

Agricultural Reserve Technical Sessions



February 2nd & 5th, 2015

- Follow-up to September Roundtable
- Same session on Feb. 2 & 5
- Presentations to be posted by Feb. 6
- Comment window open: Feb. 5-10
 - All comments will be posted
 - IG reps will be asked to review in preparation for Roundtable
- Roundtable: Tuesday, Feb. 17
- BCC Workshop: Tuesday, Mar. 24

Agenda

- Residential: Maria Bello
 - Preserve Area Uses: Maryann Kwok
- Commercial: Isaac Hoyos
- Agricultural Issues: Audrey Norman

**Impact of Proposed Changes
to
Agricultural Reserve
Residential Development
Provisions**

Questions

Where can current Ag Reserve provisions still be applied?

and

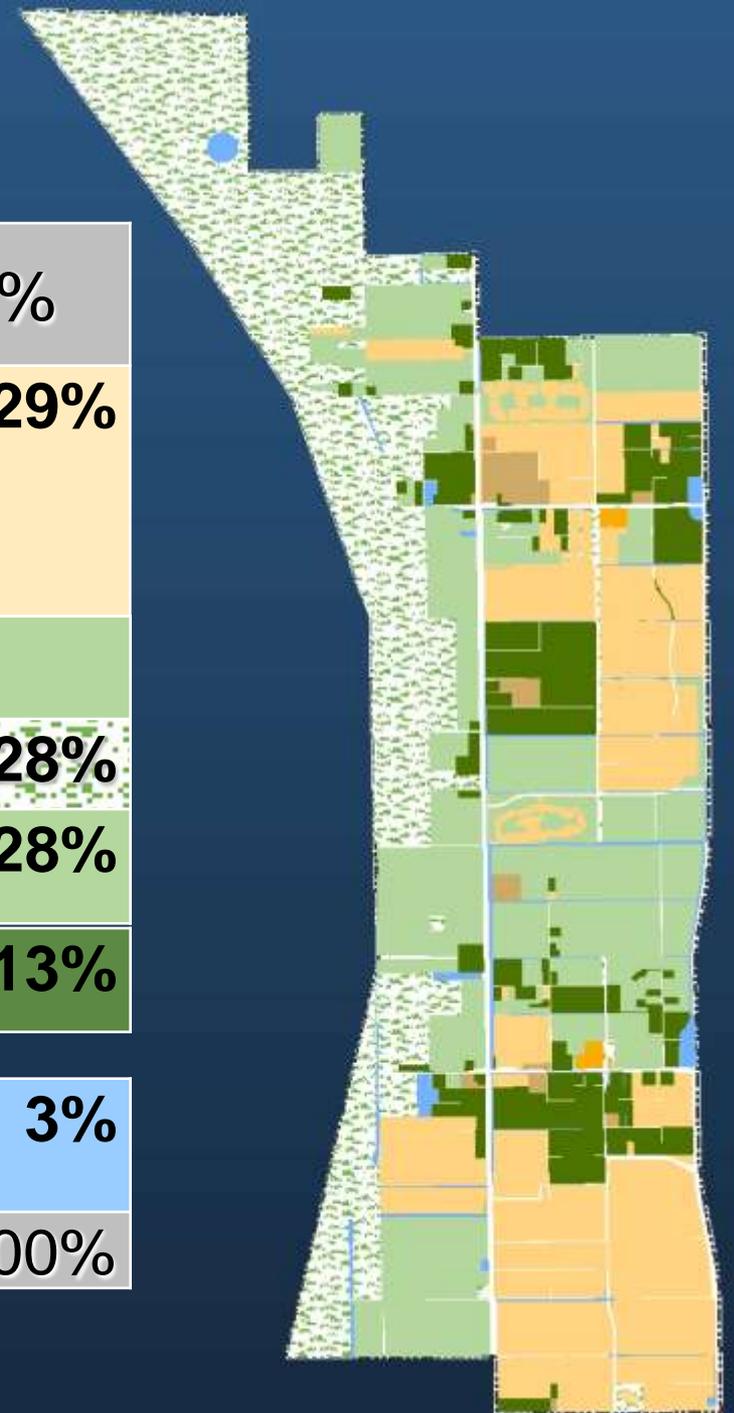
What could be the impacts of the proposed changes?

Caveats...

- Data are imperfect
- Conditions change

Snapshot 2014

Approval Status	Acres	%
Residential & Non-Res. <i>Includes Subdivisions, AGR PUD/TMD Buildable Areas, Vested/Built Uses</i>	6,290	29%
Lands Preserved		
<i>Natural/Conservation</i>	6,168	28%
<i>Agricultural and other uses allowed in preserves</i>	6,262	28%
Other Remaining Lands	2,776	13%
Other Uses <i>(Right-of-way, canals, etc.)</i>	556	3%
Total Land Area	22,052	100%



Overview of Other Remaining

2584 acres in 243 parcels

462 of these acres west of
SR 7.

Size ranges from less than $\frac{1}{4}$
acre to 584 acres.

2 groups exceed 100 acres,
both east of SR 7.

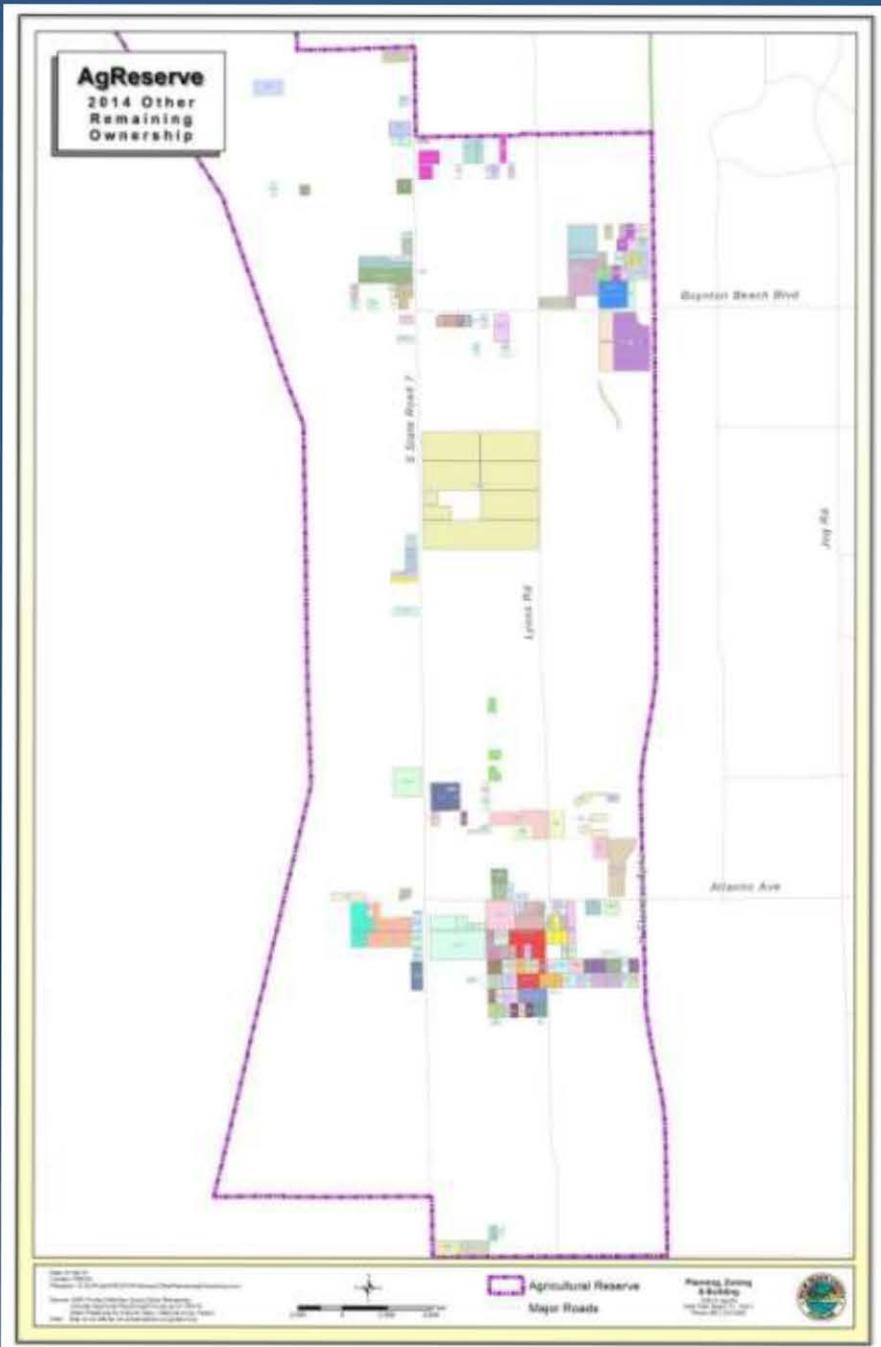
Largest single owner
grouping west of SR 7 is 50
acres.



