

Charles Gauthier, FAICP, LLC
1780 Copperfield Circle
Tallahassee, FL 32312
Charles.Gauthier.FAICP@gmail.com
(850) 544-8588

August 25, 2022

Sent via email to Sarasota County Board of County Commissioners

| | |
|--------------------------------|------------------------|
| Chairman Alan Maio | (amaio@scgov.net) |
| Vice Chairman Ron Cutsinger | (rcutsinger@scgov.net) |
| Commissioner Michael A. Moran | (mmoran@scgov.net) |
| Commissioner Christian Ziegler | (ciegler@scgov.net) |
| Commissioner Nancy Detert | (ncdetert@scgov.net) |

Subject: CPA 2022-B: Proposed Village Transition Zone

Dear Chairman Maio and Honorable Commissioners,

I was asked by Save the Country, Inc., to prepare an independent analysis of the comprehensive plan amendment you will consider at your August 31, 2022, public hearing (CPA 2022-B). My report on the Village Transition Zone amendment is attached. Please include this letter and report in the official record for the August 31, 2022, public hearing on CPA 2022-B.

My expert evaluation of the proposed CPA 2022-B results in a strong conclusion that this amendment warrants a more detailed and in-depth analysis of the unknown consequences of the proposed VTZ on the County's framework for rural planning. Allowing such a major departure from the carefully structured balances in the 2050 Plan without full analysis and incorporating basic development requirements currently absent from the application poses significant risks to other developments and the community as a whole.

Among my conclusions and concerns, discussed in more detail in the attached report, are the following summary points:

1. Major Planning Departure / Minimal Public Participation

CPA 2022-B is a major departure from the Village/Open Space structure of the carefully and collaboratively developed 2050 Plan. Unlike the process used to produce the 2050 Plan, this CPA has received only minimal public input.

2. Uncertain Long-Range Consequences

The proposed amendment will carve a 4,120-acre hole in the Village/Open Space RMA and may set dominoes falling that will debilitate the 2050 Plan framework entirely.

3. Three-fold Jump in Residential Development on the Site

Under the existing Hamlet Overlay, up to an estimated 1,648 residential units are possible and an 60% open space requirement is applicable. The proposed VTZ in CPA 2022-B increases the residential units to 5,000 with an open space requirement as low as 43%. The increase over development allowed under the existing zoning for 5- and 10- acre rural homesteads is even greater.

4. “Gifted” Residential Density – Not Earned

The VTZ proposal seeks increased density without associated increased benefits to the County and its residents. Hamlets provide 60% open space focused on preserving environmentally sensitive areas and are granted a density of one unit per acre for the developed area. Villages, intended to be the more urban and dense development areas, earn higher density allocations through acquisition and transfer of development rights and the creation of greenways and open space. The developer created VTZ does not earn its increased density and reduces the open space, buffers and greenways to be provided.

5. No Demonstrated Need for Additional Residential Units

Comprehensive planning defines not just the locations for land uses, densities and intensities but also the timing and phasing of development. Planning that creates an unwarranted excess of land available for any land use is setting the stage for problems. A “2020 Residential Capacity Analysis” prepared by County Planning staff found that the land available for residential development under Future Land Use designations was almost 300% more than the projected 10-year demand.

6. Enables Urban Sprawl

CPA 2022-B is clearly urban sprawl. The VTZ is situated in a remote location, fails to provide a clear separation between urban and rural uses and consists of low density, automobile-dependent development without any internal capture of

vehicle trips. There is no requirement to provide for shopping or employment for the approximately 11,150 future residents within what will essentially be a small city. The VTZ clashes with the development patterns carefully constructed in the 2050 Plan to avoid this type of urban sprawl.

7. Reduced Open Space in VTZ versus Hamlet

The reduction in quantity and quality of open space under the proposed VTZ is contrary to the fundamental purposes of the 2050 Village/Open Space RMA and leads to inadequate buffering and separation of VTZ development from proximate rural lands and adjacent hamlet development

8. Lack of Specificity in VTZ definition versus Hamlet

The proposed VTZ fails to incorporate any “smart growth” requirements intended to mitigate the negative effects of urban sprawl and development. Instead, the “continuation of Lakewood Ranch” development from Manatee County is referred to as the “standard”.

