

TAB 2

## **Comprehensive Plan Update**

### **Background**

In 1998, the Florida Legislature passed the "Local Government Comprehensive Planning and Land Development Regulation Act", which is found in Chapter 163, *Florida Statutes* and Section 9-J-5 of the Florida Administrative Code.

The Act requires that all cities and counties in the State to prepare the Comprehensive Plans that will guide future growth in that jurisdiction. The Act also requires that the jurisdiction bring their Land Development Regulations into conformance with the Comprehensive Plan, and that every seven years the jurisdiction review the Plan and make appropriate changes. This process is known as the Evaluation and Appraisal Report (EAR). In 2001, the City adopted the Comprehensive Plan that has been in effect since that time.

Several years ago, the City retained Roberts, Wallace, and Todd, LLC (W.R.T.), a consulting firm from Coral Gables, to assist the City with the "EAR" based Comprehensive Plan (see attached).

On December 14, 2007, the Mayor received a letter from the Department of Community Affairs notifying the City that the EAR was found sufficient pursuant to *Florida Statutes, Section 163.3191(2)*.

### **Current Status**

On January 2009, the City received the final draft of the Comprehensive Plan amendments, which were proposed by W.R.T. This draft completed the consultant's contractual obligation to the City.

Since there is a new Mayor, a new City Commission, a new City Attorney, and several new staff members who will be involved in the Comprehensive Plan, we have carefully reviewed the draft documents. This vast majority of the draft documents appears to accurately reflect current City policy and/or current State requirements.

Through our review of the policies, we have noted several policies that we thought should be specifically reviewed by the City Commission. We have discussed these policies with the City Attorney and the Mayor who requested that these policies be discussed at a Commission workshop.

We would like to review those policies with you at this time. Since you cannot take official action at this meeting, we would seek a census where one is possible.

The other aspect for the Commission to consider is how it wishes to move forward with the Comprehensive Plan approval process. This matter is handled differently in every municipality.

Some cities hold a series of workshops to discuss amendments in great detail. Others review the changes and discuss only those of concern. Still others have public hearings with few workshops meetings.

Please note that this is an update of the existing comprehensive plan. **This is not a new Plan.** The purpose of this update is to make needed and/or required changes that are appropriate based upon changes in the community and changes mandated by State law.

Enclosure: EAR - Comprehensive Plan Amendment Issues  
DCA Letter dated December 14, 2007

cc: Diane Ponder, City of Palmetto  
Linda Butler, City of Palmetto

## **EAR – Comprehensive Plan Amendment Issues**

### **Future Land Use Element**

- ❖ **Policy 1.2.1** – “Encouraged to locate within and coordinate with the CRA.”

***Comment: Now that the City Commission is the CRA, this policy can be deleted.***

- ❖ **Policy 1.3.5** – “Heavy commercial/industrial land uses shall be not permitted in the downtown core . . . existing heavy commercial and industrial uses in this Future Land Use designation shall be deemed to be nonconforming pursuant to parameters established in the Land Development Code”.

***Comment: The downtown core includes land along 10<sup>th</sup> Street West, south to the Manatee River. This area includes a number of heavy commercial uses. Does the City wish to make these uses nonconforming?***

- ❖ **Objective 1.4.1** – “The City shall adopt a Historic Preservation Ordinance by 2009”.

***Comment: I have not been able to determine if this Ordinance exists. There is a Historic Preservation Board, but I have not found an Ordinance. If there is no Ordinance, consideration should be made to move the date to December 2010.***

- ❖ **Policy 1.8.1** – “By 2009, the City shall review and, as necessary, revise the Land Development Code to eliminate existing inconsistencies with the policies . . .”

***Comment: This is a standard policy that the City should pursue. My suggestion would be to revise the date to December 2010.***

- ❖ **Policy 1.9.3** – By 2010, the City shall amend its land development regulations to require bicycle parking for any new multi-family, commercial, and/or heavy commercial uses.

***Comment: The question relates to the requirement for bicycle parking. Perhaps we should “encourage” in the Comprehensive Plan and provide some type of Land Development Code incentive without a requirement for all new commercial uses to comply.***

**Future Land Use Element (Continued)**

- ❖ **Policy 1.12.3** – By December 2008, the City shall evaluate the Accord for consistency with implementation tools and regulations, both adopted and proposed.

***Comment: The time has passed for the adoption of this policy. If it was not completed, it should be moved to some future date, perhaps December 2009?***

- ❖ **Policy 1.12.4** – By December 2008, the City shall develop and adopt annexation criteria

***Comment: Have annexation criteria been established? Perhaps the date should be moved to 2010 unless this policy has already been adopted.***

- ❖ **Policy 1.13.2** – Flex Provision, “this provision can only be used one time”.

***Comment: "Used one time" is not clear. Perhaps "employed once on the subject property" would clarify the intent of the policy, if the policy is to remain at all.***

**Transportation Element**

- ❖ **Policy 2.1.3** – The City shall issue development orders only upon certification that required transportation facilities are available to serve the proposed development at the adopted level of service standard, or are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its equivalent as recognized in the adopted Palmetto Five Year Capital Improvements Plan or the first three years of the adopted FDOT Five Year Work Program.

***Comment: Insert "first" prior to certificate of occupancy.***

- ❖ **Policy 2.2.8** – The City shall maintain records of de minimis transportation impacts to determine if and when a 110% threshold has been reached. A summary of these records shall be submitted to DCA with the annual update of the capital improvements element.

***Comment: We do not believe this is a requirement by the DCA and delete the policy.***

- ❖ **New Policy 2.6.3** – In accordance with the waterfront plan, the City shall adopt a policy to enhance the east/west transportation corridors and circulation from the 4<sup>th</sup> Street extension.

***Comment: Reword to read, "In accordance with the Waterfront Plan, the City will explore methods to enhance the east/west transportation corridors and circulation from the 4<sup>th</sup> Street extension.***

### **Housing Element**

- ❖ **Policy 3.8.4** – The City shall allow manufactured housing built to the Standard Building Code in residential areas designated on the Future Land Use Map.

***Comment – This new policy will allow modular housing built to Standard Building Code requirements to be constructed as residences throughout the City. This has become a standard policy throughout the State. This policy can be deleted.***

### **Capital Improvement Element**

- ❖ **Policy 13.2.2** – Requires the City to maintain an unreserved fund balance of approximately 50 percent of any years operating budget for the purpose of ensuring stability after an emergency situation and to provide matching grant money, if required.

***Comment: Based on the economic times, is this a policy the City wishes to undertake at this time?***



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

December 14, 2007

The Honorable Larry Bustle, Mayor  
The City of Palmetto  
Post Office Box 1209  
Palmetto, Florida 34221

Dear Mayor Bustle:

The Department has completed its 60-day preliminary sufficiency review of the adopted Evaluation and Appraisal Report (EAR) for the City of Palmetto, adopted on September 24, 2007, by Resolution No. 07-944. The Department has determined the adopted EAR is sufficient, pursuant to Subsection 163.3191(2), Florida Statutes (F.S.). This finding of Sufficiency should be taken as the final determination of the Report. Please note that a sufficiency determination does not constitute a compliance review of the proposed amendments identified in the Report. The amendments referenced in the Report, as well as any other amendments shall be reviewed for consistency with Chapter 163, Part II, F.S., and Rule 9J-5, Florida Administrative Code when submitted as proposed amendments.

The Department would like to take this opportunity to remind the City that pursuant to Section 163.3177(6)(c), F.S., the City will need to update its Comprehensive Plan to include a Ten-year Water Supply Plan within 18 months of completion of the Southwest Florida's Water Management District's Regional Water Supply Plan, which was updated in December of 2006. The comprehensive plan must incorporate the alternative water supply projects identified in the Water Management District's Regional Water Supply Plan or proposed by the City under Section 373.0361(7)(b), F.S. In addition, the City will need to adopt a school concurrency management system pursuant to Section 163.3180(13), F.S. Manatee County and all municipalities within the County must complete Public School Facilities Element adoptions and interlocal agreements updates no later than April 1, 2008.

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Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

COMMUNITY PLANNING  
Phone: 850-488-2356/SUNCOM 278-2356  
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AREAS OF CRITICAL STATE CONCERN FIELD OFFICE  
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HOUSING AND COMMUNITY DEVELOPMENT  
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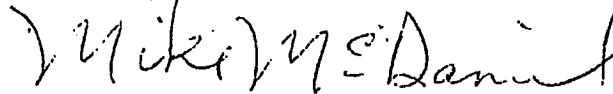
Larry Bustle, Mayor

December 14, 2007

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We appreciate your efforts, and are available to provide any needed assistance to the City of Palmetto as it prepares the EAR-based amendments. If you have any questions concerning this matter, please call Chris A. Wigglesworth, Senior Planner, at (850) 922-1826.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive, flowing style.

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/caw

cc: Mr. Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council  
Mr. Bob Schmitt, AICP, Director of Planning and Zoning, City of Palmetto



## 1.0 FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES

**GOAL:** TO MANAGE THE GROWTH AND DEVELOPMENT OF THE CITY OF PALMETTO ~~SO AS TO~~  
~~ACHIEVE~~ A COMMUNITY IN WHICH RESIDENTS AND VISITORS LIVE IN A ~~HEALTHY~~ AND SAFE  
ENVIRONMENT, ~~ONE~~ THAT CONSERVES THE HISTORICAL AND NATURAL QUALITIES OF THE  
CITY, WHILE PROVIDING OPPORTUNITIES FOR ECONOMIC AND SOCIAL ADVANCEMENT.

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*Reason for Amendment: To simplify and clarify the intent and wording of this goal.*

### **Topography, Soil Conditions and the Availability of Facilities and Services** [9J-5.006(3)(b)1.]

**Objective 1.1:** To give due consideration to topography, soil conditions, and the availability of facilities and services in the location and density of future land uses.

**Policy 1.1.1:** Development of environmentally sensitive areas such as wetlands shall be avoided. Where avoidance is not practicable, mitigation is required. [9J-5.006(3)(c)6.]

**Policy 1.1.2:** Residential development within low-lying areas subject to flooding shall meet flood insurance standards of elevation and be limited to densities that permit safe evacuation. [9J-5.006(3)(c)1.]

**Policy 1.1.3:** Availability of public facilities and services shall be concurrent with the impacts of new development and shall meet established level of service standards. In redevelopment areas, local government shall assist in correcting deficiencies. [9J-5.006(3)(c)3.]

**Policy 1.1.4:** New development shall be permitted only where adequate drainage and storm water management, open space, and traffic flow and parking are provided. In redevelopment areas, local government shall assist in correcting deficiencies. [9J-5.006(3)(c)4.]

### **Community Redevelopment Area** [9J-5.006(3)(b)2.]

**Reason for Amendment:** To address concerns discussed in EAR Section II.3.4.b.iii, "Urban Infill and Redevelopment Area," and local issue III.4, "Effective Management of Development and Redevelopment." For years now, the City has strongly encouraged commercial development to locate within the CRA or on designated commercial corridors.

**Objective 1.2:** To encourage the redevelopment and renewal of the City's Community Redevelopment Area.

**Policy 1.2.1:** The City shall use the powers of the Community Redevelopment Act to encourage development, including assemblage of parcels of land for buildings and parking.

**Policy 1.2.2:** The City shall encourage in-fill development in areas closer to the ~~Downtown~~ core ~~by~~ allowing higher intensity in the Commercial Core zoning district. If the property is located within the CHHA, then appropriate density and intensity limitations shall apply.

**Policy 1.2.3:** The City shall discourage duplication of the functions of the ~~Downtown~~ core to ~~minimize the need for commercial~~ rezoning ~~outside of commercial corridors of the Community~~

**Reason for Amendment:** To address concerns raised in EAR Sections II.3.4.b.ii, "Community Redevelopment Agency (CRA)," and local issue III.4, "Effective Management of Development and Redevelopment." The proposed language reinforces the role of the CRA and brings this policy in line with others in the Comprehensive Plan that seek to induce the redevelopment and renewal of blighted areas, achieve a more urban character in the CRA, and avoid the proliferation of sprawl.

