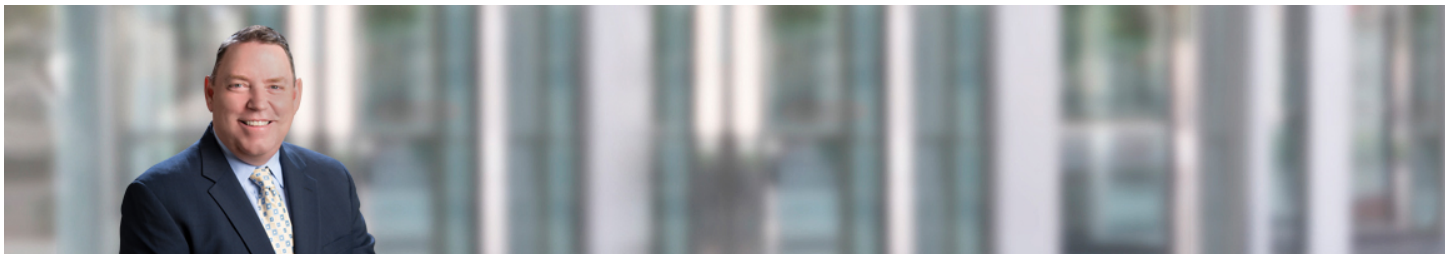


## Kenneth B. Metcalf, AICP



Director of Planning  
Tallahassee Office  
kmetcalf@stearnsweaver.com  
Phone: 850-329-4848

### PRACTICE AREAS

Planning/GIS Services  
Land Development  
Land Use/Zoning  
Environmental  
Transportation  
Ad Valorem Tax  
Real Estate  
Government & Administrative

### OVERVIEW

\*Non-Lawyer

Kenneth B. Metcalf\* is a certified land planner with over 34 years of professional planning experience in the public and private sector, including 16 years with the Florida Department of Community Affairs (FDCA) and ten years at the Tallahassee office of an international law firm. During his tenure with FDCA he was actively involved in formulating Department growth management strategies and in implementing all facets of administrative rulemaking, including drafting of rules, conducting workshops and serving as an expert witness on rule challenges on behalf of FDCA and the Administration Commission. Ken navigates clients through Florida's complex growth management and permitting arena, providing public and private sector clients with innovative solutions and planning strategies across a broad range of planning issues. His diverse practice ranges from planning and entitling some of Florida's largest New Town developments, to working at the neighborhood level on infill and redevelopment sites, including CRA projects. His services include planning and policy analysis related to all aspects of land use & development, as well as supporting technical services, such as transportation planning. Ken routinely negotiates with regional and state agencies on behalf of public and private sector clients.

Ken has served as an expert witness in more than 40 administrative and circuit court proceedings involving a variety of planning subjects, including urban and regional planning, comprehensive planning, Florida's growth management requirements, Developments of Regional Impact, Area of Critical State Concern Programs, Monroe County and Key West Comprehensive Plans and Land Development Regulations, aerial photograph interpretation and assessment of development impacts and rulemaking. Ken also provides expert witness services regarding land use and zoning to support valuation proceedings related to eminent domain, Ad Valorem and floodplain management.

He is also an adjunct instructor at Florida State University.

<b>Areas of Concentration</b>	Comprehensive Planning/Land Development Regulations
	Developments of Regional Impact
	Areas of Critical State Concern
	State and Federal Regulatory Programs
	Federal Coastal Consistency Program
	Legislation and Administrative Rulemaking
	Development Feasibility/Impact Analysis
	Transportation/Multi-modal Planning
	Emergency Management/Evacuation Modeling
	Coastal Zone Management and Environmental Planning/Permitting
	Affordable Housing Programs and Development Strategies
	Redevelopment/Historic Preservation
	New Towns/Urban Villages/Mixed Use Development/Sustainability
	Sector Plans/Special Area Plans/Neighborhood Master Plans
	Resort Planning/Entertainment Districts
Special Use Planning (Campus Master Plans/Airports/Ports/Marinas)	
Age-Restricted Developments	

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## REPRESENTATIVE EXPERIENCE

### Florida Developments of Regional Impact

Destiny New City/DRI, Osceola County. Mixed use New City planned in Osceola County for 80,000 units, major employment centers, and supporting retail centers. New urbanism plan with downtowns and supporting mixed use villages connected with high performance transit system.

