

# 2023 Proposed Countywide Rules Amendment Package

## Other Proposed Amendments

Forward Pinellas Board

July 12, 2023

# Transfers of Density/Intensity

## What are we proposing to change?

- Clarify current rules for **Density/Intensity Averaging** and **Transferable Development Rights**
- Create new section for **Density/Intensity Pools** (codifies longstanding practice)
- Reorganization, not substantive changes

### 5.2.1.2 Density/Intensity Averaging.

- 5.2.1.2.1 Density/intensity averaging shall be permitted as provided in a local government comprehensive plan, or the local plan or ordinance, or provisions filed of record in support of the Activity Center (MMC) or Planned Redevelopment District (PRD) plan category, and all applicable provisions of these Rules.

### 5.2.1.1 Transferable Development Rights.

- 5.2.1.1.1 Transfer of development rights shall be as provided in a local government comprehensive plan or land development regulation or ordinance filed of record in support of the Activity Center (AC), Mixed-Use Redevelopment District (PRD) category, subject to the following:
- A. The land use characteristics within any given parcel shall be consistent with those land use characteristics of the Plan Map category, and no transfer of development rights shall be permitted.

# Transfers of Density/Intensity

## Why are we proposing these changes?

- Current sections are confusingly written and repetitive
- Historic reliance on staff interpretations
- We receive many of the same questions from different local governments

### 5.2.1.2 Density/Intensity Averaging.

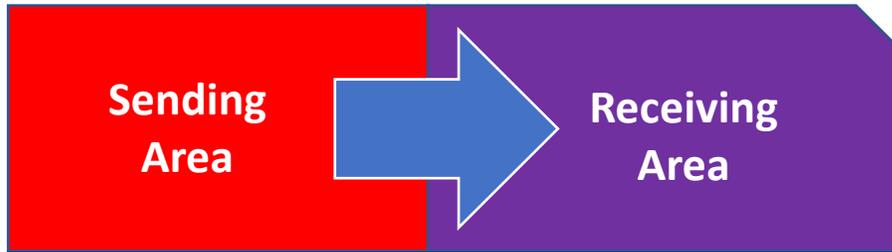
- 5.2.1.2.1 Density/intensity averaging shall be permitted as provided in the state government comprehensive plan, or the local plan or ordinance, or the provisions filed of record in support of the Activity Center (MMC) or Planned Redevelopment District (PRD) plan category, and all applicable provisions of these Rules.

### 5.2.1.1 Transferable Development Rights.

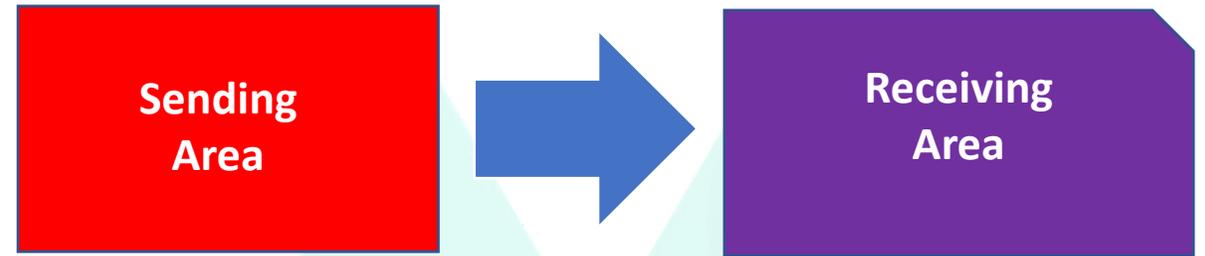
- 5.2.1.1.1 Transfer of development rights shall be as provided in the state comprehensive plan or land development regulation or ordinance filed of record in support of the Activity Center (AC), MMC, or Planned Redevelopment District (PRD) category, subject to the following:
- A. The land use characteristics within any given parcel shall be consistent with those land use characteristics of the Plan Map category, and no transfer of development rights shall be permitted from a Plan Map category to a higher Plan Map category.

