

# CONTROL GROWTH NOW

# News

## Save Sarasota County



July 4, 2005

Formerly GEO, the Growth-restraint and Environmental Org.

Vol. 16, No.2

**RENEW  
OR SIGN  
UP A  
NEW  
MEMBER**



**PLEASE  
DO IT  
TODAY!**

**IN NUMBERS  
THERE IS  
STRENGTH**

**Return  
Card  
Enclosed**

# HOG WILD!

## Planners Push Pro-Growth Agenda

Sarasota County faces massive problems from the growth already allowed by its Comprehensive Plan.

Planners project grid-locked roads, water shortages, insufficient schools and other short-falls in the facilities needed to serve just the growth now on the books.

It is therefore alarming that County planners now propose to dramatically weaken controls on growth at a time when growth controls should instead be strengthened.

Planners have offered a package of proposed amendments to the County Comprehensive



Plan. They are now being considered by the Planning Commission and will then go to the County Commission for final hearings and votes.

The Comp Plan amendments would breach the urban growth boundary, increase densities, gut neighborhood protections, eliminate constraints on

urban expansion, promote traffic congestion and subsidies for development, weaken standards for commercial development and approve dozens of site-specific intensifications of land use throughout the County without any traffic studies, neighborhood workshops or other data and analysis.

Overgrowth on top of overgrowth.

### Site-Specific Land Use Intensifications

County planning staff is presenting 31 Future Land Use Map changes proposed by private property owners and developers and 46 such

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# Control Growth Now News

Is A Publication Of  
Control Growth Now

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(Mon-Fri 9-5)



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## President's Message



### GOOD GROWTH

This issue of the *Control Growth Now News* is full of reports of bad growth being proposed by local government planners — growth that would overcrowd our roads, disrupt neighborhoods, crowd classrooms, deplete water supplies and harm the environment. We will continue to oppose that kind of growth and anticipate some successes as we make our points with the politicians and the public.

There is, however, at least one type of growth that we need.

That's growth in the membership of Control Growth Now.

With this issue, you are receiving one of two things. If you have just a membership card and return envelope, your cover letter will tell you that your membership renewal is overdue and is greatly needed now. If you receive a membership card, envelope *and* an extra newsletter, the letter thanks you for having renewed your membership and asks you to find one new member to sign up with Control Growth Now.

Either way, we hope that you will work with us in growing out membership, to increase our clout in affecting public policy, for as they say, "In numbers there is strength." Also, of course, the more the merrier in our membership events, such as our annual luncheon banquet or picnic.

Please help us with our good growth, by either renewing or signing up a new member. Please do it today. Together we can do much for a better tomorrow.

President, **Control Growth Now**

changes proposed by staff, generally to increase the density and intensity of land use on parcels throughout the County. They generally would increase traffic congestion and in many cases would create commercial, office or multifamily density intrusions into single family residential areas.

While the Planning Commission has spent hours talking about how to promote "affordable housing", several of the amendments would replace more modest priced homes with commercial and office development.

Very significantly, there has been no notice to or involvement of the affected neighborhoods. Residents could find the future of their community changed dramatically and forever without knowing anything about it before it is too late.

Even worse, these proposals come without the studies and staff reports on the impacts on traffic, the environment, utilities, school capacity and other considerations, as is usually done with land use revisions and is required by law as adequate "data and analysis".

None of these proposed changes are required by law. Accordingly, the County should decline to consider these amendments, leaving them to be pursued separately after appropriate neighborhood workshops and other planning, including studies of impacts on traffic, the environment and other considerations.

### Goodbye Urban Growth Boundary

Staff has proposed that dozens of parcels outside of the Urban Service Boundary be changed from Rural or Semirural land use (one unit per five or two acres) to a density of up to five units per acre, provide that 50% of the units be built as "affordable housing" (which is defined as including moderate incomes).

The proposed new urban parcels are east of the Interstate, north of Palmer Boulevard, east of the northernmost part of the Bee Ridge Extension and some distance south of Clark Road. The new urban area would not be a uniform extension of current urban areas but instead would constitute a collection of pockets of land, some unconnected to others, in a classic pattern of urban sprawl.



Under the parcels creating these pockets, other land could be added by amendment to the Future Land Use Map, so long as it has access to a major road, is within a half mile of adequate water and sewer lines, is outside flood zones, is at least ten acres and is not in a Sarasota 2050 Village or Greenway.

Significantly, staff has determined that no new urban land needs to be added to the Urban Service Area in order to meet demand for the next ten years according to official state estimates. That is without even considering any of the massive new urban development allowed under Sarasota 2050!



