

DEVELOPMENT REVIEW COMMITTEE, PASCO COUNTY, FLORIDA

ANNOTATED AGENDA

May 10, 2018

**THE DOCUMENT WAS PREPARED
IN AGENDA ORDER AS PUBLISHED
AND NOT IN THE ORDER IN WHICH
THE ITEMS WERE HEARD**

**PREPARED IN THE OFFICE OF
PAULA S. O'NEIL, CLERK & COMPTROLLER**

1:30 PM

**Historic Pasco County Courthouse, Board Rm, 2nd Fl
37918 Meridian Avenue, Dade City, Florida 33525**

Development Review Committee	Dan Biles, P.E., County Administrator Erik Breitenbach, Assistant County Administrator (Internal Services) Cathy Pearson, Assistant County Administrator (Public Services) Michael J. Carballa, P.E., Interim Assistant County Administrator (Public Infrastructure) Chris Williams, District School Board of Pasco County
Alternate Committee Member	Kevin Guthrie, Assistant County Administrator (Public Safety)
Legal Counsel	David Goldstein, Chief Assistant County Attorney
Advisory Staff	Ernest D. Monaco, Acting Planning and Development Administrator Margaret W. Smith, P.E, Engineering Services Director/County Engineer Joaquin Servia, Development Review Manager

CALL TO ORDER

Chairman Biles called the meeting to order at 1:30 p.m.

ROLL CALL

Ms. Shannon Egbert, Deputy Clerk, called the roll. All members were present.

SWEARING IN

Ms. Egbert swore in those who would give testimony.

PROOF OF PUBLICATION

Ms. Egbert noted proof of publication.

PUBLIC COMMENT

Citizens are given an opportunity to comment on any proposition coming before the Development Review Committee during Public Comment. The Development Review Committee also takes public comment on items to be placed on a future Development Review Committee agenda or under their purview. Public Comment for Public hearing items is taken during those individual public hearings at 1:30 PM or as soon thereafter as the item can be heard.

No one spoke.

CONSENT

There was none.

PUBLIC HEARINGS

The Board approved the Public Hearing Consent Agenda which included Agenda Item 1.

PUBLIC HEARING CONSENT

- 1 DEVELOPMENT AGREEMENT (CONSENT) – Len-Angeline, LLC – West Central Pasco County – on the South Side of S.R. 52, Approximately 2,000 Feet East of Shady Hills Road – Section 07, Township 25 South, Range 18 East and Section 08, Township 25 South, Range 18 East – Containing Approximately 145.3 Acres
Memorandum PDD18-0898
Recommendation: Approve

Ms. Corelynn Howell, Current Planning, reviewed the item.

There was no objection.

The item was approved as part of the Public Hearing Consent Agenda.

PUBLIC HEARINGS AT 1:30 P.M.

- P2 AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; CHAPTER 1000 MISCELLANEOUS STRUCTURE REGULATIONS; SECTION 1002 WIRELESS FACILITIES, RENAMING SECTION TO WIRELESS COMMUNICATIONS FACILITIES; PROVIDING FOR CONSISTENCY WITH CHAPTER 27 PASCO COUNTY CODE OF ORDINANCES; PROVIDING FOR UPDATES TO REVIEW, APPROVAL, AND DENIAL TIMEFRAMES FOR CONSISTENCY WITH FEDERAL LAW; AMENDING APPENDIX A DEFINITIONS; AND OTHER SECTIONS, AS NECESSARY, FOR INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY; INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.
Memorandum PDD18-0857
Recommendation: Approve

Mr. Goldstein reminded the DRC members that their sole role for Agenda Items P2 and P3 would be to make a recommendation to the Board of County Commissioners about consistencies of the Ordinances with the Comprehensive Plan. If residents had questions or concerns with issues that were not part of the Comprehensive Plan, they would need to address the concerns and questions with the Board of County Commissioners.

