

**PINELLAS PLANNING COUNCIL  
AGENDA MEMORANDUM**

**PRELIMINARY FOR  
PAC REVIEW ONLY**

**AGENDA ITEM:**

**MEETING DATE:** November 18, 2009

**SUBJECT:**

Amendment of the Countywide Rules Re: TDRs and Density/Intensity Averaging

**RECOMMENDATION:**

Council Review Alternative Approaches And Provide Direction

**I. BACKGROUND**

Based on discussion at previous meetings, Council staff prepared a draft ordinance to amend the Countywide Rules concerning TDRs and Density/Intensity Averaging for the Council's consideration in October. Upon review and discussion, the Council continued this item to the November meeting.

In light of the discussion on the draft ordinance, staff thought it beneficial to review the potential options available to provide an opportunity for a more complete understanding of the policy choices available. Rather than considering only the Rule amendment as it was discussed at the October meeting, staff has identified four main options or alternative approaches to this issue as outlined below. The purpose is to identify a range of options in order to explore the implications of each and thus enable the Council to provide policy direction to staff, based upon which staff will then prepare and bring back a draft ordinance for review and authorization to advertise for public hearing.

The four principal alternative policies that staff believes represent the range of options available to the Council include the following:

Alternative 1. - Amend the existing TDR and Density/Intensity Averaging provisions of the Rules as set forth in the draft ordinance distributed in October. Essential features include:

- Amending TDR limitation on density/intensity that may be added to the otherwise applicable limits of the receiving category from 20 to 25 percent;

**PINELLAS PLANNING COUNCIL ACTION:**

**COUNTYWIDE PLANNING AUTHORITY ACTION:**

**SUBJECT:** Amendment of the Countywide Rules Re: TDR's and Density/Intensity Averaging

- Limit Density/Intensity Averaging/Clustering to that which occurs in the same Plan Map category;
- Revise definitions as set forth in the draft

Alternative 2. - Amend existing TDR provisions and delete provisions dealing with Density/Intensity Averaging. Essential features would:

- Amend TDR limitation on added density/intensity from 20 to 25 percent as in Alternate 1. above;
- Revise definition of TDR as set forth in the draft ordinance distributed in October;
- Leave any Density/Intensity Averaging that did not rise to the level of a TDR to the complete discretion of local government

Alternative 3. - Amend existing TDR and Density/Intensity Averaging provisions essentially as follows:

- Amend TDR limitation on added density/intensity from 20 to 25 percent as in Alternatives 1. and 2. above;
- Amend Density/Intensity Averaging to provide for:
  - a) Aggregation within contiguous property(ies) in the same Plan Map category based on the maximum allowed in that category as well as;
  - b) Aggregation within contiguous property(ies) in different Plan Map categories based on the maximum allowed in the combination of applicable categories, provided that the subject area does not exceed a maximum area of five (5) acres, is under one ownership controlled by unity of title, and is subject to a local government site plan or comparable approval process;
- Revise definitions accordingly

Alternative 4. - Amend the TDR and Density/Intensity Averaging as follows:

- Amend existing TDR provisions to eliminate any maximum limit on the amount of density/intensity that can be transferred to and placed on a receiving parcel;
- Delete the provisions for Density/Intensity Averaging which would be superfluous given the changes to the TDR provisions;
- Revise definitions accordingly

While there may be variations of these four alternatives, they represent the principal policy choices. Council staff will review each with PAC and the Council and request the Council's direction on the preferred course of action.