**Reason for Amendment:** To address concerns discussed in EAR Section II.3.4.b.iii, "Urban Infill and Redevelopment Area," and local issue III.4, "Effective Management of Development and Redevelopment." The term "commercial core" does not adequately communicate the mix of uses, intensities, and types of development that are desired in Downtown Palmetto. In addition, the proposed amendment refers back to and is consistent with the terminology used in the Manatee County Character Compatibility Study.

Redevelopment Area.

**Deleted: Policy 1.2.1:** Major shopping centers, high density housing, office parks, and public buildings shall be

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**Reason for Amendment:** The term "commercial core" does not adequately communicate the mix of uses, intensities, and types of development that are desired in Downtown Palmetto. In addition, the proposed amendment refers back to and is consistent with the terminology used in the Manatee County Character Compatibility Study.

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**Policy 1.2.4:** The City shall establish enhanced design standards to ensure that sidewalks in the ~~Downtown~~ core are safe and attractive to pedestrians. Such standards may include limits to the number and width of curb cuts and other design standards.

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#### **Incompatible Land Uses** [9J-5.006(3)(b)3.]

**Objective 1.3:** To eliminate uses of land incompatible with conservation of the health, safety, and welfare of the residents.

**Policy 1.3.1:** Obsolete and unused railroad rights-of-way and obsolete and vacant industrial or heavy commercial buildings shall be eliminated and replaced by modern industrial or commercial facilities, public facilities, and where compatible with surrounding patterns of land use, residential development.

**Policy 1.3.2:** ~~The City shall, through the Land Development Code, clearly identify and determine the types, intensities and scales appropriate for the Downtown Core and other districts in order to avoid the duplication of functions within these various districts.~~

Deleted: Commercial development shall be permitted only in designated mixed-use areas such as the community redevelopment area, planned developments, and in areas designated on the land use map for commercial development.

**Policy 1.3.3:** ~~The following shall be the future land use categories that apply within the City of Palmetto and which are included on the City's Future Land Use Map (FLUM):~~

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• **Residential-Low Density (RLD - 4 dwelling units/gross acre)**

The Residential-Low Density District replaces the RES4 land use category and designates areas appropriate for larger lot, single-family detached residential development. Densities in this district will be relatively low, up to a maximum of four dwelling units per gross acre, and create, in some areas, a suburban atmosphere with one to two story houses, curvilinear streets and setback building footprints. Where the gridded street network is already established, it should be maintained. Viewsheds such as those to the waterfront should be protected, and access to community facilities should be maximized to create or reinforce the atmosphere of a traditional neighborhood. Today, there exist some limited agricultural operations in the RES4 District. While these uses are permitted to continue, it is expected that they will ultimately be phased out through natural market forces. While most retail/commercial use is inconsistent with the character and intent of this District, some modestly-scaled neighborhood commercial and civic facilities such as neighborhood and community parks, schools, and places of worship would be suitable.

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• **Residential-Low/Moderate Density (RLMD - 6 dwelling units/gross acre)**

This category replaces the former RES6. The main objective of the Residential-Low/Moderate Density land use designation is to preserve the structure and historic fabric of established neighborhoods, which are comprised primarily of one to two story, detached, single family dwelling units on a gridded street network shaded by significant tree canopy. Densities of up to six dwelling units per gross acre are appropriate. This District serves as a transition between lower density residential development and the downtown core, which has a mix of uses and a much greater concentration of development. While most retail/commercial is inconsistent with the

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character and intent of this District, some modestly-scaled neighborhood commercial and civic facilities such as neighborhood and community parks, schools, and places of worship would be suitable.

- **Residential-Moderate Density (RMD - 10 dwelling units/gross acre)**

The Residential-Moderate Density category replaces the former RES10 designation. The new designation provides areas for a mix of residential types located adjacent to or near to planned or existing commercial and office uses, and providing employment opportunities and proximity to a complement of residential support uses normally utilized during the daily activities of residents. In addition to single family, two-family, and multi-family residential uses, this District may include community facilities such as libraries, places of worship, and schools. Densities up to ten dwelling units per gross acre are appropriate in this district.

- **Mobile Home Park (MHP)**

The purpose of the MHP District is to recognize areas in Palmetto that are presently platted or developed as mobile home parks. The intent is not to increase the quantity of land dedicated to accommodate these uses, but rather to ensure that existing parks are designed and built in a safe and sound manner while maintaining a range of housing choices in Palmetto.

- **Downtown Commercial Core (DCC)**

This designation replaces the former Commercial Core category. The purpose of the DCC District is to strengthen and protect areas identified as part of the historic and functional downtown center, allowing development that is consistent with an urban theme, and that combines residential development at higher densities than other districts with commercial activities and recreational opportunities necessary for a vibrant downtown. It is further intended that development in the downtown

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commercial core be designed with carefully located buildings, parking and service areas, open space and use mixtures which are scaled and balanced to reduce general traffic congestion, by providing interdependent uses and uses which are compatible and complimentary with adjacent and surrounding land uses. The DCC is comprised of three subareas, *Downtown Waterfront District*, *Midtown District*, and *Uptown District*, which incrementally step back the scale, density, and intensity of development northward from the Manatee River Waterfront.

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- **Commercial District Mixed Use (CMU)**

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The CMU land use category replaces the former GCOM designation. This land use category identifies areas suitable for a wide range of commercial (retail and office) establishments that fulfill daily and longer-term needs for goods and services. Representative appropriate uses may include convenience stores, restaurants, banks, doctors' offices, hotels, dry cleaners, auto repair, and gas stations. The areas designated CMU are primarily located along major arterials and lend themselves to be accessed by car. However, provisions for alternate modes of transport to and within the district from nearby residential areas should be considered.

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- **Heavy Commercial/Industrial (HCI)**

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The HCI land use category replaces the former HCOMMIND. The primary purpose for the HCI is to identify areas appropriate for those industrial, heavy commercial, and other employment-oriented uses that may generate objectionable impacts with regard to appearance, noise, vibration, dust, odor, etc., and which need to be buffered from residential and other less intense or incompatible development. Uses may include manufacturing, processing, and assembly plants, warehousing, lumberyards, and commercial marinas. The HCI land use category may also allow small-scale

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complementary commercial and professional uses to provide for the needs of workers

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in, or visitors to, or residents nearby, any areas designated under this category.

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- **Conservation (CONS)**

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The CONS land use category identifies areas of major public or privately held lands

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whose primary purpose is the preservation of natural resources. Such locations may

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**Reason for Amendment:** *To eliminate and replace obsolete policy language. Firstly, not all industrial areas are included in the industrial future land use district. Secondly, the approval of industrial uses, while not prohibited within the CRA (with the exception of heavy industrial activities) should be closely coordinated with the CRA to ensure that the objectives of the Community Redevelopment Plan are met. Finally, to resolve existing inconsistencies between the Comprehensive Plan Future Land Use Element, the Future Land Use Map, and the Land Development Code, the existing policy is being replaced with clearly stated Future Land Use designation definitions with a clear intent and maximum allowable densities.*

be appropriate for passive recreational use.

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- **Parks and Recreation (PR)**

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The PR land use designation replaces the former PU category. This district includes

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existing and planned government-owned parks, marinas, open space and other

recreational facilities and may encompass other, private recreational facilities.

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- **Community Facilities (CF)**

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The Community Facilities designation replaces the former PF land use district. The

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CF land use category identifies existing and proposed government-owned facilities,

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such as schools, libraries, fairgrounds, and government buildings. This category may

also accommodate semi-public uses, such as places of worship, cemeteries,

museums, art galleries, and hospitals.

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- **Planned Development (PD)**

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The purpose of the PD District is to encourage large scale, integrated, planned

development in those areas that are primarily undeveloped and contain large parcels



under single ownership. This District permits the flexibility to design, in a comprehensive manner, a mix of uses that encourages pedestrian connectivity, adequate open space, a sense of place, and, if appropriate, a range of housing types and densities.

**Policy 1.3.4:** The Land Development Code shall address performance standards related to noise, vibration, glare, odor, fumes, and smoke for heavy commercial/industrial land uses by 2010.

**Deleted:** Heavy commercial/industrial land uses shall be subject to performance standards to control noise, vibration, glare, odors, fumes, and smoke.

**Policy 1.3.5:** Heavy commercial/industrial land uses shall not be permitted in the Downtown Core. Existing heavy commercial and industrial uses in this Future Land Use designation shall be deemed to be nonconforming pursuant to parameters established in the Land Development Code. Once an existing heavy commercial or industrial nonconforming land use located in the Downtown Core ceases, it shall not be re-established.

**Deleted:** in the Commercial Core are designated as conditional uses in the Land Development Code

**Deleted:** Those uses existing at the date of plan adoption will continue as permitted uses. However, if the use ceases, then any future heavy commercial/industrial land use shall be subject to review and approval as a Conditional Use

**Reason for Amendment:** *To encourage the gradual elimination or reduction of uses that are inconsistent with the intended character and future land use mix of the Downtown Core.*  
*the performance standards.*

#### **Natural and Historic Resources [9J-5.006(3)(b)4.]**

**Objective 1.4:** To conserve and protect natural and historic resources from unnecessary destruction.

**Policy 1.4.1:** The City shall adopt a Historic Preservation Ordinance by December 2010. The Historic Preservation Ordinance shall establish a Historic Preservation Board and procedures and standards for nominating and designating historic districts and landmarks.

**Deleted:** Palmetto's historic resources shall be conserved and protected by institution of ordinances and incentives to encourage maintenance and restoration of buildings, trees, street furnishings, and grounds in the designated historic district. [9J-5.006(3)(c)8.]

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**Policy 1.4.2:** Conservation areas identified on the Future Land Use Map shall be protected by enactment of appropriate ordinances or by public acquisition.

**Reason for Amendment:** *The City has already drafted a Historic Preservation Ordinance that achieves the intent of the current policy.*

**Coastal Population Densities** [9J-5.006(3)(b)5.]

**Objective 1.5:** To limit coastal area population ~~densities~~, consistent with the need for an effective hurricane evacuation plan.

**Reason for Amendment:** To address concerns raised in EAR Section II.3.4.b.v, "Evaluation of Redevelopment Feasibility and Property Rights in Coastal High Hazard Areas," and local issue III.4, "Effective Management of Development and Redevelopment." The Comprehensive Plan's Coastal Management Element does not reduce the existing allowable densities or intensities. Rather, this element establishes the methodology for calculating appropriate and maximum development densities within Planned Developments located in the CHHA. In addition, the City's Hurricane Evacuation Plan is fully in compliance with new state legislation.

**Policy 1.5.1:** Palmetto's coastal areas shall be conserved and protected by restricting development, by encouraging the use of planned development techniques, and by encouraging acquisition of property for public open space.

**Policy 1.5.2:** Coastal densities shall be consistent with local or regional coastal evacuation plans.

**Policy 1.5.3:** The City shall continue to designate land within the Coastal High Hazard Area as either RES-4 or Planned Development.

**Utility Facilities** [9J-5.006(3)(b)9.]

**Objective 1.6:** To ensure the ~~concurrency and adequate provision of utilities to meet the~~ needs of the area.

**Reason for Amendment:** To more accurately reflect existing practice, which requires assessing not only the availability of utilities, but also their capacity to support development in the context of existing and anticipated demand. This policy is implemented through the Capital Improvements Plan, and during concurrency review in the DRC.

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**Policy 1.6.1:** During the development review process, the City ~~will continue to coordinate with~~ all applicable utility companies.

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Policy 1.6.2: The Development Review Committee shall be responsible for assessing future impacts on utilities and review for concurrency purposes.

**Reason for Amendment:** This new policy is reflective of existing practice, and this role makes sense because it dovetails with the other duties of the DRC.

**Reason for Amendment:** To address concerns raised in EAR Section II.3.4.b.iii, "Urban Infill and Redevelopment Area," local issue III.4, "Effective Management of Development and Redevelopment." The term "commercial core" does not adequately communicate the mix of uses, intensities, and types of development that are desired in Downtown Palmetto. In addition, the proposed amendment refers back to and is consistent with the terminology used in the Manatee County Character Compatibility Study.

**Discourage the Proliferation of Urban Sprawl** [9J-5.006(3)(b)8.]

**Reason for Amendment:** To address concerns raised in EAR Section II.3.4.b.iii, "Urban Infill and Redevelopment Area," local issue III.4, "Effective Management of Development and Redevelopment." The term "commercial core" does not adequately communicate the mix of uses, intensities, and types of development that are desired in Downtown Palmetto. In addition, the proposed amendment refers back to and is consistent with the terminology used in the Manatee County Character Compatibility Study.

