

This is a request to change the Resource Management Area as depicted on map 8-7: RMA-3 Village Open Space from Hamlet Land Use to Rural Heritage/Estate. More specifically, as identified by Sarasota County Utilities Department, known as the Phase I of the Fruitville Hamlet Benefit Area as of June 19, 2017 excluding the Lake Park Estates and the SMR properties. (See attached property map.) This area is North of Fruitville Road and West of Verna Road.

#### Chapter 9-RMA- Sarasota 2050, Resource Management Areas:

The Sarasota County Resource management Area (RMA) Goal, Objectives and Policies are designed as a supplement to the Future Land Use chapter of The Sarasota County Comprehensive Plan. The RMAs function as an overlay to the adopted Future Land Use map and do not affect any existing rights of property owners to develop their property as permitted under the Comprehensive Plan...

Goal: Establish a development policy framework that enhances the livability of the County and preserves it's natural, cultural, physical and other resources, by creating a Resource Management Area (RMA) system that addresses development issues within six unique resource areas:

- Urban/Suburban
- Economic Development
- Rural heritage/Estate
- Village Open Space
- Greenway
- Agricultural Reserve<sup>1</sup>

#### Objective RMA 1

To create an incentive- based structure that will enhance the livability of Sarasota County and preserve it natural, **cultural**, and **physical resources**. (Emphasis added).

#### Policy RMA1.1 Resource Management Area Ideals (RMA Ideals)

The Resource management Area Map, depicted in Figure RMA-1 is an overlay to the Sarasota County Future Land Use Map. The Resource Management Areas are designed to

- **Preserve and strengthen existing communities**
- **Preserve environmental systems**

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<sup>1</sup> Chapter 9 RMA-Sarasota 2050 pg. 9-6

- **Direct population growth away from floodplains**
- **Avoid Urban Sprawl**
- **Reduce automobile trips**
- **Create efficiency in planning and provision of infrastructure**
- Provide County central utilities
- **Conserve water and energy**
- Allocate development costs appropriately
- **Preserve rural character, including opportunities for agriculture**
- **Balance jobs with housing.** (emphasis added)<sup>2</sup>

The proposed change to map 8-7: RMA-3 Village/Open Space to Rural Heritage/Estate from Hamlet is based on the following:

**Preserve and strengthen existing communities.**

Old Miakka was founded in 1850. This community predates Sarasota County.

Old Miakka, with the assistance of Sarasota County planners, prepared a Neighborhood Plan which defined the boundaries of Old Miakka as Hwy 70 to the north, Myakka River State park to the south, the County line to the east and Cow Pen Slough to the west.

Property owners in the above area were notified by Sarasota County and were asked to participate in the Neighbor Plan.

One strong statement in the plan was to NOT HAVE COMMERCIAL DEVELOPMENT UNLESS IT WAS AGRICULTURALLY RELATED. I.e. NO STORES.

A community is not defined by the whims of current property owners as to inclusion or exclusion. A community is defined by its history.

In planning, communities are also identified by the service area (our Fire Department) or a natural boundary (Cow Pen Slough).

The existing hamlet overlay protrudes into the Community of Old Miakka.

Hamlets allow for commercial development.

Hamlets are urban/suburban development.

“Specifically, suburban cluster concepts are inapplicable to rural areas because of their unique issues related to rural character and lifestyles, environmental protection, and compatibility with agriculture.”<sup>3</sup>

Hamlets are supposed to preserve open space.

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<sup>2</sup> Ibid pgs. 9-6 and 9-7

“Our interviews indicated, however, that opponents of cluster developments (read hamlets, added) believe the open space will not be permanent and, eventually, be more development will occur...”<sup>4</sup> Think Foxfire or Sarasota Golf Club which are now housing developments instead of the promised open space. Additionally, open space can be stormwater ponds.

### **Preserve environmental systems**

The area for the proposed Comprehensive Map Plan change is improved, unimproved pasture and undeveloped partially grazed <sup>5</sup> from at least 1971 to the current time.

The environmental significance of this land is that it is located in the Myakka River Watershed and the Southern Coastal Watershed.

