



Long Bar Pointe Comprehensive Plan Amendments

**Board of County Commissioners
August 6, 2013**

Presented by:
Shelley Hamilton

County-Wide Text Amendments





- **Text Amendments have been submitted as a privately-initiated amendment**
- **Will apply county-wide**
 - **Could be applied to other properties that meet the locational criteria**



- **As written, affects the entirety of Element 3, Conservation and Element 4, Coastal Management**
- **County-Wide**
- **Could apply to any property that meets the locational criteria**
 - **Mixed-use project**
 - **200 acres (recommended by PC) or more**
 - **Located on a coastal line**
 - **Adjacent to navigable water**
 - **On an arterial**



Language Proposed by Applicants

Policy 3.3.2.11

Permit the limited exception to the policies of this Chapter for those Water-Related Uses or Water-Enhanced Uses which demonstrate a new, substantial, and material public benefit, which increase public access to the waterfront, which provide for appropriate mitigation of impacts by the use of performance or design standards that seek to achieve the adopted objectives of this Chapter, and which are large, innovative, mixed-use projects of not less than two-hundred (200) acres located along a coastal line adjacent to navigable waters and an arterial roadway as shown on the Future Traffic Circulation and Functional Classification Map.

Applicant Language (Continued)

Policy 4.2.1.7

Permit the limited exception to the policies of this Chapter for those Water-Related Uses or Water-Enhanced Uses which demonstrate a new, substantial, and material public benefit, which increase public access to the waterfront, which provide for appropriate mitigation of impacts by the use of performance or design standards that seek to achieve the adopted objectives of this Chapter, and which are large, innovative, mixed-use projects of not less than two-hundred (200) acres located along a coastal line adjacent to navigable waters and an arterial roadway as shown on the Future Traffic Circulation and Functional Classification Map.



The language submitted:

- **Provides uncertainty as to what goals, objectives and policies within the existing text will be affected;**
- **Offers no adequate justification that the existing language is no longer in the best interest of the public**





- **Section C.2.3.2 of the Comprehensive Plan, considers an amendment to any part of the Comprehensive Plan a “major policy decision” for the BCC**
- **Section C.2.3.3 of the Comprehensive Plan, states that in order for the BCC to approve a proposed amendment to text, a finding must be made demonstrating that the existing language is “no longer in the best interest of the public.”**

- **Language, as written, has potential to allow exceptions to:**
 - **Air and Water Quality**
 - **Coastal marine resources**
 - **Existing wetland systems and land use**
- **Could create inconsistencies with the goals and policies of the State Comprehensive Plan**
- **Could be found to adversely impact State resources**



The following goals of the State Comprehensive Plan are relevant:

- **Water Resources**
- **Coastal and Marine Resources**
- **Natural Systems and Recreational
Lands**
- **Land Use**



The text changes, as submitted, have the potential to allow exceptions to water quality, coastal marine resources, existing wetland systems, and land use:

- Creating inconsistencies with the stated goals and policies of the State Comprehensive Plan; and**
- Adversely impacting important State resources**





- **Proposed language assumes that any impacts made to County resources could be mitigated through:**
 - **Performance Standards**
 - **Design Standards**
- **Will allow limited exceptions that could have negative impacts on:**
 - **Air and water quality**
 - **Seagrass areas**
 - **Fish and shellfish harvesting; and**
 - **Manatee protection**



- **The Long Bar Pointe property contains:**
 - **significant coastal wetlands; and**
 - **privately owned submerged lands**
- **Language proposed could allow significant impacts to wetlands (mangrove forest) and seagrasses in Sarasota Bay**
- **Current prohibitions in Comprehensive Plan that prohibits dredging activities that adversely impact seagrasses.**
- **Also, requirements which now require a 50' wetland buffer adjacent to Sarasota Bay could be eliminated**



Negative Aspects of Application:

- **No justification provided;**
- **No details that define “limited exceptions”**
- **No privately-initiated LDC changes that provide definitions for substantial, material public benefit, coastal line**
- **Potential impacts to mangroves and seagrasses**
- **Will allow uses that may have adverse impacts to all resources along any waterfront in Manatee County**
- **May allow a development void of the protection of shorelines, habitat areas, air and water quality, and provides no protection of fish, shellfish or manatee areas**

- **Because of the uncertainty of the language proposed; and**
- **Because there are many elements of the proposed language for which no definition or accompanying Land Development Code language exists that will aid staff in the review of future rezone and site plan submittals;**

Staff DOES NOT support the proposed text changes and recommends that the Board not transmit the amendment to the State.



**Planning Commission meeting
held on May 23, 2013;
PC voted to Transmit the Text
Amendments by a vote of 6/1;
recommended a change in the
qualifying acreage from 100 acres
to 200 acres**



Questions???