Further, allowing new urban development beyond the existing Urban Service Area would be

a betrayal to the public of the premise of Sarasota 2050, which was to allow urban Villages east of the Interstate instead of otherwise extending urban development to the east. Now, County staff proposes to do both!

The recently-approved Sarasota 2050 scheme opens up enough new urban land through rural "Villages" to accommodate projected population for almost 50 years (although all unwisely allowing most of it now).

Also, County planners estimate that existing platted lots and developments in the present unincorporated urban area are sufficient to meet 105% of demand over the next ten years. The supposed shortfall at 85% of demand touted in a June 23 *Sarasota Herald-Tribune* article was based upon counting only the lots platted within the past ten years.

Even more significantly, this does not include any of the many recent and planned rezonings which have not yet been platted. With that, and the large increases in development within the cities of North Port and Sarasota, there is plenty of capacity for projected growth well into the future, even without all the capacity added by Sarasota 2050.

County staff and others have already projected that existing and planned roads will be insufficient to handle projected traffic, that water demand exceeds planned water supply, that classroom space will be insufficient and that otherwise we are not expected to keep up with even the growth allowed on the books today.

In the face of that scenario, it would be the height of irresponsibility to extend the urban area to allow hundreds of additional houses on top of those allowed today.

We need more control of growth, not less.

### Annual and "Small Area" Expansions of Urban Growth

Since it began, the Sarasota County Comprehensive Plan has called for the County to determine every seven years (during the state-mandated EAR cycle) whether there is enough urban land to accommodate ten years of growth in the County as a whole as projected by the "medium" range of official state estimates (by the University of Florida Bureau of Economic and Business Research, or BEBR). If not, the Urban Service Area is expanded or other means are taken to accommodate that expected growth.

Now, however, staff proposes to delete that Policy 2.3.1 (as being "too detailed for Comp Plan policy") and to replace it with a requirement that the County monitor the adequate availability of urban land on an annual basis, including by "small area analysis", without any reference to the state population projections or any other standard to guide or limit urban expansions.



This loosey-goosey approach opens the door to the County expanding the urban area or densities in any part of the County at any time, on the reasoning that more growth should be allowed in that part of the County, based on more liberal population projection estimates than the medium state projections, such as by project-

ing forward the past ten years of building permit history, as the County did to justify Sarasota 2050. Because permits include sales to speculators as well as to residents, and for other reasons, that so-called "methodology" greatly inflates the amount of new growth that can be allowed.

The present Policy 2.3.1 should be retained, but modified to add to the second sentence the potential capacity allowed under Sarasota 2050, to be counted before considering any further expansion of the Urban Service Area. If the proposed change is made, it at least should be modified to delete the reference to "small area forecasts" (so that the adequacy of capacity in the County as a whole is considered) and to restore the requirement to use medium-range BEBR forecasts, which former chief County Long Range Planners Rick Drummond and Dennis Wilkison have both praised as having proven "remarkably accurate".

### Gutting Neighborhood Compatibility

Presently, Policy 1.2.1 of the Plan requires that the Board of County Commissioners mandate step-downs in building heights, larger lot sizes, reduced density and intensity and other means in a new development as needed for neighborhood compatibility.

Amazingly, staff has proposed that this be changed to reduce building heights and density and intensity and increase lot sizes only "at the perimeter" of the new development. Under this, only the very edge of the new development would need to be compatible with surrounding land uses and the rest of the property could go hog wild.

Also, Policy 1.2.2 now requires that the County discourage land uses in amounts which would "adversely affect traffic flow, traffic control and public safety."

Staff would water this down to apply only to "non-residential" land uses (so that adverse traffic impacts from increases in housing densities would be exempt) and to allow the adverse impact if it can be "mitigated" (a dangerous phrase which allows much mischief).

These two changes should be deleted, to preserve present protections for neighborhoods and the affected public.

### Commercial Sprawl Instead of Office Parks and Industry

Various policies under Objective 3.4, including in particular Policy 3.4.4, are proposed to be amended to delete the limits on commercial development in Major Employment Centers, which are designated in the Plan for office parks and industry.

Among the limits to be deleted are requirements that commercial uses be "located and oriented internally", be no closer than 300 feet from a plan boundary and constitute no more than 5% of the planned area.

This would allow all of the vast areas designated "purple" on the future land use map, for office parks and industry, to instead be treated as if they are "red", for commercial centers, thereby allowing more and more massive malls and big-box stores, in other words commercial sprawl.

Sarasota County has little enough land designated for office parks and industry, the type of high-wage businesses favored by the Economy Chapter of the Comprehensive Plan. That land should not instead be designated for low-wage, traffic congesting commercial development (which developers prefer) by the proposed amendments.

