



Council Minutes

April 10, 2006
10:00 a.m.

REPRESENTATIVES PRESENT

Chair, Mr. Robert Kersteen, Gubernatorial Appointee, Pinellas County
Vice Chair, Ms. Jill Collins, Gubernatorial Appointee, Hillsborough County
Commissioner Jane von Hahmann, Manatee County
Mr. Richard Albrecht, Gubernatorial Appointee, Pasco County
Commissioner Gigi Arntzen, City of Largo
Mayor Larry Bustle, City of Palmetto
Vice Mayor Larry Crowley, City of South Pasadena
Commissioner Bill Dodson, City of Plant City
Mayor Ward Friszolowski, City of St. Pete Beach
Mr. Julian Garcia, Jr., Gubernatorial Appointee, Hillsborough County
Mr. Housh Ghovae, Gubernatorial Appointee, Pinellas County
Reverend James T. Golden, City of Bradenton
Mr. Michael Guju, Gubernatorial Appointee, Pinellas County
Mr. Kenneth Hoyt, Hillsborough County Gubernatorial Appointee
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee
Commissioner Deborah Kynes, City of Dunedin
Vice Mayor Janice Miller, City of Oldsmar
Vice Mayor John Phillips, City of Gulfport
Commissioner Robin Saenger, City of Tarpon Springs
Commissioner Mark Sharpe, Hillsborough County
Commissioner Steve Simon, Pasco County
Ms. Barbara Sheen Todd, Gubernatorial Appointee, Pinellas County
Mr. Philip Waller, Gubernatorial Appointee, Hillsborough County
Commissioner Kenneth Welch, Pinellas County
Mr. Todd Pressman, SWFWMD
Ms. Brenda Williams, Department of Environmental Protection

REPRESENTATIVES ABSENT

City of Seminole
Councilwoman Mary Alvarez, City of Tampa
Secretary/Treasurer, Commissioner Scott Black, City of Dade City
Commissioner Kara Bauer, City of Safety Harbor
Dr. Lois Gerber, Gubernatorial Appointee, Manatee County
Commissioner Ken Halloway, City of Temple Terrace
Deputy Mayor Bob Langford, City of New Port Richey
Mayor Mary Maloof, City of Treasure Island
Councilperson Carlen Petersen, City of Clearwater
Councilman Ed Taylor, City of Pinellas Park
Councilman Earnest Williams, City of St. Petersburg
Ms. Kathleen Wolf, Gubernatorial Appointee, Pasco County
Mr. Bob Clifford, Florida Department of Transportation
Ms. Michelle Miller, Enterprise Florida

OTHERS PRESENT

Trisha Neasman, Planner, SWFWMD
Joanne McClellan, Planning Liaison, SWFWMD
Shawn College, Exec. Planner, Hillsborough Planning Commission
Joe Incorvia, Planner, Hillsborough County
Richard Stiles, GCI
Joe Aurstiravnis, Zoning Coordinator, City of Pinellas Park
Tim Butts, Project Planner, Wilson Miller
Dianne Chadwick, Wilson Miller
Mike Burton, Principal Scientist, EAC
Todd Pokrywa, VP Planning, SMR

STAFF PRESENT

Mr. Manny Pumariega, Executive Director
Mr. Roger Tucker, Legal Counsel
Mr. Avera Wynne, Planning Director
Ms. Suzanne Cooper, Principal Planner
Ms. Lori Denman, Recording Secretary
Mr. John Jacobsen, Accounting Manager
Ms. Wren Krahl, Manager of Admin./Public Information
Mr. Bill Lofgren, Principal Planner
Mr. John Meyer, Principal Planner
Mr. Greg Miller, Planner
Mr. Patrick O’Neil, Senior Planner
Mr. Michael Spina, Senior Planner
Ms. Jessica White, Senior Planner

Call to Order - Chairman Kersteen

The regular meeting of the Tampa Bay Regional Planning Council was called to order by Chairman Kersteen on April 10, 2006 at 10:04 a.m.

The Invocation was given by Mayor Larry Bustle, followed by the pledge of allegiance.

Roll Call - Recording Secretary

A quorum was present. No voting conflicts were filed.

Announcements:

New members, Commissioner Gigi Arntzen, City of Largo and Commissioner Robin Saenger, City of Tarpon Springs were introduced and welcomed to TBRPC.

1. **Approval of Minutes** - Secretary/Treasurer Black
The minutes from the March 13, 2006 meeting were approved. (Hoyt/Sharpe)

2. **Budget Committee** -Secretary/Treasurer Black
 - A. The Financial Report for the period ending 02/28/06 was approved. (Friszowski/von Hahmann)
 - B. The Budget Committee met this morning and was presented with the FY 2005/2006 Mid-Year Budget Amendment. The overall budget increased \$749,000 primarily due to the addition/increase of several projects: Fiscal Impact Analysis Model (new); All Discipline Training (extended from last year); Hazardous Plan COOPS & Hurricane Evacuation Plan Update (less recognized last year/more recognized this year). The Budget Committee unanimously approved the proposed 2005/2006 Mid-Year Budget Amendment.

The 2005/2006 Mid Year Budget Amendment was approved. (Albrecht/Miller)

3. **Consent Agenda** - Chairman Kersteen
The consent agenda was approved. (Phillips/Crowley)

4. **Item(s) Removed from Consent Agenda and Addendum Item(s)** - None

5. **Review Item(s) or Any Other Item(s) for Discussion**

- A. DRI Final Report
DRI # 256 – Northwest Sector, Manatee County
Mr. John Meyer, TBRPC DRI Coordinator, provided an overview of the Final Report. The Northwest Sector DRI is predominately residential development located on the north side of State Road 70, between Lakewood Ranch Boulevard and Lorraine Road in southern Manatee County. The 1500+ acre project is part of the Schroder-Manatee Ranch other land holdings, including University Lakes DRI, Cypress Banks which is to the east, and the proposed Lakewood Center DRI that is currently under review.

