(12)		X		
56	Reduced to 30 <b>[Note: changed to 20]</b> days the time for DCA to <b>review comp plan amendments</b> resulting from a <b>compliance agreement</b> .	163.3184(8)(a)		X		
57	Amended the requirements for the <b>advertisement</b> of DCA <b>notice of intent</b> .	163.3184(8)(b)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
58	Required the administrative law judge to <b>realign the parties</b> in a Division of Administrative Hearings (DOAH) proceeding where a local government adopts a plan amendment pursuant to a compliance agreement.	163.3184(16)(f)		X		
59	Added clarifying language relative to those <b>small scale plan amendments</b> that are exempt from the <b>twice-per-year limitation &amp; prohibited DCA review</b> of those small scale amendments that meet the statutory criteria in Paragraph 163.3187(1)(c).	163.3187(1)(c) & (3)(a)-(c)		X		
60	Required DCA to consider an increase in the annual total acreage threshold for <b>small scale amendments</b> . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)		X		
61	Required local planning agencies to provide opportunities for <b>involvement by district school boards &amp; community college boards</b> .	163.3174(1)		X		
62	Required that the future land use element clearly identify those <b>land use categories</b> where <b>public schools</b> are allowed.	163.3177(6)(a)			FLUE 1.1.2, public schools allowable within Public/Semi-Public; and in FLUE 1.11.2 Public educational facilities of the School Board are an allowable use within the following future land use categories: •Residential Low •Residential Medium •Residential/Office Limited	
63	Established certain criteria for local governments wanting to extend <b>concurrency to public schools</b> . (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) <b>[Now: 163.3180(13)]</b>		X		
<b>1996:</b> [Ch. 96-205, s. 1; Ch. 96-320, ss. 10-11; 96-416, ss. 1-6, 15, <u>Laws of Florida</u> ]						
64	Substantially amended the criteria for <b>small scale amendments</b> that are exempt from the <b>twice-per-year limitation</b> .	163.3187(1)(c)		X		
65	Revised the objectives in the coastal management element to include the <b>maintenance of ports</b> .	163.3177(6)(g)9.	X			
66	Provide that certain <b>port related expansion projects</b> are not DRIs under certain conditions.	163.3178(2), (3), & (5)	X			
67	Allowed a county to designate areas on the future land use plan for possible <b>future municipal incorporation</b> .	163.3177(6)(a)	X			
68	Required the <b>ICE</b> to include consideration of the plans of <b>school boards &amp;</b> other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)			ICE 1.1.5 The Town of Belleair shall continue to communicate with the Pinellas County Planning Council, Pinellas County School Board, Tampa Bay Regional Planning Council, Tampa Bay Water, Southwest Florida Water Management District, and other state agencies such as the Department of Community Affairs, Department of Environmental Protection, Department of	

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					Transportation, and Department of Children and Families, and federal agencies on projects that fall within their jurisdictions or are multi-jurisdictional in nature.	
69	Revised the <b>processes &amp; procedures</b> to be included in the ICE.	163.3177(6)(h)		X	See also Item #36 of this table.	
70	Required that within 1 year after adopting their <b>ICE</b> each county & all municipalities & school boards therein establish by interlocal agreement the <b>joint processes</b> consistent with their ICE.	163.3177(6)(h)2.		X		
71	Required local governments who utilize <b>school concurrency</b> to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. <b>[Now: 163.3180(13)(g)]</b>	X			School Concurrency shall be addressed in the CIE based on the LOS adopted in the Pinellas County PSFE.
72	Permitted a county to adopt a <b>municipal overlay</b> amendment to address future possible municipal incorporation of a specific geographic area.	163.3217	X			
73	Authorized DCA to conduct a <b>sustainable communities demonstration project</b> .	163.3244 <b>[Now: Repealed.]</b>	X			
<b>1997:</b> [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u> ]						
74	Amended the definition of <b>de minimis impact</b> as it pertains to concurrency requirements.	163.3180(6)		X		
75	Established that no plan or plan amendment in an <b>area of critical state concern</b> is effective until found in compliance by a final order.	163.3184(14)	X			
76	Amended the criteria for the annual effect of <b>Duval County small scale amendments</b> to a maximum of 120 acres.	163.3187(1)(c)1.a.II I	X			
77	Prohibited amendments in <b>areas of critical state concern</b> from becoming effective if not in compliance.	163.3189(2)(b)	X			
<b>1998:</b> [Ch. 98-75, s. 14; Ch. 146, ss. 2-5; Ch. 98-176, ss. 2-6 & 12-15; Ch. 98-258, ss. 4-5, <u>Laws of Florida</u> ]						
78	<b>Exempted brownfield area</b> amendments from the <b>twice-a-year limitation</b> .	163.3187(1)(g)	X			
79	Required that the <b>capital improvements element</b> set forth standards for <b>the management of debt</b> .	163.3177(3)(a)4.			CI 1.2 The town Commission, through the budget process, shall continue to manage its debt in a manner to retain the integrity of its fiscal resources.  CI 1.2.1 The town shall not incur any form of indebtedness in order to provide needed capital improvements at adopted level of service that would result in a bond rating deemed commercially unacceptable by the Town Commission	

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
					<p>CI 1.2.2 The town shall confine long-term borrowing to capital improvements too large to be financed from current revenues.</p> <p>CI 1.2.3 The town will ensure that any bonds issued will be structured to be paid back within a period not to exceed the expected useful life of the capital project.</p> <p>CI 1.2.4 Where possible, special assessment, revenue, or other self-supporting bonds will be used instead of general obligation bonds.</p> <p>CI 1.2.5 Efforts shall be made to secure grants or private funds on a continuing basis whenever available to finance the provision of capital improvements.</p>	
80	Required inclusion of at least <b>two planning periods</b> – at least 5 years & at least 10 years.	163.3177(5)(a)				The Plan update shall include new planning periods. Recommend that these time frames be 2015 and 2025.
81	Allowed <b>multiple individual plan amendments</b> to be considered together as one amendment cycle.	163.3184(3)(d)		X		
82	<b>Defined “optional sector plan”</b> & created Section 163.3245 allowing local governments to address DRI issues within certain identified geographic areas.	163.3164(31) & 163.3245		X		
83	Established the requirements for a <b>public school facilities element</b> .	163.3177(12)		X		
84	Established the minimum requirements for imposing <b>school concurrency</b> .	163.3180(12) <b>[Now: Section (13)]</b>		X		
85	Required DCA adopt <b>minimum criteria</b> for the compliance determination of a <b>public school facilities element</b> imposing school concurrency.	163.3180(13) <b>[Now: Section14)]</b>		X		
86	Required that <b>evaluation &amp; appraisal reports</b> address coordination of the comp plan with existing public schools & the school district’s 5-year work program.	163.3191(2)(i) <b>[Now: 163.3191(2)(k)]</b>			Requirements listed in #83- #86 were revised by 2005 legislation; see #s 147 and 148 of this table.	
87	<b>Amended the definition of “in compliance”</b> to include consistency with Sections 163.3180 & 163.3245.	163.3184(1)(b)		X		
88	Required DCA to <b>maintain a file with all documents received or generated</b> by DCA relating to plan amendments & identify; limited DCA review of proposed plan amendments to written comments, & required DCA to identify & list all written communications received within 30 days after transmittal of a proposed plan amendment.	163.3184(2), (4), & (6)	X			

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

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
89	Allowed a <b>local government to amend its plan</b> for a period of up to one year after the initial determination of sufficiency of an adopted EAR even if the EAR is insufficient.	163.3187(6)(b)		X		
90	Substantially reworded Section 163.3191, F.S., related to <b>evaluation &amp; appraisal reports</b> .	163.3191			The EAR addresses current requirements.	
91	Changed the <b>population requirements</b> for municipalities & counties which are required to submit otherwise optional elements.	163.3177(6)(i)		X		
<b>1999:</b> [Ch. 99-251, ss. 65-6, & 90; Ch. 99-378, ss. 1, 3-5, & 8-9, <u>Laws of Florida</u> ]						
92	Required that <b>ports</b> & local governments in the coastal area, which has <b>spoil disposal responsibilities</b> , identify dredge disposal sites in the comp plan.	163.3178(7)	X			
93	Exempted from the <b>twice-per-year limitation</b> certain port related amendments for <b>port transportation facilities</b> & projects eligible for funding by the Florida Seaport Transportation & Economic Development Council.	163.3187(1)(h)	X			
94	Required <b>rural counties</b> to base their future land use plans & the amount of land designated <b>industrial</b> on data regarding the need for job creation, capital investment, & economic development & the need to strengthen & diversity local economies.	163.3177(6)(a)	X			
95	<b>Added the Growth Policy Act to Ch. 163, Part II</b> to promote <b>urban infill &amp; redevelopment</b> .	163.2511, .2514, .2517, .2520, .2523, & .2526		X		
96	Required that all comp plans comply with the <b>school siting requirements</b> by October 1, 1999.	163.3177(6)(a)			FLUE 1.11.1: The Town of Belleair supports public school siting pursuant to Section 235.193, Florida Statutes, through the passage of Resolution 96-32, dated October 15, 1996.	
97	Made <b>transportation facilities</b> subject to concurrency.	163.3180(1)(a)				
98	Required use of <b>professionally accepted techniques</b> for measuring level of service for cars, trucks, transit, bikes & pedestrians.	163.3180(1)(b)		X		
99	Excludes <b>public transit facilities</b> from <b>concurrency</b> requirements.	163.3180(4)(b)	X			
100	Allowed <b>multiuse DRIs</b> to satisfy the <b>transportation concurrency</b> requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)	X			
101	Allowed <b>multimodal transportation districts</b> in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X			
102	Exempted amendments for <b>urban infill &amp; redevelopment areas</b> , <b>public school concurrency</b> from the <b>twice-per-year limitation</b> .	163.31879(1)(h) & (i) <b>[Now: (i) &amp; (j)]</b>		X		
103	<b>Defined brownfield designation</b> & added the assurance that a developer may proceed with development upon receipt of a brownfield designation. [Also see Section 163.3221(1) for "brownfield" definition.]	163.3220(2)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>2000:</b> [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <a href="#">Laws of Florida</a> ]						
104	<b>Repealed Section 163.3184(11)(c), F.S.</b> , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) <b>[Now: Repealed]</b>	X			
105	<b>Repealed Section 163.3187(7), F.S.</b> that required consideration of an increase in the annual total acreage threshold for small scale plan amendments & a report by DCA.	163.3187(7) <b>[Now: Repealed]</b>	X			
106	<b>Repealed Sections 163.3191(13) &amp; (15), F.S.</b>	163.3191(13) & (15) <b>[Now: Repealed]</b>	X			
107	Allowed <b>small scale amendments</b> in <b>areas of critical state concern</b> to be exempt from the twice-per-year limitation only if they are for affordable housing.	163.3187(1)(c)1.e		X		
108	Added exemption of sales from local option surtax imposed under Section 212.054, F.S., as examples of <b>incentives</b> for new development within <b>urban infill &amp; redevelopment areas</b> .	163.2517(3)(j)2.	X			
<b>2001:</b> [Ch. 2001-279, s. 64, <a href="#">Laws of Florida</a> ]						
109	Created the <b>rural land stewardship area</b> program.	163.3177(11)(d)	X			
<b>2002:</b> [Ch. 2002-296, ss. 1 - 11, <a href="#">Laws of Florida</a> ]						
110	Required that all agencies that review comprehensive plan amendments & rezoning include a <b>nonvoting representative of the district school board</b> .	163.3174		X		
111	Required <b>coordination of local comprehensive plan</b> with the regional water supply plan.	163.3177(4)(a)				This provision was amended by the 2005 legislation. Belleair will amend the Potable Water Sub-element as required. See #145.
112	<b>Plan amendments for school-siting</b> maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		X		
113	Required that by <b>adoption of the EAR</b> , the sanitary sewer, solid waste, drainage, potable water & natural groundwater aquifer recharge element consider the regional water supply plan & <b>include a 10-year work plan</b> to build the identified water supply facilities.	163.3177(6)(c)				Amended this provision under the 2005 legislation. The Belleair Plan shall be amended to include a work plan for water supply within 18 months following the update to the RWSP.
114	Required <b>consideration of the regional water supply plan</b> in the preparation of the conservation element.	163.3177(6)(d)				Amended by 2005 legislation.
115	Required that the <b>intergovernmental coordination element (ICE)</b> include relationships, principles & guidelines to be used in coordinating comp plan with regional water supply plans.	163.3177(6)(h)				See #145.
116	Required the local governments adopting a public educational facilities element execute an <b>interlocal agreement</b> with the district school board, the county, & non-exempted municipalities.	163.3177(6)(h)4.				The 2005 legislature added requirements for a Public School Facilities Element. School Concurrency is also to be addressed in the School Facilities Element; Belleair is exempt from preparing a PSFE

