

# *Joint Processes for Collaborative Planning 5 and Decision Making*

## **POPULATION PROJECTIONS**

The Pinellas County Planning Department, in coordination with the technical coordinating committee of the Metropolitan Planning Organization, initiates and coordinates a multi-jurisdictional effort to develop population projections for all of Pinellas County for use in updating the MPO Long Range Transportation Plan and in local government planning programs (including the evaluation and appraisal process). Staff also coordinated with the School Board of Pinellas County and the Southwest Florida Water Management District, as well as the Pinellas Planning Council. Through a collaborative effort, and agreement on a methodology, permanent, seasonal, and tourist/visitor population projections are developed.

Data is based on the U.S. Census, existing land use information, future land use maps, and input from other government regarding future plans. Much of this data was compiled from the County's geographic information system, which serves as the primary source of information for determining existing and forecasted conditions for each of the over 700 Traffic Analysis Zones in Pinellas County. This cooperative approach is felt to be not only effective but essential in a small county that contains 25 local governments in an area of only 280 square miles.

To meet the specific needs of the School Board and the Public School Facilities Element, in coordination with School District staff, a methodology for projecting student growth by various age groups for different subareas was developed for use in school planning and enrollment projections. Coordination regarding school planning and enrollment is ongoing, and will include a development tracking component in the near future.

### **Existing Coordination Mechanisms**

An informal process using the Technical Coordinating Committee of the Metropolitan Planning Organization has been established to provide collaboration on population projections. In association with the Public School Facilities Element, coordination is ongoing through the School Collaborative, comprised on elected officials and School Board members, as well as an informal work group made up of County staff, School District staff and municipal staffs.

### **Any Need for Additional Coordination**

Coordination is effective and ongoing.

## **PUBLIC SCHOOL FACILITIES**

**Discussion:** In the summer of 1996, the Pinellas County Board of County Commissioners and the School Board of Pinellas County approved an Interlocal Agreement that established a local process to determine whether a proposed public school site is consistent with a local

government's local comprehensive plan. The interlocal agreement was the culmination of a cooperative effort by the staff of the School Board, Pinellas County, several municipalities, and the Pinellas Planning Council in developing a coordinated approach to implementing the requirements of the Educational Facilities Siting Act of 1995. Among other things, the Act revised the requirements for coordinating planning between school boards and local governing bodies, and amended the Growth Management Act to require that the future land use element of a local comprehensive plan identify the land use categories in which public schools are an allowable use.

A major emphasis of the Act is that, in most cases, a land use plan amendment is no longer required when approving a site for construction or expansion of a public school. Pinellas County and other local governments in the County amended the future land use element of their comprehensive plans to identify the land use categories within which public schools are allowed to be constructed as long as the proposed site is consistent with specific locational criteria included in the element.

Staff from the School Board, Pinellas County, several municipalities, and the Pinellas Planning Council met on a regular basis over several months to develop a uniform approach for determining whether a proposed public school site is consistent with a local government's comprehensive plan. This staff group, with active participation and support from County staff, developed both an alternative site review process that is more representative of local procedures in Pinellas County than the one outlined in the Florida Statutes, and a common set of locational criteria that were adopted as policies within local comprehensive plans, including the Pinellas County Comprehensive Plan in September 1996. The approved Interlocal Agreement permits use of the alternative site review process in unincorporated Pinellas County. Similar agreements between individual municipalities and the School Board allow use of this alternative site review process within incorporated areas.

This cooperative approach in responding to the Education Facilities Siting Act exemplifies the desire of the County, the municipalities, and the School Board to work together in developing solutions to the needs of the community. The Interlocal Agreements state that if any local government or the School Board desire to modify the adopted locational review criteria or the alternative review process, they must notify other local governments, the School Board, and the Pinellas Planning Council. It is anticipated that if the proposed modifications are significant they would precipitate a cooperative multi-jurisdictional review similar to the initial approach taken in developing the approved Interlocal Agreements and plan policies.

