TAB 1

MEMORANDUM

To:	Mayor Shirley Bryant City Commission
From:	Tom McCollum, Interim City Planner
Date:	October 15, 2009
Subject:	2030 Comprehensive Plan Modifications Based September 14, 2009 Workshop

cc: Jim Freeman, City of Palmetto (w/enclosures) Allen Tusing, City of Palmetto (w/enclosures)

Attached, please find the revised document that includes the revisions made by the Commission at the last workshop. The revisions are noted in green and for your convenience we have included a summary of those revisions as well.

As you know, the various amendments to the 2030 Comprehensive Plan related to schools have been transmitted to the DCA on October 7, 2009. Those revisions are currently being reviewed. As you review the revised draft, you will note that we have included the various school revisions so that there will be a complete document for your review.

Enclosures: One (1) copy of the September 14, 2009 Follow Up Revision Summary One (1) copy of the Revised Draft 2030 Comprehensive Plan One (1) copy of the Revised Comprehensive Plan Maps

Point Paper Comprehensive Plan Amendment Recreation Resort – Land Use Category

Background:

As a follow up to the presentation at the last Comprehensive Plan presentation made by Mr. Bill Manful and his Planner, Misty Servia, I met with Mr. Manful and Ms. Servia and developed the attached language for your consideration. As stated during the last City Commission meeting, the City's Comprehensive Plan makes no provision for Recreation Resorts in the current Plan or in the draft amendment being considered. In my experience, developments of this type are generally located in more rural settings rather than in cities. However, there is no reason why such uses could not be considered in appropriate locations in Palmetto.

Because of the uses proposed and the multiple types of uses included in the category, my recommendation to the applicant was to include the designation within the proposed UP Future Land Use Category. The alternative would be to create a new Land Use Category-RR (Recreational Resort). The new category would require a new Land Use Category in the Comprehensive Plan along with appropriate goals, objectives, and policies.

Additionally, since there is no land designated RR, the City would need to designate land on the Future Land Use Map (FLUM) or wait until a specific application is made, then amend the FLUM to accommodate the use.

Please note that this action would also require an amendment to the <u>City Code</u> in order to develop a Zoning Classification for the resort use. The rezoning amendment would take place after the approval of the Comprehensive Plan amendment. If the City Commission pursues this amendment, it is anticipated that the PD-MU Zoning Category would be the appropriate Zoning District to amend. This action would assure the City that any development of this type would include a site plan approved by the City Commission.

Budget Impact:

No budget impact.

Staff Recommendation:

Staff recommends approval of this Land Use Designation as requested by the Applicant.

Action Required:

Instruct staff to include the Recreational Resort use within the UP Land Use Category and provide a definition within the Comprehensive Plan.

RECREATIONAL RESORT - A parcel or parcels of land containing amenities designed to attract and accommodate tourists and seasonal residents. A Recreational Resort may be a Mixed or Multiple Use project, and land uses may include but shall not be limited to golf course, athletic courts, marinas, boat storage, boat docks and ramps, fishing piers, boardwalks, residential dwelling units, lodging facilities such as recreational vehicle (RV) sites, hotels, villas, and cabins; eating and drinking establishments, retail stores, personal services such as spas, gyms and salons; cultural facilities such as theaters and museums; amusement facilities such as bowling alleys and arcades; and passive and active recreational uses. All lodging facilities shall limit the stay of guests to a maximum of 180-days. Recreational Vehicle sites shall be limited to 10 sites per acre. Neither density nor FAR shall be applied to RV sites. Fifth-wheels, travel trailers, park models, manufactured homes, pop-ups, tents, and conversion vans are prohibited on the RV sites. Heavy commercial and industrial uses are prohibited

Add "Recreational Resort" to the list of approved uses for the UP district.

COMPREHENSIVE PLAN AMENDMENT

FOLLOW UP FOR THE

Comprehensive Plan Modifications Based Upon the September 14, 2009 Public Hearing

Introduction

As a follow up to the September 14th public hearing, please find the following modifications to the Comprehensive Plan.

Commitment List:

Changed all compliance dates to reflect "December 31^{str}. (There are still two commitments without a date in Chapter 8)

Note: All changes listed above were made throughout the Plan.

Policies:

Definition Section:

Page II-2 – Commercial Core Category (COMC): Changed the address from 10th Avenue West to 11th Avenue West.

Page II-3 - Density: Removed the words, "people or".

Page II-4 - General Commercial Category (GCOM): Added the words, "Mixed Use" to the list.

Page II-7 - Public Facility: Added the word, "Service" in the Category Title.

Chapter 1 – Future Land Use

Future Land Use Designation Summary Table

Table Header Row: Changed "General Range of Uses" to "Summary of Uses"

- GCOM: Changed FAR from ".60" to "1.00". Added the words, "Mixed Use" to the Summary of Uses column.
- PU: Changed "Special" to "Specific Approval by City Commission".
- PF: Added the word, "Service" to "Public Facility" in the designation column. Changed the word, "Special" to "Specific Approval by City Commission". Added the words, "Recreation, and Recreation Support Uses" to Summary of Uses column.
- UP: Changed FAR from "2.00" to "10.00". Changed "16 du/Gross Acre" to "45".

Added following note under table:

"NOTE: Proposed development in any land use designation exceeding 14 du/acre or exceeding a FAR of 1.00 requires approval from the City Commission."

Note: All changes listed above were made throughout the Plan.

Policy 1.3.5: Deleted 1.3.5 text in its entirety and replaced new text as follows:

"Heavy commercial/industrial land uses in the Commercial Core are designated as Conditional Uses in the <u>Land Development Code</u>. 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."

