

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

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

DATE: 7/14/08 FILE: CA08M-5042

THRU: John J. Gallagher
County Administrator

SUBJECT: Land Development Code (LDC) Re-
Write Action Plan
BCC: 7/22/08, 10:00 a.m., New Port Richey

FROM: Michele L. Baker, Chief Assistant
County Administrator

REFERENCES: All Commission Districts

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners (BCC).

DESCRIPTION AND CONDITIONS:

The BCC has directed staff to undertake a re-write of the Land Development Code (LDC). The scope of the re-write will include removing inconsistencies, consolidating like subject matter, and grouping information in a fashion that streamlines and facilitates ease of use. The Comprehensive Plan also requires the development of several new ordinances and area studies. In addition, the BCC has directed the County Attorney to develop certain subject specific ordinances.

Organization (See Organization Chart attached)

- The Ordinance Review Team (ORT), co-lead by Michele Baker and Jeff Steinsnyder, will provide leadership for the team effort.
- The ORT will include the LDC Re-Write Team and the leaders for the Ordinance Development Team and Area Studies Team, to ensure that no inconsistencies are created in the ordinance development process.
- The Land Development Code (LDC) Re-Write Team (LDCT), lead by Cindy Jolly; will spend focused time cleaning up the LDC.
- The Ordinance Development Team (ODT), lead by Sam Steffey; will be working on the required ordinances.
- The Area Studies Team (AST), lead by Fernando Levia-Molina; will prepare the area studies required by the Comp Plan that are needed as the basis for new ordinances.
- Simultaneously, the Development Services Process Improvement Team is meeting bi-weekly on Mondays to review and streamline the department processes. Once the processes have been refined, the Development Services Branch will be re-organized in order to ensure the most efficient organization to support the process.

Senior staff from the Development Services Branch and the County Attorney's Office will be significantly committed to this effort, as we feel this is the most important business in front of the County at this time and will ultimately impact growth and development. Additionally, all long range planners will also be involved in the effort. Staff will try to process any required Comprehensive Plan Amendments with current planners and consultant assistance.

Stakeholder Committee (See Organization Chart attached)

In order to expedite the process, and ensure appropriate public input, staff is recommending formation of a Stakeholder Committee to be comprised of a representative sample of our business partners, customers, and citizens.

- The Stakeholder Committee will review and provide input on all draft products.
- The Stakeholder Committee will meet monthly, receive presentations from the working teams and provide comments/input on logical section groupings on the three major areas:
 - LDC re-write (rebuild backbone);
 - New ordinance development (required by Comprehensive Plan, legally required, etc.);
 - Area Studies required.
- The formation of the Stakeholder Committee and the meeting schedule will be advertised in the newspaper before the first meeting. All future meetings, on a standing schedule, will be placed on the Public Meeting calendar on the County's web site.
- A web site will be created for information sharing with the Committee and members of the public.
- All meetings will be open to the public and public comment will be taken.

- The first meeting of the Stakeholders Committee will be to review the BCC policy direction, Sunshine Law requirements, the action plan, their assignments, and the meeting schedule.
- After the Stakeholder Committee has finished with a body of work, it will be presented to the BCC for review and approval.
- The Affordable Housing Committee (AHC) will be invited to attend Stakeholder Meetings for staff briefings (to eliminate duplicate briefings). The AHC will take separate action at their meetings.

The Stakeholder Committee will be composed of the County's business partners and customers. The following representatives are recommended:

1. Agricultural Business – Wilton Simpson, Simpson Farms
2. Business – Jim Guidry, Dade City Business Center
3. Commercial Developer – The Hogan Group
4. DRI Developer – Frank Starkey, Starkey Ranch
5. Engineer – Pat Gassaway – Heidt and Associates
6. Environmentalist – Dave Sumpter, Wildlife Biologist
7. Home Builder – Barry Karpay, Standard Pacific Homes (also ULI District Council member)
8. Land Planner – Liz Abernethy, Wilson Miller
9. Land Use Attorney – Ben Harrill, Figurski and Harrill, PA
10. Landscape Architect – Rhonda Brewer, Newland Communities
11. Realtor – Dewey Mitchell, Prudential Tropical Realty
12. Transportation Planner – Elton Smith, Wilson Miller
13. Representative from CORC – Steve Booth, Booth and Cook, P.A.
14. Representative from NE Rural Group – Jack Vogel
15. Representative from PBA – Elizabeth Lyon-Hall, King Engineering

Recommendation:

1. The BCC may approve staff recommendations for the Stakeholder Committee.
2. The BCC may direct staff to make different appointments.

Scope of Work

The BCC has directed staff to undertake a re-write of the Land Development Code (LDC), as recommended by the Urban Land Institute (ULI) Advisory Panel. Staff from County Administration, Development Services and the County Attorney's Office, have been meeting to develop a scope and action plan for BCC approval. A preliminary diagnostic report has been developed by staff. Based on the preliminary report, it has become clear that the simple, quick re-write, originally envisioned is not feasible. The LDC needs to be re-organized significantly and re-built as the backbone of Pasco County's development process.