Prominence DRI (ADA), Walton County. Traditional Neighborhood Development in Walton County approved for 600 units, boutique resort hotel and supporting retail/entertainment district.

Cedar Creek DRI (ADA), Baker County. Mixed use, age-restricted new town in rural setting. Approved in Baker County for 6,000 units, supporting retail/theater and medical office.

Visions DRI (ADA), St. Lucie County. Traditional Neighborhood Development project in St. Lucie County planned for 2,400 units, major retail and office employment.

Seahaven DRI (ADA)/Panama City Beach. Resort style mixed use condominium project units with supporting retail.

Old Brick Township DRI (ADA), City of Palm Coast. Mixed use, age-restricted new town proposed in City of Palm Coast for 5,000 units, major employment and supporting retail.

Sweetwater Ranch DRI (pre-ADA), Hardee County. Mixed use new town proposed in Hardee County for 13,000 units, major employment centers and supporting retail.

Florida Rhythm DRI (ADA), Washington County. Supporting urban sprawl analysis and drafting plan amendments for mixed use, new town project.

On Top of the World DRI (NOPC), Marion County. 32,000-unit mixed use DRI and vested DRI. Comprehensive DRI management/strategic advice for long term development and maintaining compliance. DRI modifications to adjust land use program, vested rights and concurrency obligations.

Centrepark DRI (NOPC), West Palm Beach. Modified DRI to allow for conversion from suburban business park to mixed use project with supporting residential. Negotiated build out extensions.

The Reserve DRI (NOPC), St. Lucie County. Comprehensive DRI management/strategic advice for long term development and maintaining compliance. DRI modifications to adjust land use program, concurrency obligations and permit conditions for listed species.

PGA Resort DRI (NOPC), Port St. Lucie, Florida. Comprehensive DRI management/strategic advice for long term development and maintaining compliance. DRI modifications to adjust land use program and, concurrency obligations. Hurricane evacuation and shelter impact analysis to support negotiated shelter compliance. Concurrency analysis.

Victoria Park DRI (NOPC), Deland, Florida. Renegotiated proportionate share mitigation obligations for project.

Hammock Dunes DRI (NOPC), Port St. Lucie, Florida. Analyzed substantial deviation requirements, land use compatibility and DRI compliance for expansion and served as expert witness at administrative hearing.

Portofino DRI (NOPC), Miami Beach, Florida. Build out extensions and related negotiations.

Berkshire Lakes DRI (380 Agreement)/Collier County. Negotiated Essentially Built Out Agreement with Collier County and DCA. Provided traffic analysis to support agreement.

### **Florida Resort/PUD/Marina Projects**

Safe Harbor Resort, Florida Keys. Drafted plan amendment provisions and provided supporting analysis for mixed use resort/marina project in the Florida Keys.

Limetree Bay Resort, Florida Keys. Prepared supporting analysis for boutique resort in Florida Keys to demonstrate compliance with comprehensive plan and code requirements. Supporting parking analysis and drafted parking code amendments.

Banana Bay Resort, Key West. Prepared DRI vested rights modification analysis and supporting compliance analysis for development agreement to support redevelopment of resort.

Faroblanco Resort, Marathon. Prepared DRI vested rights analysis and supporting compliance analysis for development agreement to expand mixed use resort and marina.

Tranquility Bay, Marathon. Supporting compliance analysis for development agreement to enable redevelopment and intensification of resort.

Boat House and Coral Lagoon Resort, Marathon. Supporting compliance analysis for development agreement to enable redevelopment and intensification of resort.

Indigo Reef, Marathon. Coordination/negotiation with City planning staff on conditional use approval for redevelopment

of the former Key Lime Resort, approved by the Marathon City.

Multiple Resort Properties. Due diligence analysis of DRI requirements, comprehensive plan designation, zoning, and development entitlements for several properties in the City of Key West and unincorporated Monroe County for purposes of loan refinancing and/or acquisition.

Pompano Beach Hotel, Pompano Beach, Florida. Supporting parking analysis for resort and drafted parking code amendment.

Beachwalk Hotel, Hallandale, Florida. Supporting parking analysis for resort and drafted parking code amendment.

Stark Ranch Equestrian Resort, St. Lucie County. Drafted mixed use resort land use category with performance-based density bonus system.

Town of Marineland. Drafted plan amendments and provided supporting analysis for New Town/resort land use category. (density analysis, CHHA analysis, water supply analysis, etc.)

