

**NOTICE OF PUBLIC HEARING OF A DEVELOPMENT
OF REGIONAL IMPACT FOR THE DETERMINATION
OF SUBSTANTIAL DEVIATION AND AMENDMENT TO
THE DEVELOPMENT ORDER FOR PIONEER CENTER DRI**

Notice is hereby given that on the 24th day of September, 1985, beginning at 6:45 P.M. in the County Commission Assembly Room, 5th Floor of the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, a public hearing will be held by the Board of County Commissioners on a Development of Regional Impact for Pioneer Center, located on approximately 120 acres at the northeast corner of Roosevelt Boulevard and 58th Street in Pinellas County, more completely described as follows:

Lots 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16 in the Northwest 1/4 of Section 33, Township 29 South, Range 16 East, PINELLAS GROVES, as recorded in Plat Book 1, page 55, Public Records of Pinellas County, Florida; less and except the West 15.00 feet of Lots 8 and 9 thereof; also, less and except those portions of Lots 9, 10, 11 and 12 lying within the following described parcel:

Beginning at the West 1/4 corner of Section 33, Township 29 South, Range 16 East, Pinellas County, Florida; thence S 89°57'16" E, along the South line of the Northwest 1/4 of said Section 33, for 1436.97 feet to a point on a curve concave to the South; thence westerly along said curve, having a radius of 826.44 feet, chord bearing of N 76°05'00" W, chord distance of 396.26 feet for 400.16 feet of arc to the point of tangency; thence N 89°57'16" W for 290.37 feet; thence S 00°02'44" W for 5.00 feet; thence N 89°57'16" W for 761.54 feet to the West line of said Northwest 1/4; thence S 00°16'18" W for 90.00 feet to the Point of Beginning.

The above tract contains a total area of approximately 120 acres, more or less.

Level report of Regional Impact
- Pioneer Center

CC/ No. 63
BCC 9/10/85
9:39 A.M. Mitchnell

Corres
Comp

#65 PUBLIC HEARING HELD RE DEVELOPMENT OF REGIONAL IMPACT (DRI) FOR THE DETERMINATION OF SUBSTANTIAL DEVIATION AND AMENDMENT TO THE DEVELOPMENT ORDER FOR PIONEER CENTER DRI; DRI DETERMINED NOT TO BE A SUBSTANTIAL DEVIATION

Pursuant to legal notice published in the August 26, 1985 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re Development of Regional Impact (DRI) for the determination of substantial deviation and amendment to the Development Order for Pioneer Center DRI. Deputy Clerk G. K. West reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis recommended that the proposed conceptual changes to the entranceway to the Pioneer Center DRI be determined not to be a substantial deviation, and further recommended that the DRI be amended to include the conceptual site plan, the conceptual entrance relocation, and the master drainage plan and drainage calculations, all of which have met the County requirements.

No one appeared in response to the Chairman's call for persons wishing to be heard.

Commissioner Chesnut moved, seconded by Commissioner Greer and carried, that the recommendations of the County Administrator be approved.

9/19
B.O. to Planning ✓
Zoning ✓

9/10/85 #65

MEMO TO: Honorable Chairman and Members of the
Board of County Commissioners

FROM: Fred E. Marquis
County Administrator

SUBJECT: Pioneer Center DRI Substantial Deviation

DATE: August 27, 1985

Background: The Pioneer Center DRI is a corporate office center proposed for construction on the northeast corner of the intersection of Roosevelt Boulevard (SR 686) and 58th Street in Pinellas County. The Board of County Commissioners adopted a Development Order for this proposed DRI on February 21, 1984, stipulating the construction conditions placed upon the developer of the subject property.