Policy 1.8.2: - New as follows:

"Any development in excess of 14 dwelling units per acre or with a FAR in excess of 1.00 will require Planned Development zoning and approval by the City Commission."

Policy 1.94: Changed "UP" zoning back to "planned development" zoning in the first and second sentences.

Maps

Revised the Future Land Use Map (FLUM)

CITY OF PALMETTO 2030 COMPREHENSIVE PLAN



CITY OF PALMETTO 2030 COMPREHENSIVE PLAN

MAYOR AND CITY COMMISSION

Mayor Shirley Groover Bryant Vice-Mayor Brian Williams Commissioner Tamara Cornwell Commissioner Mary Lancaster Commissioner Tambra Varnadore Commissioner Alan Zirkelbach

PLANNING AND ZONING BOARD

Chairman Michael Burton Vice Chairman Robert Smith Ed Bennett, Board Member Barbara Jennings, Board Member Jon Moore, Board Member Christopher Moquin, Board Member Charlie Ugarte, Board Member

> CITY ATTORNEY Kirk Pinkerton

Prepared by

City of Palmetto Zoller, Najjar & Shroyer Engineering, L.C.

Adoption Date

City of Palmetto

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I. PUBLIC PARTICIPATION

Citizen involvement in the comprehensive planning process is paramount to ensuring broad-based support and acceptance of the plan by the general public. Key to the success of any plan is a clear understanding of the issues closest to the people as well as the issues confronting City officials charged with implementing the Comprehensive Plan on a daily basis. To this end, the City shall employ a variety of mechanisms to encourage and facilitate citizen involvement in the planning process. These processes shall apply to this EAR-Based Amendment as well as to recurring plan amendments as permitted by law.

The City of Palmetto public participation process shall include the following:

Public Workshops and Public Hearings

Any revisions or amendments to the Plan Document shall be subject to public workshops and/or public hearings with notification of such workshops or hearings being provided by the City Clerk's office. It should be noted that workshops shall be optional as needed; however, public hearings shall be required. Workshops and public hearings on proposed revisions or amendments shall be conducted at a minimum before the Planning and Zoning Board (the Local Planning Agency) and the City Council.

City Council shall hold advertised public hearings in accordance with law.

Public Requests and Comments

The general public is encouraged to participate in the planning process by making known its requests and comments at workshops, hearings and general inquiries to the City Administration. To this end, any person representing himself/herself, or representing a property owner or organization shall be permitted to request information or comment at all public hearings regarding plan revisions and amendments. Further, the general public is encouraged to make known its requests, comments and inquiries either by telephone with the city planner (941-723-4570) or by written or personal communication during normal business hours with:

City Planner Palmetto City Hall 516 8th Avenue West (Post Office Box 1209 34220) Palmetto, Florida 34221.

The City shall maintain copies of all documents and maps subject to revisions and amendments as well as a formal public record of the hearing proceedings of advertised public workshops and hearings, a copy of which shall be provided to the general public upon request. A copy of the current adopted Comprehensive Plan shall remain on file for public inspection at Palmetto City Hall and the Palmetto Public Library.

III. DEFINITIONS

ABUT - To physically touch or border upon; or to share all or part of a common lot line or parcel of land.

ADJACENT - A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. Adjacent shall also include any property separated by a public or private right-of-way.

AFFORDABLE HOUSING - "Affordable" means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in subsection (19), subsection (20), or subsection (28). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark.

ANNEXATION - The incorporation of a land area into an existing community with a resulting change in the boundaries of the community.

ARTERIAL ROAD - A roadway providing service that is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

BICYCLE AND PEDESTRIAN WAYS - Any road, path or way that is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

CAPITAL BUDGET - The portion of Palmetto's budget that reflects capital improvements scheduled for a fiscal year.

CAPITAL IMPROVEMENT - Physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purpose of this document, a capital improvement is defined as a capital item with a minimum cost of \$30,000 and an overall life expectancy of 10 years.

CLUSTERING - The grouping together of structures and/or infrastructure on a portion of a development site while remaining below the maximum density and/or floor area ratio.

COASTAL HIGH HAZARD AREA - The evacuation zone for a category 1 burricane as established in the Tampa Bay Regional Planning Council's hurricane evacuation study.

COLLECTOR ROAD - A roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

COMMERCIAL CORE CATEGORY (COMC) - Land use category used to designate the downtown redevelopment area. Commercial Core is designed to include land uses associated with a compact, pedestrian oriented, downtown core. Multi-family residential is an appropriate use in this land use category. For that portion of the Commercial Core land use category located within the Coastal High Hazard Area (CHHA), the density for residential shall be limited to an average of the existing and future density in the adjacent and surrounding area. The general boundaries of the Commercial Core located within the CHBIA are. 5th Street West to the Manatee River and 10th Avenue West to 8th Avenue West. The following land uses are included

Retail stores, including eating and drinking establishments.

Höteli and motels.

Personal services such as laundry, hairdressing, and shoe repair shops.

Business services such as advertising, photocopying, employment agencies, data processing services, and photo finishing,

Offices.

Banks and other financial services.

Health services, educational services, and social services.

Theaters, museums, and art galleries.

Service stations (excluding automotive painting and body work and the storage of vehicles).

COMMERCIAL USE - Activities within land areas that are predominantly connected with the sale, rental and distribution of products, or performance of services.

CONCURRENCY - Necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

CONCURRENCY MANAGEMENT SYSTEM - The procedures and/or process established by the City of Palmetto to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development. The Concurrency Management System is located in the City's Land Development Code.

CONSERVATION USES (CONS) - Activities or conditions within land areas designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, flood plain management, commercially or recreational valuable fish and shellfish, or protection of vegetative communities or wildlife liabitats.

