Land Use Technical Advisory Committee

Land use is one of the most controversial and central issues 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 purpose of this Land Use Technical Advisory Committee (TAC) is to wade through these issues and determine to the best of its combined knowledge what can and should be done before and after a disaster in relation to land use for Hillsborough County and its municipalities.

Post-Disaster Redevelopment Issues for Land Use

Below are the Land Use Technical Advisory Committee's prioritized issues with a brief description of each.

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 may want to prioritize redevelopment to areas that correspond to its vision for the future and are less vulnerable to disasters by prioritizing and incentivizing development in these areas[i]. 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 areas can also provide opportunities to locate temporary post-disaster uses more efficiently and to provide time for planning the sustainable reconstruction of areas that are most severely impacted from the disaster[ii].

2. **Build-back standards –** Hillsborough County and the municipalities have in place various policies and codes for development. Non-conforming 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 that it is currently unclear if redevelopment after a disaster will need to meet. 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[iii]. It is important that the build-back standards that will be enforced after a disaster are clearly understood before a disaster occurs.

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 increased mitigation requirements, reduced intensity, special permit requirements, etc. (Ord. 93-20 (a)). Potential concern over infringements of private property rights can be addressed by considering various methods of compensation including possible 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].

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[i] According to the Hillsborough County Redevelopment Ordinance (Ord. 93-20, Sec. 4, C, 2.h), the Redevelopment Task Force should be identifying priority redevelopment receiving areas and priority land use types for recovery.
[ii] Ordinance 93-20, Section Five includes procedures for a phased moratoria based on degree of damage.
[iii] The Redevelopment Task Force is responsible for recommending blanket reductions in non-vital 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).

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[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).