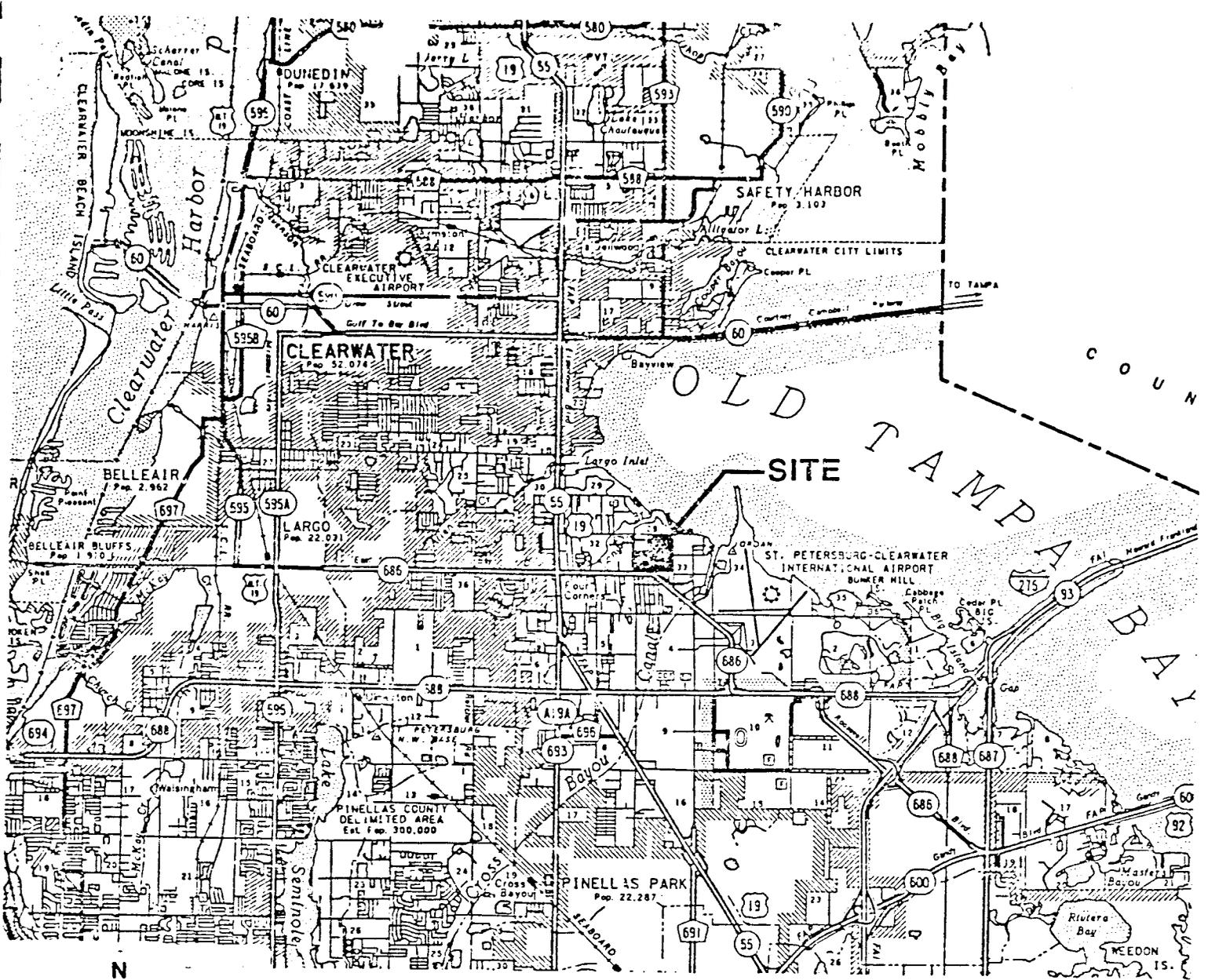
Since that time the developer has submitted materials to the County indicating proposed changes to the previously approved DRI Application for Development Approval and subsequent Development Order (D.O.). Specifically these changes involve relocation of the project's entrance and revisions to the Master Drainage Plan. According to provisions of F.S. 380.06 (17), the County is responsible for determining if these changes constitute a substantial deviation from the original DRI.

County staff and representatives from the Tampa Bay Regional Planning Council have reviewed the conceptual site plan and master drainage plan for consistency with the previously approved DRI and conclude there is no issue which would constitute a substantial deviation from the original DRI and Development Order.

The developer has been provided staff comments which would require the existing project access be maintained and connected to the proposed new entrance. The developer is also aware the County will continue to enforce the Development Order and require a transportation analysis be completed prior to development approval for each new tract.

Recommendation: It is recommended the Board of County Commissioners determine the proposed conceptual changes to the Pioneer Center DRI not to be a substantial deviation and further recommend amending the Pioneer Center D.O. to include the following items as a part of composite Exhibit A :

1. Conceptual Site Plan
2. Conceptual entrance relocation



**FIGURE 1
LOCATION MAP**

Geo

St. Petersburg Times and Evening Independent

P.O. BOX 1121 ST. PETERSBURG FL 33731

INVOICE DUE UPON RECEIPT—THIS IS A COURTESY CHARGE & DOES NOT ESTABLISH CREDIT

CLASSIFIED AD SALES 894-1141; COMPLAINTS, ADJUSTMENTS ~~XXXXXX~~ WEEKDAYS ~~XXXXXX~~ 894-0087 8:00-5:00

INVOICE NUMBER	DATE OF INVOICE	AD LAST RAN	EDITION	CLASS	SUBCLASS	ADVISOR
852351336	08/26/85	08/26/85	TI	LN		1480

AUTHORIZED BY
 RE; DEVELOP OF REGIONAL IMPACT

DESCRIPTION	TIMES	SIZE	AMOUNT
NOTICE OF PUBLIC HFA TI	1	6.57	165.89
AFFIDAVIT CHARGE			2.00

BOARD OF COUNTY COMM
 315 COURT STREET
 G WEST
 CLEARWATER FL 33516

1 PLEASE REFER TO INVOICE NUMBER IN CORRESPONDENCE PAY THIS AMOUNT \$ 167.89

0101-5492000-1104000

ST. PETERSBURG TIMES and EVENING INDEPENDENT

852351336

Published Daily St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA } S.S.
COUNTY OF PINELLAS }

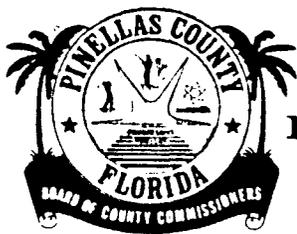
Before the undersigned authority personally appeared J. Murry who on oath says that he is Front Counter Clk of the St. Petersburg Times a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter re; Development of regional impact

in the Court was published in said newspaper in the issues of August 26, 1985

Affiant further says the said St. Petersburg Times is a newspaper published at St. Petersburg, in Said 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 second class mail matter at the post office in St. Petersburg, 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 has neither paid nor 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.

