

PASCO COUNTY EAR-BASED PLAN AMENDMENTS
 FUTURE LAND USE ELEMENT
 PUBLIC COMMENTS RECEIVED AUGUST - SEPTEMBER 2005

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FUTURE LAND USE VS ZONING

What is the difference between future land use and zoning?		
1.	The issues of land use and zoning are confusing. Need to describe the differences.	<p><i>Regarding the differences between future land use designations and zoning districts:</i></p> <p>Future land use designations are the categories used by the Comprehensive Plan for long-range planning purposes and represent a range of possible uses that <u>may</u> be permitted on the property. A property owner is not entitled to all zoning classifications or the most potentially dense or intense zoning classification within a land use designation.</p> <p>Zoning districts provide <u>specific</u> guidance regarding the development of a site including items such as a list of specific uses that are permitted by right or special exception, the minimum lot area that is required for development, standards for the width and depth of individual lots, minimum setbacks for front rear and side yards, maximum lot coverage and maximum height. A property owner is entitled to develop their site under their adopted zoning as long as that zoning is consistent with the maximum densities and uses permitted within the Land Use Category of the property. Under Florida Law the Comprehensive Plan establishes the maximum development permitted by law under the Future Land Use Designation – this means that if the zoning of your property permits more density than the Future Land Use Designation of your property, the zoning is not consistent and therefore you cannot use that zoning for development purposes. The comprehensive plan provides a mechanism for addressing this situation which is called a “zoning conflict.”</p>

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RECOGNITION OF EXISTING VESTED RIGHTS

How does the Proposed Comprehensive Plan recognize existing Vested Rights?		
<p>2.</p>	<p>The County should recognize the vested rights of existing zoning and land use designations in the Study Area. Specifically, the County should recognize that zonings which pre-date the Pasco County Comprehensive Plan and which were reaffirmed by the County subsequent to the adoption of the Comprehensive Plan are not affected by changes to the land use classification of the parcel. This should be done explicitly in the Comprehensive Plan. The County has always recognized these rights and should continue honoring the deal with property owners on this issue.</p> <p>Conflicting" Zonings and "Antiquated" Plats (See FLU, Goals, Objectives and Policies, Policies 1.5.1, 1.5.2 and 1.5.3)- In a highly controversial move, the Proposals create a mechanism where any property owner who had higher intensity zoning prior to the adoption of the Comp Plan has to prove that his zoning is consistent with the Comp Plan and then go through a land use change just to keep what the zoning in place. This is important because there are many such instances in the County. Many property owners have bought property in the County based on the assumption that there zoning was vested or represents an entitlement. The Proposals completely destroy this assumption. This Proposal will undoubtedly lead to significant litigation for the County. Our firm has the minutes from the date that the Comp Plan was adopted, and the County Attorney and the BOCC assured all landowners at that meeting that zoning which pre-dated the Comp Plan would remain valid forever. The adoption of these sections would directly contradict the County's promises and assurances to Pasco County landowners on this issue and would be a major breach of trust.</p>	<p><i>The Pasco County Comprehensive Plan was adopted in 1990 and again in 2000. The ADOPTED Comprehensive Plan, Administration Element, page 1-6, provides the following:</i></p> <p><i>4. Relationship to Pasco County Land Development Regulations</i></p> <p><i>The policies and provisions of this Comprehensive Plan supersede all conflicting provisions contained in the Pasco County zoning, subdivision, and development review regulations as of the effective date of this Comprehensive Plan, unless a project or portion thereof is determined to be a special exception to the provisions of this Plan (see Transition to Land Use Regulations Under This Comprehensive Plan).</i></p> <p><i>The County Attorney's Office may provide additional review and analysis of this issue.</i></p>
<p>3.</p>	<p>Non-Conforming Uses (See FLU, Goals, Objectives and Policies, Policy 1.5.1)-. This section should prohibit the expansion or change of non-conforming uses, but this language would actually prohibit any rezoning or change in use of the land ever if it has ever had a non-conforming use.</p> <p>Policy FLU 1.5.1 Nonconforming Uses Pasco County shall reduce nonconforming uses by means of procedures set forth in the Administration Element of this Plan. No expansion of or change to the use within a parcel that contains an existing non-conforming use will be permitted. Should the existing use cease for a period of time as specified under the Land Development Code, except under no circumstances shall the set time period exceed one-hundred-and-eighty (180) days, the use will no longer be permitted. Administrative procedures may be initiated by the County, which could result in rezoning of the property to an appropriate zoning classification.</p>	<p>Recommended Revision:</p> <p>Policy FLU 1.5.1 Nonconforming Uses Pasco County shall reduce nonconforming uses by means of procedures set forth in the Administration Element of this Plan. No expansion of or change to the <u>non-conforming</u> use within a parcel that contains an existing non-conforming use will be permitted <u>outside of the processes described in the Administrative Element for addressing non-conforming uses</u>. Should the existing use cease for a period of time as specified under the Land Development Code, except under no circumstances shall the set time period exceed one-hundred-and-eighty (180) days, the use will no longer be permitted. Administrative procedures may be initiated by the County, which could result in rezoning of the property to an appropriate zoning classification.</p>

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RURAL AREA STRATEGIES

Where are the Rural Areas Located?		
4.	<p>Where are these areas located? The citizens would like a better description of the boundaries of these areas.</p> <p>What are the distinctions between the different areas? Are there different policies that affect the different areas?</p> <p>The postcards confused people as to what was going on and how it would affect their property.</p>	<p><i>See copy of attachment that was created subsequent to the first CAC Sub-district meeting held August 1, 2005. County staff prepared a handout for the citizens that included a color map of the different rural areas, a narrative description of the boundaries of these areas, and a summary of the types of policies that have been developed to address the protection of rural character within each type of rural area.</i></p> <p><i>The purpose of the postcards was to provide broad public notice of the EAR-based plan amendments and the rural area strategies.</i></p>
5.	<p>There are two different descriptions of the Northeast Pasco Rural Area Boundary. The graphic included in the "Northeast Pasco County Special Area Plan, Planning Profile of the Rural Area" is different from the colored graphic that has been shown during the CAC meetings. Which is correct?</p>	<p><i>The graphic included in the "Northeast Pasco County Special Area Plan, Planning Profile of the Rural Area" is correct. All other graphics will be revised to be consistent with this graphic. The primary difference is that properties with existing adopted "urban" land uses located at the interchange of I-75 and SR 52 and along the boundaries of Dade City were excluded from the Rural Area because they 1) are adopted as urban uses and 2) are planned to be served with central water and sewer services.</i></p>
6.	<p>The Northeast Pasco Rural Area is too large. There are two Federal Highways I-75 and US Hwy 301 that bisect the "rural area and various commercial and/or industrial uses that area scattered throughout the area.</p>	<p><i>The Planning Horizon for this Comprehensive Plan has been established as 2025, consistent with the MPO long-range transportation planning horizon. Recognizing this planning framework and timeline is integral to understanding both the content and effect of these policies. A new policy that so states this intention is recommended. See below. Also see Item #168, that describes the overall methodology for accommodating growth for Pasco County within the Planning Horizon.</i></p> <p>Recommended Revision:</p> <p><i>Policy FLU 2.1.3 Recognition of the Planning Framework</i> <i>Pasco County recognizes that the planning framework established within the Comprehensive Plan, including the Future Land Use Map series and the associated policies for the preservation of the rural lifestyles in the Northeast Pasco County Rural Area, are designed to accommodate the projected population growth of Pasco County over the County's planning horizon, 2025. The projected residential growth within the Northeast Pasco Rural Area is projected to require an additional 2,000 dwelling units over the planning horizon.</i></p>

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7.	<p>Vision Graphic and Other Maps Showing Rural Areas- While at first blush these maps are not offensive, they set the groundwork for massive future regulation. If these maps become a part of the Comp Plan, FDCA is going to use them as a basis to deny any future increased residential densities (or other more intense uses) in the area based on these maps. Could there be any purpose for an area to be classified as a "rural transition area" other than to ensure future regulation prohibiting development and other uses? This is clearly just another mechanism to diminish property rights by skirting takings law.</p>	<p><i>The "Vision Graphic" that is included in the Northeast Pasco County Special Area Plan was included in the Comprehensive Plan as a part of the Structure Graphic referenced in Policy FLU 1.1.1. The Structure Graphic is recommended to be deleted from the Goals Objectives and Policies and referenced in the Support Document.</i></p> <p><i>The Design Structure Graphic basically represents the adopted Future Land Use Map (in hopefully a more understandable format) with those additions described below and some other additions to reflect text policy amendments in the draft element. In planning terms it is meant to be the first step in a two step process to create a longer range planning horizon for "visioning" purposes. The Comprehensive Plan is legally required to be tied to a "planning horizon." For this Plan update that horizon is 2025.</i></p> <p><i>As you know, there were only a few Future Land Use Map (FLUM) Issues that were identified during the EAR process that were to be handled through this Comprehensive Plan Update for EAR - based amendments. These include: 1) the addition of Employment Centers and 2) the protection of Rural Areas. Thus, only these two types of Future Land Use Map revisions were evaluated as a part of the overall update to the Future Land Use Element.</i></p>
<p>How Do the Rural Areas affect my property?</p>		
8.	<p>How do these rural areas affect the future land use designation of the property within these areas? If I have AG land use today, will my new land use be Rural?</p>	<p><i>The rural area designations identify the areas within which specific comprehensive plan policies apply. These areas are not new land use designations and do not replace the current land use of the property.</i></p>

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9.a.	<p>What is the intended density within the different Rural Areas?</p> <p>Minimum allowable densities of 1 lot per acre, and 1 lot per 5 acres within these "Rural" Land Use Areas.</p> <p>The Comprehensive Plan and Code should be amended to allow and land use and zoning category that permits 1 unit per 2.5 acres. Such a category, which used with reasonable standards for development and done in conjunction with some of the incentives described above, could help foster reasonable growth, while maintaining rural character and the rights of landowners.</p> <p>The draft proposed Comprehensive Plan Amendments include an item for adoption:</p> <p>"Rural" Land Use Category is being created which will greatly reduce the developability of the property which get reclassified.</p> <p>Boundaries being created where this "Rural" Land Use will be applied.</p>	<p><i>The Rural Areas ARE NOT future land use designations.</i></p> <p><i>The proposed maximum density within the Rural Areas is governed by the adopted Future Land Use Map of the County. The Rural Areas are <u>not</u> future land use designations and <u>do not</u> establish an alternate land use density. The purpose of the rural area strategy boundaries is to identify the geographic areas of the county that are affected by <u>policies</u> that are recommended in the draft Future Land Use Element.</i></p> <p><i>The "permitted densities" are established within each future land use classification and are included in the Future Land Use Appendix. The maximum density varies based upon an incentive structure that was created for Conservation Subdivisions.</i></p> <p>AG <i>Maximum Density (no incentives): 1 dwelling unit / 10 acres</i> <i>Maximum Density (with incentives): Incentives permit more than a 100% increase in density, up to a maximum of 1 dwelling unit / 3.3 acres based upon the amount of open space provided in a Conservation Subdivision. See page 2-15.</i></p> <p>AG/R <i>Maximum Density (no incentives): 1 dwelling unit / 5 acres</i> <i>Maximum Density (with incentives): Incentives permit a 100% increase in density up to a maximum of 1 dwelling unit / 2.5 acres with a minimum of 50% open space in a Conservation Subdivision.</i></p> <p>RES-1 <i>Maximum Density (no incentives): 1 dwelling unit/ acre</i> <i>Maximum Density (with incentives): Incentives permit up to a 50% increase in density up to a maximum of 1 dwelling unit / 1.5 acres with a minimum of 50% open space in a Conservation Subdivision.</i></p> <p><i>The Appendix does identify which future land use classifications are consistent with Rural land use planning, see Table 2-2. Page 2-12, and the plan policies do establish standards and criteria for reviewing the appropriateness and timing of "urbanizing" lands within the Northeast Pasco Rural Area based upon sound planning principles and statutory guidelines that are designed to reduce the proliferation of urban sprawl.</i></p>

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9.b.	In the event the County restricts development in the Study Area, the County should provide full and just compensation to any affected property owner who is restricted from developing his property to a level which is less than the rest of the County simply because his property is located within the Study Area.	<i>The plan policies that have been developed to address the Northeast Pasco Rural Area were designed to protect the existing rural character of this area. The area does, in fact, have a different development form and character from the rest of Pasco County which form is currently identified and reinforced in the ADOPTED Comprehensive Plan through Agricultural land use categories of AG and AG/R.</i>
Are we “down-planning”?		
9.c.	The County should avoid down-planning tracts within the Study Area simply to offset higher intensity growth in other areas of the County. The County has permitted growth in other areas of the County, and reasonable growth should always be permitted within the Study Area. It would be totally arbitrary, unreasonable and unfair to landowners within the Study Area if the County were to only permit extremely low densities within the Study Area so that other areas can continue with high intensity commercial and residential development.	<p><i>The draft plan DOES NOT “down-plan” uses within the Study Area to offset higher intensity growth elsewhere in the county.</i></p> <p><i>The recommended plan policies address the issues and concerns identified by Pasco County Citizens through a 2 year public process known as the Evaluation and Appraisal Report process and adopted by the Board of County Commissioners in September 20004. This process continues the EAR through the evaluation and recommendation of specified tools and anticipated amendments as required by the EAR and state law.</i></p> <p><i>The recommended actions to address these issues were not arbitrary; they were the result of thoughtful study and review conducted in the Spring of 2005 to address each of the issues identified. During this process the County conducted 5 days of stakeholder interviews, 1 community open house, 2 community workshops and 1 CAC –sub-district meeting to discuss future land use issues.</i></p> <p><i>See the Northeast Pasco Rural Area Study: Planning Profile (available on the County’s website www.pascocountyfl.net, on CD or hardcopy in the County’s Growth Management Department) and the Northeast Pasco Rural Area Study Support Documentation (files available for review in the County’s Growth Management Department)..</i></p>

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Why do we even address Rural Areas in the Comprehensive Plan?		
10.	<p>Why Are We Here?-</p> <p>The biggest question is why we even need this Plan and the proposed land uses changes. The property in the area is viewed as marketable now because of the land stewardship of its owners over many years. Under current land use and zoning, there is little chance that the Study Area could ever be developed in a way that the rest of the County has. But, if additional densities and uses are permitted, the decision should be made by the Commission in its policy-making function. That is the whole purpose of the Comp Plan and any amendments to it- if the Commission disagrees with a proposed amendment to the Future Land Use Map, they should simply vote against it. This leads to the most important question: why are any of the proposed changes part of the Comp Plan, rather than an overlay district, an ordinance or the Pasco County Land Development Code (the "Code")? The other alternatives permit the County to amend the Proposals without having to seek the approval of FDCA. The County should acknowledge the hard work by the Citizens' Advisory Committee (the "CAC") on the Proposals, but the majority of them should not be made part of the Comp Plan.</p>	<p><i>As a part of the County's Evaluation and Appraisal Report completed in September 2004, the County identified several major issues with regard to the protection of Rural Areas in the County including the countywide issue of the "Protection of Rural Communities and Rural Neighborhoods" and the specific Sub-District Issues:</i></p> <p><i>District 1:</i></p> <ul style="list-style-type: none"> • <i>Maintain the semi-rural character of the District north of SR 52 and east of the Suncoast Parkway</i> • <i>Assess how to prevent high density development in the 1, 2, and 5 acre parcels in the area south of County Line Road and west of Shady Hills Road</i> <p><i>District 2:</i></p> <ul style="list-style-type: none"> • <i>Protection of rural lifestyle at a low density (could include clustering)</i> • <i>Retain rural character of Blanton Area (north of Dade City) including that area along St. Joe Road.</i> <p><i>District 4:</i></p> <ul style="list-style-type: none"> • <i>Management of the large agricultural / rural area to the east of the Suncoast Parkway and development of Bexley Ranch</i> <p><i>District 5:</i></p> <ul style="list-style-type: none"> • <i>Conversion of Agricultural lands</i> • <i>Preserve rural character of neighborhoods</i> • <i>Protection of rural character while allowing development/ protection of property rights</i> <p><i>The anticipated amendments to the Comprehensive Plan that were identified in the EAR included <u>proactive</u> approaches to preserving rural character and included providing an evaluation of methods for rural/agricultural area protection that would include: an urban growth boundary; small area studies which may result in amendments to protect the rural areas; more effectively review development proposals; Transfer of Development Rights; structure of existing rural land use classifications and implementing zoning district and more effective clustering options.</i></p>

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10. Cont.	<p>Question Continued Why Are We Here?-</p> <p>The biggest question is why we even need this Plan and the proposed land uses changes. The property in the area is viewed as marketable now because of the land stewardship of its owners over many years. Under current land use and zoning, there is little chance that the Study Area could ever be developed in a way that the rest of the County has. But, if additional densities and uses are permitted, the decision should be made by the Commission in its policy-making function. That is the whole purpose of the Comp Plan and any amendments to it- if the Commission disagrees with a proposed amendment to the Future Land Use Map, they should simply vote against it. This leads to the most important question: why are any of the proposed changes part of the Comp Plan, rather than an overlay district, an ordinance or the Pasco County Land Development Code (the "Code")? The other alternatives permit the County to amend the Proposals without having to seek the approval of FDCA. The County should acknowledge the hard work by the Citizens' Advisory Committee (the "CAC") on the Proposals, but the majority of them should not be made part of the Comp Plan.</p>	<p>Response Cont.</p> <p><i>The EAR also included anticipated amendments to the Comprehensive Plan by Sub-district including an evaluation for methods to: Protect the rural character by maintaining current density of the area that is north of Hudson Avenue, east of Little Road, west of Shady Hills Road and south of County line road; Maintain the rural character, with densities no greater than 1 dwelling unit per gross acre, for the area east of US 41, north of SR 52 to Bellamy Brothers Road; Keep Blanton area rural; isolate and identify key rural areas. Encourage rural design standards.; Protect agricultural community's property rights by providing incentives for clustering and protecting green space; provide clustering options and density bonuses; Identify rural communities to protect rural character; clearly delineate between rural and urban areas; incorporate rural planning tools.</i></p> <p><i>Fundamentally, however, it is the purpose, intent and legislated requirement for a County's Comprehensive Plan is to provide for the following:</i></p> <p>Chapter 163.3167(1), Florida Statutes (1) The several incorporated municipalities and counties shall have power and responsibility:</p> <p>(a) To plan for their future development and growth.</p> <p>(b) To adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth.</p> <p>(c) To implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof.</p> <p>(d) To establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of this act.</p> <p><i>Thus, it is the function of the Comprehensive Plan to provide guidance regarding future growth of the county and to specifically include the following:</i></p>

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10. Cont.	<p>Question Continued Why Are We Here?-</p> <p>The biggest question is why we even need this Plan and the proposed land uses changes. The property in the area is viewed as marketable now because of the land stewardship of its owners over many years. Under current land use and zoning, there is little chance that the Study Area could ever be developed in a way that the rest of the County has. But, if additional densities and uses are permitted, the decision should be made by the Commission in its policy-making function. That is the whole purpose of the Comp Plan and any amendments to it- if the Commission disagrees with a proposed amendment to the Future Land Use Map, they should simply vote against it. This leads to the most important question: why are any of the proposed changes part of the Comp Plan, rather than an overlay district, an ordinance or the Pasco County Land Development Code (the "Code")? The other alternatives permit the County to amend the Proposals without having to seek the approval of FDCA. The County should acknowledge the hard work by the Citizens' Advisory Committee (the "CAC") on the Proposals, but the majority of them should not be made part of the Comp Plan.</p>	<p><i>Response Cont.</i></p> <p><i>"Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities," as required by Chapter 163.3177(6)(a), Florida Statutes.</i></p>

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How is the issue of Affordable Housing Addressed in the Rural Areas?		
11.	The Rural Overlays prevent the market from responding to the future and make it more costly to develop. This affects the ability of the market to provide affordable housing.	<p><i>The issue of affordable housing is more than just a land use issue, and thus the County includes a Housing Element as a component of the Comprehensive Plan. We have policies in the Housing Element that include the development of new regulations that will enable ancillary units in residential and mixed use projects that won't count against density (see Housing Element Policy HSG 2.1.5); with regard to the need to develop density bonuses in the instance when Affordable Housing is suggested, we've targeted areas from CD's Consolidated Plan whereby we'll look at impact fee subsidies (Housing Element Policy, HSG 2.1.3); and we have policies in FLU relative to AG; AG/R and RES-1 lands that include additional density/units as an incentive for Conservation Subdivisions.</i></p>
How Are Rural Area designations assigned? Can they be changed?		
12a.	The Rural Overlays should not be established by the County, but should only be placed where they are specifically requested by the owners of the property.	<p><i>The suggestion that rural area protection be provided as a "reactive" measure instead of the proposed "proactive" measure is not consistent with the County's EAR that was adopted by the County Commission.</i></p> <p><i>As a part of the County's Evaluation and Appraisal Report completed in September 2004, the County identified several major issues with regard to the protection of Rural Areas in the County including the countywide issue of the "Protection of Rural Communities and Rural Neighborhoods" and the specific Sub-District Issues identified in item #10 above.</i></p> <p><i>The anticipated amendments countywide included <u>proactive</u> approaches to preserving rural character consistent with the anticipated amendments that were identified at that time.</i></p>

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12b.	<p>The County should recognize the inherent growth and change of the Study Area. In addition to the affects of market factors, the Study Area has not been and never will be a static area. It has grown substantially over the last 30 years through a combination of dense and large-tract development. It would be imprudent to create inflexibility through the Study Area Process.</p>	<p><i>To the contrary, the rural planning process recognizes that growth and development occur within the County and that there will be a time when the issue of development density in this area will need to be re-evaluated. The standards for this evaluation are included in the Future Land Use Element Appendix, p. 2-2 & 2-3, Standards for Amendment the Rural Area Boundary as follows:</i></p> <p><u>“Standards for Review of increased density within the Northeast Pasco County Rural Area and the Rural Character Area</u></p> <p><i>Requests for amendments to the Future Land Use Map within the Northeast Pasco County Rural Area for any future land use designation that permits more than 1 dwelling unit per developable residential acre or any other future land use designation that requires the installation of central water and sewer services as per FLU Exhibit: Services and Facilities by Classification or a amendments within the “Rural Character Area” for any future land use designation that permits 3 or more dwelling units per developable residential acre shall be held to the following standard of review and may be considered only if all of the following standards are affirmatively met:</i></p> <p>A. Demonstration of Need <i>An applicant shall demonstrate that additional lands are required to accommodate the population, housing or employment needs of the county projected over the horizon of the Comprehensive Plan. This analysis shall be performed consistent with the requirements of Rule 9J-5.006(2)(c), FAC that establish the standards for an analysis of the amount of land needed to accommodate the projected population.</i></p> <p>B. Compatibility</p> <ol style="list-style-type: none"> <i>1. An applicant shall demonstrate that the proposed amendment shall create and/or provide an appropriate transition of land uses adjacent to existing rural residential development within either the Northeast Pasco County Rural Area or the Rural Character Area.</i> <i>2. An applicant shall demonstrate how the proposed amendment shall create a final area of transition between either the Northeast Pasco County Rural Area or the Rural Character Area and existing urban development, such that further future intrusion into the Northeast Pasco rural Area or the Rural Character Area shall be constrained.</i> <i>3. An applicant shall perform a soil suitability analysis and shall demonstrate that the soils can support the proposed amendment.</i> <p>C. Contiguity to existing urban development patterns <i>An applicant shall demonstrate that the proposed development is contiguous to existing urban patterns of development.</i></p> <p>D. Consistency with Goals, Objectives and Policies of the Comprehensive Plan <i>An applicant shall demonstrate that the proposed amendment is consistent with all applicable goals, objectives and policies of the Comprehensive Plan.”</i></p>

**PASCO COUNTY EAR-BASED PLAN AMENDMENTS
 FUTURE LAND USE ELEMENT
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#	Comment	Response/Resolution
13.	<p>Rural Only (See FLU, Goals, Objectives and Policies, Policies 2.3.1, and Plan FLU Policy 2.1.12(b), as numbered in the Plan (note: inconsistent with the other Policy numbering)-</p> <p>At least two (2) Proposals state respectively that only rural residential development would be permitted in the Study Area and that “the existing rural development pattern represents the final form of development” in the Study Area. This is a severe limitation for such a large area and seems entirely overbroad. Is there any rational reason why rural residential would be the only use? What about the commercial corridors in the area that already exist, and what about neighborhood commercial or as an ancillary use?</p> <p>Policy FLU 2.3.1 Rural Character Areas <i>Pasco County shall recognize “Rural Character Areas” as defined in Exhibit FLU: Special Area Boundaries, as rural communities and neighborhoods whereby the existing rural development pattern represents the final form of development that deserves and requires special protection from the intrusion of urban uses, densities and intensities. These areas shall not be treated as “areas in transition” that have the potential for future urbanization.</i></p> <p>Policy FLU 2.1.12 Protection of Natural Resources <i>Pasco County shall:</i> <i>b. Protect groundwater systems in the Northeast Pasco County Rural Area by:</i></p> <ol style="list-style-type: none"> 1. <i>Continuing to permit residential development at rural densities in the Northeast Pasco County Rural Area to minimize water consumption and maximize aquifer recharge due to small impervious surface areas;</i> 2. <i>Relying primarily on a system of small individual residential wells for the provision of potable water that disperse the potentially adverse effects of groundwater drawdown associated with excessive pumping of the aquifer; and</i> 3. <i>Relying primarily on properly installed and periodically inspected septic tanks in conformance with applicable law on large lots that return water to the aquifer to be the primary system of wastewater disposal.</i> 	<p><i>An electronic word search of the proposed Goals, Objectives and Policies for the Future Land Use element and the Appendix finds only one (1) reference to “final form of development” and that is for the Rural Character Area which is the Shady Hills Road area which area was defined during the EAR process as an area whose final form had been established by the amount of platted large lots within this area. A new definition is recommended to clarify this term..</i></p> <p><i>Policy FLU 2.1.12(b)1. specifically references the Northeast Pasco Rural Area (not the Rural Character Area) and does not establish or restrict permitted land use within the Northeast Pasco Area, but rather articulates the planning framework for groundwater protection that is regulated through the adopted future Land Use Map.</i></p> <p><i>Please see item # 12.b. for a response to the question regarding methods for amending the Comprehensive Plan to introduce urban uses into the Rural Area and the standards for review of such amendments.</i></p> <p><i>Note: Policy FLU 2.3.1 is the first policy of the third objective of the second goal of the Future Land Use element and is succeeded by Policy FLU 2.3.2. Policy FLU 2.1.12(b) is preceded by Policy FLU 2.1.11 and succeeded by Policy FLU 2.1.13.</i></p> <p>RECOMMENDED REVISION: <i><u>Final Form of Development: The form of rural residential development within the Rural Character Area that is evidenced by the extent of existing residential subdivisions that are platted and/or constructed in a large-lot residential development pattern.</u></i></p>