A new collaborative partnership between the Pinellas County School District, the County and several local governments was established in 2006 to address recent legislative requirements related to a need to better coordinate school planning with comprehensive planning, particularly with regard to the effect of land use decisions on local school capacity. The County convened a workgroup of staff from local governments and the school district to work through the new requirements, amend the existing interlocal agreement, and devise a new school concurrency process. Work continues in this regard.

The objectives and policies addressing public school facilities planning are located within the Public School Facilities Element.

## **Existing Coordination Mechanisms**

Interlocal agreements between the Pinellas County Board of County Commissioners and the School Board, and between the Pinellas County Board of County Commissioners, the School Board, and municipalities.

## **Any Need for Additional Coordination**

The existing coordination mechanisms are very effective

## **LOCATION AND EXTENSION OF FACILITIES SUBJECT TO CONCURRENCY**

The following are the facilities and services subject to concurrency required to be addressed by Chapter 163.3177, Florida Statutes, and for which joint processes are required to be in place, or formalized, for collaborative planning and decision-making: Transportation (Traffic Circulation and Mass Transit), Water Supply, Wastewater, Solid Waste, Drainage and Recreation/Open Space.

Public School Facilities – see previous discussion; the Pinellas County School Board is responsible for public school planning, policy and education in Pinellas County. Coordination is extensive, ongoing and effective between the School Board, Pinellas County and the 12 municipalities with public schools (Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach and Tarpon Springs). In 2006, Pinellas County convened a work group of County and municipal staff to work through the new legislative requirements for developing a public school facilities element, a supporting (amended) interlocal agreement and to work on developing a concurrency process, to be implemented in 2008.

## **Transportation**

The following joint and collaborative processes are in place for the planning, scheduling and funding of needed County and State road improvements throughout Pinellas County. Coordination of municipal roadway needs is integrated into this process as well.

***Annual Concurrency Test Statement*** - Pinellas County works extensively with the MPO, FDOT and the local governments in the implementation of concurrency management for roadways. The MPO prepares traffic count and level of service information annually which is provided to local governments for use in concurrency management. Pinellas County prepares an annual concurrency test statement which includes level of service information on County and state roads. This information is provided to each local government as well for use in their concurrency management systems. This annual assessment helps to prioritize needed capital projects.

**Metropolitan Planning Organization (MPO)** - the MPO is a countywide transportation planning organization, created by law, to provide a forum for cooperative decision-making concerning countywide and multi-jurisdictional transportation issues. The MPO is comprised of County and municipal elected officials, as well as a member of the Pinellas Suncoast Transit Authority and a non-voting member from the District Seven Office of the FDOT. The primary responsibilities of the MPO include maintenance of a continuing, cooperative, and comprehensive transportation

planning process and development of: a long range transportation plan, a congestion management system, and a five-year transportation improvement program consistent with the long range plan. The MPO relies extensively on its advisory committees to carry out countywide planning initiatives and programs. Five of these committees include local, regional and state government representatives among its membership. These include the Technical Coordinating Committee (TCC), the Bicycle Advisory Committee (BAC), the Pedestrian Transportation Advisory Committee (PTAC) and the Traffic Signal and Median Control Committee (TSMCC).

The backbone of the MPO coordination process is the Technical Coordinating Committee (TCC) which consists of 27 members representing local governments, the Tampa Bay Regional Planning Council (TBRPC), Florida Department of Transportation (FDOT) District 7, Pinellas County School Board, Pinellas Suncoast Transit Authority (PSTA) and Bay Area Commuter Services (BACS). The TCC meets monthly and is responsible for reviewing and coordinating multi-jurisdictional transportation plans, programs and related data. The TCC plays a central role in developing, and monitoring implementation of, the Transportation Improvement Program (TIP). The TIP is a five-year program of transportation improvements that incorporates State and Federal work programs along with the capital improvement programs/elements of the local governments. The TIP also includes the work programs of the Pinellas Suncoast Transit Authority (PSTA) and the St. Petersburg-Clearwater International Airport. Pinellas County and the municipalities participate in the evaluation and prioritization of Federally-funded capital improvements planned throughout the County through this TIP process.