**Objective 1.7:** Discourage the proliferation of urban sprawl by encouraging active redevelopment of the City's Downtown core and the in-fill development of vacant enclaves within the City's service area.

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**Policy 1.7.1:** Incentives to investment in the redevelopment area shall be offered to the extent necessary to correct existing blight.

**Policy 1.7.2:** Land use planning, zoning, and other development regulations shall be applied to encourage greater intensity of development in the Downtown core.

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**Policy 1.7.3:** The City shall encourage private-public cooperation and assistance in accelerating development of in-fill sites.

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**Reason for Amendment:** To remove vagueness and improve consistency of this policy with the language in other policies of the Comprehensive Plan.

**Reason for Amendment:** To eliminate and replace obsolete policy language. Since this policy was written, land has been annexed into the City that is appropriate for commercial development and high-density residential outside of the redevelopment area.

Deleted: ~~Policy 1.7.4:~~ The City shall discourage high-intensity development outside the redevelopment area by avoiding rezonings which permit commercial development or high-density residential development.

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**Land Development Regulations** [9J-5.006(3)(b)10.] **Objective 1.8:** The City shall implement its Future Land Use Map through its Land Development Code. Uses that are inconsistent with the community character as depicted on the Future Land Use Map shall be eliminated, with proper consideration for property rights.

**Reason for Amendment:** To address recommendations in EAR Section V.1.2, "New Future Land Use Policies." The amendment clarifies the City's utilization of the Land Development Code as its primary mechanism for implementing the Future Land Use Map.

**Policy 1.8.1:** By December 2010, the City shall review and, as necessary, revise the Land Development Code to eliminate existing inconsistencies with the policies of the Comprehensive Plan and to ensure that proposed policies of the Comprehensive Plan are appropriately

**Reason for Amendment:** To ensure internal consistency with new Policy 1.9.1. The City plans to do a comprehensive update of the Land Development Code following the adoption of the EAR-based amendments.

implemented.

**Objective 1.9:** To encourage the use of planned developments and mixed use developments when such techniques improve the City's ability to meet its land use goal.



**Policy 1.9.1:** The City shall review its Land Development Code to determine if the planned development districts meet the needs of the development community and the vision of the City.

**Policy 1.9.2:** The administration of land use development regulations shall be carried out in a

**Reason for Amendment:** The original date is obsolete.

manner designed to ensure that all development meets standards consistent with the comprehensive plan in drainage and storm water management, open space, and convenient on-site traffic flow, and parking.

**Policy 1.9.3:** By 2010, the City shall amend its land development regulations to encourage bicycle parking for any new multi-family, commercial and/or heavy commercial uses.

**Reason for Amendment:** To address recommendations in EAR Section V.1.2, "New Future Land Use Policies." The amendment provides a timeframe for the City, not only to interpret new policies into its Land Development Code, but also to address specific issues raised during the preparation of the EAR regarding the lack of regulations to implement existing policies and inconsistencies in the manner in which some policies are implemented through the Land Development Code.

Use Element, the Future Land Use Map, and the Land Development Code, this policy is being replaced with clearly stated Future Land Use designation definitions (Policy 1.3.3). The Future Land use Map today depicts categories that are not addressed in this policy and viceversa. In addition, residential densities in the Downtown core have been revisited through the preparation of the Waterfront District Development Plan and Downtown Character District Guidelines.

**Reason for Amendment:** This policy will become unnecessary with the addition of Policy 1.9.1.

**Reason for Amendment:** To rectify incorrect word usage with the correct term.

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Deleted: Policy 1.8.4: The maximum allowable density for each land use category shall be as follows: [9]-5.006(3)(c)7.]

RES-4 . . . 4 dwelling units per acre

RES-6 . . . 6 dwelling units per acre

RES-10 . . . 10 dwelling units per

acre

RES-14 . . . 14 dwelling units per

acre

CG . . . 14 dwelling units per acre

(except in the CHHA)

CC . . . 14 dwelling units per acre

(except in the CHHA)

CHI . . . 0 dwelling units per acre

(residential inappropriate)

PD . . . 16 dwelling units per acre

(except in the CHHA)

Deleted: Policy 1.8.5: The City shall continue to implement the maximum densities stated in Policy 1.8.4 through the land development code and appropriate zoning designations.

Deleted: Policy 1.8.6: The maximum allowable intensity for each land use category (excluding residential, public and conservation) shall be as follows:

CG . . . 0.75 FAR

CC . . . 1.00 FAR

CHI . . . 0.50 FAR

PD . . . 1.00 FAR

Deleted: By April 2002, the City shall amend its land development code to include floor area ratios for the commercial zoning districts.

**Policy 1.9.4:** The Planned Development (PD) land use category requires a Planned Development zoning. If PD land use and zoning are proposed, appropriate density shall take into consideration visual compatibility standards defined in the Land Development Code and may not exceed 45 dwellings units per acre. A determination of compatibility between the existing and proposed development shall be based on the design standards. Planned Development in the Coastal High Hazard Area (CHHA) is subject to the same considerations of visual compatibility, but must also, pursuant to stipulations contained in House Bill 1359 and corresponding Florida Administrative Rules and Statutes, guarantee that hurricane evacuation times are maintained or reduced. (see Policy 8.6.6).

#### **Density Bonus - Planned Development Category**

**Objective 1.10:** In order to facilitate the provision of affordable housing, the preservation of historic, archaeological or architectural significant structures, the acquisition of public facility sites, the acquisition of public access sites, and the redevelopment or infill of properties located within the

*Reason for Amendment: The "fold over" no longer applies because the downtown/Commercial Core will have a higher allowable density than the surrounding areas. The City has shifted focus to the "transition zone" between new and old development. The evaluation of compatibility will be based upon design guidelines, which are currently under development for each area of the City.*

Community Redevelopment Area, the Planned Development land use category shall offer a density bonus provision.

**Policy 1.10.1:** The Planned Development land use category allows consideration of a density bonus. The maximum density permitted in the Planned Development category is 45 dwelling units per acre. For those properties designated or requesting a designation of PD, the density allowance within the CHHA shall, pursuant to stipulations contained in House Bill 1359 and corresponding Florida Administrative Rules and Statutes, guarantee that hurricane evacuation times are maintained or reduced. (see Policy 8.6.6).

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**Deleted:** The maximum density of the PD category is 16 dwelling units/acre with applicable density bonus, however, existing densities and future land use plan category densities of adjacent and surrounding development shall be considered when determining the density permitted for a specific project. For purposes of this document, the density shall be determined by averaging the density of adjacent property. For purposes of this document, adjacent property shall include those properties an equal dimensional distance to the north, south, east and west of the subject property. For example, if the subject property is 250-feet wide by 287-feet deep with the width running east/west and the depth running north/south, all properties 250-feet east and west of the subject property shall be included in the averaging formula.¶

The averaging formula shall be done as follows.¶

a). If the adjacent property is developed or is controlled by an approved site plan, the existing density or approved site plan shall be used to determine the maximum density.¶

b). If the adjacent property is vacant, the average density shall be calculated from the adjacent property land use categories.¶

**Deleted:** This information shall be provided by the applicant for staff review and approval by the appropriate governing bodies.

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**Reason for Amendment:** To update the allowable maximum density in the PD category, and to address the recommendations in EAR Section V.I.2, "New Future Land Use Policies" regarding recently legislative changes that provide for development in the CHHA when appropriate concurrency and evacuation requirements are met. Having been a state-selected pilot community to test the new H.B.1359 requirements related to hurricane evacuation levels of service, the City of Palmetto not only has in place a process to ensure timely evacuation during hurricanes, but it is in full

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**Policy 1.10.2:** The Land Development Code shall include the following options for consideration of a density bonus:

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- ~~Fifteen (15)~~ percent of the housing units shall be affordable ~~and attainable~~.
- Additional density, ~~up to 45 du/ac~~ may be achieved if the restoration and preservation of historic, archaeological or architectural significant structures or sites is part of the overall development.
- A portion of the developable land is dedicated for a public facility site.
- The proposed development provides, constructs, and maintains public access to the recreational waters of the City.

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**Reason for Amendment:** To make the language in the Comprehensive Plan and the Land Development Regulations consistent with each other, as well as with the recently adopted Attainable Housing Ordinance. This policy must be updated to reflect the ordinance's new threshold of attainable housing.

#### **Density/Intensity Transfer**

**Objective 1.11:** To ensure the preservation of and compatibility of development on properties containing environmentally sensitive lands, the City shall allow the transfer of a portion of the density/intensity of the environmentally sensitive land to the upland acreage.

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**Policy 1.11.1:** For those lands designated as environmentally sensitive, no development shall be permitted on those properties. A maximum density/intensity transfer of 25% of the environmentally sensitive acreage to the upland portion of the property is permitted. ~~Only~~

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mitigation projects on environmentally sensitive areas which receive the support of SWFMD and/or DEP are permitted.

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**Reason for Amendment:** To clarify that the City permits mitigation on environmentally sensitive lands only when the permission is supported by the SWFMD and DEP.

**Deleted: Policy 1.10.2:** If a density/intensity transfer occurs, appropriate setbacks shall be applied between the environmentally sensitive land and the project development.

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**Reason for Amendment:** To eliminate and replace obsolete policy language. The City does not have its own setback applicable to this condition. It does, however, honor outside agency setback policies. In addition, the City will grant variances to setbacks as part of its attainable housing regulations.

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**Policy 1.11.2:** If a density/intensity transfer occurs, only those uses deemed compatible with the adjacent environmentally sensitive land shall be permitted.

#### Annexation

**Objective 1.12:** In order to reduce the number of enclaves and to provide more efficient governmental services, the City shall develop an annexation strategy.

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**Reason for Amendment:** To avoid confusion in terms, such as with the policies that are part of the Comprehensive Plan.

**Policy 1.12.1:** The City shall work with the Joint Planning Committee to determine those areas contiguous to the City that should be considered for annexation.

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**Reason for Amendment:** To clarify that the City does not make annexation decisions in a vacuum, but coordinates with the Joint Planning Committee regarding decisions about annexation.

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**Deleted:** Once these service area boundaries have been established, a binding agreement between the City and the County establishing service areas shall be executed.

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**Policy 1.12.2:** The City shall continue to coordinate with Manatee County to determine appropriate water and sewer service area boundaries through their mutual binding Potable Water agreement.

**Reason for Amendment:** To eliminate and replace obsolete policy language. Since the original policy was put in place, these actions have been taken by the City, which now maintains a Potable Water agreement with Manatee County.



**Policy 1.12.3:** By December 2010, the City shall evaluate The Accord for consistency with implementation tools and regulations, both adopted and proposed.

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**Reason for Amendment:** The EAR determined that the City should amend the Comprehensive Plan to require consideration of The Accord in growth-related decisions in order to substantiate its support for The Accord. Thus, it is essential that it be reviewed in relation to the City's growth management tools and regulations.

**Policy 1.12.4:** By December 2010, the City shall develop and adopt annexation criteria.

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**Reason for Amendment:** The EAR concluded that while The Accord and the infrastructure study that was underway would, together, address some need for a more detailed annexation strategy or annexation criteria, new policies are necessary in the Plan to ensure consistency with the terms and outcomes of those two documents.

#### **Flex Provision**

**Objective 1.13:** In order to provide the logical extension of development potential for adjacent properties, the City shall implement a flex provision.

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**Policy 1.13.1:** The land use category boundaries depicted on the land use map are precise lines. However, when using the flex provision, the land use category boundaries shall be deemed to extend one hundred fifty feet (150') beyond the precise line. In consideration of a rezoning, the following criteria must be met:

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1. Only properties adjacent to the plan designation proposed for flexing may be considered.
2. The proposed rezoning is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan and any other applicable land development regulation.
3. The proposed rezoning does not disrupt established land use boundaries such as, but not limited to, railroads, streets, alleys, and rear property lines.
4. The increased density, intensity, use, or scale of development is compatible with adjacent land uses. [9J-5.006(3)(c)2.]

5. The proposed rezoning site is adequately served or programmed to be served by acceptable levels of community facilities, utilities, - Allen to Check and transportation network.