**PASCO COUNTY EAR-BASED PLAN AMENDMENTS
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#	Comment	Response/Resolution															
How much land is affected by the Rural Protection Strategy?																	
14.	<p>What is the total acreage of the Rural Protection Strategy if the amount of public lands in conservation is included? How much of the land is in Rural Land and in Public Ownership?</p> <p>Rural Area: 61,700 Acres</p> <p>Rural Transition Area: 35,915 Acres*</p> <p>Rural Character Area: 12,696 Acres*</p> <p>Rural Neighborhood Protection Area: 23,765 Acres</p> <p>Conservation Areas (Outside of Rural Areas); 70,449 Acres (Over 50,000 Acres is in the Green Swamp area on the eastern border of Pasco County)</p> <p>* Total acreage <u>includes</u> existing conservation lands.</p>	<p><i>Total Acreage with additional Conservation Lands:</i></p> <table border="1"> <thead> <tr> <th><i>Area</i></th> <th><i>Acreage</i></th> <th><i>% of Total</i></th> </tr> </thead> <tbody> <tr> <td><i>Pasco County (All):</i></td> <td><i>475,271</i></td> <td><i>100.00%</i></td> </tr> <tr> <td><i>Total Land affected by Rural Protection Strategies</i></td> <td><i>134,706</i></td> <td><i>28%</i></td> </tr> <tr> <td><i>Additional Conservation Lands (Over 50,000 Acres is in the Green Swamp Area)</i></td> <td><i>70,499</i></td> <td><i>15%</i></td> </tr> <tr> <td><i>Combined Rural + Conservation</i></td> <td><i>205,205</i></td> <td><i>43%</i></td> </tr> </tbody> </table> <p><i>Please note that the Rural Character Areas and the Rural Neighborhood Protection Areas do not limit development within those areas to rural densities.</i></p>	<i>Area</i>	<i>Acreage</i>	<i>% of Total</i>	<i>Pasco County (All):</i>	<i>475,271</i>	<i>100.00%</i>	<i>Total Land affected by Rural Protection Strategies</i>	<i>134,706</i>	<i>28%</i>	<i>Additional Conservation Lands (Over 50,000 Acres is in the Green Swamp Area)</i>	<i>70,499</i>	<i>15%</i>	<i>Combined Rural + Conservation</i>	<i>205,205</i>	<i>43%</i>
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15.	<p>The current Conservation Lands of the County should be added to the Rural Protection Strategies Map.</p>	<p>RECOMMENDED REVISION TO DRAFT DOCUMENT:</p> <p><i>The Rural Protection Strategies Map will be revised to include the Public Conservation Lands outside of the Rural Areas.</i></p>															

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#	Comment	Response/Resolution
RES-1 Future Land Use		
16.	<p>The County said they were not creating new restrictions on the use of existing zoning however, Page 2-15 places restrictions on RES-1.</p> <p>Residents are concerned that if they have RES-1 they will not be able to develop at that zoning. Thought that rights under the current zoning would be maintained.</p> <p><i>Page 2-15 of the Draft Future Land Use Appendix provides:</i></p> <p><i>General Range of Potential Uses:</i> <i>Single-Family detached residential uses, retail uses and professional/personal service office uses, agriculture and agriculturally-related uses, recreation facilities, neighborhood-scale public and semipublic uses, such as central utility systems.</i></p> <p><i>Special Provisions:</i></p> <p>A. <i>All properties designated as Residential-1 shall be required to rezone as a cluster residential subdivision under either the County's Master Planned Unit Development (MPUD) or Conservation Subdivision Regulations.</i></p> <p>B. <i>Minimum Open Space: A minimum of xx percent (%) of the site must be designated as open space if the site is developed as an MPUD. A minimum of xx percent (%) of the site must be designated as Conservation Subdivision Open Space if the site is developed as a Conservation Subdivision. [Note: The required open space is being developed in conjunction with the Density incentives discussed below]</i></p> <div data-bbox="277 1136 808 1341" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><i>Editor's note: In consideration of the requirements for RES-1 properties to be developed in either an MPUD or Conservation Subdivision, density incentive options for RES-1 are being considered – in a similar scaled fashion as described within AG and AG/R land use categories. The recommendation for this incentive will be provided as soon as it has been completed.</i></p> </div>	<p><i>The ADOPTED Comprehensive Plan Provides the following policy in the Future Land Use Element:</i></p> <p><i>Policy 1.1.9</i> <i>Residential development within the RES 1 (Residential - 1 du/ga) land use category must meet one of the following criteria:</i></p> <ul style="list-style-type: none"> <i>a. Be less than 300 acres in size.</i> <i>b. Be within a mixed-use project and able to demonstrate that the retail and employment needs of the residents can be met within the project.</i> <i>c. Be within a completed and adopted Sector Plan through the Comprehensive Plan amendment process which provides nearby locations for the total retail and employment needs of the residents of the proposed residential development. (The Sector Plan may be completed by the County or the applicant requesting residential approval under the guidance of County staff. The Sector Plan must be officially adopted by the Board of County Commissioners and have binding status.)</i> <i>d. Be developed at a gross residential density not exceeding one unit per five acres of land.</i> <p><i>RECOMMENDED REVISION TO DRAFT DOCUMENT:</i> <i>The intention of the new language in the RES-1 Land Use Category was to be consistent with the intent of the adopted policy without the hardship of undergoing a "Sector Plan" process and to provide an additional incentive for the clustering requirement.</i></p> <p><i>The Special Provisions should be revised as follows:</i></p> <p><i>Special Provisions:</i></p> <p>A. <i>All properties designated as Residential-1 <u>that are developed as a residential subdivision greater than 300 acres in size</u> shall be required to rezone as a cluster residential subdivision under either the County's Master Planned Unit Development (MPUD) or Conservation Subdivision Regulations <u>or develop at a gross residential density not exceeding one unit per five acres of land.</u></i></p> <p>B. <i>Minimum Open Space: A minimum of <u>25</u> percent (%) of the site must be designated as open space if the site is developed as an MPUD. A minimum of <u>50</u> percent (%) of the site must be designated as Conservation Subdivision Open Space if the site is developed as a Conservation Subdivision. [Note: The required open space is being developed in conjunction with the Density incentives discussed below].</i></p>

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 FUTURE LAND USE ELEMENT
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16. Cont.	<p>The County said they were not creating new restrictions on the use of existing zoning however, Page 2-15 places restrictions on RES-1.</p> <p>Residents are concerned that if they have RES-1 they will not be able to develop at that zoning. Thought that rights under the current zoning would be maintained.</p>	<p><i>Response continued:</i></p> <p>C. <u>Compatibility: The location of residential development lots shall be configured to meet the following standards:</u></p> <ol style="list-style-type: none"> 1. <u>Residential lots shall be arranged in a pattern that protects and preserves the character and appearance of land when viewed from abutting properties.</u> 2. <u>Residential lot size adjacencies shall comply with the standards that are developed to implement Policy FLU 1.4.2.</u> <p>Policy FLU 1.1.4 Principles for Limiting Sprawl Development <i>Pasco County shall limit the proliferation of a large lot sprawl development pattern over large expanses of land by evaluating plan amendments to RES 1 (Residential - 1 du/ga) land use designation to require that such amendments are either:</i></p> <ol style="list-style-type: none"> a. <i>Less than 300 acres in size;</i> b. <u>Developed as a Master Planned Unit Development (MPUD):</u> c. <u>Developed as a Conservation Subdivision or:</u> d. <u>Be developed at a gross residential density not exceeding one unit per five acres of land.</u> <p><i>In addition density incentives were created for Conservation Subdivision in RES-1, Future Land Use Element Appendix, Page 2-19.</i></p> <table border="1" data-bbox="971 1146 1490 1713"> <thead> <tr> <th colspan="2"></th> <th colspan="2" style="background-color: #cccccc;">Residential-1 (RES-1)</th> </tr> </thead> <tbody> <tr> <td style="background-color: #cccccc;">Maximum Base Density (No Open Space Requirement)</td> <td></td> <td colspan="2" style="text-align: center;">1 dwelling unit/ 1 acre</td> </tr> <tr> <td></td> <td></td> <td style="background-color: #cccccc;">CS – Rural Area</td> <td style="background-color: #cccccc;">CS - Other</td> </tr> <tr> <td colspan="4">Density Incentives for Clustering as a Conservation Subdivision</td> </tr> <tr> <td style="background-color: #cccccc;">50% Open Space This density incentive permits a 50% increase in density if ½ the property is preserved as open space or agricultural uses.</td> <td></td> <td style="text-align: center;">1 du/ 1.5 acres</td> <td style="text-align: center;">1 du/ 1.5 acres</td> </tr> </tbody> </table>			Residential-1 (RES-1)		Maximum Base Density (No Open Space Requirement)		1 dwelling unit/ 1 acre				CS – Rural Area	CS - Other	Density Incentives for Clustering as a Conservation Subdivision				50% Open Space This density incentive permits a 50% increase in density if ½ the property is preserved as open space or agricultural uses.		1 du/ 1.5 acres	1 du/ 1.5 acres
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#	Comment	Response/Resolution
16. Cont.	<p>The County said they were not creating new restrictions on the use of existing zoning however, Page 2-15 places restrictions on RES-1.</p> <p>Residents are concerned that if they have RES-1 they will not be able to develop at that zoning. Thought that rights under the current zoning would be maintained.</p>	<p><i>In addition, RES-1 is a future land use designation and not a zoning classification. Zoning may include designations such as A-C; AC-1; AR; AR-5 etc. If a property in the Rural Area has a RES-1 future land use designation and a zoning classification of either A-R; AR-1 or E-R they will be permitted to develop at that A-R; AR-1 or E-R zoning as permitted under the county's land development code (minimum lot area of 1 acre).</i></p> <p><i>If a property in the Northeast Pasco Rural Area has RES-1 future land use designation and a zoning of (A-C, AC-1, AR-5, ER-2 or other such designation) then the current zoning only permits 10 acre lots in the case of A-C and AC-1; 5 acre lots in the case of AR-5 and 2 ½ acre lots in the case of ER-2. Even under the current regulations, a property owner would be required to request a rezoning from the County Commission in order to develop 1 du/ac.</i></p> <p><i>Under the REVISED draft policies (DATED OCTOBER 4, 2005) of the recommended Future Land Use Element, if the property is 100 acres or less, they may proceed with that request as they have in the past. The County Commission has the final authority as to whether or not to grant the rezoning request based upon compatibility standards with surrounding development (just as they have in the past – the process would not be any different under the new plan). If the property is greater than 100 acres, they would have to apply for the rezoning request under the Conservation Subdivision provisions of the plan and cluster the development.</i></p>

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#	Comment	Response/Resolution
17.	<p>Is there confusion here? This looks as if Conservation Subdivision is required in RES-1</p> <p>APPENDIX, page 2-15, Under General Range of Potential Uses: Special Provisions:</p> <p>"A. All properties designated as Residential-1 shall be required to rezone as a cluster residential subdivision under either the County's Master Planned Unit Development (MPUD) or Conservation Subdivision Regulations."</p> <p>GOALS, OBJECTIVES, POLICIES on Page 2-2</p> <p>Objective, 1.1, Policy FLU 1.1.4 Principles for Limiting Sprawl Development <i>Pasco County shall limit the proliferation of a large lot sprawl development pattern over large expanses of land by evaluating plan amendments to RES-1 (Residential-1 du/ga) land use designation to require that such amendments are either:</i></p> <ul style="list-style-type: none"> <i>a. Less than 300 acres in size; or</i> <i>b. Developed as a Conservation Subdivision</i> <p>IN COMPARISON TO: Old FLU 1.1.9, which states: RES-1 ... must meet one of the following criteria</p> <ul style="list-style-type: none"> a. Be less than 300 acres in size; or b. Be within a mixed-use project, and able to demonstrate that the retail and employment needs of the residents can be met within the project; or c. Be within a completed and adopted Sector Plan ... d. Be developed at a gross residential density not exceeding on unit per five acres of land. 	<p><i>See response #16. above.</i></p>
18.	<p>Do conservation subdivision credits apply in all land use categories? Or only those within specified land use areas? The charts only show AG and AG/R as receiving credits – so how does RES-1 get Conservation Subdivision credits?</p> <p>Goals, Objectives, Policies, Page 2-27 Objective 2.1, Policy FLU 2.1.4 Conservation Subdivision <i>... For all properties that are 50 acres or greater <u>in order to obtain any increase in residential density within the Rural Area or the Rural Transition Area, land must be developed as a Conservation Subdivision.</u></i></p>	<p><i>See Response #16 above.</i></p>

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#	Comment	Response/Resolution
Agricultural Issues (Generally)		
19.	<p>Agricultural "Primacy" (See FLU, Goals, Objectives and Policies, Policy 2.2.1, 2.2.4 and Plan FLU Policy 2.2.1)- Some of this section makes no sense, but from what we understand, the Proposals state that any time there is a conflict between agricultural interests and others, agriculture wins. So, if someone is developing their property and one farmer next door objects, the conflict will always be resolved in favor of the farmer. This is very troublesome. Also, the Proposals require buffering between agricultural and all other uses, which is both unnecessary and poses an additional problem for agricultural uses or blending of residential and agricultural uses.</p> <p>Policy FLU 2.2.1 Agricultural Primacy Pasco County shall encourage continuation of agricultural operations in the Northeast Pasco County Rural Area. Agricultural uses on lands that have an agricultural exemption from the Pasco County Property Appraiser will be considered to have "primacy" in the area. Primacy means that conflicts between such agricultural lands and other non-agricultural uses, all other factors being equal, will be resolved in favor of the agricultural interests.</p>	<p><i>The idea of agricultural primacy is founded in state law and provides that when residential uses intrude into agricultural areas and begin to make complaints with regard to issues that are typically associated with agricultural uses such as potential issues of noise, odor, etc. the dispute is settled in favor of the agricultural uses.</i></p> <p>RECOMMENDED REVISION: Policy FLU 2.2.1 Agricultural Primacy <i>Pasco County shall encourage continuation of agricultural operations in the Northeast Pasco County Rural Area. Agricultural uses on lands that have an agricultural exemption from the Pasco County Property Appraiser will be considered to have "primacy" in the area. Primacy means that <u>when</u> conflicts <u>arise</u> between such agricultural lands and other non-agricultural uses <u>that are permitted in agricultural areas of the County</u>, all other factors being equal, <u>the conflict</u> will be resolved in favor of the agricultural interests.</i></p>

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CONSERVATION SUBDIVISIONS

What are Conservation Subdivisions and are there examples?		
20.	What are Conservation Subdivisions and are there examples of where they have been developed?	<p><i>A Conservation Subdivision is a rural residential development where fifty percent or more of the land is designated as undivided, permanent Open Space. The remaining developable land is subdivided into buildable lots. Please see the County website for the PowerPoint presentation made to the CAC on September 22, 2005 for a more complete explanation.</i></p> <p><i>(We are compiling a list of examples.)</i></p>
Where are Conservation Subdivisions Permitted?		
21.	Can Conservation Subdivisions be used in areas other than "rural area" or "rural transitional area"?	<p><i>Conservation Subdivisions can occur in any AG, AG/R or RES-1 future land use, regardless of whether or not the parcel is within the Rural Area or the Rural Transition Area. The maximum density is established within each future land use category and all the "credit" for the Conservation Subdivision is disclosed as a part of that maximum density.</i></p>

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Where is the Conservation Subdivision required and where is it optional?		
22.	If my property is greater than 50 acres do I have to build a Conservation Subdivision?	<p><i>The DRAFT Future Land Use Element provides two specific policies for Conservation Subdivisions, one as they related to the Rural Area and the Rural Transition Area (Policy FLU 2.1.4) and one policy relates to AG and AG/R areas (Policy FLU 2.2.2)</i></p> <p><i>With regard to the Northeast Pasco Rural Area, the requirement for Conservation Subdivisions is required only when there is a request to increase residential density.</i></p> <p>Policy FLU 2.1.4 Conservation Subdivisions <i>The County shall permit the creation of a Conservation Subdivision in conformance with the guidelines provided herein through the Comprehensive Plan and shall amend the Land Development Code by December 2007 to establish specific requirements for the creation of Conservation Subdivisions. For all properties that are 50 acres or greater <u>in order to obtain any increase in residential density</u> within the Rural Area or the Rural Transition Area, land must be developed as a Conservation Subdivision.</i></p> <p><i>The ADOPTED Comprehensive Plan provides the existing requirements for clustering in an AG/R land use:</i></p> <p>Policy 1.5.3 <i>Require the contiguous clustering of residential development within the AG/R (Agricultural/Rural) Land Use Classification through a system of agricultural density credit transfers. This system shall operate as described in the Calculation of Residential Densities section of this Element.</i></p> <p>Policy 1.5.7 <i>Require development consisting of more than 20 residential units within the AG/R (Agricultural/Rural) Land Use Classification to preserve 50 percent of the project site as open space.</i></p>

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22. Cont.	If my property is greater than 50 acres do I have to build a Conservation Subdivision?	<p><i>(Response continued)</i></p> <p>Policy 1.5.9 <i>Prohibit the rezoning of property in the AG/R (Agricultural/Rural) Land Use Classification which was zoned A C Agricultural or AC 1 Agricultural (one unit per ten acres) at the time of adoption of this Comprehensive Plan unless the property owner can demonstrate that a rezoning is:</i></p> <ul style="list-style-type: none"> <i>a. Necessary to support the continuation or expansion of the agricultural use of property.</i> <i>b. Part of a proposed PUD Planned Unit Development District designed to accomplish clustering and open-space requirements so as to limit or prevent urban sprawl which might otherwise occur from a nonagricultural use of the property and to ensure perpetuation of agricultural uses.</i> <i>c. Necessary as a result of changed conditions which deprive the owner of any reasonable use of the property under existing zoning.</i> <i>d. Necessary to prevent inconsistency with other requirements of this Comprehensive Plan.</i> <i>e. Necessary to allow an agriculture support, nonresidential use.</i> <p><i>This policy shall not be applicable to future amendments to the Land Use Plan which would change the AG/R (Agricultural/Rural) Land Use Classification to another classification.</i></p> <p><i>This old policy structure was clearly intended to regulate and restrict growth patterns in the agricultural areas of the county and appears to have been created to address the county's lack of a clearly defined strategy for protecting rural areas. The July draft of the element retained these policies, notwithstanding the fact that there was a new Rural Policy Framework proposed for the plan.</i></p> <p><i>Given the new framework, we agree that these policies are now "outdated" and propose the following revisions:</i></p>

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22. Cont.	If my property is greater than 50 acres do I have to build a Conservation Subdivision?	<p><i>(Response continued)</i></p> <p>RECOMMENDED REVISIONS TO DRAFT DOCUMENT:</p> <p>Policy FLU 2.1.46 Conservation Subdivisions <i>The County shall permit the creation of a Conservation Subdivision in conformance with the guidelines provided herein through the Comprehensive Plan and shall amend the Land Development Code by December 2007 to establish specific requirements for the creation of Conservation Subdivisions. For all properties that are 50-100 acres or greater in order to obtain any increase in residential density within the <u>Northeast Pasco Rural Area</u> or the Rural Transition Area, land must be developed as a Conservation Subdivision.</i></p> <p>Policy FLU 2.2.2 Conservation Subdivisions <i>The County shall permit require the contiguous clustering of residential development within all AG (Agriculture) and AG/R (Agriculture/Rural) for all properties that are 50 acres or greater through the creation of a Conservation Subdivision in conformance with the guidelines provided herein through the Comprehensive Plan and shall amend the Land Development Code by December 2007 to establish specific requirements for the creation of Conservation Subdivisions. This alternative development option which would allow for the clustering of housing units in rural and agricultural areas to create permanently protected Open Spaces that can be added to an interconnected network of agricultural areas, conservation lands, greenways and Open Space. [Old Policy 1.5.3 and Old provisions for the Calculation of Residential Densities]</i></p>

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#	Comment	Response/Resolution
23.	<p>Conservation Subdivisions (See FLU, Goals, Objectives and Policies, Policies 2.1.4, and 2.2.2, and Plan FLU policy 2.1.4)- The Proposals would require all residential developments over 50 acres within AG and AG/R land use areas to be a conservation subdivision, which effectively results in a taking of 50% of your property. It does this by saying that 50% has to be "open space", which has been redefined as property deeded to a homeowners association that cannot be used for any significant purpose or as part of a golf course. There are numerous ways to ensure the maintenance of open space as part of a private lot without resorting the extremely onerous provisions of this Proposal. For instance, a homeowners association could maintain a right of entry and maintenance into these areas, and lien rights to enforce these provisions, which is the most efficient way that these issues are handled in the private sector.</p>	<p><i>See response above.</i></p> <p><i>In addition, the Conservation Subdivision Open Space was never required to be deeded to a homeowners association (thus, there were two terms that identified two different types of open space. "Open Space" was defined for typical residential subdivisions and a new term "Conservation Subdivision Open Space" was defined as its own term such that there would be NO confusion that the terms were interchangeable or that the requirements of residential open space be applied to Conservation Subdivision Open Space. To further clarify the following revisions are recommended:</i></p> <p>RECOMMENDED REVISIONS:</p> <p><i>Policy FLU 1.4.1 Subdivision Standards</i> <i>Pasco County shall maintain the viability of established and future residential neighborhoods by continuing to enforce Land Development Code provisions relating to:</i></p> <p><i>j. Maintenance and use of common open space areas and neighborhood parks through homeowners associations or Community Development Districts(CDD), if approved by the Board of County Commissioners. <u>This requirement does not apply to Conservation Subdivision Open Space which can be held in private ownership.</u></i></p> <p><i>Policy FLU 2.1.6 Conservation Subdivisions & Policy FLU 2.2.2 Conservation Subdivisions</i> <i>a. A minimum of fifty percent (50%) of the gross acreage of the parcel shall be designated as Conservation Subdivision Open Space, exclusive of individual lots. <u>Conservation Subdivision Open Space is not required to be owned, held, managed or maintained through one single owner or through one common ownership mechanism such as a homeowners association or other common interest development.</u></i></p>

PASCO COUNTY EAR-BASED PLAN AMENDMENTS
 FUTURE LAND USE ELEMENT
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#	Comment	Response/Resolution
Conservation Subdivision Credits		
24.	<p>Does using a Conservation subdivision allow for an application for higher gross density? Or perhaps, it refers to allowing a Con Sub in a higher density than AG or AG/R to add the "credits" for Category I wetlands and Conservation Subdivision??</p> <p>What are the credits for conservation subdivision in other land use categories? This is confusing; please explain the relationship(s).</p> <p>Goals, Objectives, Policies, Page 2-33 Objective 2.2, Policy 2.2.2 Conservation Subdivision <u>... shall require the contiguous clustering of residential development within all AG and AG/R for all properties that are 50 acres or greater through the creation of a conservation subdivision.</u> This doesn't mention in the case of increasing density.</p> <p>a. A minimum of 50% of the gross acreage ...shall be designated as Conservation subdivision open space, exclusive of individual lots</p> <p>b. a minimum of 20% of the required open space shall be uplands</p> <p>c. <u>... transfers all development rights to the residential development portion of the Conservation Subdivision ...</u></p>	<p><i>Please see recommendation for revisions to FLU Policy 2.2.2 as stated in item # 22 above.</i></p> <p><i>The maximum density is established within each future land use category and all the "credit" for the Conservation Subdivision is disclosed as a part of that maximum density, see Future Land Use Appendix for the disclosure of maximum densities for each future land use category and note that they DO include the incentives already..</i></p> <p><i>There are only credits for AG; AG/R; and RES-1.</i></p> <p><i>The language in item c refers the <u>permanency</u> of the clustering action. The existing development rights plus the incentives that are being provided are being utilized on an individual parcel onto part of the site (referred to in this policy as the "residential development portion") in exchange for preserving and Open Space part of the site. Thus the development rights are not lost, but are in fact being permanently "transferred" from the open space portion of the site to be "used" on the residential portion of the site..</i></p>

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#	Comment	Response/Resolution
25.	Please give examples of density credits, assuming 100 acres, 80% open space - What will the lot sizes be, and will they accommodate individual wells and septic systems?	<p><i>Assuming that this question is with regard to the creation of Conservation Subdivisions, the following examples are provided:</i></p> <p><i>100 Acres AG (max: 1 dwelling unit/10 acres)</i></p> <p><i>Current Development Potential - Maximum 10 dwelling units Developed Area: 100 acres Open Space: 0 Acres Minimum Lot size: 10 acres</i></p> <p><i>Conservation Subdivision Development Potential (80% Open Space – density 1 dwelling unit /3.9 acres)</i></p> <p><i>Development Potential 25 dwelling units Developed Area: 20 Acres Open Space: 80 Acres Minimum Lot Size: None</i></p> <p><i>Please note that this “density credit” is the equivalent credit provided today under the County’s Land Development Code for the creation of an Agricultural MPUD.</i></p> <p><i>The minimum lot size shall, however, be governed by the ability to provide utility service. The minimum lot size for the establishment of well and septic service is determined by the Heath Department based upon soil suitability as follows:</i></p> <p><i>Policy SEW 3.1.8 Provision for Septic Tank Location</i> <i>Pasco County shall allow individual (septic tanks) wastewater-disposal systems where central systems are neither required nor available provided that soil conditions are acceptable and environmental impacts are negligible.</i></p> <p><i>The provision of central water and sewer services for conservation subdivisions is permitted in the Public Facilities Element as follows:</i></p> <p><i>Policy SEW 3.5.1 Prohibition on Provision of Public Wastewater Service in AG and AG/R Future Land Use Categories</i> <i>Pasco County shall not provide, nor permit the expansion of public-wastewater service to lands designated on the Future Land Use Map as AG (Agricultural) or AG/R (Agricultural/Rural) that are located within the Rural Area where the use of individual septic tanks may be permitted, except to provide and permit the expansion of public potable-water service to areas designated as Conservation Subdivisions and Rural Character Areas.</i></p>

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#	Comment	Response/Resolution
25. Cont.	Please give examples of density credits, assuming 100 acres, 80% open space - What will the lot sizes be, and will they accommodate individual wells and septic systems?	<p><i>Response Continued:</i></p> <p><i>100 Acres AG/R (max: 1 dwelling unit/5 acres)</i></p> <p><i>Current Development Potential - Maximum 20 dwelling units Developed Area: 100 acres Open Space: 0 Acres Minimum Lot size: 5 acres</i></p> <p><i>Conservation Subdivision Development Potential (80% Open Space – density 1 dwelling unit /2.5 acres)</i></p> <p><i>Development Potential 40 dwelling units Developed Area: 20 Acres Open Space: 80 Acres Minimum Lot Size: None</i></p> <p><i>Please note that the density credit for 1 dwelling unit/2.5 acres is provided for all Conservation Subdivisions under the AG/R future land use designation that provides a minimum of 50% open space – thus there is no requirement to provide the maximum of 80%.</i></p> <p><i>The minimum lot size shall be governed by the ability to provide utility service as described above.</i></p>