As proposed, the multi-use project consists of 4,446 residential units; 200,000 sq. ft. of retail; and 105,000 sq. ft. of office at build-out. Completion of the project first phase, consisting of 2/3 of the proposed residential units and all of the non-residential units is proposed for 2011. The second and final phase is currently proposed for completion in 2015. This later phase shall receive conceptual approval contingent upon further transportation and air quality analysis, as well as verification of public utility. In addition, in the event that non-residential uses are sought as part of phase 2 approval or Rule 9J-2.0248, FAC is revised to include a requirement for analysis of residential units, re-analysis of affordable housing would be recommended as a condition of the development order. The project is subject to consistency with the Council's former Strategic Regional Policy Plan (SRPP) and corresponding maps of natural resources of regional significance. The reason being is that the project has been undergoing review since the middle of the ADA in March, 2005 and the conduct of the pre-application conference about 5 months earlier.

Some of the more notable recommended development order conditions include an extensive list of transportation improvements identified for phase 1, protection and maintenance of wildlife corridors including underpasses, provisions for environmental management and bald eagle management plans, requirements for surface and ground water quality monitoring

programs, and a requirement for a bi-annual traffic count monitoring program. The proposed land use equivalency matrix on page 40 of the report allows the developer some flexibility in project entitlements.

Council staff recommends approval of the final report and forwarding to Manatee County and the Florida Department of Community Affairs for consideration of incorporation into the development order.

Mr. Meyer introduced Mr. Tim Butts, Wilson Miller, representing the applicants.

Mr. Butts provided a powerpoint overview of the project. The developer of Schroeder-Manatee Ranch split their land holdings into five sectors, and the Northwest Sector DRI is in the northwest sector of their project. Several features were pointed out from an aerial map such as the project boundaries, a small parcel to the west of Lakewood Ranch Boulevard and another crosshatched area called Central Park, which has a Preliminary Development Agreement (PDA) that allows some development prior to the DRI being approved. This has already been approved by DCA and the developer is working on the local government approvals. The Lakewood Centre project application will be submitted shortly, and that also has a PDA area within it. The Cypress Banks project was pointed out and immediately to the south is the University Lakes project. There are also two other DRIs to the south in Sarasota County.

The project is predominately residential. Four parcels will be developed as commercial, which were pointed out on a map. West of Lakewood Ranch Boulevard is a mixed-use parcel. We are seeking specific approval for phase 1, conceptual approval for phase 2, and will come back with further transportation and air quality analysis for phase 2. All non-residential development is in phase 1.

The existing site is predominately agricultural with a scattering of wetlands and very little native habitat. There will be wetland impacts for road crossings, which will be mitigated through the use of the Long Swamp Project, a mitigation bank in Sarasota County. There is a bald eagle located near the project, not within the project boundaries, and any development within proximity of that will be consistent with the habitat management guidelines. The stormwater exiting site will be treated, and the stormwater from the Evers Reservoir basin in the southern half of the project will have an increased level treatment up to 150% of the requirement, which matches the Outstanding Florida Waters requirements. Water quality monitoring of both surface water and ground water will be provided.

Water use will be minimized by requiring xeriscape and low-volume plumbing fixtures for all non-residential and residential projects. There are 3 large lakes on the southern boundary next to State Road 70 which will be the predominant use for irrigation as well as existing wells on site used for agriculture which will be used as well for irrigation. We will also use re-use water as it is available, but only outside of the Evers Reservoir, in the northern portion of the project.

If you have 4,446 dwelling units you will have about 10,000 residents. Those residents will have children, estimated at 1,554 using the Manatee County numbers. That will have an impact on the educational system of Manatee County. As mitigation, the developers are providing 2 school sites - both an elementary school site and a middle school site. Those are not located within the project, but to the north of the project at 44th Avenue adjacent to a park site being provided by the developer.

An extensive affordable housing analysis was completed using East Central Florida RPC methodology. A DRI question for the affordable housing analysis is: is Affordable Housing available for the workforce being generated by the development? We took 200,000 sq. ft. of commercial space and 105,000 sq. ft. of office space and estimated how many employees that will provide. It comes out to approximately 820. Using the East Central RPC methodology it indicated that there will be an affordable housing demand of 378 units. We also used the same methodology and looked out in the region. At build-out there will be a supply of 1,155 affordable housing units in the project area with a surplus of 777 units at that time. There will be no adverse impact to affordable housing.

A project this size will have traffic impacts and it is estimated at the build-out of phase 1 there will be 3,100 external trips. There will be impacts to State Road 64 that will require the roadway be 6 lanes and 6 intersections on State Road 70. These improvements must be scheduled before corresponding development. Each one of these improvements is triggered by a certain level of development and a certain level of external trips and these improvements must be done before that trigger is exceeded by the project or the project won't get permits.

In summary, the project is consistent with state, regional and local plans. It has minimal environmental impacts and will mitigate public facility impacts. We concur with staff recommendations and would ask that you approve the staff report.

Questions and Comments:

- Mr. Pressman: I noticed in your presentation you talked about irrigation restrictions and use of xeriscape, but the staff report notes that you *will encourage that use*. Is that going to be a required use? The report notes this is predominately for the residential areas, will those also be required for commercial/office?
- Mr. Butts: The developer has made a commitment to require that for the entire development.
- Mr. Pressman: And irrigation is going to be primarily from the surface lakes? And if those are stressed?
- Mr. Butts: Correct. There are wells on the site which are permitted and those will be incorporated for supplemental usage for irrigation purposes. It will be a combination and they will have to make decisions so as to not overstress the lakes or the wells.
- Mr. Pressman: Are there any re-claimed facilities?