# Transfers of Density/Intensity

## Density/Intensity Averaging



## Transferable Development Rights



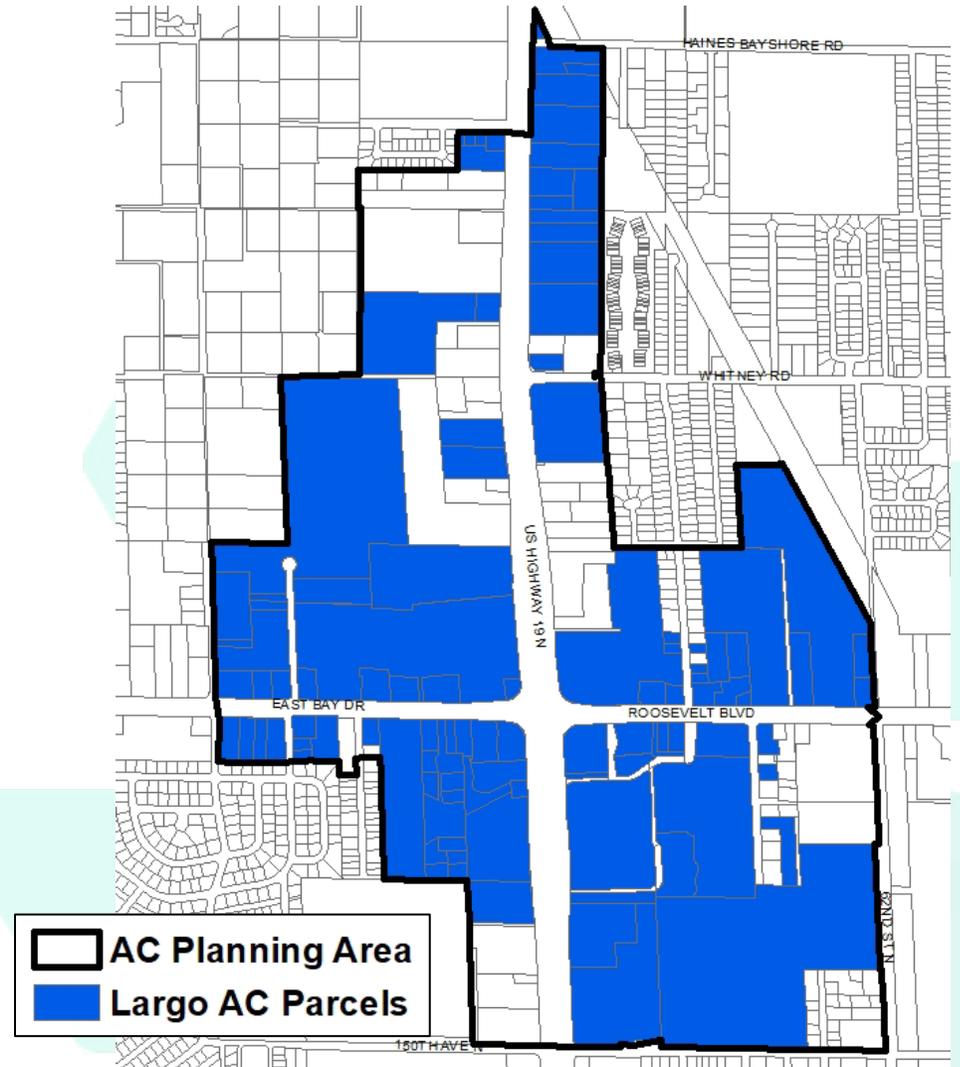
## Density/Intensity Pool



# Multi-jurisdictional ACs and MMCs

## What are we proposing to change?

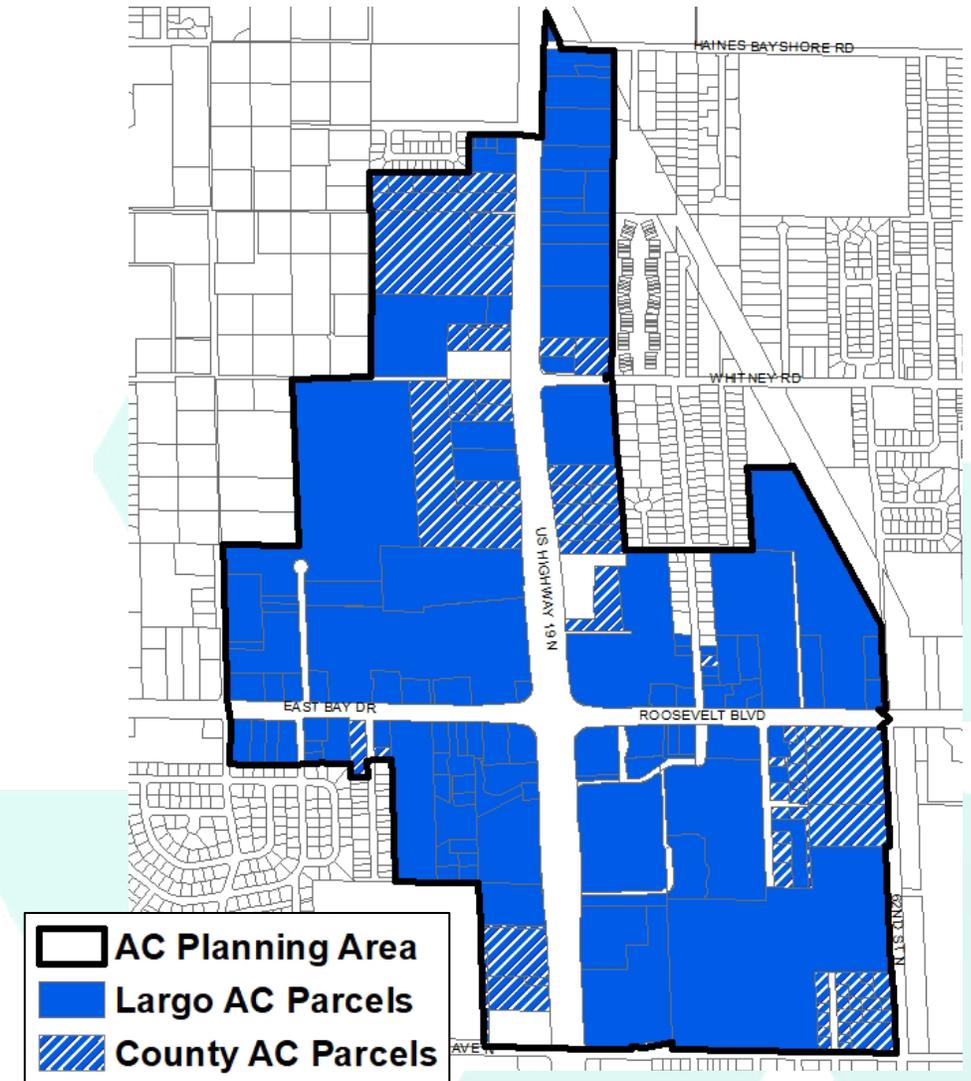
- Municipal adoption of Activity Centers (ACs) and Multimodal Corridors (MMCs)
- These are large amendment areas that frequently contain unincorporated parcels
- Each parcel annexed in the future requires its own Countywide Plan Map amendment
- New Rules section allows municipalities to partner with Pinellas County to amend these parcels in advance