Sworn to and subscribed before me this 26th day of August, A. D. 1985 [Signature] Notary Public Notary Public, State of Florida at Large My Commission Expires FEB. 1, 1987

NOTICE OF PUBLIC HEARING OF A DEVELOPMENT OF A REGIONAL IMPACT FOR THE DETERMINATION OF SUBSTANTIAL DEVIATION AND AMENDMENT TO THE DEVELOPMENT ORDER FOR PIONEER CENTER DRI Notice is hereby given that on the 10th day of September, 1985, beginning at 9:30 A.M. in the County Commission Assembly Room, 5th Floor of the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, a public hearing will be held by the Board of County Commissioners on a Development of Regional Impact for Pioneer Center, located on approximately 120 acres at the northeast corner of Roosevelt Boulevard and 58th Street in Pinellas County, more completely described as follows: Lots 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16 in the Northwest 1/4 of Section 33, Township 29 South, Range 16 East, PINELLAS GROVES, as recorded in Plat Book 1, page 55, Public Records of Pinellas County, Florida; less and except the West 1500 feet of Lots 8 and 9 thereof; also, less and except those portions of Lots 9, 10, 11 and 12 lying within the following described parcel: Beginning at the West 1/4 corner of Section 33, Township 29 South, Range 16 East, Pinellas County, Florida; thence S 89deg57'16" E, along the South line of the Northwest 1/4 of said Section 33, for 1436.97 feet to a point on a curve concave to the South; thence westerly along said curve, having a radius of 826.44 feet, chord bearing of N 76deg05'00" W, chord distance of 396.26 feet for tangency; thence N 89deg57'16" W for 290.37 feet; thence S 00deg02'44" W for 5.00 feet; thence N 89deg57'16" W for 761.54 feet to the West line of said Northwest 1/4; thence S 00deg16'18" W for 90.00 feet to the Point of Beginning. The above tract contains a total area of approximately 120 acres, more or less. Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and...



BOARD OF COUNTY COMMISSIONERS

PINELLAS COUNTY, FLORIDA

315 COURT STREET

CLEARWATER, FLORIDA 33516

KARLEEN F. De BLAKER

CLERK OF BOARD OF COUNTY COMMISSIONERS

CLERK OF WATER AND NAVIGATION CONTROL AUTHORITY

COUNTY AUDITOR AND TREASURER

August 21, 1985

THE ST. PETERSBURG TIMES

Gentlemen:

Enclosed herewith for publication in your issue of August 26, 1985, is Notice of Public Hearing re Development of Regional Impact for the determination of substantial deviation and amendment to the Development Order for Pioneer Center DPI, on September 10, 1985.

Please send the affidavit of publication and invoice to Genevieve K. West, Deputy Clerk, BCC Records Department, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida 33516.

Very truly yours,

KARLEEN F. De BLAKER, CLERK

By *G. K. West*
Deputy Clerk

GKW/ec
enc

cc: Zoning

**NOTICE OF PUBLIC HEARING OF A DEVELOPMENT
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The above tract contains a total area of approximately 120 acres, more or less.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they 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.

KARLEEN F. De BLAKER
Clerk to the Board of
County Commissioners

By R. W. Zinn, Deputy Clerk

No. 38
B.C.C. 8-20-85
Mitchell/Grant 6:40 P.M. *Carroll*

#32 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING FOR SEPTEMBER 10, 1985 RE PIONEER CENTER DRI (DEVELOPMENT OF REGIONAL IMPACT) SUBSTANTIAL DEVIATION

Chief Assistant County Administrator Robert S. LaSala recommended that authorization be granted to advertise a public hearing for September 10, 1985 re the Pioneer Center DRI (Development of Regional Impact) substantial deviation.

In his memorandum of August 14, 1985, County Administrator Fred E. Marquis indicated, in part, that subsequent to Board approval on February 21, 1984 of a Development Order for the proposed DRI, the developer of the project has submitted materials to the County indicating proposed changes to the DRI Application for Development Approval and subsequent Development Order; and that in accordance with Florida Statutes, the County is responsible for determining if these changes constitute a substantial deviation and require further analysis.

Commissioner Rainey moved, seconded by Commissioner Chesnut and carried, that the recommendation of the Chief Assistant County Administrator be approved.

8/26
B. O. To Planning ✓

8/20/85

#32

MEMO TO: Honorable Chairman and Members of the
Board of County Commissioners

FROM: Fred E. Marquis
County Administrator *FEM(RSA)*

SUBJECT: Pioneer Center DRI Substantial Deviation

DATE: August 14, 1985

Background: The Pioneer Center DRI is a corporate office center proposed for construction on the northeast corner of the intersection of Roosevelt Boulevard (SR 686) and 58th Street in Pinellas County. The Board of County Commissioners adopted a Development Order for this proposed DRI on February 21, 1984, stipulating the construction conditions placed upon the developer of the subject property.

Since that time the developer has submitted materials to the County indicating proposed changes to the previously approved DRI Application for Development Approval and subsequent Development Order (D.O.). According to provisions of F.S. 380.06 (17) the County is responsible for determining if these changes constitute a substantial deviation from the original D.O., and would require further analysis. (County staff is currently reviewing the changes for a formal recommendation to the Board.) It is also the responsibility of the local government to afford an opportunity for an affected party to support or rebut staff presumptions. This procedure may be accomplished by conducting a public hearing on September ~~24~~, 1985 in conjunction with the Board's regular evening public hearing. *10*

Recommendation: It is recommended that a legal notice be published in a newspaper of general circulation on August ~~30~~²⁴, 1985 announcing a public hearing to be held September ~~24~~, 1985 in accordance with the regularly scheduled Board of County Commission meeting. *10*