9. Future of Roadway Congestion

The Transportation Impact Analysis for CPA 2022-B shows a bleak future for Fruitville Road and the many residents that travel on Fruitville to and from the eastern area of Sarasota County. This state evacuation route already has a failing segment between Sarasota Center Boulevard and Lorraine Road. By 2045, multiple segments of Fruitville are projected to operate below the level of service standard. The VTZ will only worsen this situation.

In closing, I respectfully conclude that CPA 2022-B and the proposed VTZ undergo additional planning analysis to ensure that the 2050 Plan and developments approved under its existing requirements are not undermined. Thank you for your consideration.

Sincerely,



Charles Gauthier, FAICP

CC Bret Harrington (bharring@scgov.net)
Planner (planner@scgov.net)

**PRELIMINARY OPINION:
PROPOSED CPA 2022-B: VILLAGE TRANSITION ZONE
SARASOTA COUNTY COMPREHENSIVE PLAN**

**PREPARED BY CHARLES GAUTHIER, FAICP
ON BEHALF OF KEEP THE COUNTRY, INC.**

AUGUST 25, 2022

My name is Charles Gauthier. I have worked in Florida for 44-years as a professional planner in the areas of growth management, land use planning, environmental planning, land use regulation, zoning, and site planning. I have been a member of the American Institute of Certified Planners since 1988; in 2011, I was inducted as a Fellow for outstanding contributions to the public interest, the highest achievement available at a national level. I have been retained by Keep the Country, Inc., to analyze CPA 2022-B which proposes amendments to the Sarasota County Comprehensive Plan (“Plan”) to create a Village Transition Zone (“VTZ”).¹

The proposed VTZ would become part of the 2050 Resource Management Area (“2050 RMA”) planning structure for Villages/Open Space and be applied to 4,120-acres in northeastern Sarasota County in an area currently designated for rural land use or as an option Hamlet development.² The amendment would increase development potential on

¹ Land Use Petition Staff Report to the Sarasota County Planning Commission dated August 4, 2022 recommends future land use and policy revisions consistent with the June 3, 2022 application resubmittal for CPA2022-B

the subject property from up to 1,648 residential units to 5,000 units and is specifically designed to accommodate a large-scale expansion of the Lakewood Ranch development primarily located in Manatee County.

The VTZ is an instance of development guiding the plan instead of the plan guiding development. Instead of maintaining an even-handed future land plan it is a customized deal for one property owner that takes on appearance "spot" planning. The following are some of my major observations about CPA 2022-B and how it is inconsistent with the existing Sarasota County Comprehensive Plan and will cause significant negative impacts to the community and environment compared to what development might occur under the provisions of the existing Hamlet Overlay.

1. Major Planning Departure / Minimal Public Participation

The VTZ is a major departure from the Village/Open Space planning structure that has been in place for 20-years.

The 2050 RMA was the product of an exceptionally extensive community process that began with public input, a multiparty stakeholder group in 1995, an Urban Land Institute Report in 1999, the adoption of a Planning Vision in 2000, formal adoption of the 2050 framework into the Plan in 2002 and adoption of implementing regulations in 2004.³ The 2050 Overlay has been the subject of several fine-tuning amendments over the years.

The resulting 2050 RMA became, and remains, a central county planning mechanism for the long-term protection of rural and agricultural lands, establishment of open space and

³ "Sarasota 2050 What have we Learned in 10 years?", September 9, 2015

greenways and allowance of new development in the form of carefully designed and fiscally neutral Villages and Hamlets. For many years now the general public, property owners and development interests have relied upon the Plan's delineation of the Countryside Line, the Urban Service Area, Rural Land Use, and the locations of and standards for potential Hamlets and Villages.

In contrast, the amendment at hand is a privately initiated large-scale land use change with nine pages of policy revisions to allow single-use suburban development to jump into a rural area without adequate development controls. Despite its profound impact, the amendment package has been the subject of minimal meaningful public participation.⁴

Instead of an expedited property owner driven amendatory process more extensive public participation is warranted with ample opportunity for stakeholders to work collaboratively toward an appropriate consensus proposal.