Ms. Denise Hernandez, Planning and Development, reviewed the item using a PowerPoint presentation.

There was no public comment.

The Board approved the item per Staff's recommendation.

- P3 AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, PROVIDING FOR AMENDMENTS TO CHAPTER 500, ZONING STANDARDS; SECTION 503, A-C AGRICULTURAL DISTRICT; SECTION 504, AC-1 AGRICULTURAL DISTRICT; SECTION 505, A-R AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 506, AR-1 AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 507, AR-5 AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 508, AR-5MH AGRICULTURAL-RESIDENTIAL DISTRICT; ADDING SOLAR ELECTRIC POWER COLLECTION FACILITY (SOLAR FARM) AND SUBSTATION AS A SPECIAL EXCEPTION USE; AND PROVIDING FOR AMENDMENT TO SECTION 527, C-3 COMMERCIAL/LIGHT MANUFACTURING DISTRICT; ADDING SOLAR ELECTRIC POWER COLLECTION FACILITY (SOLAR

FARM) AND SUBSTATION AS A PERMITTED PRINCIPAL USE;
AMENDING APPENDIX A, DEFINITIONS; PROVIDING FOR
APPLICABILITY, REPEALER, SEVERABILITY, INCLUSION INTO THE
LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

Memorandum PDD18-0802

Recommendation: Approve

Ms. Denise Hernandez, Planning and Development, reviewed the item using a PowerPoint presentation. She stated that the Land Development Code (LDC) Section 500 Zoning did not specifically list where solar electric power collection facilities were permitted. As the Zoning Administrator, Ms. Hernandez had to make a determination that relied on the uncertain classification rules located in the LDC 502.5 to classify the use.

Discussion between the members and Ms. Hernandez followed regarding solar use in regard to primary use and accessory use; principal permitted uses in Agricultural Zones; over 75 megawatts generated would be considered either Public/Semi-Public Land Use Classification, Planned Development Classification, I-L Light Industrial Land Use, or I-H Heavy Industrial Land Use; under 75 megawatts generated would be an allowed use in all land use classifications; and that the proposed application was under 75 megawatts on over approximately 400 acres.

Mr. Goldstein clarified that the 75 megawatt threshold was established in the State Law under the Florida Electric Power Plant Siting Act. The Act states that under 75 megawatts it would not be defined as an electrical power plant.

Chairman Biles called for public comment.

Mr. Thomas Humphries, Ms. Dorothy Wood, Ms. Judy Geiger, Mr. James Navarro, Mr. Gordon Schiff, Mr. George Dombrowski, Ms. Nancy Hazlewood, Ms. Alma Coston, Mr. Paul Boetcher, Mr. Joel Coston, Ms. Nancy Debosek, Ms. Pat Weaver, and Ms. Laura Myers spoke regarding the uses classified for the site; concerns for coverage regulations; to limit the proximity of solar farms to other solar farms; to define facilities by ownership and purpose; solar production in regard to photovoltaic cells; tax breaks for decreased home values; concerns for solar dust and wildlife in regard to the eagle's nest; Solar Ordinances in other Counties that had been put on hold; the loss of scenic value; legal and policy flaws with the proposed Ordinance; a temperature increase with the solar panels; the concerns for future wind turbines and towers; the concerns for solar farms in each district of the County; health safety concerns; the need to continue the item for more discussion and information; solar farms should be in an Industrial Use not in an Agricultural Use; well water concerns; the Northeast Rural Protection area; residents were promised the area would stay rural; and that heavy metals from the solar panels would leech into the ground.

The Board approved to receive and file documentation submitted by Mr. Thomas Humphries.