Mr. Butts: Yes, there are existing ones on 44th Avenue. The problem there is that the southern half of the project is in the Evers Reservoir basin and the county will not allow re-use water in that area. The area outside of that basin, as it is available, will use re-use water.

Commissioner Simon: 6-1 ratio of creation to usage. You need 6 houses using to create 1 house's availability of use of re-use water. It becomes an economic issue even in Pasco County where we are installing meters. Is it preferable for the consumer to use it? Yes. Why? It is the cheapest, but it is not available because of the ratio.

Commissioner von Hahmann stated, as a point of clarification, if re-claimed is available the developer in Manatee County is required to lay the lines so it will be available to their residents. If they provide another source through irrigation, through stormwater systems and groundwater collections then our ordinances state that they are not allowed to use potable water for irrigation.

Ms. Todd: I have heard that in some new developments the developers are required to install fiber optics lines. Are you doing anything along those lines?

Mr. Butts: We don't know at this point. The DRI is an overall look at the project. The actual developers may develop smaller portions of the DRI and if they do, or do not use fiber optics it will be up to their discretion.

Vice Mayor Miller: Where exactly is the affordable housing going to be?

Mr. Butts: Using the East Central Florida RPC's methodology you go out 20 minutes or 20 miles, whichever is less, and that is your affordable housing impact area.

Vice Mayor Miller asked if he could show Council on the map. Mr. Butts pointed out a location and said they looked at both their impact of the demand for affordable housing for their employees and then they looked at the availability of affordable housing in that impact area.

Vice Mayor Miller: What is already available?

Mr. Butts: Yes. Putting future projections on a current situation we are still coming out with a surplus.

Mr. Garcia: In looking at page 19 of the report, what is the projected median income of the 800 homes?

Mr. Butts: I don't have that answer.

Mr. Garcia: How can you then project the affordability?

Mr. Butts: Oh. We have that answer, but I don't personally recall what that is.

Mr. Garcia: Do you know what the unit types are in the area we are talking about? Are they single family or multi-family in the impact area?

Mr. Butts: We looked at existing single family and we also looked at multi-family. Both homeowner occupied as well as rental.

Mr. Garcia: What number did you use for affordable single family, what price?

Mr. Butts: I don't recall.

Ms. Collins: Are you asking what they actually analyzed with? On page 19 you will see a chart.

Mr. Garcia: The chart gives the basic breakout per income type, but it doesn't provide the unit type breakout, it doesn't give a median income breakout, and it doesn't show you how they got to the numbers.

Mr. Butts: We used the East Central RPC methodology and that has set ratios of what units you can and can't use, how you count them and how you don't count them. It is quite extensive. I know it was reviewed by experts at DCA, at TBRPC, and the local governments and there were no substantial questions about how methodology was used.

Mr. Garcia: This is for staff, if that analysis is available I would like to see a copy of it.

Mayor Bustle: I have a question on transportation. You used the term that these projects are all scheduled. What does that really mean?

Mr. Butts: No, not scheduled. The improvements must be scheduled before corresponding development. As you develop a project you will have increasing levels of external traffic. Each one of these project improvements is triggered by a certain level of external traffic. These are not scheduled per se but they will be scheduled at some point and they must be scheduled before we exceed that trigger point of external trips.

Mayor Bustle: The basic question is, are they going to be available when they are needed?

Mr. Butts: Yes. They are required to be so, and they will be. Manatee County will not give building permits without that.

Mr. Guju: A follow up question to that – there will be the improvements, or upgrades on the improvements to the road - they will be in the ground before the development occurs?

Mr. Butts introduced Richard Stiles, Transportation Engineer for Grimail Crawford. Mr. Stiles explained that typically with DRIs and other developments the improvement must be scheduled and committed with

funding within a certain window before you can proceed with the development. In Manatee County it is within the next year. So it must be committed and it must be funded.

Mayor Bustle: I didn't understand – they have to be constructed within that year?

Mr. Stiles: No. They have to be funded for construction to start within that one year.

Commissioner von Hahmann commented that Manatee County is very intense and attentive on meeting their transportation needs. Lakewood Ranch has always been very cooperative. They are the largest DRI in Manatee County and this is in addition to what is already in existence. If you look on page 38 of the report you will see Manatee County has some issues. We have a lot of failing systems in this area. I am not uncomfortable with this DRI going forward and then coming before the County Commission because there hasn't been a developer that hasn't been challenged on transportation, especially within the last year. They know they have a hard road to hoe. State Road 70 is on the emerging SIS so I would imagine they are going to meet some real challenges with FDOT in meeting the requirements of that particular system as well. I think that was Mayor Bustle's point because he is presently chairing our MPO and he knows the challenges faced in getting funding from the state for our projects. State Road 64, in your studies, had funding and construction in the 5 year plan.

Mr. Stiles: That is true. During the course of our sufficiency reviews we had the changes and the DOT work programs. We have transportation thresholds in place for the required improvements. The needed improvements to SR 64 have been incorporated.

Commissioner von Hahmann said she has issues on the affordable housing methodology. In looking at the charts and the average incomes, assistance is available through Moderate, which is workforce. But that home is \$192,000 and there is really very, very little available in Manatee County right now in that price range. Everything in the most recent studies are in the upper \$200,000 and pushing \$300,000. Manatee County has a number of projects in the cycle right now to provide for workforce as well as affordable homes. I don't know if those were in the calculations because it is a future projection.

Mr. Butts: My understanding, and I'm not an expert on this, is that the analysis is based on current affordability availability. There may be great projects coming for affordable housing but we didn't assume they are in place.