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#	Comment	Response/Resolution
26.	<p>Encouraging the provision of open space through the use of Conservation Subdivisions is a reasonable and worthwhile objective. However, the incentives that are provided include density bonuses that are far too limited to achieve the objective. If we seriously want to avoid subdividing large areas of the county into 5 and 10-acre tracts and encourage the use of the Conservation Subdivision concept, the proposed plan should be revised to increase the density bonuses. For example, in AG (1/10) then density bonuses allowed are virtually the same as allowed in the current LDC provisions.</p>	<p><i>The Planning Horizon for this Comprehensive Plan has been established as 2025, consistent with the MPO long-range transportation planning horizon. Recognizing this planning framework and timeline is integral to understanding both the content and effect of these policies. Over this planning horizon, the MPO projections identify the need to provide an additional 2,000 dwelling units within the Pasco County Northeast Rural Area. The incentives are anticipated to be sufficient to respond to this level of demand.</i></p> <p><i>Alternative land use strategies would need to be created to effectively address additional demand over a longer planning horizon. Thus we recommend adding the following policy:</i></p> <p>RECOMMENDED REVISION:</p> <p><u>Policy FLU 2.1.4 Development of a Long-term Planning Vision</u> <i>Pasco County shall develop a long term vision by December 2008, for the Northeast Pasco Rural Area for a planning horizon of at least 50 years that establishes a planning vision, strategy and framework that establishes a "build-out" vision for these areas and includes the following:</i></p> <ul style="list-style-type: none"> <i>a. Specific evaluation criteria to assess the long-term viability of land use alternatives that include both qualitative and quantitative components and which would include, but not be limited to, items such as accommodating projected population growth; preserving neighborhoods and community character; providing a range of housing choices and options; improved mobility; adequacy of public infrastructure to serve various alternatives; assessment of cost to provide adequate public infrastructure; continued viability of agricultural production; availability of water supply; and protection of water quality.</i> <i>b. A cost of community services analysis that measures and evaluates how different types of land uses affect the County's budget.</i> <i>c. Market potential determination that considers the housing market context of the area, historic settlement patterns, and migration trends in reaching an estimated range of product demand.</i> <i>d. A range of cash flow pro forma statements for prospective large landowners, builders, and developers to assist in the evaluation of the feasibility of the various land use alternatives.</i> <i>e. The identification and evaluation of appropriate incentive systems to encourage development options that provide an alternative to conventional large lot subdivisions, including Transfer of Development Rights Programs.</i> <i>f. The evaluation of the availability of necessary public infrastructure including transportation system alternatives and solutions that support the various land use alternatives scenarios.</i>

**PASCO COUNTY EAR-BASED PLAN AMENDMENTS
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#	Comment	Response/Resolution
27.	<p>Definitions of Future Land Use Designations, Agricultural (AG)</p> <p>Density Bonuses/Incentives are inadequate at the upper limits to encourage open space. Density allowed if 71 to 80% open space is provided should be at least 1 dwelling unit per acre.</p> <p>Definitions of Future Land Use Designations, AG/R</p> <p>Same comments as 33. above. The density bonuses suggested offer no incentive to go beyond 50% open space.</p>	<p><i>See response above, item #26.</i></p>
28.	<p>Density Credits Need Refinement (See FLU, Goals, Objectives and Policies, Exhibit on Density Credits at Page 2-73, and FLU Appendix, Pages 2-12, 2-13, and 2-14)- The proposed density credits for clustering in AG and AG/R need a great deal of clarification. There are at least two ways to interpret the credits, and there needs to be a great deal of clarification as to what "clustering" means, the minimum and maximum lot sizes, and the definition of "open space". Additionally, no valid reason has been asserted as to why rural areas receive less density credits than other areas. Common sense would dictate that if the goal is to preserve rural areas, then rural areas should receive the greatest density credits for clustering. Our planner will be addressing this issue in detail later with the County staff and its planners.</p>	<p><i>See responses above.</i></p> <p>RECOMMENDED REVISION:</p> <p><i>Revise maximum density such that the incentives for Conservation Subdivisions are the same for areas with the Northeast Pasco Rural Area.</i></p>
29.	<p>Policy FLU 2.1.4 – Inconsistency within this policy; allows increased density in first paragraph but i. states that maximum density of underlying category cannot be exceeded.</p>	<p><i>The maximum densities are articulated in the Future Land Use Appendix under the maximum densities for each land use category and <u>INCLUDE</u> the density incentives. Please review those charts on page 2-15; 2-17 and 2-19.</i></p>
30.	<p>The requirements for Conservation Subdivisions as outlined in a.– i. are so punitive as to be disincentives for use of Conservation Subdivisions. If you want property owners to use this concept in lieu of 5 or 10 acre lots everywhere, you need to create incentives to do this. Onerous open space requirements without adequate density increase; perpetual maintenance plan for large open space areas; why no golf allowed?</p>	<p><i>See responses above.</i></p>

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#	Comment	Response/Resolution
Conservation Subdivision Open Space		
31.	<p>Conservation Subdivision Open Space Comments</p> <p>a. 50% Open Space is too large</p> <p>b. How will the Open Space be managed?</p> <p>c. What can the Open Space be use for? The draft proposed Comprehensive Plan Amendments include an item for adoption: Conservation Subdivision Standards being created which requires 50% of the property to remain untouched.</p> <p>d. Who owns the Open Space?</p>	<p>a. <i>The amount of open space required is a policy decision that should reflect the goals of the creation of Conservation Subdivisions. In this circumstance they are being proposed to reinforce the rural character of a rural area while still allowing all of the development rights of a property (plus a density bonus) to be used while providing open space lands that can continue to be used for agricultural pursuits. 50% has commonly been used in the creation of conservation open space provisions across the country.</i></p> <p>b. <i>The Conservation Subdivision Policies (FLU 2.1.4 and 2.2.2 provide the following requirement f: "f. A plan for the use and maintenance of the Open Space shall be submitted, as a part of the approval process and compliance with said plan shall become a condition of the development order for the rezoning, where applicable, a condition of the subdivision approval and a condition of the perpetual open space conservation easement."</i></p> <p>c. <i>The Glossary provides the following direction regarding the uses permitted within Conservation Subdivision Open Space. More specific guidance would be provided in the update to the Land Development Code as required by policy.</i> <i>"Conservation Subdivision Open Space: The Open Space that is created as a part of a rural residential development where fifty percent or more of the land is designated as undivided, permanent Open Space and the remaining developable land is subdivided into buildable lots. Permitted Uses may include the following: Active recreation areas, which do not exceed 10% of the required minimum open space or 5 acres, whichever is less; equestrian facilities utilizing best management practices; bikepaths and trails; equestrian trails; agricultural uses (including accessory uses); stormwater management systems serving the Conservation Subdivision provided the stormwater systems are unfenced and are surrounded by or adjoin areas that are improved for use as a recreation area for use by the conservation subdivision residents, and any required landscape buffers."</i></p> <p>d. <i>The DRAFT Element remains flexible regarding the form of future ownership.</i></p>

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#	Comment	Response/Resolution
32.	<p>Are golf courses permitted in Conservation Subdivisions?</p>	<p><i>Golf courses were initially restricted in the first draft of the Conservation Subdivisions policies that were discussed with the CAC sub-districts in March, but at those meetings we discussed removing this restriction.</i></p> <p>RECOMMENDED REVISION TO DRAFT DOCUMENT:</p> <p><i>Strike item "h" under the following policies:</i></p> <p>Policy FLU 2.1.4 Conservation Subdivisions</p> <p>Policy FLU 2.2.2 Conservation Subdivisions</p> <p>h. Golf courses shall not be allowed in Conservation Subdivisions; and</p>
33.	<p>Goals, Objectives, Policies, pg 2-27, 28 and 73 Policy FLU 2.1.4c Conservation Subdivision c. Conservation subdivision open space shall be preserved in perpetuity through the use of an irrevocable open space of conservation easement ...</p> <p>Since "open space" is not necessarily CON land or "critical corridor" land, how do the wetland credits and conservation subdivision credits work here?</p> <p>Open space does not necessarily equal conservation. See also definitions: "Conservation open space" AND "open space" AND then the definitions provided by planners during 17 bi-annuals. Do we leave it "flexible" or do we make it "specific"?</p> <p>Does someone get both open space credits (as in 51-60% open space) AND the critical corridor/wetland (CON) credit (25%)?</p>	<p><i>The density incentives provided for Conservation subdivision are significant and are intended to be provided on a "gross acreage" basis and are not intended to be blended with other incentives for wetland preservation.</i></p> <p>RECOMMENDED REVISION:</p> <p><i>Clarify that the density incentives are calculated on a gross density basis.</i></p>
34.	<p>This policy should spell out what uses are permitted in "open space" rather than forcing reader to go to definitions.</p>	<p><i>Definitions are more commonly found in a Glossary rather than in the text of a policy.</i></p>

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35.	<p>Suggest the following revisions:</p> <p>Policy FLU 2.1.4 Conservation Subdivisions The County shall permit the creation of a Conservation Subdivision in conformance with the guidelines provided herein through the Comprehensive Plan and shall amend the Land Development Code by December 2007 to establish specific requirements for the creation of Conservation Subdivisions. For all properties that are 50 (60-80) acres or greater in order to obtain any increase in residential density within the Rural Area or the Rural Transition Area, land must be developed as a Conservation Subdivision.</p> <p>Conservation Subdivisions shall be designed based on the following guidelines:</p> <ol style="list-style-type: none"> A minimum of fifty percent (50%) of the gross acreage of the parcel shall be designated as Conservation Subdivision Open Space, exclusive of individual lots; A minimum of 20% 10% of the required Open Space shall be uplands; Conservation Subdivision Open Space shall be preserved in perpetuity through the use of an irrevocable open space or conservation easement that transfers all development rights to the residential development portion of the Conservation Subdivision and extinguishes all development rights on the Conservation Subdivision Open Space; Conservation Subdivision Open Space <u>wherever practicable and without causing the landowner/ developer to incur any expense</u> shall be configured to create external connectedness by adding to a larger contiguous off-site network of interconnected open space, particularly existing habitats, <u>but in no event shall this prevent the owner/ developer from exercising his agricultural rights on the Conservation Subdivision Open Space (including but not limited to the full right to transfer/ sell said rights,</u> and shall address opportunities for restoring native habitats; Conservation Subdivision Open Space shall be configured to create internal connectedness through connected and integrated Open Space within the subdivision parcel and shall be based upon the context sensitive site design standards; A plan for the use and maintenance of the Open Space shall be submitted, as a part of the approval process and compliance with said plan shall become a condition of the development order for the rezoning, where applicable, a condition of the subdivision approval and a condition of the perpetual open space or conservation easement. The location of residential development lots shall be arranged in a context sensitive manner such that they form a contiguous pattern and shall be clustered in such a way as to preserve the function, purpose and integrity of the on-site natural resources and environmental systems to the maximum extent practicable; to minimize disturbance to woodlands, wetlands, and other natural features; to protect and preserve the rural appearance of land when viewed from public roads and from abutting properties; Golf courses shall not be allowed in Conservation Subdivisions; and The maximum density of a Conservation Subdivision shall be no more than the maximum density allowed by the land use designation of the land on the Comprehensive Plan's Future Land Use Map in which the Conservation Subdivision is located. <u>Notwithstanding the above, the incentives for cluster chart/matrix on page 2-73 shall rule and dictate the maximum number of units.</u> 	<p><i>We have reviewed these suggestions and recommend the following:</i></p> <p><i>Changing the size requirement for triggering a Conservation Subdivision from 50 acres to 100 acres due to the small actual number of homes that could be constructed on 50 acres under the predominant land uses of AG and AG/R (5 and 10 dwelling units respectively).</i></p> <p><i>We recommend striking item b.</i></p> <p><i>Regarding item d. the locational requirements for siting the Conservation Open Space are integral to the concept and goal of creating Conservation Subdivisions and cannot be ignored. The second requested insertion for item d. is already addressed more clearly in other parts of the policy – this language is confusing.</i></p> <p><i>Regarding item g, the locational requirements for siting the residential units in a contiguous pattern are integral to the concept and goal of creating Conservation Subdivisions and cannot be ignored.</i></p> <p><i>We recommend striking item h.</i></p> <p><i>The addition to item i, is not correct. The referenced chart is not adopted. The maximum densities are articulated in the Future Land Use Appendix under the maximum densities for each land use category and <u>INCLUDE</u> the density incentives. Please review those charts on page 2-15; 2-17 and 2-19.</i></p>

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#	Comment	Response/Resolution
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Transfer of Development Rights		
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36.	<p>New sections of the Comprehensive Plan and Pasco County Land Development Code should be drafted and enacted to permit Transfer of Development Rights (TDRs) so that landowners in the Study Area could sell some or all of their development rights to other landowners in other parts of the County. To this end, TDRs, which are the equivalent to the number of units permitted in other more-densely developed areas of the County, should be allocated in the Study Area, and should be fully transferable, as a matter of right and not subject to County approval, to land and/or property owners in other areas of the County.</p> <p>Objective FLU 1.7 page 2-20 – Redevelopment and renewal of blighted Areas</p> <p>Can we have policy that identifies redevelopment and renewal areas as receiver areas for TDRs?</p> <p>Policy 1.7.3 and 1.7.4 – Redevelopment of low income neighborhoods .. Trilby, etc.</p> <p>Can these neighborhoods benefit from being a receiver area for TDRs?</p>	<p><i>See Response to Item #26 for a new recommended policy for identifying the use of TDRs in a long-range vision for this area. In addition, we offer the following:</i></p> <ol style="list-style-type: none"> 1. <i>The Planning Horizon for this Comprehensive Plan has been established as 2025, consistent with the MPO long-range transportation planning horizon. Recognizing this planning framework and timeline is integral to understanding both the content and effect of these policies.</i> 2. <i>Over this planning horizon, the MPO projections identify the need to provide an additional 2,000 dwelling units within the Pasco County Northeast Rural Area.</i> 3. <i>The current vacant, developable, uncommitted rural lands area estimated to be able to accommodate an additional 62,288 units.</i> 4. <i>To date the County has approved through DRI's and MPUDs Countywide an additional 78,888 units that are approved, but as yet un-built. Over the planning horizon (2003– 2025) the county is projected to need 135,961 units countywide. The current vacant, developable, uncommitted urban residential lands are estimated to be able to accommodate 161,894 units.</i> 5. <i>The methodology used to project the residential supply relied upon an analysis of actual density as compared to the maximum density allowed within the adopted Future Land Use designation of the property prepared by county staff of 217 subdivisions in the County. This analysis identified that most subdivisions were developing at much lower densities that the maximum permitted within their Future Land Use Category.</i> 6. <i>The successful use of TDRs requires that additional land use density be available only by purchase of a TDR and not by plan amendments or rezoning actions granted by the County Commission.</i> 7. <i>The purpose of a Future Land Use Map in a suburban county is intended to plan for the compatibility of development; to transition uses one from another, and to plan for appropriate infrastructure to serve that development pattern. A system that permits additional density to be granted without regard to appropriate long-range planning would subvert the purpose of the Comprehensive Plan.</i>
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NORTHEAST PASCO RURAL AREA

What land uses are currently adopted?

37.	<p>There is a basic misunderstanding about RES-1; AG; and AG/R. What do these designations really mean?</p> <p>Many people were told by others that a land use designation of AG or AG/R (agricultural) means they have to continue farming. This coupled with some inflammatory letters that are not based in fact, had many people show up at the meetings to protest.</p>	<p><i>RES-1, AG and AG/R are future land use designations. Future land use designations are the categories used by the Comprehensive Plan for long-range planning purposes and represent a range of possible uses that <u>may</u> be permitted on the property. A property owner is not entitled to all zoning classifications or the most potentially dense or intense zoning classification within a land use designation.</i></p> <p><i>The maximum density that may be permitted in RES-1 is 1 dwelling unit per acre.</i></p> <p><i>The maximum density that may be permitted in AG is 1 dwelling unit per 10 acres.</i></p> <p><i>The maximum density that may be permitted in AG/R is 1 dwelling unit per 5 acres.</i></p> <p><i>These categories are sometimes confused with the <u>AC</u> and <u>AR</u> zoning districts.</i></p> <table border="1" data-bbox="971 1062 1498 1272"> <thead> <tr> <th>Zoning District</th> <th>Density</th> </tr> </thead> <tbody> <tr> <td>A-C</td> <td>1/10 acres</td> </tr> <tr> <td>AC-1</td> <td>1/10 acres</td> </tr> <tr> <td>A-R</td> <td>1/acre</td> </tr> <tr> <td>AR-1</td> <td>1/acre</td> </tr> <tr> <td>AR-5</td> <td>1/ 5 acres</td> </tr> </tbody> </table>	Zoning District	Density	A-C	1/10 acres	AC-1	1/10 acres	A-R	1/acre	AR-1	1/acre	AR-5	1/ 5 acres
Zoning District	Density													
A-C	1/10 acres													
AC-1	1/10 acres													
A-R	1/acre													
AR-1	1/acre													
AR-5	1/ 5 acres													

How can we provide clustering?

38.	<p>The Comprehensive Plan and the Code should permit flexibility on lot sizes and open space requirements so that landowners have a variety of alternatives. For instance, the Comprehensive Plan and the Code state that land planned AG/R and zoned AR-5 must have a minimum lot size of 5 acres. However, there seems to be a consensus among the County staff that it would be preferable to create larger open spaces and clustered homes, rather than single-family tracts. If this is true, then the County should amend the Comprehensive Plan and the Code to create additional credits for clustering, and remove minimum lot size impediments to clustering. This would create an incentive to cluster and leave larger open spaces. However, the Comprehensive Plan and the Code should always permit 5 and 10 acre tracts in a variety of land use designations.</p>	<p><i>We concur that Cluster Subdivisions should be permitted as an alternative subdivision form within the existing Agricultural zoned parcels. See the discussion under item # 22.</i></p> <p><i>The DRAFT Future Land Use Element does provide for additional credits for clustering; please see the Future Land Use Appendix definitions for AG and AG/R, pp. 2-13 and 2-14.</i></p>
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#	Comment	Response/Resolution
Preservation of unique resources or opportunities		
39.	Changes in topography should be considered during the development review process, including the effects of any changes on the flow of water.	<p><i>The draft Future Land Use Element includes the following policy, p. 2-27:</i></p> <p>Policy FLU 2.1.3 Protection of Existing Topography <i>Pasco County shall limit topographic alterations within the Rural Area and particularly along the Rural Area Boundary in order to maintain and protect the integrity of the natural rolling vistas and scenic viewsheds within the Rural Area.</i></p> <p><i>The new draft of the Public Facilities Element provides for new level of service standards for stormwater to address flooding issues.</i></p>
40.	There should be design guidelines along US 301.	<p><i>The draft Future Land Use Element includes the following policy, p. 2-21:</i></p> <p>Policy FLU 1.7.5 Redevelopment of Commercial Corridors <i>In order to implement the economic objectives of the County, the County shall prepare individual corridor re-development plans for key economic corridors in the following priority order: US 19, from Pinellas County Line to Hernando County Line and US 301 from the north Zephyrhills City limits to Hernando County Line. The planning process shall be based upon a high degree of citizen participation throughout the process and shall provide an opportunity for stakeholders in the designated area to participate. These plans shall include the following components:</i></p> <ul style="list-style-type: none"> <i>a. The boundaries of the Redevelopment Corridor;</i> <i>b. Sketches, photos, and land use cross-section that define community character;</i> <i>c. Assessment of infrastructure and transportation and traffic calming plans;</i> <i>d. Allowable uses within each corridor including the density/intensity of each use;</i> → <i>e. An Urban Design Plan for the Redevelopment Corridor;</i> <i>f. A strategy for planning, funding, and operating infrastructure;</i> <i>g. A communication plan for public involvement; and</i> <i>h. Neighborhood compatibility assessment, where applicable.</i>

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#	Comment	Response/Resolution
41.	Question the applicability of the I-75/Blanton Road designation as an Employment Center. Does this really fit here?	<i>This area is currently designated as Mixed Use on the County's Future Land Use Map. This is not a useful classification since there are no specific guidelines for its use and thus it has become a "catch-all" land use designation devoid of any comprehensive plan for the sites on which it is applied and for adjacent property. The Employment Center land use would provide more guidance regarding maintaining compatibility with the Rural Area by requiring a transition of land use types, densities, intensities, and heights to buffer existing neighborhoods from nonresidential areas.</i>
Relationship of Northeast Pasco Plan to Hernando County Planning		
42.	<p>There is a lot of development that is already approved in Hernando County that will affect this area. There are DRIs and MPUDs that are urban development immediately adjacent to the Rural Area.</p> <p>The proposed plan designations and new restrictions on land that is adjacent to the county line have not taken the proposed Hernando County development patterns into consideration. It is unfair to property owners in Pasco County to be held to agricultural uses when suburban density developments are being allowed on adjacent lands. Land use classifications with transitional densities should be considered.</p>	<p><i>There is a lot of development that <u>has been proposed by private developers and is under review</u> in Hernando County. We recognize the effect that development in Hernando County will have on this area and have met with County staff to discuss these issues. The draft element also includes the following policy.</i></p> <p><i>Policy FLU 2.1.15 Intergovernmental Agreements with Hernando County</i> <i>Update and maintain intergovernmental agreements that provide for the following: a) coordination of land use density and intensity and transportation facilities along the Northeast Rural Area boundary; b) the opportunity to review and comment upon all proposed Developments of Regional Impacts, Comprehensive Plan Amendments, Planned Unit Developments, Master Planned Unit Developments, preliminary plan/preliminary site plans and capital projects occurring within one mile of its mutual borders with adjacent counties, c) the sharing of planning, development and capital improvement data, d) the exchange of plans, studies, ordinances and land development regulations that would affect either party, and, e) the distribution of information concerning the level of service standards for public facilities/services.</i></p>
43.	Policy FLU 2.1.15 – The coordination of land use density and intensity along Hernando boundary is a 2-way street. In fairness to Pasco County landowners, a transitional density should be permitted where Hernando's Future Land Use Map allows suburban densities.	<i>See response above.</i>

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Preservation of Agricultural Uses		
44.	<p>The County through a variety of mechanisms should encourage the existence and extension of agricultural uses. In other counties, there has been significant litigation concerning legitimate agricultural uses. These cases involve issues such as whether a zoning amendment affects the agricultural use on parcel of property, and whether the property remains eligible for the agricultural exemption ("Greenbelt"). The County should re-affirm its intent to foster legitimate agricultural uses through Greenbelt, agricultural/conservation easements (both perpetual and fixed term) and the like.</p>	<p><i>The DRAFT Future Land Use Element provides the following policy, p 2-33:</i></p> <p>Policy FLU 2.2.1 Agricultural Primacy <i>Pasco County shall encourage continuation of agricultural operations in the Northeast Pasco County Rural Area. Agricultural uses on lands that have an agricultural exemption from the Pasco County Property Appraiser will be considered to have "primacy" in the area. Primacy means that <u>when conflicts arise between such agricultural lands and other non-agricultural uses that are permitted in agricultural areas of the County, all other factors being equal, the conflict will be resolved in favor of the agricultural interests.</u></i></p> <p><i>A new policy is recommended that addresses this issue further, Policy FLU 2.1.4.e.</i></p> <p>Policy FLU 2.1.4 Development of a Long-term Planning Vision <i>Pasco County shall develop a long term vision by December 2008, for the Northeast Pasco Rural Area for a planning horizon of at least 50 years that establishes a planning vision, strategy and framework that establishes a "build-out" vision for these areas and includes the following:</i> <i>e. <u>The identification and evaluation of appropriate incentive systems to encourage development options that provide an alternative to conventional large lot subdivisions, including Transfer of Development Rights Programs.</u></i></p>
45.	<p>AG is no longer a viable land use category for the County.</p>	<p><i>Recommend new policy FLU 2.1.4.a.</i></p> <p>Policy FLU 2.1.4 Development of a Long-term Planning Vision <i>Pasco County shall develop a long term vision by December 2008, for the Northeast Pasco Rural Area for a planning horizon of at least 50 years that establishes a planning vision, strategy and framework that establishes a "build-out" vision for these areas and includes the following:</i> <i>a. <u>Specific evaluation criteria to assess the long-term viability of land use alternatives that include both qualitative and quantitative components and which would include, but not be limited to, items such as accommodating projected population growth; preserving neighborhoods and community character; providing a range of housing choices and options; improved mobility; adequacy of public infrastructure to serve various alternatives; assessment of cost to provide adequate public infrastructure; continued viability of agricultural production; availability of water supply; and protection of water quality.</u></i></p>

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46.	<p>Page 2-33 Objective 2.2 Maintain the economic viability of AG production and uses</p> <p>How can we assess the economic viability of AG in Pasco if we don't know what it's worth to us? We need a study to determine its economic value to the county. Can we write a COCS study into this Comp Plan?</p>	<p><i>Recommend new policy FLU 2.1.4.b.</i></p> <p><i>Policy FLU 2.1.4 Development of a Long-term Planning Vision</i> <i>Pasco County shall develop a long term vision by December 2008, for the Northeast Pasco Rural Area for a planning horizon of at least 50 years that establishes a planning vision, strategy and framework that establishes a "build-out" vision for these areas and includes the following:</i> <i>b. A cost of community services analysis that measures and evaluates how different types of land uses affect the County's budget.</i></p>
Other Options for Northeast Pasco Rural Area		
47.	<p>The County should encourage off-site mitigation banking in the Study Area. This would allow landowners in the Study Area to create another revenue stream through means other than development of their property.</p>	<p><i>The DRAFT Comprehensive Plan establishes priorities for mitigation based upon environmental significance and the results of the County's "Assessment of Measures to Protect Wildlife Habitat in Pasco County (2002)."</i></p>
48.	<p>The County should further promote and fund its Environmental Land Acquisition Program ("ELAP"). Through agricultural / conservation easements, or fee simple purchase, ELAP can set aside area in the Study Area for preservation without diminishing the rights of landowners.</p>	<p><i>The ELAMP does provide for the purchase of conservation lands based upon a set of specified criteria that targets the purchase of environmentally sensitive lands.</i></p>
49.	<p>The County should consider whether new taxes should be enacted, or a special taxing district should be created, to purchase the development rights/property of the landowners in the Study Area. If current residents in the Study Area believe strongly that large tracts of land should be set aside and not developed, the proper way to do so is to simply pay the landowners for their property.</p>	<p><i>The proposed Comprehensive Plan amendments do not suggest, require or otherwise provide for lands to be "set aside and not developed."</i></p> <p><i>The strategies preserve the existing development rights that are vested through zoning that is consistent with the Comprehensive Plan, and provides additional density incentives for new development forms.</i></p> <p><i>There are a variety of other options that could be pursued to address the long-term growth management issues within the Northeast Pasco Rural Area – See the response to item #26.</i></p>
50.	<p>Are there opportunities to provide a tax incentive for the preservation of open space lands (not just greenbelt lands)?</p>	<p><i>This issue is being researched.</i></p>
51.	<p>Concerned that the residents who do not support the plan do not understand what is really proposed in the draft document. Wants to reiterate that long-range planning for protecting the County's rural areas is important.</p>	<p><i>This response document is intended to provide a means to educate the community with regard to the draft document and to propose revisions to that text where residents and stakeholders identify conflicts or unintended consequences of the draft language.</i></p>
52.	<p>Final plan should be placed as a referendum for public action.</p>	<p><i>No response necessary.</i></p>
53.	<p>Urban development such as R-3 is located next to 1 acre homesites.</p> <p>Development should not flood neighbors.</p>	<p><i>No response necessary.</i></p>