Question 1

**Where can current
Ag Reserve provisions
still be applied?**

Under today's rules,
development options are:

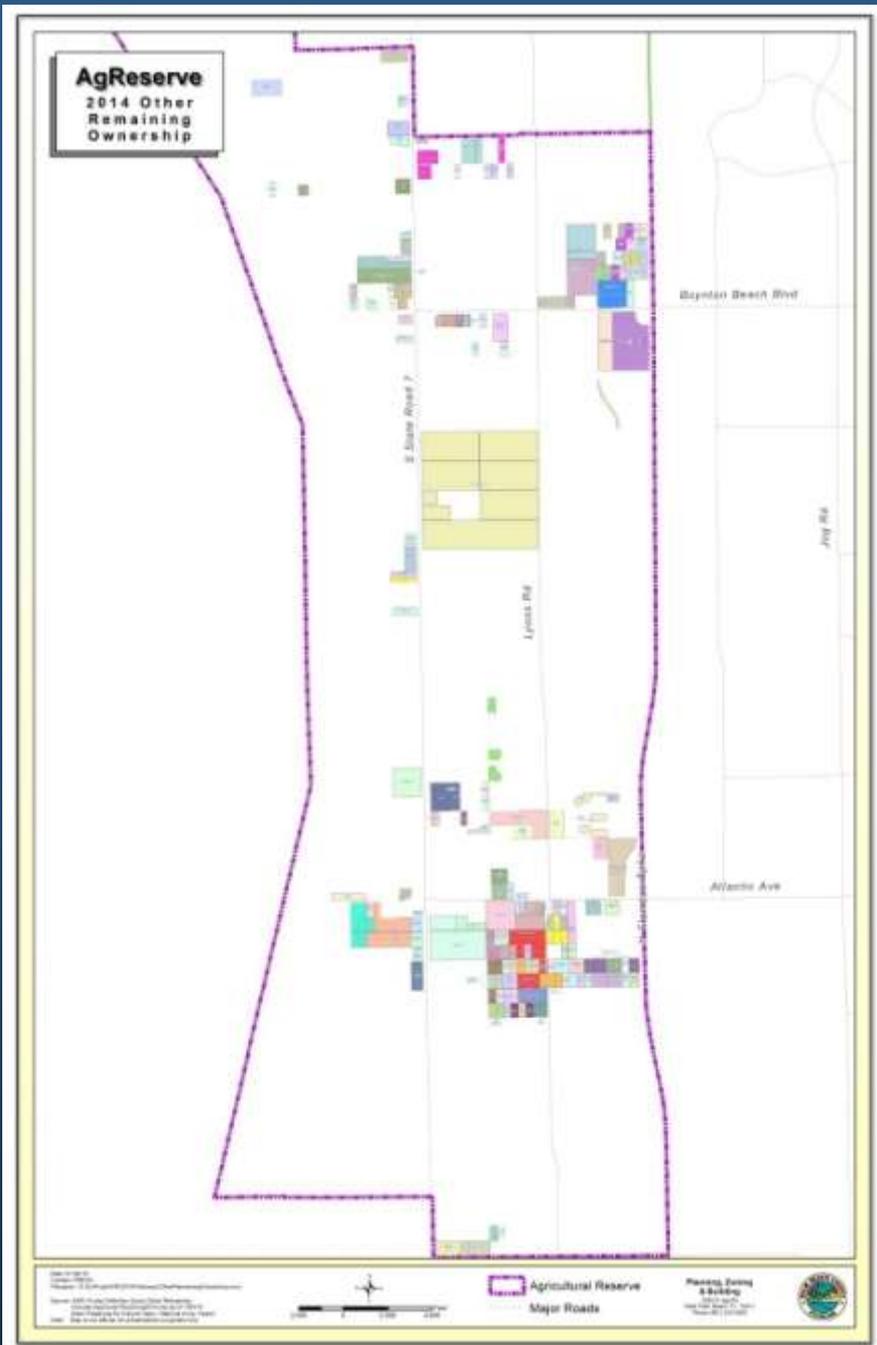


Under today's rules, development options are:

AGR Uses: every remaining parcel (ULDC)

1 DU/5 Acres: every remaining parcel

**Sell TDRs: every remaining parcel,
minus 5 acres for any house, if eligible**



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80/20 PUD: **EIGHT** parcels



