

ATTACHMENT 5
SUPPLEMENTAL STAFF REPORT
Dated March 18, 2014

**SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) POLICY REVISITED
SUPPLEMENTAL STAFF REPORT**

SUBJECT:	Consideration of Sarasota 2050 RMA Policy Revisited – Second Phase
MEETING DATE:	March 18, 2014
PREPARED BY:	Planning and Development Services Department, Long Range Planning Division, Zoning Administration Division, Natural Resources Department

PURPOSE

This report shall serve as a supplement to the staff report presented to the Planning Commission dated January 16, 2014. This supplemental staff report presents background information and recommendations responding to 6 comments raised by the Planning Commission at the January 16, 2014 public hearing on the second phase of the Sarasota 2050 RMA Policy Revisited effort.

BACKGROUND

The Planning Commission recommended approval by a 7-1 vote of both CPA 2013-H and ZOA No. 80 as presented with the request that staff take into account the Planning Commission comments made at their January 16, 2014 public hearing, and provide the Board with said comments for their consideration.

The Planning Commission comments included the following 6 items:

1. Correct certain typographical errors within the staff report.
2. Consideration should be given to allowing all ‘lakes’ to qualify as Open Space.
3. Consideration should be given to increased incentives for ‘lakes’ that are designed with extras such as public access.
4. Consideration should be given to allowing the market study to determine the mix of uses within the commercial area.
5. Consideration should be given to allowing all Greenways to qualify as Open Space.
6. Consideration should be given to allowing Golf Courses to qualify as Recreational Space.

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I. Typographical Corrections

Planning Commission Comment: Correct certain typographical errors within the staff report.

A. Specifically, on page 10 of 138 within the staff report under ‘Rental Units’, a correction is needed for the strike through of the word ‘unit’ under no. 1 and the elimination of the word ‘and’ under subparagraph (i).

B. Additionally, the cited policies within the issue report NU-7 on walk-ability need to be consistent when referencing ‘housing units’ and not substitute it with ‘housing’.

C. The references to golf courses within issue report NU-18 on Village Size using ‘best management practices’ should be consistently capitalized if it is a defined term.

Staff: The typographical corrections have been made. The references to ‘housing units’ and ‘housing’ within issue report NU-7 are within existing policy language which can be revised to be consistent. The reference to golf courses ‘best management practices’ is within existing policy language that can be revised due to it being defined by the Golf Course Ordinance No. 2003-069 which is referenced within the code.

II. Lakes as Open Space (Issue OS-4)

Planning Commission Comment: Consideration should be given to allowing all ‘lakes’ to qualify as Open Space.

Staff: It is recommended that the size restriction on a lake be removed. While the Commission discussed qualitative criteria such as public access and recreation, they did not include this type of criteria in their recommendation.

Background

The 50-acre size requirement is based on existing policy being carried forward for consistency rather than a specific quality or attribute that is only applicable to lakes of that size or greater. Smaller lakes may serve the overall goals of open space creating “formal and informal gathering places to be physically active, socialize, relax, build community, and connect with the natural world.” (APA, 2013). However, as size decreases, they may become so small that attaining these goals is no longer possible. Additionally, there may be incompatibilities between the public and private uses of the lake. Allowing lakes as Open Space will likely reduce the amount and effectiveness of other areas set aside as Open Space. This is of most concern where there are environmental objectives such as protecting native habitats, ensuring a wildlife corridor, or establishing a substantial open space network. Counting lakes as open space will limit and possibly negatively affect the ability to achieve these environmental objectives as well as other open space objectives (e.g. maintaining the rural character of the land).

As part of the development review process, all development proposals are required to use the Context Sensitive Site Design standards in Section 11.2.9.c.5. These standards establish prioritized objectives given to different types of Open Space. Specifically, environmental objectives such as protecting listed species, creating/enhancing connectivity, protecting native, and restoring native habitat are given the highest priority. Other allowable Open Spaces are given secondary priority and include viewshed protection, recreation, and historical and cultural resources. If the Context Sensitive Site Design standards are met first, lakes could be counted as

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Open Space without conflicting with the intent of environmental aspects of 2050 Open Space. Outside of environmental protection, there are other benefits of Open Space which includes the existing character of 2050 lands. Allowing lakes to count as Open Space will limit the ability to maintain rural Open Space and is a matter of policy that should be considered by the County Commission.

In consideration of the Planning Commission's recommendation, the Board may find that there should be no minimum size for lakes when a development has met the standards for Context Sensitive Design first. The Board may also find that all lakes should count as open space regardless of whether they incorporate public edge and access. However, without these qualitative standards, backyard stormwater ponds that are typical to suburban development will likely occur. This is inconsistent with several 2050 objectives and policies designed to create large expanses of Open Space. Therefore, the existing language regarding public edge and access is retained in the draft language to support these existing goals.

Conclusion

So long as the Context Sensitive Site Design standards in Section 11.2.9.c.5. are met first, staff recommends allowing lakes as open space, regardless of size. To clarify existing requirements, proposed language recommends linking the Context Sensitive Site Design standards with Section 11.2.5. relating to Open Space uses including lakes.

Zoning Regulations

Section 11.2.5.h. Open Space Uses.