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General Questions		
54.	<p>Upon first reading the "Northeast Pasco County Special Area Plan" by Glatting Jackson, I did not understand the graphics on page 18 designating a "Transiton Area." The comment stated that this area requires special transition/compatibility policies. I wasn't sure what the policies were.</p> <p>In the "Joint Planning/Annexation Agreement" between the City of Dade City and Pasco County. on page 22, Policy FLU 2.1.14 d, I saw some Criteria and Standards for City Transition Areas. It still wasn't clear to me. I asked Frances about specifics and she said:</p> <p>"Rural Area Policy should include similar rural neighborhood protection standards for the Transition Area as is included in the Rural Neighborhood Protection Area Policies."</p>	<p><i>RECOMMENDED REVISIONS:</i></p> <p><i>New term in the Glossary:</i></p> <p><u><i>Dade City Transition Area: The area denoted in the Northeast Pasco Special Area Plan: Planning Profile for the Rural Area, July 2005. Design Structure Graphic.</i></u></p> <p><i>Policy FLU 2.1-418 Joint Planning/Annexation Agreements</i></p> <p><i>d. Criteria and Standards for Dade City Transition Areas</i></p> <ol style="list-style-type: none"> <i>1. <u>Rezoning actions that occur within the Dade City Transition Area will be evaluated consistent with the standards established pursuant to Policy FLU 2.1.7 and will address the issues of compatibility adjacent to the Northeast Pasco Rural Area Boundary where compatibility is measured based upon the harmonious and appropriate transitioning of residential land uses relative to density, intensity, lot sizes, product types and setbacks among various residential zoning classifications and additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary. City Transition Areas shall be limited to residential uses.</u></i> <i>2. Plan Amendments to increase the residential density within Dade City Transition Areas shall be held to the same standards of ensuring compatibility with the Northeast Pasco County Rural Area as those amendments would be evaluated under the plan amendment review criteria of the Pasco County Comprehensive Plan.</i>

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55.	<p>We have been talking with Doug Uden regarding the 2025 Roadway Improvements Map on page 6 of the Rural Study Plan. There is a plan on the page in red lines to extend Happy Hill Road North and then East to connect with Blanton Road. (Note: there is no road there at the present). It's not obvious where the East connection goes across. It could be Ruffing Rd. or it, too, could be a new road. Also, there is shown in red an extension/or improvement to Powerline North and then East. Our question is when did this appear on the plan? I don't recall seeing them on any of the maps that the consultants were showing at our meetings, but then the Northerly E-W road from US 41 didn't show up either. At the time, I was told that was because it was not cost affordable.</p> <p>Doug Uden explained that the Happy Hill extension was on the MPO plan for 2025. Doug said it was requested by Dade City for a truck route from 301 because they didn't want trucks going through the city. These new routes do show up on the CAC's Transportation Plans that were presented to them April 21, 2005, but no one picked up on it.</p> <p>We are truly shocked that a truck route would be planned from 301 down the commercial/ residential Lock Street, then through a residential area of South Blanton and then down the already too narrow Happy Hill Road to connect with 52. Why would the trucks not use the truck route bypass around Dade City, go down commercial South 301 to 52?</p> <p>We have accomplished a great deal with the entire Comprehensive Plan proposed Amendments, but feel that designing a truck route through a designated rural area is not compatible with the Rural Study Plan. Perhaps the recommendation of the new road through residential areas for truck traffic is an oversight by the Transportation Department, but it is not compatible with the rural residential neighborhoods through which it passes.</p> <p>This current plan to establish a truck route through this residential area is just not acceptable for the RURAL NE PASCO.</p>	<p><i>The Transportation Element Map Series 7-12, Existing Truck Routes and 7-33, Future Truck Routes DO NOT include this roadway as a Truck Route.</i></p> <p><i>The MPO does show this roadway as a new roadway in the long-range transportation plan and it is included as a new collector road in the Transportation Element Map Series. However, it should be noted that due to its location within the Northeast Pasco Rural Area, the new <u>Rural</u> ROW standards were applied to this roadway.</i></p>
56.	<p>Policy FLU 2.1.5 – Is “non-residential” allowed as part of Conservation Subdivision? Where does plan address location of these uses in Rural areas?</p> <p>Policy FLU 2.1.52 Non-Residential Design Standards Pasco County shall amend the Land Development Code by December 2007 to adopt design standards for nonresidential development in Northeast Pasco Rural Area, for the purpose of maintaining the rural character in this area. Nonresidential development shall mean office uses, commercial uses, and any other use that is nonresidential in character as that term may be defined in the implementing ordinance.</p>	<p><i>Conservation Subdivisions are not land use classifications; they are a form of residential development. The permitted uses within each future land use designation are described in the Future Land Use Element Appendix. The three future land use categories that permit Conservation Subdivisions are AG; AG/R; and RES-1.</i></p> <p><i>The Future Land Use Map identifies the location of non-residential uses within unincorporated Pasco County.</i></p>

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57.	Policy FLU 2.1.14 – Will this policy require revisions to County's agreement with Dade City? Is this consistent with FLU Policy 3.1.1 and 3.1.2? Have the Cities reviewed and commented on this policy?	<i>We have received city comment. See recommended revisions – policy has been renumbered to Policy FLU 2.1.18.</i>

URBAN INFRASTRUCTURE IN THE RURAL AREA

How will new development be served by infrastructure?

58.	Cluster home subdivisions have not in the past provided the necessary roads and schools to serve the development. This infrastructure should be provided by the developer.	<i>This is a requirement under the Comprehensive Plan as a part of the County's Concurrency Requirements.</i>
59.	Water, sewer, roads/traffic, schools are all required to address growth. How are those addressed and who pays for development?	<p><i>The Comprehensive Plan has separate elements that address Water and Sewer in the Public Facilities Element. This Element has been drafted and was reviewed by the CAC May 19, 2005. A copy of this element is available for review on the County's website: www.pascountyfl.net, under heading Departments, Growth Management/Zoning, CAC/EAR.</i></p> <p><i>The roads/traffic issues are addressed in the Transportation Element. This Element has been drafted and was reviewed by the CAC April 21, 2005. A copy of this element is also available for review on the County's website.</i></p> <p><i>The schools issues will be addressed in a new Goal, Objective and Policies Series that will be added into the Future Land Use Element. These policies are currently being developed and will be reviewed by the CAC on November 15, 2005. A copy of this element will be available for review on the County's website prior to this meeting.</i></p>

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Rural Roadways		
60.	<p>Over-Regulation Generally (See Plan FLU Policy 2.1.7, which is inconsistent with the other Policy numbering)- This section creates a laundry list of regulations which are completely unnecessary and some of which are illegal on their face. For instance, it purports to give the County regulation over the location and design of retention ponds, which, are regulated by SWFWMD and DEP pursuant to state law. The County needs to thoughtfully consider these sections and whether they are legal and necessary to achieve the purposes of the Proposals.</p> <p>Policy FLU 2.1.7 Roadway Corridor Overlay District for Rural Scenic Roadways in the Northeast Pasco County Rural Area <i>Pasco County shall amend the Land Development Code by December 2007 to create the Northeast Pasco County Rural Area Scenic Roadway Overlay District for Rural Scenic Roads in the Northeast Pasco County Rural Area in order protect the rural character of the area. The Overlay District shall regulate land development along the Rural Scenic Roads in the Northeast Pasco County Rural Area by, at a minimum, establishing standards for:</i></p> <ul style="list-style-type: none"> <i>a. Preservation of existing canopy trees;</i> <i>b. Planting of new canopy trees;</i> <i>c. Landscaping requirements;</i> <i>d. Clearing setbacks and restrictions;</i> <i>e. Building character, setbacks and locations;</i> <i>f. Location of parking;</i> <i>g. Location and screening of equipment storage;</i> <i>h. Location and screening of Dumpsters</i> <i>i. Walls, fences, entrance features and similar structures;</i> <i>j. Location and design of retention ponds;</i> <i>k. Location and design of signage;</i> <i>l. Location and design of street lights; and</i> <i>m. Easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.</i> <p><i>For the purposes of this policy the term "Rural Scenic Road" means SR 52 (from Scharber Road extended east to the Dade City limits), St. Joe Road, Blanton Road, Bellamy Brothers Road, and Trilby Road to the extent that they are located in the Northeast Pasco County Rural Area.</i></p>	<p><i>Note: Policy FLU 2.1.7 is preceded by Policy FLU 2.1.6 and succeeded by Policy FLU 2.1.8.</i></p> <p><i>The County's adopted Land Development Code provides standards for the regulation and design of stormwater retention ponds currently in Article 600.</i></p> <p><i>Roadways are an important design component of protecting and enhancing rural character in an area. The items identified for rural scenic roadway standards are consistent with other Florida jurisdictions that provide additional standards for the protection scenic vistas on their roadways.</i></p>
61.	<p>Rural Roadway Protection- (See FLU, Goals, Objectives and Policies, Policies 2.1.7, 2.1.8, 2.1.13, and 2.1.9, and Plan FLU Policies 2.1.7, 2.1.8, and 2.1.9)- By designating all of the major roadways in the Study Area as rural and adding the proposed overlays and regulations, it would be very difficult to make any improvements to the roadway system. This is troubling because it would part of the Comp Plan, not the Code. If the roads cannot be improved in any significant way, any future development, even at existing densities and intensities, or non-agricultural use, is going to be very difficult or impossible based on concurrency requirements, and recent new corridor protection ordinances adopted by the County.</p>	<p><i>The entire purpose of these policies is to limit the creation of additional roadway capacity that would serve to destroy the rural character by introducing urban infrastructure elements within the Rural Area.</i></p>

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Water & Sewer		
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62.	<p>Conflicts on Water & Sewer- (See FLU, Goals, Objectives and Policies, Policy 2.1.10 and Plan FLU Policies 2.1.10, 2.1.12, and 2.1.14)- The Plan has completely inconsistent provisions regarding whether central water and sewer are ever going to be permitted, and is internally inconsistent with the other Proposals. Regardless, it makes no sense to completely prohibit central facilities anyway; economics and the County's budget will determine whether central facilities are feasible or proper because governments never provide central facilities unless they pay for themselves. These sections should either be eliminated altogether or tweaked to allow flexibility and common sense planning by the County.</p>	<p><i>The policy statement that is being made in this policy is designed to limit the construction of <u>urban</u> infrastructure to serve the <u>rural</u> area. This provision reinforces and supports the land use policies that are included within this objective by providing an internally consistent method for limiting urban expansion except as otherwise noted. The other "exceptions" that are provided in the comprehensive plan have been expressly included in the policy revision provided below:</i></p> <p><i>RECOMMENDED REVISION:</i></p> <p><i>Policy FLU 2.1-4014 Provision of Potable Water & Sanitary Sewer</i> <i>Consistent with the provision of services and facilities within the Northeast Pasco County Rural Area, Pasco County shall:</i></p> <ul style="list-style-type: none"> <i>a. Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants within the <u>Northeast Pasco County Rural Area</u>;</i> <i>b. Continue to rely primarily upon individual septic tank systems as the method of disposal of <u>wastewater within the Northeast Pasco County Rural Area</u>;</i> <i>c. Require that new development within the <u>Northeast Pasco County Rural Area</u> shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if: <ul style="list-style-type: none"> <i>1. The development form is a Conservation Subdivision;</i> <i>2. <u>The development form is an MPUD in RES-1</u>;</i> <i>or</i> <i>2-3. It is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but un-served area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area wide administrative land use update.; or</i> <i>3-4. It is a part of the implementation strategies for the Comprehensive Redevelopment Plan for Trilby, Lacochee and Trilacoochee. <u>This exception permits the extension of utilities along US 301 to serve the Business District uses as described in Policy FLU 1.7.4.</u></i> </i>
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Site Specific Comments												
63.	<p>CAC DISTRICT 2 Regarding Site #BCPA-06-1(02) Shady Hills Road Area</p> <p>a. This area should not be changed to AG. Zoning that permits 1 dwelling unit / 2.5 acres is appropriate in this area. The land use should not be changed to AG.</p> <p>b. If I have a 3 ¾ acre lot can I still build my house on it?</p> <p>Blanton Area (See Plan Page 27)- The Plan proposes to down-plan the "Spring Valley" subdivision, but the actual area shown on their map is a much larger area of Blanton and would down-plan many RES-1 and AG/R properties. The same is true of the Trilby area.</p>	<p><i>Staff recommends removing this future land use map amendment from consideration.</i></p> <p><i>As an alternative to revising the future land use in this area, the standards provided in Policy FLU 2.1.7 could effectively address the community issues raised in regard to the potential for 1 acre lots within this area under the current RES-1 future land use through the creation of rezoning compatibility standards.</i></p> <p><i>b. Yes.</i></p> <p><i>The proposed map amendments are site specific. See hatched area for the detail parcels involved. Also, see Responses above.</i></p>										
Rural Transition Area												
64.	Farming is becoming a non-viable use in Pasco County.	<p><i>If this issue continues to be a concern of the property owners and the County Commission, the Comprehensive Plan could address this issue by adding a policy that would require the County to conduct a study of the viability of agricultural lands in Pasco County.</i></p>										
65.	The Rural Transition area includes some RES-1 and RES-3 in addition to the AG. RES-1 is an appropriate use throughout this transition area as a reasonable compromise.	<p><i>The draft policies including the creation of a Rural Transition Area Boundary are the direct result of the issues raised during the Evaluation and Appraisal Report of the Comprehensive Plan as described above in Item #10.</i></p> <p><i>For reference the adopted Future Land Use Designations within the Transition Area are as follows:</i></p> <p><i>Total Area in Rural Transition 35,915 acres</i></p> <table border="1" data-bbox="971 1583 1360 1734"> <tr> <td><i>CON</i></td> <td><i>12,407 Acres</i></td> </tr> <tr> <td><i>AG</i></td> <td><i>20,116 Acres</i></td> </tr> <tr> <td><i>AG/R</i></td> <td><i>1,468 Acres</i></td> </tr> <tr> <td><i>RES-1</i></td> <td><i>1,904 Acres</i></td> </tr> <tr> <td><i>ROR</i></td> <td><i>20 Acres</i></td> </tr> </table>	<i>CON</i>	<i>12,407 Acres</i>	<i>AG</i>	<i>20,116 Acres</i>	<i>AG/R</i>	<i>1,468 Acres</i>	<i>RES-1</i>	<i>1,904 Acres</i>	<i>ROR</i>	<i>20 Acres</i>
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What is the difference between a Rural Character Area and a Rural Neighborhood Protection Area?		
66.	<p>Objective FLU 2.3, policies 2.3.1 through 2.3.5, page 2-35</p> <p>The difference between "rural character area" and "rural neighborhood protection area" is still not clear. It has been described to me that "rural character areas" have some "holes in the donut", but the rest of the area is in its final form of development. The "rural neighborhoods" have been described as needing protection along their edges or their fringe. Currently, the "Special Area Boundaries map" has neighborhoods of both types in both categories.</p> <p>What other basis exists for determining what area falls into which category?</p> <p>How is one category in "the final form of development" and the other is not?</p> <p>What would be the different protections offered for the two categories? Or do they receive the same level of protection?</p> <p>Is it necessary to have two separate categories or should the two be merged?</p>	<p><i>The levels of protection that are provided for the Rural Character Area and the Rural Neighborhood Protection Areas are the same, the application of those protections varies. The specific adjacency standards for rezoning actions apply to all parcels within the Rural Character Area because the area is predominantly platted and built in a large-lot development form.</i></p> <p><i>The Rural Neighborhood Protection Area has many different "rural neighborhoods." The adjacency standards for rezoning review and compatibility apply only to the "rural neighborhood" adjacencies. Rural neighborhoods are defined in the Glossary as follows:</i></p> <p><i>Rural Neighborhoods:</i> <i>Rural Neighborhoods are existing residential areas within the geographic areas defined in the Rural Strategies Map of the Future Land Use Element and are defined by rural lot sizes that are a minimum of 1 acre in size and are included within a neighborhood of at least 10 dwelling units (Agricultural Zoning), varying in design, architecture, and landscape.</i></p>

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66. Cont.	<p>Also, Proposal FLU 2.3.3 places a higher standard for any zoning change involving "rural" property than in any other areas of the County, which could make future rezonings difficult or impossible.</p> <p>Policy FLU 2.3.3 Standards for Review of Rezoning Requests: Rural Character Areas and Rural Neighborhood Protection Areas for the Protection of Existing Rural Neighborhoods <i>By December 2007 the County shall amend the Land Development Code to include specific review criteria for the protection of existing rural neighborhoods. These standards shall be based upon a review process that requires the following:</i></p> <ol style="list-style-type: none"> a. <i>Specific review criteria for rezoning actions to address compatibility with adjacent rural neighborhoods. These criteria shall specifically include a method for 1) determining compatibility between residential zoning classifications where compatibility is measured based upon the harmonious and appropriate transitioning of residential land uses relative to density, intensity, lot sizes, product types and setbacks among various residential zoning classifications and 2) additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary.</i> b. <i>Methods of transitions that will address the size of adequate buffers, landscaping requirements within the buffer including the maintenance of existing natural features, tree planting requirements, the sizes of perimeter lots, fences and maintenance of existing vegetation where such vegetation provides a level of opacity and screening that is deemed appropriate.</i> c. <i>Methods of protecting rural neighborhoods from the sensory intrusions of adjacent non-residential uses that may affect the long-term viability of those neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These criteria shall include provisions that:</i> <ol style="list-style-type: none"> 1. <i>Prevent uses that generate obnoxious sensory intrusion from being developed in certain areas;</i> 2. <i>Eliminate or reduce the sensory intrusions of proposed development; and</i> 3. <i>Intercept or prevent the sensory intrusion from affecting the adjacent rural neighborhood.</i> d. <i>Methods of protecting the entrances to rural neighborhoods by protecting rural residential roadways. Access for development proposals that are limited only to rural residential roadways shall be considered unacceptable for uses of urban density or intensity.</i> e. <i>A requirement for a development plan submitted with the rezoning request which includes:</i> <ol style="list-style-type: none"> 1. <i>A narrative describing how the proposed development will maintain and/or protect the existing rural neighborhood;</i> 2. <i>An inventory of adjacent built and proposed development which illustrates the current edge condition; and</i> 3. <i>Transportation information describing the existing roadway network and the conditions of the road(s).</i> 4. <i>A graphic illustration of the existing development conditions in proximity to the proposed site.</i> f. <i>One Neighborhood Meeting with the residents within a 1/4 2.5 mile radius. This meeting shall be conducted prior to a planning commission hearing for citizen input on the proposed petition.</i> 	<p><i>The referenced policy does not make rezoning actions difficult or impossible but rather requires the County to "amend the Land Development Code to include specific review criteria for the protection of existing rural neighborhoods." The standards that are required to be included are not onerous and are as follows (restated from the policy):</i></p> <ul style="list-style-type: none"> • <i>Specific criteria for determining compatibility between residential zoning classifications</i> • <i>additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary;</i> • <i>methods of transitions that will address the size of adequate buffers, landscaping requirements;</i> • <i>methods of protecting rural neighborhoods from the sensory intrusions of adjacent non-residential uses;</i> • <i>methods of protecting the entrances to rural neighborhoods by protecting rural residential roadways;</i> • <i>a requirement for a development plan submitted with the rezoning request; and</i> • <i>one Neighborhood Meeting.</i>

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#	Comment	Response/Resolution
Rural Character Area		
67.	No comments received to date.	
Rural Neighborhood Protection Area		
68.	There needs to be a definition of Rural Neighborhoods.	<p><i>The ADOPTED Comprehensive Plan includes the following definition that was carried forward in the DRAFT Glossary. This definition has been recommended for revision as follows:</i></p> <p><i>Rural Neighborhoods:</i> <i>Rural Neighborhoods are existing residential areas within the geographic areas defined in the Rural Strategies Map of the Future Land Use Element and are defined by rural lot sizes that are a minimum of 1 acre in size and are included within a neighborhood of at least 10 dwelling units (Agricultural Zoning), varying in design, architecture, and landscape.</i></p>
69.	<p>The Neighborhood Protection Area includes an area generally bounded by I-75 to the west, Elam Road to the south, Kenton Road and King Lake to the east and Tyndall Road to the north. Why is this within the protection area? What is the justification for including it?</p> <p>The area stops west of Curley Road – will this area be extended to east of Curley Road?</p>	<p><i>During a special CAC Sub-district 5 meeting held on May 5, 2005, the CAC members identified the specific areas within this district that they wanted to have evaluated for the special protection of rural neighborhoods. This area was included in that identification because it included existing neighborhoods that were currently built at rural densities.</i></p> <p><i>No.</i></p>
70.	<p>In the vicinity of Old Pasco Road and Gillette Road, the property owner wants to have more opportunity for development and doesn't want the rural protection strategies to limit those opportunities. The county's wetlands protection regulations currently limit development enough. There should be a balance.</p> <p>This area is no longer rural since new people have moved into the area. The future development opportunities of this area should not be restricted and they should be able to use their property as they see fit. They should be told what they can and cannot do with their land.</p>	<p><i>The standards for the Rural Neighborhood Protection Area are expressly tailored to address the protection of exiting rural neighborhoods by insuring that adjacent development does not intrude on the character of that area. The policy is structured as a performance standard of development review.</i></p> <p><i>Specifically the draft element recognizes these areas that include existing rural neighborhoods that deserve and require special protection from the intrusion of urban uses, densities and intensities which shall be minimized through the use of the standards and options for "stepping down" development densities and transitioning of land uses (e.g., gradual reduction of intensities and uses) as well as additional buffer and setback standards in order to minimize visual and noise impacts on adjacent rural residential developments.</i></p>
71.	The Rural Neighborhood Protection Area Map shows Epperson DRI and Belle Verde as a Rural Area. These should not be included.	<i>The map clearly excludes these areas.</i>

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#	Comment	Response/Resolution
72.	<p>General Comments in support of rural protection:</p> <p>Wants to preserve the rural character in the vicinity of I-75 and Overpass Road.</p> <p>Neighborhoods in these areas just want some kind of protection from noise and light intrusions/ some kind of buffer.</p> <p>Additional development densities within this area would also contribute to the flooding issues that are experienced in this area.</p> <p>There are many neighborhoods with deed restrictions in this area that limit lot sizes. The County should continue to work to preserve the rural character of these areas.</p>	<p><i>No response necessary.</i></p>

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#	Comment	Response/Resolution
Requests to add new Rural Protection Areas		
73.	<p>The area south of Clinton Avenue on Ft. King Road is an area that has unique geography, is hilly, and is very scenic. There are existing rural neighborhoods such as Herndon Landing which is built as 5 acre lots and 10 acre lots, Long Farm, and Laurel Oak which has 5 acre lots. This area should also be considered for a Rural Protection Strategy.</p> <p>In addition, Fort King Road should be considered for a rural scenic road designation.</p>	<p><i>The County staff is currently evaluating the possibility of a Special Area Plan that would review and evaluate the land use issues for these areas.</i></p> <p><i>The DRAFT Element provides for the designation of scenic roadways in Policy FLU 4.6.5.</i></p>
74.	<p>The "Horton" area should be included as a rural protection area.</p>	<p><i>This area has been included in the revised Rural Strategies Map as a Rural Neighborhood Protection Area.</i></p>
75.	<p>The areas along Handcart and Prospect Road are unique and should be protected as a Rural Area. There is an existing AG/MPUD in this area.</p> <p>The Prospect Road area is a hilly area that should be protected. There are no hilly areas within the recommended Rural Area.</p>	<p><i>See response to Item # 73 above.</i></p>
76.	<p>There are older well established neighborhoods in Wesley Chapel that should also be included in the Rural Protection Areas.</p>	<p><i>Objective 1.4 of the Future Land Use Element includes a series of policies that are specifically designed to protect existing neighborhoods.</i></p>
77.	<p>a. The area immediately north of Wildcat Groves (subject of one of our Comp Plan Amendments), east of I-75 that abuts the RES-3 on the south side of One Pasco Center (EC-BP)</p> <p>b. Grantham Ranch (Horton Area) between Old Pasco Road and I-75 and north of Overpass Road.</p>	<p><i>These areas have been included in the revised Rural Strategies Map as a Rural Neighborhood Protection Area.</i></p>

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#	Comment	Response/Resolution
Neighborhood Meetings		
78.	<p>Policy FLU 2.3.3.f : page 2-36, "One neighborhood meeting with the residents within a 1-mile radius. This meeting shall be conducted prior to a planning commission hearing for citizen input on the proposed petition." <i>This seemingly innocuous policy is actually significant in its effect.</i></p> <p>First of all, in rural Pasco, the distance of 1-mile is not much. As an example, Quail Hollow and Williams Acres, which are fully platted and built, primarily in larger acreage lots (with the exception of a large 1100 acre "hole in the donut") extend a distance of at least 2 miles from the epicenter of the neighborhood. In east Pasco, these distances can be even larger.</p> <p>Additionally in Pasco County, the Planning Commission reviews zoning change requests. The Development Review Committee (DRC) reviews site plans. By the time a project gets to either of these bodies, it is often in the end stages of development review and site planning. This is <i>way too late</i> for citizen input to have anything but a negative effect. By this time the developer has put out too much money to be open to major changes and the citizens are without sufficient background information to be able to comment effectively – especially at the "neighborhood meeting" level.</p> <p><i>Recommended policy edit: "At least one neighborhood meeting with the residents within a 2.5-mile radius. This meeting shall be conducted in the early stages of departmental review. In addition, Pasco County will encourage on-going meetings with neighborhood leaders and representatives."</i></p>	<p>RECOMMENDED REVISION:</p> <p>Policy FLU 2.3.3.f</p> <p><i>f. One Neighborhood Meeting with the residents within a 1 2.5 mile radius. This meeting shall be conducted prior to a the <u>Development Review Committee Meeting or the planning commission hearing, whichever occurs first</u>, for citizen input on the proposed petition.</i></p>

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EMPLOYMENT CENTERS

Why were some sites that were initially identified, excluded? What is the final list/map of sites?

