

## **APPENDIX 2.131**

### **SECTION 2.131- S BREWSTER SELECTED AREA PLAN**

The Brewster Selected Area Plan (SAP) is generally bounded on the north by County Road 630, on the south by the Polk/Hardee County Line, on the east by District Line Road and on the west by Fort Green Road. This SAP is adopted in recognition that the area:

- is located within a large Phosphate Mining (PM) Future Land Use district;
- is undergoing active mining operations, including ore extraction and reclamation;
- consists of approximately 55% open water bodies, wetlands, clay settling areas, and other areas not suitable for building structures;
- is included in an on-going larger Selected Area Study (SAS), known as the Bone Valley SAS, and is intended to contribute to the overall implementation strategy developed by the larger SAS; and
- is partially located within the Hookers Prairie Palmetto DRI and subject to a Development Order.

### **VISION – BASIC PRINCIPLES**

The “Basic Principles” section is included to serve as a framework to convey the concept and intent of the objectives and policies of the Brewster Selected Area Plan (SAP).

- Establish an activity center within the core of the SAP to permit a mix of tourist commercial uses which includes a hotel/conference center and a variety of support uses for visitors engaged in recreation and open space activities available within the SAP that will appeal to a regional, national and international market base.
- Establish a sustainable resource-based recreational development which creates long-term value, minimizes waste, promotes a healthy and diverse ecosystem, and recognizes the interdependence of the environmental elements and the development design of uses constructed within the SAP.
- Enable the continuation of permitted mining activities within the SAP as a temporary use and enable the transition of these activities to quality open space, environmental lands, recreation, and wildlife habitat areas through land reclamation.
- Establish a SAP which is consistent with and furthers the intent of Policy 2.114-A4, which encourages reclamation of mined lands and the future development of these lands.

- Promote the conservation, preservation, enhancement and management of environmental resources, including any environmentally sensitive lands. Provide for large, contiguous expanses of open space which includes a variety of land forms and environmental features, such as wetlands, lakes and upland areas. These areas are recognized as valuable assets for the success of a resource-based recreational development and provide a quality of life consistent with a high quality outdoor recreation experience.
- Preserve the intent of the Integrated Habitat Network (IHN) where it contributes to the overall quality of open space and environmental features of the SAP.
- Provide a variety of housing types for residents, employees and visitors, which will be integrated into the overall resource-based recreational development.
- Limit access to the resort from adjacent public roads and provide for internal circulation and connection among different land uses through the use of roads, golf cart paths, and pedestrian trails.

**GOAL 2.131-S: To develop an environmentally sensitive recreation focused plan, which provides activity center based eco-tourism opportunities that incorporate a variety of outdoor sporting venues, recreation activities, and promotes the establishment of open space and preservation areas through land reclamation.**

**OBJECTIVE 2.131-S.A: Polk County shall designate and establish Future Land Use categories and development criteria that are specific to this Selected Area Plan (SAP) that implement the goals of this SAP.**

**POLICY 2.131-S.A1: DESIGNATION AND MAPPING** – The Brewster Selected Area Plan (SAP) is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map Series and the Brewster SAP which are included as part of the Map Series.

**POLICY 2.131-S.A2: LAND USE CATEGORIES ESTABLISHED** – The following land use categories shall apply:

- A. Agriculture/Rural Residential (A/RRX)
- B. Tourist Commercial Center (TCCX)
- C. Recreation and Open Space (ROSX)
- D. Preservation (PRESVX)
- E. Leisure Recreation (L/RX)
- F. Phosphate Mining (PMX)

POLICY 2.131-S.A3: GENERAL DEVELOPMENT CRITERIA – Development shall be permitted within this SAP as follows:

- A. BASIC LAND USE CATEGORIES – Development shall be permitted for the Agriculture/Rural Residential (A/RR) Future Land Use designation based on the applicable policies in the Future Land Use Element of the Comprehensive Plan.
- B. MODIFIED LAND USE CATEGORIES – Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land use category within the Comprehensive Plan. Development within the following land use categories shall be permitted as specified within this SAP:
  - 1. Tourism Commercial Center (TCCX)
  - 2. Leisure Recreation (L/RX)
  - 3. Recreation and Open Space (RO SX)
  - 4. Preservation (PRESVX)
  - 5. Phosphate Mining (PMX)
- C. PHOSPHATE MINING ACTIVITY – This SAP includes existing phosphate mining operations which were permitted by Phosphate Mine Operating permits per Ordinance 88-19 and were consistent with the Phosphate Mine (PM) land use designation. These mining activities are considered temporary uses and will transition to other, permanent uses. The purpose of this SAP is to establish land uses which will allow the permitted mining operations to continue and enable mining uses and activity to transition into a resource-based recreational development which is dependent on large expanse of open space, environmental resources, wildlife habitat, and conservation areas. In order to allow the transition from mining operation to the uses permitted under the Future Land Use designations established by this SAP, activities which support phosphate mining, such as pipelines, transmission lines, reclamation activity, etc shall be permitted within all land use classifications in the SAP. Mosiac is finishing mining activity in the southern half of Section 20, and northern half of Sections 28 and 29, in Township 32, Range 24. This area is not designated as Phosphate Mining “X” due to the fact that mining will cease within six months. If mining has not ceased within six months, the property owner shall submit a Comprehensive Plan amendment in the next available amendment cycle according to the processes listed in Section 163, Florida Statutes, the Polk County Comprehensive Plan and the Land Development Code.
- D. DEVELOPMENT OF REGIONAL IMPACT – A portion of the SAP, approximately 4,936 acres, is included within the Hookers Prairie Palmetto Tract Development of Regional Impact (DRI). The DRI Development Order, which was initially approved in 1988 and amended on October 4, 1994, and all of the conditions of the Development Order shall apply to the areas of the SAP that are also within the DRI. The DRI shall take precedent over the implementation of any of these SAP policies.

Any changes to the DRI which would include re-mining or intensification in mining (ore extraction) shall only be permitted in the PMX.

- E. **FLOOR AREA RATIO (FAR)** – The maximum FAR ranges for the TCCX, PMX, L/RX, and PRESVX shall be in accordance with the table below. The lowest number in the table for each Future Land Use designation is the maximum FAR permitted based on an administrative and technical review. However, FARs up to the highest number shown in the table, for each Future Land Use designation, may be achieved through a Planned Development (PD) pursuant to the Land Development Code. FAR standards shall not apply to residential development. The Land Development Code shall provide more specificity.

	Future Land Use Designations				
	TCCX	PMX	L/RX	ROXX	PRESVX
FAR	0.03 – 0.05	0	0.05 – 0.10	0.01 – 0.002	0.00005

- F. **UTILITY SERVICE** – At a minimum, development within the TCCX and L/RX shall be served by central potable water and sanitary sewer service which are sized with sufficient capacity to serve these areas, including minimum water flow requirements for fire protection in accordance with the Infrastructure Element of the Polk County Comprehensive Plan and Land Development Code with the following exceptions:

1. County owned recreational facilities shall not be required to connect per this policy and shall follow the other relevant Elements of this Comprehensive Plan
2. Non-residential isolated and ancillary uses such as maintenance structures, facilities used for shooting ranges, water sports, ecotourism, fishing, and golf course or other recreation concessions that are not located in proximity to the principle uses within the SAP, which generates a demand of less than 1,000 gallons per day of potable water or wastewater treatment, shall not be required to connect to central potable water and sanitary sewer service.

The amount of development connected to public water and sewer systems shall be limited to the approved through a Consumptive Use Permit modification or other provider.

- G. **IMPLEMENTATION AND INTERNAL CONFLICTS** – Development within the Brewster Selected Area Plan (SAP) shall occur in accordance with other policies within the Polk County Comprehensive Plan except where policies are modified by this section. The SAP policies are designed to modify specific policies within the Polk County Comprehensive Plan. Where there is a conflict in policy or standards between these SAP policies and the specific Polk County Comprehensive Plan, the provisions of this SAP shall apply.

- H. **DEVELOPABLE ACREAGE** - The development intensity (FAR and density) within the SAP shall be calculated based on the net usable land area rather than the total acreage displayed on the FLUM. The net usable land area excludes any water bodies or wetland areas or clay settling areas.

POLICY 2.131-S.A4: DEVELOPMENT CRITERIA FOR MODIFIED LAND USE CATEGORIES - Land within “modified land-use categories”, as enumerated in Policy 2.131-S.A2, shall be developed in accordance with the Future Land Use Element except as modified according to the following criteria:

A. TOURISM COMMERCIAL CENTER (TCCX) – In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. CHARACTERISTICS –TCCX are intended to provide for the tourist, recreation needs and entertainment activities for the visitor and resident within the SAP, and include, but are not limited to, the following typical uses: hotels, restaurants, lounges, business centers, meeting/conference rooms, retail sales, spas, fitness centers, etc.
2. DESIGNATION AND MAPPING - The TCCX is designated on the Future Land Use Map Series as TCCX.
3. LOCATION AND DEVELOPMENT CRITERIA-
  - a. Uses within this land use designation shall be designed as a harmonious grouping of uses and buildings that have a unified scale, character and image, including cohesive architecture and linked through internal traffic circulation.
  - b. The TCCX shall have a minimum frontage of 100 feet on a paved collector road. The main access for the TCCX shall be on a paved collector roadway meeting county standards.
  - c. The TCCX activity center and permitted uses shall be located within the interior of the SAP in order to be centrally oriented to other recreational amenities within the SAP.
  - d. The development intensity (FAR) within the TCCX shall be calculated based on the net usable land. The net usable land area excludes any water bodies or wetland areas or clay settling areas.

B. LEISURE/RECREATION (L/RX) – In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. LOCATION CRITERIA – Access to L/RX may also be provided with a paved road designed to meet traffic safety and fire protection requirements that has a direct connection to an Activity Center.
2. DESIGNATION AND MAPPING - The L/RX is designated on the Future Land Use Map Series as L/RX.

3. DEVELOPMENT CRITERIA –

- a. All Type A Leisure/Recreation uses, facilities and development intensities shall be permitted as outlined in Policy 2.115-A4, which includes criteria for housing structures, open space requirements, resource-based recreation and passive recreation. Densities shall be limited as stated in Policy 2.131-S.A4, B, 2, c.
- b. Any types of recreation activities and associated infrastructures may be permitted through the approval of a Conditional Use (CU) as specified in the Land Development Code.
- c. Residential densities shall be limited and permitted as part of a Planned Development (PD) in accordance with the following criteria:
  - i. The maximum gross residential densities may not exceed 1du/5 acres;
  - ii. Residential development shall utilize conservation subdivision design techniques and be clustered in a compact, cohesive manner in order to create a more efficient design of land, natural resources and infrastructure;
  - iii. Residential development shall utilize Low Impact Development (LID) design techniques as used in industry standards to manage storm water, maintain or restore a watershed's hydrologic and ecological functions and minimize impacts to Little Payne Creek;
  - iv. The maximum residential lot size shall be one acre (43,560 square feet);
  - v. Residential development shall be required to provide a minimum of 50% total open space and a minimum of 25% upland open space. Golf courses and active recreation shall not be permitted within the open space.;
  - vi. All residential units shall be connected to central water and sewer;
  - vii. The access of residents to daily shopping needs including retail, medical, and personal services shall be demonstrated prior to approval of a PD. This requirement could be met by existing services within the SAP TCCX; and,
  - viii. A maximum of 50% of the residential units shall be allowed to be used as a primary residence.

- d. Residential density and Floor Area Ratios shall be calculated based on the total usable land area that excludes any water bodies or wetlands or clay settling areas rather than using the total acreage of 3,168.
- e. Permanent residential shall not be permitted within the floodplain.
- f. Development shall be setback a minimum of 100 feet from the boundary of any PRESV site.

C. RECREATION AND OPEN SPACE (ROSX) – ROSX is intended to provide open space and recreation areas which can either be publically or privately owned and managed. These areas include recreation areas accessible to the general public or privately managed with access provided for a fee. In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

- 1. **CHARACTERISTICS** – ROSX are intended to provide for the open space and recreation needs for the visitor or resident within the SAP, and include, but are not limited to, the following typical uses: public and private golf courses and associated amenities such as a clubhouse, gift/pro shop, bar and lounge, etc.
- 2. **DESIGNATION AND MAPPING** - The ROSX is designated on the Future Land Use Map Series as ROSX. Designation of the ROSX within this SAP will occur on lands which are no longer undergoing phosphate mining and are suitable for recreational use through reclamation efforts. Floor Area Ratios shall be calculated based on the total usable land area excluding any open water bodies or wetlands or clay settling areas.
- 3. **LOCATION CRITERIA** – Access to ROSX may also be provided with a paved road designed to meet traffic safety and fire protection requirements that has a direct connection to an Activity Center.
- 4. **DEVELOPMENT CRITERIA** – Development and uses permitted within the ROSX shall be limited to low impact development and may include the following:
  - a. Private owned or operated outdoor sporting and recreational activities, or
  - b. Privately owned and managed open spaces.