1. *Open Space Permitted Uses.* [The context sensitive design standards in Section 11.2.9.c.5 must be met prior to fulfilling Open Space with the permitted uses below.](#)
Protected native habitat areas as described in Section 11.2.9.c.5, within the Open Space, shall not be converted to other uses, but shall be maintained in their natural condition and managed to sustain or enhance their native function. These areas may be modified to restore the overall condition and natural functions of the features. Except as limited by subsections 2. and 4. below, permitted uses within Open Space may include the following:
 - i. Publicly and privately owned open space and recreation areas, including bike paths and trails;
 - ii. Public and private natural areas and wildlife management areas;
 - iii. Existing Agricultural uses;
 - iv. Low-Intensity Agriculture;
 - v. Agriculture that uses Best Management consistent with the most current policies developed by the appropriate and applicable State Agency;
 - vi. Golf courses that use Best Management Practices as adopted in Sarasota County Ordinance No. 2003-069;
 - vii. Regional stormwater facilities, however, a maximum of ten percent of the total open space requirements are permitted to be fulfilled by regional stormwater facilities;
 - viii. Wetland mitigation areas;
 - ix. Linear Facilities within the Settlement Area;
 - x. Existing Public Utilities within the Settlement Area or necessary to serve the immediate Settlement Area;

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- xi. Minor Utilities; and
- xii. Man-made lakes ~~subject to the following criteria: are permitted in the Open Space area when at least 25 percent of the shoreline is a public edge, and public access is allowed that is at least equivalent to the access provided to private landowners around the lake.~~
 - ~~(a) — Lakes greater than 50 acres within land designated for Village land use located north of Fruitville Road are permitted in the Open Space area when at least 25 percent of the shoreline is a public edge, and public access is allowed that is at least equivalent to the access provided to private landowners around the lake; or~~
 - ~~(b) — Lakes that meet the following:
 - ~~(1) — A maximum of 15 percent of the total open space requirement is permitted to be fulfilled by lakes; and~~
 - ~~(2) — Are part of an otherwise permitted use (e.g., recreation area, etc.). The extent to which a man-made lake may be counted as a recreation area shall be determined through the rezoning process and the Master Land Use Plan. The applicant shall be required to demonstrate that the lake will function as a recreational amenity for the development.~~~~
 - ~~(c) — Lakes located outside the Developed Area of the Settlement Area Overlay.~~

III. Increased incentives for lakes as Open Space

Planning Commission Comment: Consideration should be given to increased incentives for ‘lakes’ that are designed with extras such as public access.

Staff: The existing recommendation already allows lakes designed with public access to be counted as Open Space. This is the incentive as further evaluated within Section II of this report.

IV. Mix of Uses determined by Market Study (Issue NU-3)

Planning Commission Comment: Consideration should be given to allowing the market study to determine the mix of uses within the commercial area.

Staff: No change in recommendation. The proposed staff amendment decreases the minimum percentage and increases the maximum percentage, by land area, of each specified use within the Village Center. This Increase in the minimum/maximum percentage range of each use is intended to be less prescriptive and allow the market to more directly determine the mix of uses. Increasing the percentage range of the specified uses further may effectively eliminate the requirement for a mix of uses within the Village Center. Issue report NU-3 on Mix of Uses within the January 16, 2014 remains fully applicable.

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V. Greenways as Open Space (OS-5)

Planning Commission Comment: Consideration should be given to allowing all Greenways to qualify as Open Space.

Staff: It is recommended that Greenways be counted towards Open Space when implementing specified improvements and objectives as evaluated within issue report OS-5 on Greenways as Open Space and supplemented by this report.

Background

The Sarasota 2050 RMA Policy Revisited effort is to be pursued while maintaining intended outcomes and fundamental values of 2050 Policy. One of the most significant aspects of Sarasota 2050 RMA Policy is that it makes it possible for urban development to occur east of the Urban Service Boundary (USB) at a density that is 750% or greater than currently allowed. However, it only allows this intensification of land use if it is carried out in a compact, mixed-use form that respects and enhances the existing rural environment and does not add a financial burden to the County.

Therefore, 2050 Policy stands on these three main principles:



Maintaining the integrity of 2050 Policy requires that development east of the USB maintain these three main principles. However, of these three main principles, it is the open space principle that carries out a truly significant community wide public benefit. The New Urbanism principle primarily benefits the public that will ultimately reside within the developments while minimizing impacts on surrounding areas, and the Fiscal Neutrality principle is exactly that, it is to be neutral to the existing County population.

Therefore, this evaluation focuses on the open space principle of 2050 Policy.

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Open Space Principle

Simply put, the open space principle seeks to implement an enhanced open space network that maintains the rural character and environmental systems east of the USB.

Open space promotes the intent of maintaining rural character by:

- Establishing a physical distance between Village/Hamlet development and the existing urban and rural development east of the USB; and
- Establishing a physical distance between Village/Hamlet development and the existing major thoroughfares that provide access to the rural eastern portion of the County; and
- Establishing compact urban forms for Village/Hamlet development within a large open landscape that surrounds the development areas.

Open space promotes the intent of maintaining environmental systems by:

- Protecting/improving lands for listed species; and
- Protecting/improving lands that interconnect on-site habitats with off-site systems; and
- Protecting/improving lands for viewsheds, recreation, and historical/cultural value.

2050 Policy implements open space by first protecting those lands mapped as Greenway RMA and then protecting those lands:

- 1) Identified as a percentage requirement of a 2050 project's land area; and
- 2) Designated as sending zones from which residential density for a 2050 Village is derived through the Transfer of Development Right (TDR) program.

1) Open Space from the Percentage Requirement:

The required open space percentage is a major implementation mechanism for open space on-site aimed at maximizing the public benefits of an interconnected open space network. It is required on a graduated scale for each of the 2050 forms of development:

- 50% for Settlement Areas (A reduction to 33% may be allowed if a golf course is not a part of the project.);
- 50% for Villages; and
- 60% for Hamlets (Greenways may count towards the open space requirement per Sec. 11.2.9.b.1.).

These required open space percentages represent a **'raising of the bar'** for development if it is to take place east of (outside of) the USB. This higher standard allows for more public benefit to be accomplished within the open space that is above and beyond the typical levels seen in standard developments west of (inside of) the USB which can typically have 20-30% open space. The percentage of open space is related to the development forms proximity to the USB. The further east of the USB, the higher percentage of open space required.