79.	<p>During the EAR process there were other areas that were identified for evaluation as employment centers that are not recommended for a plan amendment. Why?</p> <p>What is the "official" employment center map? Is it the EDC map or the map presented in the un-dated map inside the handout "Proposed Employment Centers"? Or is it neither?</p>	<p><i>See attached summary of the recommendations for all of the employment center locations that have been identified to date.</i></p> <p><i>It is neither. The draft Economic Element will include a revised map for the "Proposed Employment Centers" that removes locations that were determined to be unsuitable.</i></p>
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How much land is affected by the Employment Center Designation

80.	<p>How much land is affected by the proposed Employment Center land use designation?</p>	<p><i>County staff is still reviewing the proposed amendments. Upon receipt of final maps of all recommended Employment Centers we can provide this information.</i></p>
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Employment Center Land Use Definitions														
81.	The current Employment Center definitions are too limited in the types of permitted uses for the size of the areas that are being recommended for these uses.	<p><i>Under the initial draft element available for review by the CAC and the public, the Employment Center - Business Park uses are primarily limited to office uses with 10% for retail uses. This definition was created in response to concerns from county staff and PEDC staff during the initial drafting of the element (prior to the completion of the review of individual sites for employment centers) that there were no sites available that were sufficiently sized to accommodate a mixed use employment center of the type as initially conceived.</i></p> <p><i>Since that time we have continued to review possible locations for employment centers and continue our work with the Pasco Economic Development Commission Staff to prepare the Economic Element and to refine the definitions for the new Employment Center land use designations and have identified large enough sites to accommodate a more mixed use category.</i></p> <p>RECOMMENDED REVISION: <i>See new Employment Center land use classification definition in the Future Land Use Element Appendix. This mix of use that is permitted is included below:</i></p> <p>A. <u>Mix of Use</u> <i>The Employment Centers shall be developed to accommodate an area wide composite land use mix as described below:</i></p> <table border="1" data-bbox="1013 1293 1497 1581"> <thead> <tr> <th><u>General Use</u></th> <th><u>Minimum</u></th> <th><u>Maximum</u></th> </tr> </thead> <tbody> <tr> <td><u>Corporate Business Park or Targeted Primary Businesses or Industrial Uses</u></td> <td><u>55%</u></td> <td><u>75%</u></td> </tr> <tr> <td><u>Multi-family Uses</u></td> <td><u>20%</u></td> <td><u>40%</u></td> </tr> <tr> <td><u>Support Commercial/Office Uses</u></td> <td><u>5%</u></td> <td><u>20%</u></td> </tr> </tbody> </table> <p><i>This distribution range represents the mix of uses within each area designated as an Employment Center which would be accommodated over the planning horizon.</i></p>	<u>General Use</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Corporate Business Park or Targeted Primary Businesses or Industrial Uses</u>	<u>55%</u>	<u>75%</u>	<u>Multi-family Uses</u>	<u>20%</u>	<u>40%</u>	<u>Support Commercial/Office Uses</u>	<u>5%</u>	<u>20%</u>
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82.	<p><i>Definitions of Future Land Use Designation, Employment Center/Business Park (EC/BP) and Target Businesses (EC/TB)</i></p> <p>Recommend including Research Corporate Park uses within the BP category.</p> <p>Recommend allowing stand alone residential within these categories to support the employment generating uses. If residential is not a permitted use, reduce the size of the larger Employment Centers and designate higher density residential uses around or near the centers.</p> <p>When will the list of Target Industry Uses be available?</p> <p>In the EC-TB district, what is "high" wages or tax potential?</p>	<p><i>See Response to item #81 above.</i></p> <p><i>The Pasco Economic Development Council has the list of Target Industries that the County uses to evaluate Economic Incentives. This list is being evaluated as a part of the Economic Element.</i></p>
83.	<p>Even though there are additional considerations beyond the simple question: What is the percentage of employment business center acreage out of the total number of developable acres, both County-wide, and by planning District? I still think it would be helpful to have those percentages in mind.</p>	<p><i>County staff is still reviewing the proposed amendments. Upon receipt of final maps of all recommended Employment Centers we can provide this information.</i></p>
Comments regarding Specific Sites		
84.	<p>CAC DISTRICT 1 Regarding Site #BCPA-06-1(05) & BCPA-06-1(06) Hays Road and the Suncoast Parkway</p> <p>a. There is currently a mining operation on this site that takes up the entire parcel. There is not any developable land left for any employment center uses.</p> <p>b. The Serengetti MPUD is in close proximity to this site. The site is more appropriate for residential uses.</p>	<p><i>County staff has met with the property owners of this site and has prepared a revised recommendation for the location of the Employment Center and the location of supporting residential uses.</i></p> <p>a. <i>While there is a mining operation on the property, there is still vacant developable land that will be used for some purpose. This location is a key location given its proximity to the regional roadway capacity and to the county's resource recovery facility. In addition, the County continues to invest in public infrastructure in this area and has programmed a new roadway to connect with Hays Road at Hudson Avenue to the north.</i></p> <p>b. <i>The conceptual plan for the development of this Employment Center will include Residential uses (both multi-family and single-family) adjacent to the Serengetti MPUD. Discussions are ongoing between County staff and the property owners regarding the future development of this area.</i></p>

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85.	<p>CAC DISTRICT 1 Regarding Site #BCPA-06-1(07) Countyline Road and the Suncoast Parkway</p> <p>a. This is not an appropriate site for employment center uses.</p> <p>b. This area is a residential area with rural character. The existing residential neighborhoods need to be protected.</p> <p>c. Employment Center would be more appropriate closer to the Suncoast Parkway, but should not encroach onto the adjacent residential neighborhoods.</p> <p>d. The residents within this area received a letter from another citizen that has caused a great deal of concern from the property owners because it purports that the county is taking their land. Is this true?</p> <p>e. Many of the residents in this area also received a postcard that indicated that they were part of a Rural Area, however, they are not included in the Rural Area Strategies map that was handed out. This is very confusing for these residents.</p> <p>f. There is development occurring in Hernando County in the form of large Developments of Regional Impact and MPUDs that will affect this area. US 41 is planned for 6 laning. The County should 4 lane Countyline Road from the Suncoast Parkway to US 41 to serve this area. The county needs to provide additional lands for economic uses in this area.</p>	<p><i>a., b. & c County staff has re-evaluated this site and based upon the comments and concerns of the residents, recommends that the Employment Center site in this location be limited to the area generally north of Bowman Road, generally west of Kuka Lane, east of the Suncoast Parkway and south of County Line Road.</i></p> <p><i>d. The county <u>IS NOT</u> initiating any eminent domain activity within this or any other area in the county order to support the creation of Employment Centers.</i></p> <p><i>e Any postcards that were received that indicate that this area is included in a Rural Strategy Area were received in error. The Rural Area Strategies map that is attached (and the associated handout that includes a narrative description of the areas included) represents the recommendations for Rural Areas.</i></p> <p><i>f. There is still a recommendation for an Employment Center in this vicinity, just smaller in scale. This re-sizing of the employment center is intended to create an appropriate buffer between the employment site and existing residential neighborhoods.</i></p>
86.	<p>CAC DISTRICT 1 Regarding Site #BCPA-06-1(04) New York Avenue, east of US 19</p> <p>There is a currently recorded subdivision within this area that has ½ acre lots. There is a mix of residential uses including mobile homes. Many of the residents are elderly and are afraid. They do not understand what the letter means that they received. Will this change affect their home? Can they still have a homestead exemption on their property if it has a land use of Industrial – Light?</p>	<p><i>The future land use amendment to Industrial – Light will not affect the current use of this property as a residential area. It will however, provide an opportunity for redevelopment to occur over time to uses that are consistent with industrial uses in the area.</i></p> <p><i>The 7 Oaks RV Park has been excluded from this recommended amendment. In addition, the platted “Hudson” area could also be removed from the amendment request at this time and could be addressed in the future as redevelopment of this corridor continues.</i></p>

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87.	<p>CAC DISTRICT 2 Regarding Site #BCPA-06-1(08) I-75 and Blanton Road</p> <p>a. This use is too intense for this area.</p> <p>b. The employment center uses should include additional opportunities for hotel and service stations at the interchange.</p> <p>c. There is a currently commercial zoned property at the southwest corner of the interchange. The rights granted under this existing zoning should be respected.</p> <p>d. The current Mixed Use Designation should remain on this property.</p>	<p>a. <i>These parcels have a current adopted future land use designation of Mixed Use. The Employment Center land uses are not more intense than the Mixed Use land Use.</i></p> <p>b. <i>Agree. Employment Center sites along the interchange areas would be appropriate for hotel uses. Commercial uses are permitted; however, they are limited as a percentage of the total site development. In addition, the current draft limits free-standing commercial uses. We concur that this restriction should be removed and only the percentage of site development limitation remain.</i></p> <p>c. <i>One of the underlying principles of this Comprehensive Plan Update was to respect the existing entitlements of properties based upon prior actions of the County Commission that were granted consistent with the adopted Comprehensive Plan at the time the action occurred. Any property that is currently zoned for commercial use will be removed from the plan amendment.</i></p> <p>d. <i>The Mixed Use Classification is being recommended to be sunset as a part of the draft Future Land Use Element. It is not a useful classification since there are no specific guidelines for its use and thus it has become a "catch-all" land use designation devoid of any comprehensive plan for the sites on which it is applied and for adjacent property. A new Planned Development Land Use Category is proposed which will require a more comprehensive master planning approach to mixed use developments.</i></p> <p><i>During the development of the EAR, presentation to the CAC/BCC and subsequent meetings with the Florida Department of Community Affairs; the need to identify and afford opportunities for new jobs in a County dominated by rooftops was a major discussion point. There is a need for the County to identify those locations on the Future Land Use Map that are suitable for future Employment Centers and to identify them on the future land use map.</i></p>

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88.	<p>CAC DISTRICT 5 Regarding Site #BCPA-06-1(09) Cope Family Parcel</p> <p>a. Oppose the recommendation to change the future land use from RES-3 to IL.</p> <p>b. Believes that a Mixed Use Classification is more appropriate for this location.</p> <p>c. There is no access from I-75 to the parcel.</p> <p>d. Wetlands on the property are more appropriate for creating a scenic and high quality lifestyle for residential living.</p>	<p><i>a. Recommendation is to change the future land use from RES-3 to EC-BP (Employment Center – Business Park)</i></p> <p><i>b. The Mixed Use Classification is being recommended to be sunset as a part of the draft Future Land Use Element. It is not a useful classification since there are no specific guidelines for its use and thus it has become a “catch-all” land use designation devoid of any comprehensive plan for the sites on which it is applied and for adjacent property. The new Employment Center Future Land Use Designation is proposed as a mixed use district which will require a more comprehensive master planning approach to mixed use developments.</i></p> <p><i>c. This area was designated for an employment center use because of its proximity and location at the interchange area with I-75. Key entranceways into the county were identified as optimal candidates for employment centers due to their visibility and access from regional transportation corridors. These properties have substantial public investment into public infrastructure and looking at the long-term return on that investment in the form of land use form is important and necessary</i></p> <p><i>Even more specifically, the evaluation of appropriate locations for employment uses was prepared to address the issues and concerns identified by Pasco County Citizens through a 2 year public process known as the Evaluation and Appraisal Report process and adopted by the Board of County Commissioners in September 20004.</i></p> <p><i>d. The Employment Center Land Use Category permits a mixture of uses including residential development.</i></p>

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89.	<p>CAC DISTRICT 5 Regarding Site #BCPA-06-1(09) 946 Acre Parcel in the SE corner of SR 52 and I-75</p> <p>a. The proposed map amendment would strip all of the parcels Mixed Use land use designation and most of the RES-3 designation and would included 75% - 80% of the 946 acre site.</p> <p>b. The recommended land use designation Employment Center-Business Park is essentially an "office only" land use category.</p>	<p><i>a. The Mixed Use Classification is being recommended to be sunset as a part of the draft Future Land Use Element. It is not a useful classification since there are no specific guidelines for its use and thus it has become a "catch-all" land use designation devoid of any comprehensive plan for the sites on which it is applied and for adjacent property. A new Planned Development Land Use Category is proposed which will require a more comprehensive master planning approach to mixed use developments.</i></p> <p><i>b. The Employment Center future land use designation has been re-defined. See response to Item # 81.</i></p>

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89. Cont.	<p>CAC DISTRICT 5 Regarding Site #BCPA-06-1(09) (CONTINUED) 946 Acre Parcel in the SE corner of SR 52 and I-75</p> <p>c. This is an excessive amount of land for this use. There is expert evidence from Hartley Mellish (not submitted to the record) and Fishkind & Associates to confirm this. The rate of absorption for office is so slow that the extent of this map designation amounts to confiscation of all development rights.</p>	<p><i>(Response continued)</i></p> <p>c. <i>No evidence has been submitted from Hartley Mellish for review. There has been a preliminary draft of a study prepared by Fishkind and Associates for the Pasco Economic Development Commission that provides an analysis that identifies the following:</i></p> <ul style="list-style-type: none"> • <i>Pasco County has a surplus of 597 properly sized, properly located, upland commercial acres over 20 years</i> • <i>Pasco County has a deficit of 1,176 industrial acres over 20 years</i> • <i>There is no shortage of available lands over the next 10 years</i> <p><i>The Fishkind and Associates report is currently under review by the PEDC and County staff. County staff has provided some preliminary questions, concerns and comments with regard to the methodology used in this report. This review process is still underway.</i></p> <p><i>The applicant has requested a use within a proposed MPUD that includes the following uses:</i></p> <table data-bbox="980 1098 1349 1329"> <tr> <td><i>Retail</i></td> <td><i>195.6 Acres</i></td> </tr> <tr> <td><i>Office/Business Park</i></td> <td><i>274.3 Acres</i></td> </tr> <tr> <td><i>Multifamily (Apartments)</i></td> <td><i>81.2 Acres</i></td> </tr> <tr> <td><i>Residential (Single Family)</i></td> <td><i>346.6 Acres</i></td> </tr> <tr> <td><i>Conservation</i></td> <td><i>16</i></td> </tr> </table> <p><i>To date the County has approved through DRI's and MPUDs an additional 78,888 units that are approved, but as yet un-built. Over the planning horizon (2003– 2025) the county is projected to need 135,961 units. The current vacant, developable, uncommitted urban residential lands are estimated to be able to accommodate 161,894 units.</i></p> <p><i>Given the current circumstances of the county's future land use allocations, it is important to recognize that there will be no more land created along the County's major entranceways, it is a fixed resource. Thus, identifying the appropriate long-term use of the property based upon its location is a legitimate exercise of the county commission's authority to establish the appropriate long term use of lands within the unincorporated County through the Comprehensive Plan.</i></p>	<i>Retail</i>	<i>195.6 Acres</i>	<i>Office/Business Park</i>	<i>274.3 Acres</i>	<i>Multifamily (Apartments)</i>	<i>81.2 Acres</i>	<i>Residential (Single Family)</i>	<i>346.6 Acres</i>	<i>Conservation</i>	<i>16</i>
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#	Comment	Response/Resolution
89. Cont.	<p>CAC DISTRICT 5 Regarding Site #BCPA-06-1(09) (CONTINUED) 946 Acre Parcel in the SE corner of SR 52 and I-75</p> <p>d. The proposed category will allow virtually NO retail at this major interchange. Mixed use is left at only the southwest corner. Yet this is the corner that is closest to the homes at Tampa Golf and Country Club, which has potential conflicts between retail and residential.</p> <p>e. Extensive MU is also allowed to remain on SR 52 to the east of the parcel. This land use change unfairly burdens this property while the area to the east gets a free ride.</p> <p>f. This property has submitted a DRI application for this site for a mixed use community with office, retail and residential. The site plan was submitted to Pasco County in November 2003.</p> <p>g. In response to comments from the County, the applicant has amended the DRI to provide more office uses and less retail.</p> <p>h. The current site plan currently commits to dedicating approximately 1/3 of the buildable acres to job creation land uses.</p> <p>i. The proposed EC-BP designation essentially creates an "office monoculture" on this site. This places an increased burden on the transportation system.</p>	<p><i>(Response continued)</i></p> <p>d. <i>See response to item b, above.</i></p> <p>e. <i>The Mixed Use Classification is being recommended to be sunset as a part of the draft Future Land Use Element. However, existing areas that are so designated at the time of Plan Adoption will be grandfathered, unless they are included in the one of the map amendments that are in process. The process for designating Employment Centers is not viewed as a "burden" on the property, but rather as an opportunity to create new forms of development that were previously not provided in Pasco County at appropriate locations.</i></p> <p><i>Items f.; g.; h.; and i. have been addressed in the responses above.</i></p>
90.	<p>When employment centers are located adjacent to rural neighborhoods, they should protect the adjacent rural area.</p>	<p><i>We concur. While policy FLU 1.8.8 b. recognizes that Employment Centers should "maintain compatibility by providing a transition of land use types, densities, intensities, and heights to buffer existing neighborhoods from nonresidential areas;" See revised Employment Center Designation in the Future Land Use Element Appendix.</i></p>

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#	Comment	Response/Resolution
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COMMERCIAL STRATEGY

Revisions to Residential Land Use Designations that restrict Commercial uses

<p>91.</p>	<p>The revisions to the definitions of residential land use designations create a major restriction in the location of permitted commercial uses within residential areas.</p> <p>Property functions as a 401K or retirement plan for property owners. The County should not restrict the ability of property owners to use their property as they would like.</p>	<p><i>As a part of the County's Evaluation and Appraisal Report completed in September 2004, the County identified several major issues with regard to the county's existing methodology for permitting commercial uses in the adopted Comprehensive Plan. Among those included the following:</i></p> <ul style="list-style-type: none"> <i>"11. Potential for strip commercial along the county's major roadways under the current county policies for permitting commercial uses.</i> <i>12. Need to identify appropriate locations for economic development activity.</i> <i>13. CR 54 Corridor is becoming another US 19 corridor – additional strip development should be limited/prevented.</i> <i>14. Conflicting sections/policies in the Comprehensive Plan."</i> <p><i>Specifically, the EAR discusses that the current method for approving commercial development does not provide a strategic, comprehensive assessment of the appropriate locations for commercial and economic development.</i></p> <p><i>The county's commercial node policy allows commercial development at intersections of collectors and arterials, within mixed-use developments (MPUDs) and as infill along these corridors. The implementation of this policy has contributed to commercial strip development along the county's key roadway corridors, which affects the efficiency of the traffic circulation system and the safety of major roadways.</i></p> <p><i>The anticipated amendment to address these issues included creating more stringent policies in the Comprehensive Plan for the siting of commercial uses including the technique of mapping commercial uses directly onto the Future Land Use Map instead of integrating them into Residential land use categories.</i></p>
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#	Comment	Response/Resolution
Location Standards for Commercial Uses		
92.	<p>TOPIC/ISSUE: COLLECTOR ROADS, Rural Character Areas and ROW</p> <p>Need more explanation of how these sections fit together. Seem to conflict between collector status and intersections- and trying not to strip out every collector, arterial and intersection with commercial development (old commercial node policy dies hard?) The new PDs, in combo with the old MPUD zoning and the new OFF and COM (old ROR) designations, all seem to conflict some with a policy of not stripping</p> <p>APPENDIX, Page 2-19 The new OFF (office) category says ... Intent: to consist of a variety of office uses and allow for the conversion of existing residential structures to low intensity (residential profession) office uses. This land use should be located along <u>collector</u> and arterial roadways to provide convenient access to transit facilities ... "</p> <p>How does this prevent stripping out of collectors and arterials – especially with a proposed LDR that states <u>collectors shall be every .5 miles?</u> and that ROW preservation corridors remain structure free? and in light of Map 7-36 in proposed Transportation Element?</p> <p>APPENDIX Page 2-19 .. the mix of old ROR (new COM) ... "this distribution range represents the mix of uses within the entirety of the Commercial Land Use Designation which would be accommodated over the planning horizon.</p> <p>If this is not parcel-by-parcel, then how is it tracked? Total square footage of land use designation?</p>	<p><i>The distinction that one should draw from the construction of the Plan policies is the distinction between identifying the range of acceptable locations of uses (a method of limiting the universe of the locations that may even be considered) without establishing standards that would lead to the conclusion that all such locations are acceptable.</i></p> <p><i>The definitions/intent sections of the Future Land Use element Appendix provide only the general guidance with regard to the "universe" of locations that may be considered for the use that is described. The policies of the Future Land Use Element were created to provide the specific guidance with regard to criteria and standards for location.</i></p> <p><i>The Future Land Use Policies FLU 1.6.1; 1.6.2; 1.6.3; 1.6.4; and 1.6.5 are the standards that provide specific guidance for the location of such uses. The recommended revision to the Plan that requires such uses to be sited through a Future Land Use Map Amendment also ensures that these standards can be monitored through the review processes and dispute resolution procedures established for amendments the Future Land Use Map.</i></p> <p><i>The new mix structure can easily be monitored at the time of the Evaluation and Appraisal Report through a review of re-zoning activity.</i></p> <p>RECOMMENDED REVISION: Policy FLU 1.6.2 Location of Commercial Development (a & b only) <i>Pasco County may allow Plan amendments which permit to Commercial Future Land Use Designation uses only under the following conditions:</i></p> <p>1.a. <i><u>The possible locations for the Commercial Future Land Use Designation uses shall be limited located adjacent to areas adjacent to existing collector and arterial roadway intersections in order to maintain road capacity and not set a precedent for further strip development. The review standards included within this policy further provide guidance for determining the compatibility of a Commercial designation request with the policies of this Plan. Commercial uses may be planned for future collector and arterial roadway intersections to the extent that development of the commercial use is limited or restricted from occurring until the roadway intersection is constructed;</u></i></p> <p>2.b. <i>Commercial uses shall not be located in a manner and type that will detract from or limit the development of designated Town Centers <u>which form of commercial development has been identified as the preferred form of commercial development;</u> and</i></p>

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Commercial Future Land Use Classification – Requires Plan Amendment		
93.	<p>Policy FLU 1.6.1 – Requiring all commercial development</p> <p>This concept eliminates all the flexibility that was intentionally built into the current Comprehensive Plan. In the current plan, all future land use categories are mixed use categories.</p> <p>Requiring commercial development to be within a commercial future land use classification will quadruple the work load on a staff that is already overwhelmed. It would also add extreme cost to the property owner/developer and add at least a year to the approval process.</p> <p>If the problem is in how the current plan is being implemented, revise the policies to provide clearer direction and intent.</p> <p>If you choose to keep this policy, delete the requirement for TND in b. No logical reason to require this design type.</p>	<p><i>See the response to item # 91 above.</i></p> <p><i>The purpose of providing a comprehensive plan and Future Land Use Map is to disclose to your citizenry the proposed distribution, extent, and location of the certain generalized land uses, including Commercial Uses (Rule 9-J5.006 (4)(a)2).</i></p> <p><i>The County Commission should be given the broadest authority to determine the appropriate locations for commercial uses under the county's Comprehensive plan and as such, the review of such decisions should be held to the standard for a "legislative" action of the County Commission and not a "quasi-judicial" action.</i></p> <p><i>The text of item b provides an "exception" regarding where commercial development may be permitted outside of the Commercial or Town Center Future Land Use Designations.</i></p> <p><i>Within suburban development patterns, commercial uses are separated from residential uses and are "buffered" from these uses through setbacks, landscaping materials, etc. Within TND development, uses are more integrated and thus the form itself addresses the issues of adjacencies in a different way.</i></p> <p>Policy FLU 1.6.1 Commercial Development <i>Commercial development may only be permitted within areas designated as Commercial or Town Center on the Future Land Use Map with the following exceptions:</i></p> <p><i>b. Commercial development may be permitted within areas designated a Residential future land use only for those mixed use projects that are greater than 100 acres in size and that are designed using the County's Traditional Neighborhood Design Standards as adopted by Ordinance into the Land Development Code;</i></p>

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#	Comment	Response/Resolution
Transitional Uses		
94.	<p>Policy FLU 1.6.2 – Sub c. provides an alternative to the transitional use. If you keep the transitional use requirement, this alternative should be carried over to other appropriate policies, i.e., 1.4.2.</p> <p>Policy FLU 1.6.2 Location of Commercial Development Pasco County may allow Plan amendments which permit to Commercial Future Land Use Designation uses only under the following conditions:</p> <p>c. Pasco County shall not designate additional strip commercial development through plan amendments. Strip commercial land use patterns shall further be avoided by requiring a transition of land uses, or the incorporation of a buffer into the development design of commercial uses. Pasco County may allow Plan amendments which permit strip commercial uses only as commercial infill of existing strip commercial areas which do not extend the existing strip commercial area along the roadway.</p> <p>Policy FLU 1.4.2 Residential Compatibility: Standards for Review of Rezoning Requests</p>	<p><i>The standards for reviewing transitional uses within the 'Transitional Use Table' also include this language; please see the notes on the face of the table that describe the options for buffering, etc.</i></p> <p><i>The entirety of Policy FLU 1.4.2 is to require the county to establish and create specific standards for achieving compatibility and include the following statement (last paragraph of the policy):</i> <i>"Methods of transitions will address the size of adequate buffers, landscaping requirements within the buffer including tree planting requirements, the sizes of perimeter lots, walls and maintenance of existing vegetation where such vegetation provides a level of opacity and screening that is deemed appropriate."</i></p>
95.	<p>Policy FLU 1.6.3 – Delete policy. Requiring "transitional land uses" is an outdated concept and is not workable. Matrix is an oversimplification of real world situations. Compatibility can be achieved through good site design and appropriate buffers. This policy and the matrix should be eliminated.</p> <p>Policy FLU 1.6.3 Transitional Land Uses Pasco County shall evaluate Plan amendments and rezoning applications to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying densities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. Exhibit FLU: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.</p> <p>Policy FLU 1.4.3 Transitional Land Uses Pasco County shall evaluate Plan amendments and rezoning applications to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying densities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. Exhibit FLU: Appropriate Transitional Land Uses is to be used in determining evaluating appropriate transitional uses.</p>	<p><i>The concept of "transitional land uses" is outdated within a new urbanist approach land use planning where the urban grid provides the foundation for land form and the central city provides the urban core. This is a very urban context, and one that is not consistent with the predominate land form of Pasco County today nor as the future land form is expressed in the adopted Future Land Use Map. The majority of residential capacity being provided within Pasco County is developed at a density of 3 dwelling units per acre or less. This suburban form of development DOES require "transitioning" by its very nature.</i></p>