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

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
117	Required that counties larger than 100,000 population & their municipalities submit a <b>interlocal service delivery agreement</b> (existing & proposed, deficits or duplication in the provisions of service) report to DCA by January 1, 2004. Each local government is required to update its ICE based on the findings of the report. DCA will meet with affected parties to discuss & identify strategies to remedy any deficiencies or duplications.	163.3177(6)(h)6., 7., & 8.				Amend ICE to include the findings of the Pinellas County Interlocal Service Delivery report as they pertain to Belleair.
118	Required local governments & special districts to provide <b>recommendations for statutory changes for annexation</b> to the Legislature by February 1, 2003.	163.3177(6)(h)9.		X		
119	Added a <b>new Section 163.31776</b> that allows a county to adopt an optional public educational facilities element in cooperation with the applicable school board.	163.31776	X			
120	Added a <b>new Section 163.31777</b> that requires local governments & school boards to enter into an interlocal agreement that addresses school siting, enrollment forecasting, school capacity, infrastructure & safety needs of schools, schools as emergency shelters, & sharing of facilities.	163.31777			<p>FLUE 1.11.1: The Town of Belleair supports public school siting pursuant to Section 235.193, Florida Statutes, through the passage of Resolution 96-32, dated October 15, 1996.</p> <p>ICE 1.1.5 The Town of Belleair shall continue to communicate with the Pinellas County Planning Council, Pinellas County School Board, etc.</p> <p>ICE 1.3.4 The Town of Belleair shall support Resolution 96-32, dated October 15, 1996, concerning review criteria and locational procedures and supporting applicable portions of Chapters 163 and 235, Florida Statutes, for public school siting upon a determination by the town that the proposed site is consistent with the Town of Belleair Comprehensive Plan.</p>	Belleair is exempt from the PSFE requirement. See Appendix G of this report.
121	<b>Added a provision</b> that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill & redevelopment areas.	163.3180(4)(c)		X		
122	<b>Expanded the definition of "affected persons"</b> to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		X		
123	<b>Expanded the definition of "in compliance"</b> to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		X		
124	<b>Streamlined the timing</b> of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), & (8)		X		
125	Required that local governments provide a <b>sign-in form</b> at the transmittal hearing & at the adoption hearing for persons to provide their names & addresses.	163.3184(15)(c)		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
126	<b>Exempted amendments</b> related to providing transportation improvements to enhance life safety on “controlled access major arterial highways” from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)(k)		X		
127	<b>Required EARs to include</b> (1) consideration of the appropriate regional water supply plan, & (2) an evaluation of whether past reductions in land use densities in coastal high hazard areas have impaired property rights of current residents where redevelopment occurs.	163-3191(2)(1)			Evaluation provided in the EAR.	
128	Allowed local governments to <b>establish a special master process</b> to assist the local governments with challenges to local development orders for consistency with the comprehensive plan.	163.3215		X		
129	Created the <b>Local Government Comprehensive Planning Certification Program</b> to allow less state & regional oversight of comprehensive plan process if the local government meets certain criteria.	163.3246		X		
130	Added a provision to <b>Section 380.06(24), Statutory Exemptions</b> , that exempts from the requirements for developments of regional impact, any water port or marina development if the relevant local government has adopted a “boating facility siting plan or policy” (which includes certain specified criteria) as part of the coastal management element or future land use element of its comprehensive plan. The adoption of the boating facility siting plan or policy is exempt from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)	X			
131	Prohibited a local government, under certain conditions, from denying an <b>application for development approval</b> for a requested land use for certain proposed solid waste management facilities.	163.3194(6)	X			
<b>2003:</b> [Ch. 03-1, ss. 14-15; ch. 03-162, s. 1; ch. 03-261, s. 158; ch. 03-286, s. 61, <u>Laws of Florida.</u> ]						
132	Creates the <b>Agricultural Lands &amp; Practices Act</b> .  (2): Provides <b>legislative findings &amp; purpose</b> with respect to agricultural activities & duplicative regulation. (3): <b>Defines the terms “farm,” “farm operation,” &amp; “farm product”</b> for purposes of the act.  (4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a <b>bona fide farm operation</b> on land that is classified as agricultural land.  (4)(a): Provides that the act does <b>not limit the powers of a county</b> under certain circumstances.  (4)(b): Clarifies that a <b>farm operation</b> may not expand its operations under certain circumstances.  (4)(c): Provides that the act does not limit the <b>powers of certain counties</b> .	163.3162	X			

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	(4)(d): Provides that certain county ordinances are not deemed to be a <b>duplication of regulation</b> .					
133	Changes "State Comptroller" <b>references</b> to "Chief Financial Officer."	163.3167(6)		X		
134	Provides for certain <b>airports</b> to abandon DRI orders.	163.3177(6)(k)	X			
135	Amended to <b>conform to the repeal</b> of s. 235.185 & the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2)-(3)		X		
136	Amended to <b>conform to the repeal</b> of ch. 235 & the enactment of similar material in ch. 1013.	163.37111(1)(c), (2)(e)-(f), (3)(c), (4), (6)(b)		X		
<b>2004:</b> [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, <u>Laws of Florida</u> .]						
137	(10): Amended to <b>conform to the repeal</b> of the Florida <b>High-Speed Rail</b> Transportation Act, & the creation of the Florida High-Speed Rail Authority Act.  (13): Created to require local governments to identify adequate <b>water supply sources</b> to meet future demand.  (14): Created to limit the effect of <b>judicial determinations</b> issued subsequent to certain development orders pursuant to adopted land development regulations.	163.3167	X			See 2005 legislative updates.
138	(1): Provides <b>legislative findings</b> on the compatibility of development with <b>military installations</b> .  (2): Provides for the <b>exchange of information</b> relating to <b>proposed land use decisions</b> between counties & local governments & military installations.  (3): Provides for <b>responsive comments</b> by the commanding officer or his/her designee.  (4): Provides for the county or affected local government to <b>take such comments into consideration</b> .  (5): Requires the representative of the military installation to be an <b>ex-officio, nonvoting member</b> of the county's or local government's land planning or zoning board.  (6): Encourages the commanding officer to provide <b>information on community planning assistance grants</b> .	Creates 163.3175.	X  X			
139	(6)(a):  <ul style="list-style-type: none"> <li>• Changed to require local governments to amend the future land use element by June 30, 2006 to include criteria to achieve compatibility with <b>military installations</b> .</li> <li>• Changed to specifically encourage <b>rural land stewardship area</b> designation as an overlay on the future land use map.</li> </ul>	163.3177		X		

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>(6)(c): Extended the deadline adoption of the <b>water supply facilities work plan</b> amendment until December 1, 2006; provided for updating the work plan every five years; &amp; exempts such amendment from the limitation on frequency of adoption of amendments.</p> <p>(10)(l): Provides for the coordination by the state land planning agency &amp; the Department of Defense on compatibility issues for <b>military installations</b> .</p> <p>(11)(d)1.: Requires DCA, in cooperation with other specified state agencies, to provide assistance to local governments in implementing provisions relating to <b>rural land stewardship areas</b> .</p> <p>(11)(d)2.: Provides for <b>multi-county rural land stewardship areas</b> .</p> <p>(11)(d)3.-4: Revises requirements, including the acreage threshold for designating a <b>rural land stewardship area</b>.</p> <p>(11)(d)6.j.: Provides that <b>transferable rural land use credits</b> may be assigned at different ratios according to the natural resource or other beneficial use characteristics of the land.</p> <p>(11)(e): Provides legislative findings regarding mixed-use, high-density <b>urban infill &amp; redevelopment</b> projects; requires DCA to provide technical assistance to local governments.</p> <p>(11)(f): Provides legislative findings regarding a program for the transfer of development rights &amp; <b>urban infill &amp; redevelopment</b>; requires DCA to provide technical assistance to local governments.</p>					Amended requirement in 2005 legislation. See #145.
140	<p>(1): Provides legislative findings with respect to the shortage of <b>affordable rentals</b> in the state.</p> <p>(2): Provides <b>definitions</b> .</p> <p>(3): Authorizes local governments to permit <b>accessory dwelling units</b> in areas zoned for single family residential use based upon certain findings.</p> <p>(4) An application for a building permit to construct an accessory dwelling unit must include an <b>affidavit from the applicant</b> which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.</p> <p>(5): Provides for certain <b>accessory dwelling units</b> to apply towards satisfying the affordable housing component of the housing element in a local government's comprehensive plan.</p> <p>(6): Requires the <b>DCA to report</b> to the Legislature.</p>	Creates 163.31771		X		Amend FLUE if necessary to provide for accessory dwelling units.
			X	X		
141	<b>Amends the definition of "in compliance"</b> to add language referring to the <b>Wekiva Parkway &amp; Protection Act</b> .	163.3184(1)(b)	X			

