7. Land Use

This section of the plan discusses aspects of long-term redevelopment specific to land use, including comprehensive planning and zoning. The lead implementing body for this section is the Land Use Technical Advisory Committee (TAC) and it is responsible for working in coordination with relevant local and regional organizations and agencies. The Land Use TAC provides expertise on redeveloping in a way consistent with the county's and cities' vision for the future and in a manner that will increase the resiliency of Hillsborough County to future disasters.

7.1 OVERVIEW

Land use is one of the most controversial and central topics to address in a post-disaster redevelopment plan (PDRP). Damage from a disaster can bring opportunities for a community to change previous decisions that may no longer be desired, leap forward in implementing its vision for the future, and become more resilient to disasters. Waiting until after a disaster to make land use decisions, including identifying priority areas for redevelopment, may not allow a community to take advantage of these opportunities. On the other hand, making detailed decisions on where and how to rebuild before a disaster occurs is most likely not feasible or practical since the impact of a disaster can be estimated pre-disaster but can't be predicted with one hundred percent certainty.

The Land Use TAC identified the following priority issues that are discussed in detail in **Section 7.4**:

1. Prioritize areas to focus rebuilding, reconstruction, and redevelopment;
2. Build-back standards; and
3. Develop policies for redeveloping land areas that have sustained repeated damages from storm events.

The Hillsborough County Board of County Commissioners (BOCC) at a June 2009 Workshop supported further development of implementation strategies regarding these issues specifically in establishing rebuilding standards, defining priority redevelopment areas, and enabling the transfer of development rights for post-disaster redevelopment implementation. More information on the BOCC Workshop can be found in **Appendix B**.

7.2 VULNERABILITY

Like all Gulf Coast communities, Hillsborough County and its municipalities have the challenge of balancing market-driven forces to develop desirable coastal land with protecting its residents and property from potential damage. It is possible, however, to create economic opportunities and develop attractive residential settings while at the same time reducing vulnerability to disasters. The following assessment looks at the vulnerability of existing and future land uses to storm surge, flooding, wildfire, and sinkholes.

Storm Surge and Flood Vulnerability

Areas that are most vulnerable to storm surge are located along the Tampa Bay and its waterways. **Table 7.1** shows that the total amount of unincorporated land that is located in a Category 1 Storm Surge Zone is 41,376.5 acres, with 71,080.7 acres located in a Category 3 Storm Surge Zone. Plant City is inland and not subject to Category 1-3 Storm Surge Zone. Tampa is located on the coast and the only city in Hillsborough County in the Category 1 Storm Surge Zone. Less than 4% (154.9 acres) of the City of Temple Terrace is likely to be impacted by a Category 3 hurricane.

Table 7.1 Acres Located Within Storm Surge and/or Vulnerable Locations by Municipal Jurisdiction

Jurisdiction	Category 1 Storm Surge Zone [Acres (%)]*	Category 1-3 Storm Surge Zones [Acres (%)]*	100-Year Floodplain** [Acres (%)]*
Unincorporated County	41,376.5 (7.0)	71,080.7 (12.0)	181,486.2 (30.7)
Plant City	0.0 (0.0)	0.0 (0.0)	538.6 (3.7)
City of Tampa	10,015.8 (13.3)	20,205.9 (27.0)	21,221.4 (28.3)
City of Temple Terrace	0.0 (0.0)	154.9 (3.5)	538.4(12.2)
Total Acres	**51,392.3**	**91,441.5**	**203,784.6**

*Storm surge estimates are a subset of the flood category.
** This percentage represents the portion of each jurisdiction that is located within the zone/floodplain.
Source: Florida Department of Community Affairs, 2006.

Table 7.2 shows that approximately 33% of the area likely to be affected by Category 1 Storm Surge in the Unincorporated County is designated for residential single-family homes and approximately 38% of the land in the Category 1-3 Storm Surge Zone is designated for single-family homes. In the City of Tampa, approximately 14% of the area likely to be impacted by a Category 1 hurricane is designated for single-family homes and almost 25% of the Category 1-3 Storm Surge Zone is designated for single-family homes (see **Table 7.3**). Typically, structures exposed to surge are high-value real estate due to their proximity to the ocean or tidally-influenced water bodies such as the Gulf of Mexico and the Alafia River and Tampa Bay (Florida Department of Community Affairs [FDCA], 2006). The vulnerability of Hillsborough County housing stock is addressed in greater detail in **Section 5**.

In the Unincorporated County, approximately 17% of the land that is located within a Category 1 Storm Surge Zone and over 17% of the land in the Category 1-3 Storm Surge Zone is utilized for government, institutional, hospital, or educational uses. While in the City of Tampa, over 58% of the land located within a Category 1 Storm Surge Zone and almost 47% of the land in the Category 1-3 Storm Surge Zone is utilized for government, institutional, hospital, or educational uses. Buildings and infrastructure built on this land could suffer substantial damage in a storm event, which could result in the County bearing costly expenses during reconstruction. Actions aimed at mitigating or relocating vulnerable county structures are discussed in **Section 3**.

There are flood-prone areas scattered across the County. However, a majority of the large swaths surround Tampa bay and the many creeks, streams, and tidal wetlands along the coastline (FDCA, 2006). Over 30% of the Unincorporated County and over 28% of the City of Tampa are located within the 100-Year Floodplain. Only 538.6 acres (or approximately 4%) of Plant City and over 12% (538.4 acres) of the City of Temple Terrace is located in the 100-Year Floodplain.

Almost 28% of the land in the 100-Year Flood Plain in the Unincorporated County is used for parks, recreational areas, and golf courses. This is a favorable use of vulnerable land as open space allows for the natural drainage process to take place and prevents flood water from damaging developed areas of the County. Only about 6% of the land in the 100-Year Flood Plain in the City of Tampa is used for parks, recreational areas, and golf courses.

Table 7.2 Total Unincorporated Acres located within Storm Surge and/or Flood Vulnerable Locations by Existing Land Use Category

Existing Land Use		Category 1 Storm Surge Zone	Category 1-3 Storm Surge Zone	100 Year Floodplain*
Agriculture	Acres	1,431.7	2,285.9	20,928.7
	%	3.5	3.2	12.2
Attractions, stadiums, lodging	Acres	676.6	777.6	935.6
	%	1.6	1.1	0.5
Places of worship	Acres	117.9	395.3	1,006.3
	%	0.3	0.6	0.6
Commercial	Acres	886.6	2,302.9	4,327.1
	%	2.1	3.2	2.4
Government, institutional, hospitals, education	Acres	7,039.2	12,364.6	17041.7
	%	17.0	17.4	9.4
Industrial	Acres	2,056.5	3,867.2	4,821.5
	%	5.0	5.4	2.7
Parks, conservation areas, golf courses	Acres	8,709.0	9629.9	50,381.1
	%	21.0	13.5	27.8
Residential group quarters, nursing homes	Acres	428.9	749.5	3,761.5
	%	1.0	1.1	2.1
Residential multi-family	Acres	1,067.2	2,259.4	4,104.4
	%	2.6	3.2	2.3
Residential mobile home or commercial parking lot	Acres	505.4	1,532.2	3,996.0
	%	1.2	2.2	2.2
Residential single family	Acres	13,658.5	26,936.4	46791.0
	%	33.0	37.9	25.8
Submerged lands (water bodies)	Acres	2.9	2.7	137.5
	%	0.0	0.0	0.1
Transportation, communication, Rights-of-Way	Acres	326.6	529.2	523.7
	%	0.8	0.7	0.3
Utility plants and lines, solid waste disposal	Acres	256.1	448.3	1,834.5
	%	0.6	0.6	1.0
Vacant	Acres	4,213.4	6,999.6	20,895.7
	%	10.2	9.8	10.2
Total Acres	**Acres**	**41,376.5**	**71,080.7**	**95,373.6**
	%	**100.0**	**100.0**	**100.0**

*Storm surge estimates are a subset of the flood category.
Source: Florida Department of Community Affairs, 2006.