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**Policy 1.13.2:** The flex provision does not change the underlying land use designation for the property subject to the rezoning; therefore, this provision can only be used one time. Properties adjacent to a flexed property cannot use the flex provision as a basis for rezoning.

### School Siting

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**Objective 1.14:** To provide for, locate and expand public schools in a coordinated manner ensuring the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure and to ensure compatibility and consistency with the Comprehensive Plan.

**Policy 1.14.1:** Under appropriate circumstances, schools may be considered in all land use plan

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***Reason for Amendment:** To address EAR issue II.4.5.b, "Coordination of School Locations." While the City does not have the authority to require review of school plans, any plans submitted by the School Board as courtesy are thoroughly reviewed for concurrency and compatibility.*

categories, except Conservation.

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**Policy 1.14.2:** Assist the School Board to determine appropriate sites for schools. Continue to encourage the location of schools adjacent to other public facilities such as parks, libraries, and community centers and to those locations that can be used as a potential catalyst or leverage for redevelopment efforts in the surrounding urban area.

***Reason for Amendment:** To address EAR issue II.4.5.b, "Coordination of School Locations." The City does not have the authority to require review of school plans. However, any plans submitted by the School Board as courtesy are thoroughly reviewed for concurrency and compatibility.*

**Deleted: Policy 1.13.3:** It is the intent of the City that development and redevelopment of school sites shall be as minimally disruptive as possible to adjacent areas. In order to achieve this, the City shall assess the potential impacts of these uses on the physical development pattern and the character of the surrounding area, and require mitigation of negative off-site impacts, consistent with the provisions of the Comprehensive Plan.

**Deleted: Policy 1.13.4:** Ensure that adjacent neighborhoods have the opportunity to provide input into the school redevelopment and siting process.

**Policy 1.14.3:** Per state statute, the Manatee County School Board is required to notify the City of Palmetto at least 60 days prior to acquiring or leasing property that may be used for a new public educational facility. The City shall notify the School Board within 45 days if the site proposed for acquisition or lease is consistent with the land use categories and policies of the Comprehensive Plan.

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## **2.0 TRANSPORTATION ELEMENT GOALS, OBJECTIVES, AND POLICIES**

**GOAL 1:** TO PROVIDE A SAFE, CONVENIENT, COST EFFECTIVE AND EFFICIENT MULTI-MODAL TRANSPORTATION SYSTEM WHILE ENHANCING THE NATURAL AND SOCIAL ENVIRONMENT OF THE CITY. [9J-5.019(4)(a)]

### **Level of Service**

**Objective 2.1:** Maintain and update as necessary roadway level of service (LOS) standards for review of development proposals and issuance of development orders with respect to concurrency requirements, for use in capital improvement programming, and for establishing the long-range traffic operation goals for major roadways. [9J-5.019(4)(b)]

**Policy 2.1.1:** The level of service standard for collector and arterial roadways in the City shall be LOS "D", peak hour.

**Policy 2.1.2:** The City shall utilize the level of service standard adopted by Manatee County for all County roadways and state roadways not on the Florida Intrastate Highway System as defined by Section 338.001, FS.

**Policy 2.1.3:** The City shall issue development orders only upon certification that required transportation facilities are available to serve the proposed development at the adopted level of service standard, or are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its equivalent as recognized in the adopted Palmetto Five Year Capital Improvements Plan or the first three years of the adopted FDOT Five Year Work Program.

**Policy 2.1.4:** The City shall review its roadway design criteria to ensure consistency with recommended planning and engineering principles and design criteria.

**Policy 2.1.5:** The City shall continue to implement regulations which provide for the construction of off-site road improvements by developers which mitigate traffic congestion in the immediate area of their development.

**Policy 2.1.6:** The City shall continue to implement development regulations and programs which require road users and land developers to absorb a fair share portion of the costs of needed transportation facilities to maintain adopted level of service standards, thereby enhancing the economic feasibility of existing and future transportation systems.

**Policy 2.1.7:** The City shall review on an annual basis the vehicle miles of travel operating below the adopted level of service standard.

### **Traffic Circulation**

**Objective 2.2:** The traffic circulation system shall emphasize efficiency, safety, and aesthetics. [9J-5.019(4)(b)1]

**Policy 2.2.1:** The City shall minimize through traffic movement within residential neighborhoods through signage and police enforcement.

**Policy 2.2.2:** Access to and from arterial streets shall be minimized consistent with Florida Department of Transportation specifications and City regulations.

**Policy 2.2.3:** The City shall limit access through the proper location and spacing of curb cuts, thereby improving roadway capacity and level of service.

**Policy 2.2.4:** The City shall continue to require all development to meet standards adopted for parking lots, including number of spaces and internal circulation, for both motorized and non-motorized vehicles.

**Policy 2.2.5:** The City shall coordinate with FDOT to improve safety on state roads which traverse Palmetto.



**Policy 2.2.6:** The City shall continue to prioritize improvements at intersections with unusually high accident rates.

**Deleted: Policy 2.2.6:** By December 1999, the City shall correct the drainage problem at 10th Street and 10th Avenue to enhance hurricane evacuation of Snead Island and the western portion of the City.

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**Reason for Amendment:** The practices stipulated in this policy are required by s. 163.3180, F.S.

**Reason for Amendment:** The Sarasota Manatee Area Transportation Study has been renamed; it has been updated; and it is now called the Sarasota/Manatee Metropolitan Planning Organization 2030 Long Range Transportation Plan.

**Policy 2.2.7:** The City shall continue to clearly post evacuation routes.

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**Policy 2.2.8:**

**Deleted:** The City shall maintain records of de minimis transportation impacts to determine if and when a 110% threshold has been reached. A summary of these records shall be submitted to DCA with the annual update of the capital improvements element.

**Objective 2.3:** To coordinate with Manatee County to further the County's mass transportation plans for transportation and effort to become a multi-modal community.

**Deleted:** To promote transportation system alternatives which minimize the conflict between local and non-local traffic

**Reason for Amendment:** To address EAR issue II.4.2.b "Public Transit." The City supports Manatee County's policies on transportation system alternatives both financially and through intergovernmental collaboration, but it does not have the authority to control transit. The Comprehensive Plan should support continued coordination between the City and Manatee County in order to identify and implement strategies of enhanced mobility for the community.

**Policy 2.3.1:** The Sarasota/Manatee Metropolitan Planning Organization 2030 Long Range Transportation Plan (SMMPO) shall be considered for identification of future roadway improvements necessary to safely and efficiently carry local and non-local traffic through the City.

**Deleted:** Sarasota Manatee Area Transportation Study (SMATS) Year 2000 Needs Plan

**Deleted:** followed

**Reason for Amendment:** To eliminate and replace obsolete policy language.

## **Intergovernmental Coordination**

**Objective 2.4:** To coordinate transportation planning activities with the plans and programs of any applicable county, regional, state, and federal transportation entities. [9J-5.019(4)(b)3]

**Policy 2.4.1:** The City shall actively participate through attendance at public hearings, informational workshops, and technical advisory committee meetings or organizations, such as SMMPO, in the county, regional, and state planning efforts regarding upgrading transportation facilities within its planning area.

Deleted: SMATS

**Policy 2.4.2:** The City shall coordinate with Manatee County and the Sarasota Manatee MPO in the establishment and implementation of transportation demand management programs such as ridesharing and flexible working hours which serve to modify peak hour travel demand and reduce the number of vehicle miles traveled per capita.

**Policy 2.4.3:** The City of Palmetto shall coordinate with Manatee County Area Transit to increase annual transit trips per capita.

***Reason for Amendment:** The Sarasota Manatee Area Transportation Study has been renamed; it has been updated, and is now called the Sarasota/Manatee Metropolitan Planning Organization 2030 Long Range Transportation Plan.*

**Objective 2.5:** Maintain the Future Traffic Circulation Map to be highly consistent with the MPO's Long Range Transportation Plan. [9J-5.019(4)(b)3]

**Policy 2.5.1:** Annually, the City shall review both the MPO's and FDOT's 5-year programs to determine if revisions to of the City's Future Traffic Circulation Map are necessary.

**Policy 2.5.2:** After the annual review of the MPO's and FDOT's 5-year Plans, the City shall revise the Transportation Element and/or the Future Traffic Circulation Map as necessary.

## **Multimodal**

**Objective 2.6:** To provide for the safe and efficient movement of bikeway and pedestrian traffic.  
[9J-5.019(4)(b)1]



**Policy 2.6.1:** The City shall continue to support the implementation of the Manatee County

**Reason for Amendment:** To address EAR issue II.4.2.a "Road Network." The City retained a consultant to prepare a study of the City's mobility challenges and opportunities, and to develop recommendations to improve traffic circulation, accessibility, safety, and overall mobility throughout the community. It is a requirement of the study's scope that the recommendations be consistent with the City's vision for its Waterfront District.

Bikeways Plan and include within its overall transportation system an adequate bikeway and pedestrian plan which connects schools, residential areas, recreational facilities, and commercial areas and specifies adequate right-of-way and pedestrian crossing signals and/or markings.

**Deleted: Policy 2.6.1:** The City shall continue to include within its overall transportation system an adequate bikeway and pedestrian plan which connects schools, residential areas, recreational facilities, and commercial areas, including adequate right-of-way and pedestrian crossing signals and/or markings.

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**Deleted:** The City shall support implementation of the Manatee County Bikeways Plan, with particular emphasis on the establishment of a community trails network.

**Reason for Amendment:** To address EAR issue III.5 "Protection of Neighborhood Character: Aesthetic Identity." The "Potential Tools/Required Policy Changes" part of this issue includes "Engage in a process to identify gateways into the City" and "Target capital investment to improve the aesthetic character of key locations within the City, including gateway entrances, major corridors, landmarks, and public facilities and spaces." This policy is step toward these strategies.

**Reason for Amendment:** To address EAR issue II.4.2.c Pedestrian and Bicycle Policy 2.6.1 and Policy 2.6.2 are similar in nature; these two policies can be combined into a new Policy 2.6.1(below) in order to create a comprehensive policy that provides for bicycle and pedestrian needs.

**Policy 2.6.2:** Where feasible, the City shall incorporate MPO recommended bicycle friendly design standards into all new and reconstructed thoroughfare streets. Where specific design standards can not be met, the City shall consider the use of wider outside vehicle lanes to accommodate safe bicycle travel.

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**New Policy 2.6.3:** In accordance with the Waterfront Plan, the City shall explore methods to enhance the east/west transportation corridors and circulation from the 4<sup>th</sup> Street extension.

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**New Policy 2.6.4:** The City shall adopt a policy that explores the creation of landscaping standards for gateway enhancement and beautification.

**Objective 2.7:** To coordinate with the Manatee County Area Transit System for the provision of efficient transit services based upon existing and proposed major trip generators; existing and proposed



major trip attractors; safe and convenient public transit terminals; land uses; and accommodation of the special needs of the transportation disadvantaged. [9J-5.019(4)(b)4]

**Policy 2.7.1:** The City shall encourage the use of existing mass transit to relieve pressure on the existing roadway system by providing transit service information at public buildings.

**Policy 2.7.2:** The City shall utilize the route performance standards adopted by the Manatee County Area Transit System as an indicator of the fixed route transit system that serves Palmetto.

#### **Future Land Use**

**Objective 2.8:** To ensure that transportation improvements promotes desirable future land use consistent with the Future Land Use Element. [9J-5.019(4)(b)2]

**Policy 2.8.1:** Major roads shall serve as boundaries to neighborhoods. Nonresidential uses shall be concentrated on these major roads and not on local residential streets.

**Policy 2.8.2:** As a means of managing the location of growth, the City shall prioritize roadway improvements to correct existing deficiencies and to meet projected future needs as indicated on the Future Land Use Map.

**Policy 2.8.3:** The City shall encourage the development and redevelopment of properties served by the existing transportation network prior to developing new facilities. Methods of encouragement could include rezoning approval, providing information regarding capacity on roadways, etc.

**Policy 2.8.4:** The City shall give special priority to funding transportation improvements necessary within the designated downtown redevelopment area.

**Policy 2.8.5:** The City should consider the adoption of Corridor Master Plans with consideration of any appropriate changes to the boundary of the Community Redevelopment Area.