Commissioner von Hahmann stated that as she looked at the report remarks that it is retail space and we know what kind of income that generates for the people. I don't question your numbers, I question the methodology that is used now to determine that.

Mr. Butts: And that is why the numbers are fairly high, if you look at the 820 employees and there is a band for 368 units out of that affordable housing.

Mr. Pumariega: I believe there is going to be some discussion taking place over the next year regarding the East Central Florida RPC methodology and ways to improve the current model or replace it with another.

Commissioner von Hahmann said Lakewood Ranch has been an incredibly good steward of the environment They have provided some good preserves and parks for their residents and noted there will be tunneling under roads for wildlife.

Mr. Butts: We are preserving an additional 5 acres of uplands outside the buffers so we will have a 50 foot or 30 foot buffer of upland preserve.

Commissioner von Hahmann: And for schools as well, we are finding that our developers are really stepping up to the plate to meet school concurrency.

Reverend Golden: The proposed plan of development on page 3, phase 1 indicates there will be 2,650 single family units, 350 multi-family units. I don't want to rehash the discussion but want to stick to the true availability of affordable housing right now. Is it more than coincidental that the number of projects related to affordable housing that you provide will be in one location or are they going to be disbursed throughout the project?

Mr. Butts: Yes, it must be coincidental. Our affordable housing analysis is based on everything external to the project.

Reverend Golden: So even the 378 units, you are saying already exist within 20 minutes?

Mr. Butts: No, I'm saying 1, 155 affordable housing units exist in the 10 mile/20 minute project area.

Mr. Hoyt: I have four quick comments. The analysis always says there is affordable housing "over there" and "over there", therefore we don't need to build any affordable housing in here. Of course this is what we are being asked to look at. Basically there aren't any new affordable housing units within this DRI itself.

Mr. Butts: We did not assume that.

Mr. Hoyt: The second thing is the revenues. I did a little multiplication and it looked to me that the range of \$25 billion would flow to the combination of Manatee County government and the school district over the next 13 years. Unfortunately, there wasn't a cost page or chart that showed costs that would be incurred by the school district and the city to provide whatever services they have over that same period. Plus, one can't reach a conclusion about whether this is beneficial or not beneficial in an economic development sense.

The third comment has to do with hurricane preparedness (page 41). There is more than just fire and wind resistant design. Wind resistant design includes not just the building itself but what is outside the building. I would call to your attention a recent draft study by the University of Florida, Cooperative Extension Service which has studied the hurricane resistance capabilities of every single tree that exists in our

tropical, sub-tropical, uplands and wetlands areas. Your developer may well find some benefit in considering what that list is, which trees are capable of sustaining hurricanes and making sure that the right tree is in the right place which is what is so important. We see so many of our developers these days putting in one kind of tree such as queen palms or live oaks. That's an unhealthy thing to do. You need to have the diversity of the species in order to protect them against disease and other things.

The last comment I would make is to my colleague that represents SWFWMD. Yes, you can have a commitment to Florida friendly yards, but it doesn't mean that the yards that are put in are actually going to be Florida friendly. If you have deed restrictions in the community that don't allow people to plant Florida friendly plants then you don't get that kind of a yard. The state legislature mandating certain percentages for Florida friendly yards is in place. SWFWMD regulations to comply with that mandate are in place. The part that is missing is at the county level and the county programs to provide incentives for your developers to actually implement Florida friendly yards.

Commissioner Simon: The enforcement issue isn't aided by deed restrictions. Seeing as how there are no deed police it falls to the homeowner association and they have no money to enforce it. Not only do they not have the money to enforce it, but commonly they are manned by volunteers who enforce selectively and at a very haphazard level. They don't enforce in a uniformed fashion. What Mr. Hoyt is saying is accurate. Just because you have a commitment and the developer says we would like to see xeriscape, that's great. But two homeowners later if the guy moves in and says this is ugly, because a lot of people think it is ugly, they are going to put in whatever they want. The house cost a lot of money and they are going to go ahead and do it. The only enforcement will be from the other neighbors and they are going to say his house looks nice. You are not going to get an answer by putting it in a deed restriction. It must be by ordinance. Also, the party that is selling the home isn't going to make it look deficit compared to the others. Unless it is a rule of law, they are going to landscape.

You will find that same behavior alive and well in transportation. It is alive and well with water and affordable housing. There are better ways to provide for affordable housing than what we currently do. Do you know what a LEM is? It's Location Efficient Mortgaging. When you get up next to an employment center the need for transportation goes down so the retail level we have a low socio-economic level of registry coming from the worker - they can absorb a less restrictive qualification for mortgage because they don't need as many vehicles because they are within walking distance or transportation distance. I could go on with smart coding and documentary stamp tax. I can give you the answer to a lot of it. None of it is in what they are doing here. Good behavior is a lot different than crisis level management. Just before you hit the iceberg will the ship attempt to turn? Yes. Crisis level promotes clear thinking. But if its not crisis and you just say good behavior is its own reward, well then most guys will say give me the bacon and eggs for breakfast,

not the Special K. It is not his fault, the rules need to be changed.

Commissioner Kynes: I have two comments. One is on the mitigation for the wetlands. I think this continues to be a huge issue. I have seen many years of “mitigation” when in fact it was not mitigated and really did destroy our basis of wetlands. I would like to know what your environmental procedures are. That’s my first question.