DE MINIMIS - A de minimis impact is an impact that would not affect more than one (1) percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the City of Palmetto. No impact will be <u>de minimis</u> if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility would exceed 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; provided, however, that an impact of a single family home on an existing lot will constitute a <u>de minimis</u> impact on all roadways regardless of the level of the deficiency of the roadway. Further, no impact will be <u>de minimis</u> if it would exceed the adopted level of aervice itandard of any affect designated hurricane evacuation route. **DENSITY** - An objective measurement of the number of people or residential units allowed per unit land. For the purposes of this document, density shall be measured as the number of units allowed per acre of land.

DEVELOPMENT - The construction, reconstruction, conversion, structural alteration, relocation of enlargement of any structure; any mining, excavation, landfill or land disturbance, and any non-agricultural use or extension of the use of land. For the purposes of this document, redevelopment shall also be included in this definition.

DEVELOPMENT ORDER - Any order granting, denying, or granting with conditions, an application for a development permit.

DEVELOPMENT PERMIT - Any building permit, zoning permit, subdivision approval, rezoning, conditional use, variance, or any other official action of local government having the effect of permitting the development of land.

DRAINAGE BASIN - The area defined by topographic boundaries which contributes stormwater to a watershed, drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

DRAINAGE FACILITIES - A system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

ENVIRONMENTALLY SENSITIVE LANDS - Areas of land or water that are determined necessary to conserve or protect natural habitats and ecological systems.

ESTUARY - A semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by fresh water and which has a connection with oceanic waters, including bays, embayments, lagoons, sounds and tidal streams.

EVACUATION ROUTES - Routes designated by county civil defense authorities or by the TBRPC evacuation plan, for the movement of persons to safety, in the event of a hurricane.

FACILITY AVAILABILITY - Whether or not a facility is available in a manner to satisfy the concurrency management system.

FARM WORKER HOUSING - Habitable structures or dwelling units intended to be occupied by, and for which occupancy is limited to, farm employees and their families. Such uses occur exclusively in association with the performance of agricultural labor. This term also includes migrant housing and farm labor camps.

FLOOD PLAINS - Areas inundated during a 100-year flood event or identified by the National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

FLOOD PRONE AREAS - Areas inundated during a 100-year flood event or areas identified by the National Flood Insurance Program as an A Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

FLOOR AREA RATIO - Defined as the total building area divided by the total land area of the site and is limited to non-residential uses not including parking, public atriums, and/or indoor plazas and courtyards.

FOSTER CARE FACILITY - A facility that houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents and serving either children or adult foster residents

GENERAL COMMERCIAL CATEGORY (GCOM) - This land use category is used to designate areas appropriate for activities primarily connected with the sale, rental, and distribution of products or the performance of services. The following land uses are included:

Retail stores, including eating and drinking establishments.

Residential.

Hotels and motels.

Personal services such as laundry, hairdressing, and shoe repair shops

Business services such as advertising, photocopying, employment agencies, data processing services, and photo finishing.

Miscellaneous business services such as building maintenance services and sign shops.

Commercial printing.

Funeral services

Automotive sales and service, repair garages, body shops, auto painting, boat and mobile home dealers.

Building material dealers

Meeting places for membership organizations.

Offices.

Banks and other financial services

Health, educational, and social services

Theaters, museums, and art gallevias

Miscellaneous amusements such as howling alleys, pool establishments, and arcades.

Mannas-

Radio and television studios.

GOAL - The long-term and toward which programs or activities are ultimately directed.

GROUP HOME - A facility that provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate living facilities comparable in size to group homes are included in this definition. It does not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

HAZARDOUS WASTE - Solid waste, or a combination of solid waste, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed. HEAVY COMMERCIAL/INDUSTRIAL CATEGORY (HCOMIND) - This land use category is used to designate areas appropriate for activities connected with the manufacturing, assembly, processing, and storage of products. Residential uses are not appropriate in this land use category. The following land uses are included:

Agricultural services, including fruit and vegetable packing.

Construction yards.

Manufacturing.

Freight transportation and warehousing.

Wholesale trade.

Generation, transmission, or distribution of electricity, gas, or steam.

Telephone, radio and television facilities.

Automotive, boat, and recreational vehicle storage.

HISTORIC RESOURCES - All areas, districts or sites containing properties listed on the Florida master Site File, the National Register of Historic Places, or designated by Palmetto as historically, architecturally, or archaeologically significant.

HURRICANE SHELTER - A structure designated by local officials as a place of safe refuge during a storm or hurricane. For the purpose of this document the following structures shall serve as hurricane shelters: Tillman Elementary School, Blackburn Elementary, and Palm View Elementary.

HURRICANE VULNERABILITY ZONE - The areas delineated by TBRPC hurricane evacuation plan as requiring evacuation. The hurricane vulnerability zone shall include areas requiring evacuation in the event of a 100-year storm or Category 3 storm event.

INDUSTRIAL USES - The activities within land uses predominantly connected with manufacturing, assembly, processing, or storage of products.

INFILL - Development or redevelopment which occurs on scattered vacant lots in a developed area. Development is not considered infill if it occurs on parcels exceeding one acre or more.

INFRASTRUCTURE - Those man-made structures that serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

INTENSITY - An objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on or below ground; the measure of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services.

LAND DEVELOPMENT CODE - The document that combines all of the City of Palmetto Land Development Regulations into a single code. For purposes of this document, the <u>Land Development Code</u> shall be adopted by December 2010.

