

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; CHAPTER 600 OVERLAY AND SPECIAL DISTRICT AREAS; SECTION 602.8.T: VOPH DEVELOPMENT AND ADMINISTRATION REVIEW FEES; AND MAP CHANGE TO EXHIBIT 602-E VOPH MASTER ROADWAY PLAN EXHIBIT A TYNDALL ROAD / EAST WEST STREET A RIGHT OF WAY REALIGNMENT; AND OTHER AMENDMENTS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; INCLUSION INTO THE LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, 177, and 380 Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

WHEREAS, Sections 163.3201, 163.3202, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Pasco County, Florida, to implement adopted Comprehensive Plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

WHEREAS, Section 163.3202, Florida Statutes, provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

WHEREAS, the Board of Commissioners adopted the restated Pasco County Land Development Code on October 18, 2011 by Ord. No. 11-15; and

WHEREAS, at the time of the adoption of the restated Land Development Code, the Board of County Commissioners contemplated the need to make amendments addressing issues of implementation and internal consistency; and

WHEREAS, in 2008, the Pasco County Board of County Commissioners adopted the Villages of Pasadena Hills (VOPH) Area Plan as part of the Comprehensive Plan (Ordinance 08-09), with an amendment in 2010 (Ordinance 10-21). The VOPH Area Plan Goals, Objectives, and Policies are designed as a supplement to the Future Land Use Element of the Pasco County Comprehensive Plan, and provide a comprehensive, area-wide vision for transportation, open space, and land use within the VOPH Area over a 50 year horizon; and

WHEREAS, to implement the Villages of Pasadena Hills Area Plan, the J. "Ben" Harrill Villages of Pasadena Hills Stewardship District was adopted as a specialized and

limited single-purpose, dependent, special district unit of local government for the district lands located within the VOPH boundary to (a) prevent urban sprawl by providing sustainable and freestanding infrastructure and by preventing needless and counterproductive community development when the existing urban area is not yet developed; and (b) prevent the needless duplication, fragmentation, and proliferation of local government services in a proposed land use area; and

WHEREAS, On May 5, 2020, the Pasco County Board of Commissioners approved Phase 1 of the 2020 VOPH Update Study incorporating all revisions into the Comprehensive Plan, Land Development Code and Financial Plan; and

WHEREAS, On January 26, 2021, the Pasco County Board of Commissioners approved Phase 2 of the 2020 VOPH Update Study incorporating all revisions into the Comprehensive Plan, Land Development Code and Financial Plan; and

WHEREAS, On May 19, 2021, the Pasadena Hills Planning and Policy Committee in a virtual hybrid public hearing reviewed the amendments to Section 602.8.T and Revised Exhibit A of the Master Roadway Plan of the Land Development Code (the VOPH Stewardship Ordinance), and recommended approval to the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, On June 3, 2021, the Local Planning Agency held a virtual hybrid public hearing on the proposed text and map amendments to the Land Development Code, and with due public notice provided, pursuant to Section 125.66(2), Florida Statutes, found the proposed amendments consistent with the Pasco County Comprehensive Plan and recommended approval to the Board of County Commissioners; and

WHEREAS, on August 24 and September 28, 2021, the Board of County Commissioners conducted duly noticed virtual hybrid public hearings, where the Board of County Commissioners considered all oral and written comments, including staff reports and information received during said hybrid virtual public hearings and found the text and map amendments to the Land Development Code, consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through hybrid virtual public hearings; and

WHEREAS, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the restated Pasco County Land Development Code to implement the text and map amendments.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, with a quorum present and voting, as follows:

SECTION 1. Authority

This Ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes (2019) and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect on Existing Development Approvals

These Land Development Code amendments shall apply both prospectively and retroactively to the existing MPUDs already approved in VOPH (except for Excluded Projects). On May 5, 2020, the Board of County Commissioners delegated authority to the County Administrator or his designee, to administratively amend any and all existing VOPH MPUDs in order to conform to these amendments, without the necessity of an MPUD amendment application or application fee, after notice to the affected VOPH-MPUD owner, and to adjacent property owners. Such administrative amendments may occur at the time of the first preliminary site plan/preliminary plan approval for the applicable VOPH MPUD under review.

SECTION 4. Repealer.

Any ordinance or part of any ordinance, in conflict herewith is hereby repealed to the extent of any conflict.