Mike Burton, scientist with Environmental Affairs Consultants for the developer said the impacts for this project are less than 2/10 of an acre for wetland impacts for road crossings across creeks only. Just to get transportation from one side to the other for transportation connectivity, neighborhood connectivity. The main thing is to avoid wetland impacts completely. Secondly, the Schroeder-Manatee Ranch family, which is the Lakewood Ranch community, restored over 250 acres of wetlands and preserved and managed another 200 acres of uplands in a unified system called Long Swamp. Although it is actually in the Evers Reservoir watershed and very closely connected from a biological and geological connection to this site, it is actually in Sarasota County. If you look at the entire basin it is a part of this. We started working on that about 15 years ago, planning, designing and implementing and it has been in place for about 7 years now and has already met success criteria at the water management district level, the US Army Corps of Engineers level, as well as both local governments (Sarasota & Manatee County). Both recognized it as an eco system management plan. So when we say we will be using the mitigation from Long Swamp to compensate for the impacts for this project we are talking about already demonstrated successful restoration preservation and management of a large complex system. If you go there now, especially springtime, you see clouds of birds. This is very successful mitigation. That is the kind of thing that we want to do for all wetland impacts for these types of projects. There was a combination of re-hydration and there was also a problem with Long Swamp due to some mining stuff that occurred downstream where they diverted water. There were old roadways that crossed through there and a lot of that was ripped out. There was huge vegetative restoration. It took years to get all of this restored. It has met success criteria and it is a night and day situation from what it used to be with very little wildlife utilization until now where you have a regionally important stopping place for migrating birds.

Commissioner Kynes: I’m very happy to hear about success stories and true mitigation. My second question is for the transportation person. Manatee County is already talking about the SIS and the roadways that will be needed to supply this development. Have you discussed if you are going to have transit capability as a part of the roadways so you would have transit capability whether you use it now or years later? That should be an added component.

Mr. Burton: I can say that Schroeder-Manatee Ranch is certainly committed to working with the transit authority as far as providing for transit service to the area when service becomes available.

Commissioner Kynes: You may not need it now, but again, if we start planning now for transit capabilities so that you have that component in place, that will put us years ahead because we have lacked that and now we are years behind.

Mr. Burton: As a part of this project we haven't looked at the cross section of those roadways. That will come up during the actual design of the roadways as the project gets underway. Wilson Miller has actually been doing some of the design and will certainly be willing to look at that and incorporate those concepts, working to make sure the roadway designs are compatible as they move forward with the project. Right now they are still at the master development plan stages.

Commissioner Kynes: But now is a good time as you do your conceptual design.

Mayor Bustle: I guess I'm not ready to let go of the affordable housing issue yet. On page 19 of the Final Report you state that your analysis was based on the median income of \$54,300 and that seems high to me. High by about \$20,000.

Mr. Butts: That number came from reference sources.

Mayor Bustle: The other concern that I have is that in some jurisdictions you would be required by ordinance to provide 10% or some percentage of new affordable houses based on the number that you are going to build. My commission is discussing this evening a mandatory ordinance for the City of Palmetto. The county is using voluntary, but even under voluntary you are not providing any new affordable houses in this project.

Mr. Butts: We are not making that commitment, correct.

Mayor Bustle: I really don't understand how you can say they exist around us, therefore we aren't required to build it. That boggles everything I've learned about affordable housing.

Mr. Butts: There is methodology. There are two different methodologies and both are approved by the state.

Mayor Bustle: Maybe the Manatee County methodology would be more appropriate where it is a voluntary program, or maybe one that is a mandatory program where you step up and say we're going to provide a certain percentage of affordable or workforce or attainable housing, whatever word you want to use. I'm really shocked that there are none, zero.

Mr. Butts: We used the appropriate methodology. Let me introduce Todd Pokrywa, Vice President of Planning, Schroeder-Manatee Ranch.

Mr. Pokrywa: We followed the East Central Florida RPC's methodology, as Mr. Butts outlined. This is only a small piece of the Schroeder-Manatee Ranch property. We are intensely researching different alternatives for being able to introduce workforce housing within the Ranch. We haven't made a commitment within this DRI. There is one behind this one called Lakewood Center. We have had the pre-application meeting for Lakewood Center and will shortly be submitting an application. This is

one of the areas that we are looking at for providing quite a bit of workforce housing. We are also trying to come up with a model that we can use to integrate workforce housing with market rate housing throughout the Ranch as we go forward.

Commissioner von Hahmann directed her comment to Mayor Bustle saying, on the affordable housing issue, that Manatee County is very committed to workforce and affordable housing. We do not have an inclusionary zoning ordinance and I hear you all may be addressing that at the Palmetto City Commission meeting. We have taken two incentives and are providing assistance to our development community in order to provide a way for workforce/affordable housing. We have given density bonuses on a number of projects and I would have to say more than likely we will receive density bonuses. I think when it comes before us at the approval level as the phases go forward, that they are going to be asked to do something and I think they are very well aware of it. A DRI designation is great, but the impacts are cumulative and unfortunately we don't have DRIs all the time. The smaller units have just as heavy an impact. All of a sudden you are trying to figure out all the cumulative impacts on your system. That is one of the biggest challenges that Manatee County has faced. I've been on this Council for 5 years and this is the only DRI Manatee has had. I wanted to make a comment that Mike Burton, who is their environmental consultant, probably in my mind is the best in Manatee County. He is the chairman of our Environmental Lands Management and Acquisition Council. I don't think they could have gotten a better person.

Commissioner von Hahmann further said her main concern for the region are the transportation issues. I-75 is now a local road for all of us. State Road 70 is a mess. We are doing everything we can to correct that. Design policies of planners these days want gated communities that aren't connected to each other and they have to go out and use one main road to get to where ever they want to go. It's a challenge we all face with the way that planning is done these days. In light of what Mr. Simon said, I don't think anyone could come before us today that wouldn't be challenged in this whole arena. There is no good and easy way to develop with all the issues we face in the Tampa Bay region.

