

TAB 1

MEMORANDUM

**To: Mayor Shirley Bryant
City Commission**

From: Tom McCollum, Interim City Planner

Date: April 27, 2010

Subject: 2030 Comprehensive Plan Workshop Update

As a follow up to the discussion at the last Comp Plan workshop, staff has provided a variety of documentation for consideration. Attached please find the following:

- Attachment 1: Amendment Definition for Future Land Use Element (FLUM)
- Attachment 2: Amendment Definition for Recreational Resort
- Attachment 3: Revised Designation for Commercial Core (COMC)
- Attachment 4: Revised Designation for General Commercial (GCOM)
- Mobility Fee Methodology Study (in the event the City does away with LOS requirements)
- Compliance Listing by Date as originally prepared. (All 2010 dates will be properly revised in the document before transmittal to DCA.)

I hope these materials will be of assistance as we continue the Comprehensive Plan amendment process.

Attachment 1: Proposed New Definition

Future Land Use – A required element of all Comprehensive Plans within the state of Florida, which provides written and graphic summaries of the various types of land uses that the political jurisdiction deems appropriate to guide the future growth of the jurisdiction. The element provides summaries of the various use types, specifies the maximum density or intensity of development associated with each use, and provides a graphic summary of the distribution of the various land uses throughout the jurisdiction. Future Land Use designations are described in the Future Land Use Element of the Comprehensive Plan. Future Land Use also includes policies for governing development, redevelopment, and the future use of property throughout the City.

Comments:

This is a new definition.

Attachment 2: Proposed Revised Definition

Recreational Resort – A parcel of land containing facilities and amenities designed to accommodate seasonal residents. A Recreational Resort may include a single, mixed, or multiple use project and primary uses including one or more of the following: residential dwellings, lodging facilities, RVs, fifth wheels, and travel trailers. Accessory uses may be allowed to serve the needs of the residents. Such accessory uses may include, but are not limited to, the following: passive and active recreational uses, marinas, boat and/or trailer storage, docks and ramps, fishing piers, boardwalks, and commercial, professional, and recreational uses designed to serve the project.

Recreational resorts shall limit the stay of RVs to 180 days per calendar year. Mobile homes, pop-up trailers, tents, and conversion vans are prohibited on RV sites.

Comments:

- **The revision “generalizes” the definition.**
- **RVs, fifth wheels, and travel trailers are permitted uses.**

Attachment 3: Proposed Designation Revision

Commercial Core (COMC) – Maximum of 10.00 Floor Area Ratio/ Maximum of 45 Dwelling Units per Acre Except in the Coastal High Hazard Area as defined in the Definition Section and Policy Objective 8.5.

Uses permitted: General commercial, tourist commercial, professional, and personal services, churches, schools, parks, recreational uses, water-dependent uses, off-site parking facilities, mixed use development, residential, and public and semi-public uses. The purpose of the Commercial Core is to strengthen and protect areas identified as part of the historic and functional downtown center, encouraging development that is consistent with an urban theme and which permits residential development at higher densities including planned development techniques to maintain and enhance a vibrant downtown. It is intended that development will be designed with carefully located buildings, parking, service areas, and open space that is scaled and balanced to minimize traffic congestion by including uses that are compatible and complimentary with adjacent land uses. A maximum gross floor area ratio of 10.00 and a maximum dwelling unit density of 45 units per gross acre may be considered except within the Coastal High Hazard Area.

Comments:

- **More general than previous description**
- **Includes residential and mixed use development.**
- **Does not specifically include automobile uses.**
- **Includes tourist commercial uses specifically. Includes semi-public uses.**

Attachment 4: Proposed Designation Revision

General Commercial (GCOM) – Maximum of 1.00 Floor Area Ratio/Maximum of 14 Dwelling Units per Gross Acre Except in the Coastal High Hazard Area as defined in the Definition Section and Policy Objective 8.5.

Uses permitted: General commercial, tourist commercial, professional, semi-public, recreational, personal services, automobile-related uses, mini warehouses, mixed use development, multi-family residential, schools, churches, and water-dependent uses. This land use category includes areas suitable for a wide range of commercial and professional services that fulfill needs for goods and services. Areas designed GCOM are primary along major arterials and are generally accessed by vehicle. However, provisions for alternate modes of transportation to and within, the District shall be considered.