### **Environmental Quality**

**Objective 2.9:** To develop and implement a transportation system which limit water, air, and noise pollution, thereby enhancing the quality of the environment.

**Policy 2.9.1:** The City shall require the paving of parking lots in its land development regulations in order to reduce fugitive dust. However, in order to minimize the addition of unnecessary impervious surface area (parking areas) the City may permit the use of other techniques (e.g., turf block, porous pavement, sod) in ancillary parking areas.

**Policy 2.9.2:** The City and developers shall protect environmentally sensitive areas from future road construction through applicable permitting processes.

**Policy 2.9.3:** The City shall coordinate with FDOT to limit air and noise pollution attributable

*Reason for Amendment: To facilitate the redevelopment of unattractive, unsafe, or blighted corridors, such as portion of 7<sup>th</sup> and 10<sup>th</sup> Streets.*

to traffic on state roadways which traverse Palmetto.

### **Right-of-Way Protection**

**Objective 2.10:** Ensure the availability of existing and future right-of-way needed to implement the Transportation Element. [9J-5.019(4)(b)5]

**Policy 2.10.1:** The Palmetto Land Development Code shall continue to provide setback requirements to protect future rights-of-way from building encroachments.

**Policy 2.10.2:** The City shall review future land uses when planning for new roadways to ensure that the future mobility needs of City residents are met.

**Policy 2.10.3:** The City shall not vacate public right-of-way until it has been determined that the right-of-way is not required for future mobility, utility infrastructure, or storm water needs.

**TABLE 2-1  
FDOT FUNCTIONALLY CLASSIFIED ROADWAYS IN PALMETTO**

NAME	FUNCTIONAL CLASSIFICATION	NUMBER OF LANES	MAINTENANCE RESPONSIBILITY
US 41	Principal Arterial	4LD	State
US 301	Principal Arterial	4LD	State
Business 41 (8th Avenue West)	Principal Arterial	4LD/U	State
17th Street West	Urban Collector	2LU	City
10th Street West	Collector	3LU/2LU	City
7th Street West	Collector	3LU/2LU	City
14th Avenue West	Collector	2LU	City

SOURCE: City of Palmetto, 1997.



**3.0 HOUSING ELEMENT  
GOALS, OBJECTIVES, AND POLICIES**

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**GOAL:** TO PROVIDE DECENT, SAFE, AND SANITARY HOUSING AT AFFORDABLE COSTS TO MEET THE NEEDS OF PRESENT AND FUTURE POPULATIONS. [9J-5.010(3)(a)]

**Substandard Housing**

**Objective 3.1:** To upgrade substandard housing through rehabilitation, replacement, or demolition.  
[9J-5.010(3)(b)2]

**Policy 3.1.1:** The City shall set annual goals for the elimination of substandard housing within established target areas and monitor progress on an annual basis. [9J-5.010(3)(c)3]

**Policy 3.1.2:** The City shall encourage rehabilitation of deteriorated housing through the use of public grants and private local banks,

**Deleted:** (CDBG)

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**Deleted:** ) subsidized loan funds. [9J-5.010(3)(c)4]

***Reason for Amendment:** The City is no longer eligible to receive CDBG Small Cities funds. In order to promote the preservation and maintenance of existing housing, the City must seek increased local and/or state funding for maintenance and rehabilitation of affordable housing units within the City.*

**Deleted: Policy 3.1.3:** The City shall apply available funds to the demolition of dilapidated structures including CDBG funds and tax increment funds. [9J-5.010(3)(c)4]

***Reason for Amendment:** The City is no longer eligible to receive CDBG funds.*

**New Policy 3.1.3:** The City shall update the Language in the Land Development Code permitting the use of accessory structures as dwelling units.

***Reason for Amendment:** A 2005 amendment to Chapter 163, F.S. allowed certain accessory dwelling units to applying toward satisfying the affordable housing component of the housing element. By requiring a change in the LDC, this policy will help the City to meet its affordable housing objectives, and is in line with affordable housing strategies advocated by many experts.*

**Objective 3.2:** To achieve structural soundness and aesthetic improvement of existing housing and prevent existing standard units from becoming substandard. [9J-5.010(3)(b)2]

**Policy 3.2.1:** The City shall target concentrated code enforcement efforts to areas having concentrations of substandard housing and shall maintain regular enforcement activities in all areas of relatively older housing or rental housing. [9J-5.010(3)(c)3]

**Policy 3.2.2:** The City Code Enforcement Board shall establish standards and indicators of code compliance in terms of structural soundness and aesthetic improvement and annually report the quality of the City's housing stock in terms of such indicators to City Council. [9J-5.010(3)(c)3]

**Policy 3.2.3:** The City shall continue to enforce standards which facilitate the preservation of sound neighborhoods that are conducive to reinvestment by residents, infill developers, and financial institutions. [9J-5.010(3)(c)3]

**Policy 3.2.4:** The City shall assist neighborhood conservation by providing code enforcement, removing blighting or unsanitary conditions, and concentrating law enforcement efforts to create a safe, livable environment.

**Policy 3.2.5:** The City shall enforce housing codes to the fullest extent through code enforcement action.

### **Historically Significant Housing**

**Objective 3.3:** Provide necessary measures to ensure preservation and conservation of known historical resources. [9J-5.010(3)(b)5]

**Policy 3.3.1:** Promote the designation of historic districts through implementation of a preservation ordinance which includes criteria for designating property; standards and guidelines for controlling demolitions, alterations, and relocations; and procedures for administration and enforcement.



**Policy 3.3.2:** The City shall negotiate with land owners prior to the development review process to avoid disturbance and encourage preservation of known historical and pre-historical sites. When appropriate, the City shall require a cultural resources survey. [9J-5.010(3)(c)4]

**Policy 3.3.3:** The City shall assist the Palmetto Historical Commission in its efforts to provide public information, education, and technical assistance relating to historic preservation programs. [9J-5.010(3)(c)4]

### **Relocation Housing**

**Objective 3.4:** To provide uniform and equitable treatment of persons displaced by government housing programs consistent with State laws. [9J-5.010(3)(b)6]

**Policy 3.4.1:** Persons displaced by federal or state programs will be assured reasonably located, standard housing at affordable costs prior to their displacement. [9J-5.010(3)(c)9]

### **Housing Supply**

**Objective 3.5:** To encourage and facilitate private sector development of housing units indicated in the Housing Element analysis to meet the housing needs of existing and projected populations

**Policy 3.5.1:** The City shall provide information, technical assistance, and efficient permitting processes to assist the private sector to maintain a rate of housing production, especially for affordable housing, sufficient to meet the needs of the population [9J-5.010(3)(c)2]

**Policy 3.5.2:** The City shall continue to implement land development regulations which grant density bonuses to encourage planned development (PD) techniques to achieve affordable housing densities while preserving estuarine wetlands. [9J-5.010(3)(c)11]

**Policy 3.5.3:** The City shall continue to implement development regulations which grant density bonuses to developers of rental units. [9J-5.010(3)(c)11]

**Policy 3.5.4:** The City shall continue to implement development regulations which grant density bonuses to developers of multiple family dwelling units. [9J-5.010(3)(c)11]

**Policy 3.5.5:** The City shall continue to review ordinances, codes, regulations, and permitting processes for the purpose of eliminating excessive requirements, and to establish fast-track processing for housing developments intended to serve persons with special housing needs including the elderly, handicapped, large families, and persons relocated from substandard housing. [9J-5.010(3)(c)2]

#### **Affordable Housing**

**Objective 3.6** Monitor the provision of affordable housing for the existing and anticipated population of very low, low and moderate income households, and encourage private sector development of affordable housing in order that a minimum of fifteen percent of the current housing demand as indicated in the Housing Element analysis is met annually. [9J-5.010(3)(b)1]

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***Reason for Amendment:** To address EAR issue II.3.4.b.i "Workforce Housing." The percentage was changed to agree with the Attainable Housing Ordinance. Fifteen percent of the housing units in new developments would need to be affordable to families earning between 80 and 120 percent of the median household income (MHI).*

**Policy 3.6.1:** The City shall continue to implement programs which facilitate financing for housing rehabilitation, infill development, and housing affordable to very low, low, and moderate income households. [9J-5.010(3)(c)7]

Deleted: **Policy 3.6.2:** The City shall encourage the public-private housing task force to increase involvement of local banks in the process of lending for affordable housing. [9J-5.010(3)(c)7]

***Reason for Amendment:** Banks' policies have changed since the time this policy was written; the policy is now obsolete and needs to be removed.*



**Policy 3.6.2:** The City shall make greater use of available incentives to increase production of housing affordable to very low, low, and moderate income households by directing the use of tax increment funds which result from commercial development being used to subsidize affordable housing. [9J-5.010(3)(c)7]

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Deleted: **Policy 3.6.4:** The City shall work with local banks to establish a loan pool to assist very low, low, and moderate income homeowners to maintain and improve their homes. [9J-5.010(3)(c)7]

*Reason for Amendment: The City does not have any authority in this matter; therefore, the policy should be removed from the Comprehensive Plan.*

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**Policy 3.6.3:** The City shall utilize federal, state, and local subsidy programs as one means of meeting affordable housing needs. [9J-5.010(3)(c)7]

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**Policy 3.6.4:** The City shall continue to provide density bonuses for the inclusion of affordable units within each residential project and establish intensity bonuses for the inclusion of affordable units within mixed use development. [9J-5.010(3)(c)5]

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**Policy 3.6.5:** The City shall require the location of publicly assisted housing, group homes, and foster care facilities in areas which meet the following criteria:

- adequate public facilities are present;
- adequate public services are present;
- site is proximate to employment opportunities;
- site is proximate to schools and recreation;
- site is proximate to emergency medical facilities;
- site is proximate to shopping opportunities.

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**Policy 3.6.6:** The City shall spatially deconcentrate assisted housing consistent with the criteria in Policy 3.6.7 of this element. [9J-5.010(3)(c)5]

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**Policy 3.6.7:** The City shall approve plan amendment requests for additional residential acreage (consistent with the FLUE) when and where substantiated by residential growth trends and need for affordable housing. [9J-5.010(e)(c)11]



**Policy 3.6.8:** The City may approve rezoning of non-residential land if it is compatible with surrounding areas in order to promote reasonably priced supply of building residential land. [9J-5.010(3)(c)11]

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- Deleted: buildable

**Objective 3.7:** To provide incentives to developers for providing housing sites for very low, low, and moderate income households. [9J-5.010(3)(b)3]

**Policy 3.7.1:** The City shall continue to implement development regulations which grant density

**Reason for Amendment:** The language of this policy was changed in order to reflect the City's level of commitment. The City has the option to approve rezoning of non-residential land if it is compatible with surrounding areas; however, The City is not required to approve rezoning on the basis that the land in question is compatible with surrounding areas.

bonuses to developers of subdivisions and planned unit developments which include very low, low, and moderate income housing units. [9J-5.010(3)(c)5]

Deleted: **Objective 3.8:** To hold the number of mobile and manufactured home sites constant. [9J-5.010(3)(b)3]

Deleted: **Policy 3.8.1:** The City shall allow existing mobile and manufactured home parks to continue to operate and take no action to close or relocate existing mobile home parks unless residents are assured reasonably located mobile and manufactured home sites at affordable costs. [9J-5.010(3)(c)5]

Deleted: **Policy 3.8.2:** The existing mobile and manufactured home parks designated as MHP on the land use map shall have the following maximum densities¶  
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Deleted: **Policy 3.8.3:** Due to the already substantial percentage of mobile and manufactured homes in the overall housing supply, the City shall discourage new mobile and manufactured home sites. [9J-5.010(3)(c)5]

Deleted: **Farm Worker Housing¶**

Deleted: **Objective 3.9:** To provide safeguards to ensure adequate and affordable housing for farm workers employed in the City of Palmetto. [9J-5.010(3)(b)1]

**Reason for Amendment:** Recent events, including hurricanes regionally and fires locally have caused significant concern regarding the health and safety of residents housed in mobile and manufactured home sites. Many of the lots have been informally created with insufficient spacing between units, and the older structures are not likely to withstand storms. To address these concerns and Local Community Issue III.3, "Housing Affordability," this objective and the related set of policies will be replaced with new policies that meet the requirements of paragraph 163.3177(6)(f), F.S., and the requirements of Section 9.J-5.010(3)(b), F.A.C. Refer to the new section titled "Providing for the Housing Needs of the City's Residents."