2) Open Space from Sending Zones:

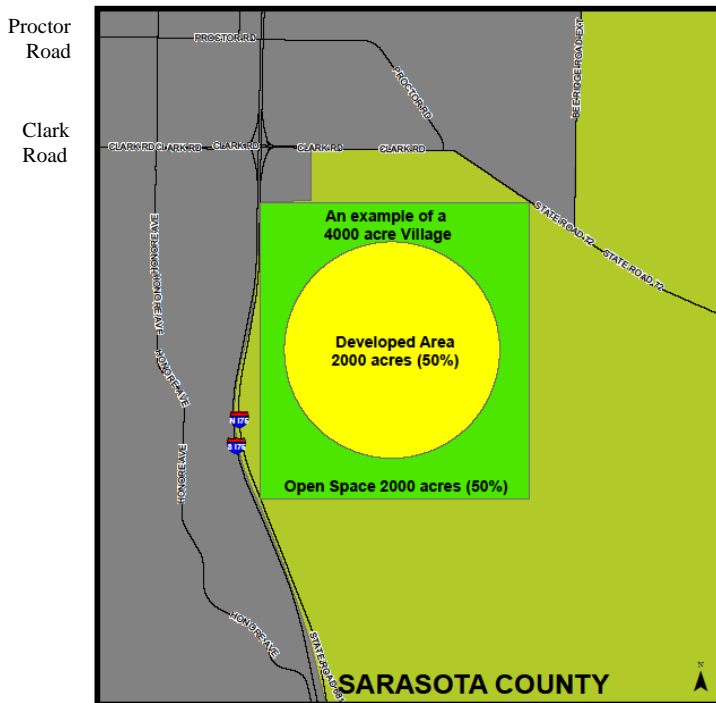
The Transfer of Development Right Policy is an implementation mechanism for open space both on-site and off-site. Sarasota 2050 Policy established a 'Countryside Line' running north-south that generally follows the eastern edge of the Village designations within the Village/Open Space RMA, and generally follows the drainage ways of Gum Slough and Cow-Pen Slough.

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The Comprehensive Plan's Future Land Use Map (FLUM) identifies the residential density Sarasota County has established as the desired level of development intensity on all lands pursuant to their specific land use designation on the FLUM. Primarily, all lands upon which the Village/Open Space RMA is overlaid have a FLUM designation of "Rural." The "Rural" designation allows 1 dwelling unit (DU) per 5 acres or 0.2DU/acre.

According to Policy VOS1.2, "...Development densities greater than the underlying Rural or Semi-Rural densities may only be achieved through the Transfer of Development Rights in accordance with Objective TDR1, TDR2, and the associated polices..."

Scenario A: Existing Sarasota 2050 RMA Policy at minimum on-site open space of 50%



An example of a 4000 acre Village
 Project Gross Area = 4000 acres
 Developed Area (DA) = 2000 acres (50%)
 Open Space Area (OS) = 2000 acres (50%)

Minimum Residential Density Required
 3DU/DA ac.
 6000DUs (2000DA ac. X 3.0DU = 6000DUs)

Residential Density Calculation on-site
 580DUs (2000DA ac. X 0.29DU = 580DUs)
 2000DUs (2000OS ac. X 1.0DU* = 2000DUs)
 2580DUs from on-site

TDRs Required from off-site sources
 3420DUs (6000DUs – 2580DUs = 3420DUs)

Off-site Open Space Protected
 3420ac (3420DUs divided by 1.0DU* = 3420ac)

* - TDR transfer rate can range from 0.57 TDRs per acre to 2.0 TDRs per acre, which will be determined by actual site characteristics/proposed land uses.

Total Open Space Protected
 5420ac (2000ac on-site + 3420ac off-site = 5420ac)

Pursuant to Scenario 'A' above, a 4000 acre property within the Village/Open Space RMA currently would have 800 DUs allowed under the FLUM designation of "Rural" (4,000 gross area (GA) acres x 0.2DU = 800DU). The 2050 provisions grant a residential density of 0.29DU per Developed Area (DA) acre as provided for in Zoning Regulation Section 11.2.3.c. (0.29DU/DA acre). Again, pursuant to Scenario 'A', a 4000 acre property within the Village/Open Space RMA would start with 580 DUs, after calculating the base assignment of density at 0.29DU per DA acre (2000 acres x 0.29DU = 580 DUs). All additional density necessary for a project must be derived by being "transferred" into the Village's DA from two sources:

- 1) From the on-site Village OS area to the Village's DA; and

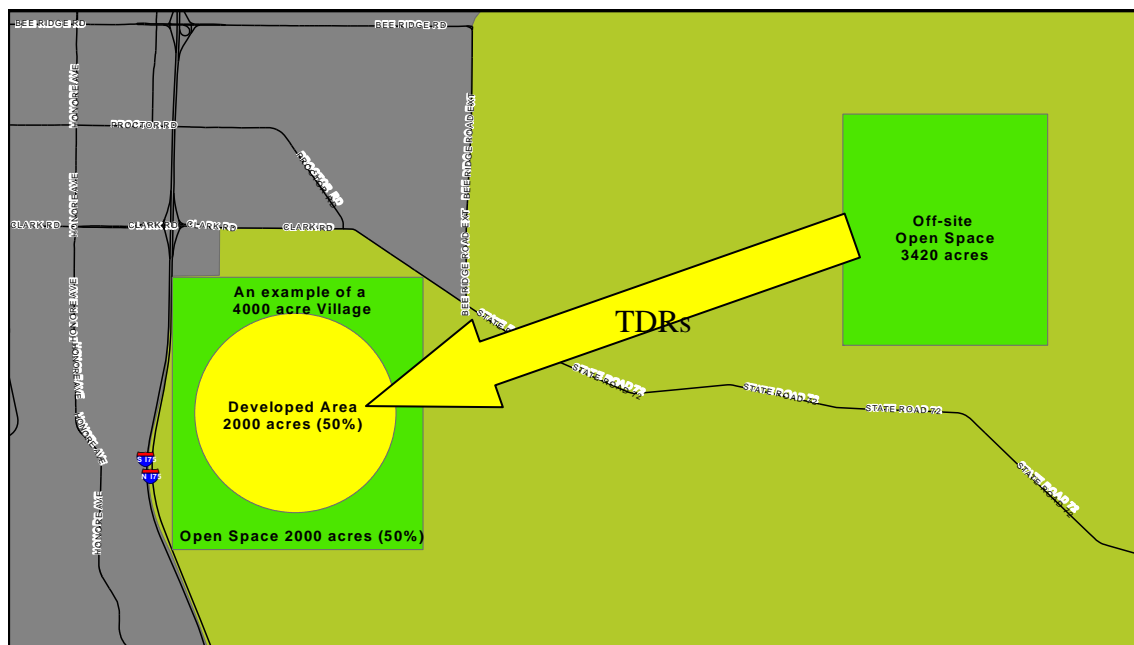
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2) From outside the Village (off-site) Greenway RMA or other eligible sending zones.

A Village must cluster the residential density within the DA at a minimum required density of 3.0DU per DA acre, while maintaining the minimum 50% OS level. Therefore, pursuant to Scenario 'A', a 4000 acre Village requires 2000 acres of DA with 6000 DUs (2000 ac. x 3DU = 6000 DUs). Determining the number of off-site DUs required simply involves calculating those DUs that are derivable from the DA (580DUs) and from the on-site OS, and subtracting them from the 6000 DUs required.

On-site open space DUs are calculated using Table TDR-1 which assigns a TDR transfer rate for various existing and proposed land uses based on the relative value that was placed on the various land characteristics/uses by Policy TDR 1.3. These transfer rates go from 0.57DU to 2.0DU per acre. Using a 'middle of the road' transfer rate of 1.0DU per acre for Scenario 'A', results in 2000 DUs derivable from on-site OS (2000ac x 1.0DU = 2000 DUs).

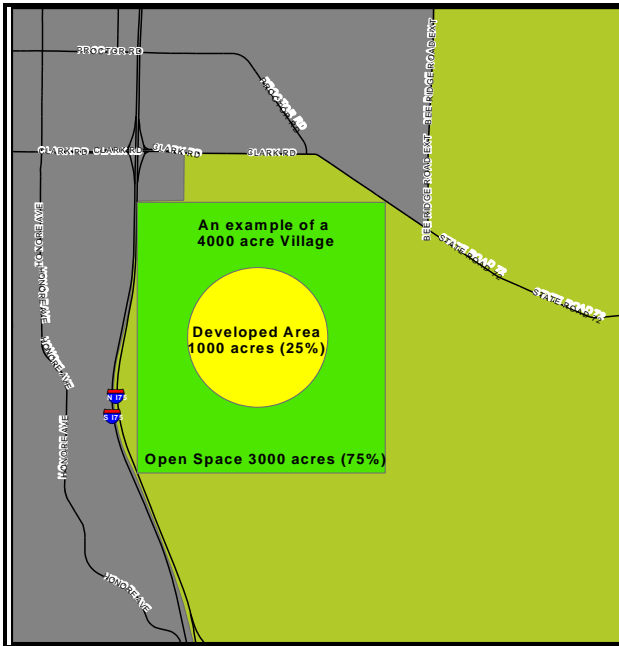
The result is that 3420 DUs are required to be transferred into the DA of Scenario 'A's Village from off-site sources (6000 DUs – 580 DUs – 2000 DUs = 3420 DUs). Using the same 'middle of the road' transfer rate of 1.0DU per acre results in 3420 acres of off-site OS being protected (3420 DUs divided by the 1.0DU = 3420 ac.). The total OS protected in Scenario 'A' is 5420 acres (2000 ac. on-site + 3420 ac. off-site).



It needs to be noted that the purchase of off-site TDRs is not mandatory. If on-site open space acreage is increased, obtaining off-site TDRs is not necessary. The Village/Open Space RMA overlaid properties have sufficient land area to meet minimum density standards for Villages and still realize a significant increase in density above that which is obtainable under the FLUM designation of "Rural". An illustration of how increasing on-site open space acreage removes the need for obtaining TDRs from off-site sources is demonstrated within Scenario 'B'.

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Scenario B: Existing Sarasota 2050 RMA Policy at minimum Developed Area (1000 acres)



An example of a 4000 acre Village
 Project Gross Area = 4000 acres
 Developed Area (DA) = 1000 acres (25%)
 Open Space Area (OS) = 3000 acres (75%)

Minimum Residential Density Required
 3DU/DA ac.
 3000DUs (1000DA ac. X 3.0DU = 3000DUs)

Residential Density Calculation on-site
 290DUs (1000DA ac. X 0.29DU = 290DUs)
 3000DUs (3000OS ac. X 1.0DU* = 3000DUs)
 3290DUs from on-site

TDRs Required from off-site sources
 -0-DUs (3000DUs – 3290DUs = -290DUs)

Off-site Open Space Protected
 -0-ac (-0-DUs divided by 1.0DU* = -0- ac)

Total Open Space Protected
 3000ac (3000ac on-site + -0-ac off-site = 3000ac)

* - TDR transfer rate can range from 0.57 TDRs per acre to 2.0 TDRs per acre, which will be determined by actual site characteristics/proposed land uses.