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

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element	
142	(1)(m): Created to provide that amendments to address criteria or compatibility of land uses adjacent to or in close proximity to <b>military installations</b> do not count toward the limitation on frequency of amending comprehensive plans.  (1)(n): Created to provide that amendments to establish or implement a <b>rural land stewardship area</b> do not count toward the limitation on frequency of amending comprehensive plans.	163.3187	X			
143	Created to provide that <b>evaluation &amp; appraisal reports</b> evaluate whether criteria in the land use element were successful in achieving land use compatibility with <b>military installations</b> .	163.3191(2)(n)	X			
<b>2005</b> [Ch. 2005-290 & Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u> ]						
144	Added the <b>definition of "financial feasibility."</b>	Creates s. 163.3164(32)		X	Definitions of the FAC are used in the Plan unless stated otherwise.	
145	(2): Required comprehensive plans to be " <b>financially</b> " rather than "economically" <b>feasible</b> .  (3)(a)5.: Required the comprehensive plan to include a <b>5-year schedule of capital improvements</b> . Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be <b>guaranteed</b> in the form of a <b>development agreement or interlocal agreement</b> .  (3)(a)6.b.1.: Required plan amendment for the <b>annual update</b> of the schedule of capital improvements. <b>Deleted</b> provision allowing updates & change in the date of construction to be accomplished by ordinance.  (3)(a)6.c.: Added <b>oversight &amp; penalty</b> provision for failure to adhere to this section's capital improvements requirements.  (3)(a)6.d.: Required a <b>long-term capital improvement schedule</b> if the local government has adopted a long-term concurrency management system.  (6)(a): <b>Deleted</b> date (October 1, 1999) by which school sitting requirements must be adopted.  (6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the <b>alternative water supply projects</b> selected by the local government to meet its water supply needs.  (6)(e): Required recreation and open space elements to include <b>waterways</b> in the comprehensive system of public and private sites for recreation.	163.3177			<p>CI 1.1.6 details the schedule of Capital Improvements</p> <p>CI 1.5.1 The Town of Belleair shall ensure that all development and redevelopment taking place within its municipal boundaries do not result in a reduction of the level-of-service requirements established and adopted in the financially feasible Capital Improvements Element of this comprehensive plan.</p> <p>(6)(c) FLUE 1.8.2 Recognizing the limitations of the potable water supply available to serve this community, the town shall continue to implement current water conservation policies and shall adopt new policies and expand programs such as effluent reuse and facility retrofitting intended to reduce the consumption of potable</p>	<p>Amend CIE to update schedule of capital improvements</p> <p>Amend INF: The Belleair Plan shall be amended to incorporate the alternative water supply projects selected by the town within 18 months following the update to the RWSP.</p>





Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005	Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<p>together to mitigate any impacts to the Strategic Intermodal System.</p> <p>(9)(a): Allowed adoption of a <b>long-term concurrency management system for schools</b> .</p> <p>(9)(c): <b>(New section)</b> Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a <b>long-term concurrency management system</b>.</p> <p>(9)(d): <b>(New section)</b> Required evaluation in EAR of progress in improving levels of service.</p> <p>(10): Added requirement that level of service standard for roadway facilities on <b>the Strategic Intermodal System</b> must be consistent with FDOT standards. Standards must consider <b>compatibility with adjacent jurisdictions</b>.</p> <p>(13): Required <b>school concurrency</b> (not optional).</p> <p>(13)(c)1.: Requires school concurrency after five years to be applied on a <b>"less than districtwide basis"</b> (e.g., by using school attendance zones, etc).</p> <p>(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.</p> <p>(13)(c)3.: No application for development approval may be denied if a <b>less-than-districtwide measurement of school concurrency</b> is used; however the development impacts must to shifted to contiguous service areas with school capacity.</p> <p>(13)(e): Allowed school concurrency to be satisfied if a developer executes a <b>legally binding commitment</b> to provide mitigation proportionate to the demand.</p> <p>(13)(e)1.: Enumerated mitigation options for achieving <b>proportionate-share mitigation</b>.</p> <p>(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must <b>credit</b> this amount toward any <b>impact fee or exaction</b> imposed on the community:</p> <ul style="list-style-type: none"> <li>• contribution of land</li> <li>• construction, expansion, or payment for land acquisition</li> </ul> <p>(13)(g)2.: <b>(Section deleted)</b> – It is no longer required that a local government &amp; school board base their plans on consistent population projection &amp; share information regarding planned public school facilities, development &amp; redevelopment &amp; infrastructure needs of</p>		X	X	<p>Provided within the EAR</p> <p>No SIS roadway facilities within Belleair.</p>	<p>Belleair will amend the plan to include a LOS for schools based on the adopted LOS in the Pinellas County PSFE.</p>

Changes to Chapter 163, Florida Statutes 1986-2005

Changes to Chapter 163, F.S. 1986-2005		Ch. 163, F.S. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
	<p>public school facilities. However, see (13)(g)6.a. for similar requirement.</p> <p>(13)(g)6.a.: <b>[Formerly (13)(g)7.a.]</b> Local governments must establish a <b>uniform procedure for determining if development applications are in compliance with school concurrency</b>.</p> <p>(13)(g)7. <b>[Formerly (13)(g)8.] Deleted</b> language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p> <p>(13)(h): <b>(New 2005 provision)</b> The fact that <b>school concurrency</b> has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p> <p>(15): Prior to adopting <b>Multimodal Transportation Districts</b>, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government &amp; the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p> <p>(16): <b>(New 2005 section)</b> Required local governments to adopt by <b>December 1, 2006</b> a method for assessing <b>proportionate fair-share mitigation options</b>. FDOT will develop a model ordinance by December 1, 2005.</p>		X	X		
149	<p>(17): <b>(New 2005 section)</b> If local government has adopted a <b>community vision &amp; urban service boundary</b>, state &amp; regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>(18): <b>(New 2005 section)</b> If a municipality has adopted an urban infill &amp; redevelopment area, state &amp; regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	163.3184	X	X		
150	<p>(1)(c)1.f.: Allowed approval of residential land use as a <b>small-scale development amendment</b> when the proposed density is equal to or less than the existing future land use category. Under certain circumstances <b>affordable housing units</b> are exempt from this limitation.</p> <p>(1)(c)4.: <b>(New 2005 provision)</b> If the small-scale development amendment involves a <b>rural area of critical economic concern</b>, a 20-acre limit applies.</p> <p>(1)(o): <b>(New 2005 provision)</b> An amendment to a <b>rural area of critical economic concern</b> may be approved without regard to the</p>	163.3187	X	X	X	



Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>November 22, 1989</b>						
1	<b>Defined</b> availability or available, concurrency, concurrency management system, currently available revenue sources, & public facilities & services. <i>Note: the definition of availability or available was repealed March 23, 1994 &amp; the that for public facilities &amp; services was repealed Feb. 25, 2001.</i>	9J-5.003	X		Definitions of the FAC are adopted unless otherwise stated in the Plan.	
2	Required comp plan amendments applicable to the <b>Wekiva River Protection Area</b> to meet requirements of section 369.301, F.S., in addition to meeting compliance requirements of section 163.3184, F.S.	9J-5.005(8)	X			
3	Required local governments to adopt a <b>concurrency management system</b> in their comprehensive plans & established requirements for such systems.	9J-5.0055			CI 1.5 The Town of Belleair 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.	
4	Required the capital improvement element (CIE) to include requirements to ensure an adequate <b>concurrency management system</b> is implemented.	9J-5.016			CI 1.5 The Town of Belleair 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 <b>projected revenue sources</b> that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.		X		
<b>April 2, 1992</b>						
6	<b>Defined</b> transportation concurrency management area, transportation demand management, transportation system management, & transportation mobility element. <i>Note: definitions of TCMA &amp; TME were repealed March 23, 1994.</i>	9J-5.003	X			
7	Authorized local governments to establish optional <b>transportation concurrency management areas</b> & provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>	9J-5.0057	X			