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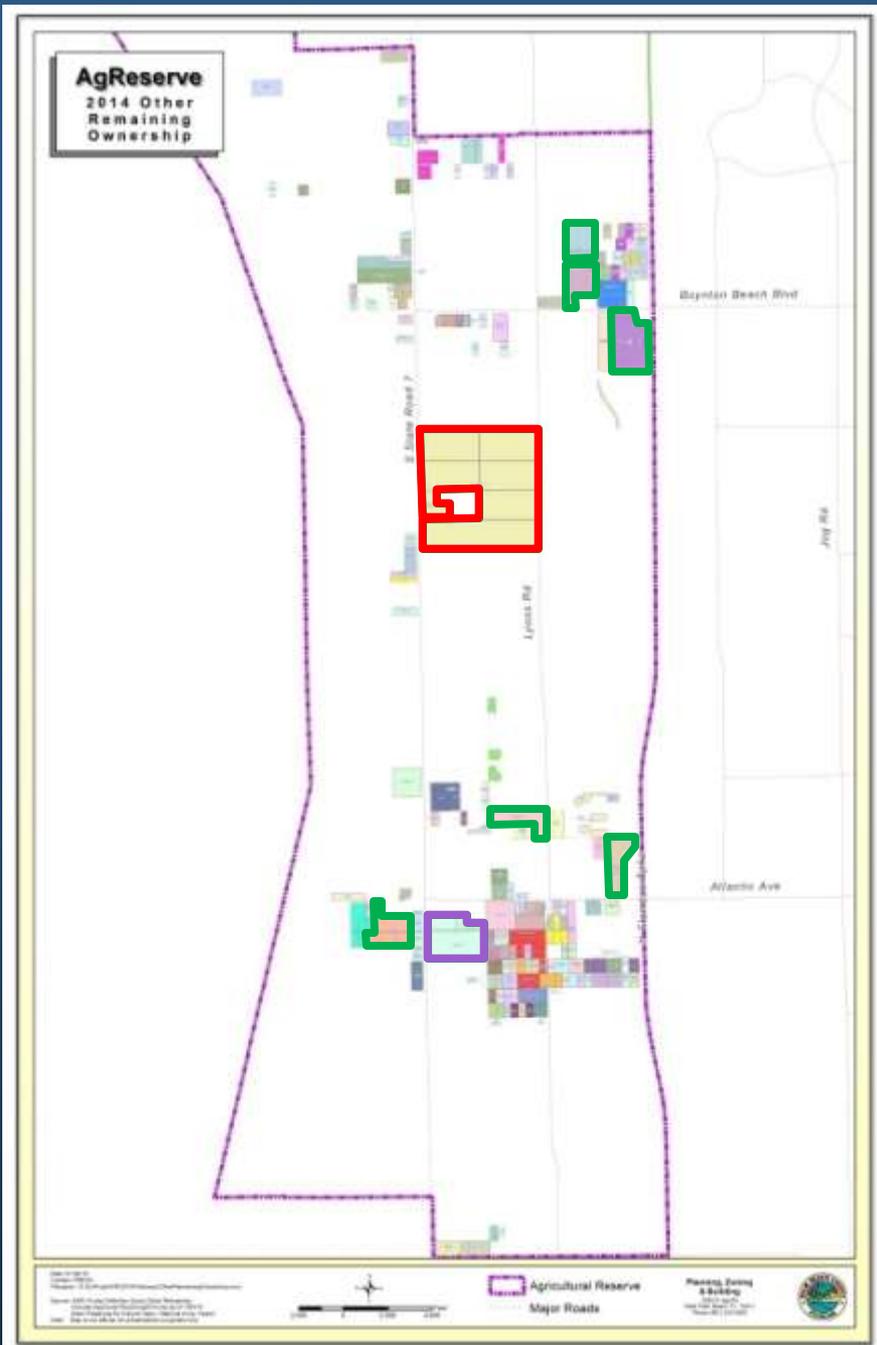
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60/40 PUD (on-site preserves): **ONE** parcel

60/40 PUD development area: **ONE** parcel



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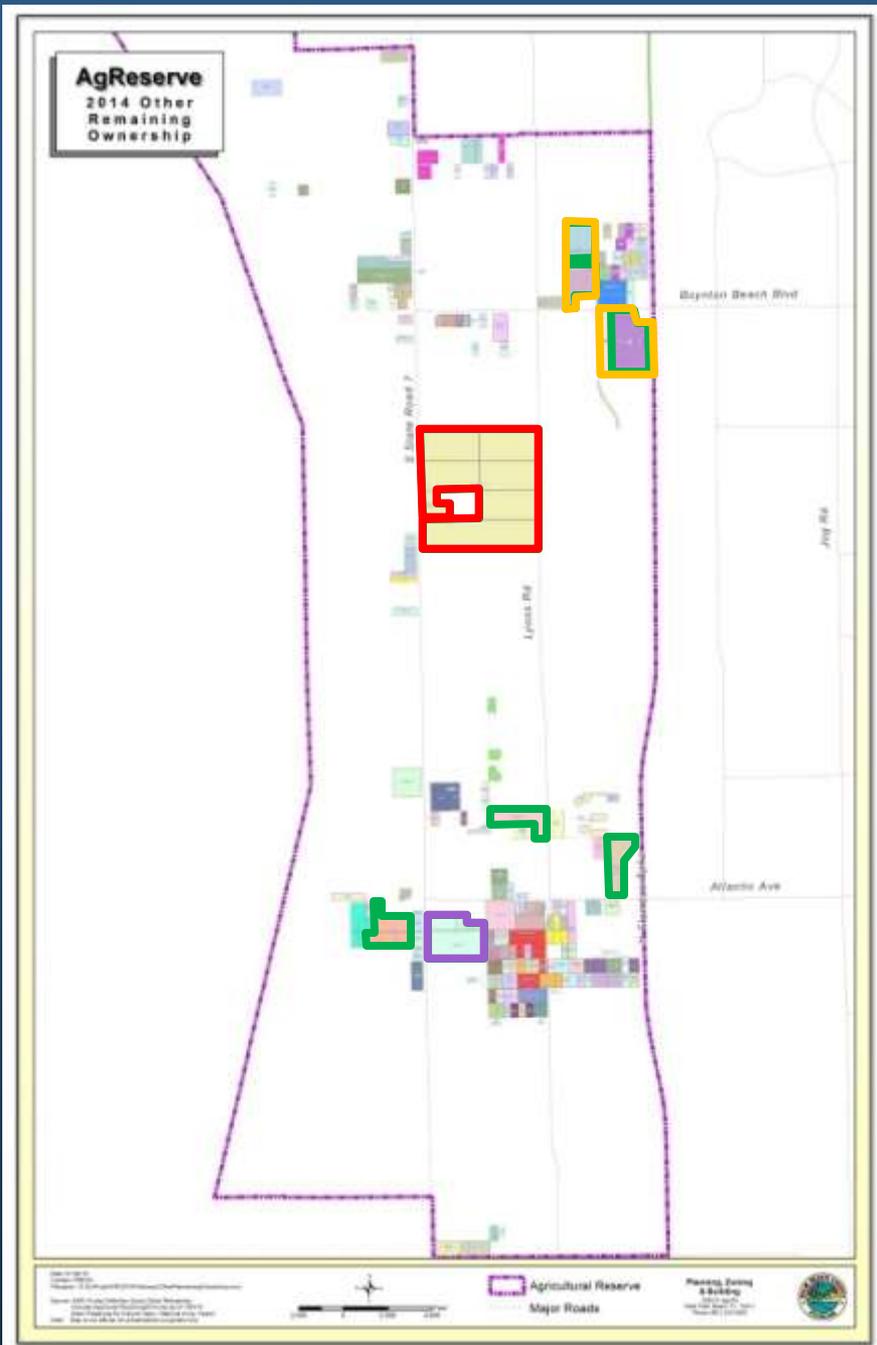
80/20 PUD: **EIGHT** parcels

60/40 PUD (on-site preserves): **ONE** parcel

60/40 PUD development area: **ONE** parcel

60/40 PUD development areas with 2
owners: **TWO** areas

Commercial/industrial parcels not included.