These scenarios clearly illustrate how the open space principle is accomplished through the percentage of on-site open space required and off-site open space established through the TDR policy structure. Therefore, the open space principle of Sarasota 2050 RMA Policy is met through a choice of obtaining TDRs that establishes off-site open space protection or increasing a projects on-site open space.

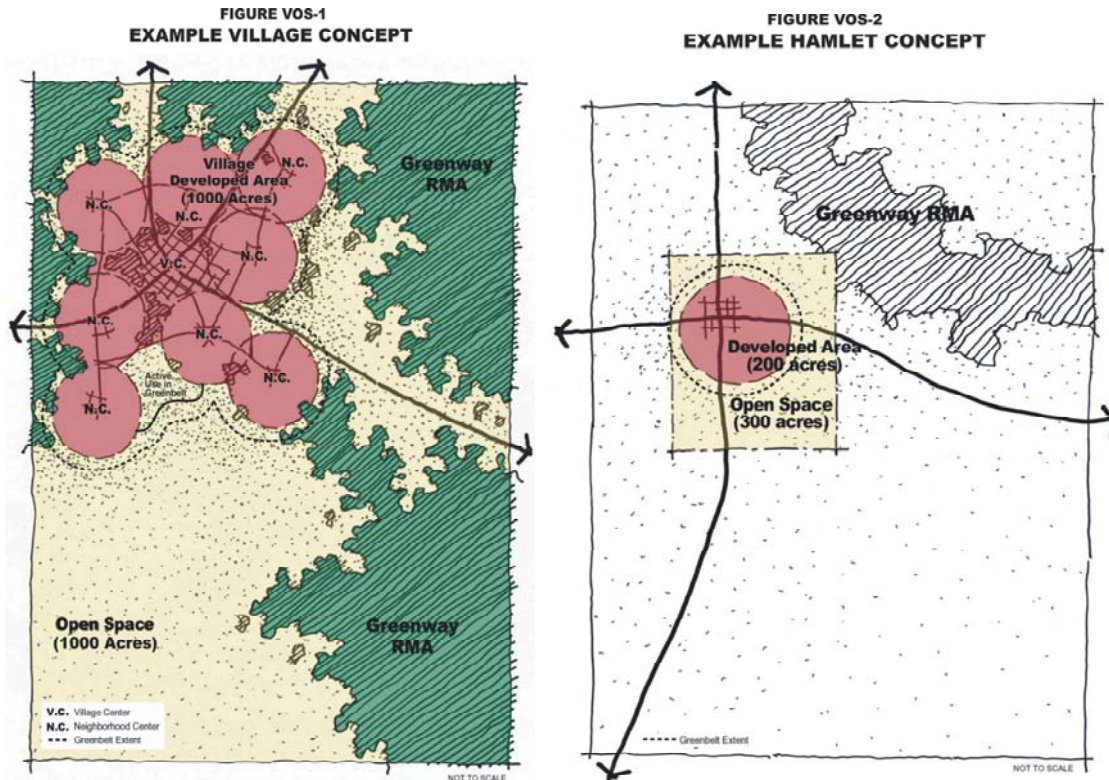
Conclusion

There is a significant level of importance placed on implementing open space with 2050 forms of development. Any adjustment to these requirements must take into account the level of impact that it may have on 2050 policy intended outcomes and fundamental values. Proposed changes that significantly reduce the level of open space required should not be entertained unless they include compensatory elements that enhance the intent of 2050 policy.

The open space implementation mechanisms are utilized to various degrees within each of the 2050 forms of development. It is important to recognize that each of the development forms is intended to carry out a specific location based objective having been mapped. How open space is implemented within each of these 2050 development forms establishes a basis on which determinations can be made on how or if changes to the open space requirements should be pursued.

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2050 Development Forms



The Village form of development (Figure VOS-1 above) is located between the USB and the Countryside Line in the northern portion of the County. Villages are to be a mixed use compact urban form of 2050 development. It is primarily this form of development where Sarasota 2050 RMA Policy encourages the majority of growth to take place. The Village land use is the designation for those lands located between the USB and the Countryside Line identified within Policy VOS2.1(c). Villages utilize both of the open space implementation mechanisms, and currently Greenway RMA is not allowed to be counted toward meeting the open space percentage requirement.

Policy VOS2.1 paragraph (c) states:

“The delineation between Village land use and Hamlet land use...is based on the concept of a Countryside Line, defined as the easternmost boundary of Village land use, as depicted in Figure RMA-3, which supports a community vision to establish a clear transition from urban character west of this delineation to rural character east of this delineation.”

The Hamlet form of development (Figure VOS-2 above) is located east of the Countryside Line, which is along the eastern edge of the Village designated area generally following the drainage way of the Gum Slough and the Cow-Pen Slough. Hamlets are to be more rural in nature. They serve as a transitional land use, from the more urban Villages west of the Countryside Line, to the rural/agricultural eastern portion of the County. The lots are generally going to be larger and the open space consolidated for agriculture. Hamlets utilize both of the open space implementation mechanisms. However, Greenway RMA may be counted towards the open space percentage requirement with Board approval, and TDRs are not derivable from on-site open space.