LAND DEVELOPMENT REGULATIONS - Ordinances enacted by the City of Palmetto to regulate any aspect of development, including zoning, subdivision, landscape, parking, fencing, signage, and building construction, or any other regulation controlling the development of land.

LEVEL OF SERVICE - An indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility.

LIVING MARINE RESOURCES - Oceanic or estuarine plants or animals, such as mangroves, sea grasses, algae, coral reefs, and living marine habitat; fish, shellfish, Crustacea and fisheries; and sea turtles and marine mammals.

LOCAL PEACETIME EMERGENCY PLAN - The plans prepared by Manatee County Public Safety addressing weather-related natural hazards and man-made disasters except nuclear power plant accidents and war. The plan covers hazard mitigation, emergency preparedness, emergency response, emergency recovery, and hurricane evacuation.

LOCAL PLANNING AGENCY (LPA) - For the purposes of this document, the LPA for the City of Palmetto is the Planning and Zoning Board.

MASS TRANSIT - Passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guide way transit, express bus, and local fixed route bus.

MIXED OR MULTIPLE USE - The mixture of more than one land use within a single building, or within a single project in separate buildings, with such uses planned in a coordinated manner under a single development plan. This definition excludes parks, golf courses, schools, and public facilities. Land uses, which when combined within a single project constitute mixed or multiple uses include residential, commercial, and/or industrial uses.

MOBILE HOME PARK (MHP) CATEGORY - This land use category is used to designate existing mobile home parks with density exceeding the maximum density permitted by this plan. This land use category shall be used to recognize mobile home parks existing on the date of plan adoption and shall not be used to designate parks in the future.

NATURAL DRAINAGE FEATURES - The naturally occurring features of an area that accommodate the flow of significant amounts of stormwater, such as streams, rivers, lakes, sloughs, flood plains and wetlands.

NON-POINT SOURCE POLLUTION - Any source of water pollution that is not a point source.

OBJECTIVE - A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

OPEN SPACE - Undeveloped lands suitable for passive recreation or conservation uses.

OVERRIDING PUBLIC INTEREST - Actions required by local, state, or federal government, necessary for the promotion of public safety, health and general welfare.

PARK - A neighborhood, community, or regional park.

PLANNED DEVELOPMENT - Land under unified control to be planned and developed as a whole in a single-development operation for definitely programmed services of development operations or phases. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is built according to general and detailed plans that include not only streets, utilities, lots and building location, and the like, but also site plans for all buildings as they are intended to be located, constructed, used, and related to each other. A planned development includes a program for the provisions, operations, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned development district but which will not be provided, operated, or maintained at general public expense.

POINT SOURCE POLLUTION - Any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

POLICY - The way in which programs and activities are conducted to achieve an identified goal.

POTABLE WATER - Water that is satisfactory for drinking, culinary, and domestic purposes and which meets the appropriate requirements of the Florida Department of Environmental Protection.

POTABLE WATER FACILITIES - A system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

PRIVATE RECREATION SITES - Sites owned by private, commercial, or non-profit entities available to the public for purposes of recreational use.

PUBLIC ACCESS - The ability of the public to physically reach, enter, or use recreation sites including beaches and shores.

PUBLIC FACILITY - Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, and public health systems or facilities.

PUBLIC FACILITIES CATEGORY (PF) - The land use category created to designate those areas defined as a "Public Facility".

PUBLIC RECREATION SITES - Sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.

PUBLIC USE CATEGORY (PU) - The land use category created to designate parks and recreation systems or facilities.

RECREATION - The pursuit of leisure time activities occurring in an indoor or outdoor setting.

RECREATION FACILITY - A component of a recreation site used by the public such as a trail, court, athletic field, or swimming pool.

RESIDENTIAL 4 DU/AC CATEGORY (RES-4) - This land use category is used to designate areas appropriate for the development of single-family housing units at a maximum of 4 du/ac. This land use category may be designated in areas where environmental conditions or limitations of public infrastructure require low density development.

RESIDENTIAL 6 DU/AC CATEGORY (RES-6) - This land use category is used to designate areas appropriate for the development of single-family housing units at a maximum of 6 du/ac. This land use category is designated in areas adjacent to schools, educational facilities, and public parks that are not subject to heavy traffic. For those portions of this land use category located in the CHHA, the maximum allowable density shall be an average of the existing and future density of adjacent and surrounding properties.

RESIDENTIAL 10 DU/AC CATEGORY (RES-10) - This land use category is used to designate areas appropriate for the development of single-family attached, two-family and multi-family housing units at a maximum of 10 du/ac. For those portions of this land use category located in the CHHA, the maximum allowable density shall be an average of the existing and future density of adjacent and surrounding properties.

RESIDENTIAL 14 DU/AC CATEGORY (RES-14) - This land use category is used to designate areas appropriate for the development of single-family attached and multi-family housing units at a maximum of 14 du/ac. The primary location of this land use category is the downtown redevelopment area because of its proximity to recreational and scenic amenities, shopping and services of the Commercial Core. For_those portions of this land use category located in the CHHA, the maximum allowable density shall be an average of the existing and future density of adjacent and surrounding properties.

RIGHT-OF-WAY - Land in which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use.

ROADWAY FUNCTIONAL CLASSIFICATION - The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

SANITARY SEWER FACILITIES - Structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

SERVICES - The programs and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social, and other programs necessary to support the programs, public facilities, and infrastructure set out in this plan or required by local, state or federal law.

SHORELINE OR SHORE - The interface of land and water and, as used in the coastal management element, is limited to oceanic and estuarine interfaces.

SOLID WASTE - Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

SOLID WASTE FACILITIES - Structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

STORMWATER - The flow of water that results from a rainfall event.

