

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE TRANSPORTATION CONCURRENCY, TO PROVIDE FOR A MULTIMODAL TRANSPORTATION SYSTEM THAT MANAGES THE IMPACTS OF DEVELOPMENT PROJECTS, INCREASES MOBILITY AND MITIGATES IMPROVEMENTS CONSISTENT WITH THE METROPOLITAN PLANNING ORGANIZATION'S LONG RANGE TRANSPORTATION PLAN AND THE PINELLAS COUNTY MOBILITY PLAN; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO REVISE CONCURRENCY REFERENCES TO MOBILITY MANAGEMENT AND TO UPDATE A REFERENCE TO THE INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY REGARDING THE COORDINATION OF LAND USE AND PUBLIC SCHOOL FACILITIES PLANNING; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO SUPPORT THE ESTABLISHMENT OF A MULTIMODAL TRANSPORTATION SYSTEM IN ACCORDANCE WITH THE PINELLAS COUNTY MOBILITY PLAN, AND TO ELIMINATE THE PUBLIC SCHOOLS LEVEL OF SERVICE STANDARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Madeira Beach was adopted on May 27, 2008, subsequently amended by Ordinance 1179 on July 10, 2012 and Ordinance 2014-09 on November 12, 2014; and

WHEREAS, Florida's 2011 Community Planning Act lifted state-mandated requirements for transportation concurrency management and level of service standards, while encouraging the coordination of planning and growth management activities among local governments, metropolitan planning organizations, regional and state agencies; and

WHEREAS, Florida's 2011 Community Planning Act lifted state-mandated requirements for public school facilities level of service standards; and

WHEREAS, the Pinellas County Metropolitan Planning Organization (MPO) developed a coordinated countywide approach for review of development impacts utilizing a mobility management system; and

WHEREAS, the City of Madeira Beach proposes to replace transportation concurrency with a mobility management system in accordance with the Pinellas County Mobility Plan that provides the means to manage traffic impacts of development projects while maximizing mobility and accessibility through the use of multi-modal impact fees; and

WHEREAS, amendments to the Transportation Element of the City of Madeira Beach Comprehensive Plan are necessary to eliminate transportation concurrency and to establish the policy framework for a multi-modal mobility management system; and

WHEREAS, amendments to the Intergovernmental Element of the City of Madeira Beach Comprehensive Plan are necessary to reflect certain references to levels of service and concurrency management methodologies; and

WHEREAS, amendments to the Capital Improvement Element of the City of Madeira Beach Comprehensive Plan are necessary to eliminate the adopted level of service standard for roads and to coordinate the impacts of development and redevelopment projects and increase mobility in accordance with the Pinellas County Mobility Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

Section 1. That Goal 1, Objective 1.1, Policy 1.1.1, and Policy 1.1.2 of Section 3.4 Transportation Element of the Comprehensive Plan of the City of Madeira Beach are hereby amended to read as follows:

~~**Goal 1:** A safe, convenient, and efficient motorized and non-motorized transportation system shall be available for all residents and visitors to the City.~~

~~**Objective 1.1:**~~

~~The operational level of service (LOS) "D" peak hour shall be the standard for all roads within the City.~~

~~**Policy 1.1.1:**~~

~~The City shall review all proposed development or redevelopment for consistency with this element and impacts upon the adopted LOS standard.~~

- ~~• All development orders and permits shall be issued only when it is documented by the developer's transportation analysis that such development is consistent with the level of service standards for the affected public facilities adopted by this comprehensive plan.~~
- ~~• The transportation analysis will utilize the latest and best methodology available at the time.~~
- ~~• In addition, no development orders or permits that affect access to state roads shall be issued until Florida Department of Transportation completes a review and gives conceptual approval of the development site access plan.~~

~~**Policy 1.1.2:**~~

~~The City shall assess new development or redevelopment an equitable pro-rata share of the costs to provide roadway improvements to serve the development or redevelopment and shall enforce countywide transportation impact fee regulations.~~

GOAL 1: PROVIDE FOR A SAFE, CONVENIENT, AND ENERGY EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM THAT SERVES TO INCREASE MOBILITY, REDUCE THE INCIDENCE OF SINGLE-OCCUPANT VEHICLES, EFFICIENTLY UTILIZE ROADWAY CAPACITY, REDUCE THE CONTRIBUTION TO AIR POLLUTION FROM MOTORIZED VEHICLES AND IMPROVE THE QUALITY OF

LIFE FOR THE CITIZENS OF MADEIRA BEACH.