D. PHOSPHATE MINING (PMX) – The PMX is intended to be temporary and to transition into other Future Land Use categories, therefore no intensification of mining operations are allowed nor is the development of uses. Mining and reclamation is only permitted rather than any allied industry, therefore, FARs do not apply to this PMX within this SAP. In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. **CHARACTERISTICS** – PMX is intended to allow the continuation of existing permitted mining operations, including phosphate mining (ore extraction), support uses and facilities, reclamation activity and non-reclaimed lands. Since no intensification of mining operations are allowed the following uses are prohibited, including, but are not limited to, industrial uses, gypsum stacks, motor freight terminals, and power plants.
2. **DESIGNATION AND MAPPING** - The PMX is designated on the Future Land Use Map Series as PMX. PMX areas shall be designated and mapped on the Future Land Use Map Series for lands which contain existing phosphate mining areas and support facilities, including land currently undergoing reclamation, completed reclamation or non-reclaimed inactive mining areas

E. PRESERVATION (PRESVX) – In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply.

1. **DESIGNATION AND MAPPING** - The PRESVX is designated on the Future Land Use Map Series as PRESVX. At a minimum, the following areas shall be designated on the Future Land Use Map Series as PRESVX.
  - a. The 261 acre site identified as Conservation Easement 11 (CE-11) by the Florida Department of Environmental Protection (FDEP) located near the intersection of CR 630 and District Line Road,
  - b. The 145 acre site along the Little Payne Creek identified as Coastal Settlement 8 (CS-8) by the Florida Department of Environmental Protection (FDEP), and
  - c. The 385 acre site, which includes a buffer area for the CS-8 property and an area connecting the CS-8 property with the western boundary of the SAP to provide for continuity of the Integrated Habitat Network (IHN) within the SAP and to provide additional buffer area to the CS-8 area.
2. **LOCATION CRITERIA** - Privately purchased PRESVX may be located to enhance or protect the IHN as described in POLICY 2.131-S.D3 or Recreational System as established in POLICY 2.131-S.C1.

3. DEVELOPMENT CRITERIA - Development and uses permitted within the PRESVX shall be limited to low impact development and may include the following:
  - a. Limited vehicular crossings for internal paths to accommodate golf carts; bicycles, and pedestrian traffic, and
  - b. Construction of walking trails, timber boardwalks, observation decks, or other similar structures.
  - c. Vehicular crossings for automobiles, trucks, etc. and utility lines for water and sewer service shall be limited to one crossing located immediately west of property owned by the State of Florida, known as Coastal Settlement 8, in the vicinity of an existing crossing.

**OBJECTIVE 2.131-S.B: Development within the SAP shall minimize the impacts to the capacity of County Road 630, County Road 663 (Fort Green Road), and District Line Road.**

POLICY 2.131-S.B1: INTERNAL CAPTURE – Development within the SAP shall maximize the internal capture and reduce the volume of external vehicle trips by provide an appropriate mix of uses which will provide a full range of activities and services.

POLICY 2.131-S.B2: CONNECTION BETWEEN USES – Development within the SAP shall maximize interconnection of recreational uses and activities with the services available within the SAP. The TCCX activity center shall serve as the central multi-modal location for access and connection to services.

POLICY 2.131-S.B3: MULTI-MODAL ACCESS – Development within the SAP shall encourage multi-modal components through an internal roadway design that allows for multi-passenger bus access and/or internal paths to accommodate bicycles and pedestrian traffic. Additional multi-modal facilities may be provided by other methods such as air transportation per the Land Development Code.

POLICY 2.131-S.B4: ACCESS TO DISTRICT LINE ROAD – District Line Road includes sections that are substandard in pavement surface and right-of-way width for a collector roadway. Approval of additional development utilizing this roadway segment may incur greater maintenance costs upon the County and/or result in a decline in its structural ability to perform its intended and limited purpose. Therefore, if any development is requested with access to District Line Road from this SAP it shall be limited per the standards in the Land Development Code with consideration being given to the following:

- A. The development requesting access from District Line Road also has access to the main resort;
- B. The land use activity is estimated (according to accepted data sources) to produce a low number of Peak Vehicle Trips as well as a low number of Average Annual Daily Trips (AADT) consistent with the Comprehensive Plan and Land Development Code;

- C. District Line Road is paved to county standards from the access point on District Line Road to a paved road meeting county standard in the northern direction.

**POLICY 2.131-S.B5: ACCESS TO C.R. 663 (FT. GREEN ROAD)** – At such time that development within the SAP generates more than 700 PM Peak Hour trips onto C.R. 663 (Ft. Green Road), no more development shall be permitted to generate traffic onto C.R. 663 until such time that C.R. 663 is improved to generate more capacity for any additional development requested. When the 700 PM Peak Hour trip rate is reached a second access shall be provided other than C.R. 663 for development within the SAP.

