

**L3 PARTNERSHIP/ GAMBLE CREEK VILLAGE PLAN
AMENDMENT**

PA-18-03/ORDINANCE 21-17 (formally 19-38) – TEXT AMENDMENT

PA-18-04/ORDINANCE 21-18 (formally 19-39) – MAP AMENDMENT

DTS#20180059 AND DTS#20180061

TEXT AND MAP AMENDMENT

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan); providing a purpose and intent; providing findings, as follows:

PA-18-03/ORDINANCE 21-17 – TEXT AMENDMENT

A text amendment to the Future Land Use Element to create a new Future Land Use Overlay District known as Planned Village (PV) Overlay, new Policy 2.2.2.10; and Sub-policies 2.2.2.10.1, Definition; Policy 2.2.2.10.2, Purpose; Policy 2.2.2.10.3, Range of Potential Uses; Policy 2.2.2.10.4, Implementation Process; and Policy 2.2.2.10.5, creating a Village Master Plan, and Sub-policies for the required components of the Village Master Plan; specifically Policy 2.2.2.10.5.1; Policy 2.2.2.10.5.1.1, Financial Strategy; Policy 2.2.2.10.5.2, Overall Design Principles; Policy 2.2.2.10.5.3, The Village Master Plan requirements; Policy 2.2.2.10.5.4, Transportation Framework; Policy 2.2.2.10.5.5, Community Capture; Policy 2.2.2.10.5.6, Effect of Approval; Policy 2.2.2.10.7, Development Standards of the Village Master Plan; and proposed new Policy 2.2.1.29 establishing a new Future Land Use Category known as Agricultural/Open Space (AG/OS) Policy 2.2.1.29; and Sub-policies 2.2.1.29.1, Intent; Policy 2.2.1.29.2, Range of Potential Uses; and to amend the Future Land Use Element Policy 2.1.2.2. for an exception to urban sprawl for Planned Village Overlay designated property east of the Future Development Boundary; to amend the Transportation Element to amend Policy 5.3.1.4 to eliminate the requirement for Retail/Office/Residential (ROR) and Mixed-Use (MU) FLUCs to be adjacent to roadways on the functional classification maps series if located within the newly created PV Overlay District; and revise Table 5-1 and Maps 5-B, 5-C, and 5-D of the Future Traffic Circulation Map Series to include two functionally classified roadways; providing for severability and providing an effective date.

PA-18-04/ORDINANCE 21-18 – MAP AMENDMENT

A map amendment to designate specific real property (5,040± acres) from the AG/R (Agricultural/Rural) Future Land Use Category to the newly created Future Land Use Overlay District of PV (Planned Village) Overlay District; along with amending the Future Land Use designation of the 5,040 ± acres to RES-3 (1,152± acres), P/SP-1 (107± acres), R/O/R (88± acres), MU (1,108± acres), IL (212± acres) and AG/OS (2,372± acres), and amend Table 5-1 and Maps 5-B, 5-C and 5-D of the Future Traffic Circulation Map Series to include two new functionally classified roadways. Said

property being located at 23551 and 25155 SR 62 in Parrish; providing for severability and providing an effective date.

P.C.: 11/14/2019, 04/08/21	B.O.C.C.: 12/05/19, 05/20/21, 08/19/2021, 09/16/2021 Transmittal
Type of Amendment	Large Scale Map and Text Amendment

ALTERNATIVE MOTIONS:

Motion for DENIAL of Plan Amendment PA-18-03/Ordinance 21-17

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, the technical support documents, and finding the request to be **INCONSISTENT** with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to **DENY** transmittal of Plan Amendment PA-18-03/Ordinance 21-17.

Motion for DENIAL of Plan Amendment PA-18-04/Ordinance 21-18

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, the technical support documents, and finding the request to be **INCONSISTENT** with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to **DENY** transmittal of Plan Amendment PA-18-04/Ordinance 21-18.

OR

Motion for TRANSMITTAL of Plan Amendment PA-18-03/Ordinance 21-17

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, the technical support documents, and finding the request to be **CONSISTENT** with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to **APPROVE TRANSMITTAL** of Plan Amendment PA-18-03/Ordinance 21-17, as recommended by the Planning Commission.

Motion for TRANSMITTAL of Plan Amendment PA-18-04/Ordinance 21-18

Based upon the evidence presented, comments made at the Public Hearing, the action of the Planning Commission, the technical support documents, and finding the request to be **CONSISTENT** with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to **APPROVE TRANSMITTAL** of Plan Amendment PA-18-04/Ordinance 21-18, as recommended by the Planning Commission.

PLANNING COMMISSION ACTION FOR PLAN AMENDMENT PA-18-03/ORDINANCE 21-17 (formally 19-38):

On November 14, 2019, by a vote of 3 – 4, the Planning Commission recommended to Transmit the amendment. The motion was denied. Mr. Conerly, Mr. Heap, Mr. Roth and Mr. Rutledge voted nay.

On April 8, 2021, by a vote of 4 – 1, the Planning Commission recommended Transmittal.

Mr. Rutledge voted nay stating he agrees with staff that this is inconsistent with the Comprehensive Plan. He would like to see staff bring changes to the Comprehensive Plan forward before reviewing projects such as this.

Mr. Conerly stated he voted in favor of transmittal to allow further discussion, but the financial aspects are a concern.

PLANNING COMMISSION ACTION FOR PLAN AMENDMENT PA-18-04/ORDINANCE 21-18 (formally 19-39):

On November 14, 2019, by a vote of 4 – 3, the Planning Commission recommended Denial of Transmittal. The motion passed. Mr. Smock, Mr. Rahn and Mr. DeLesline voted nay.

On April 8, 2021, by a vote of 4 – 1, the Planning Commission recommended Transmittal.

Mr. Rutledge voted nay stating he agrees with staff that this is inconsistent with the Comprehensive Plan. He would like to see staff bring changes to the Comprehensive Plan forward before reviewing projects such as this.

Mr. Conerly stated he voted in favor of transmittal to allow further discussion, but the financial aspects are a concern.

BOARD OF COUNTY COMMISSION ACTION:

On December 5th, 2019, the Board of County Commissioners continued the public hearing at the request of the applicant. The applicant made revisions to the request and the applications were rescheduled for both Planning Commission and Board of County Commission.

On May 20, 2021, by a vote of 7 – 0, the Board of County Commissioners continued to no date set and to be readvertised.

On August 19, 2021, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to September 16, 2021 at 1:30 pm or as soon thereafter as same may be heard.

PUBLIC COMMENT AND CORRESPONDENCE:

November 14, 2019, Planning Commission

There were no public comments.

A public comment letter was entered into the record.

December 15, 2019, Board of County Commissioners

There were no public comments.

A request from the applicant to continue and revised motions to continue were entered into the record.

April 8, 2021, Planning Commission

There were no public comments.

A letter from the applicant requesting additional presentation time was entered into the record.

May 20, 2021, Board of County Commissioners

There were no public comments.

Revised Motions to continue the public hearings were entered into the record.

August 19, 2021, Board of County Commissioners

There were no public comments.

A letter from the applicant requesting a continuance was entered into the record.

PLAN AMENDMENT SUMMARY SHEET

Project Name: GAMBLE CREEK VILLAGE

Applicant: L3 Partnership

Case Numbers: PA-18-04/Ordinance 21-17 (DTS# 20180059)
PA-18-04/Ordinance 21-18 (DTS# 20180061)

Request: **TEXT AMENDMENT**

Amend the Future Land Use Element to create a new future land use designation of AG/OS (Agriculture/Open Space), Policy 2.2.1.29.

Amend the Future Land Use Element to create a new future land use overlay district of PV (Planned Village) Overlay, Policy 2.2.10.1.

Amend the Future Land Use Element, Policy 2.1.2.2 to allow for an exception to urban sprawl.

Amend the Future Land Use Element to create a Village Master Plan, including required components, financial strategy, design principals, and development standards.

Amend the Transportation Element, Policy 5.3.1.4 to eliminate the requirement of ROR and MU to be adjacent to roadways on the functional classification map series if located within the PV overlay district.

Amend the Transportation Element, Table 5-1 and Maps 5-B, 5-C and 5-D of the Future Traffic Circulation Map Series to include two new functionally classified roadways.

Location: **Text Amendment**, if approved, the language can be applied to any parcel within Manatee County that requests a Map Amendment that meets the approved criteria.

MAP AMENDMENT

Amendment to the Future Land Use Map of the Future Land Use Element from the AG/R (Agricultural/Rural) (5,040± acres) to RES-3 (1,149± acres), P/SP-1 (107± acres), R/O/R (88± acres), MU (1,108± acres), IL (212± acres) and AG/OS (2,372± acres) for a total of 5,050± acres. A future land use overlay district Planned Village (PV) is proposed for the entire site of 5,040± acres.

To allow a maximum, of up to, 7,200 residential units, 2 million square feet of commercial development, and 1.8 million square feet of light industrial.

Map Amendment is located at 23551 & 25155 SR 62 in Parrish, Manatee County.

Type: Large Scale Text and Map Amendment

SUBMITTAL HISTORY

A pre-application meeting was held on June 16, 2017 with County comments issued on June 26, 2017. The applicant submitted the Text and Map Comprehensive Plan Amendments on February 2018. The submittal did not adequately address County concerns raised at the June 2017 pre-application meeting. The applicant submitted two additional responses to comments, none of which provided sufficient data and analysis to support the request. The third submittal was revised deleting approximately 919 acres from the southeastern portion of the project area. With the third submittal, the applicant did not submit the required data/analysis/updates as requested. The applicant then requested to be scheduled for public hearing, at which the Planning Commission recommended denial by a vote of 3 to 4. The December 5, 2019 Board of County Commission public meeting was continued, at the applicant's request, and two more submittals and a DRC meeting were subsequently held:

Summary of Submittals:

- 06/16/17 Pre-application meeting held
- 06/26/17 Pre-application comments issued

- 02/18/18 Application submitted – V1
- 04/09/18 Comments issued – V1

- 10/08/18 Application submitted – V2
- 10/31/18 Comments issues – V2

- 04/30/19 Application submitted – V3
- 06/03/19 Comments issued – V3

- 11/14/19 Planning Commission held
- 12/05/19 BOCC Meeting continued at applicant's request

- 04/28/20 Application re-submitted – V4
- 05/29/20 Comments issued – V4

- 06/10/2020 Special DRC Meeting held

- 09/16/20 Application re-submitted – V5
- 11/17/20 Comments issued – V5

Recap Since 11-14-2019 Planning Commission Meeting:

*Since the November 14, 2019 Planning Commission Meeting, the applicant met with staff and revised their submittal twice. The final revisions are included in the attached, and within, with new language in underline. The text in **RED** shows the changes made by the applicant since the November 14, 2019 Planning Commission Meeting. Major revisions since the first Planning Commission Meeting include proposed text stating that the Future Land Use Amendments will only become effective upon approval of the Village Master Plan approved by the Board of County Commission. The applicant also provided text detailing what is required of the Village Master Plan as well as overall design principals and the requirements for a financial strategy.*

With the most recent revisions provided by the applicant, concerns remain. The biggest concern is the timing of the request. Once a map amendment is approved, the applicant is entitled to submit a rezone/site plan request so long as the criteria established in the Comprehensive Plan is met. Based on the current development in the area, the timing does not appear to be appropriate and may have a significant financial impact on the County.

At this time, the timing, location, and size does not appear to be appropriate.

REQUEST

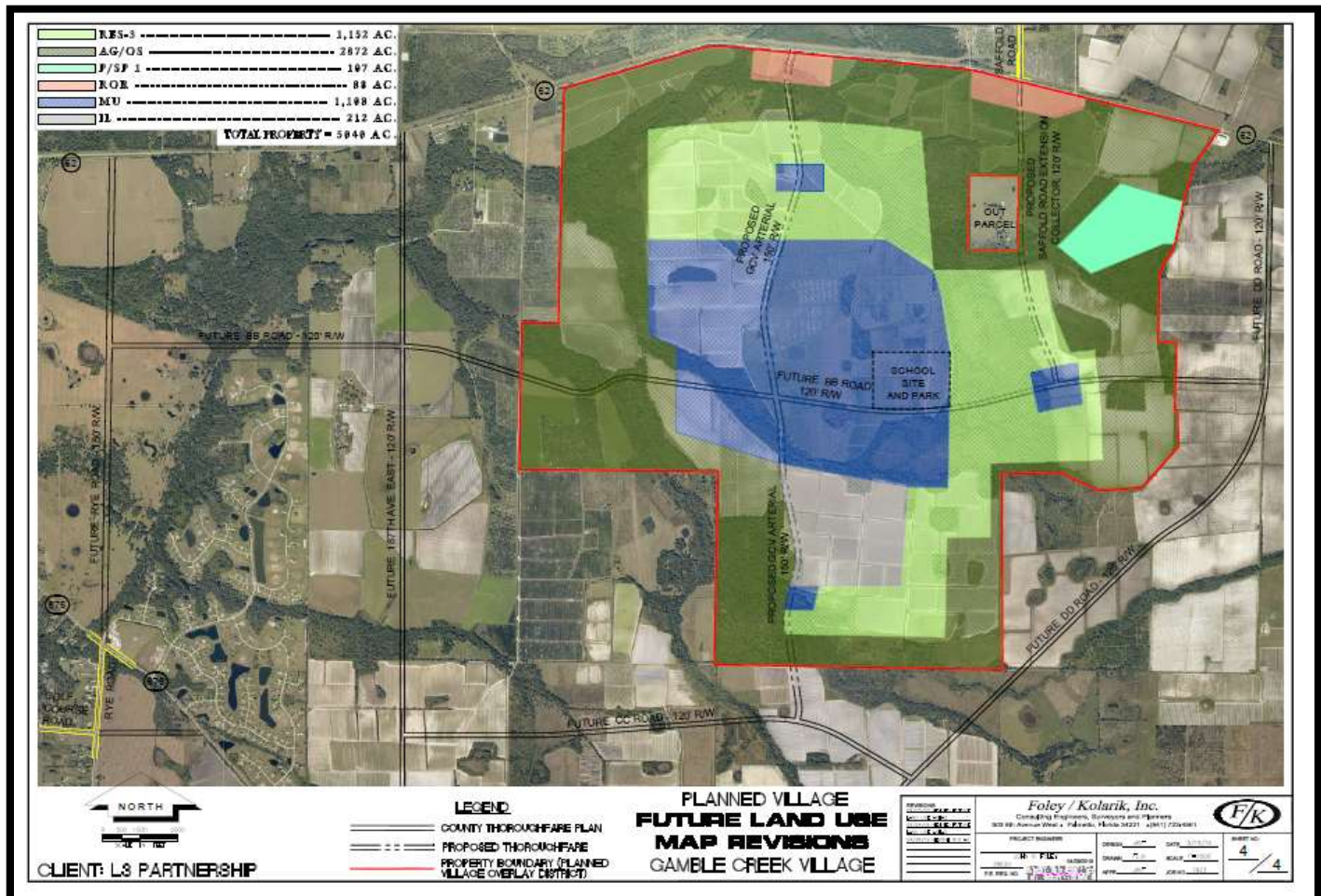
The request today is for both a Text Amendment to the Comprehensive Plan as well as a Future Land Use Category (FLUC) Map Amendment to apply the newly proposed Text language to a particular site. It should be noted, although the request for the Map Amendment today is for a particular parcel of land, if the proposed Text Amendment is approved, the Text could be applied, in the future, to any property within Manatee County meeting the requirements.