STORMWATER FACILITIES - Manmade structures that are part of a stormwater management system designed to collect, convey, hold, divert, or discharge stormwater, and may include stormwater sewers, canals, detention facilities, and retention facilities.

TAX INCREMENT FINANCING (TIF) - A funding mechanism for redevelopment. TIF captures the incremental increase in property tax revenues resulting from redevelopment and uses it to pay for public improvements needed to support and encourage new development.

PLANNED DEVELOPMENT CATEGORY (PD) URBAN PLANNING (UP) CATEGORY - This land use category is used to designate areas where unique environmental conditions require conservation of coastal areas and other environmentally sensitive areas. It is also used to designate those areas where mixed or multi-use projects are proposed. The maximum density permitted in this land use category is 16 du/ac, as provided in the City's Land Development Code. For those portions of this land use category located within the CHHA, the maximum density shall be an average of the existing and future density of adjacent and surrounding properties

URBAN SPRAWL - Uncontrolled and untimely expansion and spreading out of an urban community into the outlying non-urban area.

WATER-DEPENDENT USES - Activities that can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; water supply.

WATER-RELATED USES - Activities that are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

WETLANDS - Those wetlands under the jurisdiction of the Department of Environmental Protection and/or the Southwest Florida Water Management District.

Acronym	Abbreviation Table Definition			
CHHA	Coastal High Hazard Area			
CIP	Capital Improvement Plan			
CME	Coastal Management Element			
COMC	Commercial Core			
CON	Conservation			
đu	Dwelling Units			
FAR	Floor Area Ratio			
FDEP	Florida Department of Environmental Protection			
FDOT	Florida Department of Transportation			
FEMA	Federal Emergency Management Agency			
FGFWFC	Florida Game Freshwater Fish Commission			
FWC	Florida Fish & Wildlife Conservation Commission			
FISH	Florida Inventory of School Houses			
FLUE	Future Land Use Element			
FLUM	Future Land Use Map			
GCOM	General Commercial			
gpd	Gallons Per Day			
HCOMIND	Heavy Commercial/Industrial			
JPC.	Joint Planning Committee			
LOS	Level of Service			
mgd	Million Gallons per Day			
MHP	Mobile Home Park			
MPO	Metropolitan Planning Organization			
PÐ	Planned Development			
PF	Public Facilities			
PU	Public Use			
SSA	School Service Area			
SWFWMD	Southwest Florida Water Management District			
UP	Urban Planning			

1.0 FUTURE LAND USE GOALS, OBJECTIVES, AND POLICIES

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

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 (ORIGINAL _ DELETE THIS PARAGRAPH FOR FINAL): Development of environmentally sensitive areas such as wetlands shall be avoided. Where avoidance is not practicable, mitigation is required. [9J-5.006(3)(e)6.]

Policy 1.1.1: Development of wetlands shall be avoided to the greatest extent practicable. Where development of the wetlands cannot be avoided, impacts shall be minimized to the greatest extent practicable. Development of wetlands may be authorized in cases where the mitigation provided is of greater long-term benefit to fish and wildlife and water quality or where there is a net public benefit. Mitigation for lost wetland functions shall be provided in accordance with Chapter 373 Florida Statutes and 62-345 of the Florida Administrative Code, as may be amended.

<u>Policv 1.1.2</u>: 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 (LOS) 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 stormwater 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.]

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

Policy 1.2.1 (ORIGINAL - DELETE THIS PARAGRAPH FOR FINAL): Major shopping conters, high density housing, office parks, and public buildings shall be located within the community redevelopment area unless no suitable site exists within the redevelopment area encouraged to locate within, and to coordinate with the CRA. Renumbered below:

Pollev 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 Commercial Core through by allowing higher intensity in the Commercial Core Zoning District. If the property is located within the Constal High Hazard Area CHHA, then appropriate density and intensity limitations shall apply.

Policy 1.2.4 (This is Now 1.2.3 below - Delete this paragraph for Final): The City-shall discourage duplication of the functions of the Commercial Downtown core to minimize the need for commercial rezoning avoiding outside of commercial corriders of the Community Redevelopment Area which permits commercial development or high density residential development musicle the Community Redevelopment Area: <u>Policy 1.2.3</u>: The City shall discourage duplication of the functions of the Downtown Commercial Core to minimize the need for commercial rezoning outside of commercial corridors of the Community Redevelopment Area.

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

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.

<u>Policy 1.3.1</u>: 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.

<u>Policy 1.3.2:</u> Commercial development shall be permitted only if designated mixed use areas such as the community redevelopment area, planned development, and in areas designated on the land use map for commercial development. The City shall, through the <u>Land Development</u> <u>Code</u>, clearly identify and determine the types, intensities, and scales appropriate for the Downtown Commercial Core and other districts in order to avoid the duplication of functions within these various districts.

Policy 1.3.3: Heavy commercial/industrial development shall be permitted only in areas designated on the land use map and the community redevelopment plan. 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):

Residential-Low Density (RLD - 4 dwelling units/gross aere)

(Original – DELETE FOR FINAL – New RES-4 Below – Bold Text represents what P&Z changed in new text)

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 approximately 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.

RES-4 (Residential-Low Density – 4 Dwelling Units per Gross Acre)

Uses Permitted: Residential uses, churches, schools, and water-dependent uses. The Residential-Low Density District designates areas appropriate for larger lot, singlefamily detached residential development. Densities in this District shall be relatively low, up to a maximum of approximately 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, public 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. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out when development occurs. 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.