Reverend Golden: You are in charge of this subdivision. I appreciate all of the intense extrications of the problems it has with affordable housing and I think you have an opportunity here. It is fairly obvious that the model that was used, albeit correctly, is not adequate to help us as a region to address affordable housing. You come with the best abilities to help us. You are one of the largest developers in the area. I heard you say you are considering incorporating into those DRIs affordable housing. You know from a market standpoint what you are able to do, you know what you are willing to do. If you would share that with us, that would help.

What we probably have here is a lack of information. But let's assume it is more than that. I would like those discussions which will be taking place over the next year, that were mentioned by Mr. Pumariega, to include your Chair, Rex Jensen. Mr. Jensen was a part of our Affordable Housing Symposium last year. I think we have a great opportunity here to make a difference at this level that will not only help us here in the Tampa Bay Regional Planning Council area, but across the state of Florida. I agree with Commissioner von Hahmann, yes we do have problems with a lot of small developers not being linked to affordable housing. That's another problem for another time. But here we can address affordable housing at the DRI

level. I would like that commitment today. I don't want to vote on this today and have the same problem that I had before I voted on it. If you are willing to help us I would like somebody to say, in plain language, that this model is inadequate to deal with the problems that we have in the Tampa Bay region for affordable housing and we will step up to the plate to help you develop a model that does work and in fact, will also make a commitment to deal with the affordable housing crisis.

Commissioner Simon mentioned that this would have to be done at the state level. The figures they are using, if you qualify – you wouldn't even qualify for the mortgage on the house. You have to change it at the state level.

Reverend Golden: What we have found in Manatee County is that it does work when you cooperate and collaborate. I'm not about to sit here and say we are going to make a rule that requires 10% of the housing affordable and then all you are going to do is go to a lawyer and see how to get around that. I'm not asking you to solve problems that you can't solve, but I'm asking you to help solve the problems we can solve and maybe we can do a model for the rest of the state.

Mr. Pokrywa stated Schroeder-Manatee Ranch is involved in collaboration and cooperation with the state and a group of stakeholders in reviewing the model. Georgianne Ratcliff with Wilson Miller is also involved and we have been working with the model and making recommendations of ways to improve it. Schroeder-Manatee Ranch is serious about wanting to work and solve the problem with adjacent projects that are concurrently undergoing review, albeit in different stages of the review process. We have been looking at the problem, we have been engaged in the discussion. This particular DRI is a small piece of our land holdings. We are not making any commitment that the projects within it are going to be workforce or affordable housing. There is a large DRI that is being composed right next door with over 3500 units and we are looking at ways to integrate workforce and affordable housing into that.

Reverend Golden: Let's cut to the chase. What I'm really asking is for this developer, who has 2 or 3 DRIs that will be coming through here in the next couple of years, to take the lead in helping us solve the affordable housing problem.

Mr. Pokrywa stated he believes they are doing that. There will be a percentage of affordable/workforce housing within Lakewood Ranch. What that percentage is I can't tell you today. We are working on that. I can't tell you exactly what we are going to do in terms of price level, but we are actively engaged in discussions. We aren't trying to get around anything.

Commissioner Simon stated to Reverend Golden that it would take 15 minutes to show him that the figure they used for income is too low, but you can't tell the guy who has to come in for the measurement that it is his responsibility to change the criteria. He is not the one to do that. He is governed by it, he doesn't create it. It is the legislative arm of the body of the state of Florida that creates it. I'll be able to help you on any level that you want help on. I support you 100%. The only way we disagree is that you are attempting to extract from him a promise to fix the problem and that's not his job. He is abiding by the rules.

Commissioner Welch: Pinellas County is looking at a mandatory inclusionary zoning, but done right with the proper incentives and off-sets, expedited processing, density and those kinds of things. I agree the model does not work for me and my question is: on page 19, are you saying that there are 1,155 available affordable units right now, in that area - in that 20 mile or 20 minute area?

Not occupied? They are opened?

Mr. Butts: Yes there are.

Commissioner Welch: I haven't heard anywhere that there is a surplus of affordable housing in our area and you are saying these units are out there and ready for folks to move in?

Mr. Butts: Based upon methodology, yes. 1,155 empty units in that area? No. There is a process to do that. Some are empty at this point.

Commissioner Welch: So you are counting just the inventory - if someone is in there it is effectively not available. But you are still counting it.

Mr. Butts: No, owner occupied house or multi-family that is not available for rent-no.

Commissioner Welch: Then, it's not in that number?

Mr. Butts: Correct. It is not in that number.

Commissioner Welch: So again, the 1,155 are available?

Mr. Butts: Correct. They may be units that are temporarily occupied that will come on the market when advertized.

Commissioner Welch: But, they are available for a new person to move in?

Mr. Butts: That's my understanding.

Commissioner Welch: That's very surprising to me.

Mr. Butts: You were right, they are not.

Commissioner Welch: That's what I assumed.

Commissioner Simon: There is a methodology in their criteria that does not actually produce empty units only in their calculation. Is that what you were asking? You are correct, it can be full and they still can count it as available.

Commissioner Welch: So that number really has no real meaning.

Diane Chadwick, Planner with Wilson Miller, responded to the discussion. As far as the way the affordable housing inventory is done you look at sales data that comes directly from Manatee County or whatever county you are dealing with and you look at what sold in that area and what type of prices are available in that area. But when it comes to the rental market it is based on availability, empty units, what the vacancy rate is.

Commissioner Simon: What you just said is 50% of the calculation is skewed as to availability.

Commissioner Welch: How much of the 1,155 then are actual open rental units that are out there for folks to move in to?

Ms. Chadwick: Unfortunately, I don't know off the top of my head.

Ms. Collins suggested all Council members receive a copy of the East Central Florida RPC methodology.