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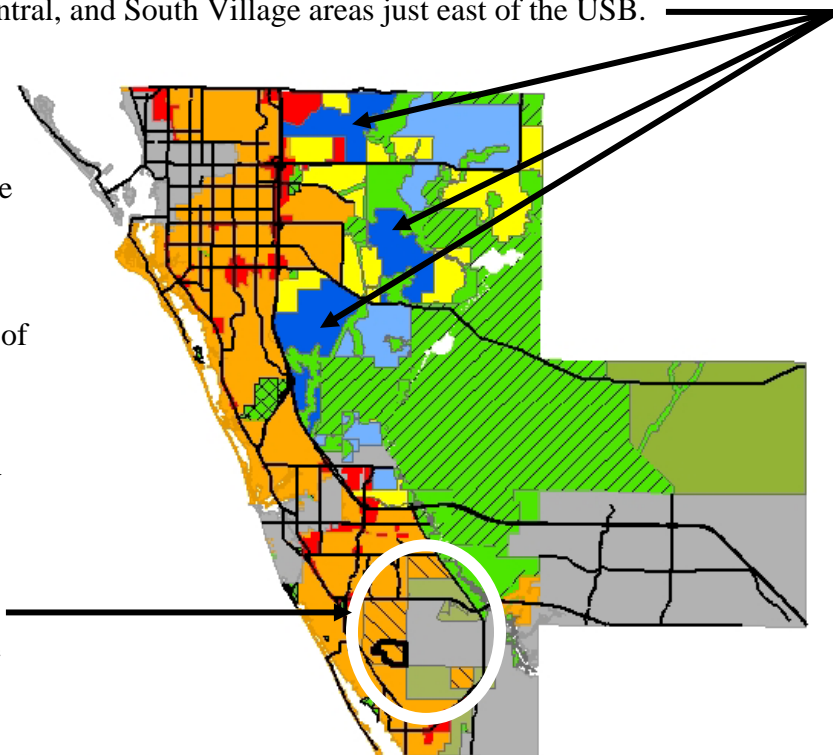
The Settlement Area form of development is located in the Future Urban Area that exists between the existing USB and the Future Urban Service Boundary line depicted on the Future Land Use Map (FLUM) in the southern portion of the County. Settlement Areas are to be an urban form that recognizes the adjacent urban residential development. This form primarily uses the percentage open space requirement implementation mechanism, which may be reduced to 33% if a golf course is not a part of the project. Additionally, there are no Greenways associated with the Future Urban Area.

Each of these 2050 development forms has their own specific purpose:

1. Primarily, 2050 Policy attempts to steer development off of the eastern rural/agricultural areas of the County into the North, Central, and South Village areas just east of the USB.

2. The 'light blue' Hamlet area depicted on this map identifies a transitional zone within which the land use intensity shifts from the more urban Village form of development down to the more rural/agricultural eastern portion of the County.

3. The Settlement Area is limited to that area between the existing USB and the Future USB. It is intended to allow a development form that fits in with the context of the area recognizing that these lands were already identified for future development.



SARASOTA COUNTY

Conclusion

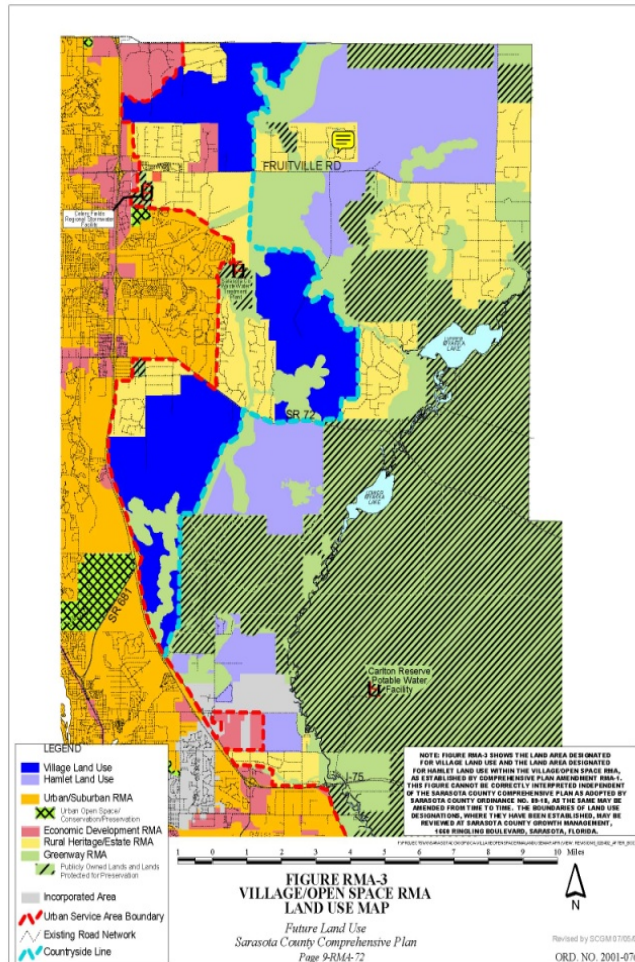
The highest level of importance placed on open space is within Villages. This is due to the land use intensity increase being allowed within 2050 policy and the intent to minimize impacts from that increase through implementation of open space. Village Master Land Use Plans are required to include all Greenway RMA as open space in addition to the requirement of one acre of open space for each acre of developed area (50% percent requirement). Villages are also required to derive the required residential density level through the TDR program, thus creating additional open space. The balance of open space with land use intensification within Villages is extremely important to the maintenance of the environmental systems given the Villages proximity to those systems. Therefore, implementation of open space within Villages is of primary importance to 2050 policy, and the ability for Greenway RMA to count towards the percentage open space requirement can significantly impact the ability to achieve 2050 policy intent.

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Open Space from Greenway RMA

The mapped Greenway RMA is a major implementation mechanism for open space aimed at preserving the environmental systems east of the USB. It is important to recognize that the environmental systems throughout the unincorporated areas of the county are already protected by existing Environment policy/regulations based in Chapter 2 of the Comprehensive Plan. 2050 Policy applied a 550 ft. buffer to these protected systems and mapped the areas as depicted on RMA-3 shown here.