Residential-Low/Moderate Density (RLMD - 6 dwelling units/gross acre) (Original – DELETE FOR FINAL – New RES-6 Below – Bold Text represents what P&Z changed in new text)

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

CITY OF PALMETTO - LAND USE ELEMENT 2030 COMPREHENSIVE PLAN **RES-6** (Residential-Low/Moderate Density – 6 Dwelling Units per Gross Acre) Uses Permitted: Residential uses, churches, schools, and water-dependent uses. The main objective of the RES-6 land use designation is to preserve the structure and historic fabric of established neighborhoods, which are comprised primarily of oneto 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 Commercial Core, which has a mix of uses and a much greater concentration of development. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out when development occurs. While most retail/commercial 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.

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

(Original – DELETE FOR FINAL – New RES-10 Below – Bold Text represents what P&Z changed in new text)

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 approximately ten dwelling units per gross acre are appropriate in this district. **RES-10** (Residential-Moderate Density – 10 Dwelling Units per Gross Acre) Uses Permitted: Residential uses, churches, schools, and water-dependent uses. The 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. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out when development occurs. 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.

RES-14 (Residential-High Density – 14 Dwelling Units per Gross Acre)

Uses Permitted: Residential uses, churches, schools, and water-dependent uses. The designation provides areas for a mix of residential types located adjacent to commercial and office uses. The designation includes single-family, two-family, and multi-family residential uses and may also include community facilities such as libraries, churches, and schools. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out when development occurs. Dwelling unit densities up to fourteen (14) units per gross acre are permitting in this category.

MHP (Mobile Home Park - Current Residential Density)

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

CITY OF PALMETTO - LAND USE ELEMENT 2030 COMPREHENSIVE PLAN

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ensure that these 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) COMC (Commercial Core – 10.00 FAR/45 Dwelling Units per Acre Except in CHHA)

This designation replaces the former Commercial Core category. Uses Permitted: General commercial, professional, churches, schools, parks, water-dependent uses, off-site parking facilities, residential, personal and professional services, and public uses. The purpose of the DCC COMC 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, including planned developments urban planning other than districts with commercial activities and recreational opportunities necessary for a vibrant downtown. It is further intended that development in the downtown 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 that are compatible and complimentary with adjacent and surrounding land uses. The DCC COMC 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.

Commercial District Mixed Use (CMU) GCOM (General Commercial – 1.00.60 FAR/14 Dwelling Units per Gross Acre Except in CHHA) The CMU land use category replaces the former GCOM designation. Uses Permitted: General commercial, professional, residential, churches, schools, water-dependent uses, and personal and professional services. 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 GCOM 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 eonsidered. available.

HCOMIND (Heavy Commercial/Industrial -1.00 5.00 FAR)

The HCI land use category replaces the former HCOMMIND. Uses Permitted: General Commercial, heavy commercial, warehousing, distribution terminals, industrial, assembly plants, commercial marinas, schools, and churches. The primary purpose of the (HCI) HCOMIND 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. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out as redevelopment occurs. The HCI land use category may also allow small-scale complementary commercial uses to provide for the needs of workers in, or visitors to, or residents nearby, any areas designated under this eategory. The HCOMIND land use category may also allow complementary commercial and professional uses to provide for the needs of workers in, or visitors to, or residents nearby, any areas designated under this category.

Conservation (CONS) Original – DELETE FOR FINAL – New Conservation Below

The CONS land use category identifies areas of major public or privately held lands whose primary purpose is the preservation of natural resources. Such locations may be appropriate for passive recreational use.

CONS (Conservation)

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The primary function of the Conservation Land Use Category is to enhance, preserve and protect ecological and other natural functions of lands that have been determined, by their designation under this category, as having significant potential for providing regional conservation benefits. These areas may contain floodways, certain regionally-significant floodplains, surface waters, wetlands, and/or uplands that shall be protected from adverse impacts resulting from development and preserved for the benefit of the region. The following are uses/facilities/activities that shall be permitted by the City of Palmetto within this land use category: pedestrian and nonmotorized vehicle trails; roadway and infrastructure crossings; passive recreation and environmental education facilities; wetlands and upland habitat mitigation; speciesspecific habitat mitigation; stormwater attenuation and water quality treatment; floodplain compensation; and surface water storage and withdrawals.

Parks and Recreation (PR) PU (Public Use – Special)

The PR land use designation replaces the former PU category. This District includes existing and planned government-owned parks, marinas, open space, and other recreational facilities and may encompass other private recreational facilities.

Community Facilities PF (Public Facility – Special)

The Community Facilities designation replaces the former PF land use district. The CF land use category identifies The Public Facility category identifies existing and proposed government-owned facilities, 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, and off-site parking facilities.

PD (Planned Development UP (Urban Planning) – 1.00 2.00FAR/16 Dwelling Units per Gross Acre except in CHHA)

Commercial and professional services designated to serve the planned community are encouraged. The purpose of the PD UP District is to encourage large-scale, integrated, planned development urban planning in those areas that are primarily undeveloped and contain large parcels under single ownership. There may be some limited agricultural operations in the District. While these uses are permitted to continue, it is expected that they will ultimately be phased out when development occurs. 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.