**Deleted: Policy 3.9.1:** The City shall monitor the efforts of Manatee County to provide farm worker housing in existing and future farming areas of the County. [9J-5.010(3)(e)5]

**Deleted: Policy 3.9.2:** The City shall refer private agricultural businesses and non-profit agencies to the appropriate County agency to plan and coordinate farm worker housing at locations convenient to agricultural areas of Manatee County. [9J-5.010(3)(c)5]

**Deleted: Policy 3.9.3:** The City shall maintain a definition of "Farm Labor Camp" and zoning districts that permit farm worker housing as a conditional use in the land development regulations. [9J-5.010(3)(c)5]

**Deleted: Group Homes and Foster Care Facilities<sup>f</sup>**

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**Deleted:** To provide adequate sites for group homes and foster care facilities consistent with Chapter 419, Florida Statutes in all residential zones, particularly in new subdivisions and planned unit developments. [9J-5.010(3)(b)4]

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### Providing for the Housing Needs of the City's Residents

**Objective 3.8:** The City shall allocate sufficient acreage in appropriate locations to meet the housing needs of the City's residents.

**Policy 3.8.1:** The City shall continue to implement development regulations which allow group homes and foster care facilities in all residential zones, subject to standards designed to avoid

**Reason for Amendment:** This change will better reflect the City's commitment to providing appropriate locations for all types of residential uses, rather than for only specific types. This change and the policy changes below reflect a direction to address residential land use needs more comprehensively. Additionally, Palmetto already complies with the statutory requirement that group homes with five or less people be permitted in single-family districts.

**Reason for Amendment:** To address EAR issue II.3.4.b.i "Workforce Housing" Since there are no working farms in the City of Palmetto that would warrant farm worker housing, Objective 3.9 and Policies 3.9.1, 3.9.2, and 3.9.3 are obsolete. To address Local Community Issue III.3, "Housing Affordability," this objective and the related set of policies will be replaced with new policies that are more consistent with the City's conditions and its current and future affordable housing needs, as well as the requirements of Section 9.J-5.010(3)(b)1, F.A.C. Refer to the new section titled "Providing for the Housing Needs of the City's Residents."

adverse impacts. [9J-5.010(3)(c)6]

**Deleted: Policy 3.10.2:** The City shall continue to implement development regulations which grant density bonuses to developers of subdivisions or planned unit developments which include sites for group homes and foster care facilities. [9J-5.010(3)(c)6]



**Deleted: Policy 3.10.3:** The City shall adopt in the land development regulations site selection criteria including accessibility, convenience, and infrastructure availability for locating housing for the elderly and institutional housing.

**Policy 3.8.2:** The City shall allow mobile home parks in areas designated MHP on the Future Land

**Reason for Amendment:** This change will better reflect the City's commitment to providing appropriate locations for all types of residential uses, rather than for only specific types. This change and the policy changes below reflect a direction to address residential land use needs more comprehensively. Additionally, Palmetto already complies with the statutory requirement that group homes with five or less people be permitted in single-family districts.

Use Map.

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**Policy 3.8.3:** The City shall review and evaluate zoning and other regulations that pertain to

**Reason for Amendment:** This new policy is related to the requirements of s. 163.3177(6)(f), F.S.

housing to ensure that requirements continue to be reasonable and do not unduly limit opportunities for lower income groups to secure housing in desirable locations.

**Deleted: Policy 3.8.4:** The City shall allow manufactured housing built to the Standard Building Code in residential areas designated on the Future Land Use Map.¶

**Reason for Amendment:** This new policy will help to ensure that there will not be undue regulatory barriers to the development of affordable/attainable housing in Palmetto.

#### **Housing Implementation Programs**

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**Objective 3.9:** To establish housing implementation programs capable of meeting the Housing Element objectives. [9J-5.010(3)(b)7]

**Reason for Amendment:** As manufactured housing is often less expensive than "stick built" housing, this will help to ensure that there will be undue regulatory barriers to the development of affordable/attainable housing in Palmetto.

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**Policy 3.9.1:** The City shall continue to implement land development regulations which provide flexibility in the form of affordable densities, and standards to protect the environment and design quality.

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**Policy 3.9.2:** The City shall ~~participate in a regional~~ housing task force comprised of real estate, development and financial industries; residents; and public officials to develop practical implementation methods for improving the supply of good quality affordable housing. Methods could include technical assistance programs; low cost housing construction techniques; loan assistance programs; federal, state, and local subsidy programs; and cooperation with other units of government.

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**Policy 3.9.3:** The City shall facilitate neighborhood conservation by providing code enforcement, removing blight or unsanitary conditions, and concentrating law enforcement efforts to create safe,

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**Reason for Amendment:** *To address EAR issue II.3.4.b.i "Workforce Housing." The City has already adopted an ordinance to provide affordable/workforce housing. The City will seek to promote expansion its approach at the regional level.*

livable neighborhoods conducive to reinvestment by residents, infill developers, and financial institutions.

**Policy 3.8.2:** The existing mobile and manufactured home parks designated as MHP on the land

use map shall have the following maximum densities:

<u>PARK</u>	<u>DWELLING UNITS (DU'S)</u>	ACRES	DU'S PER ACRE
Rainbow Mobile Home Park	85	3.85	22.1
Palmetto Mobile Home Park	488	32.89	15.0

#### **4.0 SANITARY SEWER GOALS, OBJECTIVES AND POLICIES**

**GOAL:** A COST EFFECTIVE, EFFICIENT AND SAFE COLLECTION AND TREATMENT SYSTEM WHICH PROTECTS THE QUALITY AND INTEGRITY OF THE ENVIRONMENT AND MEETS FUTURE POPULATION DEMANDS, WHILE PROMOTING COMPACT URBAN GROWTH.

##### **Advanced Wastewater Treatment System**

**Objective 4.1:** To provide sanitary sewer service to all areas within the City limits and service area.

**Policy 4.1.1:** The City's sewage collection, treatment, and disposal system shall meet or exceed applicable local, state, and federal regulations and guidelines.

**Policy 4.1.2:** The City shall carefully review proposed annexations for impacts upon the City's sewer system.

**Policy 4.1.3:** The City shall require all development to be reviewed for sanitary sewer concurrency standards.

**Policy 4.1.4:** The sanitary sewer level of service standard is 100 gallons/person/day. [9J-5.011(2)(c)2.]

**Policy 4.1.5:** The City's current service area boundaries may be extended to provide needed sewer service beyond the present City limits. If the property is not contiguous to the City when service is provided, then the property owner shall enter into an Annexation Agreement with the City that is binding on future property owners to annex into Palmetto when contiguous.

**Policy 4.1.6:** Require industrial or commercial users which generate wastewater loads of a character not permitted for disposal directly into the City's sanitary sewer system to pretreat wastewater to achieve compliance with the City's standards prior to discharge into the City's sanitary sewer system.



### **Maintenance of Existing Facilities**

**Objective 4.2:** As a means to maximize the City's existing wastewater treatment facilities, the City shall limit the opportunities for inflow and infiltration and shall modify lift stations as necessary to ensure the effective collection of wastewater.

**Policy 4.2.1:** The City shall continue the Inflow and Infiltration Program and correct any areas identified as having either inflow and infiltration problems.

**Policy 4.2.2:** The City shall continue to ensure the efficient and effective collection of wastewater through the maintenance and upgrading of lift stations.

### **Reclaimed Water Use**

**Objective 4.3:** As a means to further enhance the City's water conservation efforts, the City shall expand the practice of using reclaimed water for the irrigation of recreational, urban lands, and agricultural uses as a means to reduce the use of potable or ground water and to cease the discharge of waste water to surface waters. [9J-5.011(2)(b) 4., (c)3.]

**Policy 4.3.1:** Require the use of reclaimed water to irrigate recreational, agricultural, and future development.

**Policy 4.3.2:** Encourage the use of reclaimed water irrigate lawns and landscaping in current urban areas.

**Policy 4.3.3:** Pursue a regional approach, wherever feasible, to the use of reclaimed water through development of interlocal agreements with other governmental jurisdictions.

**Policy 4.3.4:** Require the construction of an on-site distribution system for the transmission of reclaimed water in all new and future development projects.

### **Funding Mechanisms**

**Objective 4.4:** Appropriate funding mechanisms to provide adequate revenue to finance the construction, operation and maintenance of the City's collection, treatment and disposal system shall be implemented.

**Policy 4.4.1:** Rates shall be reviewed at least every 18-24 months to determine the adequacy for financial support of system operation and maintenance.

**Deleted: Policy 4.4.2:** By April 2002, the City shall review the sanitary sewer impact fee to determine if any changes are necessary ¶

*Reason for Amendment: This policy is obsolete and should be deleted; refer to Policy 4.4.1*

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**Policy 4.4.2:** Scheduling and prioritizing of major system improvements to the sewage system shall be completed as a component of the Capital Improvements Program.

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## 5.0 SOLID WASTE GOALS, OBJECTIVES AND POLICIES

**GOAL:** COST EFFECTIVE, EFFICIENT AND ENVIRONMENTALLY SOUND COLLECTION AND DISPOSAL OF SOLID WASTE WHICH MEETS THE NEEDS OF THE PROJECTED POPULATION.

### Collection and Disposal

**Objective 5.1:** The City shall continue to assess its methods of collection and disposal of solid waste to ensure that the most cost effective, efficient, economic and environmentally sound practices are employed by its handlers.

**Policy 5.1.1:** Only acceptable methodologies which meet federal, state and local guidelines shall be employed in the collection, transport and disposal of solid wastes.

**Policy 5.1.2:** The City shall continue to enforce all applicable ordinances and laws to prevent illegal dumping of solid or liquid wastes within the City.

**Policy 5.1.3:** As part of the site plan review process, the City shall require the screening of solid waste receptacles.

**Policy 5.1.4:** ~~The City shall support Manatee County's efforts to purchase additional landfill sites consistent with the long range needs for solid waste disposal.~~

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*Reason for Amendment: The Comprehensive Plan has been adopted; therefore, the language is outdated and should be removed.*

**Policy 5.1.5:** The City shall continue to cooperate with the Manatee County Public Works Department to advise its citizens of the appropriate methods for disposal of hazardous materials. Each quarter, the City shall notify its residential customers of the Household Hazardous Waste Amnesty Day provided at the Lena Road Landfill. The City shall continue to monitor its commercial and industrial customers to ensure that they are following appropriate disposal methods for hazardous materials.



## Recycling and Waste Reduction

**Objective 5.2:** As a means to further enhance the City's recycling and solid waste reduction efforts, the City shall continue to provide and improve the existing recycling and yard debris separation programs.

**Policy 5.2.1:** The City ~~will continue to provide~~ curbside recycling to single family residential customers. ~~the City shall encourage commercial and institutional customers to recycle.~~

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**Policy 5.2.2:** The City shall continue its efforts to reduce solid waste generation through both its curbside recycling and separation of yard trash programs.

***Reason for Amendment:** The City has put in place and maintained a recycling program; however, since there are no state or local ordinances requiring recycling, the City does not have the responsibility to necessitate recycling practices among its citizens.*

## 6.0 STORM WATER MANAGEMENT GOALS, OBJECTIVES AND POLICIES

**GOAL:** TO PROVIDE THE MOST COST EFFECTIVE, EFFICIENT AND ENVIRONMENTALLY SOUND STORM WATER MANAGEMENT PLAN WHICH PROTECTS HUMAN LIFE AND PROPERTY AND ENHANCES THE NATURAL ENVIRONMENT.

### Storm Water Management Plan

**Objective 6.1:** The City shall periodically update and implement the Master Drainage Plan, pursuant to staff recommendations and historic flooding data in order to ensure that adequate drainage facilities are available commensurate to future development.

**Deleted:** adopted in December 1997 ensure that adequate drainage facilities are available commensurate with future development and to correct existing system deficiencies

**Policy 6.1.1:** The City's Public Works Department shall continue to maintain an inventory

***Reason for Amendment:** To address EAR issue II.4.3.b "Stormwater and Drainage." The City has since implemented all of the feasible projects recommended by the Master Drainage Plan. As a result, the stormwater and drainage system is capable of meeting and exceeding the City's LOS standard, the 25-year frequency, and the 24-hour duration design storm event. The City is now in the process of approving a new drainage study to better evaluate the success of the original suggestions and create a new list of priority drainage projects.*

and map of its natural and manmade drainage systems.