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
8	Required <b>transportation concurrency management areas</b> to be shown on the future land use map.	9J-5.006(4)(a)	X			
9	Required CIE to ensure <b>concurrency management areas</b> are implemented, if designated.	9J-5.016	X		Concurrency Management areas are not designated.	
<b>March 23, 1994</b>						
10	<b>Defined</b> central business district, coastal area, evaluation & appraisal report, partial evaluation & appraisal report, proposed evaluation & appraisal report, sufficiency review, & very low income family. <i>Note: definition of VLI family repealed March 21, 1999.</i>	9J-5.003		X		
11	<b>Revised definition</b> of coastal high hazard areas & modified definition of coastal area & included the term coastal planning area. <i>Note: the definition of coastal planning area was revised March 21, 1999.</i>	9J-5.003	X			
12	<b>Repealed definitions</b> of availability or available, transportation concurrency management area, & transportation mobility element.	9J-5.003		X		
13	Required local comprehensive plans to include a countywide <b>marina siting plan</b> for participating local governments in the coastal area & <b>intergovernmental coordination</b> processes.	9J-5.005(1)(c)	X			
14	Revised <b>monitoring &amp; evaluation</b> requirements to include a description of the public participation process & components of the evaluation & appraisal process. <i>Note: Revised Feb. 25, 2001.</i>	9J-5.005(7)		X		
15	Added procedures for transmittal & review of <b>evaluation &amp; appraisal reports &amp; evaluation &amp; appraisal amendments</b> . <i>Note: Repealed March 21, 1999 &amp; February 25, 2001.</i>	9J-5.0053	X			
16	Revised requirements for the concurrency management system to include provisions regarding <b>level of service standards</b> , & <b>minimum requirements for concurrency</b> , & 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 exceptions for projects that promote public transportation, & provisions for private contributions to local government capital improvement planning.	9J-5.0055			CI 1.5 The Town of Belleair 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.  Policies 1.5.1 through 1.5.13 detail the LOS standards for specific systems.	Update CIE to ensure current concurrency requirements are included.
17	Repealed provisions authorizing establishment of optional <b>transportation concurrency management areas</b> & providing requirements for such areas.	9J-5.0057		X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
18	Required the future land use element for coastal counties & municipalities that have dredge spoil disposal responsibilities to identify any existing <b>dredge spoil disposal sites</b> & include an analysis of the need for additional dredge spoil disposal sites.	9J-5.006(1)(f)3 & 9J-5.006(2)(f)	X			
19	Required the future land use element to include an analysis of <b>proposed development &amp; redevelopment</b> based upon hazard mitigation reports.	9J-5.006(2)(g)				Amend the FLUE to address the latest version of the Pinellas County mitigation strategy.
20	Required the future land use element to include objectives encouraging elimination or reduction of uses that are inconsistent with an <b>interagency hazard mitigation report</b> & ensure the availability of <b>dredge spoil disposal sites</b> for coastal counties & cities.	9J-5.006(3)(b)			FLUE 1.7.3 Dredge and fill activities shall be conducted only when necessary, as determined after review and comment by the appropriate governmental agencies and interested citizens, and in a manner least harmful to the surrounding environment.	Amend the FLUE to encourage elimination or reduction of uses consistent with recommendations of the most recent hazard mitigation report.
21	Required policies of the future land use element to designate <b>dredge spoil disposal sites</b> for affected coastal counties & municipalities & establish <b>site selection criteria</b> for future dredge spoil disposal sites.	9J-5.006(3)(c)			FLUE 1.7.3 Dredge and fill activities shall be conducted only when necessary, as determined after review and comment by the appropriate governmental agencies and interested citizens, and in a manner least harmful to the surrounding environment.	
22	Required local governments to adopt the <b>level of service standards</b> established by the Department of Transportation for facilities on the Florida Intrastate Highway System & adopt adequate level of service standards for all other transportation facilities. <i>Note: 9J-5.007 repealed Feb. 20, 1996, &amp; replaced by 9J-5.019.</i>	9J-5.007(3)(c)			CI 1.5.4 Transportation LOS standards of DOT.	
23	Required the ports, aviation & related facilities element to include an analysis of the need for additional <b>dredge spoil disposal sites</b> for existing & proposed ports. <i>Note: 9J-5.009 repealed Feb. 20, 1996, &amp; replaced by 9J-5.019, F.A.C.</i>	9J-5.009(2)(c)	X			
24	Required the <b>housing element inventory &amp; analysis</b> to: <ul style="list-style-type: none"> <li>• Use <b>data</b> from the affordable housing needs assessment;</li> <li>• Address <b>housing needs</b> of existing &amp; future residents;</li> <li>• Avoid the <b>concentration</b> of affordable housing; &amp;</li> <li>• Address the needs of <b>very-low income families</b> as well as low &amp; moderate income families.</li> </ul>	9J-5.010(1) & (2)			HE Goal: The town shall assist the private sector in its provision of decent, safe and sanitary housing to meet the needs of the present and future residents of the town, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status, or household composition.	Amend the Housing Element to avoid concentrations 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
					<p>HE 1.1.4 The town shall provide the opportunity for the private sector to develop appropriately priced housing including very-low, low, and moderate income housing to fulfill future needs.</p> <p>HE 1.5 The useful life of the existing housing stock will be conserved and extended, and neighborhood quality will be maintained or improved.</p>	
25	<p>Required <b>housing element objectives</b> to address:</p> <ul style="list-style-type: none"> <li>● Housing <b>needs</b> of current &amp; future residents;</li> <li>● <b>Sites &amp; distribution</b> of housing for very-low income &amp; low-income families; &amp;</li> <li>● Use of job training, job creation &amp; economic <b>solutions</b> to address affordable housing concerns.</li> </ul>	9J-5.010(3)			<p>HE 1.1 The town shall assist the private sector in its endeavors to provide housing that is adequate and affordable for all income levels to meet the needs of the current and projected population and any households with special needs, to the extent possible considering the highly-developed nature of the town.</p> <p>Sites and distribution of low and very-low income housing are addressed in policy 1.1.4 rather than in an objective: (The town shall provide the opportunity for the private sector to develop appropriately priced housing including very-low, low, and moderate income housing to fulfill future needs.)</p>	Amend HE to participate with Pinellas County in addressing economic solutions to affordable housing concerns.
26	Required coastal management element inventories & analyses to be coordinated with the countywide <b>marina siting plan</b> .	9J-5.012(2)	X			
27	<p>Required <b>coastal management</b> element policies to:</p> <ul style="list-style-type: none"> <li>● Incorporate recommendations from <b>interagency hazard mitigation reports</b> ;</li> <li>● Address the relocation, mitigation or replacement of <b>infrastructure</b> within the coastal high-hazard area;</li> <li>● Include criteria consistent with the countywide <b>marina siting plan</b>; &amp;</li> <li>● Include a procedure to resolve inconsistencies between the local comprehensive plan &amp; the <b>deepwater port master</b></li> </ul>	9J-5.012(3)			Objective 2.1 The town shall limit public expenditures that support development in the Coastal High Hazard Area, except for the repair or replacement of existing or planned infrastructure, and the restoration or enhancement of natural 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
	plan.				<p>Policy 2.1.2 The town shall not support or finance new local transportation corridors within the Coastal High Hazard Area, although existing corridors may be maintained or improved as necessary to protect the health, safety, and welfare of existing users.</p> <p>Policy 2.1.3: The town shall not support sewer and water line extensions or expansions within the Coastal High Hazard Area which will encourage future growth or higher densities in those vulnerable areas, except as anticipated in this comprehensive plan.</p>	
28	Required affected local governments to incorporate the <b>marina siting plan</b> in the coastal management element.	9J-5.012(4)	X			
29	Required objectives of the intergovernmental coordination element to: <ul style="list-style-type: none"> <li>• Ensure coordination in the designation of new <b>dredge spoil disposal sites</b>;</li> <li>• Involve the navigation &amp; inlet districts, state &amp; federal agencies &amp; the public in <b>identifying dredge spoil disposal sites</b>; &amp;</li> <li>• <b>Resolve conflicts between a coastal local government &amp; a public agency</b> seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process.</li> </ul>	9J-5.015(3)	X  X  X			
30	Required & established criteria for local governments having all or part of their jurisdiction within the urbanized area of a MPO to <b>prepare &amp; adopt a transportation element</b> which replaces the traffic circulation element, the mass transit element, & the ports, aviation & related facilities element.	9J-5.019			Belleair is in the Pinellas County MPO and has adopted a Transportation Element.	
<b>May 18, 1994</b>						
31	Added provisions for settlement of conflicts through <b>compliance agreements</b> .			X		
32	<b>Defined</b> adjusted for family size, adjusted gross income, affordable housing, agency, amendment, clustering, compatibility, composition, density, development, development controls,	9J-5.003			Unless stated otherwise, the terms within the Plan are those of the Statutes or 9J-5.	

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
	distribution, environmentally sensitive lands, extent, facility availability, floodprone areas, functional relationship, high recharge area, hurricane vulnerability zone, intensity, manufactured home, moderate income household, natural drainage flow, natural groundwater aquifer recharge areas or natural groundwater recharge areas, new town, pattern, potable water wellfield, purchase of development rights, rural areas, rural village or rural activity center, stormwater basin, stormwater facilities, stormwater management system, suitability, transfer of development rights, urban area, urban sprawl, very low income household, wellhead protection area, & wetlands. <i>Note: the definitions of adjusted for family size, adjusted gross income, development, &amp; high recharge area were repealed &amp; the definitions of affordable housing &amp; wetlands were revised March 21, 1999.</i>					
33	<b>Revised definitions</b> of areas subject to coastal flooding, conservation uses, deepwater ports, estuary, low income household, mobile home, natural reservations, & oceanic waters.	9J-5.003		X		
34	<b>Revised comprehensive plan content</b> requirements to clarify that the future land use map or map series must be included in the adopted comprehensive plan.	9J-5.005(1)		X	The FLUE includes required maps.	
35	Required all goals, objectives, policies, standards, findings & conclusions of the comp plan & plan amendments to be based upon <b>analysis</b> as well as data, explained the meaning of being <b>based upon data</b> , referenced the DCA's guide to <b>data sources</b> & National Wetland Inventory Maps, & authorized local governments to submit textual portions of their plan or amendment on <b>electronic processing storage media</b> .	9J-5.005(2)		X		
36	Required <b>goals, objectives &amp; policies</b> to establish standards for the use of land & guidelines for land development regulations.	9J-5.005(6)			<p>FLU 1.1.1 The Town of Belleair hereby adopts the following residential land use categories as those which shall govern residential development within the community:</p> <ul style="list-style-type: none"> <li>• Residential Low (RL), density of 0 to 5 residential units per acre</li> <li>▪ Residential Medium (RM), density of 0 to 15 residential units per acre</li> </ul> <p>FLU 1.1.2 The Town of Belleair hereby adopts the following land use categories as those which shall govern nonresidential development within the community:</p> <p>Commercial General</p>	<p>(Continuation of how the item is addressed)</p> <p>FLU 1.1.5 The land development regulations shall contain provisions which implement guidelines for the administration of those land use categories adopted for the Town of Belleair.</p> <p>FLU 1.1.6 The land development regulations shall ensure that existing land uses are protected from the encroachment of incompatible activities.</p> <p>FLU 1.1.7 The land development</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
					Recreation/Open Space Conservation/Preservation Public/Semi- Public - Institution Public/Semi- Public - Institutional (Municipal Buildings/Private Schools) Transportation/Utility Residential/Office Limited  FLU 1.1.3 The town shall continue to implement land development regulations which recognize the limitations of development within the coastal zone (e.g., 100-year floodplain, vulnerability of tropical storms, topography, and soil conditions).  FLU1.1.4 The town shall continue to implement land development regulations that shall contain specific and detailed provisions required to implement this comprehensive plan, which, at a minimum shall: (A listing of LDR topics follows.) (Relevant policies continue in the "Amendment" column)	regulations shall ensure that residential areas are located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors, and noise.  FLU 1.1.8 As of the adoption of this comprehensive plan, those residential development orders issued prior to such adoption shall be deemed grandfathered.  FLU 1.1.9 The land development regulations shall ensure that residential land uses are encouraged in a manner which is compatible with the type and scale of surrounding land uses.  FLU 1.1.10 Land development regulations shall contain performance standards which address buffering and open space requirements within residential areas, as appropriate.
37	Required plan amendments exempt from the twice-a-year restriction under the development of regional impact provision to be transmitted as required by law & revised <b>adoption by reference</b> requirements. <i>Note: adoption by reference requirements were further revised March 21, 1999.</i>	9J-5.005(8)		X		
38	Authorized local governments to recognize in their comprehensive plans, statutory & common law <b>vested rights</b> .	9J-5.005(8)	X			
39	Required public <b>potable water wells &amp; wellhead protection areas</b> to be shown on existing land use map or map series & provided that <b>educational uses, public buildings &amp; grounds &amp; other public facilities</b> may be shown as one land use category.	9J-5.006(1)			Map INF-1: Wellhead Protection Areas	
40	Required policies of the future land use element to address protection of potable water wellfields by designating appropriate activities & land uses within <b>wellhead protection areas</b> .	9J-5.006(3)			FLUE Objective 1.7: Addresses protection of natural resources  IE Objective 5.2: Protection of groundwater	Amend FLUE to include a policy on wellhead protection.