8/20/85

#32

MEMO TO: Honorable Chairman and Members of the
Board of County Commissioners

FROM: Fred E. Marquis
County Administrator *FEM (RM)*

SUBJECT: Pioneer Center DRI Substantial Deviation

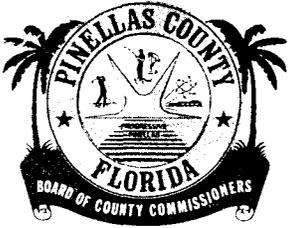
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Recommendation: It is recommended that a legal ^{*}notice be published in a newspaper of general circulation on August ~~30~~, 1985 announcing a public hearing to be held September ~~24~~, 1985 in accordance with the regularly scheduled Board of County Commission meeting. *10*

file



BOARD OF COUNTY COMMISSIONERS

PINELLAS COUNTY, FLORIDA

315 COURT STREET

CLEARWATER, FLORIDA 33516

COMMISSIONERS

- JOHN CHESNUT, JR., CHAIRMAN
- BRUCE TYNDALL, VICE-CHAIRMAN
- GABRIEL CAZARES
- CHARLES E. RAINEY
- BARBARA SHEEN TODD

February 22, 1984

Ms. Sheila Benz
 DRI Coordinator
 Tampa Bay Regional Planning Council
 9455 Koger Boulevard
 St. Petersburg, Florida 33702

RE: Pioneer Center Development Order

Dear Ms. Benz:

Attached you will find the approved Pioneer Center Development Order with the amended language as agreed to by Pinellas County and the Tampa Bay Regional Planning Council.

Your cooperation with this project has been greatly appreciated.

Sincerely,

Don Stevenson
 Zoning Administrator

DS:JFC:rm

Attachment

Don Stevenson file #96

ORDINANCE NO. _____

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY PIONEER FEDERAL SAVINGS AND LOAN FOR PIONEER CENTER, A DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on June 10, 1983, Pioneer Federal Savings and Loan Association ("the Developer") filed an application for Development approval ("ADA") of a Development of Regional Impact ("DRI") with Pinellas County ("the County"), Florida Department of Community Affairs and the Tampa Bay Regional Planning Council ("TBRPC"), pursuant to the provisions of Section 380.06, Florida Statutes (1981), as amended ("Chapter 380"), and Section _____, Pinellas County Code; and

WHEREAS, the ADA proposes the development of Pioneer Center, a mixed use, office/retail development located on a 120-acre site on Roosevelt Boulevard and 58th Street, in Pinellas County; and

WHEREAS, the Pinellas County Commission as the governing body of the local government having jurisdiction pursuant to Chapter 380 is authorized and empowered to consider ADA's for DRI's; and

WHEREAS, the public notice requirements of Chapter 380, and Section _____, Pinellas County Code have been satisfied; and

WHEREAS, the Pinellas County Commission has on January 17, 1984, held a duly noticed public hearing on the ADA and has heard and considered testimony and documents received thereon; and

WHEREAS, the Pinellas County Commission has received and considered the report and recommendations of the TBRPC; and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the application hearing on the subject DRI, before the County Commission; and

WHEREAS, the Pinellas County Commission has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public, now, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. That this Ordinance shall constitute the Development Order ("Order") for the County Commissioners issued in response to the ADA filed by the Developer, for development of Pioneer Center, a DRI. The scope of development to be permitted pursuant to this Order includes the operations described in the ADA, supplemental information, and the supporting documents, which by reference are made a part hereof as composite Exhibit A herein after referred to as "ADA".

Section 2. That the Board of County Commissioners, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by each party and members of the general public, finds there is substantial competent evidence to support the following findings of fact:

- A. That the real property which is the subject of the ADA is legally described as set forth in Exhibit B, attached hereto and by reference made a part hereof.
- B. That the Developer submitted to the County an ADA and sufficiency response which are attached hereto as composite Exhibit A, and by reference made a part hereof, to the extent that they are not inconsistent with the terms and conditions of this Order.

- C. That the Developer proposes the development of Pioneer Center, a multi-use office/retail complex with a total site area of approximately 120.0 acres, located approximately at the intersection of Roosevelt Boulevard and 58th Street, in Pinellas County.
- D. That the proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1981), as amended.
- E. That the project is consistent with all local land development regulations.
- F. That this Order is consistent with the report and recommendations of the TBRPC.
- G. That the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.
- H. That a comprehensive review of the impact generated by the development has been conducted by the County's departments and the TBRPC.

Section 3. That the Board of County Commissioners having made the above findings of fact, reaches the following conclusions of law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developer and the various departments of the County are authorized to conduct development as described herein, subject to the conditions, restrictions and limitations set forth herein.
- B. That the review by the County, the TBRPC and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Chapter 380, within the terms and conditions of this Order and the ADA.

Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that the ADA as supplemented is hereby approved, subject to the following conditions, restrictions and limitations:

- A. Substantial Deviations: Retriggering of DRI process.

Further review pursuant to Chapter 380, shall be required if a substantial deviation, as defined in Chapter 380, occurs. The Developer shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. Substantial deviation shall occur by failure to comply with the conditions herein, failure to follow the plans and specifications submitted in the ADA and supplementary information, or by activities which are not commenced until after the expiration of the period of the effectiveness of this Order.

- B. The Developer shall submit annual reports on the DRI to the County, the TBRPC, the State Land Planning Agency, and other agencies as may be appropriate, on the anniversary of the effective date of this order for each following year until and including such time as all terms and conditions of this Order are

satisfied. Such report shall be submitted to Pinellas County Zoning Division who shall, after appropriate review, submit it for review by the County Administrator. The County Administrator shall then review the report for compliance with the terms and conditions of this Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Order. The developer shall be notified of any Board of County Commission hearing wherein such report is to be reviewed, provided, however, that receipt and review of the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Order. The annual report shall contain:

1. A description of all development activity conducted pursuant to this Order during the year immediately preceding the submission of the annual report;
 2. A description of all development activities proposed to be conducted under the terms of this Order for the year immediately subsequent to the submission of the annual reports;
 3. A statement listing anticipated applications for development permits, required pursuant to applicable regulations, which the Developer proposes to submit during the year immediately following submittal of the annual report;
 4. A statement setting forth the name and address of any heir, assignee or successor in interest to the Developer in its capacity as Developer of Pioneer Center; and
 5. A statement that all persons have received copies of the annual report, as required under Chapter 380.
- C. It is the intent herein, that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.
1. That, for the purposes of this Order, funding commitments may be either in the form of Developer contributions-in-aid-of-construction, or Developer commitments for the actual construction, or the placement of the improvements in the County's, or FDOT's transportation improvements work programs, or a combination thereof.
- D. Transportation - Pioneer Center will have a negative impact on regionally significant highway facilities within the primary impact area. Transportation system improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the TBRPC report and shall be required as a condition of project approval as set forth below.
1. Prior to Final Site Plan Approval each individual tract, or group of tracts, the Developer shall generate and provide Pinellas County and TBRPC with updated current traffic counts on the roadways within the impact area and regional roadways innumarated in the ADA and TBRPC report. The developer shall also provide projections of traffic volumes that will result after the completion of previously approved project construction plus the traffic resulting from development of the tract(s) for which the developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the original DRI traffic analysis (referenced in TBRPC report) or

shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways referenced in the ADA at a satisfactory Level of Service, daily Level of Service C, D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared in a manner consistent with the ADA analysis and in accordance with generally accepted traffic engineering practices and validated by an appropriate transportation planning agency and shall be submitted to TBRPC. No site plans shall be approved for Pioneer Center unless it is determined by Pinellas County that such approval would not cause the roadways to operate worse than Level of Service C, D peak hour. A site plan disapproval through this procedure may be appealed by the developer to the Board of County Commissioners. The developer's appeal to the County Commissioners shall be based on the updated analysis and concurrently submitted to TBRPC. On appeal, the Board of County Commissioners may amend the Development Order to approve such site plan upon an affirmative finding that the aforesaid roadways shall not be unduly burdened regardless of the present or projected Level of Service of any of said described roads in the TBRPC report. TBRPC shall review said Development Order amendment for consistency with the Council report and Council transportation policies. A finding of inconsistency shall automatically result in an appeal pursuant to Chapter 380, F.S. Pioneer Center shall have the option to assume financial responsibility for a proportionate share of the cost for construction of improvements in any of these facilities which falls below L.O.S. C, D at peak hours, in a manner mutually acceptable to Pinellas County and the applicant.

2. As part of the analysis, the Developer may submit for approval by TBRPC and the Pinellas County MPO, FDOT and Pinellas Suncoast Transit Authority and St. Petersburg Transit Authority, as appropriate, a plan of Transportation System Management (TSM) measures to be instituted and implemented during build-out of the project. The TSM plan may eliminate the need, pursuant to provisions of the TBRPC growth policy, Future of the Region, for regional roadway improvement needs generated as a result of this project. The TSM plan shall include the following, at minimum:

- (a) Assure implementation, by a responsible entity, of worker flex time, of sufficient magnitude to divert a portion of the total peak hour vehicle trips away from the peak traffic hour over and above those referenced in the ADA. Measures to achieve this diversion may include transit incentives and/or lease agreement stipulations, and others as appropriate.
- (b) Assure implementation, by a responsible entity, of a TSM program of Pioneer Center worker ride sharing, of sufficient magnitude to divert a portion of the total peak hour vehicle trips away from the peak traffic hour over and above those referenced in the ADA. Incentive measures to achieve this diversion may include preferential parking, and/or coordinating service, as appropriate.
- (c) A bus incentive program in cooperation with the appropriate transit authorities that will result in provision of sufficient transit service facilities and ridership to insure a diversion of a portion of the total peak hour vehicle trips away from the peak traffic hour. Measures to achieve this diversion may include adequate headways, bus stops and shelters, employee bus passes, rider subsidies, etc., as appropriate.

- (d) A commitment for Express Bus Service of sufficient magnitude to assure a diversion of a portion of the total peak hour vehicle trips away from the peak traffic hour. Measures to achieve this diversion shall include adequate headways, bus stop and shelters, employee bus passes, provisions of park and ride lots and other facilities, etc., as appropriate.

If a TSM plan is utilized each annual report for this development shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour, attributable to the additional ridesharing, flex time, transit and express bus TSM measures, over and above those included in the ADA, and as agreed and committed to by the developer/agent. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If TSM measures are utilized to reduce this development's impact on roadway facilities, the achievement of said TSM measures shall become condition(s) of approval by tract in the same manner as roadway improvement conditions are tied to approval of subsequent tract.

3. The Developer shall construct the following transportation improvement access points to Pioneer Center at the following locations:

- (a) Construct project entrance and exit lanes westbound only, on S.R. 686 from 49th Street to 58th Street. These through lanes should have their termini in accordance with proper design standards. Pioneer Center will contribute up to 39.6 to 56.9 percent of the existing peak hour Level of Service D capacity at build-out.
- (b) At the intersection of S.R. 686 and 58th Street, construct intersection improvements providing for exclusive left and right turn storage lanes on the north leg of 58th Street. Also provide when warranted signalization of this intersection. Pioneer Center will contribute up to 56.9 percent of the existing peak hour Level of Service D capacity at build-out.
- (c) At the intersection of S.R. 686 and 49th Street construct intersection improvements providing for left turn storage lanes on both approaches of 49th Street. Pioneer Center will contribute up to 39.6 percent of the existing peak hour Level of Service D capacity at build-out.
- (d) Provide at the following major site access points: 58th Street (two points), Roosevelt Boulevard, and 49th Street/Northern Avenue intersection improvements to allow for the safe and efficient movement of vehicles. These improvements serve Pioneer Center 100 percent.