**Policy 6.1.2:** The City shall periodically review its drainage regulations to ensure compliance will applicable regional, district, and federal regulations.

**Policy 6.1.3:** The City Public Works Department shall coordinate (e.g, dovetail maintenance of drainage ditches with multiple jurisdictions) its storm water management activities with other governmental agencies to ensure optimal protection of human life and property.

**Policy 6.1.4:** The City Public Works Department shall ensure that major drainage ditches and natural drainage features are inspected quarterly to ensure that no alterations to the feature has been made. Where deemed necessary, an annual maintenance is performed in a timely manner.

**Policy 6.1.5:** Except in cases of overriding public interest, the City shall not permit development where it is determined that such development will have an irreversible adverse impact on storage capabilities, increase flood prone areas, significantly increase rates of runoff or cause other unfavorable drainage conditions.

**Policy 6.1.6:** Pollution control structures and techniques shall be required during and, if necessary, after construction activities to prevent water pollution from erosion and siltation.

**Deleted: Policy 6.1.7:** By December 2002, the City will have implemented through project design and construction the applicable recommendations of the Master Drainage Plan.†

#### **Level of Service Standards**

**Objective 6.2:** The City shall adopt level of service standards to meet both water quality and water quantity issues.

***Reason for Amendment:** The City has completed this task; therefore, the policy is obsolete and should be removed.*

**Policy 6.2.1:** The water quality level of service standard shall comply with the rules and regulations as set forth by the State and the City's NPDES Permit. [9J-5.011(2)(c)5.]

**Policy 6.2.2:** The water quantity level of service standard is the 25-year frequency, 24-hour duration design storm event. [9J-5.011(2)(c)2.c.]

**Policy 6.2.3:** The Master Drainage Plan shall include an analysis of the adopted water quantity level of service standard (see Policy 6.2.2) and provide recommendations for any revisions to that level of service standard.



## **Surface Water**

**Objective 6.3:** To ensure that the quality of surface water within the City is maintained, and where unacceptable, improved.

**Policy 6.3.1:** Surface and Storm Water Treatment. The City will continue to implement and update, from time to time, adopted surface and storm water management regulations that assure that systems are designed to meet or exceed current standards, and can be practically and easily maintained. Enforcement of these requirements are intended to increase retention of storm water, minimize degradation of surface waters and protect wetlands through treatment of storm water runoff. At a minimum, surface and storm water treatments may include, but are not limited to:

- Appropriate on-site retention or detention in accordance with adopted local and state regulations including filtration, exfiltration, establishment of littoral zones in wetland areas and the use of grassy areas for filtration;
- Protection of wetlands and environmentally sensitive areas; and
- Management and protection of the quantity, timing and quality of water releases and discharges.

**Policy 6.3.2:** Retrofitting of substandard drainage systems shall occur during repair, expansion, or redevelopment activities. This policy is intended to address water quality problems resulting from inadequate systems, or those systems constructed prior to a complete understanding of the effects of storm water runoff on water quality.

**Policy 6.3.3:** All drainage outfall and irrigation connections shall be designed to maintain, and where possible, improve water quality.

## **Implementation of Drainage Improvements**

**Objective 6.4:** To establish a schedule of drainage improvements that is prioritized to correct existing deficiencies. [9J-5.011(2)(c)1.]

**Policy 6.4.1:** The drainage improvements identified in the Capital Improvements Program shall be completed in order to correct existing drainage deficiencies.

**Deleted: Policy 6.4.2:** By December 1999, the City shall determine how to fund the Master Drainage Plan. One option under consideration is establishing a storm water utility and appropriate fees.

**Policy 6.4.2:** By December 2010, The City shall adopt a policy that encourages the sharing of stormwater systems where appropriate in order to minimize the number of stormwater ponds.

**Policy 6.4.3:** The Land Development Code shall include regulations that require private developers to remedy situations of minor and temporary flooding associated with new

*Reason for Amendment: The City has completed this task; therefore, the objective and related policy are obsolete and should be removed.*

*with SRF funds and SWFMD cooperative fund. The stormwater utility fee was adopted in 1998.*

development or redevelopment.

**Deleted: Intergovernmental Coordination of Drainage Studies and Improvements**

**Deleted: Objective 6.5:** Because of limited funding opportunities available to the City to complete the improvements identified in the master drainage plan, the City shall coordinate with the following agencies toward identification and resolution of the City's long term drainage problems.

¶ Florida Department of Environmental Protection  
¶ Southwest Florida Water Management District  
¶ Manatee County Public Works Department

**Policy 6.5.1:** By December 1999, the City shall determine the feasibility of securing additional funds for implementing the improvements identified in the Master Drainage Plan and the Capital Improvements Program.

*Reason for Amendment: This policy will increase efficiency in utilization of land and help to reduce public and/or private capital improvement costs.*



## 7.0 POTABLE WATER

**Reason for Amendment:** To address EAR issue II.4.3.e.ii, "Projected Water Supply." The City has since developed the Long Range Potable Water Plan through the year 2025. The Long Range Potable Water Plan shall be updated when necessary in order to protect the City's future potable water needs.

### GOALS, OBJECTIVES AND POLICIES

**GOAL:** TO PROVIDE AN ADEQUATE SUPPLY OF POTABLE WATER AND DISTRIBUTION SYSTEM WHICH MEETS PROJECTED DEMANDS, PROTECTS PUBLIC INVESTMENTS AND PROMOTES ORDERLY, COMPACT URBAN GROWTH.

#### Availability of Potable Water to Serve Future Development

**Objective 7.1:** The City shall ensure through the implementation of this plan that at the time of development permit issuance, adequate potable water capacity is available when needed to serve development.

**Reason for Amendment:** To address EAR issue II.4.3.d "Potable Water." A new agreement between the City and Manatee County was adopted in October 2005 which included a 10 year renewal of services.

**Policy 7.1.1:** Unless determined to be in the best financial interest of the City's residents, the City shall honor its commitment to purchase potable water from Manatee County through the year ~~2015~~.

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**Policy 7.1.2:** By adoption of this plan, a level of service standard of 105 gallons per day per capita is established and shall be used as the basis for determining future potable water needs within the City of Palmetto's service and planning areas. [9J-5.011(2)(c)2.]

**Policy 7.1.3:** ~~The City shall continue to update, as necessary, and implement its Long Range Potable Water Plan.~~

Deleted: Prior to 2000, the City shall prepare an assessment of the feasibility of alternative water sources. As part of this feasibility study, a long range (through the year 2015) potable water plan shall be developed.



**Policy 7.1.4:** To ensure adequate fire flow, the City shall establish a program for replacing inadequate lines (less than 4"). No new water line installation shall be less than 4".

**Policy 7.1.5:** Because the City purchases its water wholesale from Manatee County, the City shall monitor and support the County's implementation of long-term water supply projects that ensure provision of potable water supplies for all of its customers, including the City of Palmetto. Those projects are listed below, and more information about them can be found in the County Comprehensive Plan:

- MARS-I (East County Wellfield Expansion) – this is expected to generate 2.17 million gallons per day (mgd) of additional capacity, and to be online in 2009;
- MARS-II (North County Wellfield) – this is expected to generate 3.0 mgd in additional capacity and to be online in 2014;
- Peace River/Manatee River Regional Water Supply Authority (PR/MRWSA) Option – this is expected to generate 5.0 mgd in additional capacity and to be online in 2017; and,
- PR/MRWSA Regional Option for MARS-IV – this is expected to generate 5.0 mgd in additional capacity and to be online by 2024.

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#### **Maximize Existing Facilities**

**Objective 7.2:** The City shall require that existing and new development maximize the use existing

*Reason for Amendment: This policy is in response to statutory requirements that the Comprehensive Plan include water supply projects necessary to ensure provision of adequate water supplies to serve existing and projected development.*

potable water facilities.

**Policy 7.2.1:** The City shall require the use of low-volume plumbing fixtures for all new construction in accordance with the requirements of the most recently adopted Standard Plumbing Code.

**Deleted: Policy 7.2.2:** The City shall continue to encourage the use of xeriscape in all landscaping projects.¶

**Deleted: Policy 7.2.3:** Where lines are available, the City shall require new development and redevelopment to connect to the reclaimed water system.¶

**Deleted: Water Conservation**

## **Water Reuse**

**Objective 7.3:** As a means to further enhance the City's water conservation efforts, the City shall expand the practice of using reclaimed water for the irrigation of recreational, urban lands, and agricultural uses as a means to reduce the use of potable or ground water and to cease the discharge of waste water to surface waters. [9J-5.011(2)(b) 4., (c)3.]

**Policy 7.3.1:** Require the use of reclaimed water to irrigate recreational, agricultural, and future development.

**Reason for Amendment:** *This and the policy above it are being relocated to the new "Water Reuse" section of this Element (see below).*

**Policy 7.3.2:** Encourage the use of reclaimed water to irrigate lawns and landscaping in current urban areas.

**Policy 7.3.3:** Pursue a regional approach, wherever feasible, to the use of reclaimed water through development of interlocal agreements with other governmental jurisdictions.

**Policy 7.3.4:** Require the construction of an on-site distribution system for the transmission of reclaimed water in all new and future development projects.

**Policy 7.3.5:** The City shall continue to implement the emergency conservation of water resources in accordance with the plans of the Southwest Florida Water Management District.

**Policy 7.3.6:** The City shall amend the Land Development Code to require new development and redevelopment to connect to the reclaimed water system. If the reclaimed water system is not available at the time development occurs, then installation of "dry" lines or payment to City for future pipe installation shall be required.

**Policy 7.3.7:** In accordance with the Reclaimed Water System Ordinance adopted in June 1998 (Ordinance No. 609), the City shall address the following issues:

Installation of backflow preventors



Amount of connection fee; and

Fee for using reclaimed water.

**Policy 7.3.8:** The City shall continue to encourage the use of xeriscape in all landscaping projects.

**Policy 7.3.9:** Where lines are available, the City shall require new development and redevelopment to connect to the reclaimed water system.

**Policy 7.3.10:** If reclaimed water is available then it must be used for irrigation. If it is not available, the City first encourages the use of existing wells and then, as a last resort, the use of potable water for irrigation.

#### **Funding Mechanism**

***Reason for Amendment:** This policy has been relocated. It was previously Policy 7.2.2.*

**Objective 7.4:** Appropriate funding mechanisms to provide adequate revenue to finance the construction, operation and maintenance of the City's potable water distribution system shall be implemented.

***Reason for Amendment:** This policy has been relocated. It was previously Policy 7.2.3.*

**Policy 7.4.1:** Rates shall be reviewed at least every 18-24 months to determine the adequacy for financial support of system operation and maintenance.

***Reason for Amendment:** This policy is to reduce the amount of potable water used for irrigation when other sources could be used just as effectively that are less energy and financially intensive to produce.*



**Policy 7.4.2:** ~~Every 18 to 24 months,~~ the City shall review the potable water impact fee to determine if any changes are necessary.

**Policy 7.4.3:** Scheduling and prioritizing of major system improvements to the potable water system shall be completed as a component of the Capital Improvements Program.

**Reason for Amendment:** *Now that the city has implemented the potable water impact fee, it needs to be reviewed periodically in order to determine if any future changes/policies are needed.*

**13.0 CAPITAL IMPROVEMENTS  
GOALS, OBJECTIVES, AND POLICIES**

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**GOAL:** PROVIDE PUBLIC FACILITIES TO ALL RESIDENTS IN A TIMELY, COST EFFECTIVE AND SOUND FISCAL MANNER AND IN A WAY THAT PROMOTES COMPACT URBAN GROWTH.

**Correct Existing Deficiencies and Meet Future Needs**

**Objective 13.1:** The City shall direct its five year schedule of capital improvements towards correcting existing facility/capacity deficiencies and/or meeting future facility/capacity needs, and replacing obsolete or worn out facilities.[9J-5.016(3)(b)1.]

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**Policy 13.1.1:** The City shall include capital projects of a generally non-recurring nature; with a useful life of at least 10 years; and with cost in excess of \$30,000 in the Capital Improvement Program (CIP) 5-year program schedule.