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
41	Required public <b>potable waterwells, wellhead protection areas, &amp; coastal high hazard areas</b> to be shown on the future land use map & provided that <b>educational uses, public buildings &amp; grounds &amp; other public facilities</b> may be shown as one land use category. Provided that if <b>mixed-use categories</b> are used, policies must specify types of land uses allowed, the percentage distribution among the mix of uses or other objective measurement, & the density & intensity of each use.	9J-5.006(4)			FLU 1.1.2 The Town of Belleair hereby adopts the following land use categories as those which shall govern nonresidential development within the community: Commercial General Recreation/Open Space Conservation/Preservation Public/Semi- Public - Institutional (Medical Related) Public/Semi- Public - Institutional (Municipal Buildings/Private Schools) Transportation/Utility (T/U) Residential/Office Limited (R/OL)  Map INF- 1: Wellhead Protection Areas Map LU-Flood Zones, Floodplains, and CHHA	
42	Provided criteria for reviewing local comprehensive plans & plan amendments for adequacy in discouraging the proliferation of <b>urban sprawl</b> , including indicators of sprawl & measures for evaluating land uses, local conditions, & development controls.	9J-5.006(5)		X		
43	Required the housing element to address housing for <b>moderate income, low income, &amp; very low income</b> households, group homes, foster care facilities, & households with special housing needs, including rural & farmworker housing.	9J-5.010			HE 1.1.4 The town shall provide the opportunity for the private sector to develop appropriately priced housing including very-low, low, and moderate income housing to fulfill future needs.  HE 1.3 Group homes shall be permitted in areas of residential character.  HE 1.8 The town shall permit the location of manufactured housing in all residential districts.	
44	Required the housing element <b>analysis</b> to address the existing housing delivery system.	9J-5.010(2)(e)			Delivery system is addressed in the Housing Element analysis.	
45	Required objectives of the housing element to address adequate sites for <b>mobile &amp; manufactured homes</b> .	9J-5.010(3)(b)3.			HE 1.8 The town shall permit the location of manufactured housing in all residential districts.	

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
46	<p><b>Required policies</b> of the housing element to:</p> <ul style="list-style-type: none"> <li>● Include specific programs &amp; actions to streamline the <b>permitting process</b> &amp; minimize costs &amp; delays for housing;</li> <li>● Establish principles &amp; criteria guiding the location of <b>manufactured homes</b>;</li> <li>● Identify interlocal agreements with nearby local governments to provide <b>affordable housing</b>; &amp;</li> <li>● Designate sufficient sites at sufficient densities to accommodate <b>affordable housing</b>.</li> </ul>	<p>9J-5.010(3)(c)</p> <p>2.</p> <p>5.</p> <p>10.</p> <p>11.</p>			<p>HE 1.1.2: The town shall review, and amend if necessary, ordinances, codes, regulations, and the permitting process for the purpose of streamlining and minimizing development costs and delays in order to increase private sector participation in meeting the housing needs, especially affordable housing, and to establish principles to guide conservation, rehabilitation, and demolition program techniques and strategies, while continuing to ensure the health, welfare, safety and quality of living of the residents.</p> <p>FLU 1.1.3 The town shall continue to allow a variety of residential densities and housing types in order to enhance the opportunity for the private sector to provide affordable housing in a wide range of types and costs in accordance with the housing needs assessment contained in this element.</p> <p>HE 1.1.5 The town will uphold the cooperative agreement with Pinellas County for the continued administration of the Community Development Block Grant Program to which Belleair belongs.</p> <p>HE 1.8 The town shall permit the location of manufactured housing in all residential districts.</p>	
47	<p>Required the data &amp; analysis of the sanitary sewer, solid waste, stormwater management, potable water &amp; natural groundwater aquifer recharge element to identify major <b>natural drainage features &amp; natural groundwater aquifer recharge areas</b> , including areas identified by the water management district as <b>prime or high groundwater recharge areas</b> .</p>	<p>9J-5.011(1)(g)</p>			<p>IE 4.3.6: The town shall continue to cooperate with the Southwest Florida Water Management District to protect those areas of recharge to the surficial aquifer located within the community and shall incorporate the appropriate protection measures</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
				<p>into its land development regulations.</p> <p>IE 5.1 The town will continue to implement regulations which provide protection to prime recharge areas located within the town.</p> <p>IE 5.1.1 Areas of prime recharge within the town not designated as conservation/preservation areas, shall be regulated by limiting impervious surface, water quality monitoring, and other regulations which control development intensity.</p> <p>IE 5.1.2 The land development regulations shall contain provisions which protect areas of prime recharge from contamination and depletion; such regulations to be developed in accordance with the guidance found in the Southwest Florida Water Management District document entitled Prime Recharge; Technical Information Planning Series 87-2.</p>	
48	Required the policies of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to establish <b>water quality standards for stormwater recharge</b> .	9J-5.011(2)(c)		IE 2.3.5 The town shall implement potable water conservation strategies including, but not limited to (1) the reduction of system losses through repair and upgrade of transmission lines and the metering systems; (2) the protection of groundwater against degradation of water quality and yield; (3) the promotion of reclaimed water and shallow wells for irrigation; and the implementation of Southwest Water Management District grant requirements for residential plumbing facility improvements.	
49	Required conservation element to identify & analyze <b>groundwater &amp; important fish or shellfish areas</b> .	9J-5.013(1)		CME 1.9.5 The town shall use land development regulations to limit	

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
					shoreline development that will adversely impact marine fisheries habitats.  CME 1.9.5 The town shall use land development regulations to limit shoreline development that will adversely impact marine fisheries habitats.	
50	Required policies of the conservation element to address land uses known to affect adversely the quality & quantity of <b>water sources</b> , including natural groundwater recharge areas, wellhead protection areas & surface waters used as a source of public water supply, & the protection & conservation of <b>wetlands</b> .	9J-5.013(2) & (3)			CME 1.1.10 In order to protect the quality and quantity of surface water and groundwater, the town shall enforce regulations which: <ul style="list-style-type: none"> <li>• Protect the groundwater supply from contamination by reclaimed water used for spray irrigation;</li> <li>• Encourage water conservation, in order to protect the water supply from drought or overdraft; and</li> <li>• Prohibit development which has the potential to introduce toxic materials into the groundwater system.</li> </ul> CME 1.2.4: The town shall develop a strict floodplain management program to preserve hydrologically significant wetlands and other natural floodplain features.	
<b>February 20, 1996</b>						
51	<b>Repealed rule requirements</b> for the traffic circulation; mass transit; ports, aviation & related facilities elements. <i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., &amp; 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, & 9J-5.009	X			
52	<b>Repealed rule requirements</b> for the recreation & open space element. <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014		X		
53	<b>Repealed rule requirements</b> for consistency of local government comp plans with Comprehensive Regional Policy Plans & with the State Comprehensive Plan. <i>Note: Local government comp plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan &amp; the State Comprehensive Plan.</i>	9J-5.021		X		

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
<b>October 20, 1998</b>						
54	Established requirements for the <b>public school facilities element</b> for public school concurrency for local governments that adopt school concurrency.	9J-5.025		X		
<b>March 21, 1999</b>						
55	<b>Defined</b> public transit & stormwater management facilities.	9J-5.003		X		
56	<b>Revised the definitions</b> of affordable housing, coastal planning area, port facility, & wetlands.	9J-5.003		X		
57	<b>Repealed the definitions</b> of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit, paratransit, public facilities, & very low -income family.	9J-5.003	X			
58	<b>Revised provisions</b> relating to <b>adoption by reference</b> into the local comprehensive plan.	9J-5.005(2)(g) & (8)(j)		X		
59	<b>Repealed transmittal requirements</b> for proposed evaluation & appraisal reports, submittal requirements for adopted EARs, criteria for determining the sufficiency of adopted EARs, procedures for adoption of EARs. <i>Note: transmittal requirements for proposed EARs &amp; submittal requirements for adopted EARs were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)		X		
60	Repealed conditions for <b>deminimis impact</b> & referenced conditions in subsection 163.3180(6), F.S.	9J-5.0055(3)(c)6.	X			
61	Required the future land use map to show the <b>transportation concurrency exception area</b> boundaries if designated & it may show areas for possible future municipal incorporation.	9J-5.006(4)(a) & (4)(f)	X			
62	Required objectives of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to address protection of <b>high recharge &amp; prime recharge</b> areas.	9J-5.011(2)(b)5.			IE 5.1The town will continue to implement regulations which provide protection to prime recharge areas located within the town.	
63	<b>Repealed the intergovernmental coordination element process</b> to determine if development proposals would have significant impacts on other local governments or state or regional resources or facilities, & provisions relating to resolution of disputes, modification of development orders, & the rendering of development orders to the DCA	9J-5.015(4)		X		
64	Clarified that local governments not located within the urban area of a MPO are required to adopt a <b>traffic circulation element</b> & that local governments with a population of 50,000 or less are not required to prepare <b>mass transit &amp; ports, aviation &amp; related facilities elements</b> .	9J-5.019(1)		X		