### **Water Supply**

The need for, and siting of, any new, or expanded, regional water supply facilities is largely driven by the Tampa Bay Water Master Plan. The member governments to Tampa Bay Water include Pinellas, Pasco and Hillsborough counties, and the cities of St. Petersburg, Tampa and New Port Richey.

Tampa Bay Water is responsible for providing potable water to meet the water demand projected by local governments; therefore, they are responsible for developing new sources of water, while minimizing impacts on the environment by reducing pumping at wellfields where environmental impacts are suspected. Overall, since Pinellas County is close to build out, it is not expected that there will be significant increases in water demand. However, the seasonal residents and tourist population in this County can have a substantial impact upon average daily water use and therefore accurate estimates and projections for these populations are essential to assuring that future needs are met.

Pinellas County Utilities must still accurately estimate and project demand so that Tampa Bay Water can ensure adequate water supply for Utility customers. In addition, Pinellas County Utilities must still ensure that the capital facilities are planned for, and in place, to treat, store and distribute water from Tampa Bay Water. See the discussion of the 10 Year Water Supply Facilities Work Plan in the Potable Water Supply, Wastewater and Reuse Element. As a part of the 10-Year Plan development, Pinellas County provided written assurance to each of its customer governments that Pinellas County Utilities continues to plan for the needs of each customer, consistent with its authority and interlocal agreements. The Work Plan also focuses on alternative sources and water conservation (in addition to maintenance of the treatment, storage and distribution system). Overall, the joint planning and processes are in place and effective to ensure that capital facilities are in place to meet customer needs.

## **Wastewater/Sanitary Sewer:**

With regard to sewer facilities and the siting or expansion of such facilities, it is unlikely that additional regional wastewater treatment facilities will be built, as the County is close to build-out. Because of this, the emphasis is actually moving more towards maintenance and rehabilitation versus new facility construction.

Currently, Pinellas County Utilities maintains the following **contracts** with five municipalities for wholesale wastewater treatment and/or collection: the City of Pinellas Park (30 year contract signed in 1972), the City of Madeira Beach (30 year contract signed in 1969), the Town of North Redington Beach (30 year contract signed in 1972), the City of Indian Rocks Beach (contract renewed/signed in 1996), and the Town of Belleair Beach (contract renewed/signed in 1996). Through interlocal agreement among the City of Madeira Beach and the Town of Redington Beach, Redington Beach's flow is directed to Madeira Beach, and ultimately to the County. A similar interlocal agreement exists among the Town of North Redington Beach and Redington Shores, with Redington Shores flows ultimately directed, via North Redington Beach, to the County. The County's contracts with both the City of Madeira Beach and the Town of North Redington Beach are designed to accommodate these flows from the Town of Redington Beach and Redington Shores.

All of the contracts are reviewed annually and the municipalities provide information to the County regarding their needs, their latest unit counts, etc. (Rates are adjusted as necessary based on actual flow).

Regarding ongoing maintenance of collection facilities and the potential impact on surrounding residents and governments, Pinellas County Utilities or Public Works (depending on who is performing the service), notifies each resident by mail of the upcoming maintenance or rehabilitation project and any potential disruption to be anticipated in service or convenience. The affected local government is notified as well. A contact person is provided to address any questions or concerns.

Overall, it appears that the joint processes in place (particularly the existing contracts), and the long term cooperative relationship among the County and those municipalities receiving wastewater treatment and/or collection service from Pinellas County Utilities, are very successful.

Coordination with customer governments for wastewater service and reclaimed water remains effective.