The Myakka River is designated as Class I waters from Manatee County line to Border Road at river mile 20. The portions within the park are also designated as a wild and Scenic River and as an Outstanding Florida Water.<sup>6</sup>

Most notable on the updated list are impairments to Howard Creek and Clay Gully which both enter the Upper Myakka Lake.<sup>7</sup>

Howard Creek runs through part of the proposed map change property. The houses in the hamlet will be supplied with 100s of thousands of reclaimed water for lawn irrigation (an urban practice, not a rural one) allowing this high nutrient rich water to make its way into the Myakka River and Howard Creek.

The Southern Coastal watershed extends along the southwestern shore of Florida from the mouth of Tampa Bay to the mouth of Charlotte Harbor and includes portions of Manatee, Sarasota and Charlotte counties. Within this watershed are barrier islands and some of Florida’s most productive estuaries, wetlands, coastal streams and canal systems.<sup>8</sup>

“EPA Watershed Academy provides 8 tools of Watershed Protection in Developing Areas. Watershed based Zoning: ...involves defining existing watershed conditions, measuring current and potential future impervious cover, classifying subwaterbasin based on the amount of future imperviousness, and

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<sup>3</sup> Commentary Rural Cluster Zoning: Survey and Guidelines by Gary Pivo, Robert Small, and Charles R. Wolfe. Gary Pivo is Assistant Professor of Urban Design and Planning, University of Washington; Robert Small is Professor of Architecture and Landscape Architecture, University of Washington; and Charles R Wolfe is an Attorney at Robinson & Cole, Hartford and Stanford, Connecticut. September 1990 **Land Use Law**.

<sup>4</sup> Ibid page 8

<sup>5</sup> Water and Wastewater Systems master Plan for Sarasota County, Florida , consulting Engineers Smalley, Wellford& Nalven and Russell & Axon, 1971 page 8, Figure 4 GENERALIZED LAND USE OUTSIDE MUNICIPALITIES

<sup>6</sup> Draft Myakka River State Park, Unit Management Plan, Water Quality- The Myakka River.

<sup>7</sup> Ibid

<sup>8</sup> A Guide to Understanding and Protecting the Southern Coastal Watershed

most importantly modifying master plans and zoning to shift the locations and density of future development to the appropriate subwatersheds management categories.”

The article goes on to say:

“Large Lot Zoning: This land use planning technique is perhaps most widely used to mitigate the impacts of development .The technique involves zoning development at very low densities to disperse impervious cover over very large areas.”

The proposed Comprehensive Plan RMA Map change to Rural Heritage/Estates (maximum homes 1,200) from Hamlets (2,400 houses) will better protect both watersheds.

The use of reclaimed water (high in nutrients) will only runoff this land due to high water tables and go to the Myakka River or the Gulf. Both of these waterbodies are experience nutrient problems. To add to the problem would not be preserving environmental systems

An important management tool for environmental preservation is fire. Sarasota County and Myakka River State Park regularly burn to manage the vegetation. Sarasota has a community park at the end of Fruitville Road. When controlled burns occur, smoke and dust and ashes are blown throughout the area. Rural residents accept this as a management tool. City folks complain about the ashes in their pool (yes, the ashes come through the pool cage).

**Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes, including housing that is affordable to residents at or below the median income for Sarasota County**

Rural Heritage/Estate designation on this property will meet goals.

Rural Heritage/Estates provide for an agricultural/rural lifestyle. This is the only RMA that allows for a broad range of animals to be raised and slaughtered.

Looking at the currently designated Rural Heritage/Estate area located on the west, south and east of the proposed change, you will find generations of families that have lived in this area.

The incomes are very diverse because of the age of the area as a community.

Many of the residents are in the construction trade. This is the only land use that allows their vehicles and equipment to be stored.

The retired residents’ incomes vary as well.

Rural residents are not afraid of the dark and do not need outdoor lighting.

Rural Heritage/Estates allows for zoning of 1 per 160 acres, 1 per 10 acres and 1 per 5 acres.

The existing hamlet overlay does not provide for diversity. Housing starting in the \$300 thousands are not for low or even medium income families.

If any animals can be raised, it will be on a very small scale.

Deed restrictions are usually the norm.

Urban/suburban people are afraid of the dark. Even with lighting restrictions, the potential for 400 houses each hamlet to light up the sky is a reality.

Lakepark Estates has set the norm. 400 houses on 1 acre parcels. No diversity of land use.