**OBJECTIVE 2.131-S.C:** A system of recreation and open space areas within the entire SAP shall be preserved and enhanced to provide a variety of outdoor recreation and sporting opportunities

**POLICY 2.131-S.C1: RECREATION SYSTEM** – A Recreation and Open Space system shall be established within the SAP, based on the following provisions:

- A. A minimum of seventy percent (70%) of the SAP shall be maintained or preserved for recreation and open space. Golf courses may account for a maximum of 25% for this requirement.
- B. Recreational uses will be provided to support a central activity center, which is developed within a Tourist Commercial Center (TCCX) Future Land Use category, and will have a functional relationship to the activity center through access connectivity.
- C. Storm water areas shall be integrated into the site design for the development. Careful consideration shall be given to the layout of basins and storm water management areas to optimize treatment and aesthetics. Basins and storm water management systems shall be designed to blend into open spaces and shall resemble natural areas to the standards provided in the Land Development Code.
- D. Development within the SAP shall promote sustainable development and design practices which protect and enhance the environmental resources and features within the area. This will be achieved by minimizing impacts to surface and ground water; the use of native, drought tolerant vegetation; enhancement of wildlife habitat areas; energy conservation; and designing infrastructure and buildings that are responsive to the environment and minimize carbon dioxide output.
- E. The Recreation System shall be included in the Open Space Plan as established in POLICY 2.131-S.D5.

**OBJECTIVE 2.131-S.D:** Areas which provide important environmental functions, such as wetlands, floodplains, and wildlife habitat, will be identified and protected.

**POLICY 2.131-S.D1: FLOODPLAINS** – Floodplain areas will be identified using actual field data and analysis and mapped as development and reclamation of mined areas occur within the TCCX and L/RX Future Land Use designations. Habitable structures will not be placed within an identified floodplain area.

POLICY 2.131-S.D2: WETLANDS – Wetland areas within the SAP were created and altered through mining and reclamation, therefore, limited impacts to wetland areas may occur and will be regulated by applicable state regulations regarding wetland impacts and mitigation and in accordance with the Future Land Use element of the Polk County Comprehensive Plan.

POLICY 2.131-S.D3: INTEGRATED HABITAT NETWORK (IHN) – The *Management Plan for the Integrated Habitat Network / Coordinated Development Area: Lease Nos. 3963, 3995 and 4236* developed and updated by the Florida Department of Environmental Protection (FDEP) Bureau of Mine Reclamation (BOMR) will serve as a guide for reclamation and conservation within the SAP by the following methods:

- A. Areas with conservation agreements based on the IHN will be assigned a Future Land Use designation of Preservation.
- B. Additional areas within the IHN or adjacent to the IHN may be preserved through Future Land Use designations, inclusion in the Recreation System (POLICY 2.131-S.C.1), or by development limitations per the Land Development Code.
- C. The areas protected under this policy shall be included in the Open Space Plan as established in POLICY 2.131-S.D5.
- D. Applications for development that include any portion of the IHN will be reviewed by the FDEP BOMR and the Florida Fish and Wildlife Conservation (FFWCC) as to that development plan’s consistency with the IHN. If either of these agencies determine that the property includes areas that contribute to the IHN, those areas shall be protected by one of the methods listed in Policy 2.131-S.D3 (B) or per the Land Development Code.

POLICY 2.131-S.D4: SOILS – Development of habitable structures within the SAP shall be in accordance with acceptable engineering practices and shall include the submission of subsurface soil analysis to determine the appropriate method of construction.

POLICY 2.131-S.D5: OPEN SPACE PLAN (Plan) – An Open Space Plan shall be developed per the Land Development Code for the IHN areas preserved under POLICY 2.131-S.D3, the Recreation System established under POLICY 2.131-S.C1, and any additional open spaces provided.

<b>Revision History – Section 2.131-S Brewster Selected Area Plan</b>	
Policy 2.131-S.A3	CPA 13B-04 (Ord. 13-025)
Policy 2.131-S.A4	CPA 13B-04 (Ord. 13-025)
Policy 2.131-S.B3	CPA 15B-04 (Ord. 15-032) 6/2/15; CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-S.B5	Deleted CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-SB6	Replaced 2.131-S.B5 by CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-S.C1	CPA 15B-04 (Ord. 15-032) 6/2/15; CPA 15A-01 (Ord 15-003) 1/6/15