## **Solid Waste:**

A collaborative relationship directed at solid waste disposal is prescribed by the Pinellas County Solid Waste Disposal and Resource Recovery Act, codified as Chapter 106 of the Pinellas County Code. The County uses an integrated approach to solid waste management that includes waste reduction, recycling, combustion with energy recovery, and landfilling. The capacity of the County's Resource Recovery Plant and landfill has been designed to meet the disposal needs of the entire County. As a part of Solid Waste Operations, the County also manages a countywide electronic and chemical waste collection program, a metals recovery operation, and various recycling and public education programs. This combination of programs has been successful in managing the solid waste generated in Pinellas County. The Solid Waste Disposal and Resource

Recovery Act also created the Technical Management Committee (TMC) requiring representation from all of the Municipalities and the County to review and make recommendations regarding rates, fees, policies, programs, integration of new technologies, selection of consultants, etc. The TMC function provides an ongoing, collaborative and successful relationship between the service provider and the recipients of the service.

The 1975 Solid Waste Disposal and Resource Recovery Act does not address collection of solid waste, but rather addresses the disposal end of the equation. All of the incorporated Municipalities in Pinellas County provide solid waste collection either directly or through contracted services. Some Municipalities also provide service to unincorporated areas located within or immediately adjacent to their jurisdictional boundaries. Otherwise, both residential and commercial solid waste collection in the unincorporated areas of Pinellas County is accomplished under a free enterprise system whereby each resident can select and pay for the level of service desired and change collection companies as needed.

The County facility is designed to meet the needs of the entire county, and since each municipality participates on the TMC, any capital improvements required to meet disposal needs will be coordinated among all stakeholders.

### **Major Drainage/Stormwater Management:**

Currently, the County, municipal governments and agencies formally coordinate through interlocal agreement when joint funding or joint participation is being sought for a multi-jurisdictional project, or the project is the result of a joint watershed plan. For special programs, like the implementation of the County/Municipal National Pollutant Discharge Elimination System (NPDES) permit conditions and requirements, work groups are established to collaborate on permit coordination and compliance. The same work group will likely be integral to TMDL implementation. While there is currently not one specific mechanism for collaborative and joint stormwater project/major drainage project planning, the multi-jurisdictional NPDES coordination committee, and the multi-jurisdictional watershed planning teams do provide a highly effective coordination mechanism. Coordination with other jurisdictions is routine in the case where a basin is in more than one jurisdiction or conditions upstream affect conditions downstream.

While coordination among service providers is generally good, there are some differences of opinion regarding areas of responsibility upon annexation.

### **Recreation and Open Space:**

Collaborative and joint planning for siting Recreation and Open Space facilities is not a structured process driven by a specific formal agreement. However, on a case-by-case basis, agreements are developed specific to the operation, and maintenance, of a proposed park site. Traditionally, the County has provided the large regional resource-based parks in the County, while the municipalities have developed local, often activity-based recreational facilities. This complementary, though not formalized, arrangement has been largely successful. The County's level of service standard for parkland and open space is based on countywide population. Because of the large amount of available parkland, there are no existing or anticipated future, deficiencies in the availability of resource-based parkland/open space.

## **Siting of Facilities with Countywide Significance**

The Intergovernmental Coordination Element is required to address joint processes for coordination in the siting of facilities with countywide significance. The following types of facilities were discussed by County, municipal and Pinellas Planning Council planners and were considered to be of countywide significance:

- St. Petersburg/Clearwater Airport
- Pinellas County Resource Recovery (Solid Waste-to-Energy) Plant
- Bridges, State Roads and County Roads (Major Transportation Facilities), Mass Transit Service
- Pinellas County Emergency Operations Center, Hurricane Shelters and Evacuation Routes

In addition to this list, Pinellas County would include the Pinellas County Criminal Courts Complex and Jail Facility.

For each of these facility types, coordination measures are in place and typified by routine sharing of information, as described already in this Element, and below.