**Gridlock, Subsidies and Relaxed Regulation for "Redevelopment"**

Policies 4.2.1 and 4.2.3 would be amended to promote "redevelopment" (that is, the more intense development of existing urban areas) by regulations that are "flexible rather than specific", by an "adopted



lower level of service" (that is, weaker concurrency standards that allow increased traffic congestion and other excessive impacts on facilities), by tax subsidies "to fund

redevelopment" and by "impact fee redevelopment incentive zones" (so that growth does not have to pay its own way even to the inadequate extent the County now requires).

Why invite increases in the intensity of development at the public expense, in terms of either dollars, excessive traffic congestion or reduced regulatory scrutiny? These changes should be deleted.

**Weakened Commercial Development Standards**

In what is hopefully a drafting error, staff has eliminated the requirement for certain "support populations" within a stated radius prior to approval of various sizes of Commercial Centers. The radius is still there, but the table of support population is omitted.

Clearly, it should be restored, or it will be up to the "creativity" of developer consultants to state how many shoppers are need to justify a new commercial development. Instead, the present objective standards should be retained.

Also, the amendments would open up uncontrolled commercial development in rural areas by providing that rural and semirural areas outside of the support radius may be added, without any limit on how much of that land may be included to justify the stores. That should be deleted.

**"Form Based" Development**

Policy 5.1.2 would be added to promote a "form based approach to development." This is the catchphrase of pro-growthers, often heard from them to justify a proposed growth or development scheme because of its "form", regardless of need from population projections and regardless of traffic and other impacts. It should be deleted.



**"AFFORDABLE HOUSING" GIVEAWAYS VIOLATE PUBLIC INTEREST**

As part of their proposed amendments to the Comprehensive Plan, County Planners have proposed dangerous amendments which would reduce controls on growth in the name of promoting "affordable housing".

In policy after policy, the amendments would require the County to "facilitate" residential development by maximizing densities and building heights, reducing regulations, increasing traffic congestion (by a concurrency exception), providing public financial incentives and subsidies and providing "predictable" approvals (in other words, weak reviews), on the apparent theory that the more housing that is built the more likely it will be "affordable".

The Planning Commission has rejected the traffic exception and wants to tie any density increase only to developments that provide some "affordable housing".

The latest proposal is to grant a 25% density increase (for example, up from 13 units per acre to more than 16) to any development with at least 15% "affordable housing". However, even that gives away far too much for far too little gain in the public interest.

The amendments would define "affordable housing" as affordable even to those of moderate incomes, which still provides a fairly high housing price when measured in a community of high median income. Also, there is no guarantee that the "affordable" dwellings would remain affordable after the first sale. On the other hand, the huge 25% density increase would be permanent, as would the traffic and other problems it would create.

This proposal comes despite a recent public opinion poll by the County government itself showing that the public by a wide margin opposes increased densities to promote affordable housing. Apparently, the Planning Commission doesn't think that the public knows what's good for them.

The one proposal by Planning staff which did make sense was to actually require that each development include a certain percentage of affordable housing, without a density give-away. This is called "inclusionary zoning" and exists in various areas around the country, most recently in Martin County, on Florida's east coast.

Inclusionary zoning seeks to correct the market mix that the developers and builders have skewed towards expensive housing because it has the highest profits. It goes directly to the source of the problem and corrects it, without adverse impacts on the public.

However, the Planning Commission -- after protests from developers -- voted to strike the inclusionary zoning policy from the amendments and to instead merely "encourage" developers to build affordable housing and to grant them big concessions to sensible growth limits if they do.

The Planning Commission also voted to add a policy calling for a referendum by 2006 to provide a "dedicated funding source" -- in other words a tax -- to promote affordable housing. This proposal deserves strict scrutiny to be sure that the public will not be asked for more taxes to subsidize more development, particularly if the "affordable housing" would not be permanent and if it is part of a package of give-aways of the public interest to developers.

## **ENVIRONMENT UNDER ATTACK**

The Sarasota County Commission will also consider amendments to weaken the Environment chapter of the Sarasota County Comprehensive Plan.

Developers are pushing a scheme to allow them to destroy on-site wildlife habitat in return for off-site "mitigation" on distant rural lands, such as the removal of maleleuca trees.

This horrible idea would remove natural features from urban development in order to maximize the density and intensity of development and thereby increase developer profit. If the developers succeed, our communities will be all that more paved-over and diminished as a result.

At present, Policy 5.5.1 of the Environment Chapter states that any required open space shall be filled with any protected habitat preserve. The amendment would change that to allow off-site mitigation instead of preservation.