Bulow Creek Resort/PUD, Flagler County. Drafted PUD provisions and provided supporting analysis to address compliance with comprehensive plan.

Tidelands Marina Resort, City of Palm Coast. Residential PUD with marina in the City of Palm Coast. Manatee protection analysis and related agency negotiations.

Lighthouse Pointe PUD, Flagler County. Resort style, mixed use project with marina in Flagler County. Manatee protection analysis and related agency negotiations.

Fallschase PUD/AIG., Tallahassee, Florida. Provided supporting analysis to renegotiate vested rights terms and consistency findings for project.

Doral County Club, Doral, Florida. Provided supporting needs and infrastructure analysis for redevelopment of Doral white golf course to a mixed use, TND project.

### **Florida Public/Quasi-Public Planning Projects**

Haines City, Florida. Contract for planning services to revise population projections, prepare supporting analysis and modify policies for Special Area Plan amendments, prepare supporting analysis for Water Supply Plan amendments, and negotiate compliance with DCA.

City of Key West, Florida. Contract for planning services to assist City in evaluating and applying Florida Keys Hurricane Evacuation Model to determine future allocations for comprehensive plan update.

Monroe County, Florida. Contract for planning services to assist Monroe County in addressing affordable housing needs, hurricane evacuation modeling and related negotiations with the Department of Community Affairs.

Leon County Research and Development Authority. Contract for planning services to evaluate long term development feasibility of Innovation Park (high-tech research park) and analyze options for addressing compliance with DRI program requirements pursuant to §380.06, F.S.

City of Edgewater, Florida. Prepared population projections, land use needs analysis and other planning studies to support comprehensive plan amendments for Restoration DRI development. Testified in administrative hearing as expert witness.

Farnton Comprehensive Plan Amendments (Volusia County). On behalf of developer, prepared supporting population

projections, land use needs analysis and other planning studies for 50,000 acre development proposal for mixed use development. Testified in administrative hearing as expert witness.

Osceola County New Cities Overlay. On behalf of developer, worked with Osceola County Smart Growth Director to draft Overlay to allow for area wide planning approach for New City and related Purchasable Development Rights Program.

Port Orange CRA Transportation Concurrency Exception Area. On behalf of developer, drafted TCEA amendment language and led negotiations with the Department of Community Affairs.

Hardee County New Town land use category. On behalf of developer, drafted New Town land use category for 13,000 unit New Town development based on traditional neighborhood development principles.

Calhoun County Chipola River Greenway and Resort Corridor. On behalf of developer, drafted land use category to allow for mixed use resort and greenway corridor preservation designation.

Centex Destination/Town of Marineland. On behalf of developer, drafted plan amendments and negotiated with state to allow for a traditional neighborhood development, mixed use resort project.

Destiny CRA Multi-modal Transportation District. On behalf of developer, provided entitlement analysis for major development within CRA and assisted in negotiating settlement between DCA and City of Destin regarding MMTD plan amendments.

City of New Smyrna Beach Long Term Concurrency. On behalf of developer, drafted plan amendment provisions and provided supporting analysis to establish long term concurrency system.

Port St. Lucie, Lighthouse Pointe Comprehensive Plan Amendment. On behalf of developer, drafted plan amendments and supporting analysis for mixed resort and required conversion of industrial land use to mixed use land use designation.

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## PROFESSIONAL & COMMUNITY INVOLVEMENT

American Planning Association, Florida Chapter, Legislative Affairs Committee, 2016-2019

ULI Urban Plan Volunteer Facilitator/Mentor

American Institute of Certified Planners

American Planning Association

Association of Florida Community Developers, Inc. (AFCD)

Phi Kappa Phi National Honor Society

Fort Braden Elementary School, Volunteer

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## RECOGNITION

Legal 500 United States, 2008, Listed

Florida American Planning Association "Excellence in Planning" Award Recipient for co-authoring Ocala Historic Preservation Element

## **PUBLICATIONS & PRESENTATIONS**

**Land Development News Update, Publications: Tolling and Extension Benefits Available for Pandemic Emergency Declarations**

Stearns Weaver Miller News Update | July 2020

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**Land Development News Update, Publications: Governor DeSantis Terminates Emergency Declaration for 43 Counties Starting 90-Day Clock for Important Notice Letters**

Stearns Weaver Miller News Update | October 2019

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**Events: Planning for Sea Level Rise and the Peril of Flood from the Local, Regional, and State Perspective**