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Map Symbol	Category Designation	Maximum Density / Intensity	General Range of Uses
RES-4	Residential-Low Density	4 du/Gross Acre	Single-Family Residential
RES-6	Residential- Low/Moderate Density	6 du/Gross Acre	1 to 2 Story Detached Single- Family Residential
RES-10	Residential- Moderate Density	10 du/Gross Acre	Mix of Residential Uses, Community Facilities, Churches, Schools
RES-14	Residential-High Density	14 du/Gross Acre	Mix of Residential Uses, Community Facilities, Churches, Schools
MHP	Mobile Home Park	Current Residential Density	Mobile Homes and Accessory Uses
COMC	Commercial Core	10.00 1.00 FAR 45 du/Gross Acre (Except in CHHA)	Wide Range of Commercial and Office Uses, Open Space, Church, Schools, Mix of Residential Uses
GCOM	General Commercial	.60 100 FAR 14 du/Gross Acre (Except in CHHA)	General Commercial, Office, Schools, Churches, Open Spac
HCOMIND	Heavy Commercial / Industrial	5.00 1.00 FAR	Manufacturing Processing Assembly, Warehouse, Lumbe Yards, Commercial Marinas, Boat Building, Supporting Commercial and Office Uses
PD (Delete)	Planned Development	1.00/1.00 FAR 16 du/Gross Aere (Except in CHHA)	Mixed Uses — Range of Housing Types, Open Space Limited Commercial Uses
CONS	Conservation	0	Open Space, Passive Recreation
PU	Public Use	Special	Parks, Marinas, and Other Recreational and Open Space Uses
PF	Public Facility	Special	Government Owned Facilities
UP	Urban Planning	2.00 1.00 FAR 16 du/Gross Acre (Except in CHHA)	Mixed Uses Range of Housing Types, Open Space, Limited Commercial Uses

FUTURE LAND USE DESIGNATION SUMMARY

SOURCE: City of Palmetto Planning Department, 2009
Policy 1.3.4: Heavy commercial/industrial land uses shall be subject to performance standards to control noise, vibration, glare, odors, fumes, and smoke. 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.

Policy 1.3.5: Heavy commercial/industrial land uses in the Commercial Core are designated as conditional uses in the Land Development Code. shall not be permitted in the Commercial Downtown Core. These 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. 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 Commercial Downtown Core ceases, it shall not be re-established.

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

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

Policy 1.4.1: 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 districts (9J-5.006(3)(c)(8). The City shall adopt a amend adopt the Historic Preservation Ordinance by 2009. Resolution by December 2010. The Historic Preservation Ordinance Resolution shall establish a Historic Preservation Board and procedures and standards for nominating and designating historic districts and landmarks.

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

Policy 1.4.3: The City shall have develop a program to protect, preserve or appropriately re-use the historic resources in the City's constal zone. [93-5.012(3)(b)10.]

Policy 1.4.4: The City shall adopt a Historic Preservation Resolution Ordinance to provide protection for significant historic resources.

Policy 1.4.5: The City shall amend its Laux Development Code to provide for the protection of significant historic resources from the impacts of development and redevelopment.

<u>Policy 1.4.6</u>: Significant historic resources and their environments should be included in public acquisition programs for recreation, open space and conservation. Any development or activities planned for these sites shall be passive in nature and shall not endanger the integrity and character of the resource.

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.

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

Policy 1.5.2: Coastal densities-population 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 CHIIA as either RES-4, CON, GCOM, or PU.

Utility Facilities [93-5.006(3)(b)9.]

Objective 1.6: To ensure the availability-concurrency and adequate provision and provide for of utilities to meet the needs of the area. <u>Policy 1.6.1:</u> During the development review process, the City shall require continue to coordinate coordination with all applicable utility companies.

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

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

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

<u>Policy 1.7.1</u>: Incentives to investment in the redevelopment area shall be offered to the extent necessary to correct existing blight.

<u>Policy 1.7.2:</u> Land use planning, zoning, and other development regulations shall be applied to encourage greater intensity of development in the <u>Commercial Downtown</u> Commercial Core.

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

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

Land Development Regulations [9J-5.006(3)(b)10.]

Objective 1.8: The City shall implement its Future Land Use Map FLUM through its Land Development Code. Uses that are inconsistent with the community character as depicted on the Future Land Use Map FLUM shall be eliminated, with proper consideration for property rights.

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 implemented. Objective 1.9: To encourage the use of planned-developments urban planning 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 planmed development UP 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 manner designed to ensure insure that all development meets standards consistent with the comprehensive plan in drainage and stormwater management, open space, and convenient onsite traffic flow, including needed and parking.

Policy 1.9.3: By October-2002 2010, the City shall amend its Land Development regulations Code to require encourage bicycle parking for any new multi-family, commercial and/or heavy commercial uses.

Policies 1.8.4, 1.8.5, and 1.8.6 were deleted prior to ZNS receiving - Delete this note for Final.

Policy 1.9.4: The Planned Development (PD) UP land use category requires a Planned Development (PD) UP zoning. The maximum density of the PD category is 16 dwelling units/acre with applicable density bonus, however, existing densities and future land use plan entegory 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 these properties an equal dimensional distance to the north, south, east and west of the subject property. For example, if the subject property is 250feet 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.

CITY OF PALMETTO - LAND USE ELEMENT 2010 COMPREHENSIVE PLAN 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.

This information shall be provided by the applicant for staff review and approved by the appropriate governing bodies.

If PD UP 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 Urban Planning 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 - COMC Category

<u>Objective 1.10</u>: 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 Community Redevelopment Area, the **Planned Development Urban Planning** COMC land use category shall offer a density bonus provision.

Policy 1.10.1: The Planned Development Urban Planning COMC land use category allows consideration of a density bonus. The maximum density permitted in the Planned Development Urban Planning COMC category is 16 45 16 45 dwelling units per acre. For those properties designated or requesting a designation of PD UP COMC, 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).

<u>Policy 1.10.2</u>: The <u>Land Development_Code</u> shall include the following options for consideration of a density bonus:

- Ten (10) Fifteen (15) percent of the housing units shall be affordable and attainable.
- Additional density, up to 45 45 du/acre, may be achieved considered 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.

The proposed development is redevelopment or in-fill and is located within the Community Redevelopment Area.