Table 7.3 Total Acres in the City of Tampa located within Storm Surge and/or Flood Vulnerable Location by Existing Land Use Category

Existing Land Use		Category 1 Storm Surge Zone	Category 1-3 Storm Surge Zone	100-Year Floodplain*
Agriculture	Acres	0.0	3.8	3.6
	%	0.0	0.0	0.0
Attractions, stadiums, lodging	Acres	52.6	110.6	116.4
	%	0.5	0.6	0.6
Places of worship	Acres	35.4	169.7	94.3
	%	0.4	0.8	0.5
Commercial	Acres	378.3	1,142.5	752.8
	%	3.8	5.7	3.7
Government, institutional, hospital, education	Acres	5,740.4	9,340.8	7,849.1
	%	58.1	46.7	38.5
Industrial	Acres	833.5	1,449.7	1,747.3
	%	8.4	7.3	8.6
Parks, conservation areas, golf courses	Acres	319.9	377.6	1,176.4
	%	3.2	1.9	5.8
Residential group quarters, nursing homes	Acres	63.5	136.0	494.0
	%	0.6	0.7	2.4
Residential multi-family	Acres	333.3	585.6	685.7
	%	3.4	2.9	3.4
Residential mobile home or commercial parking lot	Acres	26.8	211.8	85.6
	%	0.3	1.1	0.4
Residential single family	Acres	1,348.7	4,977.8	4.961.5
	%	13.6	24.9	24.3
Submerged lands (water bodies)	Acres	2.9	2.7	3.1
	%	0.0	0.0	0.0
Transportation, communication, Rights-of-Way	Acres	170.3	294.5	243.0
	%	1.7	1.5	1.2
Utility Plants and lines, solid waste disposal	Acres	75.1	117.3	756.8
	%	0.8	0.6	3.7
Vacant	Acres	502.7	1,060.9	1,415.4
	%	5.1	5.3	6.9
Total Acres	**Acres**	**9,883.4**	**19,981.3**	**20,385.0**
	%	**100.0**	**100.0**	**100.0**

*Storm surge estimates are a subset of the flood category.
Source: Florida Department of Community Affairs, 2006.

Tables 7.4 and **7.5** show the breakdown of future land uses in areas of Unincorporated Hillsborough County and the City of Tampa that are vulnerable to storm surge and flooding. In the Unincorporated County, approximately 32% of the future land use in the Category 1 Storm Surge Zone is allocated for residential purposes and approximately 21% for industrial use. Similarly in the City of Tampa, approximately 19% of the future land use in the Category 1 Storm Surge Zone is designated residential and over 23% is industrial. In the Category 1-3 Storm Surge Zone, the most vulnerable future land use categories in the Unincorporated County include residential, industrial, and public space

at approximately 29%, 16%, and 15%, respectively. In the City of Tampa, the most vulnerable future land use categories in the Category 1-3 Storm Surge Zone include residential at approximately 32%, industrial at approximately 16%, and MacDill Air Force Base at nearly 28%. In the Unincorporated County, natural preservation land makes up about 15% of the future land use in the Category 1 Storm Surge Zone and 10% of the future land use in the Category 1-3 Storm Surge Zone.

According to **Tables 7.4** and **7.5**, in the Unincorporated County, approximately 24% of the land located in the 100-Year Floodplain is designated commercial on the future land use map while over 30% is designated residential. In the City of Tampa, almost 20% of the land located in the 100-year floodplain is designated residential. Regulations for new development in flood-prone areas should mitigate damage to new structures, however, according to the Florida Department of Community Affairs, the more development that occurs in the floodplain, the more the natural drainage of the land is altered. Often, piecemeal hydrology alterations can create new flood areas as more stormwater is forced into limited drainage pathways (FDCA, 2006). Fortunately, in the Unincorporated County approximately 23% of the land in the 100-Year Floodplain is designated for natural preservation and over 22% of the land in the 100-Year Floodplain located in the City of Tampa is designated for environmentally sensitive lands.

Table 7.4 Total Unincorporated Acres Located within storm Surge and Flood Vulnerable Locations by Future Land Use Category

Future Land Use Category		Category 1 Storm Surge Zone	Category 1-3 Storm Surge Zone	100-Year Floodplain
Agriculture	Acres	4,508.10	6,100.50	37,792.90
	%	10.9	8.6	20.9
Central Business District	Acres	20.7	86.1	63.8
	%	0.1	0.1	0
Commercial	Acres	562	1192.9	1,115.80
	%	1.4	1.7	24
Community Mixed Use	Acres	228.1	4057.3	1,886.50
	%	0.6	5.7	1
Downtown Core	Acres	0	0	0.7
	%	0	0	0
Environmentally Sensitive Areas	Acres	337.3	315.9	4,754.90
	%	0.8	0.4	2.6
General Mixed Use	Acres	2.2	12	0.7
	%	0	0	0
Industrial	Acres	8,613.60	11,342.40	10,205.00
	%	20.8	15.9	5.6
MacDill Air Force Base	Acres	3,589.60	5,488.80	4,718.10
	%	8.7	7.7	2.6
Municipal Airport Compatibility	Acres	164.7	306.3	295.8
	%	0.4	0.4	0.2
Natural Preservation	Acres	6,380.00	7,120.40	40,966.50
	%	15.4	10	22.6
Neighborhood Mixed Use - 4	Acres	0	35.9	661
	%	0	0.1	0.4

Future Land Use Category		Category 1 Storm Surge Zone	Category 1-3 Storm Surge Zone	100-Year Floodplain
	Acres	0	0	0
Office/Institutional	%	0	0	0
	Acres	306.3	515.6	698
Park/Recreation/Open Space	%	0.7	0.7	0.4
	Acres	978.7	2922.8	4029.8
Public	%	0	14.9	2.2
	Acres	212	438.1	906
Regional Mixed Use	%	0.5	0.6	0.5
	Acres	106.1	167.4	200.2
Research/Corporate Park	%	0.3	0.2	0.1
	Acres	13176.2	20532.9	55283.8
Residential	%	31.8	28.6	30.4
	Acres	117.3	2,685.60	206.7
Rights-of-Way	%	0.3	3.8	0.1
	Acres	676.1	4,692.70	4,697.60
Suburban Mixed Use -6	%	1.6	6.6	2.6
	Acres	79.4	128.9	130.2
Transitional Use - 24	%	0.2	0.2	0.1
	Acres	80	779	1,684.00
Urban Mixed Use	%	0.2	1.1	0.9
	Acres	1,238.20	2,153.70	11,155.60
Water	%	3	3	6.1
	Acres	**41,376.50**	**71,080.60**	**181,486.20**
Total Acres	**%**	**100**	**100**	**100**

Source: Florida Department of Community Affairs, 2006.

Table 7.5 Total Acres in the City of Tampa Located within Storm Surge and Flood Vulnerable Locations by Future Land Use Category

Future Land Use Category		Category 1 Storm Surge Zone	Category 1-3 Storm Surge Zone	100-Year Floodplain
Central Business District	Acres	22.3	131.5	67.5
	%	0.2	0.7	0.3
Commercial	Acres	27.9	214.7	56.4
	%	0.3	1.1	0.3
Community Mixed Use	Acres	113.5	488.0	208.4
	%	1.1	2.4	1.0
Environmentally Sensitive Areas	Acres	331.9	332.6	4,528.2
	%	3.4	1.7	22.2
General Mixed Use	Acres	1.3	18.7	1.6
	%	0.0	0.1	0.0
Industrial	Acres	2,309.5	3,202.6	2,578.9
	%	23.4	16.1	12.6
MacDill Air Force Base	Acres	3,597.0	5,528.9	4,720.1
	%	36.4	27.7	23.2
Municipal Airport Compatibility	Acres	164.1	362.0	296.9
	%	1.7	1.8	1.5
Park/Recreation/Open Space	Acres	292.7	505.6	520.1
	%	3.0	2.5	2.6
Public/Quasi-Public	Acres	647.8	1,647.7	875.0
	%	6.6	8.2	4.3
Regional Mixed Use	Acres	210.7	523.4	374.1
	%	2.1	2.6	1.8
Residential	Acres	1,882.2	6,303.5	4,033.7
	%	19.0	31.6	19.8
Rights-of-Way	Acres	118.6	227.6	201.8
	%	1.2	1.1	1.0
Suburban Mixed Use	Acres	1.8	2.5	1,561.8
	%	0.0	0.0	7.7
Transitional Use	Acres	75.8	156.5	128.0
	%	0.8	0.8	0.6
Urban Mixed Use	Acres	84.7	334.2	212.7
	%	0.9	1.7	1.0
Water	Acres	1.8	1.1	20.1
	%	0.0	0.0	0.1
Total Acres	**Acres**	**9,883.6**	**19,981.2**	**20,385.2**
	%	**100.0**	**100.0**	**100.0**

Source: Florida Department of Community Affairs, 2006.

Wildfire and Sinkholes

The existing land that is susceptible to wildfire or sinkholes in Unincorporated Hillsborough County and its municipalities is included in **Table 7.6**. The total amount of land in the wildfire-susceptible areas in Unincorporated Hillsborough County is 63,782.1 acres, which is approximately 11% of the county. Approximately 10% of Plant City, 2% of the City of Tampa, and 3% of Temple Terrace are susceptible to wildfire.

Sinkhole vulnerability is spread throughout the county; however, it is generally concentrated in the area north of Tampa, in Temple Terrace, and in the western half of Plant City (FDCA, 2006). Over 50% of Temple Terrace is susceptible to sinkholes.

Table 7.6 Total Land Area Susceptible to Wildfire and Sinkholes by Jurisdiction

Jurisdiction		Wildfire Susceptible Areas	Potential Sinkhole Areas
Unincorporated County	Acres	63,782.1	95,373.7
	%	10.8	16.1
Plant City	Acres	1,484.9	1,441.9
	%	10.1	19.2
City of Tampa	Acres	1,751.6	13,409.7
	%	2.3	17.9
City of Temple Terrace	Acres	121.5	2,241.8
	%	2.8	50.8
Total Acres	**Acres**	**95,373.7**	**112,467.1**

Source: Florida Department of Community Affairs, 2006.

7.3 INSTITUTIONAL CAPACITY

An institutional capacity assessment was undertaken for each topic area of the PDRP by surveying the members of each TAC. The purpose of conducting these assessments was to document what is already in place to contribute to disaster recovery, determine the ability of Hillsborough County to implement this plan, and to identify potential opportunities for establishing or enhancing specific redevelopment policies, programs, or projects. The following capacity discussion is specific to land use planning in Hillsborough County.

Existing Capacity

Due to the broad and comprehensive nature of post-disaster redevelopment, there are often many disparate resources that may provide a portion of the capacity needed for pre- or post-disaster implementation of the PDRP. In an effort to provide a list of resources that can be considered for use after a disaster, resources are divided into primary and secondary levels with secondary resources being less directly related to land use or less likely to be available.

Organizations

The organizations listed in **Table 7.7** are those that would be important to have represented on the Land Use TAC after a disaster as they are either critical for rapid post-disaster decision-making or may play a role in implementation. This list however is neither exhaustive nor is the participation of these organizations in the planning/implementation process mandatory. Additional stakeholders not listed in the table below attended TAC meetings during the PDRP planning process and, at the discretion of the TAC Chairs, these and other organizations can be invited to participate in the future.

Table 7.7 Land Use Technical Advisory Committee Agencies and Organizations

Organization	Role or Expertise
City of Plant City Planning and Zoning Division	Manage land use and zoning decisions for City of Plant City
City of Tampa Growth Management and Development Services	Includes Historic Preservation and Urban Design, Construction Services, Housing & Community Development, Land Development Coordination (LDC), and Real Estate Divisions. The LDC conducts comprehensive planning and zoning
City of Temple Terrace Planning and Development Division	Implements the City's land development regulation and review process including comprehensive plan changes, rezoning, and business district redevelopment planning
Greater Tampa Association of Realtors	Represents local real estate professionals
Hillsborough County City-County Planning Commission	Promotes and coordinates comprehensive long-range planning, growth-management, transportation, and environmental protection while making recommendations to local jurisdictions
Hillsborough County Code Enforcement Department	Responsible for enforcing Land Development Code, Minimum Standards Ordinance, and condemnation of dangerous structures. Tasked with damage assessment roles after a disaster
Hillsborough County Metropolitan Planning Organization (MPO)	Responsible for establishing priorities to meet short-term (next 5 years) and long-term multi-modal transportation needs for Tampa, Temple Terrace, Plant City, and Unincorporated Hillsborough County
Hillsborough County Property Appraiser	Determine market value of property and maintain legal descriptions and ownership tax maps of property in Hillsborough County
Hillsborough County Office of Neighborhood Relations	Assists in outreach for community-based planning initiatives and in neighborhood organization
Hillsborough County Office of the County Attorney	Provides legal perspective for land use considerations
Hillsborough County Planning and Growth Management Department	Conducts planning, zoning, development review, permitting and inspections services. The Hazard Mitigation Section of the Department has a particular role in considering land use vulnerability to hazards
Hillsborough County Real Estate Department	Responsible for real estate acquisition, property management, architectural services, environmental land purchases, and management of facilities construction projects
MacDill Air Force Base	Manages large area of land and critical facilities in Hillsborough County
Tampa Bay Builders Association	Represents local builders and provides information and continuing education programs to building industry
Tampa Bay Regional Planning Council	Fosters regional coordination regarding land use decisions
TECO Energy (Tampa Electric Company and Peoples Gas)	Responsible for the repair and mitigation of energy and gas infrastructure and restoration of electric and gas service to residents

Coordination Capacity

In addition to identifying the relevant organizations, identifying existing networks and means of communication between these organizations is an important component of understanding the capacity for implementing the PDRP. **Section 2** of this plan documents the committee organizational structure that organizations will follow in implementing this plan; however, already existing networks and communication methods between organizations could also prove useful. Interjurisdictional and regional coordination is also an important component for long-term disaster redevelopment. The following entities provide conduits for collaborating on land use decisions related to disaster resilience and redevelopment:

Hillsborough County City-County Planning Commission

The Planning Commission is an independent planning agency serving Hillsborough County, City of Plant City, City of Tampa, and the City of Temple Terrace. Its mission is to promote and coordinate the involvement of all citizens within Hillsborough County in comprehensive planning, public participation, growth management, and environmental protection. The Planning Commission monitors the coordination of planning efforts and makes recommendations to the local jurisdictions.

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council (TBRPC) provides residents of the Tampa Bay Region and member governments with a forum to foster communication, coordination, and collaboration in identifying and addressing issues and needs regionally. TBRPC's specific duties include maintaining *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region*, environmental management, water quality and emergency preparedness planning, protection and restoration of the Tampa Bay estuary, economic analysis, coastal zone management, housing and infrastructure analysis, hurricane evacuation and recovery planning, development of regional impact review, local government comprehensive plan review, cross acceptance, dispute resolution, and review of transportation plans. TBRPC has an existing relationship with Hillsborough County, the City of Tampa, the City of Temple Terrace, and Plant City as well as Manatee, Pasco, and Pinellas Counties and other local municipalities. The Council is knowledgeable of zoning and land use issues in all its member jurisdictions and can facilitate countywide and regional coordination on these issues. In addition, the TBRPC has been an active participant in Hillsborough County's PDRP planning process and has hosted several regional PDRP coordination meetings including State PDRP Pilot Communities (Hillsborough, Manatee, Polk, and Sarasota Counties) as well as other regional counties interested in developing PDRPs (Pinellas and Pasco Counties). The TBRPC and the participants of these meetings have voiced an interest in continuing this collaboration in the future.

One Bay

One Bay is a partnership of public and private leaders that is spearheaded by five regional organizations: Tampa Bay Regional Planning Council, Tampa Bay Estuary Program, Southwest Florida Water Management District, Tampa Bay Partnership Regional Research and Education Foundation, and the Urban Land Institute Tampa Bay District. One Bay creates opportunities for the residents of Hernando County, Pasco

County, Pinellas County, Hillsborough County, Polk County, Manatee County, and Sarasota County to participate in regional visioning.

Hillsborough County Metropolitan Planning Organization

The Hillsborough County Metropolitan Planning Organization (MPO) is a transportation policy-making board comprising representatives from local governments and transportation agencies. The MPO is responsible for coordinating transportation planning throughout Hillsborough County and its municipalities. Land use decisions often have implications on transportation needs therefore involving the MPO in land use planning could prevent any conflicts in visioning.

Plans, Programs, and Procedures

Tables 7.8 and **7.9** provide a listing of local plans/ordinances, programs, and/or procedures that are relevant to land use during long-term recovery[1]. These tables serve as an inventory of the relevant plans, programs, and procedures for staff and TAC members to reference post-disaster as potential methods of implementation. Staff and financial capacity may be tied to plans and programs, so these can also be viewed as potential local fiscal resources.

Table 7.8 Land Use Primary Plans, Programs, and Procedures

Plan/Program/Procedure	Purpose	Lead Entity
City of Tampa Building Codes	Regulate the standards to which buildings are designed in the City of Tampa	City of Tampa Growth Management and Development Services
City of Tampa Comprehensive Plan	Guide development and growth in the City of Tampa	City of Tampa Growth Management and Development Services
City of Tampa Land Development Codes	Regulate the development of site design on property for the City of Tampa	City of Tampa Growth Management and Development Services
City of Temple Terrace Building Codes	Regulate the standards to which buildings are designed and built in Temple Terrace	City of Temple Terrace Planning and Development Division
City of Temple Terrace Comprehensive Plan	Guide development and growth in Temple Terrace	City of Temple Terrace Planning and Development Division
City of Temple Terrace Land Development Codes	Regulate the development of site design on property for Temple Terrace	City of Temple Terrace Planning and Development Division
Hillsborough County Building Codes	Regulate the standards to which buildings are designed and built in Hillsborough County	Hillsborough County Planning and Growth Management
Hillsborough County Comprehensive Plan	Guide development and growth in Unincorporated Hillsborough County	Hillsborough County Planning and Growth Management
Hillsborough County Land Development Codes	Regulate the development of site design on property for Unincorporated Hillsborough County	Hillsborough County Planning and Growth Management

[1] The programs listed were functional at the time that this plan was drafted. Future PDRP updates will include revising these tables to adjust for programmatic changes.

Plan/Program/Procedure	Purpose	Lead Entity
Hillsborough County Post-Disaster Redevelopment Ordinance	Regulate redevelopment in a post-disaster environment for Unincorporated Hillsborough County	Hillsborough County Hazard Mitigation Section
Plant City Building Codes	Regulate the standards to which buildings are designed and built in Plant City	Plant City Planning and Zoning
Plant City Comprehensive Plan	Guide development and growth in Plant City	Plant City Planning and Zoning
Plant City Land Development Codes	Regulate the development of site design on property for Plant City	Plant City Planning and Zoning
Strategic Regional Policy Plan for the Tampa Bay Region	Provide an over-reaching strategy for growth in the region	Tampa Bay Regional Planning Council

Table 7.9 Land Use Secondary Plans, Programs, and Procedures

Plan/Program/Procedure	Purpose	Lead Entity
City of Tampa Zoning Ordinance	Implements the Zoning Code in the City of Tampa	City of Tampa Growth Management and Development Services
City of Temple Terrace Zoning Ordinance	Implements the Zoning Code in Temple Terrace	City of Temple Terrace Planning and Development Division
Hillsborough County Local Mitigation Strategy	Provides the overall countywide hazard mitigation strategy for Hillsborough County	Hillsborough County Hazard Mitigation Section
Hillsborough County Transfer of Development Rights Program	Manages the current Transfer of Development Program in Hillsborough County	Hillsborough County Planning and Growth Management
Hillsborough County Zoning Ordinance	Implements the Zoning Code in Hillsborough County	Hillsborough County Planning and Growth Management
Long Range Transportation Plan	Multi-modal transportation plan for Tampa, Temple Terrace, Plant City and Unincorporated Hillsborough County that both shapes and is shaped by land use	Hillsborough County Metropolitan Planning Organization (MPO)
Plant City Zoning Ordinance	Implements the Zoning Code in Plant City	Plant City Planning and Zoning

Recommendations for Expanding Capacity

Carrying out the strategies described in **Section 7.4** will take a substantial commitment of time from the County and municipalities over a period of several years. While the strategies have been devised to be incrementally implemented, there may be a desire to move faster through this process in order to be better prepared for the upcoming hurricane seasons. Staff capabilities may not be able to sustain implementation of these strategies at the same time as other planning responsibilities during the current economic recession and resulting local government budget limitations. Grants may be an opportunity for more rapidly advancing PDRP strategies

Land use is a central concept to implementation of the PDRP. The Land Use TAC will need to collaborate with the other PDRP TACs to plan for a holistic recovery of the communities. This will require TAC Chairs and Vice-Chairs to meet with each other as well as have occasional joint meetings of particular TACs with the Land Use TAC. The Economic Redevelopment, Housing, Environmental Restoration, and Infrastructure TACs will be needed to provide integral expertise for planning for priority redevelopment areas and an overall strategy of phasing redevelopment efficiently. The Public Outreach TAC will be essential in assisting the Land Use TAC members in developing an outreach program to gather input on build-back standards and other redevelopment land use initiatives such as transfer of development rights. The Financial Administration TAC will be an asset in helping the Land Use TAC find funding for the planning needed for many of the strategies discussed in **Section 7.4** as well as determining financial capacity to implement any resulting programs after a disaster.

There are several established Community Redevelopment Agencies (CRAs) located in Hillsborough County; however they have not played a role in the development of the PDRP. The Land Use TAC can reach out to the local CRAs and encourage their involvement in the implementation of the PDRP both through the Land Use TAC and Economic Redevelopment TAC.

7.4 ISSUES

The prioritized issues listed below are the most significant post-disaster redevelopment issues relevant to land use in Hillsborough County as determined by the Land Use TAC. Following each issue is a summary of the recommended strategy for implementation. Specific actions that correspond with each issue strategy are listed in **Appendices D** and **E**, with pertinent information such as timeframe and responsibilities for implementation. Full details on the actions are found on the Land Use Action Forms, which can be obtained through the Hillsborough County PDRP website (www.hillsboroughcounty.org/pgm/pdrp).

Issue #1: Prioritize areas to focus rebuilding, reconstruction, and redevelopment

Limited time, funds, and materials are going to make simultaneous redevelopment of all damaged areas difficult. The county and municipalities may want to prioritize redevelopment to areas that correspond to their vision for the future and those areas that are less vulnerable to disasters by prioritizing and incentivizing development in these areas[1]. The best way to build resiliency to disasters is to direct future development to safe locations while minimizing or mitigating highly vulnerable types of development in hazardous areas. Priority recovery and redevelopment areas can also provide opportunities to locate temporary post-disaster uses more efficiently and provide time for planning the sustainable reconstruction of areas that are most severely impacted from the disaster[2].

[1] In the Hillsborough County Redevelopment Ordinance (Ord. 93-20, Sec. 4, C, 2.h), the Redevelopment Task Force is tasked with identifying priority redevelopment receiving areas and priority land use types for recovery.
[2] Ordinance 93-20, Section Five includes procedures for a phased moratoria based on degree of damage.

Strategy

Through this planning process the concept of defining areas as priorities for redevelopment after a major disaster has become a central recommended strategy through which many of the other long-term, post-disaster issues could also be addressed. For instance, a criterion for prioritizing pre-disaster mitigation and post-disaster rebuilding of infrastructure can be whether it connects or serves an area that is a priority for redevelopment (see **Section 3** for more on this connection). While the goal of this plan is to restore all communities within Hillsborough County, spatially prioritizing holistic redevelopment can more rapidly restore crucial community centers, thereby providing opportunities for the economy and pockets of normalcy to resume in the county while long-term redevelopment continues elsewhere. A piecemeal approach of spreading resources throughout the county simultaneously may not be as successful and efficient use of taxpayer money as holistic and systematic targeting of important community centers.

The appeal of the Priority Redevelopment Areas (PRAs) concept is its ability to smoothly integrate with current planning efforts in the county and enhance them with the additional goal of disaster-resiliency. PRAs would utilize existing plans for activity centers and transfer of development rights programs and would be consistent with comprehensive plans and community area plans.

Defining Priority Redevelopment Areas

A PRA is a regional or community center or a critical installation essential for disaster recovery and consistent with future land use plans. PRAs will receive focused and prioritized attention during the short-term recovery and long-term redevelopment periods and will serve one or more of the following redevelopment functions:

1) Rapidly restore centers of economic activity and critical facilities,
2) Provide a staging area for restoring nearby impacted communities,
3) Locate recovery services in efficient and convenient hubs, and
4) Facilitate growth into disaster resilient centers.

Determining which areas of the county should become PRAs and which functions each PRA will serve is dependent on location, capacity, and degree of disaster vulnerability. PRAs will need to be distributed among all populated jurisdictions and communities of the county to be able to efficiently serve the functions of recovery hubs, Functions 2 and 3 above. To serve the function of restoring economic activity and critical facilities (Function 1), some PRAs may be located in highly vulnerable areas because those community assets are established there and can't be easily relocated. To build disaster resiliency by providing safe locations for redevelopment to occur (Function 4), some if not most of the PRAs should be located outside of Hurricane Category 1-3 evacuation zones where storm surge damage could be severe. Also, to accommodate growth (Function 4) and to a lesser extent to provide recovery hub services (Function 3), the PRA will need excess capacity in the form of available structures, infrastructure capacity, and density allowances. The following PRA typology will facilitate achieving this concept by ensuring all redevelopment functions are met.

SUSTAINABLE PRIORITY REDEVELOPMENT AREAS

Sustainable PRAs are areas that can be sustainably re/developed to a higher intensity than current conditions and are a focus of future land use plans for the jurisdiction. These areas are consistent with regional visions for economic development and public transit. Most importantly, they meet the following resilience criteria:

1) Not in a floodplain or include minimal flood-prone property that can be addressed through best practice hazard mitigation techniques.
2) Not vulnerable to storm surge from a tropical storm or Category 1-3 hurricane (outside Category 3 evacuation zone).
3) Include a substantial amount of structures that meet current Florida Building Code standards and would be less likely to have severe wind damage.
4) Include infrastructure and services that have been assessed for their ability to be rapidly repaired and restored.

a. Sustainable Regional PRAs

Sustainable Regional PRAs are areas identified as regional economic/activity centers that have the capacity to support additional residential and commercial development at least temporarily during the long-term recovery period. These areas would already have adequate infrastructure capacity and space to absorb a rapid transfer of development to provide a functioning recovery hub. They also would need to have been spared major devastation from the disaster so they can be quickly restored and repaired and therefore meet the resiliency criteria for a Sustainable PRA.

b. Sustainable Community PRAs

Sustainable Community PRAs are areas identified in the Comprehensive Plan that are envisioned for redevelopment or higher density/intensity development (such as but not limited to, community or neighborhood activity centers in the county, business centers in the cities, community redevelopment districts, and Transfer of Development Rights Program receiving areas) and meet the resiliency criteria for a Sustainable PRA.

VULNERABLE PRIORITY REDELOPMENT AREAS

Vulnerable PRAs contain essential location-dependent facilities, are well-established community centers integral to economic recovery and returning to normalcy, and/or are planned growth areas critical to regional visions for the future. Vulnerable PRAs, as the name implies, are more vulnerable to severe disaster damage than the Sustainable PRAs due to location and/or lack of resiliency factors. These areas may take longer to recover than Sustainable PRAs because damages will most likely be more severe. It is the intention that any area designated as a Vulnerable PRA will also be a priority for pre- and post-disaster hazard mitigation investments to build disaster resilience and enable future redevelopment of these PRAs to be even more rapid after a disaster. The emphasis on Vulnerable PRAs will be to function as recovery hubs and restore economic vitality, not necessarily to facilitate increases in density from redevelopment.

a. Vulnerable Location-Dependent PRAs

Vulnerable Location-Dependent PRAs are installations that would be cost prohibitive to relocate or would not be able to function in a different location but are vital for the recovery of the region. The following are location-dependent installations in Hillsborough County that are a priority for recovery and redevelopment efforts:

- Tampa International Airport
- Port of Tampa
- MacDill Air Force Base
- Central Business District of Tampa

b. Vulnerable Established Community PRAs

Vulnerable Established Community PRAs are major residential or commercial areas that must be reestablished as soon as possible despite the damage or future vulnerability. These areas might provide critical community facilities, i.e. medical care facility, large school, etc., or may serve national businesses or regional economic development. To be designated a Vulnerable Established Community PRA, the area must be in a jurisdiction that has already adopted the Hillsborough County PDRP and have regulations and standards consistent with the PDRP as well as a specific vision for its post-disaster redevelopment that includes hazard mitigation.

c. Vulnerable Planned Growth PRAs

Vulnerable Planned Growth PRAs are areas identified in future land use plans that are envisioned for redevelopment or higher density/intensity development (such as but not limited to, regional or community activity centers in the County, business centers in the City, or community redevelopment districts) that don't meet the resilience criteria of the Sustainable PRAs but are still critical to regional growth plans. To be designated a Vulnerable Planned Growth PRA, the area must be in a jurisdiction that has already adopted the Hillsborough County PDRP and have regulations and standards consistent with the PDRP as well as a specific vision for its post-disaster redevelopment that includes hazard mitigation. It is the intention of this plan that the number of areas designated as Vulnerable Planned Growth PRAs would be limited.

<u>Process for Determining PRAs</u>

It is recommended that the PRA strategy be implemented in a phased or pilot approach that will allow some of the theories of how the concept will work to be tested and adapted. This will also provide staff and stakeholders working on PDRP implementation an achievable work plan.

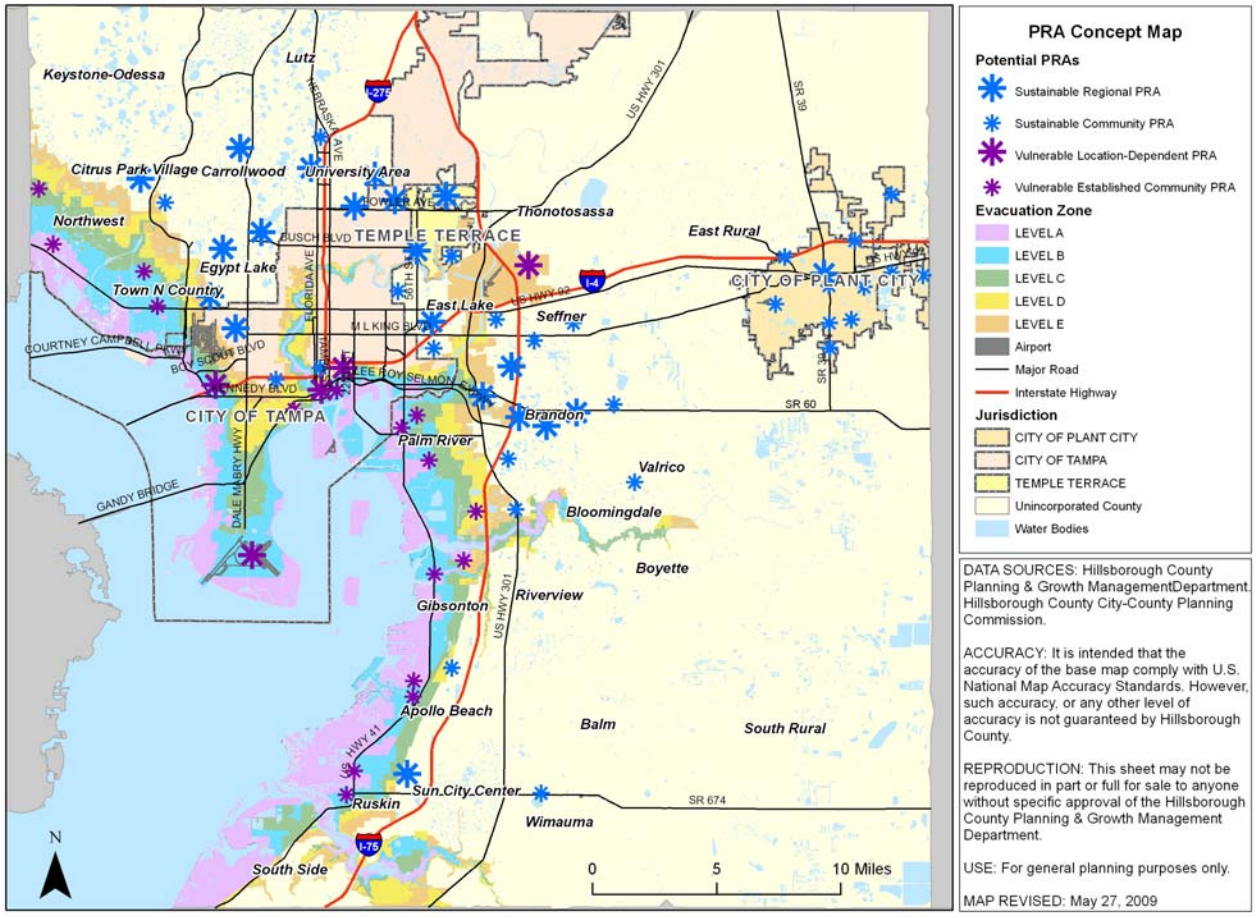
1. Identify Potential PRAs

The first step of the process would be to develop a list of potential PRAs. Since it is intuitive what areas should become Vulnerable Location-Dependent PRAs, the real focus of this analysis will be on identifying potential areas for Sustainable Regional PRAs, Sustainable Community PRAs, and Vulnerable Established Community PRAs. Vulnerable Planned Growth PRAs are not as important to the current recovery needs of

residents and businesses and therefore should be pursued in a future phase of developing this concept.

Sustainable Regional PRAs, Sustainable Community PRAs, and Vulnerable Established Community PRAs should simply be a subset of county-identified activity centers and equivalent centers in the municipalities. Work is still ongoing in the county in fine-tuning the activity centers; however, during the PDRP planning process a map of generalized locations of activity centers was used to visualize the PRA concept. See **Figure 7.1**. Using this generalized map of potential locations, the Land Use TAC can now start to determine whether there is adequate distribution of already designated activity centers within the urban service area and municipalities to serve the redevelopment functions of providing a staging area for restoring nearby impacted communities (Function 2) and locating recovery services in efficient and convenient hubs (Function 3). To do this the Land Use TAC may want to use an already established district system, such as County Community Planning Areas combined with municipal jurisdictions or Evacuation Analysis Zones.

Figure 7.1. Generalized locations of Potential Priority Redevelopment Areas



The Land Use TAC should also analyze the distribution of potential PRAs to determine whether there appears to be an adequate ratio of Sustainable to Vulnerable PRAs. The

majority of PRAs should be sustainable types, if at all possible, to provide opportunities to facilitate disaster-resilient growth (Function 4). This is especially important for future implementation of the Transfer of Development Rights (TDR) Program as a post-disaster redevelopment and hazard mitigation solution. Sustainable PRAs should function as TDR-receiving areas, and for a TDR program to be successful there needs to be a larger supply of receiving area capacity than sending area. While the TDR Program is not limited to PRA sites and is currently focused on other County goals such as preserving agricultural lands, the strategy for Land Use Issue #3 is to adapt the TDR Program to provide an opportunity for willing property owners to transfer development out of vulnerable areas to sustainable areas. More on the TDR Program and its use as a PDRP tool can be found under Issue #3.

2. Analyze a selection of Potential PRAs

The next step in setting up the PRA strategy is to determine the PRAs' capability for becoming a functioning PRA in the case of a disaster. This is where treating the strategy as a pilot program is important because analyzing the PRAs will take some time and resources to accomplish. It is therefore recommended that only a few Potential PRAs identified in Step 1 be chosen for a more intense analysis of capacity based on a prioritization by the Land Use TAC. The chosen pilot PRAs should include at least one Sustainable PRA and one Vulnerable Established Community PRA.

The capability assessment for the pilot Sustainable PRAs should include the following:

1) A hazard assessment of the particular location to ensure that it is not in a high-risk location, including: a large portion within a floodplain (particularly if there is developed land or infrastructure in a FEMA Flood Zone (V, VE, A, or AE)), in a Category 3 or lower evacuation zone, in a high-risk wildfire interface zone, or in a high-risk sinkhole zone (see the Local Mitigation Strategy for more details on these hazard zones).
2) A vision assessment that would look at the Comprehensive Plan, Long-Range Transportation Plan, Economic Development Plan and, if available, the Community Area Plan or other more specific area plan to determine compatibility and public acceptance of increased development densities and hazard mitigation goals.
3) A resiliency assessment of infrastructure, housing stock (see analysis in **Section 5** of this plan), and commercial structures to ensure that an adequate amount of the PRA will be able to be rapidly restored after a major disaster.
4) A capacity assessment of infrastructure and land use and zoning density allowances. The area should include extra capacity for increased development through infill/vacant property and property that can be more intensely redeveloped. This capacity should be documented for use in the TDR Program's designation of receiving areas. The infrastructure capacity should be enough to be able to absorb at least a temporary increase in service that may come with use as a recovery hub and a limited increase in development. Plans should be in place through the capital improvements program or in progress for an increase in capacity that would enable it to meet the allowed increase in development.

The capability assessment for the pilot Vulnerable Established Community PRAs should include the following:

1) An assessment of whether the area includes a cluster of critical community facilities as determined by the Hillsborough County Comprehensive Emergency Management Plan.
2) An economic assessment that would document the area's concentration of employment or concentration of employees who work in the county (see the *Economic Analysis of a Hurricane Event in Hillsborough County, Florida* report).
3) A housing stock assessment to determine the importance of the area in reestablishing a workforce residential community vital to retaining population in the county and reducing the amount of long-term disaster housing needed. The analysis in **Section 5** should be consulted to see the percentage of housing that may be less impacted by a disaster. A good candidate for a pilot PRA would be an area with more housing that conforms to current building standards.
4) A planning framework assessment to determine that the area is in a jurisdiction that has already adopted the Hillsborough County PDRP, has regulations and standards consistent with the PDRP, and has a specific vision for its post-disaster redevelopment that includes hazard mitigation.

If the Pilot PRAs are determined by the Land Use TAC to meet sufficient criteria of the capability assessment, they should be recommended for official designation as PRAs by the Board of County Commissioners or municipal board in which the PRA is located.

3. Assess Concept for continuation to next phase

Once the Pilot PRAs have been designated and implemented as described below, the PRA concept should be assessed to determine if it should be continued. If it is determined to still have value, the PRA criteria should be revisited to see if changes are necessary. Once that has been determined and the concept is still accepted as a strategy to maintain, the remaining PRAs should be designated and documented in this plan so that they can be used if a disaster strikes.

<u>Pre-Disaster Preparation</u>

Once pilot PRAs have been designated, pre-disaster implementation actions should be taken in order to prepare the PRAs to serve their redevelopment functions.

1. Gaps Analysis

A gaps analysis should be performed for each PRA:

1) Identify what would need to be in place before a disaster for the PRA to function to its full capability, i.e., policies, TDR designation, incentives, specialized permitting procedures, plans for recovery assistance hub services to be located there, and temporary housing/business location, etc.
2) Identify what could be done after a disaster to enhance the PRA's capability for that disaster recovery period or the next to come through post-disaster funding opportunities, i.e., economic development funding, hazard mitigation funding, housing assistance, etc. The focus would be to identify needs that can't be fulfilled pre-disaster due to lack of resources or public acceptance.

2. Public Outreach

The Land Use TAC and Public Outreach TAC will need to team on presenting the PRA concept to the public and advertising the benefits and incentives available through the pilot PRAs should a disaster strike. This is critical if the PRAs are to be fully realized in the post-disaster recovery process. If the TDR Program or other incentives will be available, the public's sense of certainty in these programs will determine if they are actually utilized.

Post-Disaster Implementation

Upon declaration of a disaster, policies and incentives for PRAs passed prior to the disaster will become effective. This may include incentives such as rapid permitting, TDR multiplier, provision of temporary business space until permanent space within the PRA can be secured, etc. Should a disaster occur before such policies and incentives have been developed, the Land Use TAC will initiate a rapid study during the short-term recovery period to recommend policies and incentives that can be used during long-term redevelopment for emergency approval by the Board of County Commissioners and municipal boards if applicable.

The Land Use TAC should monitor needs of the PRA and use and adjust incentives and policies as needed during post-disaster redevelopment. The PRAs will not be truly tested until a disaster occurs and there may be issues that were not anticipated in advance. There also may be post-disaster funding opportunities to increase the capacity of certain PRAs. The Land Use, Infrastructure, Economic Redevelopment, and Financial Administration TACs should look for these opportunities as redevelopment occurs.

The Land Use TAC and Public Outreach TAC should continue public awareness and education concerning the PRAs and the benefits that can be derived from them throughout long-term redevelopment.

Issue #2: Build-back standards

Hillsborough County and the municipalities have in place various policies and codes for development. Nonconforming and substantial damage rules generally state that the current standards must be met when rebuilding. While the Florida Building Code is the same for all areas, many community plans require different aesthetic standards and other requirements. It is currently unclear if communities will need to meet these additional standards when rebuilding after a disaster. Requiring post-disaster rebuilding to meet current safety codes and floodplain regulations is essential to building a more disaster resilient community, but other standards might not be as necessary and could be a burden to disaster recovery efforts[1]. It is important that build-back standards to be enforced after a disaster are clearly understood before a disaster occurs.

[1] The Redevelopment Task Force is responsible for recommending blanket reductions in nonvital zoning regulations and development standards to minimize the need for individual variances or compliance determinations prior to reconstruction (Ord. 93-20, Sec. 4, C, 2.i).

Strategy

The consensus during the planning process for addressing build-back standards was that actions should be undertaken as soon as possible to clarify exactly what policies and codes will be enforced during rebuilding because a sense of certainty of what will be allowed before a disaster will lead to a smoother rebuilding process. Slight variations between different codes related to rebuilding standards could slow down recovery by making it more confusing for property owners to determine what they are allowed to build back and for staff to ensure they are enforcing the correct standards. Deciding which standards should be required after a disaster though will require consideration of what is truly necessary for the community. While some of the specific architectural standards chosen through the community planning processes may not be necessary for post-disaster redevelopment, not rebuilding to these community-based standards will mean the community's vision will take even longer to realize. On the other hand, forcing new aesthetic requirements on property owners, such as yard setbacks and window placement rules, could produce financial hardships that may dissuade them from rebuilding when coupled with other essential but costly rebuilding requirements such as complying with new building codes. The county may inadvertently push property owners to relocate to an area with fewer restrictions, possibly outside of the county altogether. Therefore, a thorough analysis of what is currently in place in Hillsborough County and its municipalities and what the impact of alternatives would be to the property owners and to the community is necessary to address the issue of build-back standards.

<u>Analyze current policy</u>

In order to accomplish certainty in build-back rules, an analysis of current policies and codes in all county jurisdictions and special planning areas that relate to rebuilding will need to be the first step. Some of the relevant county policies have already been identified and are described below.

- Each jurisdiction is subject to the National Flood Insurance Program (NFIP) requirements for rebuilding in a special flood hazard area. When damage-repair costs or improvements exceed 50% or more of the structure's market value, the 50% rule goes into effect. Under this rule, the structure must be brought into compliance with current floodplain management standards. This could mean raising the elevation of the existing structure, reconstruction, or other taking measures. See Hillsborough County Code Part 3.06.00: Flood Damage Control Regulations and City of Tampa Code Section 5-111: Flood Resistant Construction for more details.

- The Hillsborough County Redevelopment Ordinance has a section on the county's build-back policy (Ord. 93-20, Section 5). It allows rebuilding to occur in the same style as long as the density or intensity is not increased and current building codes are met.

    - For structures damaged less than 50% of their replacement costs, they can be rebuilt to original conditions as long as they become compliant with current building and life safety codes.
        - This is an unusual policy in that it puts requirements on structures that are not considered substantially damaged. It also does not

set a minimum threshold of damage for this requirement to become compliant with current building codes.

- For structures damaged more than 50% of their replacement costs, they can be rebuilt to their original square footage and use density/intensity but have to become compliant with floodplain standards if applicable, Coastal Construction Control Line setback if applicable, building and life safety codes, and "any required land development regulations (other than density or intensity), unless compliance with such regulations would preclude reconstruction otherwise intended by the build-back policy."
  - This policy is standard and clear except for the last requirement regarding meeting the land development regulations. No definition of what would "preclude reconstruction" leaves this requirement almost unenforceable. It is not recommended that deciding which land development regulations should be met be left to occur case-by-case during post-disaster redevelopment.

- The Hillsborough County Comprehensive Plan addresses rebuilding of nonconforming uses in Policy 9.3 of the Future Land Use Element. This policy allows rebuilding and expansion of legal nonconforming uses that do not have any significant adverse effects on adjacent properties. Structures can only be rebuilt or expanded once, except for in the case of an Act of God. The degree of increase in intensity of the nonconforming use is limited to 50% over the existing intensity or the maximum building square footage. The expansion or rebuilding, though, must be consistent with other plan policies.

- The Hillsborough County Land Development Regulations have had recent amendments to clarify rebuilding of nonconforming structures and waivers for yard requirements. (Sec. 11.03.04. Nonconforming Structures Other Than Signs and Sec. 6.01.03. Lots; Dimensional, Access, and Related.)
  - While there is a rule that a structure damaged more than 50% of its current assessed value may only be reconstructed in accordance with the regulations of the district in which it is located, the new modified language does not require this rule to be met for a structure damaged by an Act of God. Nonconforming structures damaged by an Act of God can be rebuilt to the same nonconformities certified as pre-existing.
  - For structures damaged by a declared natural disaster, they must meet yard requirements in rebuilding unless there is a physical impediment to meeting the requirements, i.e., tree, and they only have one year to commence building activity after the declared disaster.

- The Hillsborough County Land Development Regulations have also had numerous amendments over the past several years for new overlay district requirements as part of the County's Community-Based Planning Program. The rebuilding standards vary among these and each includes language that the overlay district regulations will prevail if there is a conflict between codes.
  - A review of the community plan's adopted district regulations finds that only one specifically addresses exemption from the regulations due to an Act of God (Sec. 3.15.05 of the Hillsborough Avenue Overlay District regulations).

- Others do not require existing lawful uses/structures to meet the requirements unless an expansion threshold is met (30% increase in floor square footage is the most common) and then certain portions of the new district regulations are required (Parts 3.10.00, 3.12.00, 3.13.00).
- The Ruskin Town Center Zoning District doesn't require existing lawful uses/structures to meet the requirements but does not specify any thresholds for improvements or rebuilding (Part 3.17.00).
- In addition, the Ruskin Town Center and University Community Area Development Regulations specify that the reconstruction of existing streets, excluding regulated roadways, must meet the street design standards of that part (Parts 3.13.00, 3.17.00).
- The Keystone-Odessa Rural Development Codes do not have any language related to what standards should be met in rebuilding (Part 3.08.00).

Once all of the relevant policies and codes are compiled they will need to be assessed for their consistency with each other (within the jurisdiction and inter-jurisdictionally since redevelopment may be more successful if the rules for rebuilding are similar throughout the county). It should be determined whether a common build-back standard can be achieved without changing the intent of the various communities.

Within each jurisdiction and special planning area the overall effect of what the consistent, total build-back policy means should be analyzed by assuming two scenarios; a typical nonconforming home and a typical nonconforming business. For each scenario, extra permits and rebuilding costs that would be required to meet the build-back policy should be determined. The community costs and benefits of requiring a stricter rebuilding policy that requires all current development requirements be met should also be assessed.

Recommend a unified build-back policy

Based on the results of the assessment, the Redevelopment Task Force led by the Land Use TAC should make a recommendation of what the standard build-back policy should be that will best further the redevelopment goals set forth in this plan. A balance between speeding recovery and leaping toward the visions of the various community plans will need to be met. Once a unified build-back policy has been agreed on by the Task Force, the Land Use TAC should prepare policy and code modifications that would meet this need and present the build-back recommendation to the Board of County Commissioners and municipal boards, if applicable. Further work to make the individual plan amendments will be needed if the recommendation is approved.

Public Education on the build-back policy

One of the most important reasons to clarify the build-back policy before a disaster is so that the public can be educated on what the policy is and expectations will be realistic after a disaster. A clear and concise message about the build-back policy should be developed for the outreach campaign. There should be links to all relevant policies and codes on the PDRP website as well as a general description of what the build-back policy is and what it means for home and business owners. If the scenario examples were developed during the policy analysis, they would make great education tools to show what the policy may mean in terms of permit requirements and costs. Part of the

build-back policy message should be that these are minimum requirements but that the county (and cities) recommends further hazard mitigation if possible. This would tie into actions under Issue #3. Resources on hazard mitigation techniques, contractors that offer these services, and grant opportunities that may be available (pre- or post-disaster) should be part of the information available on the website. The LMS Working Group could provide some of this outreach and would be the outlet for funding opportunities. The Land Use and Public Outreach TACs may want to form a speaker's bureau that can attend homeowner and business association meetings to present the build-back policy message and direct people to the website for more information.

Issue #3: Develop policies for redeveloping land areas that have sustained repeated damages from storm events

The Hillsborough County PDRP can greatly increase the community's resilience to future disasters by taking advantage of post-disaster opportunities to build back differently in high hazard locations. This can take the form of regulation, such as increased mitigation requirements, reduced intensity, special permit requirements, or voluntary programs that may avoid concern over private property rights, such as acquisition and transfer of development rights. A major opportunity to reduce vulnerability may result from grant funding for land acquisition of highly vulnerable or damaged properties after a disaster or even pre-disaster. These properties can be used to further efforts of environmental restoration or public recreation as well[1].

Strategy

To increase the resiliency of Hillsborough County to disasters, there must be a strategy to prevent the same vulnerable development from being rebuilt in the same way and in the same high-risk location. In fact, projections of sea level rise over the next 50 to 100 years mean that coastal developments destroyed as a result of flooding will have an increased chance of being destroyed again. To break the cycle, the Land Use TAC recommends a strategic use of various voluntary programs including transfer of development rights, hazard mitigation education and assistance, and acquisition programs. As the PDRP and its strategies are tested and mature, this issue may be revisited to perhaps pair the voluntary programs' compensation options with some regulatory measures to more aggressively address highly vulnerable development, especially in light of the threat of sea level rise.

<u>Target areas for decreasing or mitigating development</u>

Repetitive damaged properties should be a first priority for pre-disaster hazard mitigation funds, as addressed in the LMS, and for post-disaster funds. Targeting only individual repetitive flood loss properties (a database of these is kept by the County Hazard Mitigation Section) though could result in a piecemeal application of funds that doesn't address the vulnerability of the infrastructure that serves these properties. In addition, properties that have been fortunate enough to avoid damage in the past could be left in harm's way. Flood is not the only hazard that should be addressed. Wind damage also

[1] Identify priority areas or criteria for post-disaster land acquisition (for hazard mitigation, conservation, recreation/public access, or redevelopment use) or rezoning (Ord. 93-20, Sec. 4, A and C).

is a major concern for 82% of homes in the county that were built before the 2001 Florida Building Code that increased wind requirements (see analysis in **Section 5**).

The following should be considered in identifying target areas for voluntary vulnerability reductions:

1) Identify neighborhoods or business districts built prior to the 2001 Florida Building Code, with priority given to those that are outside of evacuation zones and most vulnerable to wind damage (see analysis in **Section 5**). These areas can be targeted for hazard mitigation grants to do wind retrofit. If one of these neighborhoods is destroyed by a hurricane before mitigation occurs, it may be a prime candidate for one of the Housing Recovery TAC's strategies to acquire and assemble properties for redeveloping as workforce housing depending on the location's land use plan.
2) Identify neighborhoods or business districts in FEMA Velocity Flood Zone and/or within storm surge projections for Tropical Storm Category 1 hurricane (see analysis in **Section 5**). These areas can be priorities for acquisition and TDR sending zones.
3) Identify neighborhood or business district segments within inland 100-year floodplains that contain repetitive flood loss properties. These properties may be candidates for flood retrofit mitigation funding, acquisition, or TDR sending zone designation.
4) All target areas could be presented as generalized floating overlay zones. Pinpointing particular properties may be best avoided until pre-disaster acquisition funds are being applied for or until after a disaster has occurred and damage assessments can be compared to the target areas. Even though the programs that the areas are targeted for are voluntary, property owners may be concerned if they can readily identify their property as a target.

<u>Analyze target areas to determine the best method of vulnerability reduction</u>

The next phase of analysis will be much more difficult than the above mapping exercise which has been completed for housing already. In analyzing these target areas, the ideal program to use can be established as the priority option. Backup options may need to be considered if property owners are not interested in the priority option chosen by the Land Use TAC since these are voluntary programs. What will be most important to determine is if an area would be best mitigated through a total removal of development including infrastructure or simply through a decrease or stabilization of density/intensity combined with structural hazard mitigation techniques. Since areas that are best addressed by removing development in its entirety are dependent on all owners being willing sellers, it will be important to have analyzed beforehand whether it would also make sense to pursue a patchwork acquisition. After a disaster, time will be valuable in making these decisions because property owners will not want to be kept in limbo over whether or not they should start rebuilding. This has been a major issue for communities in the Midwest and Galveston, since waiting to see if they will be bought out means that they can't get their lives back to normal. The Hillsborough Redevelopment Ordinance (Ord. 93-20) includes a phased building moratorium that can be utilized to gain some time for post-disaster decision-making but having a clear set of choices and advantages and disadvantages determined pre-disaster will make post-disaster decisions easier and speedier.

The following should be considered in analyzing the suitability of target areas for each program:

1) The interconnectedness of the targeted areas' infrastructure and the sense of willingness that these property owners may have for relocating should determine whether the area is identified as a priority for total relocation or just a decrease in allowable or existing density/intensity through a partial TDR.
2) The assessed property values of areas determined to be good candidates for large-scale buyouts should be considered so that an idea of how much post-disaster funding will be required is available for use as soon as recovery work begins should that area be severely damaged. An estimate of the relocation costs that may be required for renters should also be determined if the area is largely rental properties.
3) Areas that may be candidates for TDR should be prioritized and differentiated between those where a total TDR is preferred to just a partial TDR (i.e., all development rights sold instead of just decreasing the allowable density). The use of multipliers for TDR credits could be used for areas where a total TDR is preferred.
4) The total number of properties and total density/intensity allowances for areas determined to be candidates for TDR sending zones needs to be calculated. This number will need to be assessed in light of how many receiving zone opportunities are available, and the areas recommended for TDR sending zones may need to be limited or phased to make the TDR market work.
5) TDR multipliers based on property market value should be considered to make TDR a viable option for waterfront property, which is most at risk to current storm surge hazards and future sea level rise. If there are not very attractive incentives for these properties, the options may be limited to acquisition and the amount of acres acquired will thereby be limited due to the expense.

<u>Modify the TDR Program for use as a post-disaster redevelopment tool</u>

Currently the TDR Program addresses the Coastal High Hazard Area; however, as mentioned above, a more detailed curtailment of vulnerable target areas could be designated as hazard mitigation sending areas. Policies and land development code pertaining to the TDR program could be modified to make TDR transactions that serve as hazard mitigation either pre- or post-disaster a priority of the program and incentives for using TDRs in this manner could be created. For example, if someone voluntarily reduces their vulnerable coastal property's density allowance by selling the development rights to the county and a developer buys those development rights to be used in a Sustainable PRA, then both the seller and buyer should be rewarded for their responsible and smart development choices through incentives such as multipliers for vulnerable development rights removed and reduced fees or concurrency waivers for sustainable development rights. For any development rights obtained by the county from a hazard mitigation sending area, a conservation easement would need to be placed on the property whose development rights were reduced to ensure a permanent decrease in density.

The PDRP Coordinator and Land Use TAC should also work with county and municipal planning staff to encourage a countywide TDR program and ensure that it is operational as soon as possible. This would include setting up a working banking system and clearly defining balanced sending and receiving zones. The PRA strategy is meant to be

countywide. If the TDR program is to be an implementation incentive of the PRA program, the PRA strategy will be most successful if the cities also participate in the TDR program by amending their comprehensive plans and land development code to include it. There is no way to predict when a disaster will strike the county and so getting any of the integral components of the PDRP strategies up and running is like racing the clock. It will be a major disappointment if the ideas were all there but just not developed far enough to implement when a disaster strikes and opportunities to increase the community's disaster-resilience are missed.

Identify or create acquisition program(s) that can be used for hazard mitigation

The County's Environmental Lands Acquisition and Protection Program (ELAPP) is a well established acquisition program that could possibly be an option for post-disaster acquisition needs, although its criteria and purpose are not especially conducive to properties that may serve a hazard mitigation purpose but don't provide a great environmental benefit. In fact, the properties that would be targets for post-disaster acquisition are those that have been developed and severely damaged, not large tracts of pristine land that would serve the goal of the ELAPP. For ELAPP to be used in a greater capacity for post-disaster acquisition needs it would need to be modified so that it either temporarily had different criteria for acquiring property after a disaster or permanently had an additional criterion that put some weight on developed properties that could be returned to natural habitats as well as provide natural hazard mitigation benefits, such as flood protection.

Another option would be to create a new countywide program for hazard mitigation acquisition that could be funded through typical federal grant programs to start, such as FEMA's Pre-Disaster Mitigation Grant Program and Flood Mitigation Assistance Program as well as post-disaster funding through the FEMA Hazard Mitigation Grant Program. Local criteria, priorities, and processes could be officially established for hazard mitigation acquisition that are consistent with federal grant programs but more detailed to the needs of Hillsborough County and its municipalities by creating an official program at the local level. This program could also be a conduit for post-disaster donations geared towards acquiring destroyed properties and any other funding opportunities that arise. Should the program be successful and analysis of target areas show a real calculated need, the Board of County Commissioners may even want to consider future local funding options, such as development fees within designated high-hazard locations or a local option sales tax.

Pre-disaster implementation

The preparatory work described above in analyzing target areas and creating conduits for implementation should ideally all occur pre-disaster. In addition to this work, further pre-disaster implementation actions will be necessary. The target areas and preferred methods of vulnerability reduction should be integrated into the LMS and any high priority acquisition or mitigation projects determined from this analysis should be added to the LMS Project List. This will ensure that these projects are eligible for federal funding. Pre-disaster grant applications can also be prepared for some of the priority projects. Some of the basic data and analysis that would be required to apply for HMGP grants after a disaster can also be prepared pre-disaster for priority projects so they are ready to go as soon as FEMA begins accepting applications.

Another major pre-disaster action is public outreach on the voluntary programs. The Land Use TAC and Public Outreach TAC should work together to prepare brochures and website information that explain what it means to be in a target area, who might be eligible for the most common funding sources, what the process would be to participate in one of the voluntary programs, etc. Particular focus should be paid to public awareness and education on the TDR program once it is operational making sure that the public understands the opportunities of the hazard mitigation sending areas and the Sustainable PRA receiving areas. Outreach can be concentrated on the target areas by presenting to homeowner and business organizations in those areas.

Post-disaster implementation

Even if a portion of the preparatory work included in this strategy is completed before a disaster strikes, Hillsborough County will be much more prepared to make quick, smart post-disaster decisions that increase the disaster-resilience of the community through the most efficient use of taxpayer money. The identified target areas and priorities can guide efforts to contact property owners for their willingness to sell before they begin reinvesting in their properties. Target areas will most likely be the last phase of the building moratoria due to probable substantial damage and so county and city staff will have some time to help property owners decide whether they should rebuild and what options there are for them. The Public Outreach TAC can assist in this process. Properties that fall within general target areas can be flagged so that when permits for rebuilding these properties are reviewed they can perhaps approach these property owners with opportunities to assist with hazard mitigation.

While reducing vulnerable land uses is a long-term redevelopment concern, it is important to note that the decisions that dictate whether or not a property is rebuilt largely occur during the first few months after the disaster. Planners must immediately begin assessing what the best opportunities for removing or reducing vulnerable development are. Sometime between when property owners have returned to see the damage and before they make a decision, which could be a week or months after the event depending on the magnitude of disaster, is when they need to be approached with offers for buyouts or options for hazard mitigation or rebuilding less intensely than before. Staff needs to be familiar with what funding will most likely be available and what the process and timeline for securing that funding will be so they can provide this information right away to eligible property owners. Uncertainty after a disaster is one of the major factors that slow redevelopment. If the county and cities can proactively provide options and reliable information early in the recovery process, then smart land use patterns may be more achievable during long-term redevelopment.