Ms. Chadwick: Would it be helpful for you to receive the full ADA question on housing that we prepared so you can actually read through it? It talks about the methodology, it gives numerous charts on how all these numbers are formulated.

Commissioner Welch: The problem, as you can tell, is that there are some phantom units included that don't really address the availability of affordable housing. My second question is, when you talk about what is essentially off-site mitigation in Lakewood Central where there will be affordable workforce units, what are you using in your definition of workforce? This chart goes up to 120% of area median income. What are you calling workforce housing?

Ms. Chadwick: There is a Manatee County definition of workforce housing, \$192,000 is the cap of that. There is the East Central Florida and the way the DRI is done, there is a whole different set of numbers and that's part of the dilemma that people deal with. You have a state mandated set of numbers and now we are working with the county on trying to assist with the workforce housing, which of course is for your teachers, nurses, firemen etc.

Commissioner Welch: Does that translate to a certain AMI range? 80-120? When you say workforce, what population is that?

Ms. Chadwick: Commissioner von Hahmann can probably explain to you a little better on how they came across the workforce, but as far as the DRI, yes it is.

Commissioner von Hahmann stated Manatee County's is \$70,000 of earning for a family of four. And through that they determined they could afford a \$192,000 home.

Commissioner Simon: If they don't have but 6 car payments left. You have two ratios, front end and back end for qualifications. All you do is take a multiplier and you take a denominator and a numerator and you take the monthly gross income and you take the net monthly income and you divide. If your fraction is .28 you are going to qualify for conventional. At that level you couldn't even hope to qualify at \$70,000 unless there was no other car payments because you wouldn't make the back end ratio for your other total monthly obligations. It's not his fault. The rule has been changed. It's much worse than you think it is, but it's not his responsibility to fix it here. You have to fix it at a different level. I'll be happy to go where ever you want and tell them what it is because I have an unusual background. The model doesn't work, the rule doesn't work and the criteria is artificially created. It has nothing to do with reality.

Commissioner Welch: Who fixes the model? Who changes it?

Commissioner Kynes suggested that if Council wants to look at the model, then it should be referred to the Legislative Committee and begin a push in looking at the criteria.

Mr. Hoyt: I would like to propose that we do exactly that. I am prepared to make a motion after this matter is disposed of to get us started on the path that would address both Commissioner von Hahmann's problems with the transportation and the rest of our problems with the affordable housing. I have heard all of us talk about this particular thing. We have an obligation this morning to dispose of this particular matter and I will make the motion that says we approve it as submitted. (Hoyt/ Simon) The motion to approve the Northwest Sector Final Report and transmit to Manatee County and the Florida Department of Community Affairs carried unanimously.

Mr. Hoyt: Motion the Council initiate activities to achieve a complete review of the inadequacies of the transportation models and the affordable housing models that were used in reviewing applications for Developments of Regional Impact (DRI) with the objective of bringing about changes in those at our level, the county level and the state level, where ever is required in order that they properly reflect the realities of today in the development of properties. (Hoyt/Miller).

Ms. Collins: Is this something we can do at the Council level?

Mr. Wynne: When we identify specific concerns there are two places we can address them. There is always a transportation methodology meeting prior to each DRI and that methodology is always evolving as new types of issues come up, where standards change. Transit, for example, usually they only assume less than 2% if any of the trips will go to transit. If we want to discuss whether or not that should be a higher rate or a lower rate, the transportation methodology is the place to do that. We start with the base methodology that's pretty much widely used and then we have local customary things that we do differently. East Central RPC may do things slightly different than TBRPC, but everybody works from a relatively standardized methodology recognized by the Institute for Traffic and Transportation engineers and DOT and the MPOs and so forth. That's where the transportation issues can be addressed. Generally speaking I don't hear people saying it is broken as much as the affordable housing methodology is broken.

Commissioner Simon: Do you know the number of trips from the average residence per day? The planner is using 10. I have 10 trips in half a day from two kids, let alone the rest of the house. It is not the developer's fault and it's not our fault, it is the guy who wrote the book and the elected official at the state level that allows that to still exist.

Mr. Wynne: If the Council thinks that the trip generation rates that are being used on the front end aren't adequate or accurate, we can try to establish ones at a local level. But as Commissioner Simon said that could be very expensive. We have the ability to address it.

Chairman Kersteen suggested the conversation continue at a Legislative Committee meeting.

Recognition:

Chairman Kersteen recognized Bob Matthews for his service to Council for 12 years and presented him with a Dedication to Service plaque and a pen. Mr. Matthews stated affordable housing is the reason he is no longer in office. The people of Seminole, mobile home residents, rallied to vote for the new person on the block. The sad part of it is, they don't have an answer coming from Seminole. The latest thing at the last Seminole Council meeting was to have a moratorium on building in Seminole. It will never happen. Mr. Matthews stated he enjoyed his time at the Council.

Mr. Roger Tucker, General Counsel for TBRPC had a comment on Mr. Hoyt's motion and stated one of the problems he sees with the motion is that it included a thorough review of the transportation methodology. It sounds like a very nice thing for us to be able to do but we don't have that kind of money. We are talking about thousands and thousands of dollars to start reviewing the green book.

Mr. Hoyt replied he didn't intend to appropriate money but what he did intend is that the Chairman and the Executive Director put their heads together and decide how to approach this. He have heard people say that assigning it to the Legislative Committee is the right place to start and has no problem with that. The motion was deliberately left open so we didn't have problems like that, that they were free to take the path that is appropriate for the task that was assigned.

Mr. Tucker stated that it was his understanding that this was what the motion ended up as.

Mr. Hoyt said a portion of his motion stated "to begin to take the initiative to figure out how to change those things."