While developing the scope of the re-write, and reviewing the Comprehensive Plan requirements, staff has also tried to keep in mind the draft recommendations from the Urban Land Institute (ULI). We feel there are many opportunities to incorporate their recommendations. There are many policy decisions that will need to be made by the BCC as the effort unfolds; regarding the way Pasco County does business and the vision for future development. These policy decisions will impact the LDC.

As presented during the workshop on outstanding ordinances conducted on May 27, 2008 (CA08-2434), there are 40 ordinances, 12 plans and studies, and 34 projects and reports, currently proposed for development. Many of these ordinances, plans and reports have specific deadlines in the Comprehensive Plan. Staff does not feel it is possible to meet the deadline of December 2008. However, we are confident that we will have made significant progress by then and that sufficient effort will be underway for compliance.

Additionally, staff has been meeting bi-weekly to review and streamline all development related processes. Once the process review is completed, many of the revised processes will need to be incorporated into the LDC. Staff also plans to address the organizational structure of the Development Services Branch and the function of the Development Review Committee as part of this internal review process.

Staff believes that a team approach, with an integrated comprehensive scope of work, and public input and participation at all phases of development, is the most logical plan of action. After analyzing the scope of work, staff estimates that the timeframe for completion of the entire process is 18-24 months.

Recommendation:

3. The BCC may approve staff recommendations for the Scope of Work.
4. The BCC may direct staff to reduce the scope of work.

Action Plan

- The Land Development Code Re-Write Team (LDCT) will prepare a “diagnostic report” listing the sections of the LDC that require modification and the proposed changes, and then prepare the modifications. See the “LDC Re-Write Timeline” attached.
- Staff will prepare an on-line survey to be sent to staff and external customers for input on the LDC diagnostic report. See Draft of Survey attached.
- The Area Studies Team (AST) will prepare the area studies that are needed as the basis for new ordinances, per the Comp Plan. See the “New Studies Timeline” attached.
- The Ordinance Development Team (ODT) will group and develop the required ordinances due to be completed per Comp Plan (Dec 2008). Each draft ordinance will be presented to ORT for policy guidance and concurrence. See the “New Ordinances Timeline” and “Other Ordinances and Reports Listing” attached for lists of the pending ordinances.
- All teams will schedule frequent working blocks of time (daily/weekly), to include working nights and weekends, as needed to accomplish their scope of work.
- The Ordinance Review Team (ORT) will meet bi-weekly on Fridays and receive presentations from the LDCT, ODT, and AST.
- The ORT will conduct monthly workshops with the BCC to update them on progress and receive preliminary approval of completed sections, as part of the Regular Agenda.
- The final ordinances and revised LDC will be brought to the BCC at the end of the process for two public hearings and adoption.

Recommendation:

5. The BCC may approve staff’s recommended Action Plan and Timelines.
6. The BCC may direct staff to modify the Plan and/or Timelines.

Citizen’s Ordinance Review Committee (CORC)

In order to expedite the process, and eliminate duplication of staff effort, staff recommends that meetings of the CORC be suspended during this process. The Stakeholder Committee will be providing the forum for public input on the LDC re-write and the incorporation of the required ordinances. No other new ordinances are recommended for development during this process. Therefore, staff believes it will be unnecessary for CORC to meet. A representative from CORC has been recommended for participation in the Stakeholder Committee.

Recommendation:

7. The BCC may approve staff’s recommended to suspend meetings of the CORC during this process.
8. The BCC may direct staff as to some other action.

ALTERNATIVES AND ANALYSIS:

1. The BCC may approve staff recommendations for the Stakeholder Committee.
2. The BCC may direct staff to make different appointments.
3. The BCC may approve staff recommendations for the Scope of Work.
4. The BCC may direct staff to reduce the scope of work.
5. The BCC may approve staff’s recommended Action Plan and Timelines.
6. The BCC may direct staff to modify the Plan and/or Timelines.
7. The BCC may approve staff’s recommended to suspend meetings of the CORC during this process.
8. The BCC may direct staff as to some other action.

RECOMMENDATION AND FUNDING:

Staff recommends that the BCC approve staff recommendations:

1. for the formation and appointments to the Stakeholder Committee;
3. for the expanded Scope of Work;
5. for the recommended Action Plan and Timelines; and
7. to suspend meetings of the CORC during this process.

There is no funding required to implement these recommendations. However, there is a significant investment of top staff time and effort required in order to accomplish the scope of work. This may impact other service delivery areas. Additionally, other ordinances and major initiatives not consistent with the proposed scope of work may need to be delayed. This effort is expected to take 18-24 months.

MLB/JNS

Attachments:

Proposed Organization Chart

Timelines: LDC Re-Write, New Studies, New Ordinances, and Other Ordinances Timeline

LDC Update Draft Survey