SECTION 5. Amendment

The Pasco County Land Development Code is hereby amended as shown and described in Exhibit A; attached hereto and made part hereof.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. Effective Date.

A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 28th day of September 2021.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

Nikki Alvarez-Sowles,
Clerk & Comptroller

Ron E. Oakley
Chairman

Exhibit A:

Proposed Redline VOPH Stewardship Ordinance (text, and exhibits)

SECTION 600 OVERLAY AND SPECIAL DISTRICT AREAS

SECTION 602.8. T. Development Review and Administration Fees

In recognition of the additional governmental review and oversight required for the proper administration of the District, the limited amount of development entitlements available within the District, and the need for future long-term planning and administration of such entitlements, a "Pasadena Hills Development Review and Administration Fee," is hereby established for Entitled Properties in an amount of Four Hundred and 00/100 Dollars (\$400.00) per residential unit or Fifty and 00/100 Dollars per 1,000 square feet of building area for nonresidential uses. Funds received from the VOPH Development Review and Administration Fee will be directly distributed as follows:

- Two Hundred and 00/100 Dollars (\$200.00) per residential unit to reimburse and redeem Planning Fee Credits owned by the Property Owners Group (listed on Exhibit 602-D of the VOPH Stewardship Ordinance) as a result of their funding the long term planning of the District; Once the POG credits are fully paid off, the remaining Two Hundred and 00/100 Dollars (\$200.00) per residential unit will be allocated to cover the additional costs of Planning and Development Department review and administrative support for the District.
- One Hundred Twenty-five and 00/100 Dollars (\$125.00) per residential unit to cover the annual costs of operating and managing the VOPH Fee Credit Registry;
- Seventy Five and 00/100 Dollars (\$75.00) per residential unit to initially cover the additional costs of Planning and Development Department review and administrative support for the District until the credits for long term planning by the Property Owners Group are fully paid off. Once the POG credits are fully paid off, the remaining Two Hundred and 00/100 Dollars (\$200.00) per residential unit will be added to the initial Seventy Five and 00/100 Dollars (\$75.00) for a total of Two Hundred and Seventy Five and 00/100 Dollars (\$275.00) per residential unit to cover the additional costs of Planning and Development Department review and administrative support for the District.
- Fifty and 00/100 Dollars (\$50.00) per 1,000 square feet of building area for nonresidential uses to cover additional Planning and Development review costs

The foregoing amounts may be modified by resolution of the BCC, but shall not exceed the actual cost of administering, implementing, and planning for the District which may include costs that were incurred prior to the date of collection. For Entitled Properties, this fee shall be in addition to all other applicable County Review fees, including impact fee or mobility fee administration fees and rezoning and site plan review fees, and payable at

the time of application for Preliminary Development Plan (PDP) approval, based upon the approved entitlements requested in the application, and shall be deposited in a separate account for the use and benefit of the District for the purpose of providing supplemental revenues in the planning and administration of the District. These revenues may be allocated or transferred to other County departments or funds based on the amount of time that each County department or fund contributes to the planning, administration, and implementation of the District.