Currently Allowed Uses in AGR

Agricultural Uses

Agriculture, Bona Fide
Agriculture, Light Manufacturing
Agriculture, Packing Plant
Agriculture, Research/ Development
Agriculture, Sales and Service
Agriculture, Storage
Agriculture, Transshipment
Aviculture, Hobby Breeder
Community Vegetable Garden
Equestrian Arena, Commercial
Farmers Market
Farrier
Groom's Quarters
Nursery, Retail
Nursery, Wholesale
Potting Soil Manufacturing
Produce Stand
Shadehouse
Stable, Commercial
Stable, Private

Residential

Single Family
Mobile Home Dwelling
Accessory Dwelling
Estate Kitchen
Farm Residence
Farm Workers Quarters
Garage Sale
Guest Cottage
Home Occupation
Kennel, Type I (Private)
Security or Caretaker Quarters

Commercial

Auction, Enclosed
Auction, Outdoor
Green Market, Temporary
Kennel, Type II (Commercial)
Landscape Service
Retail Sales, Mobile or Temporary
Veterinary Clinic

Public and Civic Uses

Assembly, Nonprofit Institutional
Place of Worship
Day Care, General
Day Care, Limited
Government Services
Helipad
Landing Strip
School, Elementary or Secondary

Utilities & Excavation

Air Stripper, Remedial
Chipping and Mulching
Communication Cell Sites on Wheels (COW) Tower, Mobile
Communication Panels, or Antennas, Commercial
Communication Tower, Commercial
Composting Facility
Electric Transmission Facility
Excavation, Agriculture
Excavation, Type I
Excavation, Type II
Renewable Energy Facility, Solar
Renewable Energy Facility, Wind
Utility, Minor

60/40 PUDs require preserve areas:

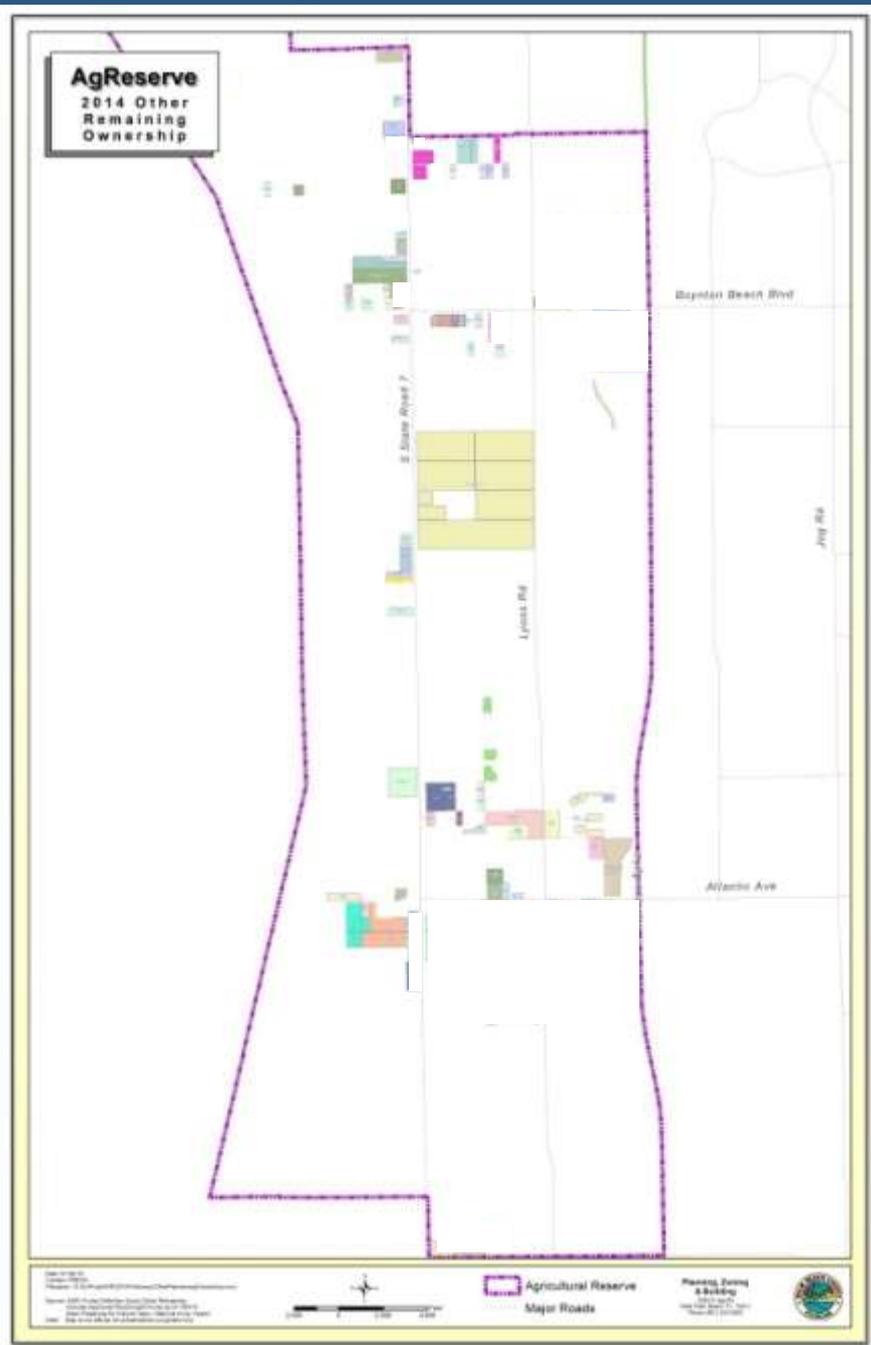
To sell development rights and become a 60/40 PUD preserve, a property must be:

- 150+ acres or contiguous to preserve
- have an acceptable use
- exclude 5 acres for any home

Of the 243 other remaining parcels:

- 146 are not adjacent to preserves
- 97 are adjacent to preserves, but
 - approx 13 have unacceptable use
 - approx 11 \leq 5 acres and have a house

Result: 73 eligible parcels yield 1124 development rights, with 584 in 1 property.



Putting it Together, under Current Rules:

60/40

PUD Potential Development Areas and Preserves

	Available Preserves					
Balance Today:		1124 ²		1124		1124
If largest parcel ¹ (584 ac)develops with off-site preserves	-584 -876	...develops with on-site preserves (or doesn't develop)	-584	...doesn't develop and is available as preserve	-0
(Deficit) /Balance		(336)		540		1124
Other Potential Developments ³ :						
1 owner: 441 Acquisitions (108)		--		-162		-162
2 owners: Logan/Mazzoni (131)		--		-197		-197
Swaney/Chinnik (101)		--		-152		-152
(Deficit) /Balance		--		29		613

¹ Also eligible as a preserve

² Comprising 73 Parcels with approximately 60 different owners

³ Preserves require participation of a minimum of 20 property owners.

Under current rules

Largest remaining parcel cannot readily exercise 60/40 option with completely off-site preserves

Creating off-site preserves for 60/40 development of remaining large parcels would require purchase of development rights from numerous owners

The areas that are NOT eligible to be either a preserve area or a development area under current rules would be limited to:

Other AGR Uses

1/5 residential, or 80/20 PUD (if 40+ acres)

TDR sale to Receiving Area outside Ag Reserve

Potential exists to become eligible in the future

Question 2

What is the impact of the proposed changes to current rules?