At a May 18 Planning Commission developer Henry Rodriguez stated, with regard to the habitat now protected by Policy 5.5.1, "Maybe this habitat needs to be sacrificed in order to provide affordable housing." He also stated that the native habitat protection required by the policy improperly interferes with other goals of the County, such as "social interaction" and

"urban infill."

***"Maybe this habitat needs to be sacrificed in order to provide affordable housing."***

***— Developer To Planning Commission***

At the same hearing, a developer consultant promoting the amendment said, "Sure we want habitat but we want urban, civic habitat, human habitat," so the County needs to be "flexible when it comes to planning the human habitat."

Speaking for Control Growth Now, Dan Lobeck objected to the proposal, observing that the human habitat is enriched when its development preserves the natural habitat and coexists with it rather than destroying it and trying to replicate God's work (rarely, from experience, with success) in areas far from where developers find it profitable to build.

Control Growth Now also objects to staff's proposed deletion from the Environment Chapter of statements listing the economic benefits of preserving environmental land (including the observation that growth does not pay its own way), observing that growth will worsen an existing hurricane shelter shortage, and linking growth to air pollution.

That latter statement reads, "The impact, extent, and form of future growth should be considered to determine what effect it would have on local air quality. Land use patterns and transportation systems should be compatible with the desired level of air quality."

The amendments now acknowledge that air pollution in Sarasota County has worsened since the last Comp Plan update. Previously the text stated that the air quality is considered good and has not exceeded EPA standards. The new text states that the air quality is "typically" good but has registered "unhealthy" by EPA standards "on occasion". The new text also now states for the first time that motor vehicles are "the major source of air pollution in our area."

To acknowledge that air pollution from motor vehicle traffic is getting worse and unhealthy and then to delete the call to control growth as needed to maintain air quality would be worse than irresponsible. It would be an acknowledgement that the County no longer cares.

Control Growth Now also objects to proposed amendments to the Environment Chapter which would delete

the prohibition of deep well injection of treated wastewater whenever reuse can be used instead. Studies have shown that deep well injection of wastewater is very risky due to the uncertain condition of the substrata, which could allow migration of wastewater into potable water supplies. Even treated wastewater may contain material, such as viruses and pharmaceuticals, which may pose health hazards if ingested. That is why warnings are often posted at golf courses warning against ingestion of effluent irrigation water.

Control Growth Now also objects to other amendments which would weaken the County's policy on shoreline hardening because of evidence that such hardening not only destroys the environment but also increases erosion on adjoining properties, eventually leading to a shore of seawalls instead of sand, such as has occurred in New Jersey.



**Will Growth Pay Its Way?**



Despite soaring real estate values and profits, the Sarasota County Commission refuses to adjust impact fees as needed to make growth pay its own way.

Road impact fees remain below what they were 14 years ago, even though road construction and land acquisition costs have increased dramatically, and developers seek new cuts through new "credits". As a percentage of sales price, impact fees today are a scant fraction of what they were years ago.

Despite proposals over many years, there are still no local impact fees for law enforcement, administration facilities, courts and jails. An annual update and increase in the school impact fee remains overdue. Sarasota County's impact fees are falling far behind those of Manatee County, Collier County and other areas.

Inadequate impact fees may please the politically powerful development industry. For the public, however, they mean higher taxes or inadequate facilities or both.

**Sarasota Promotes Gridlock**

The Sarasota City Commission will also soon consider its own proposals to weaken its Comprehensive Plan to allow even more growth and development than allowed today.

The amendments would further increase commercial and office intrusion into residential areas, expand the area in which densities can quadruple to 200 units per acre and further weaken traffic standards for new development.

The traffic measure would eliminate concurrency in over a square mile of the City and replace it with measures which pretend that minibuses, water taxis and staggered work hours will adequately address the gridlock created by unrestrained development.

The City Commission will hold its public hearing on these proposals on August 8 at 6pm.

**Jim Ley Lays The Blame: On You!**



Sarasota County Administrator Jim Ley made it clear at a recent Tiger Bay meeting who he believes is to blame for the County's traffic congestion and other problems: its you and your fellow citizens for driving too much

rather than riding buses and not taking other "personal responsibility" for your conduct. That prompted Council of Neighborhood Associations leader Bill Zoller to retort that its not the people who are at fault, its Ley and other County leaders for failing to listen to the public when we demand more controls on growth.

This followed an earlier Tiger Bay meeting when Ley, responding to a question from president Marge Baldwin about how he answers citizen concerns about traffic congestion and developer subsidies, said, "Congestion and subsidies are selfish words that have no part in planning for the future of our community."

# Send Them A Message

## Your Voice Can Make A Difference

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**CONTROL  
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NOW**

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**Yes,** I agree: Sarasota County should get a better grip on growth.

*Please sign me up as a member of*



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