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General		
96.	<p>Policy FLU 1.6.4 – Why require TND? Not appropriate. Locating neighborhood commercial internal to the neighborhood it is intended to serve is a good thing.</p>	<p><i>Within suburban development patterns, commercial uses are separated from residential uses and are “buffered” from these uses through setbacks, landscaping materials, etc. Within TND development, uses are more integrated and thus the form itself addresses the issues of adjacencies in a different way. This policy does not require TND, however, it does provide an exception to accommodate the TND form by permitting commercial uses to be integrated into TND developments.</i></p>
97.	<p>Commercial and Ancillary Uses (See FLU, Goals, Objectives and Policies, Policies 1.6.1, 1.6.2, and 1.6.4, Glossary Definition of “Commercial Infill”, deletion of “Nodes”, “Small Scale Neighborhood Commercial”, “Strip Commercial Uses”, FLU Appendix, limitations on AG, AG/R, and all RES categories) - The Plan would essentially prohibit any new commercial locations in Pasco County without going through a Comp Plan change, which is very expensive, time consuming, and requires FDCA approval, unless it is part of a town center development under strict guidelines. It completely eliminates commercial and other reasonable ancillary uses in all residential categories, except in very limited situations, such as a town center development. Without ever allowing public discourse on the subject, the County has taken a huge gamble that town center development is a panacea, and these Proposals would boost town center development to the detriment of all other residential and ancillary uses. The only experience in Florida and the nation with town centers thus far indicates that the concept does not work.</p>	<p><i>See responses to items #91 and #93 above.</i></p>
98.	<p>Policy FLU 1.6.5 – Again, delete requirement for TND. Comments are same as 6. above. Too restrictive; eliminates flexibility.</p>	<p><i>See response to item #96 above.</i></p>
100.	<p>Policy FLU 1.6.7 – Many roads that are not on functional classification map still “function” as collectors or even arterials. This policy should be amended to allow application of criteria to determine function of roads unless they are on map. Too restrictive.</p> <p>Policy FLU 1.6.7 Commercial Use Access Pasco County shall require that adequate and safe access to commercial uses be established on at least one functionally classified roadway operating at, or better than, the adopted, current year, level of service standard (see Table 7-1). Access which is limited only to local residential roadways shall be considered unacceptable for commercial uses. [Old Policy FLU 3.3.1]</p>	<p><i>This policy is currently ADOPTED in the Future Land Use Element of the Comprehensive Plan as Policy 3.3.1.</i></p>

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#	Comment	Response/Resolution
101.	<p>Policy FLU 1.6.9 –</p> <p>a. Add “where possible”.</p> <p>b. Out-Parcel Limitations (See FLU, Goals, Objectives and Policies, Policy 1.6.9)- This section is illegal as currently worded. Florida law provides that any property owner adjacent to a road has the right to a curb cut on to the adjacent road, and this is prohibited by this Policy.</p> <p>Policy FLU 1.6.9 Out-parcel Access Pasco County shall require that out-parcels of commercial subdivisions or developments have their sole access from internal drives or parking areas. [Old Policy FLU 3.3.3]</p>	<p>RECOMMENDED REVISION:</p> <p>Policy FLU 1.6.9 Out-parcel Access <i>Pasco County shall require that out-parcels of commercial subdivisions or developments have their sole access from internal drives or parking areas, <u>subject to the requirements of the County's Access Management Ordinance.</u> [From Old Policy FLU 3.3.3]</i></p>

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102.	<p>APPENDIX P2-24 PD doesn't seem to address stripping along collectors and arterials by placement of commercial at the front and residential at the back that is occurring in the MPUD zoning category ... for example, under the PD description: <u>e. Nonresidential Use Locations:</u> commercial and other nonresidential uses within planned developments are encouraged to be placed in locations that will provide convenient vehicular, pedestrian and bicycle access for residents of the planned development community and will minimize the impact of commercial uses on adjacent and surrounding communities.</p> <p>But then ...</p> <p>Refer to: Goals, Objective, Policies: p.2-17 Objective, 1.6, Policy 1.6.2 Location of Commercial Development a. Commercial uses shall be located adjacent to existing <u>collector</u> and arterial roadway <u>intersections</u> in order to maintain road capacity and not set a precedent for further strip development.</p> <p>Goes on to emphasize <i>collectors, arterials and intersections</i> for new commercial, infill commercial and neighborhood commercial</p>	<p><i>Because Planned Development land uses are tied to the concurrent rezoning of the parcel to an MPUD or other Planned Development type zoning district that requires a Master Development Plan and executed Development Order, the placement of the commercial uses can be more flexible because the disclosure of its placement is occurring as a part of the master planned community at the beginning of the development process – full disclosure has occurred. This option provides flexibility for future innovative design options while effectively addressing adjacencies and compatibility concerns through the conditions of the Development Order in a manner that may not be effectively regulated by the county's land development code today.</i></p> <p><i>This policy specifically relies upon the definition of strip commercial development as a means to limit the location of commercial uses.</i></p> <p>Strip Commercial Uses: <i>Commercial uses adjacent to roadways that are located outside the reasonable zone of influence of the intersection to which they relate. They are characterized by individual curb and median cuts and lack visual landscaped buffers. Strip commercial uses do not include out-parcels in shopping center, malls, or similar developments where access is provided internally from the shopping center/mall or similarly development or via a system of shared or common driveways.</i></p> <p>Policy FLU 1.6.2 Location of Commercial Development <i>c. Pasco County shall not designate additional strip commercial development through plan amendments. Strip commercial land use patterns shall further be avoided by requiring a transition of land uses, or the incorporation of a buffer into the development design of commercial uses. Pasco County may allow Plan amendments which permit strip commercial uses only as commercial infill of existing strip commercial areas which do not extend the existing strip commercial area along the roadway.</i></p>

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Do properties with existing ROR land uses retain their development options?		
103.	<p>David Freeman is the owner of the Harrison/Bennett and Schrader/Blackwell parcels on SR 54. These were recently approved for ROR and transmitted to FDCA last week. They have to address several issues/questions regarding their Traffic Analysis for the Comp Plan Amendment prior to adoption and will be subject to Subarea Policies that limit their entitlements based upon that analysis. That said, with the sunseting of the ROR, their property will become COM. See David's comments regarding the residential component of the new COM.</p> <p>I would like to express concern I have over some of the language in the proposed "Commercial (COM)" land use category that will be discussed at the CAC meeting on September 1. The range of potential uses includes "residential uses that are constructed in combination with commercial uses within a single building of two or more stories". This sounds much like a town center type residential use that is covered in the "Town Center" classification. We do not believe that residential in the COM category should be limited to residential in a mixed use building. This would prevent the development of other desirable types of residential development in the COM category.</p>	<p><i>The element has been revised to "sunset" the ROR designation rather than amend all ROR to the new Commercial designation. What this means is that existing properties assigned ROR as of the effective date of this Comprehensive Plan may continue to rely upon this definition for future development proposals. No new future land use map amendment requests may be considered for or granted as ROR Future Land Use designation.</i></p>

TOWN CENTERS		
104.	<p>Will these amendments slow down the projects that are currently underway?</p> <p>The Comprehensive Plan calls for design standards to be developed by 2007. If developments move forward earlier how will the issue of design standards be addressed?</p> <p>There should be appropriate incentives for Town Centers.</p> <p>Definitions of Future Land Use Designations, Town Center (TC).</p> <p>Special Provisions & Mix of Uses</p> <p>Clarification needed as to what is meant by last sentence-- "Each phase must be self-sufficient on a cumulative basis in case subsequent phases are delayed or abandoned." What does "self-sufficient" mean?</p>	<p><i>No.</i></p> <p><i>The appropriate design standards will be incorporated into the development order conditions of the project.</i></p> <p>RECOMMENDED REVISION:</p> <p><i>E. Development Phasing: Development of the phases of a mixed use development must be timed concurrent with facility capacity to ensure the provision of adequate public services according to adopted standards (see Exhibit FLU: Services and Facilities By Classification) and facility plans. <u>The construction of facility capacity must be designed and constructed to provided sufficient facility capacity for each phase of development, such that Each phase must b is "self-sufficient" with regard to the provision of adequate facility capacity on a cumulative basis in case subsequent phases are delayed or abandoned.</u></i></p>

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FUTURE LAND USE ELEMENT – GOALS, OBJECTIVES, POLICIES

Goal 1: Associated Objectives & Policies

105.	<p>Page 2-1 Obj 1.1, policy 1.1.1 What is the purpose of the structure graphic in comparison to the existing FLUM, which is purportedly <i>not changing</i> except for those changes specifically described to each Planning District?</p> <p>Policy FLU 1.1.1 – Purpose of “Structure Graphic” is unclear. Should be more conceptual in nature or should be deleted.</p>	<p><i>The Structure Graphic is recommended to be deleted from the Goals Objectives and Policies and referenced in the Support Document as follows:</i></p> <p><i>The Comprehensive Plan is legally required to be tied to a “planning horizon.” For this Plan update that horizon is 2025. As you know, there were only a few Future Land Use Map (FLUM) Issues that were identified during the EAR process that were to be handled through this Comprehensive Plan Update for EAR - based amendments. These include: 1) the addition of Employment Centers and 2) the protection of Rural Areas. These FLUM issues were addressed as follows:</i></p> <ol style="list-style-type: none"> <i>1. Each of the proposed Employment Center sites were evaluated to assess the compatibility of that proposed use with surrounding uses as well as the availability of infrastructure to serve these sites.</i> <i>2. The Northeast Pasco Rural Area Study was conducted and the recommended results of that study have been incorporated into the draft of the Future Land Use Element Goals, Objectives and Policies as well as a revision to the Future Land Use Map.</i> <i>3. The other “Rural Communities” were evaluated and a series of policies and map amendments were developed to address the individual issues involved in protecting those neighborhoods.</i> <p><i>Thus, only these two types of Future Land Use Map revisions were evaluated as a part of the overall update to the Future Land Use Element.</i></p> <p><i>The Design Structure Graphic basically represents the adopted Future Land Use Map (in hopefully a more understandable format) with those additions described above and some other additions to reflect text policy amendments in the draft element. in planning terms it is meant to be the first step in a two step process to create a longer range planning horizon for “visioning” purposes.</i></p>
106.	<p>Page 2-2 Where is the official FLUM map? Is it still the 2015 Map?</p>	<p><i>It is the 2015 Map as amended by the specific plan amendments that the CAC reviewed site by site.</i></p>

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107.	<p>Page 2-4,5 FLU 1.2.5 Floodplain Protection Mentions the 2003 Flood Prone Areas Map – where is that map?</p>	<p><i>It is included in the re-draft of the Future Land Use Element. This is the same map that was used in the Public Facilities Element.</i></p>
108.	<p>TOPIC/ISSUE: FLOODPLAIN PROTECTION and FLOODING</p> <p>GOALS, OBJECTIVES, POLICIES on Page 2-4, 5 Objective 1.2, Policy FLU 1.2.5 Flood Plain Protection e. Require all subdivisions and site plans to maintain pre-development run off characteristics, provide compensating storage, and comply with wetland regulations.</p> <p>Does this include maintaining pre-development <u>volume</u>? Development causes greater volume of storm water to come off a site. Therefore, "pre-development characteristics" could be construed to mean volume as well as flow rate. This issue is dealt with much more specifically in the Public Facilities element. Do we want to refer to that element or leave Policy FLU 1.2.5 as is?</p> <p>Objective 1.2, Policy FLU 1.2.6 Review of Rezoning Requests within Areas of Frequent Flooding. Is this the only policy that refers to limiting density and intensity as a "potential solution to reduce flooding"? (Public Facilities, Policy DGR 5.1.17 has almost the same words without the density/intensity reference)</p> <p>Corresponding objective, goals and policies in other Elements: Public Facilities, Objective 5.1, Policy DGR 5.1.2 (Regulation on Volume of Stormwater) through Policy DGR 5.1.7</p> <p>The "2003 Flood Prone Areas Map" is referred to several times in the FLU element and the Public Facilities element. Where is this map?</p> <p>For reference OLD Objective 5.1 ... Consists of only the following: It shall be the policy of Pasco County to: 5.1.3 Require the identification of the 100-year flood plain on any proposed development site prior to the issuance of a development order. 5.1.4 Limit development within the 100-year flood plain in order to minimize property damage from a 100-year storm event.</p>	<p><i>Although the Future Land Use Element provides general policy guidance for floodplain protection as identified in Policy 1.2.5, you are correct that the ADOPTED level of service standard is provided in the Public Facilities Element – Stormwater Sub-element, Objective DGR 5.1 which does include standards for "volume."</i></p> <p><i>This was specifically added in the Future Land Use Element to provide a policy basis and standard for the review of a rezoning requests in such areas.</i></p> <p><i>This map was provided as a part of the Public Facilities element and discussed with the CAC at that time. See revised Future Land Use Element Maps, distributed to the CAC October 4, 2005..</i></p>

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109.	<p>Policy FLU 1.2.7 – How many lots does a subdivision have to include before the “mandatory” homeowner’s association is required? Need to add a threshold.</p> <p>Policy FLU 1.2.7 Protection of post-development wetland/floodplain areas Pasco County shall require post-development 100 year-flood prone areas and wetland areas to be platted as conservation tract(s) as a limitation to any future encroachment or development of these areas. Post-development wetland protection areas shall be exclusive of any individual lots. Concurrent with platting, all wetlands shall be deeded to the mandatory homeowners’ association/community development district/ merchant’s association. The homeowners’ association/merchant’s association documents shall provide that the homeowners’ association be responsible for the payment of taxes, if any, on the Wetland Conservation Areas.</p>	<p><i>This standard is implemented through the County’s land development code.</i></p> <p>RECOMMENDED REVISION: Policy FLU 1.2.7 Protection of post-development wetland/floodplain areas <i>Pasco County shall require post-development 100 year-flood prone areas and wetland areas to be platted as conservation tract(s) as a limitation to any future encroachment or development of these areas. Post-development wetland protection areas shall be exclusive of any individual lots. Concurrent with platting, all wetlands shall be deeded to the mandatory homeowners’ association/community development district/ merchant’s association <u>as required within the County’s Land Development Code</u>. The homeowners’ association/merchant’s association documents shall provide that the homeowners’ association be responsible for the payment of taxes, if any, on the Wetland Conservation Areas.</i></p>
110.	<p>Tree Preservation (See FLU, Goals, Objectives and Policies, Policy 1.2.11)- This Proposal needs major refinement, is unacceptable as written, and is inconsistent with other portions of the Code and the Proposals. It essentially prohibits the transition from tree farming and citrus to any non-agricultural uses by presuming that agricultural landowners have a malicious intent when farming and cultivating their land prior to a change in property use. The County is attempting to solve an uncommon problem with a radical solution where an acceptable code enforcement solution already exists.</p> <p>Policy FLU 1.2.11 Tree Preservation Pasco County shall enforce the following provision through the Comprehensive Plan and amend the Land Development Code by December 2007 to include additional provisions to ensure the preservation of trees by establishing a procedure for an after-the-fact permit and/or mitigation for un-permitted tree removal that is conducted in preparation for, or in anticipation of any development or construction of non-agricultural improvements. For the purposes of this policy, evidence of such preparation or anticipation includes submittal of an application for a building permit for nonagricultural use, a special exception, a rezone, a Development of Regional Impact, a site plan, a subdivision plat, or other development approval within three (3) years of the date of the tree removal.</p>	<p><i>This draft policy is intended to address the unfortunate activities of certain developers and/or property owners who attempt to subvert the county’s land development regulations and tree preservation requirements and clear-cut their property in anticipation of physical development of the property.</i></p>

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111.	<p><i>Recommended policy revision.</i></p> <p><i>OBJECTIVE 1.6 Preserve significant natural, archaeological, historic, and cultural resources which meet one or more of the following standards:</i></p> <ul style="list-style-type: none"> - Water bodies which qualify as Outstanding Florida Waters and other significant natural resources. — Sites which contain artifacts of past civilizations which, by reason of quantity, quality, or relative scarcity, have scientific or educational value. — Places or structures which can be directly associated with a famous historical figure, event, or architectural period. — Places or structures which have acquired contemporary identities symbolic of or synonymous with the community, as in a landmark or monument. <p><u>Districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association: and:</u></p> <p><u>(a) that are associated with events that have made a significant contribution to the broad patterns of our history; or</u></p> <p><u>(b) that are associated with the lives of persons significant in our past; or:</u></p> <p><u>(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or:</u></p> <p><u>(d) that have yielded, or may be likely to yield, information important in prehistory or history.</u></p> <p><i>Also include "Formally designated historic communities which have been identified as having a special character."</i></p>	<p><i>Objective 1.6 is the policy from the adopted Comprehensive Plan. Within the new draft element, this objective has been moved and revised and is now objective FLU 1.2. Please note that under this new format the objective also includes policies for natural resources.</i></p> <p>RECOMMENDED REVISION:</p> <p>OBJECTIVE FLU 1.2 NATURAL, HISTORIC, ARCHAEOLOGICAL AND CULTURAL RESOURCES</p> <p><i>Pursuant to Article II, Section 7 of the Constitution of the State of Florida, the County shall ensure that natural, historic, archaeological and cultural resources are protected for the enjoyment of all citizens through provisions of the Pasco County Land Development Code and the Pasco County Comprehensive Plan policies. These resources shall expressly include, but not necessarily be limited to, those resources that meet one or more of the following standards:</i></p> <ul style="list-style-type: none"> a. <i>Water bodies which qualify as Outstanding Florida Waters and other significant natural resources.</i> • Historic buildings, structures, sites, and districts that provide physical evidence of the cultural and development of past generations of Pasco County residents. • Archeological sites or zones which contain artifacts of past civilizations which are significant and irreplaceable resources in Pasco County. • Places or structures which have acquired contemporary identities symbolic of or synonymous with the community as a landmark or monument. [Updated From Old Objective FLU 1.6] b. <u>Districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association: and:</u> <ul style="list-style-type: none"> • <u>that are associated with events that have made a significant contribution to the broad patterns of our history; or</u> • <u>that are associated with the lives of persons significant in our past; or:</u> • <u>that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or:</u> • <u>that have yielded, or may be likely to yield, information important in prehistory or history.</u> c. <u>Formally designated historic communities which have been identified as having a special character.</u>

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111. Cont.	<p><i>Recommended policy revision.</i></p> <p>1.6.2 Inventory all known natural, archaeological, historic, or cultural sites-resources for use in analyzing future development and develop incentives for the preservation of these sites <u>districts, sites, buildings, structures, and objects</u>. <u>Such inventory shall be conducted as appropriate by an archaeologist, historian or architectural historian qualified under Section 106 of the National Environmental Protection Act (36CFR61 Appendix A.) Completion and publication of the inventory shall be accomplished prior to the issuance of any permit for activity which might create a direct or indirect adverse impact to cultural resources.</u></p>	<p><i>Policy 1.6.2 is the policy from the adopted Comprehensive Plan. Within the new draft element, this policy has been moved and revised and is now policy FLU 1.2.13.</i></p> <p>RECOMMENDED REVISION:</p> <p><i>Policy FLU 1.2.13 Identification of Natural, Historic, Archeological and Cultural Resources</i> <i>Based upon the availability of funding, Pasco County shall inventory all known natural, archaeological, historic or cultural sites-resources for use in analyzing future development and preserve these district, sites, buildings, structures, and objects in accordance with the applicable regulations. Pasco County shall identify historical structures in western Pasco County by means of a historical resource survey similar to the Central Pasco and Eastern Pasco Historical Surveys and shall consider the adoption of criteria and procedures within the Land Development Code for identifying and protecting cultural resources, including but not limited to cemeteries, landmarks, monuments and special places.</i></p> <p><i>Such inventory shall be conducted as appropriate by an archaeologist, historian or architectural historian qualified under Section 106 of the National Environmental Protection Act (36CFR61 Appendix A.) Completion and publication of the inventory shall be accomplished prior to the issuance of any permit for activity which might create a direct or indirect adverse impact to cultural resources [From Old Policy 1.6.2]</i></p>

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111. Cont.	<p><i>Recommended policy revision.</i></p> <p>1.6.3 Designate all qualifying <u>archaeological and historic resources</u> sites on a local historic cultural resource site file <u>as well as the Florida Master Site File.</u></p> <p>1.6.4 Comply with State law and guidelines for the investigation of archaeological sites and the disposition of all artifacts which might be found.</p> <p>1.6.5 Prevent the destruction or significant alteration of historic sites <u>districts, sites, buildings, structures, and objects</u> located in the National Register of Historic Places, the Florida Master Site File, or recognized by Pasco County by crosschecking all requests for <u>development</u>, remodeling or demolition permits against these files. A significant alteration is one which changes the exterior appearance of a structure in a manner inconsistent with the original design. Nothing in this policy shall be construed to prohibit modernization, rehabilitation, or adaptive reuse provided that the property is not significantly altered.</p> <p>1.6.6 Study alternative methods for the encouragement of adaptive reuse of historically significant property and implement a program thereof by January 1999.</p> <p>1.6.7 <u>Inventory</u>, preserve and manage natural resources consistent with Conservation and Coastal Zone Elements of this Comprehensive Plan.</p>	<p><i>Policies 1.6.3 – 1.6.7 are policies from the adopted Comprehensive Plan. Within the new draft element, these policies have been revised and are now policy FLU 1.2.14.</i></p> <p>RECOMMENDED REVISION:</p> <p><i>Policy FLU 1.2.14 Protection of Historical and Archaeological Resources</i> <i>Significant historical and archaeological <u>districts, sites, buildings, structures, and objects</u> including but not limited to sites on the Florida Master Site File, shall be protected by implementing the following:</i></p> <ol style="list-style-type: none"> <i>1. After identification of historical and archaeological resources, the County shall place such buildings, structures, sites, districts and <u>zones objects</u> on the Pasco County Register of Historical and Archaeological Resources as such Register is established by resolution.</i> <i>2. For archaeological resources not listed on the Pasco County Register, as part of all site plan evaluations, development shall comply with State law and guidelines for the investigation of archaeological sites and the lawful disposition of all artifacts found.</i> <i>3. The County shall prevent the destruction or alteration of historic and archaeological resources listed on the Pasco County Register, the Florida Master Site File and the National Register of Historic Places by cross checking all requests for <u>development, re-modeling or demolition permits</u> against these files. Where such resources are listed on the Pasco County Register, a certificate of appropriateness shall be required prior to such permit being granted. For resources listed on either the Florida or National lists, the appropriate procedures shall be followed.</i>
112.	<p>Involuntary Historical Designations (See FLU, Goals, Objectives and Policies, Policy 1.2.14)- The Proposals state that without the landowner's consent, the County can designate property, improvements thereon, or even areas as historical in nature and can prohibit their destruction or alteration. This could result in a taking of property rights without compensation, and is generally offensive to all property owners.</p>	<p><i>The County processes for the submission of sites under these designations are provided in the ADOPTED Land Development Code and are consistent with the State Guidelines for the review of historical designations.</i></p>

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113.	<p>Transitional Uses (See FLU, Goals, Objectives and Policies, Policies 1.4.2, 1.4.3 and 1.4.4, and Exhibit entitled "Appropriate Transitional Land Uses")- The Proposals effectively: (a) create new standards to determine compatibility of projects; (b) cede authority concerning many future land uses changes to FDCA by limiting the BOCC's ability to make land use changes as it deems appropriate, and limiting its ability to amend the land use classification of property from one category to another; and (c) create new, as yet defined, buffers between residential and other land uses which could prevent many uses now permitted by the Comp Plan and the Code.</p>	<p><i>The creation of standards for creating transitions does indeed create new standards for determining the compatibility of project. During the County's Evaluation and Appraisal Report Process, the citizenry and County Commission of Pasco County identified the following issues with the current Comprehensive Plan: (1) Residential compatibility in suburban development and (2) there were a series of issues that were identified with regard to the preservation of the character of rural neighborhoods.</i></p> <p><i>One of the tools identified through the EAR process was to: "Address residential compatibility and define it discreetly by communities through buffers and setbacks."</i></p> <p><i>There were two basic underlying issues that this tool was identified to address. First, there is no certainty regarding the review of rezoning applications to insure that existing residential neighborhoods are protected. Second, when non-residential zoning already occurs adjacent to residential areas, there are not sufficient buffer standards within the adopted land development regulations to insure that these existing or future neighborhoods are protected.</i></p> <p><i>Thus the new standards were created to address this "short-coming" within the adopted Comprehensive Plan that was identified during the EAR.</i></p>

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113. Cont.	<p>Transitional Uses (See FLU, Goals, Objectives and Policies, Policies 1.4.2, 1.4.3 and 1.4.4, and Exhibit entitled "Appropriate Transitional Land Uses")- The Proposals effectively: (a) create new standards to determine compatibility of projects; (b) cede authority concerning many future land uses changes to FDCA by limiting the BOCC's ability to make land use changes as it deems appropriate, and limiting its ability to amend the land use classification of property from one category to another; and (c) create new, as yet defined, buffers between residential and other land uses which could prevent many uses now permitted by the Comp Plan and the Code.</p>	<p>Response Cont.</p> <p><i>The inclusion of additional standards into the Comprehensive Plan is NOT ceding the authority of the County Commission, but is rather AN ACTION BY the County Commission that creates a public disclosure and statement of how compatibility and transitions of land use are compatibility with the policies of the Comprehensive Plan that they have adopted.</i></p> <p><i>The establishment of standards to create compatibility are necessary functions of the Comprehensive Plan and the Land Development Code. See policies below:</i></p> <p>Policy FLU 1.4.2 Residential Compatibility: Standards for Review of Rezoning Requests <i>Pasco County shall enforce the evaluation of rezoning actions to address residential compatibility through the Comprehensive Plan based upon the Purpose and Intent statements of each applicable zoning district and shall amend the Land Development Code by December 2007 to include specific review criteria for rezoning actions to address residential compatibility. These criteria shall specifically include a method for 1) determining compatibility between residential zoning classifications where compatibility is measured based upon the harmonious and appropriate transitioning of residential land uses relative to density, intensity, lot sizes, product types and setbacks among various residential zoning classifications and 2) additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary.</i></p> <p><i>Methods of transitions will address the size of adequate buffers, landscaping requirements within the buffer including tree planting requirements, the sizes of perimeter lots, walls and maintenance of existing vegetation where such vegetation provides a level of opacity and screening that is deemed appropriate.</i></p>

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113. Cont.	<p>For instance, the Proposals would prohibit the BOCC from changing land uses designations from AG and AG/R to anything but AG, AG/R and RES-1.</p>	<p>Response Cont.</p> <p>Policy FLU 1.4.3 Transitional Land Uses <i>Pasco County shall evaluate Plan amendments and rezoning applications to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying densities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. Exhibit FLU: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.</i></p> <p>Policy FLU 1.4.4 Residential Compatibility: Buffer standards between residential and non-residential land uses <i>The County shall protect residential uses from the sensory intrusions of adjacent uses through the policies of the Comprehensive Plan and shall amend the Land Development Code by December 2007 to include effective buffer requirements that prevent sensory intrusions from adjacent uses from adversely affecting the long-term viability of residential neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These amendments shall address the following circumstances:</i></p> <ul style="list-style-type: none"> <i>Prevent uses that generate obnoxious sensory intrusion from being developed in certain areas;</i> <i>Eliminate or reduce the sensory intrusions of proposed development or redevelopment; and</i> <i>Intercept or prevent the sensory intrusion from affecting the adjacent use.</i> <p><i>Based upon this comment which refers to the Exhibit, Appropriate Transitional Land Uses, we recognize that this table does confuse the issue regarding transitions that should/should not occur with the Rural Area and transition evaluations that would affect a request 1) that is adjacent to the Rural Area at or along the boundary (not within it) or 2) that is a part of a request to move the Rural Boundary itself as provided in the Future Land Use Element Appendix, Section A-1.</i></p> <p>Recommended Amendment: <i>Revise the Transitional Land Uses Table to expand upon the footnote (*) that addresses the adjacencies for AG; AG/R; and RES-1 to distinguish transitions that occur within the Rural Area and Rural Transition Area for which the footnote was designed and the other conditions identified above.</i></p>