Existing Site:

- A 5,040± acre site, owned by L3 Partnership, owned by members of the Lindsay Family, located at 23551 & 25155 SR 62 in Parrish, Manatee County.
- The Lindsay Family has owned the land, south of SR 62 and the FPL Power Plant, for over thirty years and it has been farmed by the Lindsays and others during that time.
- The site is approximately 2.1 miles east of the Future Development Area Boundary in northern Manatee County.
- The entire site has an AG/R (Agricultural/Rural) Future Land Use designation - 1 dwelling unit per 5 acres **(1,008 residential dwelling unit potential today)**.

Changes Requested to the Site Include:

- Amendment to the Future Land Use Map of the Future Land Use Element from the AG/R (Agricultural/Rural) (5,040± acres) to RES-3 (1,149± acres), P/SP-1 (107± acres), R/O/R (88± acres), MU (1,108± acres), IL (212+/- acres) and AG/OS (2,372± acres) for a total of 5,050± acres. A new future land use overlay district Planned Village Overlay (PV) is proposed for the entire site of 5,040± acres.
- The proposal is for a text and map amendment to allow up to: 7,200 residential units, 2 million square feet of commercial development, and 1.8 million square feet of light industrial.



Text Amendment

The applicant also proposes text amendments to the Future Land Use (FLUC) and Transportation Elements as follows:

AG/OS is a newly proposed future land use designation to allow for more open space, limited floor area ratio (0.02) and very low residential density (1 dwelling unit per 80 acres).

Planned Village (PV) Overlay is a newly proposed future land use overlay district for the entire site. The overlay will cap the number of residential units at 7,200 units, cap the square footage of commercial to 2 million square feet, and light industrial uses to 1.8 million square feet.

Amend the Future Land Use Element, Policy 2.1.2.2, to allow for an exception to urban sprawl.

Amend the Transportation Element, Policy 5.3.1.4, to eliminate the requirement of ROR and MU to be adjacent to roadways classified as Arterial on the functional classification map series if located within the newly created PV Overlay District.

Amend the Transportation Element, Table 5-1 and Maps 5-B, 5-C and 5-D of the Future Traffic Circulation Map Series, to include two new functionally classified roadways.

Both the text and map amendments must be approved for the project to move forward as requested by the applicant.

MAP AMENDMENT REQUEST

SUMMARY OF FUTURE LAND USE/ZONING/ADJACENT DEVELOPMENT

	Existing FLUC	Zoning	Present Land Use
Site	AG/R	A	Vacant/Agricultural
North	P/SP-1	A and PD-PI	North side of SR 62 – FPL Plant
South	AG/R	A	Vacant/Agricultural
East	AG/R	A	Vacant/Agricultural, further to the East is an approved Recreational Course, including trap shooting, skeet and outdoor firing range.
West	AG/R	A	Vacant/Agricultural

Development History

1981 Comprehensive Zoning and Land Development Code Zoning Designation
A (Agriculture)

1990 Land Development Code Zoning Designation
A/NCO (Agricultural/North Central Overlay)

1989 Comprehensive Plan Future Land Use Designation
AG/R (Agricultural-Rural)

Legislative Policy Decision

The legislative policy decision of the Board of County Commissioners is to determine whether the Proposed Text and Map Amendment are in the best interest of the public considering:

- Is the proposed Map Amendment compatible with the development trends in the area of consideration?
- Is the proposed Map Amendment compatible with surrounding uses and densities or intensities?

The Board of County Commissioners should make this decision based upon a comparison of the range of uses allowed in each Future Land Use designation.

Existing Future Land Use Designation:

The existing AG/R future land use designation has the potential for farms, ranches, agro-industrial uses, agriculturally-compatible residential uses, rural residential uses, neighborhood retail uses, mining, mining-related uses, low intensity recreational facilities, rural recreational facilities, public or semi-public uses, schools, and appropriate water-dependent uses. ***1 unit per 5 acres or more.***

Proposed Newly Created Future Land Use Designation/Future Land Use Overlay District:

The proposed **AG/OS (Agricultural/Open Space)** future land use designation has the potential for residential uses, agricultural uses, agriculturally-compatible residential uses, commercial uses in conjunction with agricultural operations, public or semi-public uses, schools, very low-intensity recreational uses, and appropriate water-dependent/water-related/water enhanced uses. ***Residential units at 1 per 80 acres.***

The proposed **PV (Planned Village)** future land use overlay district is proposed over the entire 5,040± acre site and will define limitations of development ***to allow a maximum, of up to, 7,200 residential units, 2 million square feet of commercial development, and 1.8 million square feet of light industrial.***

The following are existing future land use designations proposed for the site:

The **Mixed Use (MU)** future land use designation has the potential for retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses. **Maximum potential density 12 dwelling units per acre (40 du/ac if a density bonus is approved for mixed-use and/or affordable housing. 1.0 Floor Area Ratio (FAR).**

The **R/O/R (Retail/Office/Residential)** future land use designation has the potential for neighborhood, community and regional serving commercial uses, mixed with residential, lodging, office, public or semi-public, schools, and recreational uses, and appropriate water-dependent, water-related, and water-enhanced use, and short-term agricultural uses. **Maximum potential density 16 dwelling units per acre (32 du/ac if a density bonus is approved for mixed-use and/or affordable housing. 1.0 FAR.**

The **IL (Light Industrial)** future land use designation has the potential for suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low-intensity recreational uses, and appropriate water-dependent, water-related, and water enhanced. **0.75 FAR.**

The **RES-3 (Residential – 3 du/ga)** future land use designation has the potential for suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low-intensity recreational uses, and appropriate water-dependent, water-related, and water enhanced uses. **Maximum potential density 3 dwelling units per acre (6 for affordable housing).**

The **P/SP-1 (Public-Semi Public)** future land use designation has the potential for recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors and public schools.

Summary

The Board should consider the amount of proposed development, location of the development and timing of the request. In particular, the request appears to be inconsistent with the Manatee County Comprehensive Plan and Florida Statutes as outlined in this report. The need has not been adequately justified by the applicant nor does the timing of the request appear appropriate.

JUSTIFICATION/NEED FOR A TEXT OR MAP AMENDMENT

To justify a text or map amendment, a change in circumstances must be demonstrated by the applicant (**Manatee County Comprehensive Plan, Introductions C.2.3.2**). **An amendment to the future land use map shall only occur where it is determined that growth and development patterns initially sought by Manatee County are no longer appropriate.**

The applicant must submit information on the potential impact of the proposed amendment on the surrounding area, consider development trends in the area as well as land use compatibility issues and justify how this proposal is better for the County. As of the third revision, the applicant has not provided this information. However, after the 11-14-2019 Planning Commission recommendation for denial, the applicant requested a continuation to revise the application to provide additional language requiring the proposed Village Master Plan be approved by the Board of County Commissioners prior to the newly requested FLUC Map Amendment becoming effective.

The following information was provided by the applicant:

Change in Circumstance

- It has been 30± years since the establishment of AG/R boundary.
- There has been significant development in the northern portion of the county.
- The expansion of development in this area, previously rural, has forced people eastward.
- No remaining developable tracts, exceeding even 3,000 acres, represents the last opportunity for the County to systematically plan for creation of a new master planned village and activity center east of the future development area boundary.

Potential Impact on Surrounding Area

- Project is designed to be compatible with surrounding area by locating agricultural, open space and residential/agricultural areas around the perimeter of the project.
- Non-residential uses to be located internal to the site.

County and Regional Benefits

- Project will provide meaningful open space, agricultural lands and natural features.
- The creation of a master planned facility with live/work/play opportunities is a superior community design in lieu of proliferation of septic systems.
- Large parcel under one ownership and county should act now to plan for the creation of a new master planned village.

Staff Response:

There has been no indication from the Board to amend future land use designations to increase density or intensity in the AG/R area, as proposed, leapfrogging over expansive areas of land with low density and very limited services. Policies within the Comprehensive Plan were created intentionally to protect this area. The request is not consistent with the Manatee County Comprehensive Plan, specifically:

Objective 2.1.2, Geographic Extent of the Future Development, of the Manatee County Comprehensive Plan states:

Limit urban sprawl by accommodating future development consistent with the adopted Land Use Concept Map (Map N). All development, unless exempted by Policy 2.1.2.2, shall be directed to the area west of the Future Development Area Boundary (FDAB) thereby, preserving agriculture as the primary land use east of the FDAB through 2040.

Policy 2.1.2.1. *Provide opportunities for, and allow, new residential, and nonresidential development to occur at locations defined as appropriate in the Adopted Land Use Concept Map and the established Mapping Methodology policies contained in this Element.*

Policy 2.1.2.2. *Limit urban sprawl by prohibiting all future development in the area east of the established FDAB (see Map N and the Potable Water/Wastewater Service Areas Map in the Wastewater Sub Element), except as follows:*

- (a) Small commercial development providing for the needs of the agricultural community,*
- (b) Agricultural and industrial development where associated with approved mining operations,*
- (c) Residential development in excess of 0.2 du/ga for the following:*
 - (1) Farm worker housing;*
 - (2) Residential within Myakka City;*
 - (3) Legal lots of record prior to May 15, 1989;*
 - (4) Redevelopment per policy 2.9.3.2; and*
 - (5) Cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.*
- (d) Plan amendments resulting from a change in the Future Land Use Concept Map. Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.*

Implementation Mechanism:

- (a) County review of all proposed plan amendments and development requests.*

Policy 2.1.2.3. *Permit the consideration of new residential and nonresidential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development, and compatible with future areas of development.*

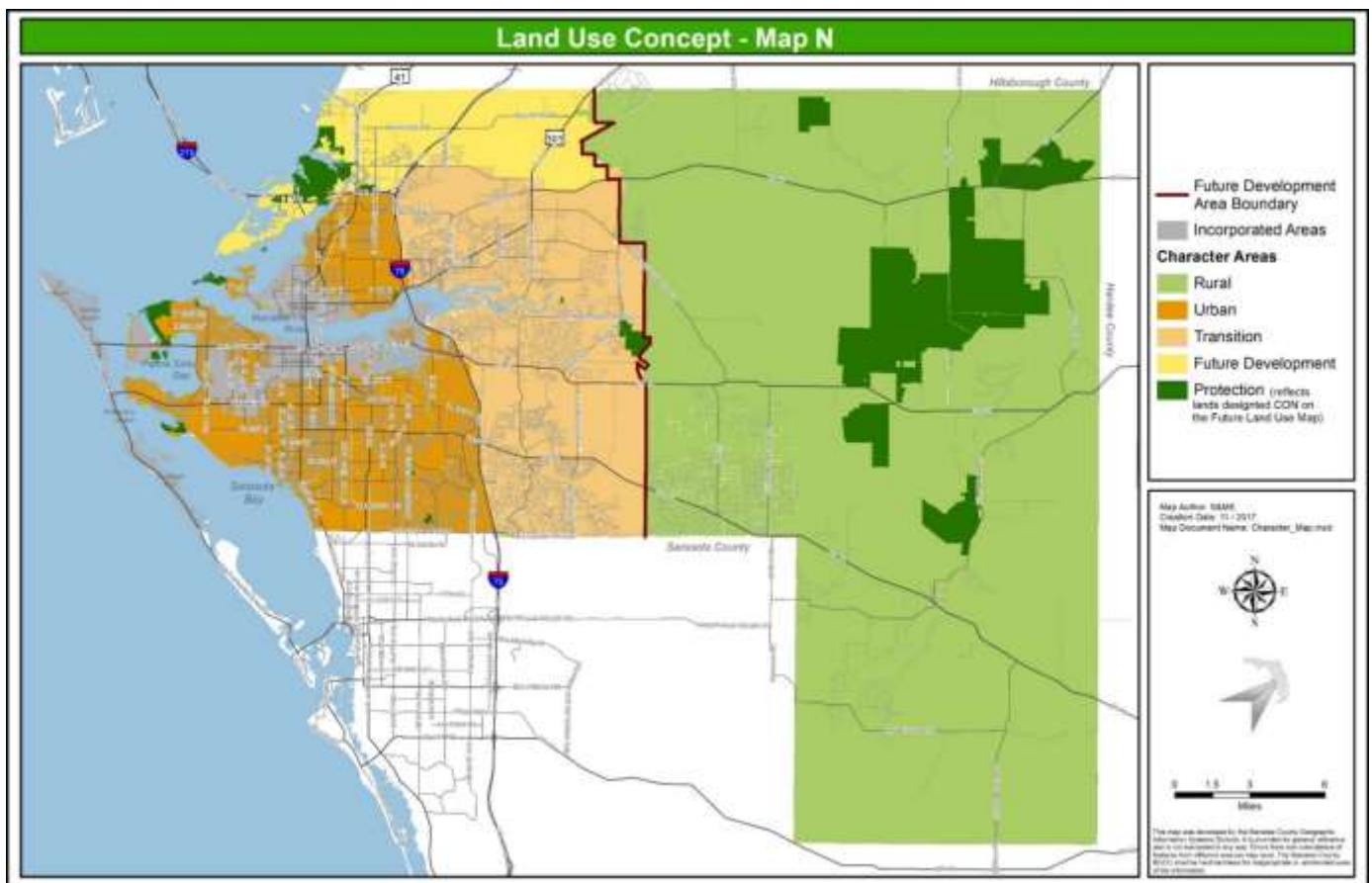
Implementation Mechanism(s):

- (a) Designation of maximum allowable densities on the Future Land Use Map to permit consistent and compatible residential development on vacant areas within and adjacent to existing residential areas.*
- (b) Designation of nonresidential categories on the Future Land Use Map to permit compatible nonresidential development on vacant areas within and, where appropriate, adjacent to existing nonresidential development.*

Policy 2.1.2.4. Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

The definition of the Future Development Area Boundary is as follows: This boundary is generally established to designate on the Future Land Use Map the location for new residential and nonresidential development consistent with the adopted Land Use Concept in the Technical Support Document for the Manatee County Comprehensive Plan (May 15, 1989). Those lands east of the Future Development Area Boundary are intended to be preserved for primarily agricultural uses. The boundary is intended to serve as a means to provide an efficient use of land and public and private investment, and to contain urban sprawl. This line shall be consistent with the boundaries of the Water Supply and Wastewater Service Areas established by the Board of County Commissioners.

In 2018, with Ordinance 18-08, the County did update the 1989 Future Land Use Concept to depict a combination of what was known as the 1996 Residential Distribution Map and the Character Compatibility Map Vision, adopted in 2005. The currently adopted Land Use Concept Map is:



(see attached FDAB History for further discussion).