American Planning Association Florida Annual Conference | | September 2019

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**Events: Emerging Trends In Transportation Planning and Infrastructure: How Do We Get There From Here?**

33rd Annual Environmental Permitting Summer School | | July 2019

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**Land Development News Update, Publications: Important Land Development and Environmental Issues Following Florida's 2019 Legislative Session**

Stearns Weaver Miller News Update | July 2019

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**Land Development News Update, Publications: Opportunities Ahead as Florida Prepares for Three New Tollways**

Stearns Weaver Miller News Update | May 2019

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**Land Development News Update, Publications: What's Developing | Spring 2019**

Stearns Weaver Miller News Update | April 2019

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**Land Development News Update, Publications: Why Developers and Landowners Should Engage in the U.S. Census Bureau's Designation of Places and Census Tracts Over the Next Three Months**

Stearns Weaver Miller News Update | February 2019

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**Land Development News Update, Publications: Act Now to Secure Tolling and Extension Benefits Related to Hurricanes, Algal Blooms and Red Tide Emergency Declarations**

Stearns Weaver Miller News Update | January 2019

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**Events: Transportation Planning: How Do We Get There From Here?**

Florida Chamber's Environmental Permitting Summer School | July 2018

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**Land Development News Update, Publications: Important Land Development and Environmental Issues Following Florida's 2018 Legislative Session**

Stearns Weaver Miller News Update | April 2018

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**Land Development News Update, Publications: Back to Local Control Over Growth Management: HB 1151 Eliminates State and Regional Review Requirements for Existing Developments of Regional Impact (DRI) and Other Large Projects in Florida**

Stearns Weaver Miller News Update | April 2018

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**Land Development News Update, Publications: [Important Land Development and Environmental Issues Following Florida's 2018 Legislative Session](#)**

Stearns Weaver Miller News Update | March 2018

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**Land Development News Update, Publications: [Opportunities for Permit Extensions Available - But Claiming Them Not Always Straightforward](#)**

Stearns Weaver Miller News Update | January 2018

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**Land Development News Update, Publications: [What's Developing | Fall 2017](#)**

Stearns Weaver Miller Update | December 2017

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**Land Development News Update, Publications: [How Are Your Permits Affected by Hurricane Irma?](#)**

Stearns Weaver Miller News Update | September 2017

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**Land Development News Update, Publications: [What's Developing | Summer 2017](#)**

Stearns Weaver Miller News Update | September 2017

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**Land Development News Update, Publications: [State of Emergency for Tropical Storm Emily Presents Another Opportunity to Extend Permits, As Previous Opportunity Comes to a Close](#)**

Stearns Weaver Miller News Update | August 2017

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**Events: [Transportation Planning - How Do We Get There From Here?](#)**

Florida Chamber's 31st Annual Environmental Permitting Summer School || July 2017

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**Land Development News Update, Publications: [Important Land Development and Environmental Issues Following Florida's 2017 Legislative Session](#)**

Stearns Weaver Miller News Update | July 2017

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**Land Development News Update, Publications: [Executive Orders Present Opportunities to Extend the Duration of Qualified Development Permits Across Florida](#)**

Stearns Weaver Miller News Update | October 2016

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**Events: [Transportation Planning - How Do We Get There From Here?](#)**

Florida Chamber's 30th Annual Environmental Permitting Summer School || July 2016

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**Land Development News Update, Publications: [Golf Course Redevelopment Team Update: National and Florida Trends and Recent Local Government Regulatory Responses](#)**

Stearns Weaver Miller News Update | July 2016

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**Land Development News Update, Publications: [Executive Orders Present Opportunities to Extend Development Permits in 36 Florida Counties](#)**

Stearns Weaver Miller News Update | July 2016

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**Land Development News Update, Publications: [Governor's Executive Orders Present Opportunities To Extend Expiration Of Development Permits](#)**

## NEWSROOM

**Firm Announcements, Land Development News Update: Stearns Weaver Miller Launches Executive Order Permit Extension Tool For Tracking States Of Emergency**

| May 2017

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**Firm Announcements: Stearns Weaver Miller Acquires Premier Land Development, Environmental & Government Affairs Duo**

| September 2014

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## EDUCATION

M.S., *summa cum laude*, Urban and Regional Planning, Florida State University, 2002

B.A., University of South Florida, 1985

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## CERTIFICATIONS

American Institute of Certified Planners