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**Policy 13.1.2:** Those projects needed to correct existing deficiencies in meeting adopted LOS standards shall receive the highest priority in scheduling and funding within the CIP 5-year program schedule. More specifically, the City shall establish priorities based upon:

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- The elimination of public hazards;
- The elimination of existing capacity deficits;
- Local budget impacts;
- Locational needs based on projected growth patterns;
- The accommodation of new development and redevelopment facility demands;
- Financial feasibility; and
- Plans of state agencies and water management districts that provide public facilities within the local government's jurisdiction.

**Policy 13.1.3:** The Public Works Director ~~and~~ City Clerk shall establish and review on an annual basis the prioritization of capital projects included in the Capital Improvements Program.

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**Deleted:** City Council,

**Deleted:** , and Police Chief

**Reason for Amendment:** This amendment will reflect the City's current internal practices with regard to capital improvements prioritization.

**Policy 13.1.4:** Because the City purchases its water wholesale from Manatee County, the City shall monitor and support the County's implementation of long-term water supply projects that ensure provision of potable water supplies for all of its customers, including the City of Palmetto. Those projects are listed below, and more information about them can be found in the County Comprehensive Plan:

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- MARS-I (East County Wellfield Expansion) – this is expected to generate 2.17 million gallons per day (mgd) of additional capacity, and to be online in 2009;
- MARS-II (North County Wellfield) – this is expected to generate 3.0 mgd in additional capacity and to be online in 2014;
- Peace River/Manatee River Regional Water Supply Authority (PR/MRWSA) Option – this is expected to generate 5.0 mgd in additional capacity and to be online in 2017; and
- PR/MRWSA Regional Option for MARS-IV – this is expected to generate 5.0 mgd in additional capacity and to be online by 2024.

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**Reason for Amendment:** This policy is in response to statutory requirements that the Comprehensive Plan include water supply projects necessary to ensure provision of adequate water supplies to serve existing and projected development.



### Limit Public Expenditures in High Hazard Coastal Area

**Objective 13.2:** The expenditure of public funds to subsidize future development in coastal high hazard area shall be directed by the goals, objectives, and policies of the Coastal Management Element. [9J-5.016(3)(b)2.]

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**Policy 13.2.1:** The City shall expend funds within the coastal high hazard area for continued maintenance/improvement of existing facilities in order to meet adopted Level of Service Standards and to encourage development/redevelopment.

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**Policy 13.2.2:** The City shall ~~continue to allocate revenues to the contingency fund for the purpose of ensuring a local dollar match for state and/or federal disaster assistance grants.~~

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**Deleted:** continue to allocate revenues to the contingency fund for the purpose of insuring a local dollar match for state and/or federal disaster assistance grants

**Deleted:** maintain an unreserved fund balance of approximately 50 percent of any year's operating budget for the purpose of ensuring stability after an emergency situation and to provide matching grant money, if required.

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### Coordination of Land Use Decision with the Capital Improvements Element

**Objective 13.3:** The City shall coordinate its future land use decisions with the CIP to ensure available

*Reason for Amendment: Current emergency grant funding often does not require matching dollars, yet the City recognizes the importance of maintaining contingency funds for emergency situations. The City maintains unreserved funds to be utilized in such situations.*

service capacity at the time of development and require developers to assume an increased share of the cost of facility improvements. [9J-5.016(3)(b)3.]

**Policy 13.3.1:** The City shall require all development and redevelopment to assume the cost of expanding and/or providing necessary public facilities.

**Policy 13.3.2:** The City shall maintain records of de minimis transportation impacts to determine if and when a 110% threshold has been reached. A summary of these records shall be submitted to DCA with the annual update of the capital improvements element.

**Deleted: Policy 13.3.1:** By December 2001, the City shall complete a feasibility study to ascertain the level of commitment to, public support of and potential monies which could be generated through the adoption of additional impact fee ordinances (i.e., Transportation Impact Fee, Park and Recreation Impact Fee, Storm Water Utility Fee).

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*Reason for Amendment: The City has completed the feasibility study; therefore, this policy is obsolete and should be removed.*

### **Demonstration of the Ability to Fund Improvements**

**Objective 13.4:** The City shall, through its Capital Improvements Program and annual capital budget, manage its fiscal resources to ensure that previously issued development permits and the issuance of future development/redevelopment permits do not exceed the ability of the City to fund or provide

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*Reason for Amendment: This policy reflects a requirement of Chapter 163, F.S.*

needed capital improvements.[9J-5.016(3)(b)5.]

**Policy 13.4.1:** The City shall utilize grants and/or private funds to finance capital improvements. Grant funds and non-discretionary monies (i.e. impact fees) will be used before general revenues or financing of projects.

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### **Decisions Regarding Permit Issuances**

**Objective 13.5:** The City shall continue to implement the Concurrency Management System that is adopted as part of the Land Development Code.

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**Policy 13.5.1:** At a minimum, the Concurrency Management System shall contain the following provisions:

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- A. The City of Palmetto shall make appropriate concurrency determinations in conjunction with the following development approval activities: 1) at the time of zoning actions, site plan approval, and/or subdivision approvals; 2) prior to the issuance of building permits; and 3) prior to the issuance of certificates of use and occupancy.
- B. An affirmative principal concurrency determination will be required before a prospective developer can obtain a subsequent development order. Principal concurrency determinations will be made prior to the



approval of subdivision plats, or in instances where plat approvals are not required to have predated the effective date of the concurrency requirement, a principal concurrency determination will be made the final site plan or building permit stage.

- C. A principal concurrency determination made at the final plat approval will serve as the determination for requested building permits where said permits are issued within two years after the date of final plat approval. Where the applicant demonstrates that the development has commenced on a timely basis and is continuing in good faith, this period may be extended but in no case shall this period exceed five years after final plat approval.
- D. In no instance shall a building permit be issued authorizing construction of a new building or expansion of an existing building unless the facilities necessary to maintain LOS standards are existing and available or are assured to be existing and available within the following time frames relative to the date of issuance of a certificate of occupancy (CO):
  - a) Necessary water, sewer, solid waste and drainage facilities must be in place and available at the time of issuance of a CO;
  - b) Necessary parkland must be acquired no later than 12 months after issuance of a CO;
  - c) For the purposes of concurrency, a facility may be considered as available if the construction of the facility is included in the first three years of the City's adopted five-year schedule of capital improvements or the first 3 years of the adopted



Florida Department of Transportation five-year work program, such that the needed facility will be in place or under construction not more than 3 years after issuance of a certificate of occupancy or its functional equivalent and if the schedule (or FDOT work program) includes the estimated date of commencement of actual construction and the estimated date of project completion.

- E. Assurance that the facilities will be constructed or acquired and available within the time frames established in forgoing paragraph D. shall be provided by the following means:
- a) The necessary facilities are under construction at the time the building permit is issued;
  - b) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the building permit is issued;
  - c) The necessary facilities are funded and programmed in year one of the City's adopted capital budget or are programmed in the CIE for construction or acquisition; the necessary facilities shall not be deferred or deleted from the adopted one-year capital budget unless the dependent building permit expires or is rescinded prior to the issuance of a certificate of occupancy.
  - d) The necessary facilities are programmed, in the five-year capital facility plan or work program of the State agency

- having operational responsibility for affected facilities, for construction or acquisition;
- e) The necessary facilities and services are guaranteed, in an enforceable development agreement, to be provided by the developer.
  - f) Timely provision of the necessary facilities will be guaranteed by some other means or instrument providing substantially equivalent assurances.
  - g) In all instances where required park land is not dedicated or acquired prior to issuance of a CO, funds in the amount of the developer's fair share shall be committed prior to the issuance of a CO unless the developer has entered into a binding agreement to dedicate an improved park site within the time frame established in foregoing paragraph D-2.
  - h) A plan amendment is required to eliminate, defer or delay construction of any transportation facility or service, including any mass transit facility or service listed in the five-year schedule of capital improvements, which was relied upon in issuance of a development order, or permit to maintain the adopted LOS standard.
- F. It is anticipated that after building permits are issued, determinations of concurrency prior to the issuance of CO's may simply involve review and verification of compliance with the terms of the conditions set forth in foregoing paragraphs D. and E.

## **Facilities Standards**

**Objective 13.6:** The City shall issue development permits based upon existing development regulations, including, but not limited to, concurrency management and the goals, objectives and policies of this plan.

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**Policy 13.6.1:** When reviewing the impacts of future development/redevelopment, the City shall use the Level of Service Standards established in the Capital Improvements Element and the Concurrency Management System.

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**Policy 13.6.2:** Requested plan amendments and development proposals, whether public or private, shall be reviewed with respect to their anticipated impacts upon public facilities and Levels of Service. Further, the City shall establish a policy with Manatee County and a procedure to review and respond to proposed land use plan amendments within or immediately abutting the City's planning area.

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**Policy 13.6.3:** The following level of service standards shall be established for the purpose of reviewing development proposals, issuing permits and development orders, and capital facilities planning.

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## FACILITIES STANDARDS

FACILITY	UNITS	STANDARD
Neighborhood Park/Community Park	Acres	4 acres/1000 population
Boat Ramps	Lane	1 land/5000 population
Open Space	Acres	1 acre/1000 population
Tennis	Court	1 court/2000 population
Baseball	Field	1 field/2000 population
Softball	Field	1 field/2000 population
Basketball	Court	1 court/5000 population
Racquetball	Court	1 court/10,000 population
Soccer	Field	1 field/5,000 population
Football	Field	1 field/5,000 population
Shuffleboard	Court	1 court/10,000 population
Fishing Piers	Feet	800 feet/10,000 population
Playgrounds	Playgrounds	1 playground/2000 population
Picnicking	Pavilions/tables	1 pavilion/10,000 population
<u>Multi-Purpose Recreation</u>	<u>Square feet</u>	<u>7,500 square feet/15,000 population</u>
Sanitary Sewer	Gallons per day (GPD)	100 gpd/capita
Solid Waste	Lbs/day	7.1 lbs/capita
Drainage	NA	25-year/24-hour duration storm design
Potable Water	Gallons per day (GPD)	105 gpd/capita
Arterial Road	Trips	LOS D peak
Collector Road	Trips	LOS D peak

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**Reason for Amendment:** The first change addresses EAR issue II.4.4 "Parks and Recreation." Because today the majority of growth in Palmetto is in residential communities that have water access, there is less of a need for public boat ramp access. Accordingly, the level of service standard for public boat ramps has been updated, and the ratio change reflects a more reasonable and sustainable requirement for the City. The second change is derived from the Parks and Recreation element, new policy 10.8.3.

Public Schools

**Objective 13.7:** The City shall ensure that future public school facility needs are addressed in a manner consistent with the adopted level of service standards for public schools

**Policy 13.7.1:** The City and School Board of Manatee County agree to implement the level of service standards for public schools district-wide to all schools of the same type as follows:

Elementary – 110% Permanent FISH Capacity by School Service Area.

Middle – 105% Permanent FISH Capacity by School Service Area.

High - 100% Permanent FISH Capacity District-wide.

Policy 13.7.2: The City shall ensure that future development pays its share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining the applicable adopted level of service standards, via impact fees and other legally available and appropriate methods.

Policy 13.7.3: The City in conjunction with the Manatee County School Board shall annually update the Five Year Capital Facilities Plans to ensure maintenance of a financially feasible capital improvements program and to ensure that level of service standards will continue to be achieved and maintained by the end of the planning period.

Policy 13.7.4: The City adopts by reference the School District of Manatee County 2007 – 08 School Capacity Program, as approved by the School board on March 10, 2008.

Policy 13.7.5: Manatee County School Board will ensure that the level of service standards for public schools are achieved and maintained by the end of their five-year schedule of capital improvements.

Policy 13.7.6: Each year the City of Palmetto will adopt plan amendments: 1) adding a new fifth year; 2) updating the financially feasible public schools capital facilities program; 3) coordinating the program with the five year district facilities work plan, the plans of other local governments; and 4) as necessary updating the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained.

Deleted: Bradenton

**Reason for Amendment:** Addresses the requirements of Section 163.83, F.S. and 9J-5.83 F.A.C for a new comprehensive plan element dealing with Public School Facility planning, which, in turn, must reference the Interlocal