### **Existing Coordination Mechanisms and Any Need for Additional Coordination:**

The **St. Petersburg/Clearwater Airport**, operated by the Board of County Commissioners, is located and operated in a manner that is intended to stimulate economic development. It is centrally located in the County and represents a major local employer. It is unlikely that any additional international airports will be built in the County; however, expansion of the St. Petersburg/Clearwater Airport facility is planned, including new runway facilities which will provide additional capacity. Airport expansion is coordinated with the Federal Aviation Administration. All improvements are identified in the Capital Improvements Element and adopted into the County's Capital Improvements Program. Both of these documents require advertised public hearings for adoption or amendment. In order to minimize local impacts related to airport operations or expansion, the County enforces land use and noise control restrictions, environmental protection measures, and plans for adequate roadway capacity to serve the airport function. Roadway improvements are coordinated through the MPO process. **In all, coordination of airport operations and planned expansions remains effective.**

The **Pinellas County Resource Recovery (Solid Waste-to-Energy) Plant**, operated by the Board of County Commissioners, is located in mid/south County. It is unlikely that any new disposal facilities will be built; however, expansion of the existing facility is possible. All planned improvements would be identified by the County in the Capital Improvements Element and adopted into the County's Capital Improvements Program. Both of these documents require advertised public hearings for adoption or amendment. The facility is surrounded largely by industrial land uses, both within the unincorporated County and the City of Pinellas Park. However, there are some residential uses in the City in the vicinity of the Facility which, depending on the nature of any planned expansion, could warrant some additional coordination activity. A Technical Management Committee also exists with representation from the County, the municipalities and the solid waste industry which provides an additional mechanism for

coordinating any future expansions and ensuring that any extra-jurisdictional impacts are considered. **Overall though, the existing coordination mechanisms are effective in regard to the provision of existing and planned solid waste facilities and services.**

The planning for, and provision of, **major transportation facilities** throughout the County is coordinated closely through various MPO board and oversight processes, as well as the extensive committees structure, each with local government membership and representation. See further discussion under the Section addressing Facilities Subject to Concurrency. **Overall, the existing coordination mechanisms remain effective and provide significant opportunity for collaboration and project review.**

The Pinellas County Board of County Commissioners manages countywide emergency operations through the **Emergency Operations Center** located in central Pinellas County. While the Department of Emergency Management is staffed by County staff, a countywide Disaster Advisory Council exists to provide a countywide planning and organization function with representation from each municipality, local disaster relief agencies and other emergency service providers. Coordination in regard to identifying local and regional evacuation routes, as well as the identification of critical links, etc., occurs through the Tampa Bay Regional Planning Council process. Locally, the Department of Emergency Management identifies these facilities in the Comprehensive Emergency Management Plan. The County's capital improvements planning program is required to give priority to improvements required to maintain or enhance the roadway capacity or operating conditions on these facilities, and the County's Department of Emergency Management participates in this prioritization process by providing information to the Pinellas County Department of Public Works. **The County's overall emergency operations are well-coordinated and highly effective in large part due to the degree of participation and commitment by all of the local communities, as well as the Board's commitment to public safety.** Additional coordination in regard to emergency operations or evacuation route and facility planning will likely continue to occur on a project specific basis (and via the multi-jurisdictional Local Mitigation Strategy project team).

The Board of County Commissioners operates the countywide **Criminal Courts Complex and Jail Facility** in mid-Pinellas County. These facilities, originally designed and approved as a Florida Quality Development, are a sizable complex which is still in the process of being built-out. The project phases are included as a part of the County's capital improvements program and annual budget, adopted through the public hearing process. As a Florida Quality Development, part of the intent was to design an innovative facility, both environmentally and in character with surrounding uses. **Extensive coordination occurred during the original project application and approval stage** as the project was of the scale of a development of regional impact. It is highly unlikely that any new Court or Jail facilities of this scale will be built again in this County.