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113. Cont.	<p>For instance, the Proposals would prohibit the BOCC from changing land uses designations from AG and AG/R to anything but AG, AG/R and RES-1.</p>	<p>Response Cont.</p> <p><i>* Transitioning of land use (i.e. stepping down of land uses from higher densities to less intense uses) is ineffective in a rural area <u>the Rural Area</u> since it does not clearly identify the future limits of urban development, and will likely lead to urban sprawl. A clear and sharp distinction (e.g. establishment of urban <u>the Rural Area and Rural Transition Area boundaries</u>) between rural and urban densities is considered more effective in protection rural character. <u>For transitions that are being evaluated outside of the Rural Area and Rural Transition Area the standard articulated in footnote (+) shall apply.</u></i></p>
113. Cont.	<p>Page 2-14 FLU 1.4.3 Transitional Land Uses Mentions, "Exhibit FLU: Appropriate Transitional Land Uses." Where is this?</p> <p>Policy FLU 1.4.3 – Requiring “transitional land uses” is an outdated concept and is not workable. Matrix is an oversimplification of real world situations. Compatibility can be achieved through good site design and appropriate buffers. This policy and the matrix should be eliminated.</p>	<p><i>It is the second to the last table that is included at the end of the Future Land Use Element. See response to item # 95 above.</i></p>
114.	<p>Policy FLU 1.4.4 – This policy should be revised to include the circumstance where non-residential use came before residential. Or, clarify that policy applies when non-residential uses develop adjacent to <u>existing</u> residential.</p> <p>Policy FLU 1.4.4 Residential Compatibility: Buffer standards between residential and non-residential land uses</p> <p>The County shall protect residential uses from the sensory intrusions of adjacent uses through the policies of the Comprehensive Plan and shall amend the Land Development Code by December 2007 to include <u>methods of protecting neighborhoods from the sensory intrusions of adjacent non-residential uses that may affect the long-term viability of those neighborhoods</u>, effective buffer requirements that prevent sensory intrusions from adjacent uses from adversely affecting the long-term viability of residential neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These amendments-criteria shall address include provisions that the following circumstances:</p> <ul style="list-style-type: none"> • Prevent uses that generate obnoxious sensory intrusion from being developed or expanded in certain areas; • Eliminate or reduce the sensory intrusions of proposed development or redevelopment; and • Intercept or prevent the sensory intrusion from affecting the adjacent use. 	<p><i>To the extent that a residential development has been zoned, permitted or platted, but as of yet un-built, those future residences should also be able to rely upon the county's buffer standards to protect these uses.</i></p> <p><i>If the question is with regard to whether or not the county would require a “retrofit” of these standards for existing commercial uses that are adjacent to residential development– that is an implementation issue that is outside of the scope of this policy. Such an issue would be addressed at the time of development and adoption of the land development code and cannot be addressed at this early stage in the development of comprehensive plan policy.</i></p>
115.	<p>Page 2-14 FLUE 1.4.5 Roadway Compatibility Neighborhoods adjacent to collector and arterials New ROW preservation has collectors every 1/2 mile (2640 feet)</p>	<p><i>No response necessary.</i></p>

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116.	<p>Policy FLU 1.4.7 – Add “existing” before “residential areas” in second line. Add “unless such industrial uses can demonstrate compatibility” at end of first sentence.</p> <p>Policy FLU 1.4.7 Limits on Industrial Uses Adjacent to Residential Areas Pasco County shall ensure that future Plan amendments to industrial uses adjacent to residential areas shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise. Access which is limited only to local residential roadways shall be considered unacceptable for industrial uses.</p>	<p><i>The intent of this policy is to preserve both existing and planned residential areas.</i></p> <p>RECOMMENDED REVISION:</p> <p>Policy FLU 1.4.7 Limits on Industrial Uses Adjacent to Residential Areas <i>Pasco County shall ensure that future Plan amendments to industrial uses adjacent to residential areas Residential Land Use categories and/or residentially zoned properties shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise. Access which is limited only to local residential roadways shall be considered unacceptable for industrial uses.</i></p>
117.	<p>Where is the: "Exhibit FLU: Special Area Boundaries" ?? What's this?</p>	<p><i>It does not exist – the name was changed during drafting.</i></p> <p>RECOMMENDED REVISION:</p> <p>OBJECTIVE FLU 2.1. PRESERVE RURAL LIFESTYLES IN THE NORTHEAST PASCO COUNTY RURAL AREA <i>To protect the existing rural character of the Northeast Pasco County Rural Area and the Rural Transition Area as defined in Exhibit FLU: Special Area Boundaries Rural Area Strategies of the Future Land Use Map Series and thereby ensure the rural lifestyle is preserved for existing residents and remains available to future residents.</i></p>
118.	<p>Page 2-15 Objective 1.5, Policy 1.5.3 Reduction of non-conforming uses... Recombining antiquated plats – can this work in conjunction with ELAMP?</p>	<p><i>There is nothing that would preclude this from working in conjunction with ELAMP, where non-conforming uses exist in areas that are targeted for acquisition under this program.</i></p>
119.	<p>Policy FLU 1.8.2 – Requires Town Centers to use TND <u>and</u> TOD. Why? County hasn't defined either of these terms. Delete last sentence of policy.</p> <p>Policy FLU 1.8.2 Creation of Town Centers Pasco County recognizes Town Centers as the preferred pattern for future commercial development as depicted in the Town Center Vision Graphic (Exhibit FLU: Pasco County Town Center Vision Graphic). Pasco County shall review all requests for development proposal within the vicinity of the areas designated as Town Center on the Vision Graphic to insure that a Town Center is appropriately and adequately provided as a part of any future development plans for these areas. Town Centers shall be developed using Transit Oriented Design (TOD) principles and standards or Traditional Neighborhood Design (TND) principles and standards for Village Centers.</p>	<p><i>The draft element defines the principles of TND development (Policy FLU 1.8.1) and TOD development (Policy FLU 1.8.5). These principles are consistent with one another and with the concept of Town Centers as envisioned by the County.</i></p>

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120.	<p>Policy FLU 1.8.3 – Requiring Town Centers to seek plan amendments will add a year to approval process. Why not allow them provided they meet criteria defined in policy?</p> <p>We do not understand what is meant by “Transit Oriented Development”.</p>	<p><i>The purpose of providing a comprehensive plan and Future Land Use Map is to disclose to your citizenry the proposed distribution, extent, and location of the certain generalized land uses, including Commercial Uses (Rule 9-J5.006 (4)(a)2).</i></p> <p><i>Please see Policy FLU 1.8.5 which provides the principles for Transit Oriented Development.</i></p>
121.	<p>Policy FLU 1.8.5. – Same comment as above. Have the “transit stops” referenced been designated? Need to define “Auto Oriented Uses”.</p> <p>Policy FLU 1.8.5 Transit Oriented Design Pasco County shall amend the Land Development Code by December 2007 to include transit oriented design (TOD) standards to reinforce the use of public transportation by locating higher-density mixed-use development, including employment oriented businesses and higher density residential uses, adjacent to transit stops, which shall address at a minimum:</p> <ul style="list-style-type: none"> a. Establishment of Block lengths; b. Building setbacks and orientation to the street; c. Establishing minimum density and floor area ratio; d. Uses that support public transportation and walkability; e. Reduction in parking requirements and encourage shared parking; f. Prohibiting Auto Oriented Uses within a TOD; and g. Open Space Requirements. 	<p><i>This policy provides general direction with regard to the creation of land development code standards for Transit Oriented Design. The issues identified are implementation issues that are outside of the scope of this policy. Such an issue would be addressed at the time of development and adoption of the land development code.</i></p>
122.	<p>Policy FLU 1.8.8 – c. change “economic development activities” to “employment centers”.</p> <p>Policy FLU 1.8.8 Employment Center Purpose c. Discourage urban sprawl by clustering economic development activities along major transportation corridors;</p>	<p><i>The recommended change would provide for the “clustering of employment centers along major transportation corridors.” The intent is not to cluster employment centers, but rather to cluster employment generating uses within employment centers along these corridors.</i></p> <p>RECOMMENDED REVISION:</p> <p>Policy FLU 1.8.8 Employment Center Purpose c. Discourage urban sprawl by clustering economic development activities <u>targeted employment generating uses within Employment Centers</u> along major transportation corridors;</p>
123.	<p>Policy FLU 1.8.9 – Title: change “Economic Development Center Areas” to “Employment Centers”.</p>	<p>RECOMMENDED REVISION:</p> <p>Policy FLU 1.8.9 Public Infrastructure in Employment Centers Economic Development Center Areas <i>The County shall place a high priority on providing public infrastructure improvements to areas designated as Employment Center on the Future Land Use Map.</i></p>

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124.	<p>Policy FLU 1.8.10 – This policy is not implementable. How can this be done?</p> <p>Policy FLU 1.8.10 – This policy is not workable. How will County save transportation capacity for future high paying employment generating uses?</p> <p>Policy FLU 1.8.10 Preservation of Capacity for Employment Generating Uses The County shall, through the development review process, ensure that adequate land and transportation capacity is available for present and future high paying employment generating land uses, such as office, industrial, employment center uses.</p>	<p><i>The County's Concurrency review processes include methods to monitor the allocation of capacity of transportation corridors which process provides the most appropriate opportunity to evaluate and make recommendations for policy actions that will insure that this policy is achieved.</i></p>
125.	<p>Policy FLU 1.8.11 – Title: Change "Economic Development" to "Employment Center"</p>	<p>RECOMMENDED REVISION:</p> <p><i>Policy FLU 1.8.11 Code Updates for Economic Development Employment Center Zoning Classification(s)</i> <i>The County shall amend the Land Development Code by December 2007 to include zoning classification(s) and standards to implement the Employment Center future land use designations.</i></p>
<p>Goal 2: Associated Objectives & Policies (Rural Policies)</p>		
126.	<p>Policy FLU 2.2.2 – Title: Change to "Clustered Residential"</p> <p>Add: ..."through the approval of the Planned Development Future Land Use Category and subsequent rezoning to MPUD or through the creation of a Conservation Subdivision"...</p> <p>Conservation Subdivision guidelines are redundant. Refer back to Policy FLU 2.1.4.</p>	<p><i>No response.</i></p>
127.	<p>Policy FLU 2.3.1 – Why would we want the "existing rural development pattern" in Area 3 to persist? Isn't this urban sprawl at its worst?</p>	<p><i>The policies are expressly designed to respect rural residential neighborhoods by creating specific adjacency standards for rezoning actions. Within the Rural Neighborhood Protection Area, there are many different "rural neighborhoods." The adjacency standards for rezoning review and compatibility apply only to the "rural neighborhood" adjacencies. Rural neighborhoods are defined in the Glossary as follows:</i></p> <p><i>Rural Neighborhoods:</i> <i>Rural Neighborhoods are existing residential areas within the geographic areas defined in the Rural Strategies Map of the Future Land Use Element and are defined by rural lot sizes that are a minimum of 1 acre in size and are included within a neighborhood of at least 10 dwelling units (Agricultural Zoning), varying in design, architecture, and landscape.</i></p>

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128.	<p>Also, Proposal FLU 2.3.3 places a higher standard for any zoning change involving "rural" property than in any other areas of the County, which could make future rezonings difficult or impossible.</p> <p>Policy FLU 2.3.3 Standards for Review of Rezoning Requests: Rural Character Areas and Rural Neighborhood Protection Areas for the Protection of Existing Rural Neighborhoods <i>By December 2007 the County shall amend the Land Development Code to include specific review criteria for the protection of existing rural neighborhoods. These standards shall be based upon a review process that requires the following:</i></p> <p><i>a. Specific review criteria for rezoning actions to address compatibility with adjacent rural neighborhoods. These criteria shall specifically include a method for 1) determining compatibility between residential zoning classifications where compatibility is measured based upon the harmonious and appropriate transitioning of residential land uses relative to density, intensity, lot sizes, product types and setbacks among various residential zoning classifications and 2) additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary.</i></p> <p><i>b. Methods of transitions that will address the size of adequate buffers, landscaping requirements within the buffer including the maintenance of existing natural features, tree planting requirements, the sizes of perimeter lots, fences and maintenance of existing vegetation where such vegetation provides a level of opacity and screening that is deemed appropriate.</i></p> <p><i>c. Methods of protecting rural neighborhoods from the sensory intrusions of adjacent non-residential uses that may affect the long-term viability of those neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor and other sources of disruptions. These criteria shall include provisions that:</i></p> <ol style="list-style-type: none"> <i>1. Prevent uses that generate obnoxious sensory intrusion from being developed in certain areas;</i> <i>2. Eliminate or reduce the sensory intrusions of proposed development; and</i> <i>3. Intercept or prevent the sensory intrusion from affecting the adjacent rural neighborhood.</i> <p><i>d. Methods of protecting the entrances to rural neighborhoods by protecting rural residential roadways. Access for development proposals that are limited only to rural residential roadways shall be considered unacceptable for uses of urban density or intensity.</i></p> <p><i>e. A requirement for a development plan submitted with the rezoning request which includes:</i></p> <ol style="list-style-type: none"> <i>1. A narrative describing how the proposed development will maintain and/or protect the existing rural neighborhood;</i> <i>2. An inventory of adjacent built and proposed development which illustrates the current edge condition; and</i> <i>3. Transportation information describing the existing roadway network and the conditions of the road(s).</i> <i>4. A graphic illustration of the existing development conditions in proximity to the proposed site.</i> <p><i>f. One Neighborhood Meeting with the residents within a 1/4 2.5 mile radius. This meeting shall be conducted prior to a planning commission hearing for citizen input on the proposed petition.</i></p>	<p><i>The referenced policy does not make rezoning actions difficult or impossible but rather requires the County to "amend the Land Development Code to include specific review criteria for the protection of existing rural neighborhoods." The standards that are required to be included are not onerous and are as follows (restated from the policy):</i></p> <ul style="list-style-type: none"> <i>• Specific criteria for determining compatibility between residential zoning classifications</i> <i>• additional buffer or transition requirements that are necessary to develop or achieve compatibility where necessary;</i> <i>• methods of transitions that will address the size of adequate buffers, landscaping requirements;</i> <i>• methods of protecting rural neighborhoods from the sensory intrusions of adjacent non-residential uses;</i> <i>• methods of protecting the entrances to rural neighborhoods by protecting rural residential roadways;</i> <i>• a requirement for a development plan submitted with the rezoning request; and</i> <i>• one Neighborhood Meeting.</i>

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Community Area Plans – Land O’ Lakes Community Area Plan		
129.	<p>Objective FLU 4.2, Policy 4.2.1, page 2-44 Land O’ Lakes Community Plans</p> <p>Wesley Chapel has completed their CAP. How will this be addressed in the Comprehensive Plan?</p>	<p><i>The Community Area Plan Policies were drafted for Land O’ Lakes early in the process before the Wesley Chapel Community Plan was complete. The policies have been re-drafted to more specifically address those items that are appropriate within the Comprehensive Plan. Please see revised draft element.</i></p>

PASCO COUNTY EAR-BASED PLAN AMENDMENTS
 FUTURE LAND USE ELEMENT
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#	Comment	Response/Resolution
Corridor Design Standards and Neighborhoods		
130.	<p>a. <i>Is there a conflict between "connecting" and "cut-through" policies?</i></p> <p>On the one hand, Objective FLU 4.6, Policy 4.6.1.d, page 2-46 "Neighborhood streets should be designed to connect to adjacent activities and neighborhood-serving businesses with streets that do not encourage cut-through traffic." <i>Since we have current policy of connecting neighborhoods to avoid overtaxing collectors and arterials, how do we accomplish keeping folks off main thoroughfares without allowing people to work their way through a neighborhood?</i></p> <p>b. And then, we are considering a Land Development Ordinance that requires collector road ROW preservation of 142ft-wide ROW set every 2640 feet. Collectors are by definition a connecting road between two arterials. <i>Won't this encourage neighborhood cut-through?</i></p>	<p>a. <i>It is possible for a street to "connect" to adjacent activities and neighborhood serving businesses without encouraging "cut-through" traffic if the street and street system are designed properly (i.e. grid street system with multiple points of connection, curvilinear streets etc.) or by utilizing context-sensitive traffic calming measures. To make this clear, I would change d. of Policy 4.6.1 to read something like the following:</i></p> <p>RECOMMENDED REVISION: Policy FLU 4.6.1 Design Principles <i>The visual and functional characteristics of streets are important in the design of the community. The design principles are:</i></p> <ul style="list-style-type: none"> a. <i>Streets should be designed as a part of the public realm with amenities;</i> b. <i>Streets should be designed to accommodate a mix of travel modes including vehicles, bikes, transit and pedestrians;</i> c. <i>Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian-ways, lighting, signs, front yard setback areas, and building facades; and</i> d. <i>Neighborhoods streets should be designed to connect to adjacent activities, subdivisions, and neighborhood-serving businesses with streets that do not encourage cut through traffic through the design of a street and pedestrian system that provides context-sensitive design and traffic calming measures where appropriate.</i> <p>b. <i>The "Land Development Ordinance" referred to is the arterial/collector spacing standards that the County is required to adopt pursuant to existing policy 2.3.4 of the Transportation Element (adopted by the BOCC on May 10, 2005). The exact standard is still to be determined by County staff, the County's transportation consultants, interested parties and the Board of County Commissioners through the Right of Way Preservation Ordinance, but in all cases the standard applies to roads classified as arterials, collectors, and subdivision collectors (Type 1A and Type 1B roadways). The County's Land Development Code does not allow residential lots to front these types of roadways, and they are designed to carry through movements between neighborhoods and other arterials/collectors. Accordingly, they are generally not the types of roadways that would generally be considered "cut-through" roadways, because vehicles traveling over such roadways would not be traveling through the front of residential neighborhoods.</i></p>

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130. Cont.	<p>c. Point of interest: Policy FLU 4.7.10.b: "Through streets should be spaced no more than half a mile apart, where practical to provide diversity in the network and minimize pressure on SR54/56" This looks as if its referring to residential roads, not collectors.</p> <p>d. Again, Objective FLU 1.4, Policy FLU 1.4.5, page 2-14 Roadway compatibility - requires connectivity of neighborhoods through amenities, services and facilities, etc. Is this cut-through or connectivity and relief to our major arterials?</p> <p>Policy FLU 1.4.5 Roadway Compatibility Pasco County shall encourage the viability of future residential neighborhoods adjacent to collector and arterial roadways by:</p> <p>a. Continue to require additional setbacks and buffers for residential development and redevelopment adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;</p> <p>b. Enforcing existing Land Development Code provisions, or creating when necessary additional standards, providing when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping.</p> <p>e. Transportation Element, Series 7 maps, map 7-36 "Highway Vision Plan" has transformed east and east-central Pasco into a transportation grid indicative of urban density. How is this not in conflict with rural character area policies?</p>	<p>c. RECOMMENDED REVISION:</p> <p>Policy FLU 4.7.10 Access and Connectivity Pasco County shall amend the Land Development Code by December 2008 to incorporate access and connectivity standards for developments along the SR 54/56 Corridor with the following provisions:</p> <p>b. Through streets Collectors and arterials should be spaced <u>in accordance with the County's adopted arterial/collector spacing standards</u> no more than half a mile apart, where practical to provide diversity in the network and minimize pressure on SR 54/56;</p> <p>d. See response to comment a. above. I think the wording in Policy 1.4.5 is appropriate and the issue of connectivity vs. cut-through is addressed in the changes proposed to Policy 4.6.1 above.</p> <p>e. The Highway Vision Plan was designed as a "long-range" vision for the future transportation network of the county and is not constrained by the 20 year planning horizon of the Comprehensive Plan. The rural character policies are designed within the framework of the county's planning horizon and are intended to guide any "actions" of the county (both land use and funding of infrastructure development) within that horizon.</p> <p>The new policy FLU 2.1.4 is intended to provide direction to the County about a similar "long-range" visioning process for the rural areas. The results of that effort would need to be coordinated with the Highway Visioning Efforts and any corrections/ revisions would need to be completed at that time.</p>

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PUBLIC ROADWAYS, SCENIC ROADWAYS and RURAL CHARACTER and TAKING OF PROPERTY		
131.	<p>Policy 4.5.2.d "Require the use of <i>hedges, walls and landscaping</i> at intersections and <i>development entryways</i> along arterial and collector roadways, consistent with line-of-sight safety standards, to identify community areas to the traveling public;" Does this "manicured" approach to the "scenic" concept, potentially conflict with protection of existing rural neighborhoods, Policy FLU 2.3.3?</p> <p>Will this scenic designation result in any property takings through designating land as unavailable for anything but landscaping? What happens to smaller (narrower) properties along a scenic road?</p>	<p><i>The scenic roadway program identified in this policy is provided for urban facilities. The intent was to provide two programs one for rural scenic roadways and one for urban scenic roadways.</i></p> <p><i>There is no taking of land as a result of these policies. The use of landscape buffer is already incorporated into the county's land development code, however, it is not specific enough to address all of the items identified within these policies.</i></p>

FUTURE LAND USE ELEMENT – GLOSSARY		
132.	<p>Conservation Subdivision – shouldn't the 20% in uplands be included in the definition?</p>	<p><i>The provision that requires 20% of the open space to be uplands has been recommended for removal from Policy FLU 2.1.6 and FLU 2.2.2 because it has the potential to detract from the primary criteria for the siting of the open space which is:</i></p> <p><i>"b. Conservation Subdivision Open Space shall be configured to create <u>external connectedness</u> by adding to a larger contiguous off-site network of interconnected open space, particularly existing habitats, and shall address opportunities for restoring native habitats;</i></p> <p><i>c. Conservation Subdivision Open Space shall be configured to create <u>internal connectedness</u> through connected and integrated Open Space within the subdivision parcel and shall be based upon the context sensitive site design standards;"</i></p>
133.	<p>Should definition of "final form of development" be in here?</p>	<p>RECOMMENDED REVISION: <u>Final Form of Development:</u> <i>The form of rural residential development within the Rural Character Area that is evidenced by the extent of existing residential subdivisions that are platted and/or constructed in a large-lot residential development pattern.</i></p>
134.	<p>Discuss OPEN SPACE versus CONSERVATION SUBDIVISION OPEN SPACE</p>	<p><i>Open Space is a term and requirement that applies to residential subdivisions and other urban uses while Conservation Subdivision open space is a term and requirement that applies to a specific type of rural cluster subdivision. There are different policies in the comprehensive plan that regulate the different types of open space and provide for different types of uses within each of these areas.</i></p>

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135.	Is there a definition for "rural transition area"?	<p>RECOMMENDED REVISION:</p> <p><u>Rural Transition Area: Refers to the area as defined in Exhibit FLU: Special Area Boundaries of the Future Land Use Map Series. The intent of this area is to serve as a Transition between more urban development and the Northeast Pasco Rural Area.</u></p>
136.	<p>Definition of "Commercial Infill" (See Glossary Definitions)- This definition makes absolutely no sense. The proposed definition is contrary to all known definitions of commercial infill.</p> <p>Commercial Infill: Development or redevelopment of property with a commercial use where such development is precluded from extending or creating strip commercial patterns due to one of the following: the site surrounded by existing, built commercial development or the geographic features, including physical infrastructure such as roads, of or adjacent to the site preclude any extension of the commercial use to an adjacent or adjoining property.</p>	<p><i>The definition has been designed to specifically address the issues of permitting commercial uses to "infill" in areas without that policy being misappropriated in an effort to continue the proliferation of strip development that characterizes many of the commercial corridors in Pasco County.</i></p> <p><i>Sample of other infill definitions:</i></p> <p><i>Infill Development or redevelopment of property surrounded by existing development. (Alachua County)</i></p> <p><i>Infill Development Area: Infill development areas are vacant lands located in highly developed urbanized areas, as characterized by:</i></p> <ul style="list-style-type: none"> • <i>Located within existing central water and center sewer service areas; and</i> • <i>Surrounded by nonresidential development. (Seminole County)</i> <p><i>INFILL or INFILL DEVELOPMENT - Development of vacant or abandoned parcels in otherwise built-up areas within the unincorporated area of the Urban/Suburban Tier. These areas generally have a predominate land use designation of at least three (3) dwelling units per acre and/or an average non-residential intensity measured through floor area ratio, of at least 0.2. (Palm Beach County)</i></p>
137.	Definition of "Non-Conforming Use" (See Glossary Definitions)- No other jurisdiction defines "non-conforming use" as one that is inconsistent with the Comp Plan. Rather, they define it as a use that is inconsistent with the zoning district in which the use is located. For instance, this Proposal would make all commercial zoning/uses outside the proposed commercial land use classification non-conforming uses.	<p><i>There are other jurisdictions that use this same definition. While the term non-conforming use is often used in the context of zoning within the land development regulations of a jurisdiction, it is also used in the context of land use designations within the comprehensive plan.</i></p> <p><i>The draft element has been revised such that the ROR land use is "sunset" thus all commercial zonings within ROR would not be rendered "non-conforming."</i></p>

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138.	<p>Definition of "Conservation Open Space" (See Glossary Definitions)- In addition to all of the other issues we have with Conservation Subdivisions, this definition contains some sections that are totally unworkable. For instance, it is impossible to say where stormwater systems will be located because their location depends almost entirely upon the topography of the land. This definition attempts to locate stormwater systems regardless of the topography, which is impossible.</p>	<p><i>Conservation Subdivision Open Space; The Open Space that is created as a part of a rural residential development where fifty percent or more of the land is designated as undivided, permanent Open Space and the remaining developable land is subdivided into buildable lots. Permitted Uses may include the following: Active recreation areas, which do not exceed 10% of the required minimum open space or 5 acres, whichever is less; equestrian facilities utilizing best management practices; bikepaths and trails; equestrian trails; agricultural uses (including accessory uses); stormwater management systems serving the Conservation Subdivision provided the stormwater systems are unfenced and are surrounded by or adjoin areas that are improved for use as a recreation area for use by the conservation subdivision residents, and any required landscape buffers.</i></p> <p><i>The definition provides NO DIRECTION with regard to the location of stormwater systems. It does however, identify that stormwater management systems may be a permitted use within the open space if it is unfenced and provided as an amenity to the subdivision. This option is typically seen as the type of flexibility that is desired within the required open space.</i></p> <p><i>There is nothing in this definition that prohibits the stormwater system from being constructed outside of the required open space.</i></p>