*The “need” analysis required for a text or map amendment is based on what has changed in the area to warrant a land use change, development trends, potential impact to surrounding area, land use compatibility issues for the area, etc. The applicant has **not** provided sufficient data/analysis to justify a need this far out east, leapfrogging over expansive lands with limited density, infrastructure and services.*

With the third revision submitted by the applicant, the applicant requested to take the application before the Board of County Commissioners and stated they will only provide the requested data and analysis if the Board is in favor of the request.

TEXT AMENDMENT REQUEST

The applicant proposes two new future land use designations (AG/OS and PV), a text amendment to the Future Land Use Element, Policy 2.1.2.2 to allow an exception to urban sprawl, a text amendment to the Transportation Element, Policy 5.3.1.4 to eliminate the requirement of ROR and MU to be adjacent to roadways on the functional classification map series if located within the PV overlay district and an amendment to Table 5-1 and Maps 5-B, 5-C and 5-D to include two new functionally classified roadways.

New language proposed by the applicant is shown below in underline format. Text shown in **RED are revisions made since the 11-14-2019 Planning Commission Meeting. Following the policy proposed by the applicant is staff’s response/comment:**

Proposed Revision to Policy 2.1.2.2

Policy 2.1.2.2

Limit urban sprawl by prohibiting all future development to the area east of the established FDAB (see Map N and the Potable Water/Wastewater Service Areas Map in the Wastewater Sub Element), except as follows:

- a. Small commercial development providing for the needs of the agricultural community,
- b. Agricultural and industrial development where associated with approved mining operations,
- c. Residential development in excess of 0.2 du/ga for the following:
 - 1) Farm worker housing;
 - 2) Residential within Myakka City;
 - 3) Legal lots of record prior to May 15, 1989;
 - 4) Redevelopment per policy 2.9.3.2; and
 - 5) Cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.

- d. Plan amendments resulting from a change in the Future Land Use Concept Map.
- e. Planned Village Overlay (PV designated property).

Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.

Implementation Mechanism:

- a) County review of all proposed plan amendments and development requests.

Staff Response:

Development of the site can occur today, totaling 1,008 residential units. The units can be built on 5-acre tracts or clustered. Septic and well would be required as the proposed site in question is outside of the Utility Service Area.

Proposed new Policy 2.2.2.10 and subpolicies

Policy: 2.2.2.10

Planned Village Overlay (PV): Establish the Planned Village Overlay future land use overlay category as follows:

Policy: 2.2.2.10.1

Definition: The geographic area shown on the Future Land Use Map as Planned Village Overlay (PV). Uses, densities and intensities for the PV–Planned Village Overlay shall be limited by the provision of Policies 2.2.2.10.3 and 2.2.2.10.6.

Policy: 2.2.2.10.2

Purpose: To identify, textually in the Comprehensive Plan's goals, objectives and policies, or graphically on the Future Land Use Map, areas to be established as major centers of activity through the identification of planned villages. The Planned Village Overlay category is intended to provide an agriculturally oriented small town surrounded by large tracts of agricultural or open space areas. The establishment of a planned-village Planned Village Overlay through the FLUM amendment process shall require a minimum of 5,000 acres. The Planned Village Overlay will promote horizontal and vertical integration of various residential and non-residential uses within this area, achieving internal trip capture, and the development of a high-quality environment for living, working or visiting in a planned village environment. This category shall also require the preservation of large tracts of lands as either open

space, conservation area or agricultural use. This category is also intended to ensure that new development in a rural setting is not on individual wells or septic tanks, but on a centralized water and sewer system to better protect the environment.

Staff Response:

Clustering can occur today, with a maximum of 1,008 residential units. “Large tracts of lands as either open space, conservation area, or agricultural use” is very subjective.

Policy 2.2.2.10.3

Range of Potential Uses: retail, wholesale or office, commercial uses which function in the market place as neighborhood, community or region-serving. Also light industrial uses, research/corporate uses, warehouse/distribution, residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, and agricultural uses.

Policy 2.2.2.10.4

Implementation Process. Recognizing the required scale and breadth of a Planned Village **Overlay** is long-term, the following are the procedural requirements for establishment and implementation of a Planned Village **Overlay**:

- (a) An application for a Planned Village Overlay (PV) designation shall be accompanied by proposed amendments to the existing Future Land Use classifications. These amendments shall include:
 1. An amendment to AG/OS (Agricultural/Open Space) for a minimum of forty percent of the proposed **Planned Village Overlay** area;
 2. An amendment to Mixed Use (MU) for the establishment of a central village center and neighborhood centers throughout the ~~village~~**Planned Village Overlay**. Such Mixed-Use centers shall be designed as Neo-Traditional Development; and
 3. Amendments to ~~residential~~**Residential** future land uses classifications **which allow gross densities of up to three**

dwelling units per acre (e.g. Res-3, UF-3)
to accommodate the residential
development not located in Mixed Use
(MU) locations.

4. Additional amendments may include:
R/O/R (Retail/Office/Residential); IL
(Light Industrial); and P/SP-
1(Public/Semi-Public 1) as needed to
establish the land-use framework
necessary for the proposed Planned
Village Overlay.

(b) The amendment to designate the PV (property
with the Planned Village) Overlay shall be effective
immediately upon adoption by the Board of County
Commissioners.

~~(c) The remaining Pursuant to the adopting
Ordinance, all other Future Land Use Map amendments
shall only become effective after upon approval of a
Village Master Plan by the Board of County
Commissioners as described in Policy 2.2.2.10.8-105.~~

~~(d) ShouldUntil a Village Master Plan not be is
approved by the Board of County Commissioners or
should the property owner elect not to implement the
Planned Village, the underlying Future Land Use Map
classifications and zoning shall remain in effect, and
none of the provisions of the PV Planned Village
Overlay shall be in effect; provided however, the
property owner shall be able applied to cluster
residential development in accordance withwithin the
Land Development Code Planned Village Overlay.~~

Staff Response:

It is unclear why there would be an Overlay that becomes effective immediately, but then the underlying FLU Map amendments only become effective upon approval of a Village Master Plan. As proposed by the applicant, a Village Master Plan is essentially the same as a planned development with a General Development Plan. The PV Overlay limits the density and square footage. If the Board is favorable to the applicant's request, a map amendment to MU-C (existing FLUC) may be more appropriate. As proposed, with the change to MU, ROR, RES, and IL FLUCs, the applicant is limiting the density and commercial/industrial square footage with the Overlay, but that could easily be amended in the future – (i.e., remove the overlay and rely on the underlying FLUC). MU and ROR allow for a potential of 40 and 32 du/acre, respectively, for mixed use and/or affordable housing. It is unclear why an overlay with multiple underlying FLUC is being proposed.

Policy 2.2.2.10.5

Village Master Plan. ~~Prior to any development in the Planned Village, there~~ There shall be a Village Master Plan submitted ~~to for review and approved~~ approval by the Board of County Commissioners. The Village Master Plan shall serve as the ~~Guiding Document~~ foundation document for future development within the ~~Planned Village Overlay~~. It shall serve as a bridge between the Comprehensive Plan and more detailed land development approvals such as zoning and site planning. All subsequent development approvals shall be consistent with the Village Master Plan. The Village Master Plan, ~~and any amendments thereto,~~ shall be reviewed and approved in the same manner as a zoning map amendment. ~~Should the Village Master Plan not be approved, development may proceed consistent with the existing Future Land Use Code classification then in effect regardless of the Planned Village Overlay, and the requirements of the Planned Village Overlay shall not be applied to development of the area within the Planned Overlay. Vehicular and pedestrian interconnectivity shall be maximized between uses and neighborhoods. Where cul du sacs are utilized, pedestrian connections will be provided to the extent feasible.~~

Staff Response:

Again, if the Board is favorable to the request, the proposed Overlay and the new FLUCs should become effective at the same time – after approval of the Village Master Plan.

Policy 2.2.2.10.5.1

Required Components of the Village Master Plan.

Policy 2.2.2.10.5.1.1

Financial Strategy. Promotion of fiscal responsibility and allocation of development costs appropriately are among the purposes of the Planned Village ~~Overlay~~. It is recognized that the acreage required for a Planned Village ~~Overlay~~ and the demand for open space and agriculture will likely result in location outside the Future Development Area Boundary. As a result, it is essential that establishment of a Planned Village ~~Overlay~~ is not a fiscal burden to the remainder of the County. The Village Master Plan shall include a Financial Strategy which:

- (a) Analyzes the public facility capital costs for development of ~~Thethe~~ Planned Village ~~Overlay~~ through build-out both within the development boundaries and outside of the development boundaries;

- (b) Analyzes public facility operating costs;
- (c) Identifies revenue sources for the above;
- (d) Evaluates the degree to which the ~~Planned~~ Village ~~Overlay~~ will be self-sufficient; and
- (e) Recommends revenue sources to promote self-sufficiency. These sources may include, but are not limited to, impact fee surcharges; establishment of Community Development Districts; establishment of Municipal Service Taxing Units; establishment of Municipal Service Benefit Districts and/or establishment of a Stewardship District.

Staff Response:

The policy refers to “impact fee surcharges”. This term is undefined and should be deleted, if approved by the Board.

- (f) The Financial Strategy shall identify the ~~recommended-required~~ plan and the regulatory steps to achieve that plan.

- (g) Approval of the Village Master Plan shall include the approved Financial Strategy and shall be conditioned upon implementation of the Financial Strategy.

Staff Response

It is unclear how the applicant will provide financial strategies and revenue sources for property outside of their ownership? That would be the County’s responsibility through Impact Fees, Taxes, Capital Improvement Projects, etc. The sources to promote self-sufficiency would need to include the area extending from the Future Development Boundary Line, east to the applicant’s property, approximately 2 miles from the existing Utility Service Area. The County would need to think of the financial implications to service the entire area (i.e., water/sewer lines, plant upgrades, roadway construction and maintenance, public safety protection, community services such as parks, libraries, and schools; from construction to maintenance, and staffing.

The policy refers to the PCV master plan being “conditioned” upon implementation of the Financial Strategy. The County cannot condition development permits in this manner under the applicable caselaw. Separate agreements would be required such as Local Development Agreements to implement the construction of infrastructure. The phrase, “conditioned upon implementation of the Financial Strategy should be deleted if approved by the Board.

Policy 2.2.2.10.5.2

Overall Design Principles. The Village Master Plan shall ~~identify~~be based on the ~~Overall Design Principles to be used throughout the Village.~~ The Plan shall following community principles:

(a) Building Community. The Village Master Plan will be designed to maximize neighborhood interaction with compact walkable development patterns, neighborhood parts and mixed-use spaces.

(b) Neighborhood Form. The Village Master Plan shall establish the neighborhood form for each type of neighborhood in the community. The Village Master Plan shall establish the criteria for the design of the Central Village Center and the Neighborhood Centers as required by Policy 2.2.2.10.4 (a)2. Each center type shall include the range of uses, required mix of uses, design guidelines and standards to be used in evaluating development proposals within that center type. The following specific criteria shall be addressed for each center type: Permitted Uses, Building Height, Building Configuration, Setback or Build-To standards, Lot Characteristics, Block Requirements, Open Space, Public Spaces, Landscaping and Parking.

(c) Distinct Places. The Village Master Plan shall establish distinctive places within the Overlay to encourage gathering, meeting and community interaction.

(d) Public Amenities. The Village Master Plan shall identify public amenities such as parks, plazas, meeting places and trails to allow residents to gather for meaningful interaction. A variety of open spaces shall be identified to be close to both employment centers to encourage walking, physical activity, and time spent outdoors. In recognition of the community design principles of unique places, the Village Master Plan shall establish criteria for neighborhood focal points including the range and scale of commercial uses.

Policy 2.2.2.10.5.3

The Village Master Plan shall:

(a) Include a Village Site Plan ~~meeting~~complying with at least the minimum ~~requirement~~level of detail required of a General Development Plan as defined in the Land Development Code, including addressing Large Project submittal

requirements. Subsequent phases shall be submitted with a preliminary site plan.

Staff Response:

Proposed Policy 2.2.2.10.5.2 outlines overall design principals (i.e., building configuration, build to standards, lot characteristics, parking) that are well above the level of detail provided for General Development Plans today. If the Board is favorable to the request, consideration for more upfront detail, such as a Preliminary Site Plan, should be considered.

(b) Identify the design principles specific to each land use type;

(c) Define neighborhood centers and edges;

~~(d) Encourage a network of small streets;~~

~~(d) Require a network of primarily interconnected local streets. Cul-de-sacs and street closures shall be limited to streets that are unable to be connected due to natural terrain, habitat or environmentally sensitive resources. The maximum block size shall be established with the Village Master Plan. Larger block sizes may be considered where there are mid-block cut through bicycle or pedestrian paths or where the terrain, habitat or environmentally sensitive resources exist.~~

(e) Create and define a connected system of open spaces; ~~and;~~

(f) Foster social and civic engagement through land use placement;

~~(g) Provide for workforce housing and how the workforce housing will be located within the Village; and~~

~~(h) Address live/work and accessory dwelling units within the Village Overlay District.~~

Policy 2.2.2.10.5.3-4

Transportation Framework. Building upon the Thoroughfare Plan, the Village Master Plan shall identify a general network of streets guided by the following principles:

~~(a) Streets should Provide an updated traffic study which analyzes the impacts of the Planned Village pursuant to the form of development provided in the Village Master Plan.~~

(b) Streets shall be designed in recognition that the street equally serves the pedestrian and the vehicle, with the comfort and safety of the pedestrian taking precedence at conflict points. Therefore, each street must be individually designed to meet the needs of this users and the community.

(c) Streets shall be designed to create a sense of place;

(d) Streets ~~should~~shall be designed to accommodate a mix of travel modes including vehicles, bikes, transit and pedestrian; and

(e) Neighborhood streets ~~should~~shall be designed to address to specific goals: connectivity and protection of the neighborhood.

(f) A streetcar, trolley or ~~similar other transit~~ system shall be provided to create mass transit connections ~~in~~within the Planned Village Overlay.

~~Policy 2.2.2.10.5.4~~—(g) Traffic calming appropriate to each road type shall be undertaken to lower vehicle speeds and ensure a safe and comfortable environment for pedestrians, bicyclists, neighborhood electric vehicles and all road users.

(h) Vehicular and pedestrian interconnectivity shall be maximized between uses and neighborhoods. If cul du sacs are utilized, pedestrian connections will be provided to the extent feasible.

Policy 2.2.2.10.5.5

Community Capture. Recognizing the integration of transportation and land uses is critical to the concept of community capture and the minimization of external trips, the Village Master Plan shall establish standards for the maximum external trips and mechanisms for monitoring those trips. The Village Master Plan shall also identify strategies for orderly development in addition to those provided in **Policy 2.2.2.10.6.**

Staff Response:

See further discussion below, under Analysis - Transportation.

Policy 2.2.2.10.5.6

Effect of Approval. Approval of the Village Master Plan shall result in the effectiveness of the Future Land Use Map amendments approved with the adoption of the Planned Village Overlay. Except as may be approved in the Village Master Plan, all development ~~in~~within the Planned Village ~~other than development in the AG/OS locations~~ Overlay shall be done as a Planned Development.