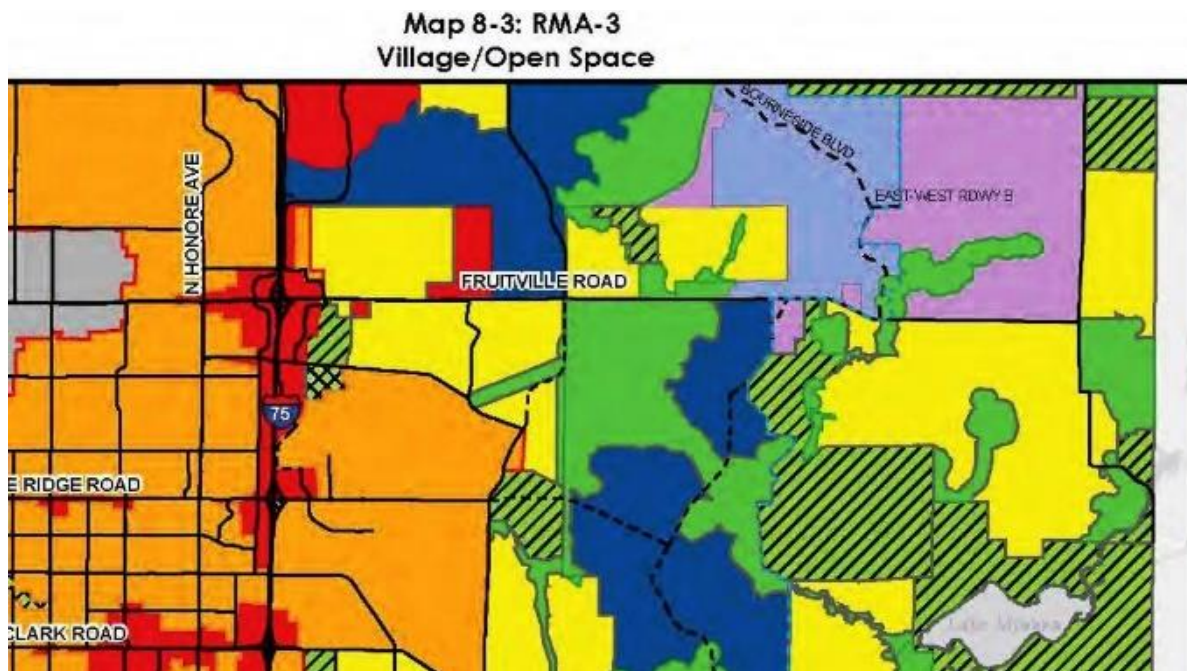
2. Uncertain Long-Range Consequences / Unfair to Other Interests

The VTZ amendment is flawed both in concept and specifics. It can be characterized as an end-run around the 2050 Plan for Villages/Open Space (including Hamlets). The proposed amendment would not only carve a 4,120-acre hole in the 2050 Village/Open Space RMA, it may well set dominoes falling that will debilitate the countywide rural planning framework entirely.

⁴ Initial introduction to Board of County Commissioners, February 2022, Neighborhood Workshop, April 7, 2022, Planning Commission, August 4, 2022

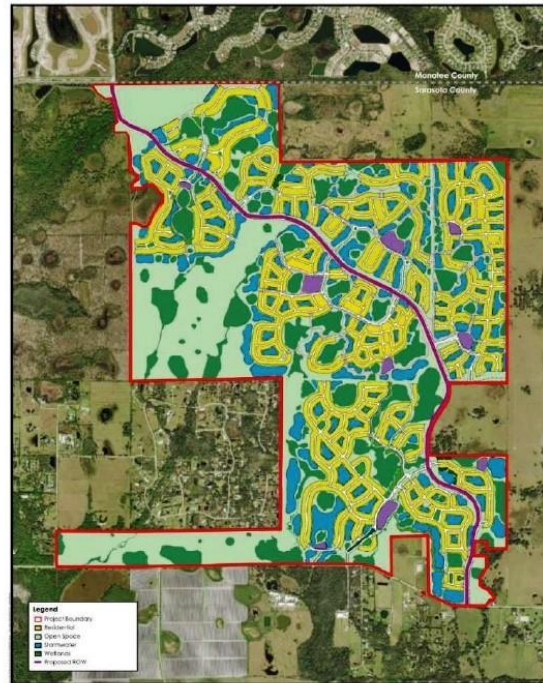
For instance, if this amendment is authorized as proposed, how would the County say no to future amendments to allow additional conventional suburbanization further east of the subject property that consumes still more of the Hamlet area?⁵ Would not the precedent of this amendment become additional justification for its expansion?

