Land Development Code
- Section 804 -
Ecological Corridors
(Critical Linkages)

Local Planning Agency
April 28, 2016
Background

- In 2000, a lawsuit over lack of environmental protection resulted in a Settlement Agreement requiring modifications to the Comprehensive Plan.

- In 2002, Pasco County initiated a study to evaluate wildlife habitat protections.

- Study supported a regional conservation strategy for habitat and natural resource protection.
COMPREHENSIVE PLAN
GOAL CON 1: REGIONAL CONSERVATION STRATEGY

*Protect, conserve, enhance, and manage* the natural land and water resources of Pasco County through a regional conservation strategy that protects the most significant natural resources of the County through a combination of standards for specified **critical linkages**, land acquisition, land use strategies, managing and preserving public lands, land use policies, wetlands, and water resources.
In 2003 the Environmental Lands Task Force recommended protection of corridors through acquisition, regulation, and partnerships.
Background

• Recommendations resulted in County amendment to Conservation Element of the Comprehensive Plan in 2005.

• Comprehensive Plan Policy CON 1.2.2 outlines development standards and currently requires that the LDC be amended by 2010 to adopt implementation measures for corridors.

• Staff has reinitiated the LDC implementation process.
UPDATE

• Staff conducted 4 public workshops at the request of the LPA and BCC.
• Created FAQ for website; Posted all documents with revisions online.
• Public notice on workshops initiated via mailing (235), email (100+) and website.
• Meetings were well attended.
• Numerous public comments received.
Workshops focused on frequently asked questions

- Why is the County doing this?
- When does the ordinance apply?
- How will it affect future development?
- Is my property exempt?
- Can the boundaries be modified?
- Can the ordinance devalue my property?
Public Comment

- Collected additional public comments and met with a number of property owners
- Responded to all comments and over 70 individual questions on the ordinance
- Revised draft ordinance with significant changes made as a result of public comment
• Only when an applicant wants to rezone to greater density or intensity.

• **What is “density?”** The number of allowable dwelling units authorized per acre.

• **What is “intensity?”** How much office, industrial or commercial activity there is per parcel - measured by use, size, traffic generated, or floor-to-area ratio.
• The ordinance will not be considered in the appraisal process.
• Property will be assessed at highest and best use.
DIRECTION FROM FEB 2016 WORKSHOP

• Attempt to streamline process.
• Provide greater clarification of the process.
• Continue to meet with stakeholders, property owners and their counsel.
• Ensure limited burden to property owners.
LATEST UPDATES

• Revised boundary modifications to be more flexible yet maintain intent of study widths.
• Updated appraisal process to relieve landowner of financial burden.
• Created shared land management responsibilities under conservation easement.
• Created boundary modification application to be submitted without zoning application.
• Reposted most current draft on website; distributed to property owners and stakeholders.
• Created flowcharts.
Flow Charts

[Flow Chart Image]

ECOLOGICAL CORRIDORS APPRAISAL PROCESS
(Compensation in Lieu of Density Transfer - §604.10.b.)

[Flow Chart Image]
Flow Charts

WHAT ARE MY DEVELOPMENT OPTIONS IF I AM SUBJECT TO THE ECOLOGICAL CORRIDORS ORDINANCE?
(§804.10)

DEVELOPMENT OPTIONS WITHIN CORRIDOR

OPTION 1
Density Transfer:
From Corridor to
Receiving Area
(§804.10.A.)

OPTION 2
Compensation in
Lieu of Density
Transfer
(§804.10.B.)

OPTION 3
Combination of
Option 1 (Partial
Density Transfer) and
Option 2 (Partial
Compensation)
(§804.10.C.)

RECEIVING
AREA ON-SITE
(On property -
within corridor)

RECEIVING
AREA OFF-SITE

Amount of Compensation is the
average of two appraisals — one
from the County and one from the
property owner. Based on the
highest and best use.
(See Appraisal Process Flow Chart)

Density Transfer receives a Density Bonus, as per §804.10.A.S.
Residential density bonuses may be converted to commercial square
footage, as per §804.10.A.S.
Off-site receiving areas are not required to have the same owner.
Off-site receiving areas are not required to be contiguous to the
Corridor.
§804.10.A.S. lists other development incentives offered with this Option.
See §804.10.A for restrictions for eligible receiving and sending areas.

NOTE: See §804.10 for complete description of process and conditions of development options.
DRAFT ORDINANCE KEY POINTS

• Assists in achieving County’s conservation strategy and compliance with the 2000 settlement agreement
• Applicability is only triggered by increase in density or intensity
• Contains certain exemptions
• Incentives incorporated into ordinance:
  - Density Transfer
  - Compensation in lieu of Density Transfer; or
  - Combination of transfer and compensation
  - Boundary Modifications and Reduction incorporated
  - Other Incentives: reduced setbacks, park requirements, landscaping and tree requirements, increased lot coverage and building heights
Exemptions – these types of development activities do not trigger the implementation of LDC Section 804

- Prior Development Approvals in accordance with Existing Zoning
- All Development Applications not Increasing Density or Intensity
- Prior Development Approvals prior to effective date of ordinance adoption (i.e. MPUD, site plan)
- All lawfully permitted uses and structures within a Ecological Corridor existing prior to the effective date of ordinance adoption
- Existing residential units constructed at a density greater than one (1) dwelling unit per acre
- Pools, fences, walls, not considering intensity/density increases
Density Transfer