### **Direct population growth away from floodplains**

Looking at Soil Survey of Sarasota County, Florida by the United States Department of Agriculture, soil Conservation Service, the soils of the proposed Rural Heritage/Estates are Soils of Flatwoods. “EAUGALLIE-MYAKKA-HOLLLLLLOPAW-PINEDA: Nearly level, poorly drained and very poorly drained soils that have a sandy surface layer and a sandy and loamy subsoil, are sandy throughout, or have a sandy surface layer and a loamy subsoil.”<sup>9</sup>

In the letter dated December 21, 2018, from Sarasota County to Mr. Donald A. Neu, AICP, Neumorris, LLC, Re: **Preapplication Conference Review by the Development Review Coordination Staff North Fruitville Hamlet Area, CPA No. 2018-C** Benjamin Choroser II (Stormwater) noted this site is located in a local community flood hazard area (CFHA).

So while this area is not in a flood plain, EauGalle and Myakka soils have an apparent high water table of 0.5-1.5 feet June – October. Holopaw and Pineda soils have high water of +2-1.0 feet June – February and 0-1.0 feet June – February respectively.<sup>10</sup>

Rural Heritage/Estate will allow the maximum of 1,200 homes on the 6000± acres of the proposed amendment. The homes will most likely dig a small pond to use for a house pad and for a water source for the animals.

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<sup>9</sup> UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE UNIVERSITY OF FLORIDA INSTITUTE OF FOOD AND AGRICULTURE SCIENCES AGRICULTURAL EXPERIMENT STATIONS, SOIL, SCIENCE DEPARTMENT FLORIDA DEPARTMENT OF AGRICULTURAL AND COMSUMER SERVICES **GENERAL SOIL MAP** SARASOTA COUNTY, FLORIDA LEGEND.

<sup>10</sup> Ibid pgs. 144 and 145

The lack of an impact from a small pond are clearly visible throughout the Rural Heritage/Estate RMA in the Old Miakka area. That is, there aren't any impacts that the county has identified.

Hamlets would allow a maximum of 2,400 houses.

Lakepark Estates is a good example of the type of topographical destruction that will occur. There will be 400 houses and 600 acres of lakes. One house per acre next to another and another along with roads would cause the entire 400 acres to be raised. Since the water table is above land surface 6 to 8 months out of the year, you can't dig a stormwater pond that will hold the water because the land is saturated above land surface.

The County hasn't done any analysis on what happens to the sheet flow, vegetation changes and impacts, habitat destruction, rainfall patterns and impacts to wildlife due to changing land to stormwater ponds.

### **Avoid Urban Sprawl**

Rural Heritage/Estate by its very name is not urban sprawl.

The Hamlet designation area that is the subject of this Comprehensive Plan Amendment is urban sprawl.

This is the farthest east and north you can go in the County.

The fact that they will need water to irrigate their yards is a CLEAR indication that this is an urban lifestyle. For 2,120 the reclaimed water flow in gallons per day (GPD) is **424,000. This is also the amount of sewer GPD.**<sup>11</sup>

### **Reduce automobile trips**

The proposed comprehensive Plan Amendment to change the land north of Fruitville Road and west of Verna to Rural Heritage/ Estates would reduce automobile trips to 3,000 (1,200 homes) rather than the 6,000 (2,400 houses) to be generated by the Hamlet overlay. Trips were determined by giving 2.5 persons per household and letting each 2.5 persons have a car.

While focusing on the automobile trips, the real traffic from the development must include the trips generated by the construction traffic. In the "*DRAFT*" of Phase I of the

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<sup>11</sup> *DRAFT* Phase I of the Fruitville Hamlet Benefit Area (June 19, 2017). Page 2 of 5.

Fruitville Hamlet Benefit Area (June 19, 2017), with an estimate of 2,120 Dwelling Units, planning horizon of 20 years, (absorption rate of 106 homes per year on average)” the construction traffic would also last for 20 years.