**Any Need for Additional Coordination:**

Overall, existing coordination mechanisms for the siting of facilities with countywide significance seems to be very effective. Existing mechanisms are adequate, and while they may not necessarily be in the form of an interlocal, or other such formal agreement, they are highly effective, and typically based on County Charter Authority. **No additional agreements are required.**



## SITING OF LOCALLY UNWANTED LAND USES

There are currently mechanisms in place to address the siting of locally unwanted land uses. However, there is probably not consensus among all agencies and governments as to what meets the definition of a locally unwanted land use. In some cases, a land use seen as desirable to one part of the community may be seen as undesirable to another. Consequently, it is incumbent upon the local government to ensure that its land use and zoning policies and practices are soundly developed and consistently applied. Additionally, in some instances, a local government is limited in its ability to restrict certain uses that are legally protected by the U.S. Constitution and state law such as telecommunications facilities, power transmission lines and pipelines. While the service provided by the use/facility may actually be desirable, the community may not want to “see” the use in their neighborhood. In some instances, it may be public health concerns - whether justifiable or not - that may instigate a public reaction to a land use decision and facility/use location. In all, it is difficult to anticipate a community’s reaction to each proposed land use, and there are certainly times when the governmental body must decide contrary to the public opinion being voiced, particularly when it is in the larger public interest.

The complexities of siting locally unwanted land uses can become even more problematic when another jurisdiction abuts the subject property and a proposed use. Good planning and sound growth management, however, dictates that land use and land development decisions consider compatibility with surrounding uses - without regard to jurisdictional boundaries. This is the foundation of regulatory land use plan development and the purpose for establishing such things as locational criteria, use characteristics and development standards. In this County, a countywide land use planning process exists which provides an additional layer of review, and application of standards, directed at ensuring compatibility among adjacent land uses. Additionally, Pinellas County and all municipalities notify surrounding and adjacent property owners of any proposed land use changes - whether a subject parcel is within, or outside of, their own jurisdictional boundary.

The process is different if a proposed site use does not require a change to the local future land use map, with the existing level of review being largely local. However, a use proposed by a site plan is required to be consistent with the local future land use map category purpose, use characteristics, locational criteria, standards and requirements. Additionally, a site plan must be consistent with all other local comprehensive plan requirements, including requirements for addressing compatibility with adjacent and surrounding uses - without regard to jurisdiction. While individual local land development regulations, developed to be consistent with the local vision and implementing the local comprehensive plan, may differ from community to community, the fact they must result in development consistent with the local future land use map helps to ensure that significant incompatibilities do not occur among jurisdictions.

In the case of a proposed site plan or a land use change, most communities have also worked very hard to streamline their development review procedures in recent years, with an emphasis on economic development and redevelopment. Subjecting a locally approvable site plan to another level of review may not only result in project delay, but also may raise concern over the type and impact of review by those without authority over the site plan approval.

### **Existing Coordination Mechanisms (examples):**

The Countywide Planning Process, administered through the Pinellas Planning Council with staff support from the Planner's Advisory Committee, helps to ensure that local land use plans and decisions consider impacts on neighboring jurisdictions.

Consistent and professional application of the locational criteria for future land uses contained in local comprehensive plans helps to ensure that compatibility among land uses is addressed and that negative impacts to the surrounding community do not occur.

Informal sharing of information and workgroups/meetings are a very effective existing coordination mechanism (e.g., telecommunications siting workgroup), with an emphasis on arriving at common approaches that can be taken to an issue, but without the onus of a binding and inflexible commitment.

There are certain federal and state restrictions on the location of certain facility types; however, they are not typically driven by land use. More often they are driven by public safety concerns and concerns for the protection of public investments from natural hazards.

### **Effectiveness of Coordination**

Coordination of land use planning provides a multi-jurisdictional mechanism for sharing information regarding the siting of problematic land uses.