When considering the benefits of the Greenway RMA, it is important to first consider the level of environmental protection that Chapter 2 already provides. Specifically, these protections are applied to all 2050 development proposals including Villages, Hamlets, Settlements and all non-2050 development proposals including large lot rural subdivisions. By definition, the basis for establishing the Greenway RMA includes streams and creeks and their abutting buffer lands (550 feet). The streams, wetlands, mesic hammocks, and watercourse buffers are already afforded a high level of protection status by Chapter 2. As such, the environmental benefit of 2050 is the protection of lands not currently given that status by Chapter 2, which primarily includes the buffer lands that are improved pasture, developed features, and pine flatwoods. As discussed in OS-10, lands abutting a creek or stream are a critical element of what is known as a riparian habitat offering numerous wildlife, habitat, sedimentation control, and water quality functions.



During the November 20, 2013 County Commission meeting, staff presented the concept of developing an incentive to enhance the Greenway RMA buffer in exchange for reducing the width (as described in more depth in OS-10). During the discussion, the Commission directed staff to also explore counting the enhanced buffer as Open Space as an additional incentive. Considering the environmental positive “lift” that would be provided by ecologically enhancing the buffer compared to the existing environmental requirements of Chapter 2, staff recommends that ecologically enhanced buffers count as Open Space. Together with OS-10, this would provide a dual incentive of providing more developable area and allowable Open Space.

In addition to the incentives described above, public input has been received suggesting that Lands of High Ecological Value (HEV) (as depicted on Figure 2-10 of the Comprehensive Plan) within Greenways count as Open Space. As background, the County adopted criteria in the early

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1990s and developed a corresponding map of sites of high ecological value. The intent of this process was to identify environmentally important areas that could be physically linked into an overall corridor network through a voluntary incentive program. This is supported by ENV Policies 4.5.10 and 4.5.11. Counting Lands of High Ecological Value within the Greenway toward Open Space requirements would serve this purpose. While the majority of the Lands of High Ecological Value consist of habitats granted preservation status by the Comprehensive Plan, there are pockets of habitats with conservation status, like pine flatwoods within the HEV. Allowing HEV within Greenways to be counted as Open Space would incentivize protection of conserved habitats thus ensuring the entirety of the ecological system is protected. Given this issue report focuses on Greenways as Open Space within Villages, this proposal would only apply to the North and Central Villages. South Village contains no HEV sites within its Greenway.

Conclusion

Considering the above, all Greenway RMA should not be eligible to be counted toward the percentage of open space required. Staff does recommend the following language which has been adapted from language provided by the public. This language will allow ecologically enhanced buffers and HEV lands within Greenway RMA to count towards the required percentage of open space.

Comprehensive Plan

New Policy GS3.3 Incentives for Preservation of Lands of High Ecological Value in Villages

Greenway RMA lands that are adjacent to a particular Village Area that are Lands of High Ecological Value (HEV) as depicted on Figure 2-10 of the Comprehensive Plan may be counted toward the Open Space requirement for a proposed Village within that particular Village Area. The HEV Lands to be counted as Open Space need not be contiguous to the lands for the Village but shall support the environmental goals of this Plan by preserving environmental features, connections, or functions. Utilization of HEV Lands as Open Space shall not alter the right to transfer development rights from such HEV Lands to Receiving Zones within the proposed Village; provided, however, any development rights that may be available for transfer to Receiving Zones outside the proposed Village from the HEV Lands so utilized shall be extinguished.

Zoning Regulations

Section 11.2.9 Environment

- b. Greenway Resource Management Area Designation
 1. All lands designated as Greenway RMA that fall within the boundaries of a Village or Hamlet Master Land Use Plan shall be preserved in perpetuity through the use of an irrevocable open space/ conservation easement. On-site Greenway RMA may be counted toward the as Open Space requirement for each Hamlet. On-site Greenway RMA may not be counted toward the Open Space requirement for any Village, except as follows:
 - a. Ecologically enhanced buffers within the Greenway RMA consistent with Section 11.2.9. b.7.

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- b. Lands of High Ecological Value within the Greenway RMA subject to the following:
 - i. Greenway RMA lands that are adjacent to a particular Village Area, either South Village Area, Central Village Area or North Village Area (as described in Policy VOS1.2(a) and as depicted on Figure RMA-3) that are Lands of High Ecological Value (HEV) as depicted on Figure 2-10 of the Comprehensive Plan may be counted toward the Open Space requirement for a proposed Village within that Village Area. The HEV Lands to be counted as Open Space need not be contiguous to the lands for the Village, but shall support the environmental goals of this Plan by preserving environmental features, connections, or functions. Utilization of HEV Lands as Open Space shall not alter the right to transfer development rights from such HEV Lands to Receiving Zones within the proposed Village; provided, however, any development rights that may be available for transfer to Receiving Zones outside the proposed Village from the HEV Lands so utilized shall be extinguished.

VI. Golf Courses as Recreational Space

Planning Commission Comment: Consideration should be given to allowing Golf Courses to qualify as Recreational Space.

Staff: No change in recommendation. Private golf courses are not a substitute for required public parks, which is the intended purpose for the Recreational Space requirement. Golf courses are generally private operations that do not necessarily serve the general public’s recreational needs. Recreational Space is a defined term utilized to identify standards required of development to meet the various levels of public parks that will be needed due to the additional population that will result from new development. The applicable policy and zoning provisions are provided for reference.

Comprehensive Plan

Policy VOS4.2 Design of Open Spaces and Recreational Space

Development within the Village/Open Space RMA requires not only Open Space but also Recreational Space. Open Space outside Developed Areas is required to support the environmental goals of this Plan by preserving important environmental features, connections and functions on site. In addition to minimum Open Space outside Developed Areas, internal Recreational Spaces are required that meet the recreational needs of the community, reinforce the design of the development by providing a variety of Recreational Space amenities that serve a range of interests and distribute Recreational Space amenities throughout the development.