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

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
65	<p><b>Required objectives</b> of the transportation element to:</p> <ul style="list-style-type: none"> <li>● Coordination the siting of new, or expansion of existing <b>ports, airports, or related facilities</b> with the future land use, coastal management, &amp; conservation elements;</li> <li>● Coordination surface transportation access to ports, airports, &amp; related facilities with the traffic circulation system;</li> <li>● Coordination ports, airports, &amp; related facilities plans with plans of other transportation providers;</li> <li>● Ensure that access routes to ports, airports &amp; related facilities are properly integrated with other modes of transportation.</li> </ul>	9J-5.019(4)(b)	X			
66	<p><b>Required policies</b> of the transportation element to:</p> <ul style="list-style-type: none"> <li>● Provide for safe &amp; convenient <b>on-site traffic flow</b> ;</li> <li>● Establish measures for the acquisition &amp; preservation of public <b>transit</b> rights-of-way &amp; corridors;</li> <li>● Promote ports, airports &amp; related facilities <b>development &amp; expansion</b>;</li> <li>● Mitigate adverse <b>structural &amp; non-structural impacts</b> from ports, airports &amp; related facilities;</li> <li>● Protect &amp; conserve <b>natural resources</b> within ports, airports &amp; related facilities;</li> <li>● Coordinate intermodal <b>management of surface &amp; water transportation</b> within ports, airports &amp; related facilities; &amp;</li> <li>● <b>Protect</b> ports, airports &amp; related facilities from encroachment of incompatible land uses.</li> </ul>	9J-5.019(4)(c)15.	X  X  X  X		<p>TE 13.1 The town shall enforce the parking requirements, including on-site traffic flow, through provisions contained in the land development regulations.</p> <p>TE 13.5 The town is responsible for the installation, maintenance, and repair of sidewalks within dedicated rights-of-way in accordance with the Belleair Code of Ordinances Section 74-516.</p>	
67	Added standards for the review of <b>land development regulations</b> by the DCA .	9J-5.022		X		
68	Added criteria for determining consistency of <b>land development regulations</b> with the comp plan.	9J-5.023		X		
<b>February 25, 2001</b>						
69	<b>Defined</b> "general lanes."	9J-5.003		X		
70	<b>Revised the definition</b> of "marine wetlands."	9J-5.003		X		
71	<b>Repeal the definition</b> of "public facilities & services."	9J-5.003		X		
72	<b>Revised procedures</b> for monitoring, evaluating & appraising implementation of local comp plans.	9J-5.005(7)		X		

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
73	<b>Repealed requirements</b> for evaluation & appraisal reports & evaluation & appraisal amendments.	9J-5.0053		X		
74	Revised concurrency management system requirements to include provisions for establishment of <b>public school concurrency</b> .	9J-5.005(1) & (2)	X			
75	Authorized local governments to establish multimodal transportation <b>level of service standards</b> & established requirements for <b>multimodal transportation districts</b> .	9J-5.0055(2)(b) & (3)(c)			TE 1.5 The town shall encourage the development and utilization of a safe, convenient, and energy efficient multi-modal transportation system.	
76	Authorized local governments to establish <b>level of service standards</b> for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Dept. of Transportation.	9J-5.0055(2)(c)			TE 1.1 The town shall establish a level-of-service standard for the roadways in its jurisdiction, and shall ensure, through its roadway construction and development review processes, the maintenance of those standards.  TE 1.1.1 The operational level of service "D" peak hour shall be the standard for all arterial and collector roads within the town	
77	Provide that <b>public transit</b> facilities are not subject to concurrency requirements.	9J-5.0055(8)	X			
78	Authorized local comprehensive plans to permit multi-use developments of regional impact to satisfy the transportation concurrency requirements by payment of a <b>proportionate share contribution</b> .	9J-5.0055(9)	X			
79	Required the future land use map to show <b>multimodal transportation district</b> boundaries, if established.	9J-5.006(4)(a)	X			
80	Authorized local governments to establish <b>multimodal transportation districts</b> &, if established, required local governments to establish design standards for such districts.	9J-5.006(6)	X		TE 1.5 The town shall encourage the development and utilization of a safe, convenient, and energy efficient multi-modal transportation system.	
81	Required data for the housing element include a description of <b>substandard dwelling units</b> & repealed the requirement that the housing inventory include a locally determined definition of standard & substandard housing conditions.	9J-5.010(1)(c)			HE 1.7 The town shall eliminate any substandard housing that may exist.	
82	Authorized local governments to supplement the <b>affordable housing needs assessment</b> with locally generated data & repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)			Shimburg Housing Data is used in the Housing Analysis.	

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
83	Required the intergovernmental coordination element to include objectives that ensure adoption of <b>interlocal agreements</b> within one year of adoption of the amended ICE & ensure intergovernmental coordination between all affected local governments & the school board for the purpose of establishing requirements for <b>public school concurrency</b> .	9J-5.015(3)(b)5. & 6.			ICE 1.1 The Town of Belleair shall utilize the forum of the Pinellas County Planning Council (PPC) for the purpose of providing close coordination, evaluation and integration of local comprehensive plans and development proposals with effected government entities.	Amend ICE to include objective that ensures the adoption of an interlocal agreement concerning public school facilities within one year.
84	Required the intergovernmental coordination element to include: <ul style="list-style-type: none"> <li>● Policies that provide procedures to identify &amp; implement <b>joint planning areas</b> for purposes of annexation, municipal incorporation &amp; joint infrastructure service areas;</li> <li>● Recognize <b>campus master plan</b> &amp; provide procedures for coordination of the campus master development agreement;</li> <li>● Establish joint processes for <b>collaborative planning &amp; decision-making</b> with other units of local government;</li> <li>● Establish joint processes for collaborative planning &amp; decision making with the school board on <b>population projections &amp; siting of public school facilities</b>;</li> <li>● Establish joint processes for the siting of facilities with <b>countywide significance</b>; &amp;</li> <li>● Adoption of an interlocal agreement for <b>school concurrency</b>.</li> </ul>	9J-5.015(3)(c)	x		<p>ICE 1.1.1 The Town of Belleair shall, through its representative, participate in the Pinellas County Planning Council which is the forum designated in the Pinellas County Charter to review and make recommendations to the Pinellas County Board of County Commissioners regarding proposed annexations and the ability of a municipality to provide services and information and the compatibility between the town and county plans and those of other affected government entities.</p> <p>ICE 1.1.2 The Town of Belleair will use the PPC as a forum to identify and discuss issues related to plan implementation, development and funding which affect one or more jurisdictions in such areas as land use, transportation, coastal management, drainage, conservation, and open space planning.</p> <p>ICE 1.3.3 Recognizing the impacts of development extend beyond the limits of the community, the town shall, through site plan review process, ensure that development orders or permits are consistent with the objectives of the Southwest Florida Water Management District, and county, state, and federal agencies.</p>	Belleair is exempt from preparing a PSFE. See Appendix G of this report.

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
85	Required the capital improvements element to include implementation measures that provide a five-year financially feasible <b>public school facilities</b> program that demonstrates the adopted level of service standards will be achieved & maintained & a schedule of capital improvements for <b>multimodal transportation districts</b> , if locally established.	9J-5.016(4)(a)	X			
86	Required the transportation element analysis for <b>multimodal transportation districts</b> to demonstrate that community design elements will reduce vehicle miles of travel & support an integrated, multi-modal transportation system.	9J-5.019(3)	X			
87	Required transportation element objectives for <b>multimodal transportation districts</b> to address provision of a safe, comfortable & attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)			TE 1.5 The town shall encourage the development and utilization of a safe, convenient, and energy efficient multi-modal transportation system.  However, no multimodal transportation district has been established.	
88	Authorized local governments to establish <b>level of service standards</b> for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.019(4)(c)			TE 1.1.1 The operational level of service (LOS) "D" peak hour shall be the standard for all arterial and collector roads within the town.	

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## APPENDIX C

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

#### Goal Areas

Changes to the *Strategic Regional Policy Plan* Goals, Objectives, and Policies since Belleair's Comprehensive Plan was updated in 1999 have been reviewed. The major goal areas of the *SRPP* include:

- (1) Affordable Housing
- (2) Economic Development
- (3) Emergency Preparedness
- (4) Natural Resources
- (5) Regional Transportation

Belleair's Comprehensive Plan has objectives relating to each of these major goal areas. The *SRPP* changes have not significantly altered the applicability of Belleair's objectives. In order to participate with Pinellas County in the regional issue concerning affordable and workforce housing, this area has been identified as Issue #6 for the Town of Belleair.

#### Regionally Significant Resources and Facilities

The *SRPP* identified two natural resources within the town as regionally significant resources and facilities. These are:

- (1) Belleair's potable water wellfield (shown on Map#12 of the *SRPP*); and,
- (2) The waterway adjacent to the western boundary of the Town of Belleair.

The EAR has identified the need to include a policy regarding wellhead protection; the protection of the groundwater continues to be a high priority for Belleair. The intra-coastal waterway is recognized as a significant local resource as well. The privately owned, submerged lands within the town's jurisdiction are included as Issue #5. The Town will consider guidelines for appropriate use of these lands. The Town may consider the amending the plan to include the waterway as a recreational facility, in addition to existing access points.

## APPENDIX D

### Public Participation Documentation

1. Minutes from Planning and Zoning Board, December 12, 2005
2. Minutes from Town Commission meeting, February 7, 2006
3. Letter of Agreement from DCA
4. EAR Issues
5. Minutes from Planning and Zoning Board, May 1, 2006
6. Minutes from Town Commission work session, June 6, 2006
7. Minutes from Town Commission public hearing, June 20, 2006

**MINUTES OF MEETING OF THE PLANNING AND ZONING BOARD HELD AT TOWN HALL, BELLEAIR, FLORIDA ON DECEMBER 12, 2005 AT 5:30 PM**

**MEMBERS PRESENT:** Gloria Burton, Chairperson  
Karla Rettstatt  
Allen Acken  
Charles Robinson, Jr.  
Brian Battaglia  
Rogers Haydon  
Peter Marich

**MEMBERS ABSENT:** NONE

**OTHERS PRESENT:** Steve Cottrell, town manager  
Fred Hawes, building official  
Gary Katica, commission advisor

Quorum present with Mrs. Burton presiding; the meeting was called to order at 5:30 PM.

Mrs. Burton called for a motion to postpone Agenda Item No. 8 - Discussion of comprehensive plan evaluation and appraisal report.

Mr. Robinson moved to postpone Agenda Item No. 8 - Discussion of comprehensive plan evaluation and appraisal report. Seconded by Ms. Rettstatt.

Discussion: Mr. Cottrell stated that he needed to receive the board's feedback regarding the major issues concerning the comprehensive plan evaluation and appraisal report.