- (e) The improvements may include, but are not limited to, geometric improvements, signalization modifications, and new signal installations. The design for these improvements shall be reviewed and approved by FDOT, as appropriate, and the County, with, in all cases, a final review and approval by the County, prior to issuance of any necessary permits. The improvements to the access points shall be completed no later than is necessary to complement the completion of each phase, based upon generally recognized professional traffic engineering standards and practices.
- E. The Developer shall institute the wind and soil erosion control measures referenced in the ADA for minimizing adverse water and air quality impacts.
- F. The Developer shall submit soil boring test results in conjunction with development plans showing soil boring, paved area and building site locations to be submitted to Pinellas County prior to the issuance of any construction permits for the individual tracts.
- G. The development of individual tracts shall include implementation of corrective measures regarding soil limitations as referenced in the ADA, on page 14.4.
- H. The stormwater management system shall be so designed and maintained to insure the maintenance of pre-development stormwater flows and the natural hydroperiods of wetlands designated as preservation/conservation areas as defined by the conservation element of the Pinellas County Comprehensive Land Use Plan and in the Tampa Bay Regional Planning Council's adopted Future of the Region.
- I. Elevations for all habitable structures shall be at or above the base flood elevation.
- J. All title transfers to property sold within the Pioneer Center development shall be accompanied by a hazard disclosure statement that the area will be subject to an evacuation order and potential property damage in the event of a major hurricane landfall in the Tampa Bay Region.
- K. In the event that gopher, tortoises, or other rare, endangered or species of special concern, are observed on-site, that proper mitigation measures such as habitat preservation or capture-release programs shall be employed.
- L. In the event that archaeological resources be located during project construction, ultimate disposition of such resources shall be determined in cooperation with the Florida Division of Archives.
- M. Adequate water and wastewater treatment capacity as well as adequate police and fire protection service shall be assured by Pinellas County for each development tract.

N. A master plan of the total drainage system and maintenance program, designed in compliance with TBRPC's Stormwater and Lake System Maintenance and Design Guidelines, to include the assignment of maintenance responsibility for the on-site drainage and lakes system shall be submitted for approval by the Pinellas County Engineering Department and the Pinellas County Environmental Management Department, or such other agencies to which the particular functions may be assigned prior to commencement of construction or changing of any land contour.

O. The energy conservation techniques as referenced in the ADA, shall be incorporated into the development controls for individual development tracts.

P. The Developer or his assignees shall be responsible for maintenance of all open space areas within the development.

Section 5. That, the definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Order.

Section 6. That this Order shall remain in effect for a period of fifteen (15) years from the effective date of this Order. Any development activity wherein plans have been submitted to the County for its review and approval prior to the expiration date of this Order, may be completed, if approved.

Section 7. That this Order shall be binding upon the Developer, assigns or successors-in-interest.

Section 8. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor-in-interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Order.

Section 9. That the County Clerk is hereby directed to send copies of this Order, within five (5) days of the effective date of this Ordinance, to the Developer, the Florida Department of Community Affairs, and the TBRPC.

Section 10. That the Developer shall record a notice of adoption of this Order as required pursuant to Chapter 380, and shall furnish the County Clerk a copy of the recorded notice.

Section 11. That this Order shall be deemed rendered upon transmittal of copies of this Order to the recipients specified in Chapter 380.

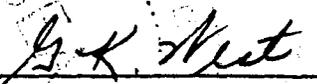
Section 12. That this Order shall take effect immediately upon becoming a law, and a copy hereof shall be posted in _____ for the convenience of the public.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS,
ON February 21, 1984.



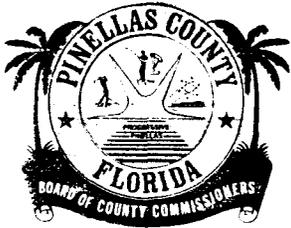
CHAIRMAN, BOARD OF COUNTY
COMMISSIONERS

ATTEST:
KARLEEN F. De BLAKER, CLERK

By: 

COUNTY CLERK
Deputy

Prepared and Approved by:



BOARD OF COUNTY COMMISSIONERS

PINELLAS COUNTY, FLORIDA

315 COURT STREET

CLEARWATER, FLORIDA 33516

COMMISSIONERS

JOHN CHESNUT, JR., CHAIRMAN
BRUCE TYNDALL, VICE-CHAIRMAN
GABRIEL CAZARES
CHARLES E. RAINEY
BARBARA SHEEN TODD

January 18, 1984

Ms. Sheila Benz
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl 33702

Re: Development Order, Pioneer Center

Dear Ms. Benz:

Attached you will find a copy of the approved Development Order for Pioneer Center which was approved at the Board of County Commissioners public hearing on January 17, 1984.

If you have any questions regarding this matter, please feel free to write or call me at 813-462-3403.