Allows density transfer from land inside the Ecological Corridor [**sending area**] to land onsite or offsite outside of the Ecological Corridor[**receiving area**].
Compensation in Lieu of Density Transfer

- Unutilized transferable density within a corridor may be eligible for compensation by the County.
- Compensation will be based on the average of (2) appraisals.
- Appeal process available for either party if not satisfied with valuation.
Corridor Boundary Modifications

Movement must maintain **intent of width**, ecological **function** and **connectivity** to publicly-owned parcels; no negative impact to adjacent owners.
Corridor Boundary Modifications

• May be reduced because some areas are highly disturbed along edge of corridor
• May be reduced because land within corridor receives score below 25 using site selection scoring in Guidelines
ECOLOGICAL CORRIDORS MAP – from 2002
Wildlife Habitat Study

Ecological Corridors
1 HILLSBOROUGH TO GREEN SWAMP
2 CONNERTON TO CYPRESS CREEK
3 CONNERTON TO CROSSBAR
4 STARKEY TO CROSSBAR
5 STARKEY TO CONNERTON
6 STARKEY TO SOUTH PASCO
7 CYPRESS CREEK TO CYPRESS BRIDGE
PUBLIC LANDS
Total Acreage for Analysis in Corridors

- Approximately 7000 Total Acres in Corridors.

- Staff performed an analysis of the total acreage which excluded existing developments, single family homes, county owned property, and wetlands.

- This resulted in a total of **2,500** Upland Acres proposed for regulation in the Corridor.
Compensation in Lieu of Density Transfer - Cost Analysis

1. **Fee Simple**
   - Range per acre $6,000 - $15,000
   - Average per acre $10,500
   - $10,500 acre X 2,500 acres = $26,250,000

2. **Less Than Fee**
   - Range per acre $6,000 - $15,000
   - Less Than Fee is approximately 75% cost of fee for untitled land
   - Average per acre $7,875
   - $7,875 acre X 2,500 acres = $19,687,500
Management Cost Analysis

• The State of Florida management cost
  – $46.00 acre / year
  – Land Management Uniform Accounting Counsel

• Pasco County average yearly management cost (includes salaries)
  – $52.00 acre / year

• Average of Cost = $49.00 acre / year
• Annual Cost of = $49.00 X 2,500 acres = $122,500
Support and Benefits

• Protecting, Conserving, and Managing the County Natural Resources are major goals of the County’s Strategic Plan and Business Plan.

• Ordinance is a reasonable and practical regulatory component necessary to achieve County’s conservation strategy goals.

• Environmental Stewardship is a necessary element of strategic development.

• Supports numerous ecosystem services such as clean air, clean water, erosion control, carbon sequestration, jobs, recreational opportunities, and flood protection.
Support and Benefits, cont’d

• Conservation land increases adjacent property values
• Preserving natural Pasco for future generations.
• Recent Urban Land Institute (ULI) report recommended the continued conservation and natural resources protection efforts.
• The Parks Master Plan incorporates corridors into the Greenways, Blueways, and Trails plan.
Flood Protection

• Flood protection is an Ecological Corridor ecosystem service.

• Significant portions of the corridors are located in the 100 year floodplain.

• Corridors will assist in preventing future flooding by managing land use within the 100 year floodplain.
# Flood Protection

<table>
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<tr>
<th>Corridor</th>
<th>Total Acres</th>
<th>Floodplain AC</th>
<th>% Floodplain</th>
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<tbody>
<tr>
<td>Starkey to Crossbar</td>
<td>2765.48</td>
<td>2213.31</td>
<td>80</td>
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<tr>
<td>Starkey to Connerton</td>
<td>1146.01</td>
<td>634.25</td>
<td>55</td>
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<tr>
<td>Connerton to Cypress Creek</td>
<td>174.81</td>
<td>142.56</td>
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<tr>
<td>Connerton to Crossbar</td>
<td>829.8</td>
<td>632.18</td>
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<tr>
<td>Starkey to South Pasco</td>
<td>480.67</td>
<td>362.24</td>
<td>75</td>
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<tr>
<td>Cypress Creek to Cypress Bridge</td>
<td>386.67</td>
<td>350.97</td>
<td>91</td>
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<tr>
<td>Hillsborough to Green Swamp</td>
<td>1340.68</td>
<td>1098.97</td>
<td>82</td>
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Next Steps

• Local Planning Authority, today, April 28, 2016

• BCC Hearing – May 10, 2016

• BCC LDC Adoption Hearing – June 21, 2016
Ordinance Summary

• Compliance with Settlement Agreement
• Consistent with Comprehensive Plan
• Flexible implementation and Incentives
• Protecting floodplains and natural resources
• Preserving a small piece of natural Pasco for future generations (1.5% of the total County land)
• **Ordinance Adoption** – fully funded, cheaper than eminent domain, predictable application and good use of taxpayers’ money.
Staff Recommendation

Staff recommends the LPA recommend adoption of the Ecological Corridor Ordinance by BCC.
QUESTIONS?