Staff Response:

It is not clear what zoning, other than Planned Development, would be utilized to implement the proposed Village Master Plan. Euclid Zoning would not require approval of a master plan or a site plan approval by the Board of County Commission.

Per the County Attorney, further clarify is required to this policy. It is proposed that all of the Map Amendments in the proposed ordinance will not become effective until some undefined point in the future. However, Section 163.3184(3).F.S. sets forth the adoption process for the expedited state review for adoption of Comprehensive Plan amendments. Additionally, in Section 163.3184(#).c.3. F.S. reference is made to the “adopted designation” and in (4) to an amendment adopted does not become effective until 31 days after DEO notifies the County the Plan Amendment package is complete. There is a further delay as to the effective date only if a legal challenge is timely filed. The failure to follow the statutory process, with some local unique delayed defective date process outside of the standard statutory framework an untested in litigation, may result in a legal challenge and potential legal liability for the County.

Policy 2.2.2.10.67

Development Standards. The following development standards and requirements are applicable in the development of the Village Master Plan.

~~A) Prior to any development within the Planned Village Overlay a master plan with appropriate zoning shall be approved for the entire Planned Village Overlay District.~~

B)A) Development of the Planned Village Overlay shall commence within the Mixed Use designated area in the village center. A minimum of 500 dwelling units shall be constructed within the Mixed Use designated area in the village center prior to the commencement of residential construction in any other areas within the Planned Village Overlay.

Staff Response:

No access currently exists to the proposed MU parcels. The applicant would be required to construct a significant portion of the proposed Arterial (150'R/W) and Collector Road (120' R/W) to provide access.

~~C)B)~~ A minimum of 40,000 square feet of commercial uses shall be constructed within the Planned Village Overlay prior to obtaining Final Site Plan or Final Subdivision Plat for the 1,150th residential unit.

~~D)C)~~ All development shall be served by a centralized water system and a centralized sewer system designed to public facility standards. Septic tanks shall not be permitted within the ~~PV~~Planned Village Overlay District.

Staff Response:

No details were provided regarding the proposed centralized water and sewer system. The proposal is approximately 2+/- miles east of the future development area boundary and the water/sanitary sewer service area. There are no public utilities in the area. The applicant proposes a private utility service. A concern with a private utility is how such utility systems will be reviewed, approved, operated and maintained such that there will be no effect on the County's utility system. Though the utilities systems will be "private", as the public entity that issues construction permits, approves plans and inspects construction, Manatee County will have some level of responsibility for these private systems. Experience has shown that when issues arise with private utility systems, the residents look to the County for solutions and expect, since the County approves permits, the County resolve any issues.

The regulation of septic tanks and the "availability" of connection to a publicly owned system is governed by applicable Florida Statute and the County Code. The Comprehensive Plan does not regulate the FDEP in their decision whether to permit septic tanks. If approved by the Board, the last sentence should be deleted and an alternative implementation mechanism provided.

~~E)D)~~ Development of any site within the ~~PV~~Planned Village Overlay District shall be subject to the density and intensity limitations of the underlying Future Land Use Category, in addition to the development totals for the ~~PV Overlay~~Planned Village Overlay, however, the Village Master Plan may limit the range of uses and intensity of uses within the Planned Village Overlay.

~~F)E)~~ Total number of units within the ~~PV~~Planned Village Overlay District shall not exceed 7,200 residential units. As part of residential development, the Village Master Plan shall provide for a minimum of ten

(10%) percent of affordable housing or workforce housing units, provided that affordable housing requirements shall not apply to the first 1000 residential dwelling units.

G)F) Total commercial development within the PVPlanned Village Overlay District area shall not exceed 2,000,000 square feet. Commercial uses shall be limited to Neighborhood Serving, Community Serving Commercial Uses and Commercial Uses related to Agriculture.

H)G) Total light industrial development within the PVPlanned Village Overlay District area shall not exceed 1,800,000 square feet.

I)H) A minimum of 120 acres of land within the PVPlanned Village Overlay shall be reserved for educational facilities collocated with a community park. Additional land shall be reserved for other services, including law enforcement, EMS, fire and library services to be available if and when needed.

Staff Response:

In order to require a school site or park, any such dedication to the County or School Board would be subject to further analysis based upon appropriate studies demonstrating that the minimum acreage reserved within the site for a future school or park use is roughly proportional and provides a rational nexus to the impact of the proposed development within the PV FLLUC Overlay upon these public facilities and services. See further comments below under Parks and Schools. If the language is to be approved by the Board, it will need to be revised.

J)I) **Open Space, Recreation and Environmental Systems.** In addition to the AG/OS (Agriculture/Open Space) designated portions of a Planned Village Overlay, there shall be a system of open spaces and recreational opportunities which serve to protect sensitive systems, provide for passive recreation incorporating natural features, and providingprovide active recreation throughout the developed portions of the Planned Village Overlay.

1. The Village Master Plan shall identify major environmental features and include plans for incorporating those features into the community.

2. Paths with sufficient width to accommodate pedestrians and bicyclists shall be utilized throughout the ~~PV~~Planned Village Overlay ~~District~~. At least one such path shall extend from the western boundary of the ~~PV~~Planned Village Overlay ~~District~~ to the eastern boundary of the ~~PV~~Planned Village Overlay ~~District~~, and from the northern boundary of the ~~PV~~Planned Village Overlay ~~District~~ to the southern boundary of the ~~PV~~Planned Village Overlay ~~District~~.
3. A linear park shall be provided adjacent to major waterbodies, with such park to include a linear path and seating areas. The linear path may cross the waterbody in one or more locations.
4. Reserve areas for community gardens within the Planned Village Overlay appropriate to the neighborhood or neighborhoods being served.
- 4.5 At no point shall the overall percentage of gross acreage within a ~~PV~~Planned Village Overlay ~~District~~ be less than 50 percent recreation/open space, conservation or agricultural uses. Conservation areas will be identified within the Planned Village Overlay District and constitute at least ten (10%) percent of the site through conversation easements or other appropriate legal mechanisms.

Staff Response:

Although the density in the AG/R FLUC is very low, the language does not distinguish between agriculture or conservation. A conservation future land use is not proposed with this request. No property is shown to be preserved or in conservation. In addition, since the conservation areas proposed essentially allow for minimal uses for the site, there would need to be agreements prepared to enforce this provision and the rational nexus established under the rough proportional analysis between the impact of the proposed development within the PV FLUC and the need for this specific acreage as conservation in order to protect the County from potential legal liability.

~~K)J)~~ ~~ChargingVehicle charging~~ stations shall be provided within the Mixed Use area of the village center.

~~L)K)~~ Consider the use of dynamic parking systems to efficiently manage available parking infrastructure and inform drivers as to the availability, location and cost of available parking facilities.

~~M)L)~~ Consider the implementation of mobility management programs to provide efficient access to multiple modes of transportation.

Proposed new Policy 2.2.1.29 and subpolicies

Policy: 2.2.1.29

Agricultural/Open Space (AG/OS): Establish the Agricultural/Open Space Category as follows:

Policy: 2.2.1.29.1

Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies or graphically on the Future Land Use Map, areas which have very long term agricultural or open space uses.

Policy 2.2.1.29.2

Range of Potential Uses: agricultural uses, very low density residential uses, commercial uses in conjunction with agricultural operations, public or semi-public uses, schools, very low-intensity recreational uses, and appropriate water-dependent/water-related/water enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

~~0 dwelling units; provided however that a minimum of five acres of AG/OS designated property may be combined with residentially designated property to allow a residence on the residentially designated portion of the property.~~

~~1 dwelling unit per 80 acres (0.0125 units/acre)~~

Maximum Net Residential Density:

~~0 dwelling units; provided, however that a minimum of five acres of AG/OS designated property may be combined with residentially designated property to allow a residence on the residentially designated portion of the property.~~

1 dwelling unit per 80 acres (0.0125 units/acre)

Maximum Floor Area Ratio:

0.0002

Staff Response:

The word “very” is used to describe low density residential use and low intensity recreational uses. The word “very” is an undefined term. Although if the FLUC is approved, this would be the lowest density within a FLUC at 1 dwelling unit per 80 acres, compared to the existing AG/R FLUC of 1 dwelling unit per 5 acres.

Proposed Revision to Policy 5.3.1.4

Policy 5.3.1.4 Limit the use of the ROR and MU future land use categories on vacant land to locations which are adjacent to roadways shown on the Future Traffic Circulation: Functional Classification Map (Map 5-B) as arterial or higher or within a Planned Village Overlay or are adjacent to lands already designated the same ROR or MU future land use category which are adjacent to roadways shown as arterial or higher.

Proposed revision to Table 5-1 and Maps 5-B, 5-C, 5-D to add and reflect the following changes as appropriate:

Facility	Limits	Jur	Current Year LOS Std	Five Year LOS Std	Twenty Year LOS Std	Twenty Year Functional Classification	Twenty Year # of Lanes	Twenty Year ROW needs
<u>GCV</u> <u>Boulevard</u>	<u>SR 62</u> <u>-CC</u> <u>Road</u>	<u>MC</u>	<u>N/A</u>	<u>D</u>	<u>C</u>	<u>Arterial</u>	<u>4</u>	<u>150</u>
<u>Saffold Rd</u>	<u>SR 62</u> <u>-BB</u> <u>Road</u>	<u>MC</u>	<u>N/A</u>	<u>N/A</u>	<u>D</u>	<u>Collector</u>	<u>4</u>	<u>120</u>

Staff Response:

See further discussion below, under Analysis - Transportation.

ANALYSIS OF TEXT AND MAP AMENDMENT

Positive/Negative Aspects and Mitigating Factors

Positive Aspects

- Likely to result in fewer septic tanks and wells than residential development allowed under the adopted land use.
- Possibly provide greater open space than would otherwise occur under the adopted land use.

Negative Aspects

- East of the Future Development Area Boundary (FDAB) and Potable Water/Wastewater Service Area by approximately 2± miles.
- The request does not appear to promote the efficient and cost-effective provision for extension of public infrastructure and services.
- Development beyond the existing service area will compete for Capital Improvement Funds that are needed to address deficiencies elsewhere in the County.
- No public utilities available.
- A private utility system is proposed with no information on how the system will be operated and maintained such that there will be no effect on the County's utility system.
- The request does not meet EMS response times standards.
- Services are a distance away (11 miles from the closest EMS service, 12 miles east of the closest transit stop, 10 miles from the closest park, and 7 miles from the closest elementary school.)
- Only one access (SR 62) exists. A total of 22.10 miles of offsite roadways is needed to support the development.
- Associated trips may increase congestion on the roadways.
- The intensity and range of uses allowable under the proposed future land use designations appear incompatible with adjoining residential land uses.
- Timing does not appear to be appropriate.

Timing/Existing Approvals West of the Future Development Area Boundary

The Comprehensive Plan was developed pursuant to the requirements of Ch. 163, Florida Statutes (F.S.), the "Community Planning Act." The Comprehensive Plan for Unincorporated Manatee County is based on and responds to the unique past, present, and preferred future characteristics of the unincorporated area of Manatee County.

Manatee County's Comprehensive Plan takes into consideration the various aspects of planning for infrastructure and services to the citizens of unincorporated county. It provides goals, objectives and policies covering all aspects of infrastructure and services the County provides. There are specific GOP's that address growth, its timing, and trends.

Several sites west of the Future Development Area Boundary were amended to a mixed-use category and are either still vacant or developed with residential uses only.

- In 2008, Parrish Center (PA-08-05) was approved for Mixed Use on 732± acres. This site remains vacant.
- In 2009, SMR was approved for Mixed Use in the NW quadrant (PA-09-05) on 558± acres and Mixed Use for the NE quadrant (PA-09-06) on 6,595+/- acres. When the NW and NE amendments were approved, the state required specific land uses and square footages be attached to the approvals.
 - SMR has since modified those provisions, first removing the limitation on the amount of residential development which could be built prior to commencement of non-residential (ORD 15-031) secondly, modified the requirement for activity centers at specific distances (ORD 17-034) and lastly, significantly reducing the amount of commercial and industrial square footages/uses while increasing residential uses.
- In 2010, Beverly Financial (PA-10-04) was approved for Mixed-Use on 317± acres. This site is immediately adjacent to Parrish Village and remains vacant today.
- Heritage Harbour Development of Regional Impact (PDMU-98-08), approved in 1998 for 5,350 residential units, adjacent to a Major Arterial and the Interstate, is just breaking ground for non-residential development.

The above examples demonstrate projects within the FDAB that had intentions of developing as a mixed-use community, but still, in some cases more than 10 years later, are still vacant or have been amended to be predominantly residential.

These map amendments are west of the future development area boundary and provide numerous acres still to be developed. For commercial development to occur and be successful, a substantial number of residential units must exist to support such a use. For the proposed site to become a work, live, play community, the build out to support such a lifestyle could take 30+ years. In the meantime, residents must drive a distance away for employment, shopping and other services which would put a significant impact on the transportation network of the County and be a financial liability to the taxpayers.

Growth Outside of Potable Water & Sanitary Sewer Service Area (East of the FDAB Line)

Manatee County has been a pro-growth community for generations. The County was forward thinking with the creation of a potable water treatment plant and reservoir, Lake Manatee in the late 1960's. Unlike most fast-growing Florida communities, Manatee does not suffer from the same water supply issues. The County also invested in three sanitary sewer treatment plants with room for expansion to serve future growth. The County has a similar plan for solid waste, with a landfill that has capacity for growth for another 20 plus years.

GOAL: 2.1 of the Manatee County Comprehensive Plan states, “**A distribution of land uses throughout unincorporated Manatee County which limit urban sprawl, providing a predictable and functional urban form, encouraging development and redevelopment in existing urban core area, allowing public facilities and services to be provided in a relatively cost efficient manner.**”

The request will “leap-frog” existing development, not maximizing the use of existing infrastructure, thereby providing for inefficient use of services. The applicant is requesting

the County to allow an exception to urban sprawl with the addition of the underline language to Policy 2.1.2.2 below:

- Policy 2.1.2.2 Limit urban sprawl by prohibiting all future development in the area east of the established FDAB (see Map N and the Potable Water/Wastewater Service Areas Map in the Wastewater Sub Element), except as follows:
- a. Small commercial development providing for the needs of the agricultural community,
 - b. Agricultural and industrial development where associated with approved mining operations,
 - c. Residential development in excess of 0.2 du/ga for the following:
 - 1) farm worker housing;
 - 2) residential within Myakka City;
 - 3) legal lots of record prior to May 15, 1989;
 - 4) redevelopment per policy 2.9.3.2; and
 - 5) Cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.
 - d. Plan amendments resulting from a change in the Future Land Use Concept Map.
 - e. Planned Village Overlay (PV designated property)
Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.
Implementation Mechanism:
 - a) County review of all proposed plan amendments and development requests.