Density/Intensity Transfer

<u>Objective 1.11</u>: 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.

<u>Policy 1.11.1</u>: 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 mitigation projects on environmentally sensitive areas which receive the support of SWFMD and DEP are permitted.

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

<u>Policy 1.11.2</u>: If a density/intensity transfer occurs, only those uses deemed compatible with the adjacent wetlands 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 policy.

<u>Policy 1.12.1:</u> By December 2001, the City shall prepare an annexation map. The City shall work with the Joint Planning Committee (JPC) to determine those areas contiguous to the City that should be considered for annexation.

<u>Policy 1.12.2</u>: By December 2001 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. Once these service area boundaries have been established, a binding agreement between the City and the County establishing service areas shall be executed.

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

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

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.

<u>Policy 1.13.1</u>: 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:

1. Only properties adjacent to the plan designation proposed for flexing may be considered.

 The proposed rezoning is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan and any other applicable land development regulation.

 The proposed rezoning does not disrupt established land use boundaries such as, but not limited to, railroads, streets, alleys, and rear property lines. 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 and transportation network.

 The site is adequately served or programmed to be served by acceptable levels of community facilities and utilities.

<u>Policy 1.13.2</u>: 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 employed once on the subject property. Properties adjacent to a flexed property cannot use the flex provision as a basis for rezoning.

School Siting

Objective 1.14: To provide for, locate, and expand 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.

<u>Policy 1.14.1</u>: Under appropriate circumstances, schools may be considered in all land use plan categories, except Conservation.

<u>Policy 1.14.2:</u> Assist the School Board schools 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.

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

13.0 CAPITAL IMPROVEMENTS GOALS, OBJECTIVES, AND POLICIES This was originally Section 12 - Delete Note

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 [93-5.016(3)(b)1.]

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.

Policy 13.1.2: Those projects needed to correct existing deficiencies in meeting adopted EOS Level of Service (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:

- 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 Gity Council, Public Works Director and City Clerk and Police Chief shall establish and review, on an annual basis, the prioritization of capital projects included in the Gapital Improvements Program: CIP.

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's 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.

Limit Public Expenditures in High Hazard Coastal Area

Objective 13.2: The expenditure of public funds to subsidize future development in the Coastal High Hazard Area (CHHA) shall be directed by the goals, objectives, and policies of the Coastal Management Element. (CME) [9J-5.016(3)(b)2.] (Also see Objective 8.5.4.)

Policy 13.2.1: The City shall expend funds within the coestel high learned area CHHA for continued maintenance/ improvement of existing facilities in order to meet adopted LOS standards and to encourage development/redevelopment.

CITY OF PALMETTO - CAPITAL IMPROVEMENTS ELEMENT 2030 COMPREHENSIVE PLAN <u>Policy 13.2.2:</u> The City shall 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 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.

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.

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 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 12.3.1: 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).

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

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

Demonstration of the Ability to Fund Improvements

Objective 13.4: The City shall, through its Capital Improvements Program CIP 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 needed capital improvements. [9J-5.016(3)(b)5.]

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

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.

Decisions Regarding Permit Issuances

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

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

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.

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.

B

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.

- 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;

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

D

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;

) 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;

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 reseinded prior to the issuance of a certificate of occupancy. 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;

The necessary facilities and services are guaranteed, in an enforceable development agreement, to be provided by the developer.

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- 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

<u>Objective 13.5</u>: 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.

Policy 13.5.1: 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.

Policy 13.5.2: 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.

Policy 13.5.3: The following LOS standards shall be established for the purpose of reviewing development proposals, issuing permits and development orders, and capital facilities planning:

FACILITY

UNITS

STANDARD

Neighborhood Park/Community Park	Acres	4 acres/1,000 population
Boat Ramps	Lane	1 lane/2,000 5,000 population
Open Space	Acres	1 acre/1,000 population
Tennis	Court	1 court/2,000 population
Baseball	Field	1 field/2,000 population
Softball	Field	1 field/2,000 population
Basketball	Court	1 court/5,000 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/2,000 population
Picnicking	Pavilions/tables	1 pavilion/10,000 population
Swimming Pool	Pool	1 pool/20,000 population
Multi-Purpose Recreation	Square feet	7,500 square feet/15,000 population
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

Public Schools

Objective 13.71 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: Manutee 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.

<u>Policy 13,7.6</u>: Each year the City of Bradenton 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.

GOAL: THE CITY SHALL COORDINATE WITH THE SCHOOL DISTRICT TO PROVIDE A FINANCIALLY FEASIBLE CAPITAL IMPROVEMENTS PLAN.

Capital Improvement Element (CIE) Section

Objective 13.6: The City shall establish and maintain the adopted LOS for public schools.

Policy 13.6.1: The City and the School Board agree to implement the LOS standards for public schools to all schools of the same type.

Policy 13.6.2: The LOS standards for public schools are as follows:

- Elementary: 110% of Permanent Florida Inventory of School Houses (FISH)
 Capacity by School Service Area (SSA)
- Middle: 105% of Permanent FISH Capacity by School Service Area SSA
- · High: 100% of Permanent FISH Capacity District-wide

Policy 13.6.3: Capacity Utilization is Capacity Demand divided by Capacity Availability.

Policy 13.6.4: The City shall ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development.

Policy 13.6.5: The City adopts by reference the School District of Manatee County 2008-09 School Capacity Program, as approved by the School Board on September 8, 2008.

Policy 13.6.6: The five-year schedule of improvements ensures the LOS standards for public schools are achieved and maintained within the period covered by the five-year schedule.

Policy 13.6.7: Annual updates to the schedule shall ensure levels-of-service standards are achieved and maintained.