Proposed Changes from 3/14 Workshop

1. Residential (60/40 PUDs)

- Preserve Areas
 - a. Eliminate Contiguity/size requirements
 - b. Encumber only 1 acre for a Single Family Dwelling
 - c. Allow other preserve uses such as chipping/mulching
- Development Areas
 - a. Eliminate Frontage Requirement
 - b. Reduce minimum size to 35 acres
 - c. Allow west of SR 7

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- a. For uncommitted/unbuilt lands
- b. Up to 3 du/ac through TDR purchase from County Bank – no preserve area

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200 additional acres
of commercial
land use, requiring 1
TDR per acre

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Premise:

From 3/25/14 BCC Workshop:

...staff would proceed on the basis that Ag Reserve agriculture had to be preserved, changes would be minimized...

Order:

Changes Proposed to Preserve Area

- a. Eliminate Contiguity/size requirements
- b. Encumber only 1 acre for a dwelling (Farm Residence/Caretaker's Quarters)
- c. Allow other preserve uses, such as chipping/mulching, landscaping

Changes Proposed to Development Area

- a. Eliminate Frontage Requirement
- b. Reduce minimum size to 35 acres
- c. Allow west of SR 7

Creation of TDR Overlay

Additional Preserve Area Transferable Units Yielded By:

Current Available Balance	1124
Additional Preserves Generated By...	
Eliminating Contiguity Requirement (132 parcels)	+ 1042
+ Encumbering Only One Acre per SFD (45 parcels)	+ 171
+ Allowing Additional Preserve Uses (17 parcels)	+ 156
TOTAL	2493

Additional Potential Development Areas Yielded If:

Frontage Requirements are Eliminated:	(none)	0
Minimum size reduced to 35 Acres:	Valico	38
Chinnik		53
Logan		39
Mazzoni		93
Mulvehill		39
Morningstar		51
Taheri		40
Gray		44
Seven T's (with Thomas)		38
Both Changes Above:	Swaney	47
Frangis		46
Sites West of SR 7 are Allowed:	Agriculture Property	36
Pero		37
FPL		36
Amerigrow		61
AMKBJ with VW		37
TOTAL ACRES		735

AgReserve
 2014 Other
 Remaining
 Ownership



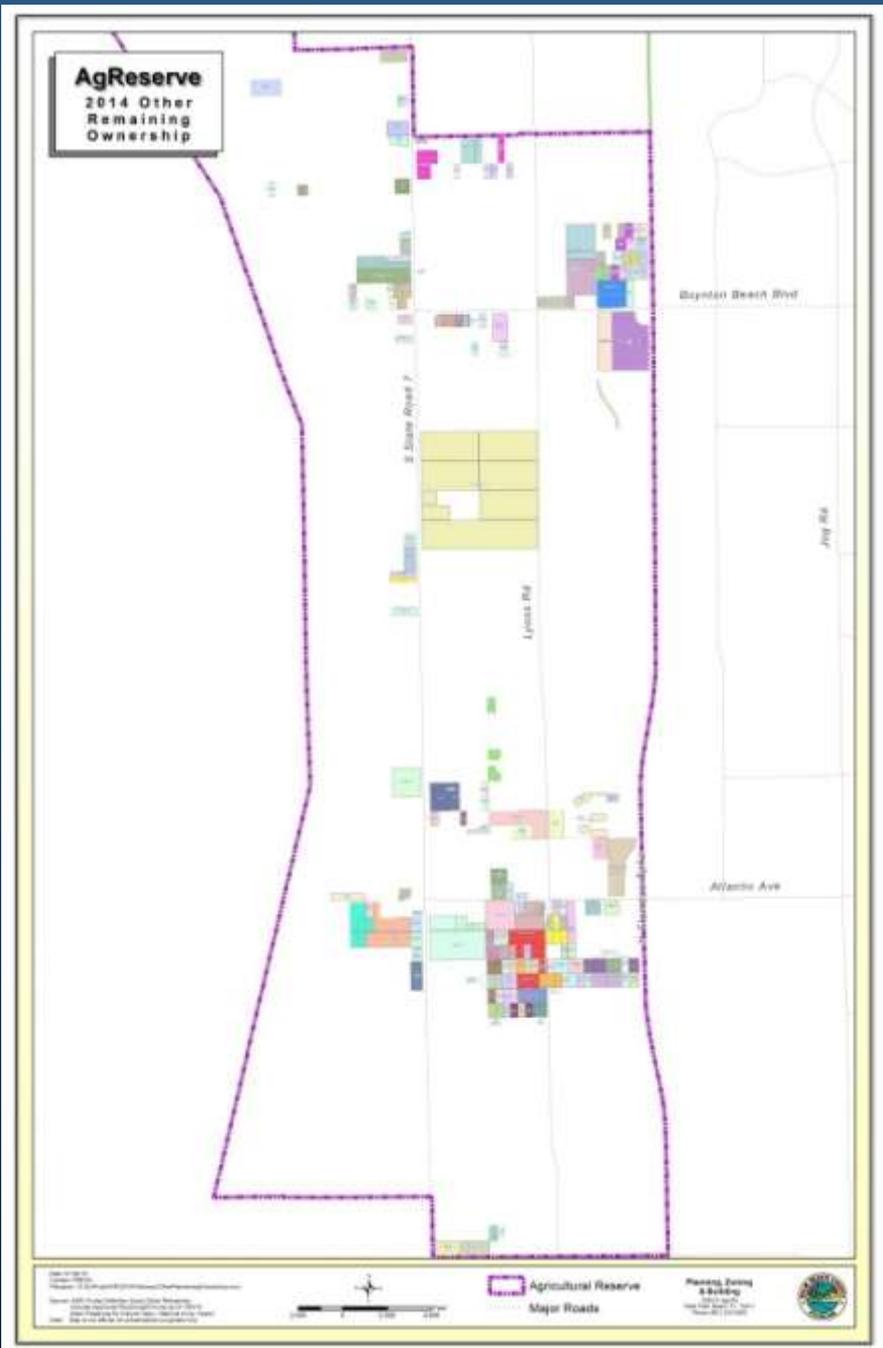
Map Date: 11/11/2014
 Project: 2014 Other Remaining Ownership
 Author: [illegible]
 Date: 11/11/2014
 Scale: 1:10000