Ms. Rettstatt moved to reconsider the previous motion and not postpone agenda item number 8. Motion seconded by Mr. Robinson and carried unanimously.

**APPROVAL OF MINUTES - NOVEMBER 7, 2005**

Mrs. Burton stated that the board members had for consideration approval of the Minutes of the November 7, 2005 meeting.

Mrs. Burton stated that on page 2, paragraph 3, that the word "side" should be changed to "front"; that on page 3, paragraph 7, the word "present" should be changed to "draft".

Ms. Rettstatt moved approval of the minutes of the November 7, 2005 meeting as amended. Motion seconded by Mr. Robinson and carried unanimously.

Mrs. Burton stated that the board was acting within an advisory capacity to the town commission and any action taken would be as a recommendation.

.....

**DISCUSSION OF COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT**

Mr. Cottrell stated that the memorandum and documents that were distributed at the last meeting was simply an audit of the comprehensive plan with a view towards possibly amending the plan and to focus on three or four more significant issues and observe the objectives that were germane to those issues and concentrate on future plan amendments surrounding those areas; that Al Acken, Steve Fowler, Donna Carlen, Micah Maxwell and himself had gone through an exercise at a workshop in Belleair Bluffs and formulated the four potential major issues listed on page 2 of the memorandum; that there was going to be another workshop held on January 11, 2006 and he needed the commission and the planning and zoning boards feedback before attending the workshop; that a letter must be written by the 12<sup>th</sup> of January to the DCA defining the major issues.

Mrs. Burton asked about the priority of the major issues and order of importance listed; that number two, Impacts of Potential Redevelopment was the most important issue; that transportation, the Brownfield area and all items listed on number two should be the first priority.

Mr. Cottrell stated that the ranking or the weight is less significant now than the issues themselves.

Mr. Maxwell stated that the roman numerals I, II, III etc. was not the ranking of priority.

Discussion ensued regarding the major issues listed such as utilities, impact of potential redevelopment and safety issues of the town, and transfer of density the golf course and future land use designations.

Steve Cottrell stated that the commission has stated that there were no additions or changes to the potential major issues presented; that the commission has asked him to solicit proposals from consultant firms to assist in the EAR process in addition to the proposal offered by Tampa Bay Engineering planning staff.

Mrs. Burton stated that there were no additions or changes to the four potential major issues listed in the memorandum; that the ranking within those numbers were correct; that the planning and zoning board had no changes or additions.

Mr. Cottrell stated that it would take approximately 20 weeks to complete the process.

.....

**ADJOURNMENT**

There being no further business to come before the board the meeting was adjourned in due form at 7:30 PM.

**MINUTES OF WORK SESSION OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON FEBRUARY 7, 2006 AT 5:30 PM**

**PRESENT:** Mayor George Mariani, Jr.  
Town Manager Steve Cottrell  
Town Attorney David Ottinger  
Commissioners:  
Stephen Fowler  
Gary Katica  
Bonnie Ruggles  
Tom Shelly

Quorum present with Mayor Mariani presiding; the meeting was called to order at 5:45 PM.

.....

**DISCUSSION OF PROCESS FOR EVALUATION AND APPRAISAL OF THE COMPREHENSIVE PLAN**

Mr. Mariani stated that the commission had for consideration discussion of the evaluation and appraisal process for the comprehensive plan.

Mr. Cottrell introduced Gail Easley who the town had hired to assist in the preparation of the evaluation and appraisal and update of the comprehensive plan; stated that there were particular issues for discussion and identification; that the major issues identified to date were historic preservation, impact of redevelopment, potable water supply, infrastructure issues; that he would like to include the potential land available for development and the prevention of continued erosion of the bluff along Bayview Drive.

Ms. Easley provided an overview of the evaluation and appraisal process for the comprehensive plan;

- that it was necessary to evaluate the comprehensive plan to meet the current needs of the town
- that the process started with identifying issues to be addressed in reviewing the elements of the comprehensive plan
- that the town would have 18 months to complete the amendments of the comprehensive plan
- that public hearings would be scheduled to receive public input on the proposed amendments

Mr. Mariani asked when the report would be available.

Ms. Easley stated that a letter should be provided to DCA as soon as possible identifying the issues of concern.

Catherine Ludden, 66 Pelican Place, asked if Ms. Easley had been hired by the county or by the town.

Mr. Mariani stated that Ms. Easley had been hired by the town to assist in the EAR process; that proposal had been submitted for review and Ms. Easley's company had been selected.

Barbara Arnold, 1318 Ponce de Leon, Clearwater, inquired about redevelopment issues and hospital facilities.

Mr. Mariani stated that there would be no input with regard to the hospital as it was not located within the limits of Belleair.

Ed Jameson, Doe Court, Clearwater, inquired about historic preservation.

Ms. Easley stated that at this point in time the town was only identifying those issues of concern; that these issues were not plan amendments; that public hearings would be scheduled for the purpose of discussing the amendments.

Mr. Cottrell asked the commission if the fifth issue should be included in the issues to be reviewed; stated that marina space would be needed in Pinellas County; spoke about the future use of the submerged lands owned by the town.

Mr. Mariani stated that issues deserving review should be included.

.....

**ADJOURNMENT**

There being no further business to come before the commission the meeting adjourned in due form at 6:35 PM.



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

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

JEB BUSH  
Governor

THADDEUS L. COHEN, AIA  
Secretary

March 1,2006

The Honorable George Mariani, Jr. Mayor,  
Town of Belleair  
901 Ponce De Leon Boulevard Belleair,  
Florida 33756-1096

Dear Mayor Mariani,

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

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

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

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**32399 - 2100**  
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291.0781 Internet address: <http://www.dca.state.fl.us>

May 15, 2006

D-6

CRITICAL STATE CONCERN FIELD OFFICE  
COMMUNITY DEVELOPMENT  
2706 Overseas Highway, Suite 212

COMMUNITY PLANNING  
2555 Shumard Oak Boulevard

EMERGENCY MANAGEMENT  
2555 Shumard Oak Boulevard

HOUSING &  
2555 Shumard Oak

Honorable George Mariani, Jr.  
Page 2 of 2 March 1, 2006

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

Two areas requiring attention by the Town in the evaluation process are population projections and assessment of the comprehensive plan. The update for population projections should include the 5 and 10 year planning timeframes. The Town should use these population projections to forecast the community infrastructure needs for the 5 and 10 year planning timeframes. The EAR should assess the extent to which the Town's plan objectives, as related to the major issues, have been achieved. If insufficient progress was made, the EAR should discuss why and either propose actions by the Town which should be taken to better achieve 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)0, 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  
Steve Cottrell, Town Manager, Town of Belleair  
Gail Easley, The Gail Easley Company

# TOWN OF BELLEAIR

MAYOR:

GEORGE MARIANI, JR.

COMMISSIONERS:

STEPHEN FOWLER

GARY KATICA

BONNIE M. RUGGLES

TOM SHELLY

TOWN MANAGER:

STEVE COTTRELL

*J.V.C. 1925*

901 PONCE DE LEON BOULEVARD

BELLEAIR, FLORIDA 33756-1096

PHONE (727) 588-3769

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February 13, 2006

Ms. Brenda Winningham, Regional Planning Administrator  
Department of Community Affairs.  
Division of Community Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Dear Ms. Winningham:

We are pleased to provide the Department of Community Affairs with the following plan outlining the Town of Belleair's steps to fulfill the department's requirements for our current Evaluation and Appraisal Report as delineated within Section 163.3191, Florida Statutes.

The first chapter section of our report will contain a brief description of Belleair, its geography and salient demographic and economic conditions, along with present land use and development characteristics. It will also define the purpose and expected outcome of this evaluation and appraisal report, and the public participation opportunities scheduled as a part of this review process, inclusive of approximate dates/months when public meetings, workshops and hearings will be held.

The next chapter will specifically summarize our findings and conclusions regarding the applicable requirements of Sections 163.3191 (2). (a through d, f to h, and k through p). F.S.

Chapter 111 will then provide a more comprehensive assessment and analysis of those plan goals and objectives most related to and or impacted by the five major issues that have been identified by town staff, our working EAR committee, and endorsed by both the town commission and town planning and zoning board. These include the following issues:

Ms. Winningham. page 2 (Town of Belleair scope of EAR proposal)

**Issue 1. Preservation of Historic Resources-** This issue includes, but is not necessarily limited to the potential demolition and redevelopment of the historic Belleview Biltmore hotel and associated properties. Present and future land use designations and the goal of preserving the town's substantive features and character are the salient topics that underpin this issue and its related analysis.

**Issue 2. Impacts of (potential) Redevelopment-** This issue addresses the potential impacts of redevelopment of the hotel and hotel's golf course property (156 acres/17% of the town's land area). This analysis will include impacts of development on transportation systems, open space, water supply, wastewater treatment, drainage, and affordable/workforce housing needs within the Pinellas County area.

**Issue 3. Water Supply-** The town is presently one of the only cities within Pinellas County with its own wells and potable water supply. Other jurisdictions are served by a regional water supply authority (Tampa Bay Water). This issue addresses our water quantity and quality, potential treatment alternatives and options, and alternative supply sources.

**Issue 4. Infrastructure Repair and Replacement-** The town has a backlog of deferred street and drainage improvement projects, owns several small bridges, and a number of service delivery concerns related to both recreation and solid waste collection practices and methods that need additional analysis. Funding alternatives and alternative service delivery options need to be explored.

**Issue 5. Future Use of Submerged Lands-** The town's western border is the intra-coastal waterway, two hundred and nine (209) acres of which is within the town's jurisdictional limits. A significant portion of this submerged land is privately owned and may be conducive to use for future marinas or related development. Consequently, the town may wish to incorporate guidelines for its future use within this evaluation and appraisal report's recommendations.

The last chapter of our report will identify all the anticipated actions, plan amendments, and measures the town may wish to undertake that surround the aforementioned five issue areas analyzed in chapter three. These potential EAR based amendments to our town's comprehensive plan will be premised on their acceptance and approval by town residents and the town's elected representative.

The outcome of our EAR process will be an updated comprehensive plan and capital improvements element, as well as revised or additional goals, policies and objectives that will improve upon the quality and character of the Town of Belleair as we progress into the future.

Ms. Winningham., page 3 (Town of Belleair scope of EAR proposal)

We look forward to the department's review and concurrence with the scope of work we have outlined herein for the Town of Belleair's evaluation and appraisal report.