Discussion followed regarding the explanation of why the item was made as a special exception use in Agricultural; the definition of Industrial Use was read by Ms. Hernandez which stated "an activity carried out for pecuniary gain that involves the extraction, processing, manufacture compounding, fabrication, packaging, or assembly of raw materials into finish goods and the temporary storage of such goods until sale"; utility operations were allowed in I-1; the intent was to use photovoltaic cells; the sole role of the DRC members would be to make a recommendation to the Board of County Commissioners on whether the proposed Ordinance was consistent with the Comprehensive Plan; the coverage, buffer, and setback requirements in regard to the Land Development Code; and the primary and accessory uses for solar collectors.

Ms. Hernandez noted amendments to the Land Development Code require three hearings. This was the first hearing, the second hearing which would be the first reading of the Ordinance would be at the May 22, 2018 BCC meeting at 1:30 p.m. in New Port Richey, and the adoption hearing would be at the June 5, 2018 at 1:30 p.m. in Dade City.

The Board approved the item per Staff's recommendation and to include the "added photovoltaic language to the definition of solar arrays."

- P4 LARGE SCALE COMPREHENSIVE PLAN MAP AMENDMENT: AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP (MAP 2-15 AND SHEET 22) CHANGING FROM RES-3 (RESIDENTIAL - 3 DU/GA) TO RES-6 (RESIDENTIAL - 6 DU/GA) ON APPROXIMATELY 40.7 ACRES BEING PARCEL I.D. NOS. 04-26-20-0000-00300-0000, AND 04-26-20-0000-00300-0030
Memorandum PDD18-0753
Recommendation: Approve

Ms. Amy Hyler, Planning and Development, reviewed the item using a PowerPoint presentation. Staff recommended approval.

Mr. Clarke Hobby, Hobby and Hobby P.A., applicant's representative, was available for any questions.

Discussion followed regarding the parcels at the site and the amount of single family units.

There was no public comment.

The Board approved the item per Staff's recommendation.

- P5 ZONING AMENDMENT - Lacey Property MPUD Master Planned Unit Development – Lacey Family Living Trust Dated 06/02/2009, Thomas J. Lucas & Anna M. Lucas, and Hong Rosson - A Rezoning Request From an A-R Agricultural-Residential Zoning District to an MPUD to Allow 214 Single-Family Detached Dwelling Units on Approximately 61.65 Acres - Located on the East Side of Boyette Road and on the South Side of Wells Road (Parcel ID Nos. 04-26-20-0000-00300-0000; 04-26-20-0000-00300-0030; and 04-26-20-0000-00600-0000)
Memorandum PDD18-7298
Recommendation: Approval with conditions

Ms. Corelynn Howell, Current Planning, reviewed the item using a PowerPoint presentation. Staff recommended approval.

Mr. Clarke Hobby, Hobby and Hobby P.A., applicant's representative, noted that the right-of-way for the existing Wells Road and the realignment would be given for the new intersection.

There was no public comment.

The Board approved the item per Staff's recommendation.

P6 Conditions of Approval for Transportation Corridor Management Variance
Request Approved by DRC on 04/26/18 - Millpond Collections, LTD -
Request for Reduction in ROW Dedication Requirement, Exemption from
Site Design Requirement, Interim Use Approval on State Road 54 and
Exemption from Interim Use Relocation Requirements
Memorandum PDD18-0892
Recommendation: Approve

Ms. Aurybel Rivero, Planning and Development, reviewed the request using a PowerPoint presentation. She noted a revision to the Memorandum on page 1 to state "On April 26, 2018, DRC was presented with the request by Millpond Collections, LTD for a transportation corridor management variance from the Land Development Code Section 901.2 Transportation Corridor Management." On pages 2 and 3 Condition 5 stated "the site plan submitted with the application for site development approval shall indicate DRC's final determination of this variance request and the date of the determination."

Mr. Todd Pressman, applicant's representative, agreed with the Conditions presented by Staff.

There was no public comment.

The Board approved the item per Staff's recommendation with the noted revisions to the Memorandum that Staff presented.

REGULAR

There was none.

ADJOURN

The meeting adjourned at 2:46 p.m.

Prepared by: Shannon Egbert, Records Clerk I, Board Records Division