

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20200000268

ORIGIN

Growth Management
Department

SUMMARY OF AMENDMENT

This amendment shall extend the effective time period for the Transfer of Development Rights (TDR) early entry bonus credits from sending lands in the Rural Fringe Mixed Use District.

HEARING DATES

BCC 11-10-20
CCPC 09-09-20
DSAC 08-05-20
DSAC-LDR 06-18-20

LDC SECTION TO BE AMENDED

2.03.07 Overlay Zoning Districts

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR

Approval

DSAC

Approval

CCPC

Approval

BACKGROUND

This amendment is a companion amendment to the Growth Management Plan Amendment for the Transfer of Development Rights Early Entry Bonus Extension PL 20190002635.

On February 25, 2020 (the Transmittal Hearing), the Board of County Commissioners directed staff to transmit to the Florida Department of Economic Opportunity an amendment to the Growth Management Plan (GMP) that will extend the effective date of the TDR early entry bonus credits from March 5, 2004 to September 27, 2022. Final action by the Board (the adoption hearing) is anticipated to occur within the next four months and by ordinance the Future Land Use Element will be amended and extend the availability of early entry TDR bonus credits for properties within the RFMU District.

The purpose of this LDC amendment is to be consistent with the GMP amendment and extend the time period to September 27, 2022 for early entry TDR bonus credits.

FISCAL & OPERATIONAL IMPACTS

There are no fiscal or operational impacts associated with this amendment.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: None

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Amend the LDC as follows:

2.03.07 – Overlay Zoning Districts

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D. Special Treatment Overlay (ST).

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4. Transfer of Development Rights (TDR).

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c. TDR credits from RFMU sending lands: General Provisions

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ii. Creation of TDR Bonus credits. TDR Bonus credits shall only be generated from RFMU sending land property from which TDR credits have been severed. The three types of TDR Bonus credits are as follows: ~~Early Entry Bonus credits~~

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c) Early Entry Bonus credits. Early Entry Bonus credits shall be generated at a rate of 1 additional credit for each TDR credit that is severed from RFMU sending land for the period from March 5, 2004, until ~~March~~ September 27, ~~2012~~ 2022, unless further extended by resolution by the Board of County Commissioners. Early Entry Bonus credits shall cease to be generated after the termination of this early entry bonus period. However, Early Entry Bonus credits may continue to be used to increase density in RFMU and non-RFMU Receiving Lands after the termination of the Early Entry Bonus period.

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f. Procedures applicable to the severance and redemption of TDR credits and the generation of TDR Bonus credits from RFMU sending lands.

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ii. In order to facilitate the County's monitoring and regulation of the TDR Program, the County shall serve as the central registry for all TDR severances, transfers (sales) and redemptions, as well as maintain a public listing of TDR credits available for sale along with a listing of purchasers seeking TDR credits. No TDR credit generated from RFMU sending lands may be utilized to increase density in any area unless the following procedures are complied with in full.

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b) TDR Bonus credits shall not be used to increase density in either non-RFMU receiving areas or RFMU receiving lands until a TDR credit certificate reflecting the TDR Bonus credits is obtained from the County and recorded.

1) Early Entry Bonus credits. All TDR credit certificates issued by the County for the period from

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1 the effective date of this provision until ~~March 27,~~
2 ~~2015~~ September 27, 2022, unless further extended
3 by resolution by the Board of County
4 Commissioners, shall include one Early Entry
5 Bonus credit or fractional Early Entry Bonus credit
6 for each TDR credit or fractional TDR credit
7 reflected on the TDR credit certificate. Where TDR
8 credits were severed from March 5, 2004, until the
9 effective date of this provision, the County shall,
10 upon receipt of a copy of the TDR credit certificate
11 reflecting those previously severed TDR credits,
12 issue a TDR credit certificate entitling Early Entry
13 Bonus credits equal in number to the previously
14 severed TDR credits.

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