



# Commissioner's Request for Agenda Item

Agenda Item N<sup>o</sup>. \_\_\_\_\_

Requested Meeting Date April 13, 2021

- Consent Section       Regular Section

Commissioner Name:	White
Date Submitted:	March 29, 2021
Nature of Request: <i>(check one)</i>	<input checked="" type="checkbox"/> Action by the BOCC <input type="checkbox"/> Identification of issue and referral to staff <input type="checkbox"/> Referral to staff for review and scheduling at a subsequent BOCC meeting
Request for Waiver of Rules due to: <i>(check one)</i>	<input type="checkbox"/> Health, Safety , or Welfare Emergency <input type="checkbox"/> Schedule an off-the-agenda item <input type="checkbox"/> Deadline requires action prior to next scheduled BOCC meeting

Commissioner's Recommended Board Motion:

Direct staff to engage stakeholders in an effort to create a framework for a small-scale Transfer of Development Rights (TDR) pilot project for the Board's consideration. The framework should include the following parameters:

- 1) Potential sending areas should be identified based upon their intangible value with respect to long range preservation views, scenic views, ecological value, environmental value, and/or agricultural value.
- 2) Receiving areas should be identified based upon their readiness for intense development with respect to redevelopment potential, compatibility with more intense development patterns in the surrounding area, proximity to appropriate infrastructure, economic development potential, and/or the area being recommended as a receiving area by expert planners on staff with Hillsborough County or the Planning Commission.
- 3) In consideration of both the proposed sending and receiving areas during the pilot project's evaluation as a whole, staff should consider where the county would and would not like to invest in the infrastructure necessary to support development.
- 4) A valuation system should be created that facilitates the compensation of the sending property owner by the receiving property owner for the encumbrance of the sending property in exchange for increased development intensity entitlements on the receiving property. The valuation system is intended to facilitate the calculation of density credits, not a dollar value for transactions, which the free market will determine.
- 5) The encumbrance on the sending property may be a complete conservation easement over the entire property, a reduction in development entitlements, or a combination of both.
- 6) The proposed framework for the pilot project may contemplate the idea of a sending property being encumbered for a minimum of twenty years with an option for longer periods or permanency. Once in the program, the owner of the sending property may choose to make a time-limited encumbrance permanent at any time. The purpose of a time-limited option is to establish a minimum of a twenty-year relief from development pressure while preserving future property owner rights. The cost to acquire time-limited encumbrance would be lower and likely would entice more property owners to participate. However, a permanent reduction in density may also be a requirement for sending property owners to participate in the program. Staff should discuss the concept with property owners to determine the potential use of that option.
- 7) The county could act as an initial buyer and seller of the TDR credits to demonstrate the feasibility of the program in the early stages or to incentivize county priorities such as affordable housing and economic development. As a general rule, however, the program should be designed so as to operate under free-market principles as much as possible.

Staff Requested for Agenda Item:

- County Administrator
- County Attorney's Office
- Constitutional Officer
- Other: \_\_\_\_\_

Material requested to be provided by staff:

Background: A Transfer of Development Rights (TDR) program is a planning tool that can be used to steer development away from certain areas and direct it towards other alternative areas. The potential benefits to this are numerous. It can save taxpayers money by allowing a local government to invest in

the costly infrastructure necessary to support development in areas where the taxpayer gets the best return on investment. It can also protect quality of life and sense of place.

For example, sending areas realize many benefits. Scenic places and long-range views can be preserved. Outdoor recreational activities can be enhanced. Generational properties can be protected. The agricultural industry can be supported. Wildlife corridors can be protected. Stormwater recharge areas and flood plains can be protected. The county can plan to make county services, such as road resurfacing programs and fire rescue response times, better because of having an increased level of certainty regarding future development patterns in the area.

Additionally, receiving areas realize many benefits. Development patterns can support walking and bicycling as a mode of transportation, which reduces vehicle trips. Economic development can be realized through the creation of either standalone industrial centers or through the placement of industry within a multiuse development. Affordable housing can easily be incorporated into urbanized and multiuse development centers. Redevelopment areas can be revitalized and preserved. Just like with sending areas, the county can plan to make county services better.

There is a TDR program within Hillsborough County's existing policy framework, but it has been underutilized, and possibly never even utilized at all. This is due to the enacting requirements of the county's existing TDR program being structured in such a way that is not feasible to implement. With this pilot program, it presents an excellent opportunity to re-image the TDR program as a practical solution that will work for all parties and provide a new tool for the county's tool chest.

List Attachments: