



DOAR

Development Order Amendment Report

4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782
 Phone (727) 570-5151 / FAX (727) 570-5118
 www.tbrpc.org

DRI #264 - STARKEY RANCH PASCO COUNTY

On September 28, 2012, Pasco County rendered Resolution No. 12-309 to the Tampa Bay Regional Planning Council. The Resolution constitutes a rescission of the Starkey Ranch DRI Development Order. This Resolution was adopted by the Pasco County Board of County Commissioners on September 11, 2012.

BACKGROUND

On October 10, 2008, the Pasco County Board of County Commissioners rendered to the Tampa Bay Regional Planning Council (TBRPC) Resolution No. 08-393, a Development Order adopted for the Starkey Ranch DRI on September 23, 2008. The Development Order granted specific approval for all three phases of a 2,530± acre mixed-use project to be located in southwest Pasco County. The development was situated northeast of the Starkey Boulevard/S.R. 54 intersection. A small parcel entitled “The Argent” was located on the northwest corner of the same intersection. The southern boundary of the project was less than three miles north of the Pinellas and Hillsborough County lines. The Development Order was scheduled to expire on December 31, 2027.

The following constitutes the formerly-approved phasing schedule for Starkey Ranch:

LAND USE	PHASE 1 (2012)	PHASE 2 (2017)	PHASE 3 (2022)	TOTAL
RESIDENTIAL (Units)	1,650	2,187	448	4,285
(Single-Family)	(1,000)	(1,570)	(300)	(2,870)
(Townhomes)	(450)	(417)	(148)	(1,015)
(Apartments)	(200)	(200)	(0)	(400)
RETAIL (Sq. Ft.)	172,200	104,950	0	277,150
OFFICE (Sq. Ft.)	143,500	121,020	80,000	344,520
LIGHT INDUSTRIAL (Sq. Ft.)	70,000	100,000	0	170,000
SCHOOL (Students)	762	762	0	1,524
ACLF (Beds)	0	120	0	120
DAY CARE (Sq. Ft.)	10,000	20,000	0	30,000
MOVIE THEATRE (Screens)	0	16	0	16
HOTEL (Rooms)	0	100	0	100

The Development Order was not subsequently amended.

DISCUSSION

It is hereby stated that the rescission was not accomplished through the Notice of Proposed Change process but rather authorized administratively by Pasco County, with the prior knowledge and consent of the State Land Planning Agency and staff of the Tampa Bay Regional Planning Council, under the auspices of Sections 380.06(29)(e) and 380.115(1), F.S. These citations read as follows respectively:

“In an area that is exempt under paragraphs (a)-(c), any previously approved development-of-regional-impact development orders shall continue to be effective, but the developer has the option to be governed by s. 380.115(1).” [underlined to express emphasis]

“A change in a development-of-regional-impact guideline and standard does not abridge or modify any vested or other right or any duty or obligation pursuant to any development order or agreement that is applicable to a development of regional impact. A development that has received a development-of-regional-impact development order pursuant to s. 380.06, but is no longer required to undergo development-of-regional-impact review by operation of a change in the guidelines and standards or has reduced its size below the thresholds in s. 380.0651, shall be governed by the following procedures:

(a) The development shall continue to be governed by the development-of-regional-impact development order and may be completed in reliance upon and pursuant to the development order unless the developer or landowner has followed the procedures for rescission in paragraph (b). [underlined to express emphasis]

(b) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed.”

As stated above, the only pre-requisite for authorizing a qualifying DRI for rescission is to ensure that mitigation equals or exceeds that which would be required to offset existing development. In this particular case, no development has occurred on the DRI site, rendering this obligation “not applicable.”

RECOMMENDATION

It is recommended that the State Land Planning Agency concur with the Development Order rescission adopted by Pasco County for DRI #264 - Starkey Ranch.

GENERAL LOCATION MAP