Here is a list, not all inclusive, of the traffic generated to build a house and road:

1. Surveyors
2. Site prep dumb trucks (plural) **with back up beepers**
3. Earth moving equipment **with back up beepers**
4. Grading equipment **with back up beepers**
5. Crew for concrete forms (several cars)
6. Concrete trucks (plural) **with back up beepers**
7. Crews to work concrete (several cars)
8. Road paving heavy equipment **with back up beepers**
9. Road paving crew (several cars)
10. Concrete block delivery **with back up beepers**
11. Wood delivery **with back up beepers**
12. Framing crew (several cars)
13. Concrete block setters (several cars)
14. Roofing delivery **with back up beepers**
15. Roofers (several cars)
16. Electrician with helper (two cars potential) rough in
17. Plumber with helper (two cars potential) rough in
18. Drywall delivery **with back up beepers**
19. Drywall crew ( 2 car minimum)
20. County inspectors (several visits)
21. Lunch Wagon daily
22. Painters (2 car minimum)
23. Window delivery truck **with back up beepers**
24. Window installers (2 car minimum)
25. Cabinet delivery **with back up beepers**
26. Cabinet installation crew (minimum of 2)
27. Floor covering crew (minimum of 2)
28. General contractor visits (several)
29. Door delivery **with back up beepers**
30. Door installation crew (minimum of 2)
31. Irrigation crew (minimum of 2)
32. Landscape crew (minimum of 2)
33. AC person (minimum of 2)
34. Sod delivery **with back up beeper**
35. Punch out list could have several installers called back

By the County’s own analysis, this traffic would plague the residents and their livestock of the Rural Heritage/Estates for **twenty** years.

It would disrupt the quiet of the rural area making it akin to living next to Home Depot or Lowes.

Couple this with the fact that most traffic, large and small, exceed the speed limit of 55 mph on an hourly basis.

The FINAL SUMMARY REPORT YEAR 2020 FINANCIALLY FEASIBLE TRANSPORTATION PLAN prepared for: Florida Department of Transportation and the Sarasota/Manatee Metropolitan Planning Organization does not show any road improvements on Fruitville Road or Verna Road. The traffic is already a continuous parade in a rural area. The proposed Comprehensive Plan Map change will reduce the amount of traffic.

### **Create efficiency in planning and provision of infrastructure**

In 1971, Sarasota County commissioned Consulting engineers Smally, Welford & Nalven and Russell & Axon to prepare a WATER AND WASTEWATER SYSTEMS MASTER PLAN.

This is a true regional plan to serve the needs of Sarasota County for the next 40 year, through 2010. (Letter dated June 15, 1971 to Board of County Commissioners from Donald J. Smalley P.E. and Frank T. Osteen, Jr. P.E)

Individual well-water and individual septic tank system could provide adequate solutions for a rural homestead... (Section II, B. Purpose of Report).

As stated earlier, 424,000 Gallons of flow Per Day of Reclaimed Water are expected to be generated<sup>12</sup>. Currently, Sarasota County does not have the capacity to contain all their reclaimed water in an environmentally safe way. The County is dumping their reclaimed water at the Bee ridge Plant into Cow Pen Slough (although the person writing the report spells slough slew). [State Warning Point https://floridadep.gov/pollutionnotice](https://floridadep.gov/pollutionnotice) shows that 218+ gallons per day were discharged to Cow Pen Slough and Philippi Creek since December 2018. The County cannot handle what is being generated currently. Adding 424,000 million more gallons per day is not efficiency in planning.

Appendix B TTECHNICAL MEMORANDUM ON SEPTIC TANK LITERATURE REVIEW AND ANALYSIS, MEMORANDUM TO: Mike Heyl, CDM/ Sarasota FROM: Rich Wagner, CDM/ Annadale SUBJECT: Literature Review of Septic Tank Loadings, DATE: January 27, 1992, TABLE 1, FLOW RATES FOR SEPTIC TANK EFFLUENT shows a Flow Rate (gal/capita/day) of between 38 -80 gallons. Using a maximum build out of 1,200 homes under the densest Rural Heritage/Estate the rate would be 288,000 gallons per day which would be dispersed over the 6,000+ acres in 5 acre increments. This is certainly more efficient than shipping waste water from the furthest eastern and northern reaches of the County.

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<sup>12</sup> Ibid page 2 of 5

Christopher Cole with Sarasota County Utilities stated “The amount a Hamlet will use is related to the area irrigated. At the 0.4 DU/acre it’s conceivable that a Hamlet area could use more reclaimed water than treated wastewater generated. At the 2.0 DU/acre range we get closer to the equal volume of reclaimed water to wastewater generated.