The Comprehensive Plan and its Future Land Use Map help implement Goal 2.1, as it provides a wide variety of land uses within various areas of unincorporated county. Chapter 163.3164, F.S., defines "urban sprawl" as a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

The Future Land Use Map has a specific area identified that aligns with the County's Potable Water and Sanitary Sewer Service Area Map (herein referred to as the Utility Service Area). This is the area that the County currently serves and plans to eventually serve with its central potable water and sanitary sewer services. This area also serves as the basis for future infrastructure and services planning for a wide variety of infrastructure and services the County and other agencies provide.

The County has engineering master plans for the Lake Manatee Potable Water Treatment plant and the potable water distribution system for the County's service area. The County also has engineering master plans for the three sanitary sewer treatment plants and their individual collection systems that are broken out into three service areas that are part of the overall Potable Water and Sanitary Sewer Service Area Map.

The Future Land Use Map and its Future Land Use Categories/Designations provide a wide variety of uses, densities and intensities from the more urbanized west county, generally transitioning to lower densities and intensities to the central and eastern portions of the county. They work in tandem with the Potable Water and Sanitary Sewer Service Area to provide adequate areas for future growth and the ability for the County to provide a more concentrated area to focus its plans for infrastructure and service provision. The County's Potable Water and Sanitary Sewer Service Area Map was designed and sized based on the water and sewer master plans, future plant capacities and service areas.

The lands within the County's Potable Water and Sanitary Sewer Service Area Map are designated on the Future Land Use Map as those with Future Land Use Categories which allow a wider range of uses. Specifically, they allow land uses with densities and intensities that require connection to central potable water and sanitary sewer.

Planning for other infrastructure and services has been focused on the Potable Water and Sanitary Sewer Service Area, where growth is primarily occurring. The Comprehensive Plan and Future Land Use Map do provide for growth and development outside of the County's Potable Water and Sanitary Sewer Service Area. However, the allowable uses are similar to those inside the Utility Service Area, but generally at lower densities and intensities. The Florida Department of Health also enforces some limitations on land use and development where central water and sewer is unavailable due to the public health and environmental requirements associated with well and septic systems.

The Potable Water and Sanitary Sewer Service Area is where the majority of growth is occurring in the county. Planning for growth and associated infrastructure and services occurs county-wide. There are efficiencies with County infrastructure and services within this area when planning for roads, water, sewer, public safety (fire, EMS, law enforcement), solid waste collection, public transit, schools, drainage/stormwater, parks, libraries, social and other services. Development beyond the existing Utility Service Area will compete for Capital Improvement Program funds that are needed to address existing deficiencies elsewhere in the County.

Concentrating growth, infrastructure and services within the Potable Water and Sanitary Sewer Service Area helps to ensure that capital expenditures, maintenance, operations and revenues are planned to support growth which occurs in a predictable and cost-effective manner. It is critical for local governments that growth occurs within more concentrated areas, that already have or are planned for schools, fire-EMS stations, libraries, utilities, social services and other services to maximize efficiency for residents and provide taxpayers with a greater return on investment.

Generally speaking, for many infrastructure types, like utility lines, roads and transit routes for example, the greater number of customers per linear foot (e.g., land uses, dwelling units, businesses, etc.) the more efficient it is to provide the service. For response-based services, EMS, fire, and law enforcement, the more potential customers within a maximum 7-10 minute response time per response unit is desired to help meet the cost to provide that service. Otherwise, first responders are driving greater distances (dead-head miles), taking longer to respond. To meet desired response times, in lesser populated or dense areas, more first responders per resident or dwelling unit are required making the service less efficient. Fixed services such as libraries and schools are more efficient too when they are within or adjacent to residential communities, minimizing transportation costs (e.g., busing) and maximizing walkability for students.

With the post-2011 Community Planning Act environment and devolution of concurrency, the responsibility of new infrastructure finance and maintaining adopted levels of service standards for infrastructure and services rests on local governments and the FDOT. For local governments the majority of funding for capacity adding infrastructure comes post-development in the form of impact fees. This creates a timing gap in addition to a potential spatial gap in infrastructure and service provision to new development.

In order for infrastructure services to be provided in a cost-efficient manner, the extension of facilities and services must be done where there are continuous customers and without major gaps in service or distances between customers (developed land uses). Gaps in development already exist within the current Potable Water and Sanitary Sewer Service Area. There are areas where growth has occurred farther away from existing facilities, forcing maintenance crews, public safety and other infrastructure and service providers to operate with reduced efficiencies. For residents that live far and away from existing infrastructure and services, they drive much further distances and use more lane miles per capita than most residents.

To better illustrate the planning for growth and development within the unincorporated county, the following table illustrates the current (December 2020) land development entitlements (approved land development projects).

CONCURRENCY RESERVATION SYSTEM SUMMARY – AS OF DEC 2020	North County Sewer Service Area	Southwest County Sewer Service Area	Southeast County Sewer Service Area	Un-incorp. County Total Inside Water-Sewer Service Area	Outside of Water-Sewer Service Area	Un-incorp. County Total	
Total Dwelling Units (Pending & Approved)	16,787	2,307	40,605	59,699	4,282	63,981	dwelling units
Total Potential Future Population (DUs x 2.36)	34,078	4,683	82,428	121,189	10,106	131,295	persons
Agricultural & Vacant Property	22,090	1,530	5,450	29,070	199,730	228,800	Acres

The rate of new development in Manatee County varies year by year and is consistent with the economic cycles of the state and nation. However, Manatee County sees an average of 3,200 new dwelling units per year. Considering 63,981 dwelling units have been approved or are pending, there are already 20 years of land development entitlements already approved. Approximately 59,000 of those are within the Potable Water and Sanitary Sewer Service Area and are being planned to be served by County infrastructure and services.

Through the Comprehensive Plan's Future Land Use Map and use of the Potable Water and Sanitary Sewer Service Area, Manatee County has provided for a more than adequate distribution of land uses throughout unincorporated Manatee County which limit urban

sprawl, provide a predictable and functional urban form, encouraging development and redevelopment in existing urban core area, and allowing public facilities and services to be provided in a relatively cost efficient manner. The proposed land development application is in conflict with this approach and attempts to add development outside of the area the County can serve in a cost-efficient manner.

Objective: 2.1.1 Mapping Methodology for the Future Land Use Map: Follow a mapping methodology limiting urban sprawl which recognizes existing development; projected growth areas; projected population and employment growth; and a possible development density and intensity less than the maximum specified on the Future Land Use Map (see also all policies under Objective 2.6.1).

Policy: 2.1.1.3 Designate on the Future Land Use Map, land within currently undeveloped growth areas at densities and intensities which permit significant increases over current land use designations without creating urban sprawl.

Through the Comprehensive Plan's Future Land Use Map and use of the Potable Water and Sanitary Sewer Service Area, Manatee County has provided for a more than adequate distribution of land uses within this growth area with over 29,000 acres undeveloped, vacant or in agriculture that have no existing or pending development approval. These growth areas are identified to ensure the extension of public infrastructure, facilities and services in an efficient manner. The proposed land development application is in conflict with this approach and attempts to add development outside of the area the County can serve in a cost-efficient manner.

Policy: 2.1.1.4 Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.

Implementation Mechanism(s):

- a) Future Land Use Map indicating nodal concentrations of intensity at or surrounding interstate interchanges where public facilities are available.
- b) Designation of large infill areas on the Future Land Use Map west of I-75 in Manatee County at a density/intensity compatible with existing development.
- c) Implementation of adopted levels of service during development order review to facilitate proper timing of new development in relationship to public facility adequacy and availability.

Policy: 2.1.2.1 Provide opportunities for, and allow, new residential, and nonresidential development to occur at locations defined as appropriate in the Adopted Land Use Concept Map and the established Mapping Methodology.

Policy 2.1.2.2. Limit urban sprawl by prohibiting all future development in the area east of the established FDAB (see Map N and the Potable Water/Wastewater Service Areas Map in the Wastewater Sub Element), except as follows:

- (a) Small commercial development providing for the needs of the agricultural community,
- (b) Agricultural and industrial development where associated with approved mining operations,
- (c) Residential development in excess of 0.2 du/ga for the following:
 - (1) Farm worker housing;
 - (2) Residential within Myakka City;
 - (3) Legal lots of record prior to May 15, 1989;

(4) Redevelopment per policy 2.9.3.2; and

(5) Cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.

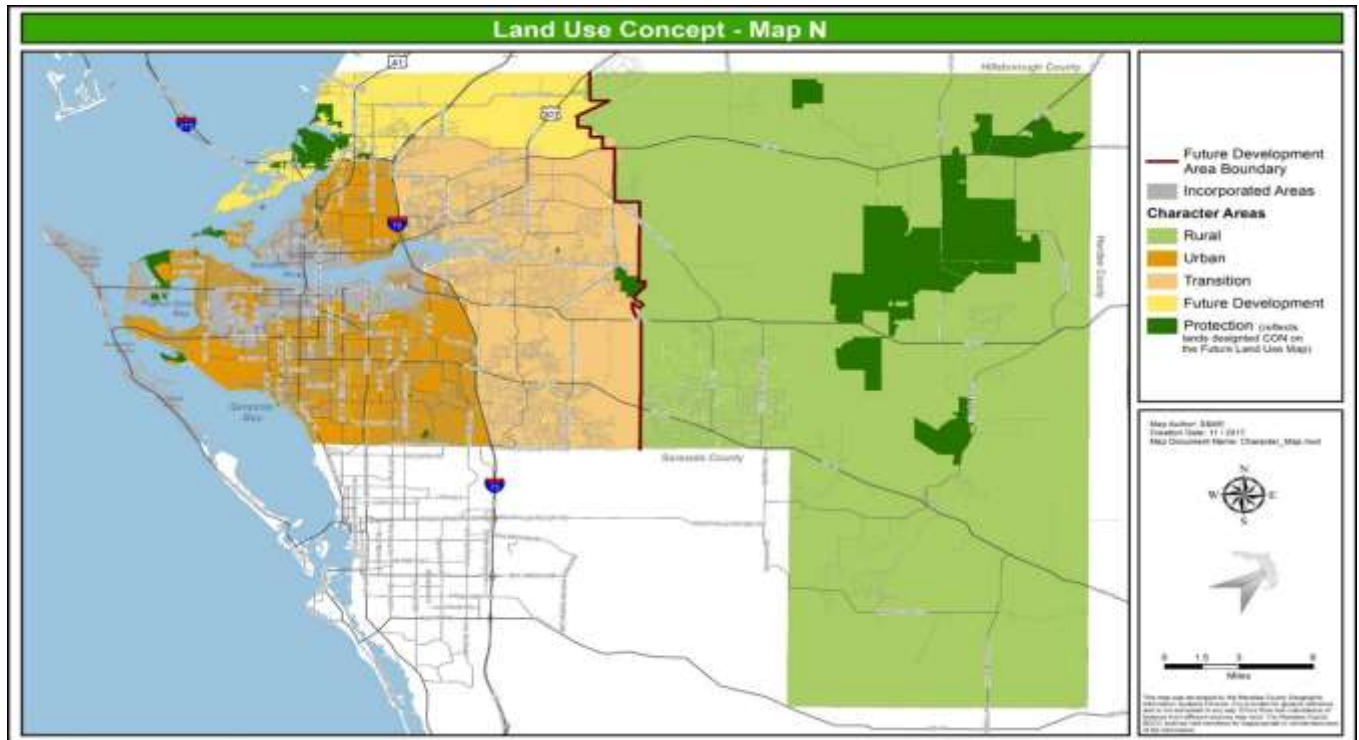
(d) Plan amendments resulting from a change in the Future Land Use Concept Map.

Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.

Implementation Mechanism:

(a) County review of all proposed plan amendments and development requests.

As discussed previously within this report, Map N was recently updated in 2018. The request before you does not include a change to the Land Use Concept Plan nor has documentation been provided to support a change.



For projects proposed outside of the Potable Water and Sanitary Sewer Service Area, those areas in Manatee County have not been historically planned for growth. That is not to say that growth could not occur outside of the service area at some point in the future. However, for the County to efficiently service new growth and development, infrastructure and services must be extended incrementally without leapfrogging large distances, which would have to occur to serve this site. Growth of any density and intensity east of the Potable Water and Sanitary Sewer Service Area is not reflected in the Comprehensive Plan, or other County plans related to infrastructure, facilities and services. The County has designated large growth and infill areas within the Potable Water and Sanitary Sewer Service Area. Many of these areas inside the Potable Water and Sanitary Sewer Service Area are underdeveloped,

with over 29,000 acres still vacant/undeveloped agricultural property and without existing or pending entitlements. In addition, there are over 59,000 dwelling units approved within this growth area already, with infrastructure and services being planned.

Policy: 2.1.2.2 Limit urban sprawl by prohibiting all future development to the area east of the established FDAB except as follows:

- a. Small commercial development providing for the needs of the agricultural community,
 - b. Agro-Industrial and industrial development where associated with approved mining operations,
 - c. Residential development in excess of 0.2 du/ga during the following:
 - 1) farm worker housing
 - 2) residential within Myakka City
 - 3) legal lots of record prior to May 11, 1989
 - 4) redevelopment per policy 2.9.3.2
 - 5) cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.
 - d. Plan amendments resulting from a change in the Future Land Use Concept. Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.
- Implementation Mechanism:**
- a) County review of all proposed plan amendments and development requests.

Policy: 2.1.2.4 Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area planning efforts when applicable in areas which are internal to, or are contiguous expansions of the built environment.

The applicant may cluster development today, without increasing density, while still maintaining an overall density of 1 dwelling unit per five acres.

The area between the proposed site and developed areas with existing County infrastructure and services is too great to efficiently serve this new proposed community. The proposal meets the definition of urban sprawl.

Policy: 2.1.2.3 Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development and compatible with future areas of development.

Implementation Mechanism(s):

- a) Designation of maximum allowable densities on the Future Land Use Map to permit consistent and compatible residential development on vacant areas within and adjacent to existing residential areas.
- b) Designation of nonresidential categories on the Future Land Use Map to permit compatible nonresidential development on vacant areas within and, where appropriate, adjacent to existing nonresidential development.

Policy: 2.1.2.5 Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.

Implementation Mechanism(s):

- a) Designation of maximum allowable residential densities on the Future Land Use Map which would encourage transition in densities proximate to existing residential areas, and which are conducive to a wide range of residential uses in areas established for new residential development. Such areas will also serve as alternative locations to those residential areas described in Policy 2.1.2.1.**
- b) Designation of a variety of future nonresidential areas on the Future Land Use Map at locations conducive to the development of a variety of employment generators. Such areas will serve as alternative locations to those future nonresidential areas described in Policy 2.1.3.1.**

Policy: 2.1.2.6 Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

Through the Comprehensive Plan's Future Land Use Map and use of the Potable Water and Sanitary Sewer Service Area, Manatee County has provided for a more than adequate distribution of land uses within this growth area with over 29,000 acres undeveloped, vacant or in agriculture that have no existing or pending development approval. These growth areas are identified to ensure the extension of public infrastructure, facilities and services in an efficient manner.

Locations outside the Potable Water and Sanitary Sewer Service Area are not conducive to new development or a wide range of residential and non-residential uses. Development in this area would require major changes to plans for water, sewer, schools, law enforcement, libraries, EMS, fire, parks, etc. The area also lacks employment and support services forcing any future residents to travel extensively.