Note too that that VTZ Policy 3.2 includes a provision that “The 500-foot Greenbelt along the eastern boundary of the property may be modified to not less than 50’.” and a minimized 50’ buffer is shown along the eastern edge of Lakewood Ranch Southeast in the CPA 2022-B Resubmittal. A 50’ greenbelt certainly does not establish a clear separation of urban and the adjacent rural uses and instead facilitates future eastward expansion of conventional suburbs and urban sprawl.



⁵ Proposed VTZ shown in light blue, remaining Hamlet area shown in purple, Staff Report Map 8-1: RMA-1, pdf page 8

Development Concept Plan – Proposed Road Alignment



Conference ID: 541 697 069#

Public Workshop Meeting
April 7, 2022

Lakewood Ranch Southeast



It's also necessary to consider the long-range impact of the amendment on other properties that have obtained or might seek the optional development available as a Village or Hamlet under the 2050 Plan structure. Why would they invest time and effort to achieve Village or Hamlet status when they might simply side-step Village or Hamlet RMA requirements as is proposed in this instance? How would the County respond to requests by existing Village/Open Space developments which seek to strip down their responsibilities? How is the amendment fair to the general public, property owners and development interests who have relied upon and made investment and life-style decisions based on the 2050 Village/Open Space RMA?

These and other unanticipated consequences are not now understood and accounted for. A full analysis through adequate comprehensive planning is necessary to evaluate the impacts of this proposal.

3. Three-Fold Jump in Residential Development Potential

The amendment for a future development area known as “Lakewood Ranch Southeast” specifies a development cap of 5,000 residential units.⁶ The majority would be granted to the applicant based on a ratio of one unit per gross acre for 4,120 units. Additional units, to reach the cap of 5,000, may be obtained by the applicant through provision of Community Housing Units or Transfer of Development Rights from off-site locations.

Under the current Hamlet development option, the scale of residential development would be much lower since it must meet several policy parameters including a maximum Hamlet size of 400 residential units, a maximum density within the developed area of one unit per gross acre and 60% open space. Hamlets, according to the Plan, consist of clusters of rural homes at a crossroads. Therefore, development of the subject property would require multiple Hamlets separated by open space. In theory 1,648 residential units are possible under the Hamlet policies.⁷ However, that estimate depends on the site character and development configuration and is likely lower given the land use design requirements.

4. “Gifted” Residential Density for VTZ versus “Earned”

Under the 2050 Village/Open Space RMA a Hamlet must provide 60% open space for environmental protection purposes and in return is granted residential density at one unit

⁶ Proposed VTZ Policy 2.2

⁷ 4,120 acres / 0.4 x one unit per acre

per acre for the developed area. The larger scale Villages, on the other hand, are eligible for a much more significant density allocation but that increased density is not gifted to them; it is earned through acquisition and transfer of development rights and thus enables the creation of greenways and open space. Despite its three-fold increase in density over Hamlet, the VTZ also seeks density that is not earned and is instead provided by the stroke of the developer's pen and with reduced, not increased, open space, buffers and greenways.

5. No Demonstrated Need for Additional Residential Units

Sarasota County Planning and Development Services prepared a "2020 Residential Capacity Analysis" in conjunction with an Evaluation and Appraisal Report based update to the Plan in 2021. The purpose was to determine whether the Plan's land use capacity would accommodate at least enough development potential to accommodate the projected population growth over a 10-year timeframe.⁸

The study determined that available, approved Zoning Density would accommodate 238% of the 10-year demand for housing and that Future Land Use Density would accommodate 299% of need. This availability of almost three times the amount of residential capacity needed did not include the Hi Hat Village or other pending/anticipated large developments identified in the Report.⁹ When the net increase of 26,646¹⁰ units in available capacity from those large developments plus the additional 5,000 in CPA 2022-B are considered, the Future Land Use Density accommodates 504% of need.