 Agricultural Reserve
 Major Roads

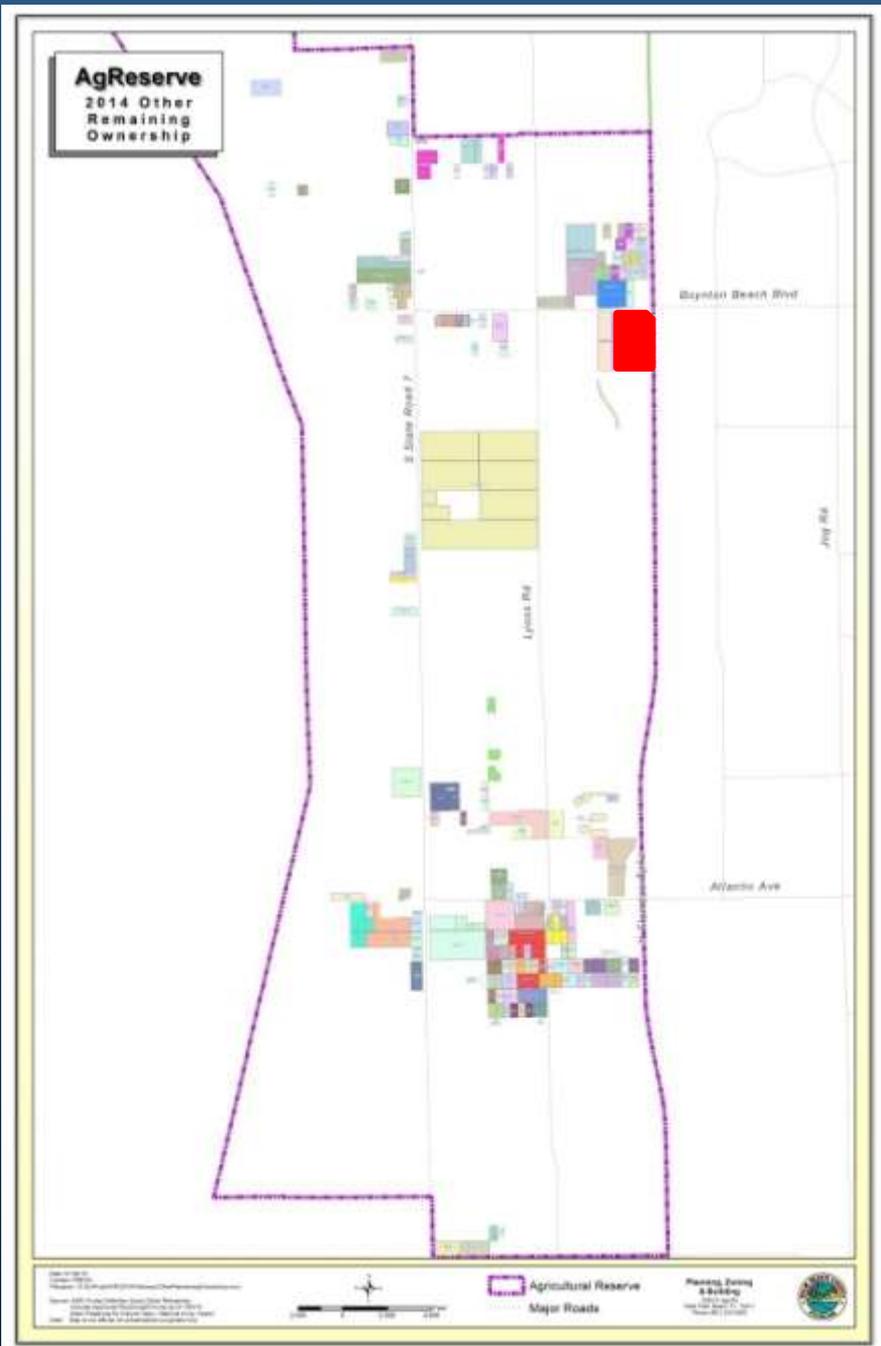
Parsons, Dilling
 440009





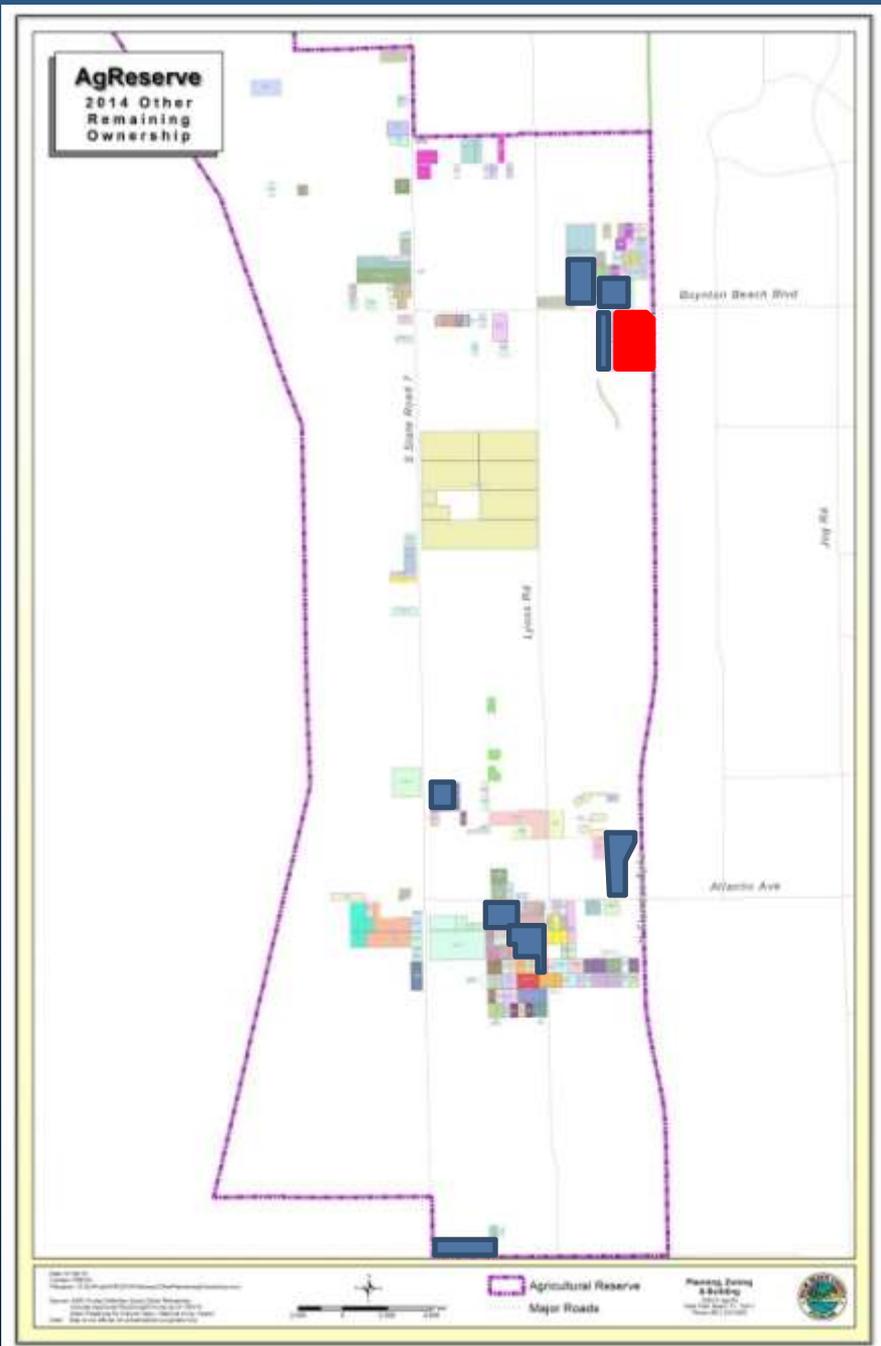
Mapped:

- 1) Eliminating Frontage Requirement makes NO ADDITIONAL parcels eligible



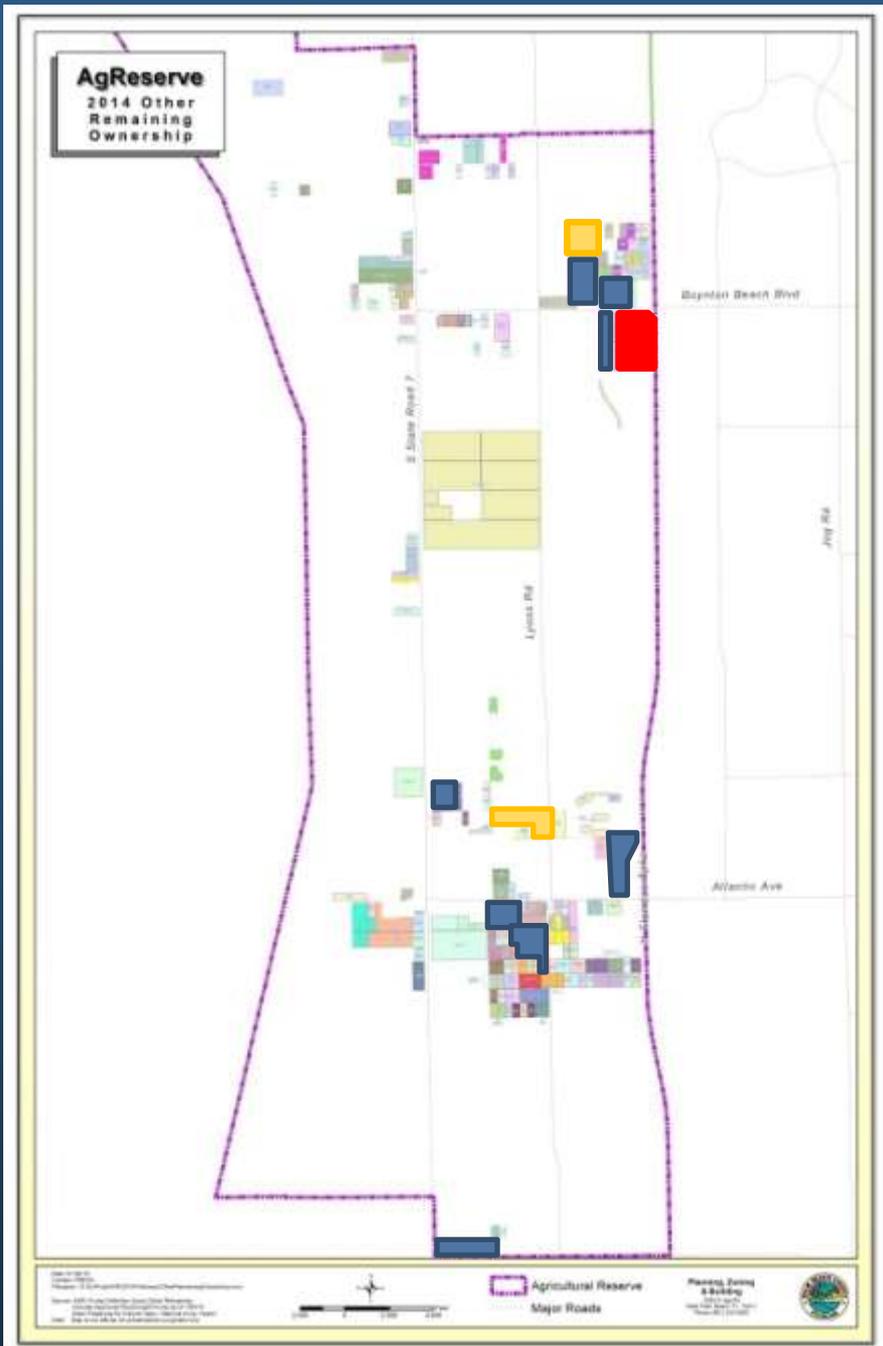
Mapped:

- 1) Eliminating Frontage Requirement makes **NO ADDITIONAL** parcels eligible
- 2) Reducing 60/40 dev area to 35 acres
 Only **one** parcel is large enough to do preserves on site
 - Without the on-site preserve, **eight** additional single-owner parcels emerge, not counting Whitworth



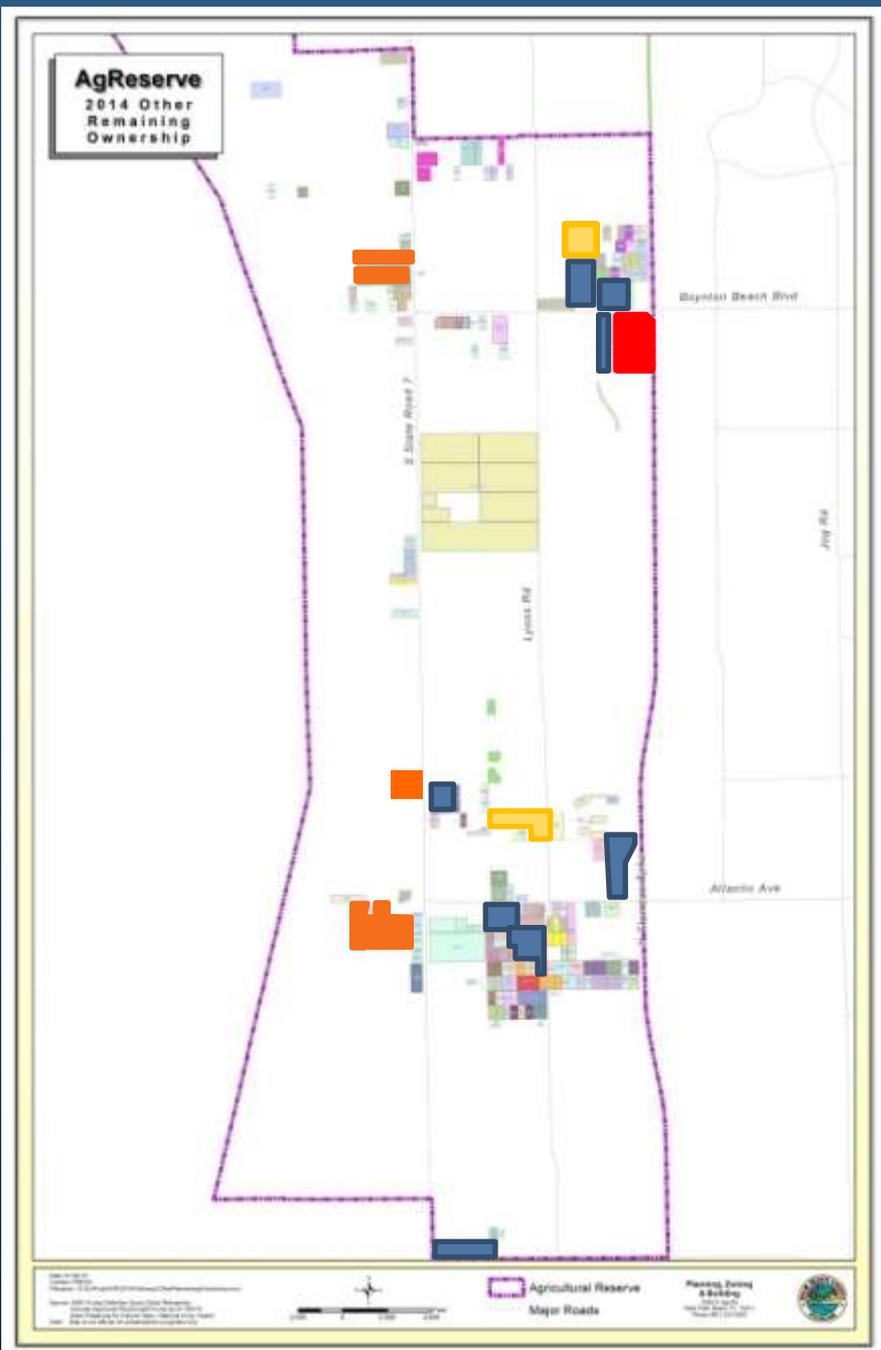
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 - Only **one** parcel is large enough to do preserves on site
 - Without the on-site preserve, **eight** additional single-owner parcels emerge, not counting Whitworth
- 3) Combining change 1 & 2 above:
 - **Two** sites would become eligible
- 4) Allowing 60/40 Dev Area W of SR 7
 - None with 100 acres (w/1 or 2 owners)
 - **Four** with 35 acres and one owner
 - **One** more with two owners