Sincerely,


Don Stevenson
Zoning Administrator

DS/JFC:kh

Enclosure

ORDINANCE NO. _____

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY PIONEER FEDERAL SAVINGS AND LOAN FOR PIONEER CENTER, A DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on June 10, 1983, Pioneer Federal Savings and Loan Association ("the Developer") filed an application for Development approval ("ADA") of a Development of Regional Impact ("DRI") with Pinellas County ("the County"), Florida Department of Community Affairs and the Tampa Bay Regional Planning Council ("TBRPC"), pursuant to the provisions of Section 380.06, Florida Statutes (1981), as amended ("Chapter 380"), and Section _____, Pinellas County Code; and

WHEREAS, the ADA proposes the development of Pioneer Center, a mixed use, office/retail development located on a 120-acre site on Roosevelt Boulevard and 58th Street, in Pinellas County; and

WHEREAS, the Pinellas County Commission as the governing body of the local government having jurisdiction pursuant to Chapter 380 is authorized and empowered to consider ADA's for DRI's; and

WHEREAS, the public notice requirements of Chapter 380, and Section _____, Pinellas County Code have been satisfied; and

WHEREAS, the Pinellas County Commission has on January 17, 1984, held a duly noticed public hearing on the ADA and has heard and considered testimony and documents received thereon; and

WHEREAS, the Pinellas County Commission has received and considered the report and recommendations of the TBRPC; and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the application hearing on the subject DRI, before the County Commission; and

WHEREAS, the Pinellas County Commission has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public, now, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. That this Ordinance shall constitute the Development Order ("Order") for the County Commissioners issued in response to the ADA filed by the Developer, for development of Pioneer Center, a DRI. The scope of development to be permitted pursuant to this Order includes the operations described in the ADA, supplemental information, and the supporting documents, which by reference are made a part hereof as composite Exhibit A herein after referred to as "ADA".

Section 2. That the Board of County Commissioners, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by each party and members of the general public, finds there is substantial competent evidence to support the following findings of fact:

- A. That the real property which is the subject of the ADA is legally described as set forth in Exhibit B, attached hereto and by reference made a part hereof.
- B. That the Developer submitted to the County an ADA and sufficiency response which are attached hereto as composite Exhibit A, and by reference made a part hereof, to the extent that they are not inconsistent with the terms and conditions of this Order.

- C. That the Developer proposes the development of Pioneer Center, a multi-use office/retail complex with a total site area of approximately 120.0 acres, located approximately at the intersection of Roosevelt Boulevard and 58th Street, in Pinellas County.
- D. That the proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1981), as amended.
- E. That the project is consistent with all local land development regulations.
- F. That this Order is consistent with the report and recommendations of the TBRPC.
- G. That the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.
- H. That a comprehensive review of the impact generated by the development has been conducted by the County's departments and the TBRPC.

Section 3. That the Board of County Commissioners having made the above findings of fact, reaches the following conclusions of law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developer and the various departments of the County are authorized to conduct development as described herein, subject to the conditions, restrictions and limitations set forth herein.
- B. That the review by the County, the TBRPC and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Chapter 380, within the terms and conditions of this Order and the ADA.

Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that the ADA as supplemented is hereby approved, subject to the following conditions, restrictions and limitations:

- A. Substantial Deviations: Retriggering of DRI process.

Further review pursuant to Chapter 380, shall be required if a substantial deviation, as defined in Chapter 380, occurs. The Developer shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. Substantial deviation shall occur by failure to comply with the conditions herein, failure to follow the plans and specifications submitted in the ADA and supplementary information, or by activities which are not commenced until after the expiration of the period of the effectiveness of this Order.
- B. The Developer shall submit annual reports on the DRI to the County, the TBRPC, the State Land Planning Agency, and other agencies as may be appropriate, on the anniversary of the effective date of this order for each following year until and including such time as all terms and conditions of this Order are

satisfied. Such report shall be submitted to Pinellas County Zoning Division who shall, after appropriate review, submit it for review by the County Administrator. The County Administrator shall then review the report for compliance with the terms and conditions of this Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Order. The developer shall be notified of any Board of County Commission hearing wherein such report is to be reviewed, provided, however, that receipt and review of the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Order. The annual report shall contain:

1. A description of all development activity conducted pursuant to this Order during the year immediately preceding the submission of the annual report;
 2. A description of all development activities proposed to be conducted under the terms of this Order for the year immediately subsequent to the submission of the annual reports;
 3. A statement listing anticipated applications for development permits, required pursuant to applicable regulations, which the Developer proposes to submit during the year immediately following submittal of the annual report;
 4. A statement setting forth the name and address of any heir, assignee or successor in interest to the Developer in its capacity as Developer of Pioneer Center; and
 5. A statement that all persons have received copies of the annual report, as required under Chapter 380.
- C. It is the intent herein, that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.
1. That, for the purposes of this Order, funding commitments may be either in the form of Developer contributions-in-aid-of-construction, or Developer commitments for the actual construction, or the placement of the improvements in the County's, or PDOT's transportation improvements work programs, or a combination thereof.
- D. Transportation - Pioneer Center will have a negative impact on regionally significant highway facilities within the primary impact area. Transportation system improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the TBRPC report and shall be required as a condition of project approval as set forth below.
1. Prior to Final Site Plan Approval each individual tract, or group of tracts, the Developer shall generate and provide Pinellas County and TBRPC with updated current traffic counts on the roadways within the impact area and regional roadways innumarated in the ADA and TBRPC report. The developer shall also provide projections of traffic volumes that will result after the completion of previously approved project construction plus the traffic resulting from development of the tract(s) for which the developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the original DRI traffic analysis (referenced in TBRPC report) or

shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways referenced in the ADA at a satisfactory Level of Service, daily Level of Service C, D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared in a manner consistent with the ADA analysis and in accordance with generally accepted traffic engineering practices and validated by an appropriate transportation planning agency and shall be submitted to TBRPC. No site plans shall be approved for Pioneer Center unless it is determined by Pinellas County that such approval would not cause the roadways to operate worse than Level of Service C, D peak hour. A site plan disapproval through this procedure may be appealed by the developer to the Board of County Commissioners. The developer's appeal to the County Commissioners shall be based on the updated analysis and concurrently submitted to TBRPC. On appeal, the Board of County Commissioners may amend the Development Order to approve such site plan upon an affirmative finding that the aforesaid roadways shall not be unduly burdened regardless of the present or projected Level of Service of any of said described roads in the TBRPC report. TBRPC shall review said Development Order amendment for consistency with the Council report and Council transportation policies. A finding of inconsistency shall automatically result in an appeal pursuant to Chapter 380, F.S. Pioneer Center shall have the option to assume financial responsibility for a proportionate share of the cost for construction of improvements in any of these facilities which falls below L.O.S. C, D at peak hours, in a manner mutually acceptable to Pinellas County and the applicant.