Objective 1.1:

Maintain the performance of the major road network within the City while furthering development of a multimodal transportation system that increases mobility for bicyclists, pedestrians and transit users as well as motorists.

Policy 1.1.1:

The City shall manage the impacts of land development projects and increase mobility through application of Transportation Element policies and Land Development Code provisions through the site plan review process in accordance with the Pinellas County Mobility Plan.

Policy 1.1.2:

The land development regulatory system shall include provisions to address development that impacts "deficient" roadways, including facilities operating at peak hour level of service (LOS) E and F and/or volume-to-capacity (v/c) ratio of 0.9 or greater to ensure that development that generates more than 51 peak hour trips does not occur without providing for a mitigating improvement scheduled for construction within three years.

Policy 1.1.3:

The City shall utilize impact fee revenue to fund multimodal improvements to local, county or state facilities that are consistent with the comprehensive plan as well as the Metropolitan Planning Organization (MPO) Long Range Transportation Plan.

Policy 1.1.4:

The City shall work cooperatively with the MPO, Pinellas County, and other local governments to complete any subsequent update of the Multimodal Impact Fee Ordinance through the MPO planning process, which includes review by the MPO Technical Coordinating Committee and MPO Policy Board.

Policy 1.1.5:

The City shall continue to work with the Pinellas Suncoast Transit Authority (PSTA) to increase the efficiency of the fixed-route system by encouraging mass transit use through the application of the Pinellas County Mobility Plan and the City's Site Plan Review Process.

Policy 1.1.6:

The City shall work with the MPO, Pinellas County, and other local governments to coordinate the application of the Pinellas County Mobility Plan throughout the City.

Section 2. That Policy 1.2.1 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.2.1:

The City shall, through the Pinellas County Metropolitan Planning Organization (MPO), work with Florida Department of Transportation and the MPO as necessary

~~to attain and assure acceptable continued operational level of service for the city streets.~~ manage the impacts of land development projects and increase mobility in accordance with the Pinellas County Mobility Plan.

Section 3. That Policy 1.3.4 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.3.4:

The City of Madeira Beach shall continue to implement the provisions of the *Interlocal Agreement with the School Board of Pinellas County* ~~approved on April 24, 2007 executed by the City on November 6, 2012,~~ regarding coordination of land use and public school facilities ~~planning as well as coordination of a school concurrency system.~~

Section 4. That Policy 1.4.3 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.4.3:

The City will forward requests for access to county- or state-maintained roadways to the Pinellas County Public Works Department or the Florida Department of Transportation, as appropriate, for comment concerning access criteria, permitting, and ~~level-of-service~~ operational impacts.

Section 5. That Policy 2.1.4 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 2.1.4:

The City will coordinate its ~~levels-of-service, concurrency management methodologies~~ mobility management methodologies, and land development regulations with the Florida Department of Transportation and Pinellas County to encourage compatibility with ~~level-of-service~~ mobility management and access management standards for county- and state-maintained roadways.

Section 6. That Policy 1.5.4 of Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.5.4:

The City of Madeira Beach shall use the following levels-of-service to determine the impacts of development and redevelopment.

Roads:

~~The operational level of service (LOS) D peak hour shall be the standard for all roads within the city.~~

Sanitary Sewer:

The adopted sanitary sewer level-of-service standard to extend throughout the time frame of this comprehensive plan is 111 gallons per capita per day.

Solid Waste:

The adopted solid waste level-of-service standard to extend throughout the time frame of this comprehensive plan is 4.9 pounds per capita per day of nonrecyclable waste.

Drainage:

The City shall require the first one inch of runoff from impervious surfaces to be retained on the site of the development.

The adopted level-of-service shall be the 10-year frequency, 60-minute storm event.

Potable Water:

The adopted potable water level-of-service standard is as follows:

Year	2005	2015	2020	2025
Gallons per capita per day	137	134	132	130

Source: Regional Water Supply Plan, Chapter 4, Appendix 4, Table 34-A

Coastal Management:

The City shall protect water storage and water quality enhancement functions of wetlands and floodplain areas through land acquisition if feasible, enforcement of laws, and the application of land and water management practices which provide for compatible uses.