Reclaimed water service will likely be phased in over time. Meaning that initial phases of the Hamlets are required to be reclaimed ready but they may not be served with reclaimed water on day one. This is because of the cost and timing issues associated with the reclaimed water infrastructure. Over time we expect to serve the Hamlet areas with reclaimed water and we should have adequate quantities to serve the area.” (March 19, 2019 email to Becky Ayeche)

Sarasota County has never proven that septic systems in the Rural Heritage/Estates located in Old Miakka are polluting. Individuals pay for their own septic tank, maintenance and repair.

The proposed change to Rural Heritage/Estate will eliminate the County’s responsibility to provide drinking water since each home will provide their own water by individual wells.

Previously, using the County’s TDR program, development rights could be sold to help offset the infrastructure costs. With the change in the TDR program, there will not be that money available.

### **Conserve water and energy**

Homes in the Rural Heritage/Estates supply their own drinking water, outdoor water use and animal husbandry needs from one ground water well.

Typically, subdivisions in the adjoining area (Rainbow Ranches, Oakford and Ranches at Bern Creek) typically have one well per parcel. There were only two parcels with 2 wells.<sup>13</sup>

“The overwhelming numbers of homeowners in these developments are able to meet both their potable and irrigation needs through one well.”<sup>14</sup>

“Per capita use for domestic self-supply water wells is 58 gallons per day per person”.<sup>15</sup>

“Per capita use for public supply service population and water use, 2000 is 90 gallons per day per person.”<sup>16</sup>

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<sup>13</sup> Letter from James L. Ley, County Administrator to Mr. Rod Krebs, president, BDR Investments, LLC, October 15, 2002,

<sup>14</sup> Hydrogeologic Study of domestic Well Use- Rezone 02-26 Sarasota County, Fl. Prepared for Hallcraft Homes Inc. Prepared by Water Resource Associated, Inc. October 2002.

<sup>15</sup> Ibid Exhibit 2

<sup>16</sup> Ibid Exhibit 3

The proposed Comprehensive Plan Map Amendment would reduce the amount of water consumption. The Rural Heritage/Estates would produce 1,200 homes with a daily use of 124 gallons per day and the Hamlet overlay would produce 2,400 houses with a daily demand of 215 gallons per day. That is 148,800 gallons per day self-supplied compared to 516,000 public supply. This is using the above public per capita amount. Sarasota County estimated 530,000 gallons per day for 2,120 houses in the Fruitville Hamlet Benefit Area.<sup>17</sup>

### **Preserve rural character, including opportunities for agriculture**

The lot sizes of hamlets make them low density urban. They are not large enough to support agriculture or rural uses. There will be commercial development in ever hamlet less than one mile from the commercial development in another hamlet, and another and another. This type of commercial development is commonly known as strip malls regardless of the design standards. This is an urban lifestyle.

Please see attached papers to further understand the thoughts of those who live in the rural area and will be negatively impacted by such close urban development as is currently allowed with hamlets.

### **Balance jobs with housing.**

As pointed out previously, many people involved in the construction industry live in the Rural Heritage/Estates RMA designated areas. This map use change would allow for more housing opportunities for this work force.

Additionally, “according to 1992 study by the American Farmland Trust, residential developments do not pay their way. For every dollar in tax revenue received by county governments, at least \$1.15 in services went to residential land uses, but only 29 cents in services went to agricultural uses.”

In 2000, Sarasota County had TischlerBise prepare a Fiscal Impact Analysis of Residential and Nonresidential Land Use Prototypes. Their findings were that a 5 acre home site generates a NET total of \$1,411.00 total while a 2.25 unit per acre development actually has a **negative** benefit of \$1,343.

Under the proposed Comprehensive Plan Map change, Sarasota County can expect to gain \$16,9320,000 and the existing overlay will cost the County.

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<sup>17</sup> DRAFT Phase I of the Fruitville hamlet Benefit Area (June 19, 2017). Page 2 of 5.

Therefore, we request Sarasota County accept this pre-application for a Comprehensive Plan Map change based on the above foundational concepts of the 2050 Rural Heritage/Estate RMA.