2. As part of the analysis, the Developer may submit for approval by TBRPC and the Pinellas County MPO, PDOT and Pinellas Suncoast Transit Authority and St. Petersburg Transit Authority, as appropriate, a plan of Transportation System Management (TSM) measures to be instituted and implemented during build-out of the project. The TSM plan may eliminate the need, pursuant to provisions of the TBRPC growth policy, Future of the Region, for regional roadway improvement needs generated as a result of this project. The TSM plan shall include the following, at minimum:

- (a) Assure implementation, by a responsible entity, of worker flex time, of sufficient magnitude to divert a portion of the total peak hour vehicle trips away from the peak traffic hour over and above those referenced in the ADA. Measures to achieve this diversion may include transit incentives and/or lease agreement stipulations, and others as appropriate.
- (b) Assure implementation, by a responsible entity, of a TSM program of Pioneer Center worker ride sharing, of sufficient magnitude to divert a portion of the total peak hour vehicle trips away from the peak traffic hour over and above those referenced in the ADA. Incentive measures to achieve this diversion may include preferential parking, and/or coordinating service, as appropriate.
- (c) A bus incentive program in cooperation with the appropriate transit authorities that will result in provision of sufficient transit service facilities and ridership to insure a diversion of a portion of the total peak hour vehicle trips away from the peak traffic hour. Measures to achieve this diversion may include adequate headways, bus stops and shelters, employee bus passes, rider subsidies, etc., as appropriate.

(d) A commitment for Express Bus Service of sufficient magnitude to assure a diversion of a portion of the total peak hour vehicle trips away from the peak traffic hour. Measures to achieve this diversion shall include adequate headways, bus stop and shelters, employee bus passes, provisions of park and ride lots and other facilities, etc., as appropriate.

If a TSM plan is utilized each annual report for this development shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour, attributable to the additional ridesharing, flex time, transit and express bus TSM measures, over and above those included in the ADA, and as agreed and committed to by the developer/agent. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If TSM measures are utilized to reduce this development's impact on roadway facilities, the achievement of said TSM measures shall become condition(s) of approval by tract in the same manner as roadway improvement conditions are tied to approval of subsequent tract.

3. The Developer shall construct the following transportation improvement access points to Pioneer Center at the following locations:

(a) Construct project entrance and exit lanes westbound only, on S.R. 686 from 49th Street to 58th Street. These through lanes should have their termini in accordance with proper design standards. Pioneer Center will contribute up to 39.6 to 56.9 percent of the existing peak hour Level of Service D capacity at build-out.

(b) At the intersection of S.R. 686 and 58th Street, construct intersection improvements providing for exclusive left and right turn storage lanes on the north leg of 58th Street. Also provide when warranted signalization of this intersection. Pioneer Center will contribute up to 56.9 percent of the existing peak hour Level of Service D capacity at build-out.

(c) At the intersection of S.R. 686 and 49th Street construct intersection improvements providing for left turn storage lanes on both approaches of 49th Street. Pioneer Center will contribute up to 39.6 percent of the existing peak hour Level of Service D capacity at build-out.

(d) Provide at the following major site access points: 58th Street (two points), Roosevelt Boulevard, and 49th Street/Northern Avenue intersection improvements to allow for the safe and efficient movement of vehicles. These improvements serve Pioneer Center 100 percent.

- (e) The improvements may include, but are not limited to, geometric improvements, signalization modifications, and new signal installations. The design for these improvements shall be reviewed and approved by FDOT, as appropriate, and the County, with, in all cases, a final review and approval by the County, prior to issuance of any necessary permits. The improvements to the access points shall be completed no later than is necessary to complement the completion of each phase, based upon generally recognized professional traffic engineering standards and practices.
- E. The Developer shall institute the wind and soil erosion control measures referenced in the ADA for minimizing adverse water and air quality impacts.
- F. The Developer shall submit soil boring test results in conjunction with development plans showing soil boring, paved area and building site locations to be submitted to Pinellas County prior to the issuance of any construction permits for the individual tracts.
- G. The development of individual tracts shall include implementation of corrective measures regarding soil limitations as referenced in the ADA, on page 14.4.
- H. The stormwater management system shall be so designed and maintained to insure the maintenance of pre-development stormwater flows and the natural hydroperiods of wetlands designated as preservation/conservation areas as defined by the conservation element of the Pinellas County Comprehensive Land Use Plan and in the Tampa Bay Regional Planning Council's adopted Future of the Region.
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Section 9. That the County Clerk is hereby directed to send copies of this Order, within five (5) days of the effective date of this Ordinance, to the Developer, the Florida Department of Community Affairs, and the TBRPC.

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Section 11. That this Order shall be deemed rendered upon transmittal of copies of this Order to the recipients specified in Chapter 380.

Section 12. That this Order shall take effect immediately upon becoming a law, and a copy hereof shall be posted in _____ for the convenience of the public.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS,
ON 17 January 1984.


CHARIMAN, BOARD OF COUNTY
COMMISSIONERS

ATTEST: KARLEEN F. De BLAKER, CLERK


COUNTY CLERK
Deputy