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FUTURE LAND USE ELEMENT – TECHNICAL SUPPORT DOCUMENT

139.	<p>Is this the same or a different tech support document for the EAR volume II?</p>	<p><i>It is expanded to include additional analysis.</i></p>
140.	<p>TSD2-31 Why do the population estimates bounce around so much between this document and the EAR (p2-6, EAR, Sept 2004)?</p> <p>For example: here there is a statement that Pasco will grow by over 200,000 people by plan event horizon of 2025. EAR estimate shows between 112,809 and 160,535</p>	<p><i>The population estimates that were used in the EAR were based upon the most recent University of Florida Medium project series that was available at the time the EAR was developed. The Comprehensive Plan Update has been developed consistent with the adopted MPO 2025 Long Range Transportation Plan and its planning projection series which uses the University of Florida High Projection Series from 2004.</i></p>
141.	<p>TSD2-53 What exactly does undeveloped/committed mean?</p> <p>Does this mean these are entitled (or vested)?</p>	<p><i>It is the amount of vacant developable land that is neither developed nor approved for development through a DRI or an MPUD. This methodology allows the county to more accurately account for the approved development within DRIs and MPUDs because the amount of approved development is established through development orders.</i></p> <p><i>The committed projects are entitled or vested.</i></p>
142.	<p>How does this list (Appendix A-2) compare to the DRI/MPUD list? What are the differentiating characteristics of the lists?</p>	<p><i>It is the same, except it excludes "unapproved projects." The exceptions are Aripeka Heights; Ashely Glen (aka Van Worp); and Bexley Ranch which are included in the totals, but excluded for the analysis for Table 2.14A which removes them from the approved total.</i></p>
143.	<p>Where can I find the amount of undeveloped land left and what the <u>total allocation numbers are county-wide for each land use designation?</u></p> <p>For example: each planning district map shows "vacant residential", but it does not indicate how much is RES-1, RES-3, etc. Therefore, I cannot determine how many <i>UNITS</i> are actually allocated.</p> <p>The closest seems to be TSD2-32, Table 2.11, Table 2.12, and Table 2.13.</p> <p>Could I actually multiply out the residential land use by these acreages and have an accurate picture of the total allocation for residential units?</p> <p>Or does Table 2.14 on TSD2-34 do this for me?</p>	<p><i>Table 2.14 on TSD-34 provides this information.</i></p>

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144.	<p>In TS D2--56; TSD2--57;; and TSD2--15 we read about acreage needs for Service Employment, Commercial Employment, and the 2025 Future Lands uses. Again, how are these arrived at? I know that many sections note that several agencies-- both County and Regional--have been consulted. How does an average person become comfortable with what has been suggested aside from making an assumption that what has been recommended is in the best interests of the County's future?</p> <p>Please bear in mind that while county planners and local land use attorneys are familiar with the Comprehensive Plan and its foundation the average person has to be given some assurances that recommendations for changes are based on something more valid than the phrase often used by everyday people: "Money talks." and "them that has, gets." I think that most people would prefer to have clearly-stated premises for changes publicized as the EAR process comes to an end and the Commissioners vote on the proposed changes.</p>	<p><i>The summary tables included in the technical support document (Table 2.14 on TSD-34) provides this information in an easy to read format.</i></p>

FUTURE LAND USE ELEMENT - APPENDIX

Missing Provisions

145.	<p>The following provisions are not complete:</p> <p><u>Technical Support Document, p. 2-2</u></p> <p>Special Studies [Tindale-Oliver is working on specific guidelines for traffic studies to support plan amendments.]</p> <p><u>Technical Support Document, p. 2-15</u></p> <p>Editor's note: In consideration of the requirements for RES-1 properties to be developed in either an MPUD or Conservation Subdivision, density incentive options for RES-1 are being considered – in a similar scaled fashion as described within AG and AG/R land use categories. The recommendation for this incentive will be provided as soon as it has been completed.</p>	<p><i>The Administration Element of the Comprehensive Plan is under development and will include all applicable administrative procedures, including these guidelines.</i></p> <p><i>This section has been included in the re-draft of the document.</i></p>
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FLU Element Appendix – A-1: Plan Amendment Standards of Review

146.	<p>Standards for Amending the Rural Area Boundary.</p> <p>What is meant by "the Rural Area Boundary". Does it include the RA, RTA, RCA, and RNPA? Do the standards on page 2-3, A. – D. refer to all amendments within the "Rural Areas" or only with the "Rural Character Area" as stated? Regardless, the criteria/standards are too strict, particularly must be adjacent to urban development patterns. Please explain what this means.</p>	<p><i>This section has been revised to include two separate sections:</i></p> <p><i><u>Standards for Amending the <u>Northeast Pasco County Rural Area Boundary</u></u></i></p> <p><i><u>Standards for Review of increased density within the <u>Northeast Pasco County Rural Area and the Rural Character Area</u></u></i></p> <p><i>Please see the revisions that have been prepared.</i></p>
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146. Cont.	<p>Future Land Use Appendix A-1, Page 2-2, also creates a standard that makes future land use map amendments within any "rural" area all but impossible with a new, higher standard than for all other land use amendments. Why would the County want to cede these decisions to the bureaucrats in Tallahassee who are unaccountable to Pasco County citizens and landowners? The concepts of transitional uses and compatibility should be left to the policy-making function of the BOCC, as already provided for by law, and should not be limited in the Comp Plan or the Code.</p> <p>Finally, in FLU Section 1.4.4, is the intent to buffer "sensory intrusions" (a very vague term) or prohibit them- the later seems unreasonable and harsh.</p>	<p><i>The DRAFT Element provides a new standard for amendments to the Future Land Use Map within:</i></p> <p><i>a. the <u>Northeast Pasco County Rural Area</u> for any future land use designation that permits more than 1 dwelling unit per developable residential acre or any other future land use designation that requires the installation of central water and sewer services as per FLU Exhibit: Services and Facilities by Classification or</i></p> <p><i>b. amendments within the "<u>Rural Character Area</u>" for any future land use designation that permits 3 or more dwelling units per developable residential acre.</i></p> <p><i>This standard provides four (4) review components:</i></p> <ol style="list-style-type: none"> <i>1. Demonstration of Need consistent with the requirements of Rule 9J-5.006(2)(c), FAC that establish the standards for an analysis of the amount of land needed to accommodate the projected population. (A standard already applied to all other amendments through the Florida Administrative Code);</i> <i>2. Compatibility;</i> <i>3. Contiguity to existing urban development patterns; and</i> <i>4. Consistency with Goals, Objectives and Policies of the Comprehensive Plan</i> <p><i>These are reasonable standards for the extension of urban uses into an area that was heretofore rural.</i></p> <p><i>Again, these standards are proposed to be adopted into the Comprehensive Plan by the BOCC as an expression of <u>their</u> policy direction and intent. The decisions for applying these standards and amending the Comprehensive Plan remain vested with the County Commission and nothing included within these standards provides otherwise.</i></p> <p><i>Policy FLU 1.4.4 Residential Compatibility: Buffer standards between residential and non-residential land uses, requires the county to adopt revisions to the Land Development Code that address sensory intrusions (which are defined by the policy as "unwanted light, noise, physical access, odor and other sources of disruptions") in three circumstances:</i></p> <ul style="list-style-type: none"> <i>• Prevent uses that generate obnoxious sensory intrusion from being developed in certain areas;</i> <i>• Eliminate or reduce the sensory intrusions of proposed development or redevelopment; and</i> <i>• Intercept or prevent the sensory intrusion from affecting the adjacent use.</i>

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147.	When I read items such as "...preparation of a needs analysis..." I wonder how this is done, and who does it?	<i>In this context it is required as a part of the applicant's submittal package for the plan amendment request.</i>
Section FLU A-4: Calculation of Residential Densities		
148.	<p>TOPIC/ISSUE: WETLAND CREDITS</p> <p>Critical linkage allows a density credit of 25% of the CON land (old definition: not developable land) OR category I wetlands</p> <p>Does this refer to any category I wetlands or only category I wetlands in a critical corridor?</p> <p>To be clear, category II and III wetlands do not qualify for this credit?</p> <p>Identification of a critical linkage is by necessity somewhat vague... and flexible according to environmental value and functionality.</p> <p>Will the land to be accepted and eligible for 25% credit be ranked by environmental value OR will it qualify simply by falling within the general area identified as "critical linkage"?</p> <p>If land does not qualify, then all the wetland credits fall back to previous density credit, which is not to exceed 10% of developable residential acreage?</p> <p>FOOD FOR THOUGHT: Dedication to the land to the county will mean Pasco must manage that land. We have no management fund source at this time. What are your thoughts on this?</p>	<i>See the new examples for wetland credits and critical linkages.</i>
149.	<p>A 25% "density incentive" for critical linkages is totally inadequate to encourage dedication or preservation of same – especially since the 25% appears to be applied only to wetland acres. Since critical linkages are both uplands and wetlands and should have the highest incentive, suggest allowing densities of up to 1 du/acre.</p> <p>Further, the wetland credit should be applied to the upland acres, not to the wetland acreage.</p>	<p>RECOMMENDED REVISION: <i>See the Future Land Use Element Appendix, p. 2-6 for the new incentive for critical linkage and the examples that follow that section:</i></p> <p>4. <u><i>In those cases where proposed residential acreage contains lands which are classified as Critical Linkages, 100% of the base density of the upland portion of the Critical Linkage may be transferred to the developed portion of the property as well as an additional 25% density incentive provided that the areas so classified are not impacted by the development and are preserved in perpetuity by conservation easement or dedication to a government entity as approved by Pasco County.</i></u></p> <p><i>Regarding the application of wetland credits to the "upland" acres, the examples included in the revised document illustrate the effect of this type of reasoning, which is contrary to the "intended" purpose of creating wetland incentives – which is – to protect the wetlands (not the uplands).</i></p>

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#	Comment	Response/Resolution
Flexible Plan Boundary		
150.	<p>Have the Flexible Plan Boundary provisions been deleted? If so, this is a very good change.</p> <p>However, we should add back in the provisions for calculating residential density and non-residential FARs when a project contains more than one Future Land Use Designation. Allowing a mix of densities and intensities within a project, so long as the amount of development allowed does not exceed what is allowed in all of the categories combined, is a standard procedure in all of the Comp. Plans that I am familiar with. It is a common practice that we should add back in to our plan.</p>	<p>Yes.</p> <p><i>We have discussed this issue with the state, and we are not familiar with options that permit the unfettered mixing of densities and intensities across land use districts without regard for the protection of adjacent uses or disclosure of the densities, intensities or uses and the effect of this mix on adjacent properties.</i></p> <p><i>Providing a Planned Development future land use designation provides the county commission with the flexibility of granting the mix of uses, while retaining the ability to apply specific conditions to those sites to insure compatibility with adjacent uses.</i></p>
Section FLU A-5: Calculation of Floor Area Ratios		
151.	<p>Credits for wetland preservation and/or critical linkages should be applied in the calculation of FARs as well as residential densities. See comments in 30. above.</p>	<p><i>I do not understand the practical implication of permitting the increase in FARs.</i></p>
Section FLU A-6: Future Land Use Map		
152.	<p>Page 2-10 It isn't immediately apparent to me how RES 1 can be in both rural land use and residential land use. What are we trying to convey here?</p> <p>Why is Res-1 shown as both "Rural" and "Residential"?</p>	<p><i>It is an estate land use that is used as a transition.</i></p>

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153.	<p>SECTION FLU A-6: THE OFFICIAL FUTURE LAND USE MAP, p. 2-11 Item #3 Section A-6 - 3 If not all potential uses will be acceptable anywhere within a classification, how will it be decided where uses are acceptable within each classification?</p> <p>Section 3 reads as follows:</p> <p>3. The land use classifications shown on the Future Land Use Map are identified according to the predominant use or maximum level of intensity intended for that classification. Other uses, such as, but not limited to, recreational, public, and semipublic uses, may be permitted in any land use category consistent with the applicable goals, objectives, and policies of the Future Land Use Element. Specific locations for other uses are not shown on the map because they are predicated on conditions and events which cannot be predicted at this time.</p> <p>The character of each land use category is defined by development intensity, residential density, functional use, and the physical characteristics of the land. <u>Each classification has a range of potentially permissible uses which, although not exhaustive, illustrate the character of uses permitted within the land use classification. Not all of the potential uses are acceptable anywhere within the classification.</u> Each potential use must be evaluated in accordance with the goals, objectives, and policies of the Future Land Use Element.</p> <p>For example, although a residential development must comply with the maximum gross density requirements, it is not ensured of the maximum density allowed for that classification. The application of Comprehensive Plan policies dealing with the natural environment, public facilities, transportation, and/or surrounding land use compatibilities may preclude the development of maximum density on any particular site.</p>	<p><i>This language is included in the adopted Comprehensive Plan on page 2-54, under the section entitled: The Official Future Land Use Map, General Application.</i></p> <p><i>Short answer – through the rezoning process.</i></p> <p><i>Long answer - The future land use designation sets forth the long range potential uses of property in the context of a lawful planning horizon and provides for a wide array of potential zoning classifications within each land use designation. A property owner is not entitled to all zoning classifications or the most potentially dense or intense zoning classification within a land use designation. Numerous planning, timing, compatibility, public facility and other generally acceptable planning issues affect the appropriateness of assigning a particular zoning classification or approving a particular land use with regard to a particular parcel of property.</i></p>

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154.	<p>The proposed changes in the future land use designations take out much of the flexibility that the current plan provides. The current future land use classification allows a mix of uses in many of the categories. Policies currently dictate which use(s), how much, and where development occurs. The proposed addition of very specific land uses appears as more of a zoning plan than a comprehensive plan to guide development for a 20 year period.</p> <p>Further, the proposed changes will require most non-residential projects (large or small) to go through the plan amendment process, greatly adding to the staff's work load, to the time and money required to bring a project to development. The plan amendment process alone requires an estimated 12 months or more to complete.</p>	<p><i>In fact, it is the ADOPTED Comprehensive Plan with its 6 gradations of residential land use categories that creates the appearance of a "zoning" plan rather than a comprehensive plan.</i></p> <p><i>Rule 9J-5.006 (4)(a) identifies the types of uses to be provided in the future land use map as follows:</i></p> <p><i>(4) Future Land Use Map.</i> <i>(a) The proposed distribution, extent, and location of the following generalized land uses shall be shown on the future land use map or map series:</i></p> <ol style="list-style-type: none"> <i>1. Residential use;</i> <i>2. Commercial use;</i> <i>3. Industrial use;</i> <i>4. Agricultural use;</i> <i>5. Recreational use;</i> <i>6. Conservation use;</i> <i>7. Educational use;</i> <i>8. Public buildings and grounds;</i> <i>9. Other public facilities; and</i> <i>10. Historic district boundaries and designated historically significant properties meriting protection.</i> <i>11. Transportation concurrency management area boundaries or transportation concurrency exception area boundaries, if any such areas have been designated.</i> <i>12. Multimodal transportation district boundaries, if any such areas have been designated.</i> <p><i>See the response to item # 91 & 93 above.</i></p>
155.	<p>Page 2-12 DEFINITIONS OF FUTURE LAND USE DESIGNATIONS CONSERVATION LANDS (CON) General Range of Potential Uses: Open space, appropriate recreational activities, passive nature parks, selected agricultural activities, spraying of treated effluent, accessory structures.</p>	<p><i>This use is included in the adopted Comprehensive Plan definition for Conservation Lands. However, we agree it is an inappropriate use.</i></p> <p><i>Recommend Revisions:</i> DEFINITIONS OF FUTURE LAND USE DESIGNATIONS CONSERVATION LANDS (CON) General Range of Potential Uses: Open space, appropriate recreational activities, passive nature parks, selected agricultural activities, spraying of treated effluent, accessory structures.</p>

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156.	<p>In the AG and AG/R classifications how much "small commercial uses" will be allowed?</p> <p>Future Land Use Element Appendix, DEFINITIONS OF FUTURE LAND USE DESIGNATIONS, pp. 2-12/2-14.</p>	<p><i>This language is included in the adopted Comprehensive Plan on page 2-58 and 2-59, under the Table 2-3, Comprehensive Plan For Unincorporated Pasco County, Future Land Use Classification System.</i></p> <p>RECOMMENDED REVISION:</p> <p>General Range of Potential Uses: <i>Agricultural, rural residential uses, mining, agro-industrial uses, small commercial uses <u>related to the agricultural use of the property</u>, recreation facilities.</i></p>
157.	<p>RES-3 Permitted Uses</p> <p>Town homes should be permitted in RES-3</p>	<p>RECOMMENDED REVISION:</p> <p>RESIDENTIAL – 3 (RES-3) <i>Intent: To recognize those areas suited for single-family detached residential development at a maximum of 3.0 dwelling units/developable residential acre and to establish locations which may be eligible for appropriate residential support uses. <u>Attached residential development at a maximum of 3.0 dwelling units/developable residential acre may be permitted within a MPUD.</u></i></p> <p>General Range of Potential Uses: <i>Single family detached Residential uses, agriculture and agriculturally-related uses, recreation facilities, neighborhood-scale public and semipublic uses, such as central utility systems.</i></p>

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158.	<p><i>Definitions of Future Land Use Designations, Commercial (COM)</i></p> <p>The uses allowed in the category should include all of the uses allowed in the Office category.</p> <p>In the COM district, how much office will be permitted, and what is the allowable residential density in combination with commercial uses within a single building?</p>	<p><i>We concur. They are included as drafted.</i></p> <p><i>The definition for commercial use is inclusive of "office" uses. This definition is currently adopted in the Comprehensive Plan and is not recommended for revision. Thus, there is no restriction on the provision of "office" uses except as provided within the constraint of the maximum intensity of the land use designation: .6 FAR – see page 2-19, Future Land Use Appendix.</i></p> <p><i>The allowable residential density within a single building would also be governed by the .6 FAR as well as other limitations of the proposed zoning district including height limitations.</i></p> <p><i>Commercial Use: An activity carried out for pecuniary gain, excluding the rental or lease of any permanent residential dwelling unit or its equivalent, such as nursing homes, group homes, boarding houses, etc. This term shall include hotels, recreational vehicle parks, retail, wholesale, <u>and office uses</u> but specifically exclude those uses described elsewhere in this glossary as agricultural, industrial, or residential.</i></p>
159.	<p>APPENDIX, Page 2-23/24 Planned Development (PD) with a minimum <u>requirement</u> of 25% open space.</p> <p>How do you envision this working with rural character and neighborhood protection areas? What credits apply here?</p>	<p><i>The Planned Development future land use category is an Urban Land Use Category and requires the full range of urban services. This category could be especially effective in addressing the compatibility requirements of the policies protecting rural character areas and neighborhood protection areas by including those provisions within the land use category itself at adoption. However, the standards that are ultimately created in the Land Development Code to implement policy FLU 2.3.3 could not be violated by the PD, but could be enhanced.</i></p> <p><i>The "concept" of a wetlands credit could apply here, however, please note that the maximum density/intensity is established at the application of the land use to a specific site through the establishment of maximum entitlements at that time.</i></p>

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160.	<p><i>Definitions of Future Land Use Designations, Planned Development (PD).</i></p> <p>Strongly recommend that "Architectural Details" not be included for consideration in determining compatibility.</p>	<p>RECOMMENDED REVISION: <i>P. 2-31, 2ND paragraph</i></p> <p><i>Additionally, architectural details may be considered by the Board of County Commissioners (Board) on a site specific basis when determining if a planned development is compatible with the character of the area. Such standards shall include, but not be limited to, building style, design and scale; exterior building materials; roof design and construction; building size and placement; site furnishings; fences and entrance features; and the size and location of service areas. If the proposed plan does not or cannot achieve the desired level of compatibility, as determined by the Board, the Board may deny the rezoning request.</i></p>
161.	<p>It has been said that a Planned Development land use can save the land owner time and expense at rezoning – this is not clear in the Plan.</p>	<p><i>P 2-31, 1st paragraph not only permits the concurrent rezoning of the property, but requires it. Thus at the time the plan amendment is approved, so is the rezoning action, thus saving time and expense.</i></p> <p><i>Plan amendment requests for the assignment of a Planned Development future land use designation must be accompanied by a rezoning request to either Master Planned Unit Development (MPUD) or Commercial Planned Development (CPD). All rezoning requests must be accompanied by a Master Development Plan as set forth in the Land Development Code. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.</i></p>
162.	<p>Will the MPUD zoning district continue to be permitted in the conventional land use designations of the County?</p> <p>Will future MPUD rezonings also be required to be in the PD district, thereby requiring a Biannual Amendment?</p>	<p><i>Yes and the Adopted Future Land Use Designation will continue to establish the range of uses and the maximum densities and intensities that are permitted within the MPUD at that location.</i></p> <p><i>No.</i></p>
163.	<p>What is CPD Zoning in Pasco County?</p>	<p><i>This is a future zoning district that has been discussed with county staff as a "Commercial Planned Development" that would provide a more streamlined development submittal and review opportunity for a single use commercial development than the current MPUD process.</i></p>
164.	<p>Will Commercial planned development also have a minimum lot size of 10 acres?</p>	<p><i>The future zoning district has not been drafted at this time – however, the initial discussions have been to remove this limitation.</i></p>
165.	<p>Can no projects other than Connerton be designated New Town?</p>	<p><i>The policies and definitions were created specifically and explicitly for Connerton. They are not transferable to other sites.</i></p>

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FUTURE LAND USE ELEMENT – LAND USE ALLOCATIONS

General

166.	How were land uses allocated?	<p><i>The County's ADOPTED Future Land Use Map provides the foundation for this update to the Comprehensive Plan and includes an allocation for all land use types.</i></p> <p><i>A review of these allocations was conducted as a part of this update and is detailed in the Technical Support Document, which confirms that are sufficient residential lands to accommodate projected growth over the planning horizon - 2025.</i></p> <p><i>In addition, there were three (3) specific land use issues that were identified during the EAR process that have been addressed through recommended amendments to the Future Land Use Map. These include:</i></p> <ol style="list-style-type: none"> <i>1. Future Land Use Element and Sub-District Issues: Protection of Rural Communities and Rural Neighborhoods</i> <i>2. Future Land Use Element and Economic Element Issue: Need to identify appropriate locations for economic development activity</i> <i>3. Future Land Use Element and Sub-District Element: Additional strip commercial development should be limited/ prevented and Suburban development form inhibits a sense of community.</i> <p><i>These issues were addressed by recommendations for Rural Area Protection Strategies; Employment Centers; Commercial Nodes; and Town Centers.</i></p>
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Supply of Residential Land Uses

167.	How is the supply of residential lands addressed in the draft element?	<i>The Technical Support Document provides this analysis. Please see TSD 2-31; Section 5.</i>
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168.	<p>The proposed draft Future Land Use Element fails to adequately identify or set aside sufficient lands for residential development.</p> <p>There was no study performed by the County, or other supporting data and analysis used by the County, to identify the specific housing needs of the County over the next 20 years.</p>	<p><i>The Planning Horizon for this Comprehensive Plan has been established as 2025, consistent with the MPO long-range transportation planning horizon. The Comprehensive Plan Update has been developed consistent with the adopted MPO 2025 Long Range Transportation Plan and its planning projection series which uses the University of Florida High Projection Series from 2004.</i></p> <p><i>Based upon this projection series, the estimated demand for residential housing over the 20 year planning horizon (2003– 2025) the county is projected to need 135,961 units. (See the Technical Support Document for this analysis).</i></p> <p><i>To date the County has approved through DRI's and MPUDs an additional 78,888 units that are approved, but as yet un-built. In addition to the approved DRIs and MPUDs, the current vacant, developable, uncommitted urban residential lands are estimated to be able to accommodate 161,894 units. The methodology used to calculate the holding capacity (supply analysis) of the vacant, developable, uncommitted lands within the county relied upon "average" densities for each future land use designation (where available) to more accurately reflect the average yield of properties within Pasco County, rather than applying the maximum density of the land use classification.</i></p> <p><i>The Technical Support Document provides this analysis.</i></p>
169.	<p>As a result of the proposed policy changes relating to wetlands density credits and the creation of rural overlay areas, available residential densities have been sharply reduced below levels available even under the County's 1995 Comprehensive Plan.</p>	<p><i>Although the wetland density credits provide less yield for some sites, they provide more yield for other sites (depending upon the amount of wetlands preserved on site). Please see the examples included in the Future Land Use Element Appendix.</i></p> <p><i>The Rural Lands Policies included in this draft of the element do not reduce the density within the Rural Areas – see response to Item #9.a. Furthermore, and in contrast to the comment received, these policies provide an opportunity for INCREASED density over the adopted Comprehensive Plan due to the density incentives for Conservation Subdivisions which can permit up to a 100% increase in density.</i></p>

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GENERAL

170.	Please make CDs available with the Future Land Use Element information.	<i>These are available from the Pasco County Growth Management Department.</i>
171.	There should be some opportunity for a "Focus Group" dry-run of presentations – would help with communication issues, hand-outs, etc.	<i>No response necessary.</i>
172.	This is a lot of information to review. There should be more opportunities for public comment.	<i>Additional opportunities for public comment were added. Two additional CAC meetings and 5 additional sub-district CAC meetings were added for the Future Land Use element.</i>
173.	<p>While it is not the consultant's job to prepare one, I think that the County should consider funding an "indexing" service to provide a comprehensive cross-reference section at the end of the Comp Plan. I would like the consultant to suggest such an action. Such a section would allow everyone to consider all applicable items to each suggested action, whether it be a variance, re-zoning, or other change or interpretation of the Comp Plan.</p> <p>Thus, for example, a citizen who opposes a change in zoning can quote chapter and verse (every chapter and verse) as part of his opposition. Currently most people may not even be aware of the Plan, or how to research it.</p>	<i>No response necessary.</i>
174.	Typos- The Plan contains numerous typos and sentences that do not make sense.	<i>Staff would welcome any "mark-up" of the document that identifies these "typos" or "sentences that do not make sense."</i>
173.	The recommended plan policies create a process that pulls the state DCA into the County's business.	<i>The recommended plan policies address the issues and concerns identified by Pasco County Citizens through a 2 year public process known as the Evaluation and Appraisal Report process and adopted by the Board of County Commissioners in September 2004. This process continues the EAR through the evaluation and recommendation of specified tools and anticipated amendments as required by the EAR and state law.</i>
174.	I hope that the EAR process, when completed, will result in new and more defensible reasons for turning down re-zoning requests when it is advisable to do so. At this point in time some attorneys "cow" the Planning Commission and the Board of County Commissioners by threatening law suits if they do not get their way. the County should not have to be placed in that position if our EAR has been based on strong and legitimate reasoning.	<i>Please see response to item #113 above. The recommended policies were designed to specifically address this issue that was raised in the EAR.</i>