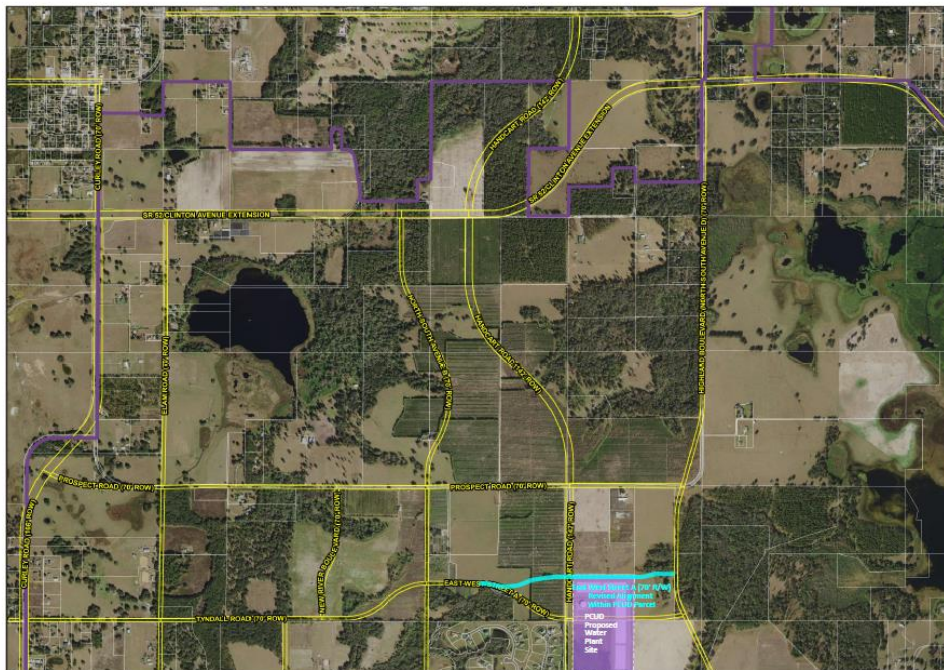
Those members of the Pasadena Hills Property Group who have helped finance the development of the original and updated Pasadena Hills Area Plans, the Pasadena Hills Financial Plan and the Pasadena Hills governance documents shall receive a credit against **fifty percent (50%) of the residential** Development Review and Administration Fee **up to the amount of** ~~in an amount equal to~~ their financial contribution as specifically identified and set forth in Exhibit 602-D, **and any person who purchases such credits from the Pasadena Hills Property Group, through the Fee Credit Registry or other purchase, shall be entitled to the same fifty percent (50%) credit. The Pasadena Hills Property Group, and any person who purchases credits from the Pasadena Hills Property Group through the Fee Credit Registry or other purchase, shall not be entitled to any credit against the Fifty and 00/100 Dollars per 1,000 square feet of building area Development Review and Administration Fee for nonresidential uses.**

EXHIBIT 602-E VOPH MASTER ROADWAY PLAN

MASTER ROADWAY PLAN EXHIBIT A:

REPLACES 5/5/2020 Exhibit A with the one below:

MASTER ROADWAY PLAN EXHIBIT A



LEGEND
 Right of Way
 VOPH Boundary

For parcels greater than twenty (20) acres, refinements to the VOPH Master Roadway Plan may be made with the approval of the County Engineer to permit relocation within the interior of the project, while maintaining the entry and exist locations detailed on the VOPH Master Roadway Plan. On all parcels less than twenty (20) acres and in all cases where the entry and exit locations are proposed to change, the request to deviate from the VOPH Master Roadway Plan shall be presented to the Planning and Policy Committee for a recommendation and decided by the Board of Supervisors at noticed public hearings.



Map Created By:
HEIDT DESIGN
 www.heidt-design.com

Source: Heidt Design, Pasadena County, Pasadena County PWD, FDOT
 Date of Source Data: January 3, 2020
 Data were acquired from various sources including but not limited to state, county, and local entities. Heidt Design shall not be responsible for the accuracy, completeness, or timeliness of the information. This map is for informational purposes only and shall not be substituted for a title search, property appraisal, or survey.

For Reference Only (no revisions needed)

EXHIBIT 602-D SCHEDULE OF VOPH PROPERTY OWNERS GROUPS CREDITS

Exhibit "D"

Schedule of VOPH Property Owner Groups Credits Against Future Administrative Fees

| <u>Name/Project</u> | <u>Administrative Fee Credit Amount</u> |
|--|---|
| Evans Properties, Inc. | \$659,100.71 |
| Price Realty LLC and Florida Colonial Groves Inc., jointly | \$311,731.77 |
| Maconi-Pashley LLC | \$143,827.40 |
| Kirkland Ranch, Inc. | \$108,505.25 |
| Hummock, LLC | \$99,681.66 |
| Dairy Farm Corporation | \$92,213.80 |
| WSMB, LLC | \$73,435.36 |
| LD Mitchell Inc | \$72,616.56 |
| Will Pick LLC | \$43,229.32 |
| Hopkins Dwight Revocable Trust & Hopkins Joyce Revocable Trust | \$19,663.00 |
| Boger Ranch, LLC | \$13,017.19 |
| Bailey Tree Farm LLC | \$9,734.00 |
| Finora Paul D | \$5,937.11 |
| Massey Partners Ltd. | \$2,791.00 |
| Pasadena Hills Shopping Center | \$2,715.15 |
| Grandview Botanicals Inc. | \$1,826.33 |
| 2020 POGs Allocation Total | \$1,660,025.62 |