In addition, the proposed development is adjacent to the Florida Power & Light Parrish Power Plant and solar farm. This plant was located in this area due to its potential incompatibilities with residential and in some cases, non-residential development. Power plants have significant compatibility issues and are heavy industrial in nature, with associated noise, smells, emissions, and ancillary impacts from heavy truck traffic, occasional railroad use and other impacts. Days where temperature inversions occur, the emissions from the plant remain at ground level and can for hours or days at a time, creating unhealthy conditions.

Policy: 2.1.2.7 Review all proposed development for compatibility and appropriate timing of development. This analysis shall include the following:

- consideration of existing development patterns,**
- types of land uses,**
- transition between land uses,**
- density and intensity of land uses,**
- natural features,**
- approved development in the area,**
- availability of adequate roadways,**
- adequate centralized water and sewer facilities,**
- other necessary infrastructure and services.**
- limiting urban sprawl**
- applicable specific area plans**
- (See also policies under Objs. 2.6.1 - 2.6.3)**

Implementation Mechanism(s):

- a) County review of all plan amendments and development proposals for consistency with this policy.**
- b) Placement of stipulations, as necessary on development applications to ensure policy compliance.**
- c) Adoption of provisions as necessary in the LDC to ensure development compatibility and appropriate timing of development.**

Policy: 2.5.1.1 Designate those areas in Manatee County which are suited for long-term agriculture as Agriculture/Rural on the Future Land Use Map so as to limit the degree of suburbanization of such lands and reduce uses which may displace agriculture.

Implementation Mechanism:

- a) Maintain the Future Development Area Boundary on the adopted Future Land Use Map as the easternmost extent of categories other than Agriculture/Rural, except where described as a permitted exception in Policy 2.1.1.1 above.**

The site in question is within the AG/R FLUC. The request is in direct conflict with this policy.

Policy: 2.5.1.2 Establish agriculture as the preferred use in the Agriculture/Rural category. Such preferred use status shall favorably impact existing farms, expanding farms, farms that change commodities, agricultural support uses and shall be supportive of state law establishing the right-to-farm.

The overall site in question is 5,040 acres. The proposed AG/OS FLUC is 2,372 acres, while the remaining acreage is proposed to be residential, mixed use, commercial, and industrial.

Objective: 2.6.1 Compatibility Through Screening, Buffering, Setbacks, And Other Mitigative Measures: Require suitable separation between adjacent land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.

Objective: 2.6.2 Residential Compatibility/transition: Residential uses compatible with adjacent residential and nonresidential uses.

Policy: 2.6.2.4 Limit residential development in areas that are subject to excessive odor to those that meet the compatibility requirements of policy 2.6.1.1.

The proposed application is across from the Florida Power and Light Parrish Power Plant, which has a Future Land Use Classification of Public / Semi-Public -1 (P/SP-1). This P/SP-1 category allows recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors. This plant was located in this area due to its potential incompatibilities with residential and in some cases, non-residential development. Power plants have significant compatibility issues and are heavy industrial in nature, with associated noise, smells, emissions, and ancillary impacts from heavy truck traffic, occasional railroad use and other impacts. Days where temperature inversions occur, the emissions from the plant remain at ground level and can for hours or days at a time, creating unhealthy conditions.

Currently, due to the timing of the application, lack of plans, and the lack of ability to efficiently extend County infrastructure and services, and adjacency to a significant heavy industrial use, this application is inconsistent with the Comprehensive Plan.

Policy: 2.6.2.9 Require a gradual transition in density and utilize the mitigation techniques under objective 2.6.1 when siting residential development adjacent to non-residential uses.

Implementation Mechanism:

- a) Land development regulations to require transition and mitigation to ensure compliance with this policy.

The existing Future Land Use Map provides a transition of density and intensity from the older and established areas in western county to the rural and agricultural areas in the east. The Potable Water and Sanitary Sewer Service Area extends from the older and established areas in west county through the central portion of the county to (longitudinally) Lake Manatee, which is at the center of the county and east end of the service area. The Future Land Use Map's allowable uses, densities and intensities generally decrease to lesser densities and intensities at the eastern boundaries of the service area and is generally Agriculture/Rural eastward, which allows development at lower densities and intensities.

Policy: 2.6.3.1 Consider performance standards or other measures to distinguish between light and heavy industries. Such performance standards or measures shall address the following distinguishing parameters:

- 1) toxicity and degree of hazard associated with raw materials, by-products, or finished products; and extent, duration, and procedure for storage of any such toxic or hazardous materials,
- 2) bulk of raw materials, by-products, or finished products required,
- 3) degree and nature of daily traffic associated with the industry,
- 4) level, frequency, and nature of any discharges into the atmosphere or surface waters,
- 5) level of noise customarily associated with the industry, after noise mitigation, and at the lot lines of the industry,
- 6) level of atmospheric emissions and nature of atmospheric emissions customarily associated with the industry, after mitigation,
- 7) height of smokestacks or other industrial structures associated with the industry,
- 8) level and nature of odor customarily associated with the industry,
- 9) level of fugitive dust customarily associated with the industry,
- 10) level and type of vibration customarily associated with the industry,
- 11) level of glare customarily associated with the industry,
- 12) level and nature of outdoor storage customarily associated with the industry,

In utilizing these parameters to identify light or heavy industry, parameters shall be considered in aggregate, with the cumulative result for each industry utilized to determine the status of that industry. Uses determined to have, using these performance standards, "objectional impacts" on adjacent or nearby residential uses, where such uses exist, shall be classified as heavy industrial, and those determined to not have such impact shall be classified as light industrial.

Implementation Mechanism:

- a) Land development regulations consistent with this policy.

Policy: 2.6.3.2 Prohibit the adjacency of any Industrial-Heavy designation on the Future Land Use Map to any residential designation, unless any such adjacency is interrupted by significant natural buffers, such as water bodies, or major wetland systems.

The proposed application is across from the Florida Power and Light Parrish Power Plant, which has a Future Land Use Classification of Public / Semi-Public -1 (P/SP-1). This P/SP-1 category allows recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors.

This plant was located in this area due to its potential incompatibilities with residential and in some cases, non-residential development. Power plants have significant compatibility issues and are heavy industrial in nature, with associated noise, smells, emissions, and ancillary impacts from heavy truck traffic, occasional railroad use and other impacts. Days where temperature inversions occur, the emissions from the plant remain at ground level and can for hours or days at a time, creating unhealthy conditions.

Currently, due to the timing of the application, lack of plans, and the lack of ability to efficiently extend County infrastructure and services, and adjacency to a significant heavy industrial use, this application is inconsistent with the Comprehensive Plan.

Policies: 2.9.1.1 Minimize the development of residential projects which create isolated neighborhoods.

As proposed, the development will be isolated from the utility service area of Manatee County for many years.

Policy: 2.9.1.2 Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3)

Due to the location of the project, there is very limited opportunity to provide connection and integration to the existing systems of the County. The only access to the site is SR 62 and is over two miles from the FDAB.

GOAL: 2.13 School Sites Consistent with Growth and Development Patterns and the Availability of Public Facilities.

Isolated neighborhood creates issues for transportation.

Objective: 2.13.1 Compatibility Requirements: Ensure compatibility of proposed uses with adjacent existing and proposed schools.

Policy: 2.13.1.4 Proposed development within the area adjacent to any school site shall be compatible with existing or proposed schools.

Objective: 2.13.2 School Locational Criteria: Locate schools concurrent with development and the provision of public facilities. (Refer to Objective 11.1.5 and associated policies.)

Proposed application is outside of Utility Service Area.

Other than to serve the proposed project, no evidence has been provided by the applicant to show there is a need or demand for a school site within this area of the County, in neither the short range (2022) or long-range (2040) planning horizon.

Policy: 2.13.2.1 New and proposed schools shall locate in areas where adequate public facilities, e.g., roads, potable water and sanitary sewer, exist or where adequate facilities are budgeted for in the appropriate Capital Improvements Program, except in cases of overriding public interest, as determined by the Board of County Commissioners or where any entity installs or constructs the necessary public facilities in conjunction with the construction of the school.

A school in this area has not been budgeted for in the CIP.

PUBLIC INFRASTRUCTURE, FACILITIES AND SERVICES

Water/Sanitary Sewer
NOT AVAILABLE

Public Services (EMS, Transit, Parks, School)
NOT AVAILABLE

Transportation
SR 62 is the ONLY existing access

PUBLIC SERVICES

For residents that live far and away from existing infrastructure and services (libraries, schools, shopping, EMS, fire service), they drive much further distances and lane miles than most residents.

- The project will be at least 11 miles from the closest EMS service at the Parrish station. Response time will be approximately 12 minutes. The typical response time is 8 minutes. The 12 minute response time does not meet EMS standard.
- The closest transit stop (Route 1) is at the Ellenton Outlet Mall, approximately 12 miles west of the proposed site.
- The closest park is Buffalo Creek, approximately 10 miles west of the proposed site.
- The nearest elementary school – Barbara H. Harvey Elementary School – is approximately 7 miles west of the proposed site. Although this proposal states it will provide acreage for a school.

TRANSPORTATION

Transportation Planning cannot support the application in its current form for the following reasons:

Planned Village Concept

The proposed policy's intent language is consistent with the traffic study methodology that presents Gamble Creek Village as a semi-independent community. The methodology language was in support of study assumptions that allow consideration of a trip generation

dynamic called “community capture.” A defining characteristic is that a larger-than-average percentage of trips stay within the developments that comprise the community.

The features that support community capture are relative isolation, and a balance of residential uses against the employment, services, and amenities offered within the community. The community must provide the right distribution and proportions of resident needs (housing, jobs, food, medical services, education, etc.) and wants (recreation, restaurants, entertainment, etc.).

Concerns with Planned Village, Community Capture Assumption

Overall and while community capture can theoretically occur, it is not guaranteed by the proposed policy creating the Planned Village land use categories. The Planned Village policies introduce intent language regarding form and achieving internal trip capture (i.e., community capture). However, the specific policy language is like existing policy for the Mixed-Use and Mixed-Use Community Land Use categories.

Among other things, the proposed policies limit density and intensity to conventional suburban levels that do not achieve high cross-capture and internal capture. The policies variously allow for region- serving, corporate, wholesale, and distribution uses that do not keep trips at a community level. Under the policies, mixed-use and the upper limits of density and intensity are only available through a mixed-use or affordable housing project.

The traffic study submitted by the applicant provides for a long-term buildout in the year 2040 and a short-term buildout in the year 2022. The applicant also anticipates 10% of the project will be complete in the short-term with 72.5% community capture. With only a 10% of the project completed, a 72.5% capture is unlikely. Proposed Policy 2.2.2.10.5.6, provided by the applicant, requires a minimum of 40,000 square feet of commercial uses be constructed prior to obtaining the 1,150th residential unit. Based on these low numbers, one would assume a large percentage of the residents will be traveling outside of the Gamble Creek Village boundaries to work and obtain goods and services. A 72.5% community capture in the short-term does not appear to be realistic.

Residential development will need to have sufficient demand to create a market for non-residential development, services, and amenities. This is not expected to occur until significant residential development is completed, and until then, residents will rely on jobs, goods, and services outside Gamble Creek. As was mentioned earlier within this report, the Heritage Harbour Development of Regional Impact (PDMU-98-08), approved in 1998 for 5,350 residential units, adjacent to a Major Arterial and the Interstate, is just breaking ground for non-residential development.

The land use mix has more industrial uses than the Gamble Creek community alone can support based on the County’s current employment profile. This is not necessarily a negative aspect, but it means employment will need to come from external residential development to support it.

While Gamble Creek located east of the FDAB, it is not far removed to be considered isolated from a trip-making perspective. Manatee County’s average travel time to work is 25 minutes (10 to 15 miles). Employers within Gamble Creek will compete with most employers east of I-75 and from SR 70 to the north County line. Therefore, it is not sufficiently remote to keep employers within Gamble Creek from attracting employees and customers from

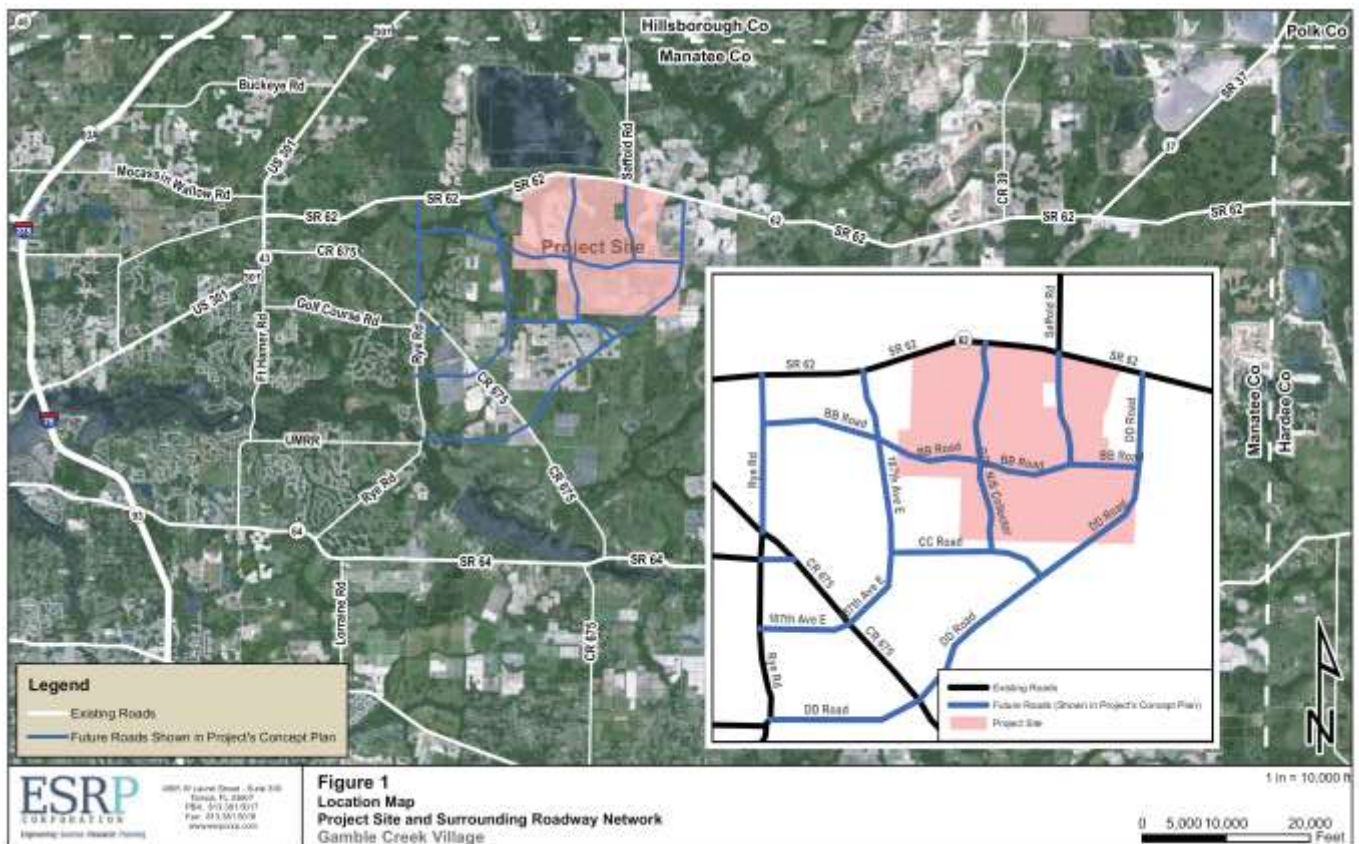
without.