⁸ Capacity Evaluation was pursuant to FLU Policy 3.2.3

⁹ "2020 Residential Capacity Analysis" at page 17

¹⁰ "2020 Residential Capacity Analysis" at pages 13 and 17

Appropriate timing of future land use amendments is an important consideration and the future land use capacity analysis demonstrates there is no need to rush ahead with current VTZ request.

6. CPA 2022-B enables Urban Sprawl

The Sarasota County Plan and Florida Statutes defines urban sprawl as:

URBAN SPRAWL:

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 amendment would enable urban sprawl.

- a. The 4,120-acres subject to the amendment are situated in a remote location six to eight miles east of I-75;
- b. The subject property is in an area planned for rural land use and nearby land uses are principally rural, the property is beyond the current “Countryside” delineation in the County Plan and outside of the currently designated Urban Service Area;
- c. The amendment would allow up to 5,000 residential units on-site¹¹ yet there is no requirement to provide for shopping and employment needs necessary to support 11,150 +/- future residents;¹²

¹¹ Proposed Policy VTZ 2.1 identifies only land uses that may be permitted and states “...non-residential uses are permitted, but not required within the VTZ...”

¹² Assuming 2.23 persons per household, US Census Quick Facts

- d. Without policy assurance there will be shopping and employment opportunities on the site its necessary to assume residents will drive Fruitville Road or University Parkway to meet daily needs;
- e. The lack of internal capture will necessitate increased driving by future residents, escalate overall vehicle miles traveled and result in inefficient use of roadway infrastructure;
- f. Not only are on-site shopping and employment not assured for what will amount to a small city, the list of optional land uses and development types is vague and defers to zoning districts in the land development code; and,
- g. The land use design of permitted development lacks standards and is vague and open-ended since it defers without specificity to the form of development found elsewhere in Lakewood Ranch.

A major purpose of the 2050 Village/Open Space RMA is to provide an alternative to urban sprawl. The VTZ does not provide an alternative to urban sprawl and instead will create a vast blanket of single-use suburban development. While that development pattern has long been included in the Manatee County Comprehensive Plan for Lakewood Ranch to the north, the Sarasota County Plan has taken a very different approach for decades. The VTZ clashes with the Sarasota County Plan and is clearly inconsistent with the development pattern of the 2050 Plan.

It is possible to revise the amendment such that it avoids or mitigates the characteristics of urban sprawl by sending the amendment back to the drawing board for additional work.

7. Reduced Open Space in VTZ versus Hamlet

Proposed Policy VTZ 3.1 provides for the dedication of as little as 43% of the subject property as open space. Allowable uses in the open space would include features such as native habitat, agriculture, necessary components of VTZ development such as stormwater facilities and non-potable water storage, and communication towers.

On the other hand, development as a Hamlet would require 60% open space and development in the open space is more narrowly defined to support environmental goals by preserving important environmental features, connections and functions on site.

The reduction in the extent and quality of open space is contrary to the fundamental purpose of the 2050 Village/Open Space RMA and leads to inadequate buffering and separation of VTZ development from proximate rural lands thus exacerbating land use incompatibilities.

The subject property includes agricultural land as well as native habitats such as pine flatwoods and oak hammocks, about 18% of the site or 700-acres lie within the 100-year floodplain, the applicant's land use/land cover map show a pattern pocketed wet areas and drainage ways.¹³

An open space requirement commensurate to a Hamlet would improve buffering and land use separation thus improve land use compatibility and allow for greater protection of native habitat and flood prone areas.