Zoning Regulations

* * *

11.2.10. *Landscaping, Buffering and Parks.*

* * *

e. *Recreation Space Standards.*

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1. Residential Level of Service Requirements.

- i. Residential development shall provide on-site parks at a rate of one acre per 47 dwelling units or fraction thereof. Each facility shall be no less than one-fourth acre in size. The acreage requirement includes necessary facilities, such as off-street parking. The specific size criteria for parks, the range of dwelling units that trigger park requirements and the number of parks required is provided in Table 6. The facilities column represents the types of facilities found in each park classification for reference and not requirement. The developer may choose the additional required park facilities. Each required park, in the minimum number column, must be the maximum size criteria for that particular park classification. Side, rear, and front yards shall not be credited toward the fulfillment of this requirement.
- ii. Locational Criteria: The majority of residential units shall be located within one-quarter mile or walking distance of a park.
- iii. Joint use facilities. If the park is designed and built as a joint use facility, the park size may be reduced by ten percent. A Mini-Park and a Sports Complex may not form a joint use facility.

Table 6: Parks Classification Table for Residential Development

Classification	General Description	Service Area	Size Criteria	Facilities	Dwelling Units	Minimum Number Required (per developable acreage)
						1,000 acres
Mini-Park	Used to address limited, isolated or unique recreational needs	Less than a ¼ mile distance in residential setting	¼ to 1 acre in size	Play structures, benches, picnic areas, open spaces, landscaping	12 DU to 47 DU	
Neighborhood Park	The basic unit of the park system and serves as the recreational and social focus of the neighborhood. Focus is on informal active and passive recreation.	¼ to ½ mile distance and interrupted by nonresidential roads and other physical barriers.	5 to 10 acres.	Play structures, recreation buildings, court games, hard courts, tennis courts, internal trails that connect to a greenway, shuffleboard, volleyball courts, picnic area, open area, landscaping	234 DU to 468 DU	2
Community Park	Serves broader purpose than neighborhood park. Focus is on meeting community-based	Usually serves two or more neighborhoods within a ½ to 3-mile radius.	30 to 50 Acres	All of the facilities found in a neighborhood park plus informal ball fields, swimming pools, archery	1,410 DU to 2,350 DU	1

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	recreation needs, as well as preserving unique landscapes and open spaces			ranges, disc golf areas, ornamental gardens, open space and facilities for cultural activities		
Sports Complex **	Consolidates heavily programmed athletic fields and associated facilities to larger and fewer sites strategically located throughout the community	Serves the entire Village	Minimum 40 acres, with 80 to 150 acres being optimal		1,175 DU minimum 3760 DU to 7,050 DU	

Source: Park classifications, general description, locational criteria, and size criteria were created by National Recreation and Park Association's Park, Recreation, Open Space and Greenway Guidelines.

** May substitute additional Community Parks with a sports complex with consent of the County.

2. *Maintenance.* A Community Development District or other funding mechanism approved by the County shall maintain all parks.
3. *Stormwater Facilities.* Any stormwater facility that is included within a park must be designed as an amenity without a fence and must be landscaped.
4. **Golf courses and associated clubhouses shall not qualify as Recreational Space.**

* * *

VII. Refinement of Issue OS-14 on State Parks and Other Public Lands

Public comment has been received regarding the new policy staff is recommending to ensure impacts to Oscar Scherer State Park, Myakka River State Park, and other publicly-owned environmentally sensitive lands are avoided, minimized, and mitigated. Specifically, the comments suggest the new policy is redundant of existing state and county requirements and that it is inconsistent with language in the Environmentally Sensitive Lands Protection Ordinance Number 99-004, as codified in *Chapter 54 Article IV* of the County Code of Ordinances.

The existing policies in the Comprehensive Plan regarding Oscar Scherer State Park, Myakka River State Park, and Myakka State Forest, are shown below:

Policy GS5.1 Ecological Connections.

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The County shall identify and evaluate through Neighborhood Plans, Master Development Plans and where necessary, through field verification, the ecological connections between the Greenway RMA and Public Resource Lands within the Urban Suburban RMA. Such connections may be aquatic, terrestrial or both and may be designed to provide recreational opportunities. Of particular importance is the identification, monitoring and, where feasible, the enhancement of the ecological connections between Myakka River State Park and Oscar Scherer State Park.

ENV Policy 4.5.17.

Protect the natural diversity, processes and functions of natural communities in the public resource lands including Myakka River and Oscar Scherer State Parks, and Myakka State Forest. Coordinate with other government agencies to maintain and enhance soils, groundwater, surface and subsurface waters, shorelines, vegetative communities and wildlife habitats within these management areas.

While both GS5.1 and ENV Policy 4.5.17 address these public lands, there is no implementation guidance provided in the policies or the Zoning Regulations that address specific concerns presented by Oscar Scherer State Park staff. The new policy is not redundant as it provides implementation details which will create a more predictable outcome and assurance for developers and state park officials that future developments will meet the intent of the policies.

Regarding consistency with the Environmentally Sensitive Lands Protection Ordinance, public input suggests that there is a conflict with existing language regarding buffers. To address this concern, language has been removed from the draft policy relating to environmentally sensitive lands and only focuses on those lands identified by state representatives in their comments previously submitted to the County Commission.

New ENV Policy

Developments surrounding Oscar Scherer State Park, the Scherer-Thaxton Preserve, and Myakka River State Park shall avoid, minimize, and mitigate impacts through special measures that address: water quality and quantity, light and noise pollution, strategies to buffer these lands, wildlife movement, and land management practices.