Manatee County is a “net exporter” of workers. Based on US Census Bureau data, about 57 percent of Manatee County’s working population leaves the County to work each day. There is a more-or-less direct connection from Gamble Creek to I-75 via SR 62 and Moccasin Wallow Rd. This allows it to efficiently feed employers in southern Pinellas County and northern Sarasota County, where many current Manatee County residents work.

Thoroughfare Network

The results and conclusions of the traffic study rely on a loose network of thoroughfare roadways, most of which does not currently exist and some of which is not in the adopted future traffic circulation plan. To collect and distribute external traffic efficiently, most of these roads will need to be in-place.

The development boundary abuts **one** existing thoroughfare: SR 62 along the north edge. However, the analysis relies on several future connections to existing CR 675, Rye Rd, and Golf Course Rd.



Those supporting, future external connections are planned thoroughfare roads of Golf Course Rd Extension, Rye Rd Extension, 187th Ave E (a north/south extension of Mullholland to SR 62), “BB” Rd, “CC” Rd, and “DD” Rd (Note on the map from the traffic study: A portion of the development traversed by Roadway “DD” was removed from the property boundary with the third revision). For internal connections, it includes portions of “BB” Road and it also shows new thoroughfares along an extension of Saffold Rd south of SR 62 and a new

internal road identified as “GCV N/S Arterial.

Without addressing issues of additional lanes, this is the base two-lane road network that is assumed will ultimately be needed to support development:

Offsite Roads

Name	Limits	Length
Golf Course Road	Rye Rd – CR 675	0.50
Rye Road	CR 675 – SR 62	2.50
Mulholland/187 th Ave East	Rye Rd – SR 62	6.00
BB Road	Rye Rd – west GCV boundary	2.15
CC Road	187 th Ave E – DD Rd	3.00
DD Road	Rye Rd – south GCV boundary	6.55
DD Road	BB Rd – SR 62	1.40
TOTAL OFFSITE ROAD MILEAGE		22.10

Onsite Roads

BB Road	West GCV boundary – DD Rd	4.15
GCV collector	CC Rd – SR 62	3.25
Saffold Road extension	BB Rd – SR 62	2.05
TOTAL ONSITE ROAD MILEAGE		10.85

Overall, the study's analysis and conclusions rely on about **33 new centerline miles of two-lane roads, with about one-third onsite and the balance offsite**. The County does not currently have capital funds or operating/maintenance budget allocated for the creation and ongoing upkeep for these additional thoroughfare roadways.

If the application proceeds as proposed, the updates should also include supporting language and analysis for the thoroughfare related amendments. The applicant has not provided the analysis to update the Traffic Map Series and Table 5-1.

Since Version 3 of the application, an issue remains that the traffic study has not been updated to demonstrate the extent to which adopted, proposed, or additional thoroughfares are required to achieve and maintain adopted levels of service for the land uses allowed under the amended policy. The applicant should update the traffic study to establish that adopted levels of service will be achieved and maintained on the adopted road network, or identify modifications and additions necessary to do so.

As a related issue for the text amendment and its proposed application, Policy 2.2.2.10.3 was revised for the Version 3 submittal. The revision includes the addition of several prescriptive provisions related to multi-modal support within the Planned Village component. The outstanding issue is that the policy does not assure that the described village form is required or achievable in an independent community form. The proposed policy continues to describe the planned village as having potentially “region-serving” uses and lists specific examples by type or scale.

Land use and form are directly linked to infrastructure needs. The traffic study relies on the largely self-contained community form. Without that form, the community capture assumed in the traffic study will not be achieved, and the study is unacceptable. The policy should be

revised with stronger language to assure the form can be achieved, or the Gamble Creek traffic study should be updated to also include short-range and long-range scenarios based on the trip making characteristics of conventional suburban forms. This may result in different conclusions about the thoroughfare network needed to support the proposed land uses. That is, the required network for the village-based scenario may not be the same as the suburban-based scenario.

Since Version 3 submittal, responses variously state or imply that the applicant seeks to present the application to the Board to “obtain feedback” on the proposed amendment’s concepts. If the application is to be presented for Planning Commission and County Commission consideration for transmittal, Transportation Planning cannot support the application in its current form.

WATER/SANITARY SEWER SERVICE AREA (congruent with the FDAB)

Through the Comprehensive Plan’s Future Land Use Map and use of the Potable Water and Sanitary Sewer Service Area, Manatee County has provided for more than adequate distribution of land uses throughout unincorporated Manatee County which limit urban sprawl, provide a predictable and functional urban form, encourages development and redevelopment in existing urban areas and allowing public facilities and services to be provided in a cost-efficient manner.

The proposal is approximately 2± miles east of the future development area boundary and the water/sanitary sewer service area. These are no public utilities in the area. The applicant proposes a private utility service. No information was provided to show how a private utility system would function (operation and maintenance) and be financially feasible, without being a burden to the existing tax payers of the County.

A concern with a private utility is how such utility systems will be reviewed, approved, operated and maintained such that there will be no effect on the county’s utility system. Though the utilities systems will be “private”, as the public entity that issues construction permits, approves plans and inspects construction, Manatee County will have some level of responsibility for these private systems. Experience has shown that when issues arise with private utility systems, the residents look to the County for solutions and expect, since the County approves permits, the County should resolve any issues.

SCHOOLS

School concurrency is not reserved with a plan amendment.

The current school attendance zones are Witt Elementary, Buffalo Creek Middle and Palmetto High Schools. The School Board of Manatee County does desire a school site within the proposed site.

Proposed Dwelling Units	Elementary School Students	Middle School Students	High School Students	Total
7200	1,390	598	418	2,406
Number of Schools Needed	1.68	0.51	0.21	

The nearest elementary school – proposed Barbara A. Harvey Elementary School – is approximately 7 miles west of the proposed site. The proposal states acreage for a new school will be provided. However, at this stage, the County cannot legally enforce such an obligation without the formal agreements that would be required in the development review process based upon the school concurrency analysis being performed and the rough proportional analysis to establish the impact of the project on school capacity.

TRANSIT

The closest transit stop (Route 1) is at the Ellenton Outlet Mall, approximately 12 miles west of the proposed site.

The applicant is proposing a transit center/transfer station which would link to a future MCAT route within the mixed-use (MU) area of the village center, with the location to be coordinated with the County.

It is not clear who would be responsible for preventative maintenance of the transit center/station and related amenities. The proposed project is miles from the existing Transit Division facility where staff and equipment are located and where vehicle maintenance activities are performed. The transit level of service for the proposed project is anticipated to be low and would not justify creation of a separate vehicle storage, maintenance and dispatch functions.

The Manatee County Transit Development Plan (TDP) defines public transportation service priorities for Manatee County over a 10-year planning horizon. These priorities are established based on a broad public outreach process and are consistent with the Sarasota/Manatee MPO Long Range Transportation Plan. The most recent major update of the TDP, completed in September 2018, identifies service priorities that include enhancements to the “core” network of fixed-route services. Core network services in Manatee County include the Route 99/US 41, Route 3/Manatee Avenue, and Route 6/Cortez Road corridors, all of which operate within the urbanized area of the County, west of I-75. These corridors are prioritized because they are the most ridership proactive corridors in the Manatee County fixed-route network. Consequently, there is no plan to extend fixed-route services beyond I-75 and the proposal to extend service to Gamble Creek Village and add a “streetcar, trolley, or similar service” is inconsistent with community-based planning efforts.

Efforts to extend service beyond I-75 into Lakewood Ranch were unsuccessful in the past (Service to Lakewood Ranch Boulevard was in place from January 2015 through November 2016). Despite a perceived need expressed by some bus riders and businesses to have service connect to Lakewood Ranch, ridership levels were very low and did not justify continuation of that service. Similarly, there is no evidence that the Gamble Creek project will generate satisfactory ridership levels to justify the level of investment required.

PARKS

There are no County Parks within the immediate vicinity. The closest park is Buffalo Creek, approximately 10 miles west of the proposed site.

The applicant is proposing a county park collocated with the proposed school site (120 acres). However, the ownership and responsibility for the park has not been determined. There has been no discussion with the County Parks and Natural Resources Department

regarding ownership. Based on the draft Manatee County Parks Masterplan, there are no plans for a future park that far east of the Future Development Area Boundary. If the applicant provided a site for a future park at this time, the county would not likely take ownership and it would be a private park like those in Lakewood Ranch and other communities that own and maintain their open space and recreation areas.

Even if the property was offered for “preserve” type protections for plants and wildlife, the development residents close in to such natural resource protection carve outs would likely object to prescribed fire and herbicide methods we use to maintain Florida native habitat. Unless the situation offered something extremely rare or valuable such that the attributes would be lost without protection we would be reluctant to accept even preserve parcels in this specific location and even if acceptance would be the desire of the Commission, Natural Resource Division would ask for a dedicated financial instrument from which to draw funds for maintenance, in addition to share of property taxes that would be collected for operational and personnel expenses of the Department as a whole.

URBAN DEVELOPMENT CONSIDERATIONS

Urban Sprawl Analysis

EXISTING LAND USE	Total Dwelling units
AG/R (5,040 acres at 0.2 du/ga)	1,008
PROPOSED LAND USE	Total Dwelling Units
PV (Planned Village) overlay district	7,200
SIZABLE INCREASE IN RESIDENTIAL UNITS	6,192

The proposed site is located within the planning population sub-area 6.

To calculate population projections, the number of dwelling units is multiplied by 2.3 persons per household.

AG/R (Agricultural/Rural)	PV (Planned Village Overlay District)
1,008du x 2.3 pph = projected 2,318 population	7,200 du x 2.3 pph = projected 16,560 population
14,242 projected population increase	

	Sub-Area 6 projected population
2018	1,590
2025	1,850
2030	2,052
2035	2,278

The entire Subarea 6 population projected for 2035 = **2,278**

The proposed population projection- based on proposed development for 2035 = **14,242**

Based on population projections, it will take decades before the proposed development buildout could be accommodated.

The Agricultural/Rural (AG/R) area was intentionally planned with goals, objectives and policies to protect the area. The proposed intensity and density has not been planned for east of the Future Development Area Boundary.

The proposed plan amendment will have an impact of increasing urban sprawl by:

- Encouraging “leap frog” development by not concentrating urban development at locations adjacent to existing urban development
- Not maximizing the use of existing adjacent infrastructure and future infrastructure relating to other development – existing and proposed
- Poor timing of potential development and incompatibility to adjacent uses

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

Transportation Concurrency

CLOS APPLIED FOR – NO (CLOS cannot be issued with a plan amendment)

TRAFFIC STUDY REQUIRED – YES (A comprehensive plan traffic analysis was submitted and reviewed. As outlined in the Transportation section, the application and traffic analysis are insufficient to establish that adopted transportation levels of service can be achieved and maintained for either the short-term programming period or the horizon planning period.

If the plan amendment is adopted, solid waste landfill capacity, transportation and preliminary drainage intent will be reviewed at the time of application for concurrency.

County potable water and waste water are not available to this site.

SOILS AND TOPOGRAPHY

Based on the E Co Consultants there are numerous soil types located throughout the site and listed below:

- 7 – Canova, Anclote and Okeelanta
- 11 – Cassia Fine Sand
- 12 – Cassia Fine Sand, moderately well drained
- 18 – Delray-Pomona Complex
- 19 – Duette Fine Sand, 0 to 5 percent slopes
- 23 – Felda-Palmetto Complex
- 24 – Felda-Wabasso Association, frequently flooded
- 26 – Floridana-Immokalee-Okeelanta Association
- 30 – Myakka Fine Sand, 0 to 2 percent slopes
- 35 – Ona Fine Sand, Ortstein Substratum
- 38 – Palmetto Sand
- 42 – Pomello Fine Sand, 0 to 2 percent slopes
- 44 – St Johns-Myakka Complex
- 52 – Waveland Fine Sand

The Natural Resources Conservation Service (NRCS) identifies nine (9) of these soil units 7, 18, 23, 24, 26, 30, 35, 38, and 52 components are rated as hydric soils. Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to

develop anaerobic conditions in the upper part. These soils, under natural conditions, are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation. Therefore, they are an indicator of wetlands and poorly drained areas. However, onsite investigation is recommended to determine if a specific area contains a hydric soil or wetland.

FLOOD PRONE AREAS/S.L.O.S.H./HURRICANE EVACUATION

This project is in Zones X and A with no base flood elevation determined per FIRM panels 12081C0215E, 12081C0205E and 12081C0216E, effective 3/7/18.

A Physical Map Amendment (PMR) for the Gamble Creek Watershed has been approved by the Federal Emergency Management Agency (FEMA) but maps are pending.

Any impacts to the watercourses shall require a Conditional Letter of Map Revision (CLOMR) approved by FEMA. The developer shall be required to establish the Base Flood Elevations for any encroachment within the Zone A with no base flood elevation.

BEACH ACCESSIBILITY EVALUATION

The plan amendment site is located inland; therefore, beach access considerations are not applicable.

HISTORIC RESOURCES

According to the report titled: *An Archaeological Resource Inventory and Archaeological Site Predictive Model for Manatee County, Florida*, by Piper Archaeology (1990), the parcel is not in an area with potential for archaeological sites. However, there have been several surveys (Archaeological/Historical and Cultural Assessments) in the general area: the proposed Rye tower, Bobwhite Transmission Line, Cell Tower at Safford Road & SR62 and Gulfstream.

If any significant historical or archaeological resource is discovered during development activities, the findings shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offences Concerning Dead Bodies and Graves) shall be followed.

WETLANDS

The following comments reflect issues and considerations that would need to be addressed for a complete assessment of potential environmental impacts:

WETLANDS

1. Comp Plan Policy 3.3.1.1 prohibits the removal, alteration, or encroachment within wetlands except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrates the necessity of any proposed impact. Development in a wetland or wetland buffer may be approved, if and only if, it meets the criteria set forth in LDC Section 706.5, as

determined by the Board, Hearing Officer or Director.

The applicant provided a “Wetland Map”, dated September 10, 2019 from Eco Consultants, Inc. showing approximately 1,077 acres of wetlands (approx. 21% of the site).

2. The riverine systems within the project boundary (Gamble Creek and Tyre Creek) as well as all wetland habitats will be subject to Section 705 of the LDC, which addresses Habitat, Wildlife & Endangered Species Protection. The riverine systems may provide “wildlife corridors”, particularly when combined with adjacent upland areas. Comprehensive Plan Policy 3.3.2.2 allows the requirement to increase wetland buffers to preserve additional native upland habitat.