Parks and Recreation:

The level-of-service standard for parkland is 6.5 acres per 1,000 people

Public Schools:

~~Madeira Beach hereby adopts, consistent with Section 11 of the *Public Schools Interlocal Agreement*, the following level of service standard, which shall be applied consistently district wide by all partner local governments within Pinellas County and by the School District. District wide level of service standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses (FISH) School Capacity* plus additional capacity does not exceed 100 percent. This level of service standard shall apply to each type of public school facility.~~

Section 7. That Policy 1.5.9 of Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.5.9:

~~Developments or redevelopments requiring the use of road facilities shall receive development orders subject to the public facilities being in place or under construction at the time of issuance of the certificate of occupancy or:~~

- ~~• The development order issuance is conditioned upon the necessary facilities and services being in place or under construction not more than three years after building permit issuance as provided in the *Schedule of Capital Improvements*.~~

The City shall manage the impacts of land development and redevelopment projects and increase mobility through application of Transportation Element policies and

Land Development Code provisions in accordance with the Pinellas County Mobility Plan.

Section 8. That Policy 1.5.12 and Policy 1.5.13 Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach are hereby deleted.

Section 9. That Policy 1.5.14 Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach is hereby renumbered as follows:

Policy 1.5.14-12:

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

Section 10. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS 11th day of October, 2016.

APPROVED AS TO FORM:



Tom Trask, City Attorney



Travis Palladeno
Mayor

ATTEST:



Aimee Servedio, City Clerk

358936

Tampa Bay Times
Published Daily

STATE OF FLORIDA }
COUNTY OF Pinellas County ss

Before the undersigned authority personally appeared Jill Harrison who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: TJT Comp Plan was published in Tampa Bay Times: 9/23/16. in said newspaper in the issues of St Pete Times Beaches

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

Signature of Affiant

Sworn to and subscribed before me this 09/23/2016.

Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



NOTICE OF COMPREHENSIVE PLAN CHANGE

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes:

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the City of Madeira Beach will conduct a second and final reading of, and proposes to adopt, Ordinance 2016-08, Ordinance 2016-09 and Ordinance 2016-10 at a public hearing on Tuesday, October 11, 2016 at 6:00 p.m. at the City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

The title of said Ordinances are as follows:

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE TRANSPORTATION CONCURRENCY, TO PROVIDE FOR A MULTIMODAL TRANSPORTATION SYSTEM THAT MANAGES THE IMPACTS OF DEVELOPMENT PROJECTS, INCREASES MOBILITY AND MITIGATES IMPROVEMENTS CONSISTENT WITH THE METROPOLITAN PLANNING ORGANIZATION'S LONG RANGE TRANSPORTATION PLAN AND THE PINELLAS COUNTY MOBILITY PLAN; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO REVISE CONCURRENCY REFERENCES TO MOBILITY MANAGEMENT AND TO UPDATE A REFERENCE TO THE INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY REGARDING THE COORDINATION OF LAND USE AND PUBLIC SCHOOL FACILITIES PLANNING; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO SUPPORT THE ESTABLISHMENT OF A MULTIMODAL TRANSPORTATION SYSTEM IN ACCORDANCE WITH THE PINELLAS COUNTY MOBILITY PLAN, AND TO ELIMINATE THE PUBLIC SCHOOLS LEVEL OF SERVICE STANDARD; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2016-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH; REVISING THE GOALS, POLICIES AND OBJECTIVES OF THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO DELETE REFERENCE TO ACCEPTABLE ROADWAY LEVELS OF SERVICE IN POLICY 1.8.1; TO REVISE GOAL 2 TO INCLUDE REFERENCES TO HIGH WATER EVENTS; TO ADD OBJECTIVES AND POLICIES REGARDING FLOODING AND SEA LEVEL RISE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2016-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE OBJECTIVES 2, 3 AND 4 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; RENUMBERING OBJECTIVES 5, 6, 7 AND 8 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed Ordinances are available for inspection in the Office of the City Clerk between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

All persons are hereby advised that any presentation they make to the Board of Commissioners will be encouraged to be as precise as possible. The Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at this meeting will need a record of proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Therefore, the applicant must make the necessary arrangements with a private reporter or private recording firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 391-9951 or fax a written request to (727) 391-1131.

Michelle Orton
Planning and Zoning Director

9/23/2016