A Council member stated it was his understanding that we were not talking about changing things at a local level, this was going to be a state initiative and that's why it is going to the Legislative Committee.

Mr. Hoyt said that his sense was that there are things that can be done locally and describe some of the things that the Council itself can begin to do over a period of time that won't run into major hurdles or cost us a ton of money. So that's what I said, state level, this Council, and to work with our local governments to figure out what we can do locally to change some of these things. I don't know what the final answer is, that's why we need to do the work. I think that the case the Reverend and many others have made about the urgency of at least seeing what we can try to do and try to do it is really what I asked. I trust the Chair and the Executive Director to figure out what's the right way to do it.

Mr. Tucker acknowledged the clarification.

Mr. Garcia mentioned that it was also requested the methodology for affordable housing be looked at.

B. DCA #06-ER-LU – Pasco County FLUM Amendments

Previously, under the Consent Agenda, the Council approved the text amendments that were transmitted with these amendments. Since the Future Land Use Map changes were so vast and several were found inconsistent with the SRPP, a brief presentation was presented. Mr. Wynne suggested the Pasco County Planners consult the Council map before making any future changes to land use maps.

Pasco County proposed sixty (60) Evaluation and Appraisal Reports, based revisions to its Future Land Use Map totaling 6,659 acres. Of the sixty (60) proposed revisions, thirty two (32) are deemed to be Regionally Significant of which twenty eight (28) are recommended to be found consistent with the Strategic Regional Policy Plan, and seven (7) are recommended to be found Inconsistent with the SRPP.

Motion to approve staff report and forward to the Florida Department of Community Affairs. (Simon/Hoyt)

Commissioner Simon: This was brought up at a commission meeting and I was not happy with them picking an employment center for the area that this commissioner thought was wet. Now this is going to come by way of suggestion from the RPC back to Pasco County, DCA will get a copy and take a look at it, and perhaps there will be some movement or scale down. Mr. Wynne has already talked to the Pasco County staff about taking exception to this and they are dealing with that.

6. **No Guest Speaker**

7. **Council Members' Comments** - Chairman Kersteen

Vice Mayor Miller asked when Council will hear about the OPPAGA removal of Manatee County and Mr. Pumariega stated from what he has heard in Tallahassee, that will not be going anywhere. They got the message from all the resolutions that were sent from the elected officials by out cities and counties. Mr. Pumariega stated he received a call from the OPPAGA office after they received our resolution and indicated that they did not recommend that Manatee County be removed from the Council. While this is a dead issue right now it may come back again.

8. **Program Reports**

A. **Agency on Bay Management (ABM)** - Mayor Mary Maloof, Chair
No Report.

B. **Clearinghouse Review Committee (CRC)**

Ms. Collins made the recommendation that the CRC sit down and work side by side with the Legislative Committee to discuss the two issues of transportation and affordable housing. We will call a meeting.

C. **Local Emergency Planning Committee (LEPC)**

No Report.

D. **Emergency Management**

No Report.

E. **Legislative Committee** - Commissioner Deborah Kynes, Chair

HB 683 is now leading the way in growth management legislation. Staff has been providing feedback to Ron Book's office. There will be one more workshop on this bill while proceeding through the various committees.

Both the Senate and the House have 3.3 million appropriations funding for all 11 regional

planning councils. This means that our funding should not go to conference. This is a \$300,000 increase over the current funding level.

In your folders is a copy of the Council letter sent to the legislation regarding eminent domain. However, last Thursday the House voted 116-0 on eminent domain HB 1561 that in most cases would prohibit cities, counties and community redevelopment agencies from condemning property for economic development purposes. A proposed Constitutional Amendment, HJR 1569, that includes the same restrictions, passed 92-23.

I want to remind everyone to contact the Governor to gain his support of our Workforce Housing Initiative. As you recall, on March 29th, Manny sent each of the members an email requesting that we all do this. Staff will send an email with a draft letter and the Governor's email address and is confident that we can secure a Legislative Sponsor as long as we receive an endorsement from the governor's office.

Chairman Bob Kersteen, Vice-Chair Jill Collins and gubernatorial appointee, Barbara Sheen Todd attended the FRCA Policy Board meeting this past Friday in Tallahassee. We heard a presentation from Secretary Colleen Castille and Thaddeus Cohen. We also had an opportunity to visit with some of the legislators including House Speaker Bense's office.

There is an indication that the legislature will establish a joint House and Senate Affordable Housing Task Force. Rep. Mike Davis is proposing a Growth Management Summit this summer and will be asking for the involvement of the Regional Planning Councils. The workforce housing initiative, as proposed by the RPCs, we are asking that it be integrated in HB 1363, which is the main affordable housing bill sponsored by Representative Mike Davis.

F. Regional Planning Advisory Committee (RPAC)

No Report.

G. Telework Tampa Bay

No Report.

H. Economic Development

No Report.

I. Regional Domestic Security Task Force (RDSTF)

No Report.

9. Other Council Reports – None.

10. Executive/Budget Committee Report - Chairman Kersteen

The Mid Year Amendment was approved at the Executive/Budget Committee, and was also approved by Council.

11. Chairman's Report - Chairman Kersteen

Chairman Kersteen complimented Ms. Wren Krahl for the fantastic job she did for the Future of the Region Awards event and asked the Council to give her a round of applause. The Chairman also

thanked Pinellas 18 for covering the event and it will air on Friday, April 14th at 7pm on Inside Pinellas and several more times during the following week.

12. **Executive Director's Report** - Manny Pumariega
No Report.

Adjournment 11:45 a.m.

Next Meeting - May 8, 2006 at 10:00 a.m.

Events Calendar located in Council folders.

Lori Denman, Recording Secretary

Robert A. "Bob" Kersteen, Chairman