Sincerely,

Steve Cottrell  
Town Manager

Cc Mayor and Commissioners  
Donna Carlen, Town Clerk  
V. Gail Easley, FAICP, The Gail Easley Company

**MINUTES OF SPECIAL MEETING OF THE PLANNING AND ZONING BOARD  
HELD AT TOWN HALL, BELLEAIR, FLORIDA ON MAY 1, 2006 AT 5:30 PM**

**MEMBERS PRESENT:** Gloria Burton, Chairperson  
Rogers Haydon  
Brian Battaglia (arrived at 5:45pm)  
Peter Marich

**MEMBERS ABSENT:** Charles Robinson, Jr.  
Allen Acken

**OTHERS PRESENT:** Steve Cottrell, town manager  
Donna Carlen, town clerk  
Micah Maxwell, assistant town manager  
Suzy Metcalf, administrative assistant  
Gary Katica, commission advisor  
Gail Easley, planning consultant

Quorum present with Mrs. Burton presiding; the meeting was called to order at 5:45 PM.

**DISCUSSION AND REVIEW OF THE EVALUATION AND APPRAISAL REPORT  
(EAR)**

Mrs. Burton introduced planner Gail Easley who provided an overview of the Evaluation and Appraisal Report (EAR).

Ms. Easley stated that the purpose of the EAR process was to provide an opportunity to look back at the comprehensive plan and determine whether it had been effective and useful for the town; that the report was not a plan nor an amendment, but rather a foundation for a future amendment; that the state required city and towns to look back at the comprehensive plan and address several specific issues and to become compliant with the new state laws.

Ms. Easley stated that there were several specific requirements: population changes, land use changes, annexations, if any; that one of the most important parts of the evaluation was the use of what was called "Major Issues"; that the five major issues were determined by the town; that the third step was to look at the chapter elements to summarize and discuss the successes and shortcomings that may exist for each one of the elements of the report; that the EAR committee consisting of Don White, Allen Acken, Steve Fowler, Steve Cottrell, Donna Carlen, Micah Maxwell and JP Murphy assisted the planner in making the evaluations; that Section 4 of the EAR was a summary of recommendations.

Ms. Easley stated that once the EAR was adopted by the commission, the report would be sent to the Department of Community Affairs for review; that the DCA determines if it is sufficient; that if it was adopted in June or July the DCA had 90 days to determine if it was sufficient; that the entire process would take 18 months; that the deadline to have the comprehensive plan amendments completed would be March, 2008.

Mr. Battaglia came in at 5:45 p.m.; quorum was established.

**DISCUSSION AND REVIEW OF THE EVALUATION AND APPRAISAL REPORT (EAR) MINUTES OF MEETING HELD ON May 1, 2006 PAGE 2 continued.**

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Discussion ensued regarding transfer of density; that other municipalities may be interested in participating with the town.

Discussion ensued regarding reduced services listed on Section 2-6 of the EAR.

Mr. Haydon suggested that the town look at bond issues with regard to infrastructure.

The board reviewed the three sections of the EAR and made the following recommendations:

1. Section 1- 1-1: Rewrite second paragraph regarding vacant land between 1990 and present; that it should state “today only 5 acres remain vacant” and take out statement regarding the construction of the art center; that the art center was removed and land was redeveloped.
2. Section 1, 1- 4, first paragraph: “The town residents were opposed...”; Should state “many of the town residents were opposed”; that the planner should prepare a study of the permitted land use of historic property under the development code.
3. Section 2, 2-3; Recommendations: changed the word “major” to state “many”.
4. Section 2, 2-6; CII.1: Recommended Action: add “bond issue”.
5. Section 3, 3-3; Successes and shortcomings, first bulleted item: Add reference study on round-a-bout on Indian Rocks Road and Ponce de Leon.
6. Section 3, 3-7; Coastal Management and Conservation Element; second bulleted item, shelters: add the recreation center as a shelter.
7. Section 3, 3-10; Capital Improvements Element: First bulleted item; add a number 5. “Bonding.”

The board requested that these changes be made to the “Summary of Recommendations”.

Ms. Easley stated that the requested changes would be applied to the EAR sections as well as the Summary of Recommendations.

Mr. Haydon made a motion to adopted the EAR as amended on May 1, 2006. Motion seconded by Mr. Marich and approved unanimously.

Ms. Easley stated that the planning and zoning board, the EAR committee and the commission would receive the revised EAR with highlighted changes as articulated.

Mr. Cottrell stated that on page 1-6 the date of the special meeting of the planning and zoning board should be changed from the date stated of May 8, 2006 to May 1, 2006.

**COMMISSION ADVISOR REPORT**

Mr. Katica introduced Bonnie Sue Brandvik as a candidate for the vacant seat on the planning and zoning board.

Mr. Katica discussed underwater rights in Belleair.

Mrs. Burton stated that there would not be a planning and zoning board meeting held on May 8, 2006.

**ADJOURNMENT**

There being no further business to come before the board the meeting was adjourned in due form at 7:14 PM.

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**Chairperson**

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

## Population Projection Methodology

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

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

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

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

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

### Data Sources

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

### Facts and Assumptions

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

### *Facts*

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

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

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

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

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

*Assumptions*

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

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

Steps Used in Calculating the Projections

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

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

Recommendation

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

## APPENDIX F

### INDEX TO F.S. 163.3191 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:*

**APPENDIX F: 163.3191 INDEX**

<b>SUMMARY TABLE</b>	
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; and Section 3: Plan Element Review, FLUE
(c) The financial feasibility of implementing the comprehensive plan and of providing needed infrastructure to achieve and maintain adopted level-of-service standards and sustain concurrency management systems through the capital improvements element, as well as the ability to address infrastructure backlogs and meet the demands of growth on public services and facilities.	Section 3: Plan Element Review, Infrastructure Element
(d) The location of existing development in relation to the location of development as anticipated in the original plan, or in the plan as amended by the most recent evaluation and appraisal report update amendments, such as within areas designated for urban growth.	Section 1: Assessment; and Section 3: Plan Element Review, FLUE
(e) An identification of the major issues for the jurisdiction and, where pertinent, the potential social, economic, and environmental impacts.	Section 2: Issues

<b>SUMMARY TABLE</b>	
CHAPTER 163.3191(2) REQUIREMENT	LOCATION IN EAR
(f) Relevant changes to the state comprehensive plan, the requirements of this part, the minimum criteria contained in chapter 9J-5, Florida Administrative Code, and the appropriate strategic regional policy plan since the adoption of the original plan or the most recent evaluation and appraisal report update amendments.	Section 4: Summary of Recommendations Appendix, Table 163 Changes; Table 9J-5; and SRPP
(g) An assessment of whether the plan objectives within each element, as they relate to major issues, have been achieved. The report shall include, as appropriate, an identification as to whether unforeseen or unanticipated changes in circumstances have resulted in problems or opportunities with respect to major issues identified in each element and the social, economic, and environmental impacts of the issue.	Section 2: Issues
(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	Section 4: Summary of Recommendations

SUMMARY TABLE	
CHAPTER 163.3191(2) REQUIREMENT	LOCATION IN EAR
<p>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.</p>	
<p>(j) A summary of the public participation program and activities undertaken by the local government in preparing the report.</p>	<p>Section 1: Assessment</p>
<p>k) The coordination of the comprehensive plan with existing public schools and those identified in the applicable educational facilities plan adopted pursuant to s. <a href="#">1013.35</a>. The assessment shall address, where relevant,</p>	
<ul style="list-style-type: none"> <li>▪ the success or failure of the coordination of the future land use map and associated planned residential development with public schools and their capacities, as well as the joint decision-making processes engaged in by the local government and the school board in regard to establishing appropriate population projections and the planning and siting of public school facilities.</li> </ul>	<p>Not applicable. There are no schools sited within the Town of Belleair.</p>
<ul style="list-style-type: none"> <li>▪ For those counties or municipalities that do not have a public schools interlocal agreement or public school facilities element, the assessment shall determine</li> </ul>	<p>Belleair is a participant in the existing “School Facilities Siting Agreement”.</p>

SUMMARY TABLE	
CHAPTER 163.3191(2) REQUIREMENT	LOCATION IN EAR
<p>whether the local government continues to meet the criteria of s. <a href="#">163.3177</a>(12).</p>	
<ul style="list-style-type: none"> <li>▪ If the county or municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments pursuant to the requirements of the public school facilities element, and enter into the existing interlocal agreement required by ss. <a href="#">163.3177</a>(6)(h)2. and <a href="#">163.31777</a> in order to fully participate in the school concurrency system.</li> </ul>	<p><u>Appendix G: Exemption from Public School Facilities Element</u></p>
<p>(l) The extent to which the local government has been successful in identifying</p>	
<ul style="list-style-type: none"> <li>▪ alternative water supply projects and traditional water supply projects, including conservation and reuse, necessary to meet the water needs identified in s. <a href="#">373.0361</a>(2)(a) within the local government's jurisdiction.</li> </ul>	<p>Section 2, Issues</p>
<ul style="list-style-type: none"> <li>▪ The report must evaluate the degree to which the local government has implemented the work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, identified in</li> </ul>	<p>Section 2, Issues</p>

SUMMARY TABLE	
CHAPTER 163.3191(2) REQUIREMENT	LOCATION IN EAR
the element as necessary to serve existing and new development.	
(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area,	
<ul style="list-style-type: none"> <li>▪ an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations.</li> </ul>	Section 3: Plan Element Review
<ul style="list-style-type: none"> <li>▪ The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment.</li> </ul>	Section 3: Plan Element Review
(n) An assessment of whether the criteria adopted pursuant to s. <a href="#">163.3177(6)(a)</a> were successful in achieving compatibility with military installations.	Not applicable

SUMMARY TABLE	
CHAPTER 163.3191(2) REQUIREMENT	LOCATION IN EAR
(o) The extent to which a concurrency exception area designated pursuant to s. <a href="#">163.3180(5)</a> , a concurrency management area designated pursuant to s. <a href="#">163.3180(7)</a> , or a multimodal transportation district designated pursuant to s. <a href="#">163.3180(15)</a> has achieved the purpose for which it was created and otherwise complies with the provisions of s. <a href="#">163.3180</a> .	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. <a href="#">163.3180(10)</a> .	Not applicable
Section 163.3180 (9)(d): <b>(New section)</b> Required evaluation in EAR of progress in improving levels of service.	Section 3: Plan Element Review, CIE

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

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

Dear Mr. Beardslee:

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 Underbill, Planning Specialist Jim  
Madden, Director, Unitary Status

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