UPLAND HABITAT

3. Upland native habitat within the project area will be subject to LDC Section 705 to allow preservation of potential wildlife habitat, especially of areas that may serve as “wildlife corridors” or unique habitat for the area. Development, including road crossings within wetlands and wetland buffers associated with the riverine systems would compromise the effective preservation of these corridors.

LISTED SPECIES

4. As mentioned above under “upland habitat” the project will be subject to Section 705 for habitat preservation to address listed species protection. When a project is required to provide open space and there is native habitat (wetlands and wetland buffers) within the project, a certain minimum percent is required to be preserved. This project will be subject to this requirement as well as Comprehensive Plan Policy 3.3.2.2, which requires preservation of native upland habitat.

A review of the U.S. Fish and Wildlife Service iPAC mapper site identified several potential listed species associated with the site including Audubon’s crested caracara, Florida scrub-jay, Red knot, Red-cockaded woodpecker, and the Eastern indigo snake.

5. The “biodiversity hotspots” data layer indicates the possibility of listed species over much of the native wetland and upland habitat within the project boundary. Also, the scrub jay habitat data layer indicates 3 areas of possible scrub jay habitat. Again, Section 705 will apply to address listed species and habitat preservation.

OPEN SPACE

6. The required open space will be determined by the zoning categories that the project area may be rezoned to. Planned open spaces should include existing native habitat and not exceed the maximum of 75% wetland and open water bodies.

LANDSCAPING/BUFFERS/TREES

7. If the Comprehensive Plan Text and Map Amendments are approved and the existing NCO (North Central Overlay) designation is retained in the process, the project area will be subject to Section 403.12 of the LDC.

8. The project will be subject to requirements of Sections 700 – Tree Protection and 701 – Landscaping and Screening Standards, unless new requirements for Section 701 are created in association with the new “planned development” categories that may be established, if the current request(s) are approved for this project.

WELLS

9. The project is subject to requirements of Section 704 of the LDC for well protection at time of “development approval”.

LARGE PROJECT REQUIREMENTS

10. The project may be subject to Section 349 of the for Large Projects. ERS will specifically require the project demonstrate compliance with Section 349.2.E. – Environmental Systems.

CONCLUSION

Due to the timing of the request, location of the request (leapfrogging), lack of plans and lack of ability to efficiently extend county infrastructure and services, or to demonstrate the ability to provide private infrastructure, and lack of justification for the amendment, lack of an updated traffic analysis and adjacency to a significant heavy industrial use (FPL), the Board can find the request inconsistent with the Comprehensive Plan.

INCONSISTENCY OF THE PROPOSED AMENDMENT WITH THE COMPREHENSIVE PLAN

The proposed comprehensive map amendment is inconsistent with numerous Comprehensive Plan objectives and policies, as described previously within this report and as follows:

Policy 2.1.1.4 Promote development in currently underdeveloped areas which have the greatest level of public facility availability and investment.

Implementation Mechanism(s):

- (a) Future Land Use Map indicating nodal concentrations of intensity at or surrounding interstate interchanges where public facilities are available.
- (b) Designation of infill areas on the Future Land Use Map west of I-75 in Manatee County at a density/intensity compatible with existing development.
- (c) Implementation of adopted levels of service during development order review to facilitate proper timing of new development in relationship to public facility adequacy and availability.

Comment:

- ***Only one thoroughfare – SR 62 – currently provides access the site. No other thoroughfares are constructed. To provide a transportation network, several additional thoroughfares are required. There are numerous parcels that need to be accessed to accomplish the connection of roadways within this site. None of the proposed roadway extensions are listed on the county's future thoroughfare map series.***
- ***The western most boundary of the site is approximately 2+ miles east of the county water and wastewater service area. No public utilities available***
- ***The project will be at least 11 miles from the closest EMS service at the Parrish station. Response time will be approximately 12 minutes. The typical response time is 8 minutes. The 12 minute response time does not meet EMS standard.***
- ***The closest transit stop (Route 1) is at the Ellenton Outlet Mall, approximately 12 miles west of the proposed site.***
- ***The closest park is Buffalo Creek, approximately 10 miles west of the proposed site.***
- ***The nearest elementary school – Barbara A. Harvey Elementary School – is approximately 7 miles west of the proposed site.***
- ***The request does not propose development surrounding interstate interchanges where public facilities are available.***

Objective 2.1.2 Geographic Extent of Future Development: Limit urban sprawl by accommodating future development consistent with the adopted Land Use Concept Map (Map N). All development, unless exempted by Policy 2.1.2.2, shall be directed to the area west of the Future Development Area Boundary (FDAB) thereby, preserving agriculture as the primary land use east of the FDAB through 2040.

Policy 2.1.2.1 Provide opportunities for, and allow, new residential, and nonresidential development to occur at locations defined as appropriate in the Adopted Land Use Concept Map and the established Mapping Methodology policies contained in this Element.

Policy 2.1.2.2 Limit urban sprawl by prohibiting all future development in the area east of the established FDAB (see Map M and the Potable Water/Sanitary Sewer Service Areas Map in the

Wastewater Sub Element), except as follows:

- a. Small commercial development providing for the needs of the agricultural community,
- b. Agricultural and industrial development where associated with approved mining operations,
- c. Residential development in excess of 0.2 du/ga for the following:
 - 1) farm worker housing;
 - 2) residential within Myakka City;
 - 3) legal lots of record prior to May 15, 1989;
 - 4) redevelopment per policy 2.9.3.2; and
 - 5) Cluster development intended for the protection of open space and/or agricultural operations. Such cluster development is subject to the site's future land use category restrictions and the standards adopted in the Land Development Code.
- d. Plan amendments resulting from a change in the Future Land Use Concept Map.
Such uses shall be allowed, only if developed consistent with all Goals, Objectives and Policies of this Comprehensive Plan.

Implementation Mechanism:

- a) County review of all proposed plan amendments and development requests.

Definition:

Future Development Area Boundary: This boundary is generally established to designate on the Future Land Use Map the location for new residential and nonresidential development consistent with the adopted Land Use Concept in the *Technical Support Document for the Manatee County Comprehensive Plan (May 15, 1989)*. Those lands east of the Future Development Area Boundary are intended to be preserved for primarily agricultural uses. The boundary is intended to serve as a means to provide an efficient use of land and public and private investment, and to contain urban sprawl. This line shall be consistent with the boundaries of the Water Supply and Wastewater Service Areas established by the Board of County Commissioners.

Policy 2.1.2.3. Permit the consideration of new residential and nonresidential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development, and compatible with future areas of development.

Implementation Mechanism(s):

- (a) Designation of maximum allowable densities on the Future Land Use Map to permit consistent and compatible residential development on vacant areas within and adjacent to existing residential areas.

(b) Designation of nonresidential categories on the Future Land Use Map to permit compatible nonresidential development on vacant areas within and, where appropriate, adjacent to existing nonresidential development.

Policy 2.1.2.4. Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

Policy 2.1.2.5. Permit the consideration of new residential and nonresidential development in areas which are currently undeveloped, which are suitable for new residential or nonresidential uses.

Policy 2.1.2.6. Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development. This analysis shall include the following:

- Consideration of *existing development patterns*;
- Types of land uses;
- Transition between land *uses*;
- *Density* and intensity of land uses;
- Natural features;
- Approved development in the area;
- Availability of adequate roadways;
- *Adequate centralized water and sewer facilities*;
- Other necessary infrastructure and services;
- *Limiting urban sprawl*;
- Applicable specific area plans;
- (See also policies under Objectives 2.6.1—2.6.3).

Implementation Mechanism(s):

- (a) County review of all plan amendments and development proposals for consistency with this policy.
- b) Placement of stipulations, as necessary on development applications to ensure policy compliance.
- c) Adoption of provisions in the LDC to ensure development compatibility and appropriate timing of development.

Comment:

- ***The request is outside of the FDAB, thereby not preserving agriculture.***
- ***The project is urban sprawl by leap-frogging over vacant-developable lands.***
- ***The request does not locate non-residential and residential in an area that is contiguous to the expansion of existing concentrations of non-residential and residential.***
- ***The request could put a significant impact on the transportation network of the county.***
- ***The request is not in an area that has adequate level of available public facilities and investments.***
- ***The request is adjacent to the Florida Power & Light Parrish Power Plant and solar farm. FPL was placed in this area due to its incompatibilities***

with residential. Power plants can have significant compatibility issues and are heavy industrial in nature, with associated noise, smells, emissions and ancillary impacts from heavy truck traffic, occasional railroad use and other impacts. Heavy emissions can create unhealthy conditions.

Policy 2.2.1.2. Require that all proposed development orders which would establish the potential for an increase in gross or net residential density, gross floor area ratio or total gross building square footage (for nonresidential uses) on any part of the subject property be issued when consistency with all appropriate goals, objectives, and policies have been demonstrated.

Implementation Mechanism:

(a) Review by Manatee County of all proposed development orders referenced in this policy.

Comment:

- ***The request is inconsistent with numerous goals, objectives and policies.***

Objective 2.5.1 Economic Viability. Protect, enhance, and maintain, through 2040, the countrywide economic value of Manatee County's Agriculture.

Policy 2.5.1.1. Designate those areas in Manatee County which are suited for long-term agriculture as Agriculture/Rural on the Future Land Use Map so as to limit the degree of suburbanization of such lands and reduce uses which may displace agriculture.

Implementation Mechanism:

(a) Maintain the Future Development Area Boundary on the adopted Future Land Use Map as the easternmost extent of categories other than Agriculture/Rural, except where described as a permitted exception in Policy 2.1.1.1 above.

Policy 2.5.1.2. Establish agriculture as the preferred use in the Agriculture/Rural category. Such preferred use status shall favorably impact existing farms, expanding farms, farms that change commodities, agricultural support uses and shall be supportive of state law establishing the right-to-farm.

Objective 2.8.2. - Inappropriate Precedents.

Discount inappropriate, precedent-setting land uses as the basis for future land use decision-making, following plan adoption.

Policy 2.8.2.1 Prohibit designations on the future land use map which reflect zoning districts, or existing uses which are inconsistent with prevalent community character, or inconsistent with adopted goals, objectives and policies in this Comprehensive Plan from serving as precedents for plan amendment(s) and other development order approvals which are inconsistent with this Comprehensive Plan or prevalent community character.

Comment:

- ***The proposal is much more intense than anything existing in the area.***
- ***The proposal is not compatible with current uses or community character of the surrounding area.***

- ***The area is suited for long term agricultural use.***
- ***Approval of the proposal would set an inappropriate precedent.***

Objective 2.6.1. - Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures. Require suitable separation between adjacent incompatible land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.

Objective 2.6.2. - Residential Compatibility/Transition. Residential uses compatible with adjacent residential and nonresidential uses.

Policy 2.6.2.4. Limit residential development in areas that are subject to excessive odor to those that meet the compatibility requirements of Policy 2.6.1.1.

Comment:

The proposal is across from the Florida Power & Light Parrish Power Plant which has a future land use designation of P/SP-1 (Public/Semi Public-1). This designation allows Recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors and public schools. The power plant was located in this area due to its potential incompatibilities with residential, and in some case, non-residential uses.

In addition to being inconsistent with the Manatee County Comprehensive Plan as outlined herein, the request is also inconsistent with the State Comprehensive Plan and Florida Statutes (see attached).

Attachments:

1. Inconsistency with State Comprehensive Plan and Florida Statutes
2. Newspaper Advertising
3. Legal Description
4. Aerial, FLUC, and Zoning Maps - staff report maps
5. Future Development Area Boundary History
6. Applicant's Initial Application
7. Applicant's 2nd Submittal
8. Applicant's 3rd Submittal
9. Applicant's 4th Submittal
10. Applicant's 5th Submittal with changes since 11/14/2019 Planning Commission highlighted in **RED**.
11. Letter dated February 2nd, 2021, from Blalock Waters outlining amendments made since 11/14/2019 Planning Commission.
12. Wetland Map Prepared by Eco Consultants on 9/10/2019
13. Traffic Impact Study, Prepared by ESRP Corporation, dated April 2018
14. School Report
15. County Attorney Comments dated March 3, 2021
16. Transmittal Letter for Signature
17. Public Comments

Attachment 1

PA-18-04 (Ordinance 18-19)

The proposed amendment is ***inconsistent*** with the following Florida Statutes 163, Part II

163.3162 Agricultural Lands and Practices.—

(1) LEGISLATIVE FINDINGS AND PURPOSE.—The Legislature finds that agricultural production is a major contributor to the economy of the state; that agricultural lands constitute unique and irreplaceable resources of statewide importance; that the continuation of agricultural activities preserves the landscape and environmental resources of the state, contributes to the increase of tourism, and furthers the economic self-sufficiency of the people of the state; and that the encouragement, development, and improvement of agriculture will result in a general benefit to the health, safety, and welfare of the people of the state. It is the purpose of this act to protect reasonable agricultural activities conducted on farm lands from duplicative regulation.

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(9). The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

(VI) Fails to maximize use of existing public facilities and services.

(VII) Fails to maximize use of future public facilities and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(IX) Fails to provide a clear separation between rural and urban uses.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

(XI) Fails to encourage a functional mix of uses.

(XII) Results in poor accessibility among linked or related land uses.

(XIII) Results in the loss of significant amounts of functional open space.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

(IV) Promotes conservation of water and energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

163.3164 Community Planning Act; definitions.

(33) “New town” means an urban activity center and community designated on the future land use map of sufficient size, population, and land use composition to support a variety of economic and social activities consistent with an urban area designation. New towns shall include basic economic activities; all major land use categories, with the possible exception of agricultural and industrial; and a centrally provided full range of public facilities and services that demonstrate internal trip capture. A new town shall be based on a master development plan.

163.3231 Consistency with the comprehensive plan and land development regulations.— A development agreement and authorized development shall be consistent with the local government’s comprehensive plan and land development regulations.

163.3178 Coastal Management

This plan amendment request maintains the structure of the Comprehensive Plan.

163.3180 Concurrency

This plan amendment request maintains the structure of the Comprehensive Plan as concurrency is not reserved for a map amendment.

163.3191 Evaluation and appraisal of comprehensive plan

The county determined in 2013 there was no need to amend the Comprehensive Plan through the Evaluation and Appraisal process. This process will be reviewed in 2020.

163.3245 Sector plans

There are no sector plans established at this time.

163.3248 Rural Land Stewardship areas

There are no Rural Land Stewardship areas established at this time.

The proposed amendment is ***inconsistent*** with the following Florida Statutes Chapter
187.201
of the State Comprehensive Plan:

187.201((17) PUBLIC FACILITIES

(a) Goal.—Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

(b) Policies.—

1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.
2. Promote rehabilitation and reuse of existing facilities, structures, and buildings as an alternative to new construction.

187.201 (22) AGRICULTURE

(a) Goal.—Florida shall maintain and strive to expand its food, agriculture, ornamental horticulture, aquaculture, forestry, and related industries in order to be a healthy and competitive force in the national and international marketplace.