The maximum gross floor area ratio intensity of 1.00 and the maximum dwelling unit density of 14 units per gross acre may be considered except within the Coastal High Hazard Area.

Comments:

- **More general than previous description**
- **Adds Tourist Commercial (Hotels, etc.)**
- **Adds Mini Warehouses (Current Permitted in Zoning)**
- **Adds Mixed Use Developments**
- **Adds Multi-Family Residential
(This would be the only residential permitted in this Land Use category.)**

Mobility Fee Methodology Study

When the Florida Legislative enacted Senate Bill 360 in 2009, one of the provisions included a new concept that allowed densely developed cities and counties to opt out of the state required transportation concurrency requirements by declaring themselves to be Transportation Concurrency Exception Areas (TCEA). This declaration removes the jurisdiction from the state mandated transportation concurrency requirements.

Florida Statute 163.3180(5)(b)4, requires a local government that has a TCEA designation adopt "into its local comprehensive plan land use and transportation strategies to support and fund mobility within the TCEA, including alternative modes of transportation" within two years.

So what does that mean for Palmetto?

1. Palmetto qualifies as a Dense Urban Land Area (DULA).
2. Palmetto can declare some or all of the City as TCEA.
3. State law provides that within two years from the declaration, the City must adopt into its Comprehensive Plan Land Use and Transportation Strategies to support and fund mobility within the TCEA, including alternative modes of transportation.

So what does that mean for Palmetto?

The answer is: no one knows for sure. The draft report issued by the DCA and FDOT indicates the following:

A mobility fee covering the true cost of transportation needs attributable to new development may be higher when compared to current impact fee rates. Studies to date indicate that current transportation impact fees do not cover all costs of transportation needs attributable to new development.

Although a mobility fee is similar to an impact fee in that it is a change on new development, the mobility fee as proposed in the report would be different from an impact fee in significant ways, including:

- A mobility fee would apply on at least a countywide basis;
- A mobility fee would require a high level of intergovernmental coordination;
- A mobility fee would be sensitive to vehicle or person miles traveled encouraging shorter trips and reduction of total travel thereby promoting compact and mixed-use development;
- A mobility fee would fund multi-modal transportation improvements for roadways, transit, bikeway, pedestrian walkways.

The draft report states that there must be some type of mobility fee that will apply countywide. I do not understand how that will work on several levels.

First, since Manatee County is not a DULA, why would they want to spend the time and money to develop a countywide mobility fee?

Second, how and when would the City be reimbursed for new development in the City?

Third, how could the mobility fee ever be fair to either Palmetto or Bradenton, who are proponents of an urban environment?

What happens at the end of two years if Manatee County does not have a mobility fee in place or if the interlocal agreement between the City and County has not been approved?

The draft report leaves it very unclear what will happen if a city declares a TECA, but fails to enact a mobility fee within two years of the declaration.

Based upon my review of the written materials available at this time, my impression of the mobility fee is:

1. The mobility fee is likely to be higher than the existing transportation level of service fee.
2. The mobility fee will be developed by Manatee County and will reflect Manatee County's growth philosophy, not Palmetto's.
3. The fee will be collected by Manatee County and dispersed by the interlocal agreement.
4. The mobility fee will not fund all the transportation needs of the community.

I hope this information will be of benefit as the consideration of a revised Comprehensive Plan continues.

The DCA website provides a link where those interested in more detail can read the draft report (<http://www.dca.state.fl.us/fdcp/dcp/MobilityFees/Files/JointReportMobilityFee12012009.pdf>)

**City of Palmetto
 2030 Comprehensive Plan**

Compliance Dates Listing by Date

Date	Description	Policy Number
No Date	The City of Palmetto adopted the Local Mitigation Strategy Plan on November 1, 1999. The CME (Coastal Management Plan) shall be amended to include appropriate plan strategies and policies in the next round of plan amendments after adoption of the City's Comprehensive Plan.	8.8.1
No Date	The Hurricane Response Team shall propose Comprehensive Plan amendments, if appropriate, which consider the recommendations of any interagency hazard mitigation reports or other reports prepared pursuant to state and federal law	8.6.6
December 31, 2011 2009	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 by December 31, 2011 . 2009.	7.1.5
December 31, 2011 2009	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 by December 31 2011 . 2009.	13.1.4
December 31, 2011	Land Development Code shall address performance standards related to noise, vibration, glare, odor, fumes, and smoke for heavy commercial/industrial land uses by December 31, 2011 2010 .	1.4.3
December 31, 2011 2010	By December 31, 2011 , 2010 , the City shall amend its Land Development Code to encourage bicycle parking for new multi-family, commercial, and/or heavy commercial uses.	1.10.3