# Multi-jurisdictional ACs and MMCs

## Why are we proposing these changes?

- Encourages cooperative planning between cities and County
- Consolidates duplicative Countywide Plan Map amendments into one
- No changes to local government regulation until annexation
- Already allowed, but new Rules section clarifies process



# Coastal High Hazard Area (CHHA)

## What are we proposing to change?

- Tier III review for new amendments to Activity Center (AC) and Multimodal Corridor (MMC) in the CHHA
- Analysis of evacuation routes for all amendments to AC, MMC, or Planned Redevelopment District
- Add resilient building to balancing criteria for all amendments



# Coastal High Hazard Area (CHHA)

## Why are we proposing these changes?

- Collaboration with Pinellas County Emergency Management

- G. Overall Reduction of Density or Intensity –The requested amendment would result in an increase in density or intensity on a single parcel, in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding CHHA.
- H. Clustering of Uses – The requested amendment within the CHHA provides for the clustering of uses on a portion of the site outside the CHHA.
- I. Resilient Building – The requested amendment includes a commitment from the applicant, such as a development agreement or other binding action by the local government, to make structures more resilient to disasters, through techniques such as building to more stringent wind standards, increasing building elevation, and/or providing an independent source of electricity.

# Density/Intensity Bonuses

## What are we proposing to change?

- Reorganize bonus provisions under a new section
- Recognize graywater bonus allowed by statute
- Potentially allow a new bonus for enhanced stormwater quality (requested by County staff)

### SEC. 4.2.4 DENSITY/INTENSITY BONUSES. [Moved from Section 4.2.3.5]

4.2.4.1 Density/Intensity Bonuses Authorized. A density/intensity bonus may be authorized by a local government above the otherwise applicable maximum permitted density/intensity for each category as an incentive for a public purpose as outlined in this section. A density/intensity bonus may permit an increase in the number of dwelling units and floor area allowed as provided for in the local government plan and/or land development regulations. No Countywide Plan Map amendment is required to employ this density/intensity bonus, but amendments are subject to the consistency review procedures outlined in Section 3.3.1.

# Density/Intensity Bonuses

## Why are we proposing these changes?

- Current sections are disorganized and not in a logical place
- Graywater bonus is mandated by state
- County request to authorize new stormwater bonus

(2) To promote the beneficial reuse of water in the state, a county, municipality, or special district shall:

(a) Authorize the use of residential graywater technologies in their respective jurisdictions which meet the requirements of this section, the Florida Building Code, and applicable requirements of the Department of Health and for which a developer or homebuilder has received all applicable regulatory permits or authorizations.

(b) Provide a 25-percent density or intensity bonus to a developer or homebuilder if at least 75 percent of a proposed or existing development will have a graywater system installed or a 35-percent bonus if 100 percent of a proposed or an existing development will have a graywater system installed. The bonus under this paragraph is in addition to any bonus provided by a county, municipality, or special district ordinance in effect on July 1, 2021.

# Housekeeping

- Standardize administrative review deadlines and reports to the Countywide Planning Authority
- Update legal advertisement requirements per new state law
- Clarify amendment process for development agreement changes
- Add and clarify definitions



Questions?