Putting it together:

	Scenario 1: Largest Parcel Develops with Off-site Preserves	Scenario 2: Largest Parcel Develops with On-site Preserves (or doesn't develop)	Scenario 3: Largest Parcel Does not Develop and is available for preserves
Changes to Preserve Area Rules	1	3	5
Changes to Development Area Rules	2	4	6

Scenario 1: Assume Largest Parcel Develops with **Off-site** Preserves

Effect of Proposed Changes Related to Preserve Areas

		Balance	Applied to Development of	Which Require	Balance
		1124	Whitworth (584) (off site preserves)	584 + 876	-336
Proposed Change	Add'l Dev. Rights				
Eliminate Contiguity Requirement	1042	706	441 Acquisitions (108) Logan/Mazzoni (131) Swaney/Chinnik (101)	108 + 162 131 + 197 101 + 152 = 851	-145
Encumber Only 1 Acre per SFD	171	26	--	--	26
Allow Additional Preserve Uses	156	182	--	--	182

Making all the changes proposed to preserve area rules would allow development of the currently viable development areas with off-site preserves

Add In: Effect of Proposed Changes Related to Development Areas

Balance	Proposed Change	Allows Development of	Which Require	Balance
182	Eliminate Frontage Requirements	No add'l development areas become eligible	--	182
182	Allow 35 Acre Development Areas	Valico Mulvehill Morningstar Taheri Gray Seven T's	38 + 57 39 + 58 51 + 76 40 + 60 44 + 66 38 + 57	-442
-442	Both Above Changes	Frangis	46 + 70	-558
-558	Allow Sites West of SR 7	Agriculture Property Inc. Pero FPL Amerigrow AMKBJ + VW	36 + 54 37 + 55 36 + 54 61 + 91 37 + 55	-1074

Changes to Development Area Rules create very limited opportunity for additional projects

Scenario 2: Assume Largest Parcel Develops with **On-site** Preserves

Effect of Proposed Changes Related to Preserve Areas

		Balance	Applied to Development of	Which Require	Balance
		1124	Whitworth (584) (on-site preserves)	584	540
Proposed Change	Add'l Dev. Rights				
Eliminate Contiguity Requirement	1042	1582	441 Acquisitions (108) Logan/Mazzoni (131) Swaney/Chinnik (101)	108 + 162 131 + 197 101 + 152 = 851	731
Encumber Only 1 Acre per SFD	171	902	--	--	902
Allow Additional Preserve Uses	156	1084	--	--	1084

Making all the changes proposed to preserve area rules would allow development of the currently viable development areas with off-site preserves, and leave a balance of 1084

Add In: Effect of Proposed Changes Related to Development Areas

Proposed Change	Balance	Allows Development of	Which Require	Balance
Eliminate Frontage Requirements	1084	No add'l development areas become eligible	--	1084
Allow 35 Acre Development Areas	1084	Valico Mulvehill Morningstar Taheri Gray Seven T's	38 + 57 39 + 58 51 + 76 40 + 60 44 + 66 38 + 57 = 624	460
Both Above Changes	460	Frangis	46 + 70	344
Allow Sites West of SR 7	344	Agriculture Property Inc. Pero FPL Amerigrow AMKBJ + VW	36 + 54 37 + 55 36 + 54 61 + 91 37 + 55 = 516	-172

Most new developments enabled through changes to Development Area Rules could be developed

Scenario 3: Assume **No Development** of Largest Parcel

Effect of Proposed Changes Related to Preserve Areas

		Balance	Applied to Development of	Which Require	Balance
		1124	--	--	1124
Proposed Change	Add'l Dev. Rights				
Eliminate Contiguity Requirement	1042	2248	441 Acquisitions (108) Logan/Mazzoni (131) Swaney/Chinnik (101)	108 + 162 131 + 197 101 + 152	1397
Encumber Only 1 Acre per SFD	171	1568	--	--	1568
Allow Additional Preserve Uses	156	1724	--	--	1724

Making all the changes proposed to preserve area rules would allow development of the currently viable development areas with off-site preserves, and leave a balance of 1724

Add In: Effect of Proposed Changes Related to Development Areas

Proposed Change	Added Units to Transfer	Balance	Allows Development of	Which Require	Balance
Eliminate Frontage Requirements	--	1724	No add'l development areas become eligible	--	1724
Allow 35 Acre Development Areas	--	1724	Valico Mulvehill Morningstar Taheri Gray Seven T's	38 + 57 39 + 58 51 + 76 40 + 60 44 + 66 38 + 57 = 624	1100
Both Above Changes	--	1100	Frangis	46 + 70	984
Allow Sites West of SR 7	--	984	Agriculture Property Inc. Pero FPL Amerigrow AMKBJ + VW	36 + 54 37 + 55 36 + 54 61 + 91 37 + 55 = 516	468

All new developments enabled through changes to Development Area Rules could proceed, with surplus of 468

Additional Considerations:

PRESERVE AREA USES:

Allowing parcels with existing uses such as chipping/mulching, landscaping, etc to sell development rights would affect about 20 properties and create 156 units

Would enable these uses in other existing and future preserves.

FARM DWELLINGS:

Allowing parcels with existing dwellings to sell development rights from all but one acre would create about 171 units

Would expect to pressure to allow this development pattern (of < 5 acres with a house) throughout future preserve areas (through retention of some development rights) or existing preserves (through the purchase of development rights)

FARM DWELLINGS:

Ability to sell development rights above one for a home cannot be restricted to parcels with an active agricultural use, as there is no means to ensure the continuation of that use, or the removal of the home if use ceases.

TDR Overlay Option

Clustering units to create a preserve is fundamental to the premise of ag preservation as adopted and implemented in PBC; TDR Overlay option includes no ag preservation

As proposed, would apply to “other remaining” parcels, as well to revisit approved but unbuilt projects, but would anticipate pressure to revisit approved, built areas

TDR Overlay Option proposed to be capped by 7,000 unit balance in PBC TDR Bank. Comp Plan policy allows BCC to increase balance of units in TDR bank.

Questions?

ULDC AMENDMENTS

- Use Regulation Project - The Agricultural Use Types were originally scheduled to commence in August 2014.
- Postpone to tentatively March/April 2015 at request of Farmers in the Glades Area, and pending conclusion of the AGR Workshop/direction of BCC.
- Zoning Division will hold a KICK-OFF meeting for Agricultural Uses. Anyone interested can contact Zoning Code Revision Staff at PZBCCodeRevision@pbcgov.org

END