¹³ Applicant's May 2022 Environmental Assessment

8. Lack of Design Standards in VTZ verses Hamlet

Hamlets are the subject of several design requirements while the VTZ is vague. For example:

- a. The preferred scale of a Hamlet is 50 to 150 residential units with a maximum of 400;
- b. 60% of a Hamlet must be open space including a 500' wide greenbelt to preserve native habitats, supplement natural vegetation and protect wildlife;
- c. Each Hamlet must have a public / civic focal point such as a park;
- d. The majority of housing must be within walking distance or ¼ mile radius of the neighborhood center with the higher densities closer to the center; and,
- e. Include a range of housing types that supports a broad range of family sizes and incomes.

The proposed VTZ does not include any similar “smart growth” requirements intended to mitigate the negative impacts of urban sprawl and instead only generally refers to a development pattern similar to existing Lakewood Ranch development in Manatee County. In particular, the proposed description of the VTZ RMA category states “The VTZ is further intended to incorporate the development form and principles of the existing community of Lakewood Ranch of which the VTZ will form a part.” What that means exactly is anything but clear, the provision fails to provide a meaningful and predictable standard for the use development of land.

9. A Future of Roadway Congestion

The CPA 2022-B application includes a Transportation Impact Analysis that projects a bleak future for Fruitville Road. The analysis indicates the roadway segment between Sarasota Center Boulevard and Lorraine Road is currently operating below the adopted

level of service standard. By 2045 multiple segments of Fruitville Road will operate below the level of service standard including from Lorraine Road to the future Bourneside Boulevard at the VTZ.

To accommodate background and VTZ traffic while maintaining level of service it would necessary to six-lane Fruitville Road from I-75 to Lorraine Road and four-lane Fruitville Road from that location to Bourneside Boulevard; however, there is no planning or funding sources identified for that purpose.

It is clear that Fruitville Road already suffers from congestion and, with or without the VTZ, is subject to a mismatch between future traffic growth and future roadway capacity. The congestion will only be worsened by the additional traffic resulting from an increase in residential density from 1,648 to 5,000 units within the VTZ without internal capture to intercept trips to shop and work.

Not only will this adversely impact the entire northeastern portion of the county on a day-to-day basis, including essential travel by rural residents and agriculture, Fruitville Road serves as a state hurricane evacuation route.

10. Endorsement of Additional Third-Party Review by Richard Grosso

I have reviewed the correspondence submitted by Richard Grosso, on behalf of the Miakka Community Club, to Sarasota County dated July 15, July 26 and August 13, 2022. While Mr. Grosso's analysis is from a legal perspective and my own review is that of a planner, our concerns closely parallel. For brevity I will not repeat his findings about the internal consistency of the VTZ with existing Plan policies. I endorse his conclusions and findings.

11. Professional Background and Experience

I have worked in Florida for 44-years as a professional planner in the areas of growth management, land use planning, environmental planning, land use regulation, zoning, and site planning. I have been a member of the American Institute of Certified Planners since 1988; in 2011, I was inducted as a Fellow for outstanding contributions to the public interest, the highest achievement available at a national level.

At the local level of government, I served as Chief of Long Range Planning and Manager of Planning for Collier County during preparation of the 1989 Growth Management Plan. As Lee County's Zoning Manager, I presented over 300 re-zoning requests to the Board of County Commissioners. I have represented public and private sector clients across Florida on behalf of major consulting firms including service to Sarasota County during preparation of a Joint Planning Agreement with Venice and Northport and the county's school concurrency program.

For 17-years I served as a senior state official with the Florida Department of Community Affairs (including five years as Bureau Chief for community planning and four years as the Division Director for Florida's growth management program) overseeing implementation of statutory planning requirements on a statewide basis. During this time, I participated in the preparation of legislation for Optional Sector Plans and Rural Land Stewardship areas and subsequent implementation of the large-scale planning in numerous counties. As a state official I served as a liaison to Sarasota County during the inception of the 2050 RMA.

For the past eight years I have provided expert planning services as Charles Gauthier, FAICP, LLC. My clients have included counties, municipalities, homebuilders, industry,

Charles Gauthier, FAICP, LLC
Sarasota County CPA 2022-B
August 25, 2022

community associations, individuals and landowners, and public interest groups. I have provided services in Walton, Bay, Alachua, Lake, Hernando, Pasco, Pinellas, Martin, Palm Beach, Broward, Monroe, Hendry, Lee, Collier and now Sarasota Counties.