**City of Palmetto
 2030 Comprehensive Plan**

Compliance Dates Listing by Date

<u>Date</u>	<u>Description</u>	<u>Policy Number</u>
December 31, 2011 2010	Promote the designation of historic districts through implementation of a preservation ordinance that includes criteria for designating property; standards and guidelines for controlling demolitions, alterations, and relocations; and procedures for administration and enforcement. By December 31, 2011 , 2010 , the City shall develop standards and guidelines.	3.3.1
December 31, 2011 2010	Ensure that the existing park system has sufficient capacity to meet the current and future park needs of Palmetto residents through December 31, 2011 , 2010 .	10.3
December 31, 2011 2010	A joint public/private approach to providing the facilities and sites needed to meet identified needs by December 31, 2011 , 2010 .	10.3.1
December 31, 2011 2010	By December 31, 2011 , 2010 , the City shall review and amend, if necessary, the Land Development Code to regulate the diminishment of the tree canopy. During the review process, consideration shall be given to tree removal, tree replacement, and other native vegetation protection.	9.3.3
December 31, 2011 2010	By December 31, 2011 , 2010 , the City shall review its land development regulations to assess the feasibility of amendments and/or additions that would achieve the following:	8.1.5
December 31, 2011 2010	Deleted in its entirety. The City shall adopt a LOS standard for public multi-purpose recreational facilities of 1 facility for every 15,000 population.	10.8.3
December 31, 2011 2010	Land Development Code shall be adopted by December 31, 2011 , 2010 .	Definitions
December 31, 2011	The City shall adopt the Historic Preservation	1.5.1

**City of Palmetto
 2030 Comprehensive Plan**

Compliance Dates Listing by Date

<u>Date</u>	<u>Description</u>	<u>Policy Number</u>
2010	Ordinance by December 31 , 2010. The Historic Preservation Ordinance shall establish a Historic Preservation Board and procedures and standards for nominating and designating historic districts and landmarks. The Historic Preservation Ordinance may also include protections for historic structures and features of the City.	
December 31, 2010 2011	By December 31, 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.	1.9.1
December 31, 2010 2011	By December 31, 2010, the City shall evaluate the Accord for consistency with implementation tools and regulations, both adopted and proposed.	1.12.3
December 31, 2010 2011	By December 31, 2010, the City shall develop and adopt annexation criteria.	1.12.4
December 31, 2010 2011	By December 31, 2010, the City shall consider adopt an ordinance that encourages the sharing of stormwater systems where appropriate in order to minimize the number of stormwater ponds.	6.4.2
December 31, 2010 2011	By December 31, 2010, the City shall develop a plan to restore or enhance the natural resources and habitat value of severely damaged, newly formed or extensively altered coastal areas following disastrous storm events.	8.7
December 31, 2010 Removed	Deleted in its entirety. By December 2010, the City shall review and amend, if necessary, the open space LOS standard of 1 acre/1,000 population.	10.8.1
December 31, 2014	MARS-II (North County Wellfield) – this is	7.1.5

**City of Palmetto
 2030 Comprehensive Plan**

Compliance Dates Listing by Date

<u>Date</u>	<u>Description</u>	<u>Policy Number</u>
	expected to generate 3.0 mgd in additional capacity and to be online by December 31, 2014.	
December 31, 2014	MARS-II (North County Wellfield) – this is expected to generate 3.0 mgd in additional capacity and to be online by December 31, 2014.	13.1.4
December 31, 2015	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 December 21, 2015.	7.1.1
December 31, 2017	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 by December 31, 2017.	7.1.5
December 31, 2017	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 by December 31, 2017.	13.1.4
December 31, 2024	PR/MRWSA Regional Option for MARS-IV – this is expected to generate 5.0 mgd in additional capacity and to be online by December 31, 2024.	7.1.5
December 31, 2024	PR/MRWSA Regional Option for MARS-IV – this is expected to generate 5.0 mgd in additional capacity and to be online by December 31, 2024.	13.1.4